

# CLERK'S CERTIFICATE TO INITIATIVE PETITION

I, Stephen L. Weir, County Clerk of the County of Contra Costa, State of California, hereby certify:

That the **2009 Initiative - Kensington Police Protection & Community Services District** was filed with the **Kensington Police Protection & Community Services District** on **August 27, 2009**

That said petition consists of: **110** sections;

That each section contains signatures purporting to be the signatures of qualified electors of this **district**;

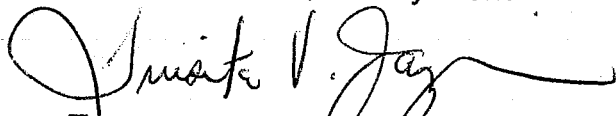
- |   |         |
|---|---------|
| 1. The number of <b>unverified</b> signatures filed by the proponent (raw count):                               | 950     |
| 2. That the number of voters as of the last report of registration to the state <b>5/6/2009</b> is:             | 3,841   |
| 3. The minimum number of valid signatures need using <b>10%</b> of the registered voters as shown above:        | 385     |
| 4. The number of signatures <b>verified</b> :   | 500     |
| a. The number of signatures found <b>SUFFICIENT</b> :   | 460     |
| b. The number of signatures found <b>NOT SUFFICIENT</b> :   | 40      |
| c. <b>NOT SUFFICIENT</b> because of <b>DUPLICATE</b> :  | 6       |
| 5. The projected statistically valid total is:<br>(As provided by California Administrative Code 20510 – 20540) | 864     |
| 6. The statistical total as a percentage of the total needed is:  | 224.35% |

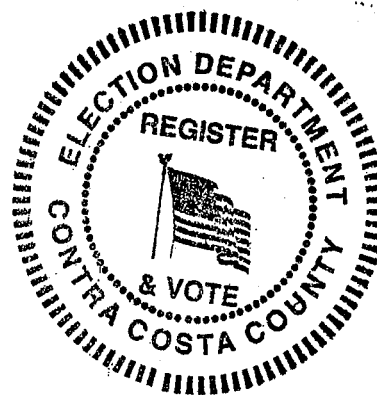
The projected statistically valid total is in excess of the 110% required to qualify the petition based on the sample, therefore **THIS PETITION DOES QUALIFY** pursuant to Elections Code 9309 and 9310.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official seal this:

24<sup>th</sup> day of **September 2009**.

Stephen L. Weir, County Clerk

  
Teresita V. Jazmin, Elec. Svcs. Spec..



## Signature Verification Calculations

### Initiative Submitted to Voters

EC Div. 9, Ch. 4, Art. 1 -- §§ 9300-9323

**Petition Title: 2009 Initiative Kensington Police Prot. & C.S.D.**

### Initiative Petition Calculations

Registration 3,841  
EC 9310

**Total Signatures Submitted:** 950

Signatures needed to qualify for election: 385  
10% threshold -- EC 9310

Random Sample Minimum 424  
(signatures needed to qualify x 110%)

The random sample shall include 500 signatures or 3% of those submitted, whichever is greater. EC 9309

Number of signatures to verify: 500

**Number of valid signatures:** 460

**Number of duplicate signatures:** 6

### SOS Signature Validation Formula

Factors	Description
A	Value of each signature
B	Penalty value for duplicate signature
C	Total value of all duplicate signatures
V	Adjusted number of valid signatures

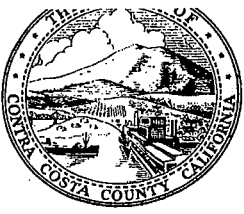
Factor	Formula	
A	Total Signatures/signatures to verify = A	1.9
B	$A \times (A - 1) = B$ Penalty value for duplicate signatures	1.71
C	B x duplicate penalty value = C	10.26
V	Signatures submitted x (valid signatures in sample/sample size) = V	874

**V - C = Statistically valid total** 864

If the statistical sample is within 95% to 110% of the required number signatures, the elections official must verify ALL petition signatures. EC 9309(b)

**Statistical total as percent of total needed:** 224.35%

**Measure Qualifies**



CONTRA COSTA COUNTY-ELECTIONS DEPT.  
555 ESCOBAR ST., MARTINEZ, CA 94553  
PHONE (925) 335-7800 – FAX (925) 335-7842

STEPHEN L. WEIR  
COUNTY CLERK

www.cocovote.us

CANDY LOPEZ  
ASSISTANT REGISTRAR

To Whom It May Concern,

Received on this date, 9/24/9 from, Teresita Jazmin

the petition named: **2009 Initiative – Kensington Police Protection & Community Services District** containing 110 sections, and clerk's certificate.

Received by: R. Hall #K17

Title: POLICE SERGEANT KPD



# Petition Result Breakdown

2009 Initiative Kensington Police Prot. & C.S.D.  
2009 Initiative Kensington Police Protection & Community Services District.

<b>Signatures Required</b>	<b>385</b>		
<b>Raw Count</b>	<b>950</b>		
<b>Sample Size</b>	<b>500</b>	<i>Percent of</i>	<i>Percent of</i>
<b>Sigs Checked</b>	<b>500</b>	<i>Sigs Checked</i>	<i>Sample Size</i>
<b>Sigs Not Checked</b>	<b>0</b>		0.0 %
<b>Sigs Valid</b>	<b>460</b>	92.0 %	92.0 %
<b>Sigs Invalid</b>	<b>40</b>	8.0 %	8.0 %
<b>Duplicated</b>	<b>6</b>	1.0 %	1.2 %
<b>Non-duplicate Invalids</b>	<b>34</b>	7.0 %	6.8 %

RESULT ABBR	RESULT DESCRIPTION		
Approved	Approved	460	92.0 %
NotReg	Not Registered	19	3.8 %
OutOfDist	Out of District	3	0.6 %
Duplicate	Signed more than once	6	1.2 %
RegDiffAdd	Registered at a Different Address	1	0.2 %
NoResAdd	No Residence Address Given	1	0.2 %
SigNoMatch	Signatures Don't Match	10	2.0 %

**VIA HAND DELIVERY**

Office of Stephen L. Weir, County Clerk  
Elections Division  
Attention: Gwen Saxon, Supervisor  
County of Contra Costa  
555 Escobar Street  
Martinez, CA 94553

Dear Ms. Saxon:

I am the District Secretary of the Kensington Police Protection and Community Services District ("District") and serve as the District's Election Official. I am transmitting herewith a group of petitions seeking a special election within the District for an initiative measure. I ask that you please verify that these petitions have been signed by the required number of registered voters. In addition, I ask that you verify that the "Declaration of Circulator" attached to each section of the petitions has also been signed by a registered voter within the District.

On June 23, 2009, our office received a Proof of Publication, indicating that the Notice of Intention to Circulate an Initiative Petition had been published on June 18, 2009 in the *West County Times*, a newspaper of general circulation. In addition, on the same day, we also received an "Affidavit of Posting and Publication" certifying the copies of the Notice of Intention to Circulate an Initiative Petition had been posted in three places within the District.

Your office, through Sue Olvera, has previously informed us that there are 3,841 registered voters within the District, based on the most recent statewide election in May, 2009. Therefore, please certify that at least 385 of the signatures (10% of the registered voters) on the attached petitions are valid. Given the large number of signatures, and in order to save money, the District would ask that you perform a random check of the signatures.

For your information, I have reviewed the petitions submitted by the measure's proponents and find that they contain 935 signatures, which is clearly more than 10% of the District's registered voters. In conjunction with the District's counsel, I have confirmed that the format of the petition and the accompanying affidavit are in compliance with applicable law.

This letter will also certify that, when invoiced, the District will pay the Election Division's costs to check the signatures.

Please feel free to contact me if you have any questions or if I can be of any further assistance to you in processing these petitions.

Sincerely,

  
Stephanie Fries  
District Secretary

(510) 526-4141  
sfries@kensingtoncalifornia.org

Aug 27<sup>th</sup> 2009  
Petition filed with district

cc: Gregory Harman, General Manager  
Charles Toombs, President, Board of Directors  
Michael N. Conneran, Hanson Bridgett LLP

AFFIDAVIT OF POSTING AND PUBLICATION

I, Vida F. Dorroh, hereby certify that I am a qualified registered voter of the Kensington Police Protection and Community Services District, and further certify that I caused the attached Notice of Intention to Circulate an Initiative Petition to be published in the West County Times on June 18, 2009, as evidenced by the attached Affidavit of Publisher, and that on June 23, 2009, I posted the attached Notice of Intention to Circulate an Initiative Petition and Statement of Reasons in three public places within the Kensington Police Protection and Community Services District.

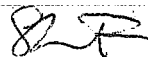
I declare under penalty of perjury that the foregoing is true and correct. Executed at Kensington, California, on June 23, 2009.



Vida F. Dorroh

Kensington Police Dept.  
217 Arlington Avenue  
Kensington, CA 94707

RECEIVED JUNE 23, 2009



# West County Times

4301 Lakeside Drive  
Richmond, CA 94806  
(510) 262-2740

PAUL DORROH  
144 YORK AVE  
Kensington CA 94708

## PROOF OF PUBLICATION

### FILE NO. PUBLIC NOTICE

In the matter of

#### Circulate Petition

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter.

I am the Principal Legal Clerk of the West County Times, a newspaper of general circulation, printed and published at 2640 Shadelands Drive in the City of Walnut Creek, County of Contra Costa, 94598

And which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Contra Costa, State of California, under the date of August 29, 1978. Case Number 188884.

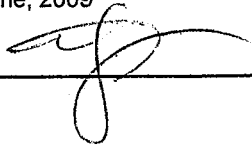
The notice, of which the annexed is a printed copy (set in type not small than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

6/18/2009

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 18 day of June, 2009

Signature



Legal No.

0003184573

#### NOTICE OF INTENTION TO CIRCULATE AN INITIATIVE PETITION

Notice is hereby given by the persons whose names appear hereon of their intention to circulate a petition to the Kensington Police Protection and Community Services District for the purpose of placing an initiative measure on the ballot. A statement of the reasons for the proposed action as contemplated in the petition is as follows:

Over the years, our independent police department has served our community well. This is due in large part to the fact that it reflects the unique character and values of Kensington residents. Residents and officers know each other and the officers know our community. By having a locally controlled police department, we have been able to control costs, the level of service, and the quality and training of our peace officers. Many residents believe that if we contract out for police services, Kensington residents will forfeit the ability to meaningfully affect staffing levels and costs, and to ensure the highest level of protection for Kensington residents. As a result, our property values may suffer from the lack of a local police department. Furthermore, the safety of our children and residents may be jeopardized, as the needs of our community will no longer be the only priority of the peace officers. The goal of this petition is to ensure that changes in the way police services are provided to our community cannot be made without a vote of the citizens. This ordinance would require that any material and/or substantial changes to the way the District's police protection services are provided could not become effective unless the changes have first been approved by a majority of the voters.

Signed: Paul Dorroh, 144 York Avenue, Kensington, CA 94708; Pat Gillette, 1 Arlington Court, Kensington, CA 94707; Gretchen Gillfillian, 744 Coventry Rd., Kensington, CA 94707; Gloria Morrison, 112 Windsor Ave., Kensington, CA 94708

West County Times  
3184573  
June 18, 2009

RECEIVED  
JUN 23 2009  
KENSINGTON POLICE  
DEPARTMENT

4301 Lakeside Drive  
Richmond, CA 94806  
(510) 262-2740

Kensington Police Dept.  
217 Arlington Ave  
Kensington CA 94707-1401

## PROOF OF PUBLICATION

FILE NO. Resolution 2009-04

In the matter of

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter.

I am the Principal Legal Clerk of the West County Times, a newspaper of general circulation, printed and published at 2640 Shadelands Drive in the City of Walnut Creek, County of Contra Costa, 94598

And which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Contra Costa, State of California, under the date of August 29, 1978. Case Number 188884.

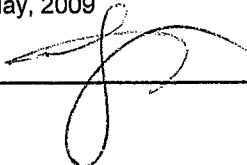
The notice, of which the annexed is a printed copy (set in type not small than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

5/20/2009

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.  
On this 20 day of May, 2009

Signature



**RESOLUTION NO. 2009-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT, DECLARING ITS INTENTION FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE KENSINGTON PARK ASSESSMENT DISTRICT, FISCAL YEAR 2009/2010**

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 Board of Directors has by previous Resolutions formed and levied annual assessments for the Kensington Park Assessment District (hereafter referred to as the "District"), pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with section 22500) (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of Contra Costa for the Kensington Police Protection and Community Services District to pay for the maintenance and services of all improvements and facilities related thereto; and

**WHEREAS**, the Board of Directors has retained NBS Local Government Solutions, DBA NBS, for the purposes of assisting with the Annual Levy of the District and the preparation and filing of the Annual Engineer's Report (the "Report") with the Secretary of the Board in accordance with the Act; and

**WHEREAS**, the Board of Directors has approved the Report as filed.

**NOW, THEREFORE BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS FOR THE DISTRICT, PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT, AS FOLLOWS:**

**Section 1 Intention:** The Board of Directors hereby declares its intention to levy and collect assessments within the District pursuant to the Act, to pay for the maintenance and services for all improvements and facilities related thereto. The Board of Directors finds that the public's best interest requires such levy and collection.

**Section 2 District Boundaries:** The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District, within the boundaries of Kensington Police Protection and Community Services District, within Contra Costa County, State of California.

**Section 3 Description of Improvements:** The improvements within the District include, but are not limited to: the operating, maintaining and servicing of all public landscaping improvements, consisting of landscaping and grass. Operating, maintaining and servicing include, but are not limited to: personnel, materials, electrical energy and water. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous and satisfactory condition.

**Section 4 Proposed Assessment Amounts:** For



fiscal year 2009/2010, the proposed assessments are outlined in the Report which details any changes or increases in the annual assessment. The Report is on file with the Secretary of the Board.

**Section 5 Public Hearing:** The Board of Directors hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the District in accordance with Chapter 3, Section 22626 of the Act.

**Section 6 Notice:** The Board of Directors will give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in a local newspaper but not less than (10) days before the Public Hearing, and by posting a copy of this Resolution on the official bulletin board customarily used by the Board of Directors for the posting of notices. Any interested person may file a written protest with the District Secretary prior to the conclusion of the Public Hearing, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. At the Public Hearing, all interested persons shall be afforded the opportunity to hear and be heard.

**Section 7 Notice of Public Hearing:** Notice is hereby given that a Public Hearing on these matters will be held by the Board of Directors on **Thursday, June 11, 2009 at 7:30 pm** or as soon thereafter as is feasible in the meeting place of the Board of Directors located at 59 Arlington Avenue, Kensington, Ca.

**Section 8** The District Secretary is hereby authorized and directed to give notice of such Public Hearings as provided by law.

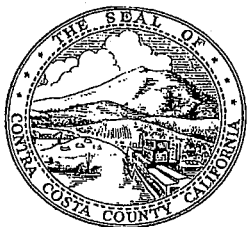
**PASSED AND ADOPTED** by the Board of Directors of the Kensington Police Protection and Community Services District on **Thursday, the 9th day of April, 2009**, by the following vote to wit:

**AYES: 5**  
/s/Bill Wright, President  
/s/Chuck Toombs, Vice President  
/s/Pat McLaughlin, Director  
/s/Cindy Kimball, Director  
/s/Cathie Kosel, Director  
**NOES: 0**  
**ABSENT: 0**

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 9th day of April, 2009

/s/Stephanie Fries  
District Secretary

**West County Times**  
3157697  
May 20, 2009



CONTRA COSTA COUNTY ELECTIONS DEPT.

STEPHEN L. WEIR  
COUNTY CLERK

555 ESCOBAR ST., MARTINEZ, CA 94553  
PHONE (925) 335-7800 – FAX (925) 335-7838

www.cocovote.us

CANDY LOPEZ  
ASSISTANT REGISTRAR

To Whom It May Concern,

Received on this date, 9/16/09 from, Kensington Police Dept. R. Hull  
the petition named INIT. Kensington Police Protection / Comm. Serv. District  
containing approximately 935 signatures not yet verified by this office.

STEPHEN L. WEIR, County Clerk

By [Signature]  
Deputy County Clerk



>  
> Hello Teresita,  
>  
> The petition was filed with the District on August 27, 2009.  
>  
>  
> Teresita Jazmin wrote:  
> >  
> > Dear Stephanie,  
> >  
> > Please confirm when is the Petition filing date. Also for random check  
> > per election code 9309 "A random sampling shall include an examination  
> > of at least 500 signatures.  
> >  
> > Sincerely,  
> > Teresita Jazmin  
> > Election Service Specialist  
> > Office: 925-335-7817  
> > Fax: 925-335-7838  
> > Email: Tjazm@vote.cccounty.us  
> > +-----++  
> > The information contained in or accompanying this e-mail is intended  
> > only for the use of the stated recipient and may contain information  
> > that is confidential and/or privileged. If the reader is not the  
> > intended recipient or the agent thereof, you are hereby notified that  
> > any dissemination, distribution or copying of this e-mail is strictly  
> > prohibited and may constitute a breach of confidence and/or privilege.  
> > If you have received this e-mail in error, please notify the sender  
> > immediately. Any views or opinions presented are solely those of the  
> > author and do not necessarily represent those of Contra Costa County,  
> > California.  
>  
>



Stephanie Fries  
<sfries@kensingtoncalifornia.org>

09/16/2009 12:26 PM

To Teresita Jazmin <TJazm@vote.cccounty.us>

cc

bcc

Subject Re: initiative measure

Hello Teresita,

The petition was filed with the District on August 27, 2009.

Teresita Jazmin wrote:

>  
> Dear Stephanie,  
>  
> Please confirm when is the Petition filing date. Also for random check  
> per election code 9309 "A random sampling shall include an examination  
> of at least 500 signatures.  
>  
> Sincerely,  
> Teresita Jazmin  
> Election Service Specialist  
> Office: 925-335-7817  
> Fax: 925-335-7838  
> Email: Tjazm@vote.cccounty.us  
> ++-----++  
> The information contained in or accompanying this e-mail is intended  
> only for the use of the stated recipient and may contain information  
> that is confidential and/or privileged. If the reader is not the  
> intended recipient or the agent thereof, you are hereby notified that  
> any dissemination, distribution or copying of this e-mail is strictly  
> prohibited and may constitute a breach of confidence and/or privilege.  
> If you have received this e-mail in error, please notify the sender  
> immediately. Any views or opinions presented are solely those of the  
> author and do not necessarily represent those of Contra Costa County,  
> California.

000007

## INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

To the Board of Directors of the Kensington Police Protection and Community Services District: We, the undersigned registered, qualified voters of the Kensington Police Protection and Community Services District, hereby propose the adoption of an ordinance for the District and petition the Board of Directors to submit the same to the voters of the District for their adoption or rejection at a special election to be called immediately for that purpose. The proposed ordinance reads as follows:

### THE PEOPLE OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT ORDAIN 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.

## NOTICE OF INTENTION TO CIRCULATE AN INITIATIVE PETITION

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Signed: Paul Dorroh, 144 York Avenue, Kensington, CA 94708; Pat Gillette, 1 Arlington Court, Kensington CA 94707; Gretchen Gillfillan, 744 Coventry Rd., Kensington, CA 94707; Gloria Morrison, 112 Windsor Ave., Kensington, CA 94708

NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. ONLY QUALIFIED REGISTERED VOTERS OF THE DISTRICT CAN SIGN