

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

August 2, 2018

ITEM 4b

RESOLUTION (2018 - 11) OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT CALLING AN ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF ESTABLISHING THE DISTRICT'S APPROPRIATIONS LIMIT UNDER ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION, FIXING THE DATE OF SAID ELECTION AND REQUESTING THE SERVICES OF THE COUNTY CLERK

BACKGROUND

The appropriation limits for local governments in California were originally set by Proposition 4 in 1979. Article XIII B of the California Constitution authorizes a public entity to establish or change its appropriations limit for up to four years upon approval of a majority of voters voting on the measure. Changing the appropriations limit will not result in an increase in taxes and allows the District to fully use revenue that is already received.

Since 1981 the District has successfully brought this topic for voter approval at ten elections. The last vote on the appropriations limit was approved at the November 4, 2014 election. The results of that election were 66.03% of the voters in favor and 33.97% opposed. This election established the limit through fiscal year 2018-19; the limit for Fiscal Year 2018-2019 is \$4,375,000.00. A new vote of the electorate is required to establish the limit for the fiscal years from 2019-20 to 2022-23. As in prior years, the appropriations limit will be subject to adjustments in the cost of living and population. The next general election is scheduled for November 6, 2018 and the filing deadlines for this election are summarized below.

Filing Period

August 10	Last day to place a Measure on the ballot
August 16	Local Measure Letter assigned
August 22	Deadline for Primary Arguments
August 27	Deadline for Rebuttal Arguments
September 6	Last day to file Writ of Mandate
September 27	Estimated Voter Information Guide mailing

SOURCE: Guide to Filing Measure Arguments, Contra Costa County Elections Division, 2018

Resolution 2018- is included in the Board's agenda packet. The resolution calls for a vote on November 6, 2018 and establishes the 2018-2019 limit of \$4,375,000.00 as the base year for calculating the limit for the next four fiscal years 2019-2020 through 2022-2023.

The board may submit an argument in favor of the measure. A copy of the ballot arguments in the 2014 election are included in the Board's agenda packets. A number of procedural rules control the drafting of the argument in favor of the measure.

If the measure should pass, it will set the District's appropriations limit through the 2022-2023 fiscal year. The District will need to go to the voters again no later than June 2023 to allow the continuation of this past practice.

RECOMMENDATION:

Adopt resolution 2018-11

ATTACHMENTS:

Resolution 2018-11f

Impartial analysis, ballot arguments, November 2014

SUBMITTED BY: Anthony Constantouros, General Manager

RESOLUTION NO. 2018-11

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT CALLING AN ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE DISTRICT THE QUESTION OF ESTABLISHING THE DISTRICT'S APPROPRIATIONS LIMIT UNDER ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION, FIXING THE DATE OF SAID ELECTION AND REQUESTING THE SERVICES OF THE COUNTY CLERK

The Board of Directors of the Kensington Police Protection and Community Services District (hereafter referred to as the "Board of Directors") does resolve as follows:

WHEREAS, Article XIII B of the California Constitution provides that the appropriations limit otherwise applicable to a government entity may be changed by majority vote of the electors of such entity, subject to and in conformity with constitutional and statutory voting requirements; and

WHEREAS, the Board of Directors believes that it would be in the best interests of the peace and safety of the residents of the Kensington Police Protection and Community Services District (the "District") for the appropriations limit for Fiscal Year 2019-2020 to be established by the voters of the District and for the appropriations limit for the ensuing three years to be determined accordingly.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Kensington Police Protection and Community Services District as follows:

Section 1. An election (the "election") is hereby ordered and called and will be held in the District on Tuesday, November 6, 2018, at which election the following issue shall be submitted to all persons possessing all requirements of electors under the general election laws of the State of California and who are duly qualified electors residing within the District.

"Shall the appropriations limit of the Kensington Police Protection and Community Services District for Fiscal Year 2018-2019 be established at \$4,375,000.00 and the limit for Fiscal Year 2019-2020 (i.e., \$4,375,000.00) be used to determine the limits for Fiscal Years 2019-2020 through 2022-2023?"

Section 2. The election shall be and is hereby consolidated, pursuant to law, with the statewide election to be held on November 6, 2018, and the election precincts, polling places and officers of election within the area of the District for the election shall be the same as those selected and designated by the County Clerk of Contra Costa County for said statewide election. All proceedings incidental to and connected with the election shall be

regulated and done in accordance with the provisions of law regulating the said statewide election.

Section 3. This resolution shall also constitute a request to the Board of Supervisors of Contra Costa County and to the County Clerk to consolidate the election called by the Board of Directors with the statewide election on November 6, 2018.

Section 4. The County Clerk is notified that the appropriations limit measure must be approved by a majority of the electors.

Section 5. The County Clerk is notified that the boundaries of the District have not changed since the District's previous election.

Section 6. The County Clerk is authorized and directed, at the District's proportionate expense, to provide all necessary election services and to canvass the results of said election.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on _____, the ____ day of _____, 2018, by the following vote to wit:

AYES:

Rachelle Sherris-Watt, President

NOES:

Eileen Nottoli, Vice President

ABSENT:

Len Welsh, Director

Sylvia Hacaj, Director

Christopher Deppe, Director

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on _____, the ____ day of _____, 2018.

Tony Constantouros, General Manager