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Date: June 9, 2022  
To: Board of Directors  
From: Tony Constantouros, Interim General Manager  
Subject: Ordering, Consolidating and Specifying the Election Order for the November 8, 2022 General Election

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### **Recommendation**

Staff recommends that the Board of Directors adopt Resolution No. 2022-11 ordering the election of three Directors at the November 8, 2022 Statewide General Election, consolidation of elections with Contra Costa County, and specifications of the election order.

### **Background**

The terms of the Kensington Police Protection District Directors Christopher Deppe, Rachelle Sherris-Watt, and Mike Logan expire December 1, 2022. The District must order and call a General Election for these positions. The election will be consolidated with the Statewide General Election in Contra Costa County. The directors shall be elected for a four-year term.

### **Discussion and Analysis**

The nomination period for the General Election begins July 18, 2022 and ends August 12, 2022. If no incumbent files nomination papers by August 12, 2020, the filing period is extended to August 17, 2022 for non-incumbent candidates. Candidates for the office of Director must: a) be a United States citizen; b) be a registered voter at the time the Declaration of Candidacy is issued; c) must be registered in the political subdivision for which you are running; d) and not have been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes (Elections Code 20, 201).

Pursuant to Section 13307, the District has determined that each candidate will pay for the Candidate's Statement and that the estimated cost at time of publication will be \$200.00, to be paid at the time of filing. This is only an estimate. If the actual cost exceeds the estimate, each candidate will pay their respective share of the additional cost. If the actual cost is less than the estimate, the candidate will receive a refund of the overpayment. The District will reimburse the county for the actual cost incurred by the county elections official in conducting the general election upon receipt of a bill stating the amount due as determined by the elections official.

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The Clerk of this Board will deliver copies of the Resolution to the Contra Costa Registrar of Voters. The Clerk of the Board will publish a Notice of Election once in a newspaper of general circulation in the District.

**Exhibit (s)**

- Resolution No. 2022-11 - Ordering The Even Year Board Of Directors Election, Consolidation Of Elections, And Specifications Of The Election Order.

**RESOLUTION NO. 2022-11**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT ORDERING THE EVEN YEAR BOARD OF DIRECTORS ELECTION, CONSOLIDATION OF ELECTIONS, AND SPECIFICATIONS OF THE ELECTION ORDER**

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*, The California Elections Code requires a general district election be held in each district to choose a successor for each elective officer whose term will expire on the first Friday in December following the election to be held on the first Tuesday after the first Monday in November in each even- numbered year; and

*WHEREAS*, other elections may be held in whole or in part of the territory of the district and it is to the advantage of the district to consolidate pursuant to Elections Code Section 10400; and

*WHEREAS*, Elections Code Section 13307 requires that before the nominating period opens the district board must determine whether a charge shall be levied against each candidate submitting a candidate’s statement to be sent to the voters; may estimate the cost; and determine whether the estimate must be paid in advance; and

*WHEREAS*, Elections Code 12112 requires the election official of the principal county to publish a notice of the election once in a newspaper of general circulation in the District;

NOW, *THEREFORE*, IT IS ORDERED that an election be held within the territory included in this district on the **8<sup>th</sup> day of November 2022**, for the purpose of electing members to the board of directors of said district in accordance with the following specifications:

1. The election shall be held on **Tuesday, the 8<sup>th</sup> of November, 2022**. The purpose of the election is to choose members of the Board of Directors for the seats held by the following incumbents:

Director Christopher Deppe	Elected 12/7/2018 to 12/2/2022
Director Rachelle Sherris-Watt	Elected 12/7/2018 to 12/2/2022
Director Michael Logan	Appointed 7/8/2021 to 12/2/2022

2. Pursuant to Section 13307, the District has determined that each candidate will pay for the Candidate’s Statement and that the estimated cost at time of publication will be \$200.00, to be paid at the time of filing. This is only an estimate. If the actual cost exceeds the estimate, each candidate will pay their respective share of the additional cost. If the actual cost is less than the estimate, the candidate will receive a refund of the overpayment. The District shall issue a receipt for each publication payment stating that the amount paid is an estimate and that further charges may accrue depending on actual cost.
3. The District directs that the County Registrar of Voters of the principal county publish the Notice of Election in a newspaper of general circulation that is regularly circulated in the territory.
4. This Board hereby requests and consents to the consolidation of this election with other elections that may be held in whole or in part of the territory of the District, pursuant to Elections Code 10400.

5. The District will reimburse the county for the actual cost incurred by the county elections official in conducting the general election upon receipt of a bill stating the amount due as determined by the elections official.
6. The Clerk of this Board is ordered to deliver copies of this Resolution, to the Registrar of Voters, and if applicable, to the Registrar of Voters of any other county in which the election is to be held, and to the Board of Supervisors.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on Thursday, the 9<sup>th</sup> day of June, 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

\_\_\_\_\_  
Sylvia Hacaj  
President, Board of Directors

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 Thursday, the 9<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
Lynelle M. Lewis  
District Clerk of the Board

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Tony Constantouros  
Interim General Manger