

Section 1 - Sample Provision Excerpt (Public Preview)

Board of Directors
Kensington Police Protection and Community Services District
December 10, 2023
Dear KPPCSD Directors,
On December 14, 2023 the KPPCSD will hold a public hearing to consider any protest votes from Kensington customers to a proposed rate adjustment required under the existing franchise agreement with Bayview Recycling and Refuse Company.
In...

ISSUE #1

MARKUP #1 ->



MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 1 (p. 1): Election provisions omit mandatory Davis-Stirling secret ballot procedures and independent Inspector of Elections requirements under California Civil Code §§ 5105 - 5125.

Statutory / Legal Reference: Cal. Civ. Code §§ 5105, 5110 & 5115 (SB 323 / AB 2159)

Statutory Comparison: Under Cal. Civ. Code §§ 5105 and 5110, every association must adopt election operating rules and conduct specified elections through an independent third-party Inspector of Elections using secret double-envelope paper ballots (or compliant electronic secret ballots under AB 2159), with at least 30 days general notice of the nomination deadline and at least 30 days pre-ballot notice before ballots...

CURRENT WORDING IN DOCUMENT:

Board of Directors Kensington Police Protection and Community Services District December 10, 2023 Dear KPPCSD Directors, On December 14, 2023 the KPPCSD will hold a public hearing to consider any protest votes from Kensington customers to a proposed rate adjustment required under the existing franchise agreement with Bayview Recycling and Refuse Company. In...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Board of Directors Kensington Police Protection and Community Services District December 10, 2023 Dear KPPCSD Directors, On December 14, 2023 the KPPCSD will hold a public hearing to consider any protest votes from Kensington customers to a proposed rate adjustment required under the existing franchise agreement with Bayview Recycling and Refuse Company. In regard to the action to approve CPI...