



Agenda Report

MEETING DATE: Tuesday, February 8, 2022

TO: City Council

FROM: CITY ATTORNEY ZUTLER
CITY CLERK VÁZQUEZ FLORES
ASSISTANT CITY CLERK ORTIZ

SUBJECT: WATSONVILLE PLANNED GROWTH & FARMLAND
PROTECTION INITIATIVE PETITION

STATEMENT OF ISSUES:

The Watsonville Planned Growth & Farmland Protection Initiative Petition obtained the required 2,411 (10% of registered voters) valid signatures to qualify for adoption or be placed on the ballot.

RECOMMENDED ACTION:

It is recommended that the City Council accept the City Clerk's certification of the results of the examination of the signatures on the petition and order a report pursuant to California Elections Code Section 9212.

DISCUSSION:

On June 3, 2021, Amy Newell, Betty Bobeda, and Peter Navarro filed a Notice of Intent to Circulate a Petition to amend the City of Watsonville General Plan, primarily to the City's Urban Limit Line (ULL), set by Measure U, approved by the voters in 2002. The initiative as proposed would prevent changes to the ULL, as established by the former Measure U, through the year 2040.

On June 18, 2021, the City provided Petitioners with the City Attorney's Title and Summary, as required by California Elections Code Section 9203. The Petitioners published the Notice of Intent and the Title and Summary on July 2, 2021, and filed the Certificate of Publication with the City Clerk's Office on July 9, 2021.

As of February 17, 2021, there were 21,699 registered voters in the City, as indicated in the last report filed with the Secretary of State. The Petitioners returned the petitions with signatures to the City Clerk's Office on December 13, 2021. After determining that the number of "prima facie" or gross signatures for the Watsonville Urban Limit Line 2040 Extension petition was 3,176, which is in excess of the required minimum number of 2,170 (10%), the City Clerk accepted the petition for examination of signatures.

Elections Code Section 9266 requires the City Clerk to examine the petition once submitted by the petitioners. Pursuant to Elections Code Section 9114, using the records of registration, the elections official (City Clerk) must ascertain whether the petition is signed by the required number of voters. In order to meet the deadline for examination of signatures, the Santa Cruz County Clerk was contracted to conduct the examination of the signatures.

Santa Cruz County Clerk, Tricia Webber, confirmed the sufficiency of the petition on January 19, 2022, certifying the petition was sufficient with 2,411(10%) valid signatures.

Section 9114 requires the City Clerk to certify the results of the examination to the City Council at the next regular meeting.

Elections Code Section 9215 requires that if the petition is signed by not less than ten percent of the voters, the City Council shall do one of the following:

“(a) Adopt the ordinance, without alteration, at the regular meeting at which the certification of the petition is presented, or within 10 days after it is presented.

(b) Submit the ordinance, without alteration, to the voters pursuant to Section 1405.

(c) Order a report pursuant to Section 9212 at the regular meeting at which the certification of the petition is presented. When the report is presented to the legislative body, the legislative body shall either adopt the ordinance within 10 days or order an election pursuant to subdivision (b).”

Staff thus recommends that Council accept the City Clerk’s certification of the results of the examination of the signatures on the petition and, pursuant to Section 9212, order a report pursuant to Section 9212 analyzing the impacts of the proposed measure on the City.

STRATEGIC PLAN:

Extending the Urban Limit Line established by Measure U, approved by the voters, would affect available land for development and expansion, ultimately affecting each Strategic Plan Goal: 1-Housing, 2-Fiscal Health, 3-Infrastructure & Environment, 4-Economic Development, 5-Community Engagement & Well-Being, 6-Public Safety, 7-Efficient and High Performing Government

FINANCIAL IMPACT:

None

ALTERNATIVE ACTION:

The Council could adopt the ordinance or call for an election. If the Council wishes to do either, we will need to schedule a special meeting within ten days from this meeting.

ATTACHMENTS AND/OR REFERENCES:

1. Proposed Measure
2. Notices of Intent to Circulate Petition, dated July 1, 2013.
3. City Attorney's Titles and Summaries
4. City Clerk's Certificates of Examination of City Initiative Petition