

**RESOLUTION 2010-01 OF THE BOARD OF DIRECTORS
OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT:
PROPOSING A SUPPLEMENTAL SPECIAL TAX FOR POLICE PROTECTION, ESTABLISHING A
DATE FOR ELECTION, ADOPTING INTENDED BALLOT LANGUAGE, ORDERING THE
CONSOLIDATION OF SAID ELECTION, REQUESTING ELECTION SERVICE BY THE CONTRA
COSTA ELECTION DIVISION, PROPOSING AN ORDINANCE FOR SAID AMENDMENT, ADOPTING
A METHOD FOR NOTICING SAID ORDINANCE AND DIRECTING THAT THE NOTICE BE POSTED
AND PUBLISHED.**

The Board of Directors of the Kensington Police Protection and Community Services District does hereby resolve as follows:

WHEREAS, this Board of Directors (the "Board") is the governing Board of the Kensington Police Protection and Community Services District (the "District"); and

WHEREAS, the Board has the authority to levy a special tax; and

WHEREAS, in 1994, the voters of the District previously approved a special tax (the "Existing Special Tax") in the amount of \$300 per year for single family residential parcels, with amounts for properties in other use categories indentified in the ordinance, to provide a source of funding for police protection services; and

WHEREAS, in 1994, the Existing Special Tax did not contain a CPI adjustment and has remained fixed at \$300 per year for single family residential parcels, with amounts for properties in other use categories indentified in the ordinance, for fifteen years; and

WHEREAS, the Board believes that a supplemental special tax (the "Supplemental Special Tax") is required to provide a stable financial foundation for operations and capital equipment acquisition for police protection.

WHEREAS, it is the intention of this Board that an Ordinance imposing the Supplemental Special Tax should be submitted to the voters of the District; and

WHEREAS, pursuant to Elections Code Section 10400 and with the approval of the Contra Costa County Board of Supervisors, the election on the Supplemental Special Tax, may be conducted with the Direct Primary election on June 8, 2010.

WHEREAS, said Ordinance may be adopted by the Board after notice and public hearing, and it is the desire of this Board to give notice of said Ordinance.

NOW, THEREFORE, BE IT RESOLVED that this Board hereby proposes an Ordinance to impose a Supplemental Special Tax for operations and capital equipment acquisitions for police protection. Said Supplemental Special Tax shall be in the amounts and for the purposes set forth in the attached Exhibit A.

1. **IT IS FURTHER RESOLVED** that this Board hereby calls an election to be held on June 8, 2010 at which election the issue to be presented to the voters of the District is as follows:

“Shall Kensington Police Protection and Community Services District Ordinance No. 2010-01, which imposes a Supplemental Special Tax for Kensington Police Department services in an initial annual amount of not to exceed \$200.00 for single family residential parcels, subject to CPI, with amounts for properties in other use categories identified in the ordinance, commencing FY 2010/11, be approved and shall the District appropriations limit be increased by the amount of this voter-approved tax?”

2. **IT IS FURTHER RESOLVED** that this Board hereby requests and consents to consolidation with any other elections to be held within the same territory for the Direct Primary Election scheduled on June 8, 2010; and
3. **IT IS FURTHER RESOLVED** that the boundaries of the District remain unchanged since the last election held in the District; and
4. **IT IS FURTHER RESOLVED** that this Board hereby authorizes and directs the Secretary of the Board at least 88 days prior to June 8, 2010, to file with the Contra Costa County Clerk certified copies of this resolution; and
5. **IT IS FURTHER RESOLVED** that this Board does hereby request that the Election Division of Contra Costa County include on the ballots and sample ballots recitals and measure language to be voted on by the voters of the qualified electors of the District and include the full text of the measure, contained in Exhibit A hereto, beginning with “An Ordinance of the Board of Directors...” and ending with “...Stephanie Fries, District Secretary” in the Voter Information Pamphlet; and
6. **IT IS FURTHER RESOLVED** that this Board does hereby request that the Board of Supervisors of Contra Costa County permit the County Elections Official to render specified services applicable to calling an election.
7. **IT IS FURTHER RESOLVED** that the Secretary of the Board is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Government Code and the Elections Code of the State of California; and
8. **IT IS FURTHER RESOLVED** that this Board hereby authorizes and directs the County Clerk to provide all necessary election services and canvas the results of said election. The District will reimburse Contra Costa County for election services as required by law; and
9. **IT IS FURTHER RESOLVED** that the time for public hearing on the Ordinance No. 2010-01 is hereby established as March 11, 2010 at 7:00 PM in the Kensington Community Center, located at 59 Arlington Avenue, Kensington, California, or as soon thereafter as the matter may be heard; and
10. **IT IS FURTHER RESOLVED** that this Board does hereby request the Secretary of the Board to publish a notice of public hearing set forth below in a newspaper of general circulation

published in the County of Contra Costa at least once fifteen (15) days prior to March 11, 2010;
and

11. **IT IS FURTHER RESOLVED** that the notice of public hearing to be given shall be substantially in the following form:

“NOTICE ON PROPOSED TAX ORDINANCE”

NOTICE IS HEREBY GIVEN that on March 11, 2010 at 7:00 PM at the Kensington Community Center at 59 Arlington Avenue, Kensington, California, or as soon thereafter as the matter may be heard, the Board of Directors of the Kensington Police Protection and Community Services District will consider the adoption of an ordinance which will, if adopted by the Board, and confirmed by two-thirds (2/3) of the votes cast by the voters of the Kensington Police Protection and Community Services District, impose an annual Supplemental Special Tax in an amount not to exceed \$200.00 per single family residential parcel, subject to CPI, with amounts for properties in other use categories indentified in the ordinance for continued Kensington Police Department coverage within the Kensington Police Protection and Community Services District.

NOTICE IS FURTHER GIVEN that the aforementioned Supplemental Special Tax will be imposed in addition to the Existing Special Tax which was approved by voters in 1994.

NOTICE IS FURTHER GIVEN that the Ordinance will further provide for the method of collection of said Supplemental Special Tax and for reasonable costs for collection of such Supplemental Special Tax.

NOTICE IS FURTHER GIVEN that persons desiring to address the Board regarding the proposed Ordinance should attend the hearing at the above place on the date and time indicated or if they wish to comment on the proposed Ordinance in writing, that they do so no later than 5:00 PM on March 11, 2010 to the District General Manager at the Kensington Public Safety Building at 217 Arlington Avenue.

PASSED AND ADOPTED at the adjourned meeting of the Board of Directors of the Kensington Police Protection and Community Services District held this 11th day of February, 2010 by the following vote:

AYES: 3

NOES: 1

ABSENT: 1

ABSTAIN: 0



Chuck Toombs, President

Board of Directors

Kensington Police Protection and Community Services District

ATTEST:

Stephanie Fries

Stephanie Fries, District Secretary
