

RESOLUTION NO. NS-15,388

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ SUBMITTING TO THE ELECTORS OF SAID CITY A PROPOSAL TO ENACT AN ORDINANCE ENTITLED "RESPONSIBLE PUBLIC INVESTMENT ORDINANCE"; SETTING FORTH THE BALLOT LANGUAGE; AND REQUESTING THAT THE BOARD OF SUPERVISORS OF SANTA CRUZ PROVIDE FOR THE CONSOLIDATION OF SAID MUNICIPAL ELECTION WITH THE U.D.E.L. AND SCHOOL DISTRICT ELECTIONS TO BE HELD NOVEMBER 8, 1983.

WHEREAS, a Petition for the submission of an ordinance to read as set forth in Exhibit "A" attached hereto has been filed with the City; and

WHEREAS, it has been duly certified to this Council that said Petition has been signed by more than the required number of qualified electors;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. There will be submitted to the qualified electors of the City of Santa Cruz at the General Municipal Election to be held on Tuesday, November 8, 1983, the Ordinance which is set forth in Exhibit "A", attached hereto and the ballot measure for the adoption of said Municipal Ordinance as follows:

RESPONSIBLE PUBLIC INVESTMENT ORDINANCE.

Shall the Ordinance providing for a seven (7) member committee, to be in existence for one year, and which shall be required to make recommendations to the City Council regarding procedures to insure that City monies are not invested in financial institutions that do business in or with the Republic of South Africa, regarding a comprehensive investment policy for City monies which maximize the social and economic benefit of the people of Santa Cruz; and requiring the City Council to adopt such comprehensive investment policy within one year, be adopted. YES _____ NO _____

SECTION 2. The Board of Supervisors of the County of Santa Cruz is hereby requested to order the consolidation of said Municipal Election with the U.D.E.L. and School District Elections to be

held on Tuesday, November 8, 1983. Said Board of Supervisors of the County of Santa Cruz is further requested to order the County Clerk of the County of Santa Cruz to set forth on all sample ballots to be mailed to the qualified electors of the City of Santa Cruz for said consolidated election the text of the proposed Ordinance as set forth in Exhibit "A", attached hereto, the ballot measure as hereinabove set forth, arguments (if any) for and against the said proposal, and other authorized material (if any), and to provide absent voter ballots for said U.D.E.L. and School District elections and said Municipal Election consolidated therewith for use by qualified electors of the City of Santa Cruz who are entitled thereto, in the manner provided by law.

SECTION 3. The Board of Supervisors of the County of Santa Cruz is hereby further authorized and requested to canvass, or cause to be canvassed, as provided by law, the returns of said Municipal Election, and certify such canvass of the votes cast for and against said proposal to the Santa Cruz City Council.

SECTION 4. The City Clerk is hereby authorized and directed to file certified copies of this Resolution with the Board of Supervisors and the County Clerk of Santa Cruz County and to give such notice of such Initiative Ordinance Election before the election, as required by law.

PASSED AND ADOPTED this 12th day of July, 1983, by the following vote:

AYES: Councilmember - Wormhoudt, Rotkin, Ghio, Laird; Mayor Van Allen.
NOES: Councilmember - Mellis, Mahaney.
ABSENT: Councilmember - None.
DISQUALIFIED: Councilmember - None.

Attest


City Clerk

APPROVED


MAYOR

INITIATIVE ORDINANCE TO BE SUBMITTED
DIRECTLY TO THE ELECTORS

The people of the City of Santa Cruz do ordain as follows:

Section 1: Title

RESPONSIBLE PUBLIC INVESTMENT ORDINANCE

Section 2: Purpose

The United Nations has condemned the system of apartheid in South Africa as a "crime against humanity." Apartheid systematically denies economic, political and social rights to the vast majority of South Africans. The apartheid laws which keep blacks in the lowest paying jobs, deny them the right to vote, and divide families are institutionalized violations of human rights.

The people of Santa Cruz recognize the moral responsibility of communities to take positive steps toward assuring that full human rights are obtained by all people, and therefore declare that public monies should not be invested in banks and other financial institutions doing business in or with the Republic of South Africa. City monies should be reinvested to benefit the local area, according to a policy that takes ethical, social and economic considerations into full account and that assures prudent management of the public's monies.

Currently, Santa Cruz suffers from a shortage of jobs and housing for local residents. Without increased investment in local economic development, these problems will continue. The City of Santa Cruz can help address this need and can set an example for other investors by investing its own funds locally.

Section 3: Definitions

For the purpose of this ordinance, "public monies" are: any monies invested or deposited by the City of Santa Cruz with the specific exemption of debt service, housing rehabilitation loan program, and pension, deferred compensation, or other employee benefit funds.

Section 4: Implementation

- a. The City Council shall appoint a 7-member Committee on

Investments (hereafter Committee). Each member of the City Council shall nominate one member for appointment by the Council.

b. The Committee, in consultation with the City Finance Director, shall make recommendations to the City Council regarding the following:

i. Procedures for determining which financial institutions do business in or with the Republic of South Africa, and procedures for city investment that ensure that city monies not be invested in such institutions.

ii. A comprehensive investment policy for public monies which maximizes social and economic benefits to the people of Santa Cruz by investing city monies in a manner that helps create jobs and housing and provides needed services for local residents. The policy shall take into account the ethical, social and economic impacts of city investments.

Section 5: City Council Action Required

a. The City Council shall be responsible for carrying out the intent of this ordinance.

b. Based upon the recommendations of the Committee, the City Council shall adopt, within one year after the passage of this ordinance, a comprehensive investment policy as defined in Section 4 (b) (ii) for the City of Santa Cruz.

c. Following adoption of the comprehensive investment policy, the Committee shall be dissolved.

Section 6: Prudent Management Requirement

It is the intent of this ordinance that adoption of an investment policy by the City of Santa Cruz shall be consistent with sound and prudent principles of financial management.

Section 7: Adherence to Investment Laws

No provision of this ordinance shall be construed to direct a violation of applicable federal or state investment laws or regulations.

Section 8: Advisory Statement

It is the desire of the people of Santa Cruz that all public and quasi-public agencies, particularly the University of California, act to remove investment from banks, other financial institutions and corporations doing business in or with the Republic of South Africa.

Section 9: Partial Invalidity

If any provision of this ordinance or application thereof to any circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions and applications of this ordinance are severable.