



ELECTION EXTRA

GENERAL ELECTION—NOVEMBER 2, 2010

LOCAL PROPOSITIONS IN SAN DIEGO COUNTY

COUNTY OF SAN DIEGO

PROPOSITION A: SAN DIEGO COUNTY CHARTER AMENDMENT TO ENSURE FAIR AND OPEN COMPETITION FOR COUNTY CONSTRUCTION CONTRACTS

THE QUESTION: Shall the Charter of San Diego County be amended to prohibit the County from requiring the use of project labor agreements on County construction projects except where required by State or Federal law?

THE SITUATION: It has been a tradition of the San Diego County Board of Supervisors not to enter into project labor agreements on construction projects. In February, 2010, the Board rejected a proposed ballot measure from one of the supervisors that would, if approved by the voters, amend the County Charter to prohibit requiring the use of project labor agreements. Instead the Board voted unanimously to pass an ordinance that would prohibit the use of project labor agreements on County construction projects. In July, 2010, the same proposal, that a Charter amendment prohibiting project labor agreements to be placed on the ballot, was put forward and was approved by the Board with a vote of 4 to 1. Project labor agreements are a form of bargaining agreement that guide labor relations on projects. It is a type of collective bargaining agreement entered between labor organizations and a contractor that applies to the contractor's construction project. The purpose is to have a working environment that will complete a project on time, on budget, without labor disputes.

THE PROPOSAL: To amend the Charter of San Diego County to prohibit the County from requiring a contractor to enter into a project labor agreement as condition of performing a County construction project. Amendment of the Charter would guarantee that the Board of Supervisors could not enter into a Project Labor Agreement without another Charter amendment passed by the voters that would cancel the prohibiting of project labor agreements. It would not restrict contractors and labor organizations from voluntarily entering into such agreements on their own.

FISCAL IMPACT: Not known.

A YES VOTE MEANS: The Charter of the County of San Diego will be amended to prohibit the County from making project labor agreements for County construction projects.

A NO VOTE MEANS: The County of San Diego ban on Project Labor Agreements will remain a County Ordinance, but will not become a part of the County Charter.

SUPPORTERS SAY: With the Project Labor Agreement ban as part of the County Charter, the County will be less vulnerable to political change that may occur now that there are term limits for County Supervisors.

It is a business practice that has made the Board successful in financial matters.

Project labor agreements inhibit competition by reducing the numbers of bidders.

Costs are increased through union rules and regulations.

OPPONENTS SAY: Project Labor Agreements mitigate labor disputes such as strikes and lockouts.

Ensure local workers would receive the work.

Provide skilled craftsmen in sufficient quantity.

Ensure at least the prevailing wage is being paid.

More Information:

For Prop A: San Diego Taxpayers Association

Against Prop A: San Diego and Imperial Counties Labor Council

CITY OF SAN DIEGO

PROPOSITION B: CHARTER AMENDMENT TO ADD GOOD CAUSE REQUIREMENT FOR CERTAIN TERMINATIONS OR SUSPENSIONS OF DEPUTY CITY ATTORNEYS

THE QUESTION: Shall the City Charter be amended to establish a good cause requirement for the termination or suspension of Deputy city Attorneys who have served continuously for two years or more, except that any Deputy City Attorney may be subject to layoff due to lack of work or insufficient appropriations to meet the salary requirements necessary to maintain existing personnel?

THE SITUATION: Sections 30 and 40 of the City Charter give the City Attorney appointing authority over deputy city attorneys, assistant city attorneys, and employees. Those in unclassified service serve at his/her pleasure and may be removed by him/her at any time. The appointments of subordinates other than deputies and assistants are subject to Civil Service provisions.

THE PROPOSAL: The Deputy City Attorneys Association has proposed amendments to Sections 30, 40, and 117 of the City Charter that would prevent Deputy City Attorneys from being removed at will by the appointing authority.

Procedures would be established for termination, suspension, and layoff in compliance with California state law. The amendments proposed would permit the City Attorney to appoint no more than six Assistant City Attorneys and four other assistants. They would serve at the pleasure of the City Attorney and could be removed by him/her at any time.

A Deputy City Attorney who has served continuously in the office of City Attorney for two years or more could not be suspended without good cause, but could be subject to layoff due to lack of work or insufficient appropriations to meet salary requirements to maintain the existing personnel in the City Attorneys Office. Good cause for purposes of termination or suspension include, but are not limited to factors to comply with California Rules of Professional Conduct.

FISCAL IMPACT: Probable savings as a result of this ballot measure are undetermined. The average salary of attorneys may increase over time as the average length of service to the City increases. The increased salary cost is unknown. Amendments would limit the Office of City Attorney to six Assistant City Attorneys. There is no limit at present.

A YES VOTE MEANS: The City Charter will be amended to establish good cause requirements for terminating or suspending Deputy City Attorneys who have served continuously for two years or more, except in the case of lack of work or insufficient appropriations to meet salary requirements to maintain existing personnel. The maximum number of Assistants that the City Attorney may appoint will be specified.

A NO VOTE MEANS : The Charter will not be amended.

SUPPORTERS SAY: Proposition B protects taxpayers by keeping the Office of City Attorney an independent and non-political watchdog. The City Attorney's office should never be used to further an elected official's political agenda.

The loss of experienced lawyers results in expensive outside counsel.

Proposition B protects the City and future deputy city attorneys from political pressure. After a two year probation period, deputy city attorneys can be fired for ethical lapses or poor legal work, but not for telling the truth, speaking up to prevent an illegal act or giving proper legal opinions.

OPPONENTS SAY: There are no known opponents to the measure.

More information:

For Prop B: Deputy City Attorneys Association of San Diego

**PROPOSITION C: AMEND CITY OF SAN DIEGO PROPOSITION M OF 1998
RELATING TO THE DEVELOPMENT OF PACIFIC HIGHLANDS RANCH**

THE QUESTION: Shall Proposition M be amended, allowing completion of parks, library, trails, recreation and transportation facilities for Pacific Highlands Ranch by removing a development timing restriction based on completion of the S-56/I-5 Interchange, only after City Council approves a program of phased development ensuring facilities are constructed before or concurrent with new development, paid for by developers at no-cost to taxpayers?

THE SITUATION: Proposition M was passed by voters in 1998. It changed the designation of 2,102 acres known as Pacific Ranch Subarea Plan from “Future Urbanization” to “Planned Urbanization” to allow development of a transit-oriented community. The Transportation phasing plans for PRSA Plan provides that no more than 1,900 dwelling units will be permitted until State Route 56 westbound/Interstate 5 connection ramps are in place and operational. The ramp from SR56 to southbound I-5 has been completed. There is no certain date for expected completion of a ramp from SR56 to northbound I-5. Needed community facilities are related to community growth. Community amenities in Pacific Highland Ranch are funded by Facilities Benefit Assessments, which are assessed against developers when building permits are issued. Parks, trails, a recreation center, and a public library that are part of the community plan cannot be funded and built until more units are built and FBA funds collected.

THE PROPOSAL: To amend Proposition M to remove the restriction that Pacific Highland Ranch be limited to 1,900 units until the SR 56/I-5 Interchange is in place. This would provide that development of more than 1,900 dwelling units can proceed once the City Council approves a program to phase development in PHR and revises the Public Facilities Financing Plan for the community. Phased development would restrict building permits from being issued until the completion of community amenities and public facilities consistent with thresholds established in the City’s General Plan.

FISCAL IMPACT: Expenses incurred to prepare a program of phased development and revisions to the Pacific Highlands Ranch Public Facilities Financing Plan will be borne by the Pacific Highland Ranch Facilities Benefit Assessment, which is funded by builder/developer fees. There will be no costs to City taxpayers as a result of this ballot measure.

A YES VOTE MEANS: Proposition M will be amended to remove references to the connection between the 1,900 dwelling limit and the completion of the SR56/I-5 Interchange. More than 1,900 dwelling units can be built once the City Council both

approves a program to phase development in Pacific Highland Ranch and revises the Public Facilities Financing Plan for that community.

A NO VOTE MEANS: The 1,900 dwelling unit limit will remain in place for Pacific Highland Ranch until the State Route 56/I-5 Interchange is complete

SUPPORTERS SAY: The amendment will permit completion of community parks, open space and trail systems, stores, offices, recreation center, bike and pedestrian trails to proceed for Pacific Highlands Ranch.

It requires developers, not taxpayers, to pay for these facilities.

It requires City Council approval of a phasing plan to ensure facilities are constructed before or concurrent with new development.

OPPONENTS SAY: There is no known opposition to the measure.

More Information:

For Prop C: Carmel Valley Community Planning Board

PROPOSITION D: AUTHORIZE A TEMPORARY ONE-HALF CENT SALES TAX IF FINANCIAL REFORM CONDITIONS ARE MET.

THE QUESTION: Should the city of San Diego temporarily increase the sales tax by one-half cent for up to five years if the independent City Auditor certifies that the ten conditions have been met which include pension reforms, health care, managed competition and other financial reforms?

THE SITUATION: The city is facing a \$72 million budget deficit starting July 2011. Services have already been cut (e.g. idling fire engines, cutting library hours, decreasing park maintenance). The sales tax increase, which would be deposited in the General Fund, is estimated to produce \$103 million annually. The money would prevent the elimination of more essential services and could restore some of the services that have already been cut.

There is a \$2.1 billion pension deficit created by unfunded pension increases in 1996 and 2002. Funding these pensions and the economic downturn have brought about the current financial problems.

THE PROPOSAL: This measure would impose a temporary sales tax of one-half cent. It would start after the ten conditions listed in the ordinance have been certified by the City Auditor and continue for five years.

The ten conditions are:

1. Eliminate retirement offsets for elected officials and non-union city employees
(Retirement offsets means the amount of an individual's retirement system contribution which the City agrees to pay on behalf of the individual.)
2. Reduce retirement offsets for represented city employees
3. Adoption of a managed competition guide
4. Completion of the DROP cost neutrality study
(Deferred Retirement Option Plan cost neutrality study)
5. Solicit requests from qualified bidders to take over the Miramar Landfill
6. Eliminate terminal leave and replace with cashed-out accrued leave
7. Reduce retiree health costs
8. Solicit proposals to take over Information Technology Services
9. Establish second-tier pension plan for Firefighters comparable to that already established for Police Officers

10. Adopt an ordinance for Alternative Defined Contribution plan. Implementation may be subject to IRS approval

FISCAL IMPACT: If all ten conditions are met and the sales tax increase is put into effect, it could generate \$103 million annually.

The savings from the fiscal reforms contained in the ten conditions, assuming they are all implemented, can vary from \$3.5 million to \$428 million per year according to figures released by the Mayor's office. There are no dollar amounts attached to the fiscal reforms, so, for example, savings from reducing retiree health care costs would depend on negotiations.

A YES VOTE MEANS: A half-cent sales tax increase would go into effect once all ten conditions in the ordinance are met and certified by the City Auditor. The increase would be in effect for five years.

A NO VOTE MEANS: There would be no increase in the sales tax and it will remain at 8.75%.

SUPPORTERS SAY: This ballot measure is a guarantee that financial reforms will be made before the additional tax is imposed.

More cuts to city services will have to be made if this ballot measure fails; brownouts for essential services already are putting people in danger.

Other large cities such as Los Angeles, Oakland and Long Beach have a 9.25-9.75% sales tax.

OPPONENTS SAY: Since the sales tax increase would go into the general fund, no one knows how the money would be spent. It could go to fund the pension deficit and not essential services.

A sales tax is a regressive tax and unfairly impacts people of lower income.

This proposition violates the "single issue" rule because it asks for reforms and a sales tax increase.

More Information:

For Prop D: San Diego Firefighters; San Diego Police Officers

Against Prop D: San Diego Taxpayers Assoc.

SAN DIEGO UNIFIED SCHOOL DISTRICT

PROPOSITION J: EMERGENCY TEACHER RETENTION/CLASSROOM EDUCATION MEASURE.

THE QUESTION: To prevent Math, Science and English teacher layoffs, protect neighborhood schools from state budget cuts, prevent cuts to essential academic programs, job/college preparation, and preserve small classes, shall the San Diego Unified School District levy a Temporary 5-year Emergency annual tax that Sacramento cannot take away of \$98/single family home, and taxes on other types of parcels, exempting low income seniors, with independent audits and no money for administrators' salaries?

THE SITUATION: Over the past three years, because of the state budget crisis, state funding for the San Diego Unified School District has been cut nearly \$300 million – and more cuts are slated for the coming year. In Fiscal Year 2006-2007 San Diego Unified operations budget was approximately \$1.3 billion. For the upcoming 2010/11 school year, the District must address a deficit of \$80 to \$100 million. This will bring the total cuts over 3 years to nearly \$300 million – almost 20% of the District's operating budget. Looking forward, even more cuts are on the horizon. In California, schools receive nearly 80% of their operating budget from the state. California's unprecedented financial crisis, which has brought about these cuts, shows no evidence of abating. It is expected that San Diego Unified will face further funding cuts until the overall economy improves and steady economic growth resumes.

Every effort has been made to keep cuts from affecting classroom education. Very deep cuts have been made in administration, maintenance, and academic support services. Even so, the District last year was forced to increase class sizes in lower grades (K-3) and make deep cuts in school nurses, counselors, school supplies, and extracurricular activities.

To date, the schools have cut the 17,000 person workforce by nearly 10%. The School Board's policy has been to avoid layoffs, achieving staff reductions through attrition and early retirement. This has triggered a “brain drain” of experienced personnel that has left the District short staffed in many key academic areas – notably math and science – that has led to reductions in academic programs and increases in class size.

California is slated to pull special education funding that is already either budgeted for this school year or spent last year. This newest cut would cost the district an additional \$9 million already included in the budget San Diego Unified passed this summer. San Diego is one of two home ports designated by the U.S. Navy for “exceptional families,” a term that applies to families with autistic children that need the kind of medical and

educational services that are offered in San Diego. As a result, San Diego Unified and other school districts in the county have extraordinarily high concentrations of autistic students, and funding is important to providing these children with an education.

THE PROPOSAL: To authorize the San Diego Unified School District to levy a special tax on each parcel of land within the District. The taxes will be levied at \$98.00 per single-family residential parcel; \$60.00 per multi-family residential unit; \$450 per commercial or industrial parcel; \$98.00 per vacant or unimproved parcel. A property owner aged 65 years or older could qualify for an exemption if certain criteria are met i.e. occupying the parcel as a primary residence; qualifying as low a low-income individual; and submitting an application to the district. The special tax will be imposed annually for five years beginning on July 1, 2011.

FISCAL IMPACT: Prop J would raise about \$50 million annually. The “Temporary 5-Year Emergency Educational Tax” shall be uniformly applied to each parcel of taxable real property within the following property classifications:

- **Single-Family Residential** \$98 per parcel
- **Multi-Family Residential** \$60 per unit
- **Commercial/Industrial** Amount based on square footage of improvements on each Parcel, as show below:
 - 25,000 sq. ft of improvements or less \$450 per Parcel
 - 25,001-50,000 sq. ft. of improvements \$2,500 per Parcel
 - 50,001-150,000 sq. ft. of improvements \$5,000 per Parcel
 - 150,001-250,000 sq. ft. of improvements \$15,000 per Parcel
 - More than 250,000 sq. ft. of improvements \$25,000 per Parcel
- **All Vacant, Unimproved Parcels** \$98 per parcel
Senior citizens of modest means would be exempt.

A YES VOTE MEANS: The school district gains the extra funds and the home and property owners pay the set amount per unit. Proceeds can be used for salaries, education programs, and other items, whereas a school bond is only for construction. Each school will receive about \$150 per student for academic program support. \$17 million annually will be used to keep class sizes down in K-3rd grade.

A NO VOTE MEANS: No change in the current situation.

SUPPORTERS SAY: The school district is in a severe financial bind. State funding of school districts has dropped from \$39.8 billion in 2007-8 to \$34.5 billion in 2009-10.

SDUSD has made many cuts and has increased class size.

Expenses don't decrease proportionately with a drop in student population because of fixed costs.

All of the schools in California rely on the state for 80% of their operating funds because of the tax structure in California.

The only options that school districts like San Diego Unified have to raise revenues is to go to voters for approval of local taxes for school construction bonds which require a 55% approval and for a parcel tax which requires a 66-2/3% approval.

The proposed Emergency School Parcel Tax would be another step forward towards providing a local source of operating funds for San Diego Unified District schools

The income from the parcel tax would be controlled locally and could not be taken away by the State government.

OPPONENTS SAY: In spite of the cuts, test scores are not dropping.

Enrollment is down by 10,000 students in the last decade, so expenses should be down.

SDUSD rejected the reform measures (particularly the evaluation of teacher performance) in a federal program called "Race to the Top."

The School Board voted to employ only union workers in bond projects; this increased costs significantly and unnecessarily.

A flat tax is not fair; it affects owners of lower-valued property more than owners of higher-valued property.

SDUSD has just hired five area superintendents which adds greatly to the administrative payroll.

The school district may be receiving \$20,000 in funds from the Federal Jobs Bill.

More Information:

For Prop J: San Diego Unified School District

Against Prop J: San Diego Taxpayers Association