

VOTER'S PAMPHLET
MEASURES, ANALYSES AND ARGUMENTS

(whichever is applicable to your ballot)
Arguments in support of, or in opposition to, the proposed laws are the opinions of the authors.

CITY OF WATSONVILLE

Shall Sections 500 and 504 of the Watsonville City Charter be changed so that the Mayor and Mayor Pro Tempore are required to be selected in numerical order according to the District number where they reside rather than elected by the Council?

FULL TEXT OF BALLOT INITIATIVE MEASURE I
PROPOSED AMENDMENTS TO THE
CHARTER OF THE CITY OF WATSONVILLE
SPECIAL MUNICIPAL ELECTION
JUNE 3, 2014

The Council of the City of Watsonville hereby submits to the registered and qualified electors of the City for their adoption or rejection, the following proposal to amend the Charter of the City of Watsonville:

Proposed Measure:

THE PEOPLE OF WATSONVILLE DO ORDAIN AS FOLLOWS:

PART 1: Proposed Amendments to City Charter

Be it enacted by the voters of the City of Watsonville that the two (2) following amendments to the Watsonville City Charter are to take effect immediately after the approval by the Watsonville City of the resolution confirming and approving the canvass of returns and result of the election for the said amendments:

AMENDMENT 1: Article V Section 500 of the Watsonville City Charter is hereby repealed in its entirety (as noted in strikeout type below) and replaced with the following:

~~SECTION 500. The Council shall appoint one of its members who shall have the title of Mayor subject to approval by resolution of the Council adopted by at least four (4) affirmative votes. The Mayor shall be appointed at a meeting on the second Tuesday following the General Municipal Election in each election year, and the second meeting in the month designated by Section 1300, General Municipal Elections, in each non-election year, and shall serve until a successor has been appointed.~~

~~At the same meeting at which the Mayor is appointed, the Council shall also appoint from among its members a Mayor Pro Tempore subject to approval by resolution of the Council adopted by at least four (4) affirmative votes. The Mayor Pro Tempore shall act as Mayor during the absence or disability of the Mayor, and if a vacancy occurs, shall become Mayor for the completion of the unexpired term.~~

SECTION 500. APPOINTMENT OF MAYOR.

Commencing at the same City Council Meeting in which the City Council approves the resolution confirming and approving the canvass of returns and result of the 2014 General Municipal Election and after the swearing in of any newly elected Council Members, the Mayor shall be appointed from among the seven (7) Council Members, to serve until a successor has been appointed.

The first Mayor to be appointed under the new process shall be selected from the respective numbered City Council District which has gone the longest amount of time since a Council Member from said District has served a complete one year term as Mayor.

Thereafter each succeeding Mayor shall be appointed in a sequential order based upon the numerical prefix designated to each respective City Council District. (Ex. if the first Mayor is from District 1, the next appointed Mayor shall be from District 2.)

After the initial appointment of Mayor, as earlier defined in this section, all future Mayors shall be appointed at a Council Meeting in which the City Council approves the resolution confirming and approving the canvass of returns for the General Municipal Election as designated in City Charter Section 1300 and after the swearing in of any newly elected Council Members or in the case of non-election

years, the appointment for Mayor shall be made at the first Council Meeting held in December.

At the same Council Meeting for the appointment of the Mayor, a Mayor Pro Tempore shall be appointed from the seven (7) Council Members. The Mayor Pro Tempore shall be appointed from the next sequentially numbered District after that of the Mayor's respective numbered District. (Ex. if the Mayor is from District 1, the Mayor Pro Tempore shall be from District 2.)

A Council Member from the respective Council District that is next in line to become Mayor reserves the right to delay becoming Mayor until the next appointment process by alternating with the next in line Mayor Pro Tempore, so that the next in line Mayor becomes Mayor Pro Tempore and the next in line Mayor Pro Tempore becomes Mayor with the positions being alternated at the next appointment process.

A Council Member from the respective Council District that is next in line to become Mayor or Mayor Pro Tempore reserves the right to refuse to take the position. In the case of a Council Member who refuses to become Mayor, the Council Member next in line to become Mayor Pro Tempore shall be appointed as Mayor. In the case of a Council Member who refuses to become Mayor Pro Tempore, the Council Member next in line to become Mayor Pro Tempore shall be appointed as Mayor Pro Tempore.

The Mayor Pro Tempore shall assume the duties of Mayor during the absence or disability of the Mayor.

AMENDMENT 2: Article V Section 504 of the Watsonville City Charter is hereby repealed in its entirety (as noted in strikeout type below) and replaced with the following:

~~SECTION 504. If a vacancy occurs in the office of Mayor, the Mayor Pro Tempore shall become Mayor for the completion of the unexpired term as provided in Section 500 of this Charter. If a vacancy occurs in the office of Mayor Pro Tempore, the Council shall forthwith appoint a member of the Council to fill such vacancy who shall serve for the unexpired.~~

SECTION 504. VACANCY.

If a vacancy occurs in the office of Mayor, the Mayor Pro Tempore shall become Mayor for the completion of the unexpired term as provided in Section 500.

The provisions of Section 1770 of the Government Code of the State of California as they now exist or may hereafter be amended shall govern the events which shall cause the existence of a vacancy.

If a vacancy occurs in the office of Mayor Pro Tempore, the Council shall forthwith appoint by resolution a Council Member to fill such vacancy who shall serve for the unexpired term. Such appointment shall be made from the next sequentially numbered Council District that is in line to become Mayor Pro Tempore as defined in Section 500.

In either case of a vacancy occurring in the office of Mayor or Mayor Pro Tempore, the Council Member that fills the vacant position maintains the right to serve a full term as Mayor or Mayor Pro Tempore, if that same Council Member is in line to serve either of said positions when the regular annual appointment process date occurs as established in Section 500.

PART 2: Proposed Amendment to City Charter

Be it enacted by the voters of the City of Watsonville that the following amendment to the Watsonville City Charter is to take effect immediately after the approval by the Watsonville City Council of the resolution confirming and approving the canvass of returns and result of the Election for this measure:

PART 3: General Provisions

If any provision of this measure is found to be invalid by a Court, that invalidity shall not affect the remaining portions of this measure.

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IMPARTIAL ANALYSIS BY CITY ATTORNEY
MEASURE I

Citizen Initiative – Charter Amendment

Signatures were gathered to place Measure I on the June 4, 2014, ballot to ask Watsonville voters to approve a Charter amendment to change how the Mayor is selected in the City of Watsonville. This measure would amend Sections 500 and 504 of the Watsonville City Charter.

A city charter is in effect a city's constitution. The Watsonville City Charter was adopted in February 1960 and has been changed by the voters from time to time since.

The City was sued in 1985 because its charter provided for city-wide election of councilmembers and city-wide election of Mayor. Most of the case was eventually decided by the United States Ninth Circuit Court of Appeals. The Court decided that the City's Charter violated the Federal Voting Rights Act.

The City then agreed to settle the case by changing several sections of the City Charter including Section 500 regarding selection of the mayor and agreeing to district instead of city-wide elections of councilmembers. The stipulation and order provided, "The City Council shall elect one of its members who shall have the title of Mayor." The changes to Section 500 were set forth in a stipulation and order of the United States District Court. The City has followed this stipulation and order since 1989.

Before 1989, the Mayor was elected directly by all voters in the City. Since the 1989 stipulation and order, the Mayor has been elected by majority (4 of 7) of the Council pursuant to Section 500. This measure would change the 1989 stipulation and order as set forth in Charter Section 500 by creating a mandatory rotation process by district. Should this measure pass, the Council must appoint as Mayor the councilmember from the district that has gone longest without its councilmember serving an entire year as Mayor. Thereafter the Mayor must be appointed each year in numerical order by district. There are seven council districts.

Since 1989, the Mayor Pro Tempore (Vice-Mayor) has been elected by majority vote in the same way as the Mayor. This measure would change the 1989 stipulation and order and Charter Section 500 by creating a rotation process according to district. This measure provides that the Mayor Pro Tempore shall be the councilmember from the numbered district one digit after the Mayor's district.

For example, if the Mayor is from District 2, the Mayor Pro Tempore shall be from District 3; and if the Mayor is from District 7, the Mayor Pro Tempore must be from District 1.

The measure would be permanent. It will remain in effect until or unless changed by the voters.

A "Yes" vote is a vote to approve the ordinance and adopt this new method of selecting the Mayor. A "No" vote would reject the change and maintain the present method.

This Measure would be approved if a majority (more than fifty percent) of those voting vote "yes."

See the Santa Cruz County Elections Department Website for more information:
<http://www.votescount.com/jun14/lm.htm#meaj>

March 18, 2014

s/ Alan J. Smith
City Attorney

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ARGUMENT IN FAVOR OF MEASURE I

Let The People Vote— YES — on Measure I VOTE YES for INTEGRITY

- Restore the People's right to **FAIR** representation.
- Retain each resident's hope for **EQUAL** opportunity.
- Rebuild trust in the selection **PROCESS** for Mayor.

Thousands of Watsonville signatures were collected to allow each & every city voter the right to have their voices heard!

Measure I... is the direct result of this amazing grassroots effort. You now have the ability to take back your rights for fair & equal treatment for **ALL** the **PEOPLE** of Watsonville:

Vote **YES** on Measure I — for **HONESTY**

Vote **YES** on Measure I — for **INTEGRITY**

Vote **YES** on Measure I — for **JUSTICE**

Measure I... will end the controversial practice of the current Mayoral selection process. Instead, the Mayor & Vice-Mayor will rotate annually among all seven City Council Districts.

Simple. Fair. Equal. Inclusive.

Measure I... will prevent potentially discriminatory practices by providing a reliable and orderly process. No longer will a small handful of politicians determine who your Mayor is going to be. This fair rotation procedure will prevent any secret back room deals, undue special interest influence and charges of nepotism.

Measure I... is an important step in taking back our basic rights as City residents. Watsonville voters need to stay alert, engaged and vigilant over our local government.

PLEASE SUPPORT the "Let The People Vote" effort by voting **YES** on **MEASURE I**
RESTORE INTEGRITY. Be an integral part of changing the City of Watsonville for the better.

Let's work together for Honesty, Integrity and Justice!
VOTE YES for MEASURE I

s/ David H. Perez
Retired Judicial Officer

s/ Rhea DeHart
Watsonville Park/Recreation Commissioner

s/ Betty Bobeda
former Watsonville Mayor

s/ Lorraine E. Stucki
Former President, Bay Village Homeowner Assn.

s/ William Murphy
Former Watsonville Mayor

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE I

City of Watsonville Mayor Rotate

We need our best, most experienced leaders in charge of our city.

Our current method of choosing our Mayor was ordered by the federal court in 1989 to ensure fair voting rights. The mayor selection is currently done in an open public meeting with input from the people of Watsonville. The councilmembers you elect, also represent you on who will make the best Mayor to lead our city.

Measure I will result in completely new councilmembers with no experience becoming mayor.

That's not right.

Measure I is being pushed by a small, outside secret group that is currently being investigated for possibly violating our state campaign laws.

NO on Measure I — For the Best Mayor Selection Process by the People

NO on Measure I — Against Secret, Outside Groups Telling Us What to Do

NO on Measure I — For Effective City Leadership

NO on Measure I — For Good Local Government

We have a rich history of protecting our voting rights in Watsonville. We will not be tricked.

Please vote NO on Measure I. We deserve the best for our beautiful city.

s/ Isaac Rodriguez
Community Volunteer

s/ Leah Sugarman
Educator/Mother

s/ Pedro Castillo
Retired University Professor

s/ Dobie Jenkins
Community Volunteer

s/ Rev. Joseph R. Barndt
Pastor

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ARGUMENT AGAINST MEASURE I

City of Watsonville Mayor Rotate

We respectfully urge you to vote "NO" on Measure I.

Running a city requires leadership and consensus-building skills. Measure I will not give us the best leader to run our city.

Measure I conflicts with a 1989 federal voting rights court order that requires the Mayor to be selected by the city council. Measure I will result in a councilmember becoming Mayor only because of his/her city council district number, rather than having leadership and consensus-building skills and earning the vote by your own elected-representatives.

Measure I will result in new, unexperienced councilmembers immediately becoming Mayor due to only their council district number. This is not wise. We should keep our current method of picking our Mayor based on experience and leadership ability.

Measure I is not a "volunteer" effort as claimed. Most signatures were collected by paid signature gatherers hired by a group based in Capitola. This secretly-funded, Capitola group is now trying to impose on Watsonville residents what it wants. The Fair Political Practices Commission is currently investigating this group regarding possible violations of campaign reporting and transparency laws.

Vote "NO" on Measure I. We should continue to have a city Mayor that is a team leader and can lead our city by building consensus and agreement.

s/ Isaac Rodriguez
Community Volunteer

s/ Leah Sugarman
Educator/Mother

s/ Pedro Castillo
Retired University Professor

s/ Dobie Jenkins
Community Volunteer

s/ Rev. Joseph R. Barndt
Pastor

REBUTTAL TO ARGUMENT AGAINST MEASURE I

Let The People Vote— YES — on Measure I VOTE YES for INTEGRITY

- Restore the People's right to **FAIR** representation.
- Retain each resident's hope for **EQUAL** opportunity.
- Rebuild trust in the selection **PROCESS** for Mayor.

EVERY COUNCIL DISTRICT GETS AN EQUAL TURN

Measure I... will end the controversial practice of the current Mayoral selection process. Instead, the Mayor & Vice-Mayor will rotate annually among all seven City Council Districts.

Measure I... creates a fair and equal process that allows every Council District an opportunity to have their elected representative become Mayor of Watsonville.

THE FACTS:

- Mayor rotation satisfies requirement for fair representation.
- New Council Members may opt to delay service as Mayor.
- Watsonville voters are confident in the leadership abilities of the representatives they elect.

Measure I... will halt the discriminatory practices of the past, and encourage Council Members to focus on how best to improve our City, rather than engaging in petty arguments.

OF THE PEOPLE, BY THE PEOPLE, FOR THE PEOPLE

Signatures were collected by volunteers walking door-to-door, in our neighborhoods, at our supermarkets, and in front of our places of worship. Community members signed these petitions at service clubs, sporting events, family celebrations at our public parks & at the Watsonville Plaza.

*The People's dedication speaks for itself.
Watsonville residents clearly believe in Measure I.*

Let's work together for Honesty, Integrity and Justice!

PLEASE VOTE YES on MEASURE I

s/ Judy Dorrning Nielsen
Retired Banker/Former Mayor of Watsonville

s/ Ramón Gómez
Coach/Community Volunteer

s/ Yolanda Ruiz-Danna
Former Migrant Community Liaison, Library Media Tech/Mother

s/ Dan Chauvet
Chairman, Watsonville Regional Airport Promotion

s/ Rhea DeHart
Teacher/Retired Union President