

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Kensington Police Protection and Community Services District

Resolution of the Board of Directors Regarding Community Paths

Resolution # 2011-04

WHEREAS, the Kensington Improvement Club (KIC) and other community volunteers have undertaken a significant volunteer effort to maintain and improve several pedestrian paths in the community of Kensington.

WHEREAS walking paths in Kensington serve as valuable community resources.

WHEREAS, the Board of Directors of the KPPCSD (the "Board") wishes to determine the correct legal ownership of these paths, and to establish a process for their maintenance, repair and improvement that complies with fundamental notions of legal due process and which is economically and financially sustainable.

NOW THEREFORE BE IT RESOLVED, that the Board do the following: (i) take appropriate steps as may be necessary, including but not limited to formation of an ad hoc committee of the Board and community volunteers to determine whether it is legally and economically sustainable and feasible for the District to exert any form of ownership and control over the paths; and (ii) ask the Real Property Division of the County of Contra Costa to notify the District and KIC should any private party or landowner file papers to vacate any County rights to all or part of any path.

BE IT FURTHER RESOLVED, that the Board hereby support the efforts of the KIC community volunteers and others in the community to do the following: (i) to legally establish title to the paths with the County of Contra Costa and/ or such other agency as may be legally empowered and economically able to retain ownership, dominion and control over them; (ii) to legally work to restore all of the paths and bring them into compliance with the legal requirements of Contra Costa County regarding their construction and renovation, taking into account the legitimate concerns of adjacent land owners and any other stakeholders for protection of their property during such renovation and future use ; and (iii) to support the legal efforts of KIC to establish a sustainable source of future funding to augment any sums that are available from the County for such maintenance, repair and improvement as will find public support in Kensington.

BE IT FURTHER RESOLVED, that the Board urges the County to cooperate with KIC in its efforts as outlined herein.

BE IT FURTHER RESOLVED, that this Board directs the general manager of the District to take such action as may be deemed necessary or proper to affect these resolutions.
KPPCSD Path Resolution 02022011

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