

## **Ballot language**

“Shall proposed Charter Amendment No. 1, revising and restating the Charter of the City of Huntington Beach (excluding changes to Section 617 entitled Infrastructure Fund) as set forth in the proposed measure be approved?”

## Impartial Analysis of Measure \_\_\_\_\_

This measure would revise and restate the Huntington Beach City Charter, which operates as a "constitution" for the City and gives it certain powers under California law.

If approved by a majority of those voting on it, the new Charter will become effective on the date accepted and filed by the California Secretary of State. If not approved by a majority, the existing Charter will remain in effect. The proposed changes are:

The City's form of government is changed from Council-Administrator to Council-Manager; the title of the chief administrative officer of the City is changed from City Administrator to City Manager. Currently, the City Administrator appoints or removes all non-elected department heads after review and approval by the City Council. The proposed Charter gives the City Manager authority to appoint or remove all department heads except elected officials and the Police Chief without City Council approval. Most other powers and duties of the position remain the same.

The current Charter requires voter approval for certain projects in city parks or beaches, including the construction of structures costing more than \$100,000. The proposed Charter raises the cost threshold for such structures to \$161,000, and adds an annual Consumer Price Index adjustment to the cost threshold. Under the proposed Charter, no voter approval would be required for certain public works utility structures, certain projects mandated by state or federal law, or certain renewable energy projects. For all projects subject to voter approval, the proposed Charter requires that appropriate environmental analysis, conceptual cost estimate, and reasonable project description must be completed and widely disseminated to the public before a project is submitted to the voters.

The proposed Charter will change numerous other operational aspects and policies of the City: the Preamble is amended to set forth the values, goals and purpose of the City government; new qualifications are added for the elected offices of City Clerk, City Treasurer, and City Attorney; the use of current technology to disseminate information and publish legal notices is required; elected department heads or their staff are prohibited from negotiating labor contracts on behalf of the City; new rules are added related to forfeiture of elected city offices, emergency ordinances, and submittal of the annual city budget to the City Council; threshold amounts for bidding on public works contracting would be set by ordinance, instead of by Charter; the City's fiscal year would be established by resolution of the City Council, instead of by ordinance; all department heads are required to assist and cooperate with the City Manager in administering the affairs of the City; and no less frequently than every ten years, the City Council is required to determine whether additional charter review is required.

The above statement is an impartial analysis of Measure \_\_\_\_\_. A copy of the measure may be obtained from the City's website, the City Clerk's Office or the elections official's office at (714) 536-5227.

Argument In Favor of Measure \_\_\_\_\_

The Huntington Beach City Charter deemed by many as our city's "Constitution" is the foundation of our great city and its guiding principles. The Charter defines the responsibilities of our elected officials, establishes roles for our professional staff, and provides essential protections to our local rights and community assets. It is a living document meant to reflect the shared vision we have for our city and the best it represents.

Last year, Huntington Beach commemorated our first centennial. In recognizing this historic milestone, we celebrated our unique history and paused to reflect on our future. As part of that reflection, the City Council authorized a commission to review our City Charter to ensure we were well prepared to meet the opportunities of the next 100 years.

The City Council selected 15 community members to take up the task of independently reviewing our Charter. The commission included former elected officials, community activists and volunteers who were stepping forward for the first time. The commission, armed with a diversity of experience and thought, scrutinized and debated the Charter - section by section. After a series of meetings lasting 9 months, they delivered a list of recommendations to the City Council unanimously supported by the group.

The thoughtful recommendations presented for your support bring the City Charter current to our needs today. The necessary changes establish clear lines of accountability for our management team, enhance our ability to deliver key information via new technologies, and update financial benchmarks relevant to our current economic realities.

We respectfully ask for your YES vote on these essential amendments.

Don Hansen, Councilmember, City of Huntington Beach

Keith Bohr, Councilmember, City of Huntington Beach

Joe Carchio, Councilmember, City of Huntington Beach

Devin Dwyer, Councilmember, City of Huntington Beach

## **Ballot Language**

“Shall proposed Charter Amendment No. 2, amending Section 617 of the Charter of the City of Huntington Beach entitled Infrastructure Fund, as set forth in the proposed measure be approved?”

## Impartial Analysis of Measure \_\_\_\_\_

This measure would revise and reorganize City Charter Section 617 entitled "Infrastructure Fund." The substantive change to existing Section 617 provided by this measure is that upon adoption of the 2017/2018 budget, debt service, or any other indirect costs, shall not be included in the 15% calculation of the general fund expenditures for infrastructure improvements, repair and maintenance.

Pursuant to the measure, the term "Infrastructure" is defined as long-lived capital assets that normally are stationary in nature and normally can be preserved for a significantly greater number of years. They include storm drains, storm water pump stations, alleys, streets, highways, curbs and gutters, sidewalks, bridges, street trees, landscaped medians, parks, beach facilities, playgrounds, traffic signals, streetlights, block walls along arterial highways, and all public buildings and public ways.

The measure requires that all revenue raised by vote of the electors or imposed by vote of the City Council on or after March 5, 2002, for infrastructure purposes shall be placed in a separate fund entitled "Infrastructure Fund." Monies in said Fund shall be utilized only for direct costs relating to infrastructure improvements or maintenance, including construction, design, engineering, project management, inspection, contract administration and property acquisition. Monies in said Fund shall not be transferred, loaned or otherwise encumbered for any other purpose. Interest earned on monies in the Infrastructure Fund shall accrue to that account.

The measure provides that expenditures for infrastructure improvements and maintenance shall not be reduced below 15% of general fund revenues based on a five- (5) year rolling average of general fund revenues. The average percentage of general fund revenues utilized for infrastructure improvements and maintenance, for the five (5) year period of 1996 to 2001, is and was 14.95%. Upon adoption of the 2017/2018 budget, debt service, or any other indirect costs, shall not be included in the 15% calculation of the general fund expenditures for infrastructure improvements, repair and maintenance. Revenues placed in the Infrastructure Fund shall not supplant existing infrastructure funding.

The measure provides that the City Council shall by ordinance establish a Citizens Infrastructure Advisory Board with the sole responsibility to conduct an annual review and performance audit of the Infrastructure Fund and infrastructure expenditures and which shall present a report its findings to the City Council at a noticed public hearing prior to adoption of the following fiscal-year budget.

The above statement is an impartial analysis of Measure \_\_\_\_\_. A copy of the measure may be obtained from the City's website, the City Clerk's Office or the elections official's office at (714) 536-5227.

Argument in Favor of Measure \_\_\_\_\_

In 2002, the voters of Huntington Beach sent a clear message – it was time to get our budget priorities straight. Measure FF established an infrastructure fund directing 15% of our general fund tax dollars be reinvested in much needed infrastructure repairs and maintenance.

One does not have to go far to see first hand the needs we face. Buckling sidewalks, potholed roads, crumbling block walls, and standing water are present in most neighborhoods in Huntington Beach. In many cases, the conditions are borderline hazardous. Years of neglected maintenance and deferred replacement have taken a toll. The estimated cost of the total needed improvements city-wide exceeds \$1.48 Billion dollars.

The infrastructure fund was intended to be the first step in solving this problem. Unfortunately, the fund has been warped by the city policy makers entrusted to implement our direction. By using a loophole, the infrastructure fund has been raided inappropriately to balance the budget instead of funding the critical repairs needed in our community.

Over the past 6 years, the tax dollars we directed to be programmed specifically for repairs and maintenance were diverted to pay bond holders on older projects. This “technical” maneuver shortchanges our community over \$6 million each year in vital projects. Over \$55 million has been used for debt service since 2002.

That’s \$55 million less for new sidewalks, park maintenance, and safe roads.

Leaders in our community are working to close this loophole and reaffirm the direction we gave in 2002. Members of our City Council, Public Works Commission, and Charter Review Commission have collaborated to eliminate this technicality. Their effort has culminated in this amendment presented for your support.

Your “YES” vote today will get our tax dollars back to work as we originally intended. Our community cannot afford to neglect these pressing needs any longer.

Don Hansen, Councilmember, City of Huntington Beach

Joe Carchio, Councilmember, City of Huntington Beach

Devin Dwyer, Councilmember, City of Huntington Beach

## Argument Against Measure \_\_\_\_\_

The intent of this amendment is to increase infrastructure funding. The irony is it will close existing facilities and fund short-lived repairs at the expense of multi-generational infrastructure needs.

Imagine you purchase a home expecting to deduct the interest on your mortgage. Suddenly the rules change and interest deductions are eliminated. Your household budget gets squeezed along with that roof repair you had contemplated financing with a second mortgage. You set aside money month after month and while you save, your leaking roof damages the walls. By the time you have saved enough for the repair, the cost and scope of repairs has skyrocketed.

Long-lived and necessary infrastructure projects will be delayed if financing is limited to current revenues. The City dedicates an average 15% of the General Fund to infrastructure. Long-lived capital projects, in both the public and private sector, require financing. Financing allows cost sharing across the generations of residents who will use the facilities. If this measure passes, then only current tax payers will pay and future residents will enjoy the benefits at no cost.

Short-lived projects, such as street slurring, tree trimming, and pot-hole repairs are already made with "pay-as-you-go" monies where no debt is incurred.

If passed, \$6,000,000 will have to be cut from the General Fund annually--which has already been slashed \$31,000,000 in the past two years.

Potential reductions submitted by staff to cover the \$6,000,000 annual shortfall include closure of one fire station, elimination of senior services, closure of branch libraries, 20% reduction in uniformed police patrol, further reductions in park maintenance, closure of Edison and Murdy Community Centers, and closure of the art center--eliminating existing infrastructure to satisfy a new mandate.

This measure is fatally flawed. Please vote no.

Jill Hardy, Mayor Pro Tem, City of Huntington Beach

Keith Bohr, Councilmember, City of Huntington Beach

Debbie Cook, Former Mayor, City of Huntington Beach

Gil Coerper, Councilmember, City of Huntington Beach