



Local ballot measure: H

H

City of Santa Cruz Water System

Ballot question

Shall an amendment to the Charter of the City of Santa Cruz Section 1429 be adopted?

Pregunta de Boleta

¿Debe adoptarse una enmienda a la Sección 1429 de la Carta Constitutiva de la Ciudad de Santa Cruz?

What your vote means

YES	NO
A "Yes" vote is a vote to change the City Charter to clarify the City's ability to take advantage of available grant funding and favorable debt financing terms to finance water system improvements.	A "No" vote is against the charter amendment.

For and against Measure H

FOR	AGAINST
<p>David Green Baskin SC City Water Commissioner & Water Supply Advisory Committee</p> <p>Donna Meyers Environmental Consultant</p> <p>Mark Mesiti-Miller Planning Commissioner, Water Supply Advisory Committee</p>	<p>No argument against Measure H was filed.</p>



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Arguments and replies are the opinions of the authors. We print them exactly as submitted, including errors.

Argument for Measure H

Measure H adds clarifying language to the City Charter to support long-term investment in maintenance and upgrades for the Santa Cruz Water System.

In recent years the City of Santa Cruz has engaged in a thorough process of planning for the future of its water system, including extensive technical study, public involvement and review. One important aspect of the water system's long-term health is the ability to address aging infrastructure and improve the reliability of the system's water supply. The City recently adopted a Long Range Financial Plan to address this need.

Measure H would strengthen the system's ability to provide matching funds for grants and to secure revenue bonds for improvements. It adds clarifying language to the City Charter, while preserving the City's inalienable rights to maintain water system assets.

Measure H is consistent with the vision of a well-managed, sustainable water system that meets the community's current and future needs. It reinforces the ability of the Santa Cruz Water System to make necessary investments.

Measure H has been unanimously supported by the City's Water Commission and City Council. We urge a YES vote on Measure H.

David Green Baskin

SC City Water Commissioner & Water Supply Advisory Committee

Donna Meyers

Environmental Consultant

Mark Mesiti-Miller

Planning Commissioner, Water Supply Advisory Committee

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Impartial analysis of Measure H

Tony Condotti, City Attorney

The City of Santa Cruz is a charter city. The California Constitution authorizes the voters to adopt a city charter. The city charter has the force and effect of state law. Charter cities have the power to make and enforce all ordinances and regulations about municipal affairs, including those relating to the City's legal authority to establish, purchase and operate public works to furnish residents with water, sewer, waste collection and disposal, transportation and other public facilities and services. Under this legal authority, the City of Santa Cruz Water Department operates and maintains a water system, consisting of diversions, wells, pumps, reservoirs, tanks, treatment and distribution facilities that provide fresh, potable water throughout the City of Santa Cruz and certain areas of Santa Cruz County outside of the City's jurisdictional limits.

Section 1429 of the City Charter, entitled "Water System Inalienability," generally prohibits the City from selling, leasing, or otherwise encumbering the water system, other than property determined by at least a five vote City Council majority to be surplus, or any "rent or income" derived therefrom, without voter approval. In order to provide matching funds to take advantage of available state or federal grants or issue debt to financial major capital facilities, however, annual revenue from operating the water system frequently must be pledged as the source of the matching funds or for debt repayment. This proposed amendment to Section 1429 would retain language protecting the inalienability of the City's water system, but would delete the reference to "rent or income," to clarify the City's ability to take advantage of available grant funding and favorable debt financing terms, by pledging revenue from the water system for matching funds for grant awards and issue debt for capital facilities.

This ballot measure has been placed on the ballot by the Santa Cruz City Council. It requires a simple majority to pass.

Full text of Measure H

That Section 1429 of the City Charter be amended to read as follows:

SECTION 1429. WATER SYSTEM INALIENABILITY.

The Council shall never sell, lease, assign, convey, mortgage, or hypothecate the water system, or any part thereof, ~~or the rents or income therefrom~~, unless authorized so to do by majority vote of the qualified electors of the City of Santa Cruz; provided, however, that property determined by the affirmative vote of five (5) members of the Council to be surplus, and not necessary as a part of the operating water system, may be disposed of. Nothing in this Section shall be construed to limit the authority of the City to issue notes, bonds or other obligations pursuant to its municipal affairs powers as a charter city to finance improvements to the water system, which are secured by a pledge of the revenues derived from the water system.