ORDINANCE NO. 2012-03

AN ORDINANCE OF THE CITY OF SANTA CRUZ
ADDING CHAPTER 16.10 TO THE SANTA CRUZ MUNICIPAL CODE REQUIRING
VOTER APPROVAL FOR DESALINATION PLANT CONSTRUCTION

BE IT ORDAINED by the City of Santa Cruz as follows:

SECTION 1: Chapter 16.10 is hereby added to the Santa Cruz Municipal Code to read as follows:

Desalination Plant – Voter Approval

Section 16.10.010 Voter Approval
Section 16.10.020 Environmental Review
Section 16.10.030 Desalination Plant Defined

16.10.010 Voter Approval. Before taking a legislative action, the effect of which would be to authorize or permit construction of a desalination plant in the City, the City Council shall first submit the question of that desalination plant's construction to the qualified electors of the City of Santa Cruz at a regularly scheduled general municipal or statewide election. The City Council shall thereafter take such legislative action only if the desalination plant's construction is affirmed by a vote of the City's qualified electors at such election. This section shall not be construed to require more than one election per desalination plant proposal and, once a desalination plant is approved by the electorate, the City Council shall thereafter be authorized to take all further legislative actions necessary for the City to undertake and complete desalination plant construction.

16.10.020 Environmental Review. Before submitting a desalination plant construction ballot measure to the electorate pursuant to Section 16.10.010, the City shall analyze the environmental impacts of the proposed desalination plant in accordance with the requirements of the California Environmental Quality Act. No provision of this Chapter shall be construed as prohibiting the City Council from appropriating the funds necessary to undertake studies in connection with such environmental analysis or to otherwise analyze the proposed desalination plant's construction, operation, costs and financing.

Section 16.10.030 Desalination Plant Defined. As used in this chapter, the term "desalination plant" means any project intended to provide potable domestic, commercial, and/or industrial water supply through the removal of salts and other minerals from ocean water, regardless of the physical or chemical process used.

SECTION 2: This ordinance shall take effect and be in force thirty (30) days after final adoption.

ORDINANCE NO. 2012-03

PASSED FOR PUBLICATION this 28th day of February, 2012, by the following vote:

AYES: Councilmembers Madrigal, Beiers, Robinson, Coonerty, Terrazas, Vice Mayor Bryant; Mayor Lane.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: ss/Don Lane
Mayor

ATTEST: ss/Bren Lehr
City Clerk Administrator

PASSED FOR FINAL ADOPTION this 13th day of March, 2012, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2012-03 and that it has been published or posted in accordance with the

_____
City Clerk Administrator