

PROPOSITION 411

PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE I, SECTION 3 ENTITLED “POWERS OF THE CITY”

SHALL ARTICLE I, SECTION 3 ENTITLED “POWERS OF THE CITY” OF THE CITY CHARTER BE AMENDED AS FOLLOWS?

The city HAS the power to require ANY persons, firms, or corporations responsible for new physical development within the city to provide for or furnish, or pay a fee in lieu of providing or furnishing: (1) public utility easements; (2) water production, storage and transmission; (3) sewage collection, treatment and disposal; (4) ~~park land and development;~~ (5) ~~school sites;~~ (6) ~~dedication and improvement of public rights-of-way;~~ (7) ~~bike paths and other necessary transportation;~~ (8) ~~drainage;~~ (9) ~~flood control;~~ and (10) ~~other public facilities necessary to maintain satisfactory levels of service for said new development as provided by ordinance which shall include definite standards basing the foregoing requirements on the needs of the inhabitants of said new development.~~ (4) DEDICATION AND IMPROVEMENT OF PUBLIC RIGHTS-OF-WAY, ROADS AND ANY OTHER NECESSARY TRANSPORTATION; (5) DRAINAGE; (6) FLOOD CONTROL; AND (7) OTHER PUBLIC FACILITIES NECESSARY TO MAINTAIN SATISFACTORY LEVELS OF SERVICE FOR SUCH DEVELOPMENT. SUCH REQUIREMENTS SHALL BE ESTABLISHED BY ORDINANCE AND SHALL INCLUDE OBJECTIVE STANDARDS RELATING TO THE REQUIRED IMPROVEMENTS, DEDICATIONS, OR PAYMENTS TO THE NEEDS GENERATED BY THE DEVELOPMENT.

NOTWITHSTANDING THE FOREGOING, WITH RESPECT TO ANY NEW RESIDENTIAL DEVELOPMENT PROPOSED FOR ANNEXATION INTO THE CITY, ALL INFRASTRUCTURE IMPROVEMENTS NECESSARY TO SERVE THE DEVELOPMENT AND TO BRING SUCH DEVELOPMENT INTO CONFORMANCE WITH CITY STANDARDS AND ALLOW INCORPORATION INTO THE CITY THROUGH ANNEXATION, INCLUDING BUT NOT LIMITED TO ROADS, UTILITIES, DRAINAGE FACILITIES, AND PUBLIC SERVICE EXTENSIONS, AS WELL AS ANY EASEMENTS NECESSARY TO SERVE THE DEVELOPMENT, MUST BE PLANNED, DESIGNED, CONSTRUCTED, AND FULLY FUNDED BY THE DEVELOPER THEREOF. THE CITY WILL NOT EXPEND OR COMMIT PUBLIC FUNDS FOR SUCH IMPROVEMENTS, WHETHER NEWLY CONSTRUCTED OR DUE TO INCREASED CAPACITY NECESSITATED BY INCREASED USAGE, UNLESS EXPRESSLY APPROVED BY VOTERS AT A REGULAR OR SPECIAL ELECTION.

FULL BALLOT TEXT:

OFFICIAL TITLE: PROPOSAL BY THE CITY COUNCIL TO AMEND CITY CHARTER ARTICLE I SECTION 3 ENTITLED “POWERS OF THE CITY”

DESCRIPTIVE TITLE: AMENDMENT TO THE CITY CHARTER SHALL REVISE ARTICLE I, SECTION 3 ENTITLED “POWERS OF THE CITY” ESTABLISHING RESTRICTIONS RELATED TO DEVELOPMENT AGREEMENTS

A “YES” vote shall have the effect of amending Section 3 of Article I as noted.

A “NO” vote shall have the effect of retaining the existing language.