KENSINGTON POLICE PROTECTION
AND COMMUNITY SERVICES DISTRICT

BEFORE THE BOARD OF DIRECTORS OF THE
KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT
OF
THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

Initiative Ordinance

WHEREAS, a set of petitions proposing the adoption of an initiative measure was
presented to the District on August 27, 2009; and

WHEREAS, the District's election official has certified that the petition has been signed
by a sufficient number of registered voters and in all other respects satisfies the legal requirement
for such a measure; and

WHEREAS, under applicable law, the Board of Directors must decide either to adopt the
measure in the form presented or call for a special election; and

WHEREAS, the Board of Directors has decided to adopt the measure in the form
presented.

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

Section I FINDINGS AND PURPOSE.

The maintenance of an independent police department staffed by peace officers, including a
Chief of Police, employed directly by the District is in the best interests of the District and its
residents. This ordinance is intended to ensure that no action can be taken to disband or eliminate
the District’s independent police department, or to subcontract, assign or delegate the District’s
police protection and law enforcement responsibilities, without prior voter approval.

Section II POLICE PROTECTION AND LAW ENFORCEMENT SERVICES;
VOTER APPROVAL.

A. No ordinance by which the District would divest itself of its police protection and law
enforcement power shall be adopted by the Board of Directors, and, except as provided in
paragraphs B and C of this Section II, no contract or other arrangement between the District and
any other agency of government, or non-governmental entity, pursuant to which all or any
substantial part of the District’s police protection and law enforcement functions would be
performed by peace officers employed by the other agency or agencies or entity, shall be
executed or become effective for any purpose, unless such ordinance, contract or other
arrangement has first been approved by a majority of the votes cast in a duly called and
conducted special or general election in which the ordinance, contract or other arrangement is
submitted for voter approval.
B. Section II.A. does not apply to contracts or other arrangements for police protection and law enforcement support services such as, but not limited to, communications, information technology, and forensic science services, nor to any contract of employment between the District and any individual peace officer.

C. Section II.A. does not limit the Board’s authority in case of emergency to accept temporary assistance from, or provide temporary assistance to, any other police agency pursuant to a contract or other arrangement for such temporary emergency assistance, provided, however, that the financial condition of the District shall not be considered to constitute an emergency.

D. Section II.A. does not limit the District Board’s authority to determine appropriate levels of full-time, part-time and reserve staffing for the police department.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District at a regular meeting thereof held on the 8th day of October, 2009, by the following vote, to wit:

AYES:

NOES: Kosel

ABSENT:

Chuck Toombs, President

Patricia M. McLaughlin, Vice President

Bill Wright, Director

Cathie Kose, Director

John Stein, Director

I HEREBY CERTIFY that the foregoing ordinance was duly and regularly passed and adopted by the Board of Directors of the Kensington Police Protection and Community Services District, at a regular meeting of said Board, held on Thursday, the 8th day of October, 2009.

District Secretary