

Andrea M. Hall

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United States

January 13, 2025

Via Email (lafco@smcgov.org)

San Mateo LAFCo
455 County Center, 2nd Floor
Redwood City, CA 94063

Re: Item No. 6: Broadmoor Police Protection District Update

Dear Commissioners:

I would like to take this opportunity to thank you for LAFCo's continued, diligent oversight of the Broadmoor Police Protection District. As a newly elected and soon-to-be sworn-in Broadmoor Police Commissioner, I look forward to working with LAFCo to make Broadmoor not just the only remaining police protection left in the state, but the best, widely respected for its fiscal prudence and sound management.

Unfortunately, there remains a lot of work to make that a reality. The District continues to make decisions that threaten its viability. Late last year, the District hired a former Daly City Police Officer. See Ex. A. That officer was terminated from his previous position after he was arrested for driving under the influence while "driving a government-owned vehicle and . . . on call as a drug interdiction task force member" with a "blood alcohol content measured 0.269 percent by volume." See Ex. B. Although ultimately his POST certificate was not revoked, the Professional Standards Division in the Central Bureau for Professional Conduct "found clear and convincing evidence and reasonable grounds to believe that [the officer] engaged in serious misconduct, in violation of California Penal Code section 13510.8(b)(6)." *Id.* The Broadmoor Police Commission never discussed the decision to hire this individual or its implications for the District's liability insurance rates.

Its November warrants also continue to reflect the District's lackadaisical approach to administration and spending. See Ex. C. Those warrants reflect that it had to refund \$8,529.44 to one long-time employee apparently because it failed to

calculated her payroll withholdings correctly. During this same period, the district paid attorneys \$12,060, sixty percent more than it paid for its employees' health insurance. It paid \$9,625 to a single attorney, exhausting the amount budgeted for his services in Fiscal Year 2024-2025. For this price, this attorney's representation of the District has included statements that former Broadmoor Chiefs' thefts from the taxpayers of California were "a practice that has been and still is lawful" and were "generally lawful and is followed all over the State of California, including the County of San Mateo and in the Sheriff's Office." See Ex. D. More recent examples of this attorney's legal advice to the District include that fulsome public comments at the District's public meetings "are simply gratuitous and non-substantive, thus irrelevant" and that "[t]he public does not have standing to object to the [Commission] minutes because the contents will become the work product of the Commission." See Ex. E. He has also suggested that his billing invoices are entirely privileged while demanding that the public foot the bill for his supposed services. These statements are legally unsupported nonsense. (*Los Angeles County Bd. of Supervisors v. Superior Court* (2016) 2 Cal.5th 282, 296 ("While a client's fees have some ancillary relationship to legal consultation, an invoice listing amounts of fees is not communicated for the purpose of legal consultation" and thus unprivileged.)) They also evidence a disturbing disrespect for the residents of Broadmoor and their right to know, understand, and guide how their tax money is spent.

I ran to change that, and I remain deeply grateful to the voters of Broadmoor for allowing me the opportunity to do so. But to have any shot at reforming a district so committed to spending itself into the ground, I and Broadmoor need LAFCo's continued support and guidance. Thank you very much for all of your oversight and constructive feedback regarding how the District might move forward to sustainability. I very much look forward to working to resolve these issues with LAFCo as a Commissioner on the District.

Sincerely,



Exhibit A



Broadmoor Police Department

December 3, 2024 · 🌐

Chief Connolly and the Broadmoor Police Department swore in two new Police Officers on Monday, 12/2. Officer Jaime Bermudez (Left) comes with prior experience from the Daly City Police Department. Officer **redacted** comes with prior experience from the **redacted** Department. These two officers, with their prior service experience, will greatly enhance the the department as both have prior patrol and investigations experience.

Welcome Aboard Jaime **redacted** !!



redacted

Log in or sign up for Facebook to connect with friends, famil...

Log In

or

Create new account

Exhibit B

STATE OF CALIFORNIA

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING
POST COMMISSION
SERIOUS MISCONDUCT CASE REVIEW MEETING

THURSDAY, NOVEMBER 21, 2024

MEETING HELD AT
THE OFFICES OF
COMMISSION ON POST
860 STILLWATER ROAD, SUITE 100
WEST SACRAMENTO, CALIFORNIA

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Stenographically Reported By:
Kathryn S. Swank
California Certified Shorthand Reporter #13061
Registered Professional Reporter

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CALL TO ORDER AND WELCOME	7
FLAG SALUTE	--
ROLL CALL OF COMMISSION MEMBERS	7
INTRODUCTION OF POSAAB LEGAL COUNSEL, POST CHIEF COUNSEL, AND THE EXECUTIVE DIRECTOR	10
PUBLIC COMMENT (None)	10
I. CASE REVIEW OF RECOMMENDATIONS MADE BY THE PEACE OFFICER STANDARDS ACCOUNTABILITY DIVISION	
I.a. POST2303451 - James Mutuku (POST ID: C25-A69) Last employing agency: Riverside Police Department	14
I.b. POST2307511 - Sifredo Cano (POST ID: C03-G01) Last employing agency: Los Angeles County Sheriffs Department	49
II.c. POST2313715 - Jaime Bermudez (POST ID: C36-U28) Last employing agency: Daly City Police Department	71
II.d. POST2300017 - Paul Matejcek (POST ID: C65-U31) Last employing agency: Brentwood Police Department	83
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1 events in this case, was employed with the Daly City
2 Police Department.

3 Gentlemen.

4 MR. SHERBURNE: Good morning, Commissioners. Thank
5 you for your time today.

6 My name is Kevin Sherburne. I'm a law enforcement
7 consultant. I work for the Central Bureau for
8 Professional Conduct in the Professional Standards
9 Division.

10 I served as the investigator in the case involving
11 Jaime Bermudez, who was employed by Daly City Police
12 Department at the time of the serious misconduct. The
13 case number is POST2313715.

14 The division in this case found clear and
15 convincing evidence and reasonable grounds to believe
16 that Mr. Bermudez engaged in serious misconduct, in
17 violation of California Penal Code
18 section 13510.8(b)(6), based upon two DUI convictions.

19 The division recommended to the Peace Officer
20 Standards Accountability Advisory Board that
21 Mr. Bermudez's POST certifications be revoked, without
22 taking a position regarding whether a stay of revocation
23 would be appropriate in this case.

24 Counsel for POST provided background on two other
25 cases that the division brought that involved substance

1 abuse and explained how those cases were resolved.

2 Counsel for POST is sitting next to me, Mr. Bryant
3 Henley, and he was the individual who explained to the
4 board with those division's position.

5 In accordance with the requirements of Senate
6 Bill 2, and as required by Penal Code
7 section 13510.85(a)(4), the board heard this case on
8 October 17, 2024.

9 Following the conclusion of the hearing, the board
10 voted unanimously to recommend revocation of
11 Mr. Bermudez's certifications and to stay revocation
12 under certain -- certain conditions.

13 In accordance with Penal Code
14 section 13510.85(a)(5), the record of that proceeding is
15 before you today, including the agenda and attachments
16 from that meeting, a transcript of the relevant portions
17 of the hearing, and the recommendation of the board.

18 The law requires your review to be of the record
19 before the board, which the division has provided to
20 you, and which you have had an opportunity to review it.

21 As presented to the board, the clear and convincing
22 evidence substantiated that Mr. Bermudez violated
23 California Penal Code section 13510.8(b)(6).

24 Mr. Bermudez was convicted twice for drunk driving.
25 These acts are sufficiently egregious or repeated as to

1 be inconsistent with the peace officer's obligation to
2 uphold the law or respect the rights of members of the
3 public.

4 Mr. Bermudez worked for Daly City Police Department
5 for nearly 11 years, from 2012 to 2023, when he was
6 terminated.

7 POST issued three certificates to Mr. Bermudez,
8 including basic, intermediate, and advanced.

9 In 2015, the Campbell Police Department officers
10 arrested Mr. Bermudez for DUI. He was off duty at the
11 time. He had collided with a fire hydrant, causing
12 major damage to the driver's side of the vehicle. And
13 he had a passenger in the car.

14 His blood alcohol content by volume measured
15 0.19 percent. He pled nolo contendere and was
16 convicted.

17 The Court sentenced him to volunteer work,
18 counseling, and fines.

19 In 2022, Walnut Creek police officers arrested
20 Mr. Bermudez for DUI. He was driving a government-owned
21 vehicle and was on call as a drug interdiction task
22 force member at the time. He had a civilian passenger
23 in the car. His blood alcohol content measured
24 0.269 percent by volume. And in addition to alcohol,
25 Mr. Bermudez tested positive for THC at the rate of 5.9

Exhibit C

Broadmoor Police Department
WARRANTS JANUARY 2025 GENERAL FUND

Num	Date	Name	Memo/Description	Account	Amount
9193	12/09/2024	Lisa Hernandez	SS TAX REFUND ADJUSTMENT	5611-NEED DESCRIPTION	-737.44
9194	12/23/2024	STATE COMPENSATION INSURANCE FUND	DEC PREMIUMS	6731-INSURANCE NON MEDICAL AND EDD	-3,369.41
9195	12/23/2024	BERKSHIRE HATHAWAY GREAT AMERICA FINANCIAL SVS	AUTO INSURANCE	6731-INSURANCE NON MEDICAL AND EDD	-3,292.00
9196	12/23/2024	PG&E	COPIER LEASE	5478-GENERAL CONTRACT MAINTENANCE	-258.35
9197	12/23/2024	PG&E		5638-OTHER UTILITY & FACILITY EXPENSE	-1,815.66
9198	12/23/2024	DBA FINANCIAL, INC	PYMT 6	6731-INSURANCE NON MEDICAL AND EDD	-44,025.96
9199	12/23/2024	Bay Contract Maintenance, Inc.	NOV SUPPLIES	5156-OTHER HOUSEHOLD EXPENSE	-95.76
9200	12/23/2024	Flyers Energy, LLC	FUEL	5416-FUEL AND LUBRICATION	-1,935.25
9201	12/23/2024	County of San Mateo ISD	SVC MONTH NOV	5858-OUTSIDE PROF CONTRACT SERV	-82.25
9202	12/23/2024	TEA		5424-RADIO EQUIPMENT	-180.00
9203	12/23/2024	AT&T Mobility-FirstNet	WIRELESS	5638-OTHER UTILITY & FACILITY EXPENSE	-543.94
9204	12/23/2024	LexisNexis	NOV COMMITMENT	5876-OTHER PROFESSIONAL SERVICE	-200.00
9205	12/23/2024	AXON ENTERPRISE	BWC	5838-MISC EMP EXPENSE REIMBURSE & TRAINING	-2,982.85
9206	12/23/2024	Experian		5876-OTHER PROFESSIONAL SERVICE	-227.24
9207	12/23/2024	Wave		5638-OTHER UTILITY & FACILITY EXPENSE	-208.81
9208	12/23/2024	Wave		5638-OTHER UTILITY & FACILITY EXPENSE	-419.98
9209	12/23/2024	AAA Smart Home	DEC 2024	5478-GENERAL CONTRACT MAINTENANCE	-34.20
9210	12/23/2024	AT&T-Calnet		5638-OTHER UTILITY & FACILITY EXPENSE	-342.88
9211	12/23/2024	Royal Auto Body & Repair Center, Inc.	16 FORD DOORS	5455-VEHICLE AND EQUIP REPAIRS	-750.00
9212	12/23/2024	BEST BEST AND KRIEGER	NOVEMBER FEES	5341-LEGAL NOTICES	-140.00
9213	12/23/2024	NevTec	DUE 01/01/25	5858-OUTSIDE PROF CONTRACT SERV	-12.00
9214	12/23/2024	Critical Reach	2025 APB FEE	5876-OTHER PROFESSIONAL SERVICE	-485.00
9215	12/23/2024	Cintas	DEU 12/29	5876-OTHER PROFESSIONAL SERVICE	-217.95
9216	12/23/2024	County of San Mateo, PSC	FY24/25 Q2 DISPATCHING SVCS	5858-OUTSIDE PROF CONTRACT SERV	-26,577.50
9217	12/23/2024	Kaiser Foundation Health Plan	INV 900389933942	4413 KAISER HEALTH INSURANCE	-7,628.34
9218	12/23/2024	Sharp Business Systems	NOV COPIER	5478-GENERAL CONTRACT MAINTENANCE	-28.17
9219	12/23/2024	Davis Law Firm	NOVEMBER FEES	5341-LEGAL NOTICES	-9,625.00
9220	12/23/2024	COLANTUONO, HIGHSMITH, WHATLEY PC	REF: PROPOSED REORG	5341-LEGAL NOTICES	-2,295.00
9221	01/02/2025	DBA FINANCIAL, INC	Voided - DUE 01/01/25	6731-INSURANCE NON MEDICAL AND EDD	0.00
9222	01/02/2025	Central Self Storage	Voided	5638-OTHER UTILITY & FACILITY EXPENSE	0.00
9223	01/02/2025	Central Self Storage	Voided	5638-OTHER UTILITY & FACILITY EXPENSE	0.00
9224	01/02/2025	CAL AUTO BODY	2015 EXPLORER	5455-VEHICLE AND EQUIP REPAIRS	-386.98

9225	01/02/2025	K WEST AUTO CARE	2017 EXPLORER	5455-VEHICLE AND EQUIP REPAIRS	-40.00
9226	01/02/2025	Royal Auto Body & Repair Center, Inc.	2017 FORD	5455-VEHICLE AND EQUIP REPAIRS	-1,710.93
9227	01/02/2025	Bay Contract Maintenance, Inc.	DEC 2024 CLEANING	5156-OTHER HOUSEHOLD EXPENSE	-526.11
9228	01/02/2025	RMI Mechanical Contractor, Inc.	QUART. PREVENTATIVE MTNC	5478-GENERAL CONTRACT MAINTENANCE	-800.00
9229	01/02/2025	NBS	QUART. INV 01/01/25-03/31/25	5876-OTHER PROFESSIONAL SERVICE	-905.00
9230	01/02/2025	SMCPCSA	SMCPCSA 2025 DUES	5199c-Meals	-1,250.00
9231	01/02/2025	NevTec	JAN 2025	5858-OUTSIDE PROF CONTRACT SERV	-4,499.72
9232	01/06/2025	Public Storage	CAM CHARGES	5638-OTHER UTILITY & FACILITY EXPENSE	-453.25
9233	01/06/2025	Public Storage	RENT	5638-OTHER UTILITY & FACILITY EXPENSE	-454.00
9234	01/06/2025	Lisa Hernandez	Q3 - 2021,Q1, Q2, Q3, Q4 - 2022 Q2 - 2023	5611-NEED DESCRIPTION	-7,792.00
9235	01/08/2025	All City Management Services	96968 5715.20,INV 97317 5143.68,INV 97645 2857.60	5200-SCHOOL CROSSING GUARD EXP	-25,014.72
					-\$152,343.65

Broadmoor Police Department

WARRANTS JANUARY 2025 PETTY

Num	Date	Name	Memo/Description	Account	Amount
4945	12/05/2024	Andrew Mew	Best Buy/Amazon purchase	5199e-Small Equipment	-468.28
4949	12/23/2024	Graphics on the Edge	GOLD/BLK STARS	5876-OTHER PROFESSIONAL SERVICE	-108.13
4947	12/23/2024	Ninnescah Valley Bank	DUE 01/01/25	7311-FIXED ASSETS - EQUIPMENT	-926.55
4946	12/23/2024	voided		7311-FIXED ASSETS - EQUIPMENT	0.00
4948	12/23/2024	voided		5876-OTHER PROFESSIONAL SERVICE	0.00
4950	01/02/2025	LC Action Police Supply		5201 - AMMUNITION EXPENSES	-3,284.53
4951	01/02/2025	Alison Drake	PEETS COFFEE	5199d-Recognition	-149.98
4952	01/02/2025	SAMIR ABULHAN		5121-UNIFORMS AND SAFETY EQUIP	-265.96
					-\$5,203.43

Exhibit D

May 13, 2024

Page Three

Andrea Hall is an attorney who claims to be a litigator, so she knows or should know all about privileges and the mechanics of litigation. Nevertheless, she proffers a litany of the most bizarre constructions of law and argument.

While most of the legal citations and argument Andrea Hall includes in her letters might make for interesting reading in a law review article, they provide no basis in reality. Likewise, while Andrea Hall continues down a path of defamation and destruction, she demands that the District should "be dissolved immediately." Unfortunately, Andrea Hall offers no insight or clue into how she would remedy the problems she perceives or what would happen if the District were indeed dissolved. She apparently has no clue that District is located exclusively in an unincorporated area of the County not served by any law enforcement agency except the District's police department. What this means is if the District is dissolved the Sheriff of San Mateo County would have to assume primary jurisdiction of all non-traffic-related law enforcement operations, while all traffic-related matters would be under the primary jurisdiction of, and handled by, the California Highway Patrol. It is not likely that either of those agencies would have full-time patrol operations in the District, and most probably neither would. The Highway Patrol would have no regular presence in the District unless requested by the Sheriff on an incident-by-incident basis.

Again, illustrating Andrea Hall's ignorance of public pension plans she proceeds to deride former Commissioner Joseph Sheridan, to whom Andrea Hall refers to as "unrepentant" and who at the time sat on the Broadmoor Police Commission was, and he still, is a sergeant with the San Mateo County Sheriff's Office, about his apparent condonation of "double-dipping." Whether or not Andrea Hall agrees with that practice and feels that Sgt. Sheridan is "unrepentant", double-dipping is a practice that is generally lawful and is followed all over the state of California, including the County of San Mateo and in the Sheriff's Office as well. The District is aware of numerous employee annuitants from jurisdictions within and without the County who are employed by the County on a full-time basis in various capacities. These annuitants receive, in addition to their full pensions from CalPERS or other public pension plans from which they receive pension benefits, full salaries from the County. So, once again, while Andrea Hall derides a practice that has been and still is lawful and followed throughout the state she indeed has a right to gripe about it. However, her gripe is misdirected. It is not properly directed at the employees and employers who engage in the practice but with the legislature itself for not prohibiting it.

Exhibit E

From: Davis Law Offices <pmd@davislawoffice.com>
Date: January 9, 2025 at 6:13:17 PM PST
To: Andrea Hall <andreameghanhall@gmail.com>
Cc: Lisa Hernandez <lhernandez@pd.broadmoor.ca.us>
Subject: RE: Agenda Packet for Jan 2025 Commission Meeting

Andrea,

Thank you very much for your email.

As you correctly point out, the handbook (section 5060.1.1) indeed states that the [proposed] Minutes shall be distributed to the Commissioners. What is important in that section is what the section does not say. It does not say that the Minutes should be distributed to anyone except the Commissioners. Indeed, the section's own language specifically and unequivocally limits the persons to whom the [proposed] Minutes shall be distributed – the Commissioners and no one else.

The procedures for approving the Minutes I previously outlined have worked quite well for decades, not only for the District but for almost all public entities. After the Minutes are approved by the Commission and published, any member of the public may offer comments. (I respectfully opine that fulsome comments, as you suggest, are simply gratuitous and non-substantive, thus irrelevant.) If a member of the public has any substantive comments to make regarding Minutes the Commission has approved, the Commission will listen to such comments. As I previously stated, the public has no standing to object to the

minutes because they are the work product of the Commission and are derived from the digital recording of the meeting. So any concern regarding the contents of the Minutes can easily be resolved by listening to the live recording of the meeting. Moreover, approval of the Minutes always appears on the Consent Calendar.

I completely understand your argument and your concern about the procedures being followed here; however, there is no single person (including the individual commissioners) affiliated with the District who has the unilateral authority to change the procedures being followed. I don't have the authority to tell the Commission it must change the rules. Likewise, I don't have the authority to depart from them either. Any change to the current procedures you would want to see made can only be made by the Commission acting as a body politic at a public meeting acting on a duly noticed Agenda item.

So, if you feel that the rule should be changed, you can propose a rule change and ask that an Item be placed on an Agenda at a public meeting. At that time a motion will be made to change the rule, public comment will be received, the issue will be discussed and debated, and the Commission as a body will vote on it. The results of that vote will be the final say of how the motion is adjudicated.

I am going to recommend that the Commission Handbook be updated. It is old and has not been updated in a very long time. Your input and participation in that process will be very important. Please keep in mind that all I can do is make a recommendation. The ultimate decision to update or revise the Handbook will be up to the Commission by a majority vote at the public meeting.

Finally, you might want to consider nominating yourself for Secretary when the reorganization takes place on January 14. Perhaps you might find that assignment fulfilling and something you would enjoy. The Secretary is ultimately responsible for preparing the Minutes that are ultimately submitted in draft form to the Commission. Just a thought.

Again, thanks again for your email and I hope this email sheds some light on how and why the draft Minutes are handled in the manner they are handled.

Paul M. Davis

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From: Andrea Hall [mailto:andreameghanhall@gmail.com]
Sent: Thursday, January 9, 2025 4:29 PM
To: Offices Davis Law
Cc: Lisa Hernandez
Subject: Re: Agenda Packet for Jan 2025 Commission Meeting

What statute or regulation prevents the public from commenting on the proposed meeting minutes? Section 5060.1.1 of the Commission handbook only says that they will be distributed to the Commissioners. It doesn't prohibit sharing the proposed minutes with the public. The public has standing under the Brown Act to comment on any item within the subject matter jurisdiction of the legislative body and the Brown Act mandates that the public be given opportunity to comment on each agenda item before or during its consideration by the legislative body. The public needs to have the proposed minutes to be able to provide fulsome comments.

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On Jan 9, 2025, at 2:01 PM, Davis Law Offices <pmd@davislawoffice.com> wrote:

Hi Andrea,

The minutes you received in your packet are only a draft of the proposed minutes and thus are public records. If they are approved, they will then become matters of public record.

The public does not have standing to object to the minutes because the contents will become the work product of the Commission; only the Commission can approve or correct the draft form of the minutes.

Thanks.

Paul M. Davis

From: Andrea Hall [mailto:andreameghanhall@gmail.com]
Sent: Thursday, January 9, 2025 1:46 PM
To: Lisa Hernandez; Davis Law Offices
Subject: Re: Agenda Packet for Jan 2025 Commission Meeting

Hi Lisa,

Why are the minutes for December omitted from the public packet but included in my packet? The public should have the opportunity to review them and object to anything they find inaccurate. It's disturbing that the District is taking measures to conceal nonprivileged information from the public. Thanks.

On Thu, Jan 9, 2025 at 8:49 AM Andrea Hall
<andreameghanhall@gmail.com> wrote:

Hi Lisa,

No need to print for me. I need to make notes on my digital copy so I will print those and the packet. Thanks!

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<!--[endif]-->

On Jan 9, 2025, at 8:34 AM, Lisa Hernandez
<lhernandez@pd.broadmoor.ca.us> wrote:

Good Morning John and Andrea,

*Attached you will find the January 2025
Agenda packet for next week's meeting.
I will also place a copy of the packet at
your seat in the Conference room.*

*Have a great day,
Lisa*

*Lisa Hernandez
Executive Assistant/Records
Broadmoor Police Department
388 88th St., Broadmoor, CA. 94015
650-755-3840 (Office)
650-755-9732 (Fax)*

<Commissioners Jan 2025 Agenda Packet .pdf>