

Measure U: The Story of Our Initiative

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These columns are filled with various opinions about aspects of our SLV water district, but a valuable district asset often overlooked and unheard is us, the customers. I'd like to talk about our extraordinary SLV community, finding common ground, and the power of grassroots democracy through the story of our work on a citizen's initiative. The seed of the story is public response to a strikingly inequitable water rate increase where most of the heavy burden is shifted to low water users via high fixed charges, versus spreading the lift across all users via volumetric rates. Over 1300 households submitted Protest Ballots. Dozens of people in our community wrote letters or spoke at meetings giving impressive, compelling testimony opposed to the controversial rate structure. Unlike most of the water district board, we listened.

A citizen's initiative is meant to be done by ordinary people, usually when local government gets off track with community values. Local District citizen initiatives have rarely been done in our county, and it's been a learning experience for everyone, including our water district. Our local initiative is enabled under Proposition 218 as a powerful next option after the nearly impossible "reverse vote" Protest Ballot threshold can't be met and the community remains dissatisfied. Unlike the first, which overturns a proposed increase, the initiative can only *reduce or repeal* local fees or target a specific portion. We used as a blueprint the landmark case *Bighorn-Desert v. Verjil* which establishes what a local citizen's initiative can –and can't—do when crafting the measure ordinance, and we focused on fixed fees. Months later when the initiative appears on the agenda, the water district's attorney will solemnly explain to a somber board that this citizen initiative power is in the Constitution. The same Constitution board members must swear to support and defend on taking office.

The initiative process and the Constitution gives us opportunity, but the most important part of this story is grassroots power, starting with a small band of volunteers from Boulder Creek, Ben Lomond, Felton to Lompico Canyon, who stepped up and made this possible. Volunteers' steadfast work gathering signatures, explaining the initiative measure, and the continued grassroots spread of support across our SLV community united in cause is what made this a success. The County Elections Department advises getting about 30% more signatures than required as some will be found invalid. We set an ambitious goal to get about 80% more, in a short timeframe race to qualify for the November ballot. We delivered nearly twice as many signatures as required to Elections to verify.

In gathering petition signatures, we've had a chance to hear your opinions and personal stories of the water district. I often wished a board member could stand invisibly behind my shoulder to hear how people feel they are the district, not just a source of revenue. I recall a woman at the rate hearing in February admonishing the board for underestimating our community's intellect. People know the district needs money, and they know this rate structure is unfair and wrong. Many recount how they conserved water when the district

asked, and now feel betrayed because they are hit hardest by the increase. A man from out of town sees our hand-made sign and stops by because he's on a water commission and defensive about rate increases until he hears what our initiative is about, then says good for you. A busy shopper takes time to lean over her grocery cart to read the initiative measure and our flier, understands as a higher water user this will not benefit her, then reaches out for the pen to sign the petition. When people ask who we are, that story comes to mind as the answer.

Our initiative qualified and will be on the November ballot as Measure U. Legal opinion on local citizen initiatives concludes they are beneficial, getting everyone equally to the table to resolve differences; to expect some district pushback. The best positive outcome is voting YES to equitable rates.

Our grassroots website slvh2o.org is growing and we'll be adding more content as the story of the Initiative continues.

Debra Loewen is a co-proponent, along with Bruce Holloway, of a citizen initiative measure to reduce fixed charges as a step towards equitable rates.