

**Initiative Measure to Be Submitted Directly to the Voters**

The city attorney has prepared the following title and summary of the chief purpose and points of the proposed measure:

**AN INITIATIVE ORDINANCE TO REQUIRE A PUBLIC VOTE ON ACTION(S) BY THE STOCKTON CITY COUNCIL TO SELL, TRANSFER, LEASE OR ENCUMBER ANY PART OR INTEREST IN CITY UTILITIES OR TO ENTER INTO A CONTRACT IN EXCESS OF FIVE MILLION DOLLARS WITH ANY PRIVATE OR FOR-PROFIT AGENCY FOR THE OPERATION AND MAINTENANCE OR COLLECTION OF REVENUE FOR CITY UTILITIES**

The proposed initiative ordinance adds Section 3-103.1 to Division 1 of Part IX of Chapter 3 of the Stockton Municipal Code to provide for a public vote and approval by a majority of the voters of the City of Stockton on any action by the City Council to sell, transfer, lease, or otherwise encumber any part of or any interest in City utilities. In addition, a public vote would be required for the City to enter into any agreement in excess of five million dollars (\$5,000,000) that assigns any aspect of the operation and maintenance, or the collection of revenue for, City utilities to any private or for-profit entity. An election would be called at the next general municipal election occurring at least forty-five (45) days after the action by the Council, or at a special election held not less than sixty (60) days after action by the Council.

The proposed initiative ordinance defines "City utilities" to mean every component and facility of the water storage, treatment and delivery system and the wastewater and stormwater collection, storage, treatment, and discharge systems of the City of Stockton.

**NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.**

**Only voters REGISTERED WITHIN THE CITY OF STOCKTON are eligible to sign.**

This column for official use only

REGISTERED VOTERS ONLY	1. Print Your Name: _____ Sign as Registered To Vote: _____	Residence Address ONLY: _____ City: _____ Zip: _____	
	2. Print Your Name: _____ Sign as Registered To Vote: _____	Residence Address ONLY: _____ City: _____ Zip: _____	
	3. Print Your Name: _____ Sign as Registered To Vote: _____	Residence Address ONLY: _____ City: _____ Zip: _____	
	4. Print Your Name: _____ Sign as Registered To Vote: _____	Residence Address ONLY: _____ City: _____ Zip: _____	
	5. Print Your Name: _____ Sign as Registered To Vote: _____	Residence Address ONLY: _____ City: _____ Zip: _____	

**DECLARATION OF CIRCULATOR**

(To be completed **after** above signatures have been obtained)

I, \_\_\_\_\_, am registered or qualified to register to vote in California.  
(print name)

My residence address is \_\_\_\_\_.  
(address, city, state, zip)

I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of \_\_\_\_\_, 2002 and \_\_\_\_\_, 2002.  
(month and day) (month and day)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on \_\_\_\_\_, 2002 at \_\_\_\_\_.  
(month and day) (city and state of signing)

\_\_\_\_\_  
(complete signature including first name, middle initial/name, last name)

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The people of the City of Stockton do ordain as follows:

Section 3-103.1 is added to Division 1 of Part IX of Chapter 3 of the Stockton Municipal Code, to read as follows:

### **SEC. 3-103.1. STOCKTON CITY UTILITIES; PUBLIC VOTE:**

A. Any action by the Stockton City Council to sell, transfer, lease, or otherwise encumber any part of or any interest in City utilities, or to authorize or enter into any agreement in excess of five million dollars (\$5,000,000.00) that assigns any aspect of the operation and maintenance of, or the collection of revenue for, City utilities to any private or for-profit entity, or any combination of those actions, shall be without force and effect unless and until it is approved by a majority of voters of the City of Stockton either: at the next general municipal election occurring at least forty-five (45) days after that action by the Council, or at a special election to be held not less than sixty (60) days after that action by the Council.

B. As used in this section, "City utilities" means every component and facility of the water storage, treatment, and delivery system and the wastewater and stormwater collection, storage, treatment, and discharge systems of the City of Stockton.

### **NOTICE OF INTENT TO CIRCULATE PETITION**

To: City Clerk of the City of Stockton, and Registrar of Voters, County of San Joaquin.

Notice is hereby given by the persons whose names appear hereon of the intention to circulate the petition within the City of Stockton for the purpose of providing for a public vote on any decision by the Stockton City Council to privatize the Stockton municipal utilities. A statement of the reasons for the proposed action as contemplated in the petition is as follows:

Contracting with a private or for-profit entity to perform the functions of the Stockton Municipal Utilities Department and to maintain the citizen owned assets should require approval by a vote of the people.

We, Sylvia Kothe and Dale E. Stocking, the undersigned, are registered and qualified electors of the City of Stockton, County of San Joaquin, and State of California.

Signed and dated: May 10, 2002

Sylvia Kothe  
Stockton, CA 95204

Dale E. Stocking  
Stockton, CA 95204