

MEASURE V
KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

Shall the appropriations limit of the Kensington Police Protection and Community Services District for Fiscal Year 2015-2016 be established at \$3,744,262.00 and the limit for Fiscal Year 2016-2017 (i.e., \$3,744,262.00) be used to determine the limits for Fiscal Years 2016-2017 through 2018-2019?

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE V

Article XIII B of the California Constitution authorizes a public entity to establish or change its appropriations limit (the maximum amount a public entity may expend in a given fiscal year) upon approval of a majority of voters voting on the measure.

This ballot measure proposes to establish the appropriations limit for the Kensington Police Protection and Community Services District at three-million-seven-hundred-forty-four thousand-two-hundred-sixty-two dollars (\$3,744,262), beginning fiscal year 2015-2016 and continuing through fiscal year 2018-2019. Beginning fiscal year 2016-2017, that appropriations limit will be subject to adjustments for changes in the cost of living and population.

This ballot measure does not seek voter approval to impose any new or additional tax.

A "yes" vote is a vote to approve the establishment of the appropriations limit for the stated fiscal years.

A "no" vote is a vote to reject the establishment of the appropriations limit for the stated fiscal years.

ARGUMENT IN FAVOR OF MEASURE V

This measure is necessary in order to ensure that your Police Protection and Community Services District can continue the present levels of police staffing for the next four years. It will not result in any increase in your taxes but will allow the District to make full use of the revenues it already receives.

An amendment to the State Constitution in 1979 imposed a limit on expenditures of most local government agencies, including the District. This "appropriations limit" was originally based on the level of the agencies' expenditures during Fiscal Year 1978-79. That base year was one year before the District voters approved a special tax to be used only for police protection services furnished by the District. As a result, the State-imposed expenditure limit would have prevented the District from making use of funds that an overwhelming majority of District voters had approved.

The State Constitution allows local agency voters to correct situations of this kind by approving temporary increases in the local appropriations limit. Kensington voters approved such an increase in 1981 and authorized its continuation at elections in 1984, 1986, 1990, 1994, 1998, 2002, 2006, 2010, when District voters approved a supplemental special tax, and most recently in 2011. Your Board of Directors is asking that the increased limit be continued for an additional four years. This will ensure that we do not have to reduce our complement of public safety officers.

- Passage of this measure **will not** increase your taxes or other costs.
- It **will** allow the District to maintain present levels of police protection, using funds it already receives.

We want to provide you high quality police service and consider this measure necessary to do so. Please vote yes on Measure V.

Len Welsh, President
Linda G. Lipscomb, Vice President
Tony Loyd, Director
Charles E. Toombs, Director
Pat Gillette, Director

ARGUMENT AGAINST MEASURE V

In 1993 the California State Legislature enacted an expenditure restraint program that requires special districts to ask their voters every four years to reauthorize the collection of taxes that exceed California's revenue limit. In June KPPCSD directors unanimously passed (for the third year in a row) another deficit budget. Because this reauthorization request is on the ballot earlier than necessary (current authorization goes through 2014/2015), a "No" vote will send KPPCSD directors the message voters expect competent financial management.

Kensington voters approved a special property tax in 2002 that provides additional yearly police funding of \$300.00 per home. Measure G (passed in 2010) now collects \$220.00 per household, having been upped to its legal limit. This year's projected deficit is greater than \$250,000. The police pension is under-funded by \$2,000,000. The current pension payout ratio is 39%.

KPPCSD could control costs by adopting the required remedies, specifically directed to the KPPCSD, that are listed in the 2012 Contra Costa County Grand Jury report titled, "Who's Minding the Store," and by negotiating employee contracts in accordance with direction from an earlier Grand Jury. Directors could also adopt recommendations from their own finance committee, but have instead taken the position, articulated by KPPCSD President Welsh during the July 2014 KPPCSD Board meeting, that Kensington voters "would approve" new property tax increase measures to "adequately fund police services."

Spending first and counting on voters to bail the District out isn't a responsible plan. Reauthorization can be placed on next year's ballot. This year voters have an opportunity to send KPPCSD directors a message: preserve our valued institutions by first inaugurating responsible fiscal policies. Send this message by voting No on Measure "V".

Anna Shane, Kensington Voter

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE V

In 2009 KPPCSD Director Toombs requested and received a management bid of \$1,390,000 for providing the exact police services we'd had. Citing high cost, this option was rejected. By 2013/2014, however, the KPPCSD managed police budget had skyrocketed to \$2,470,000.

Since 2009 KPPCSD directors have been involving the District in risky legal ventures, for example five times defending employees charged with wrongdoing by other employees. Within the last two years KPPCSD spent over \$800,000 on lawyers. KPPCSD fought with our garbage company and lost, resulting in our garbage rates increasing 22%, rather than the 6% rate increase KPPCSD directors had refused to approve. KPPCSD recently lost a drawn-out defense of male employees charged with harassment by their only female employee.

To reduce this year's deficit KPPCSD requested \$50,000 from our school district's funds and asked the Fire District to forgive KPPCSD's share of building upkeep and use costs. KPPCSD again deferred mandated repairs of District assets. KPPCSD President Welsh made clear the only other plan is another police funding property tax increase measure for next year's ballot.

KPPCSD has not earned the public trust early reauthorization approval represents. No sitting director has admitted to having made mistakes. Voters last approved four-year authorization in 2011. A "No" vote will send the message Kensington voters expect a financial plan that isn't founded on repeatedly raising property taxes. Voters deserve responsible and competent representation. Should KPPCSD directors hear this message and introduce remedies, voters can reauthorize in 2015

Anna Shane, Kensington Voter

REBUTTAL TO ARGUMENT AGAINST MEASURE V

If the Kensington Police Protection and Community Services District cannot continue to spend the revenue that it already receives, the result will be an end to present levels of police staffing and a drastic reduction in the ability to protect the residents of Kensington.

If Measure V does not pass, there will be a major reduction in how services are provided, either by the District's own officers or by outside providers.

The police department and services currently provided will cease to exist.

This measure does not increase your taxes or any other costs. This fact is confirmed by the impartial analysis of Measure V.

Measure V simply allows the District to continue providing the community with comprehensive police protection services with the revenue the District already receives. That revenue was overwhelmingly supported by the voters in previous elections.

The District chose the November ballot for this election to save District resources. Holding an election in the spring of 2015 would be more expensive, because there would be fewer measures on the ballot, and the District's share of the County election costs would increase by approximately \$15,000.

- Passage of this measure **will not** increase your taxes or other costs.
- It **will** allow the District to maintain present levels of police protection, using funds it already receives.

Please vote yes on Measure V so that the District can continue to provide you with high quality police service at no additional cost to you.

Len Walsh, President
Chuck Toombs, Director