

Honorable Chair and Members
of the City Council
City Hall
Torrance, California

Members of the Committee:

SUBJECT: City Council Ad Hoc State Legislative Advocacy Committee – Approve and concur with the Committee position on the 2012 ballot measures.

RECOMMENDATION

Recommendation of the City Council Ad Hoc State Legislative Advocacy Committee that City Council approve and concur with the Committee's position on the state and local ballot measures on the 2012 General Election to be held on November 6, 2012.

BACKGROUND/ANALYSIS

On August 7, 2012 the Mayor appointed members to the City Council Ad Hoc State Legislative Advocacy Committee. Members of the Committee are: Mayor Frank Scotto, Councilmember Gene Barnett and Councilmember Susan Rhilinger with Councilmember Bill Sutherland as the alternate member. The role of the Committee is to work with staff and State lobbyists in achieving the City's legislative goals at the state level. In addition, the Committee reviews and takes position on ballot measures prior to elections on state, county and local measures. In reviewing the ballot measures, the Committee applies the criteria listed below to determine the potential impact of these measures on the City of Torrance:

- Does the proposed measure affect local control?
- Does the proposed measure have a fiscal impact on the City?
- Does the proposed measure affect public safety?

There are eleven (11) State measures and two (2) local measures that will be presented to the electorate on November 6, 2012, General Election. There are five (5) State measures that meet the City's established criteria. The other six (6) State propositions do not meet the City's criteria as currently defined.

On September 18, 2012 Council approved support of Measure E to upgrade the facilities at El Camino Community College that will enhance the training and course offerings to students. Measure J does impact the city and a position has been taken by Transit and Public Works along with a note from the Finance Director.

On October 3, 2012 the City Council Ad Hoc State Legislative Advocacy Committee met to discuss the ballot measures to determine the City's position. In order to obtain a better understanding of what effect a measure may have on the City, the City departments were requested to complete an analysis of each measure that would fall in their area of expertise. The Committee reviewed the materials

relating to each of the measures along with a summary from the Legislative Analyst's Office. Information can be found on the Legislative Analyst's Office at www.loa.ca.gov or the Secretary of State website at www.sos.ca.gov.

A representative from Torrance Unified School District provided an overview of Propositions 30 and 38. A representative from the Torrance Area Chamber was in attendance to provide information on the Chamber's perspective on the ballot measures. Each department summarized the propositions that met the City's criteria and the department's position. Much discussion ensued on the propositions with staff and other meeting attendees. The State Legislative Advocacy Committee members had questions for staff, TUSD and the Chamber.

On some propositions the Committee expressed and took a different position than staff's recommendation. The Committee indicated that the funding from Proposition 30 – "Temporary Taxes to Fund Education. Guaranteed Local Public Safety Funding" - would go to the State's General Fund and not be allocated to local schools and local public safety. All of the Committee members expressed that the proposition was too vague and not specific on the funding allocation. On Proposition 34 – "Death Penalty Repeal" - the committee had a 2 to 1 vote with 2 oppose and 1 no position. On Measure J – "Accelerating Traffic Relief, Job Creation County of Los Angeles" the Committee expressed concern with extending the retail transactions and use tax for an additional 30 years.

The Committee directed staff to send a position letter on Proposition 31 outlining the Committee's "Oppose" position to the Editorial Board of the Daily Breeze. The Committee positions on all applicable Propositions and Measures are stated below.

Positions of Other Organizations and Committee's Recommended Positions

The League of Women Voters, the League of California Cities, Torrance Chamber of Commerce, and South Bay Cities Council of Governments have taken positions on these propositions.

Meets the City's criteria

Statewide Ballot Measures						
Proposition	League of Women Voters	League of California Cities	Torrance Chamber of Commerce	South Bay Cities Council of Governments	City Dept Positions	Committee's Recommendations
30	Support	No Position	No Position	No Position	No Position	No Position
31	Oppose	No Position	Support	No Position	Oppose	Oppose
34	Support	Oppose	No Position	No Position	Oppose	2-Oppose 1 – No position
35	No Position	Support	Support	No Position	Support	Support
36	No Position	No Position	Oppose	No Position	Oppose	Oppose
Local Measures						
E	--	--	Support	Support	Support	Support
J	--	--	Oppose	No Position	Support	No Position

For Information Only:**Does not meet City's criteria as currently defined**

Statewide Ballot Measures				
Proposition	League of Women Voters	League of California Cities	Torrance Chamber of Commerce	South Bay Cities Council of Governments
32	Oppose	No Position	Support	No Position
33	No Position	No Position	Support	No Position
37	No Position	No Position	Oppose	No Position
38	Neutral	No Position	Oppose	No Position
39	Neutral	No Position	Tabled for next mtg.	No Position
40	Support	No Position	Support	No Position

Respectfully submitted,

CITY COUNCIL AD HOC STATE LEGISLATIVE ADVOCACY COMMITTEE



Mayor Frank Scotto, Chair



Councilmember Susan Rhilinger, Committee Member



Councilmember Bill Sutherland, Committee Member

Attachments:

- A) October 3, 2012 City Council Ad Hoc State Legislative Advocacy Committee Agenda
- B) Legislative Analyst's Office Proposition Summaries

AD HOC STATE LEGISLATIVE ADVOCACY COMMITTEE

AGENDA

DATE: Wednesday, October 3, 2012

TIME: 4:00 p.m.

PLACE: City Manager's Assembly Room, Third Floor

COMMITTEE MEMBERS: Mayor Frank Scotto, Chair
Councilwoman Susan Rhilinger
Councilman Bill Sutherland

STAFF: Mary Giordano, Assistant City Manager
John Fellows, City Attorney
John Neu, Police Chief
Dave Dumais, Deputy Fire Chief
Eric Tsao, Finance Director
Jeff Gibson, Community Development Director
Rob Beste, Public Works Director
Patrick Sullivan, Assistant City Attorney
Aram Chaparyan, Assistant to the City Manager
Eleanor B. Jones, Management Associate

SUBJECT: **Review of Measures on the November 6, 2012 Ballot**

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| I. | Welcome and Introductions | Chair Mayor Scotto |
| II. | Overview of Ballot Measures | Eleanor B. Jones |

State

- Proposition 30: Temporary Taxes to Fund Education. Guaranteed Local Public Safety Funding.
- Proposition 31: State Budget. State and Local Government.
- Proposition 32: Prohibits Political Contributions by Payroll Deductions.
- Proposition 33: Changes Law to Allow Auto Insurance Companies to Set Prices Based on a Driver's History of Insurance Coverage.
- Proposition 34: Death Penalty Repeal.
- Proposition 35: Human Trafficking. Penalties. Sex Offender Registration.
- Proposition 36: Three Strikes Law. Sentencing for Repeat Felony Offenders.
- Proposition 37: Genetically Engineered Food. Mandatory Labeling.
- Proposition 38: Tax for Education and Early Childhood Programs.
- Proposition 39: Tax Treatment for Multi-State Businesses. Clean Energy and Energy Efficiency Funding.
- Proposition 40: Redistricting State Senate Districts.

AD HOC STATE LEGISLATIVE ADVOCACY COMMITTEE
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Local

- Measure E: El Camino College Improvement.
- Measure J: Proposed Extension of Measure R Sales Tax to Fund Transportation Projects.

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| III. Review Department Analyses & Position on Propositions | Departments |
| IV. Committee Questions/Discussion | Committee |
| V. Direction from Committee | Committee |
| V. Public Comment | |
| VI. Adjournment | |

Legislative Analyst's Office Proposition Summaries

Proposition 30 – Temporary Taxes to Fund Education. Guaranteed Local Public Safety Funding. Initiative Constitutional Amendment.

A **YES** vote means: The state would increase personal income taxes on high-income taxpayers for seven years and sales taxes for four years. The new tax revenues would be available to fund programs in the state budget. A **NO** vote means: The state would not increase personal income taxes or sales taxes. State spending reductions, primarily to education programs, would take effect in 2012-13.

Proposition 31 – State Budget. State and Local government. Initiative Constitutional amendment and Statute.

A **YES** vote means: Certain fiscal responsibilities of the Legislature and Governor, including state and local budgeting and oversight procedures, would change. Local governments that create plans to coordinate services would receive funding from the state and could develop their own procedures for administering state programs. A **NO** vote means: The fiscal responsibilities of the Legislature and Governor, including state and local budgeting and oversight procedures, would not change. Local governments would not be given (1) funding to implement new plans that coordinate services or (2) authority to develop their own procedures for administering state programs.

Proposition 32 – Prohibits Political Contributions by Payroll Deduction. Prohibitions on Contributions to Candidates. Initiative Statute.

A **YES** vote means: Unions and corporations could not use money deducted from an employee's paycheck for political purposes. Unions, corporations, and government contractors would be subject to additional campaign finance restrictions. A **NO** vote means: There would be no change to existing laws regulating the ability of unions and corporations to use money deducted from an employee's paycheck for political purposes. Unions, corporations, and government contractors would continue to be subject to existing campaign finance laws.

Proposition 33 – Changes Law to Allow Auto Insurance Companies to Set Prices Based on a Driver's History of Insurance Coverage. Initiative Statute.

A **YES** vote means: Insurance companies could offer new customers a discount on automobile insurance premiums based on the number of years in the previous five years that the customer was insured. A **NO** vote means: Insurers could continue to provide discounts to their long-term automobile insurance customers, but would continue to be prohibited from providing a discount to new customers switching from other insurers.

Proposition 34 – Death Penalty Repeal. Initiative Statute.

A **YES** vote means: No offenders could be sentenced to death under state law. Offenders who are currently under a sentence of death would be resentenced to life without the possibility of parole. The state would provide a total of \$100 million in grants to local law enforcement agencies over the next four years. A **NO** vote means: Certain offenders convicted for murder could continue to be sentenced to death. The status of offenders currently under a sentence of death would not change. The state would not be required to provide local law enforcement agencies with additional grant funding.

Proposition 35 – Human Trafficking. Penalties. Sex Offender Registration. Initiative Statute.

A **YES** vote means: Longer prison sentences and larger fines for committing human trafficking crimes. A **NO** vote means: Existing criminal penalties for human trafficking would stay in effect.

Proposition 36 – three Strikes Law. Sentencing for Repeat Felony Offenders. Initiative Statute.

A **YES** vote means: Some criminal offenders with two prior serious or violent felony convictions who commit certain non-serious, non-violent felonies would be sentenced to shorter terms in state prison. In addition, some offenders with two prior serious or violent felony convictions who are currently serving life sentences for many non-serious, non-violent felony convictions could be resentenced to shorter prison terms. A **NO** vote means: Offenders with two prior serious or violent felony convictions who commit any new felony could continue to receive life sentences. In addition, offenders with two prior serious or violent felony convictions who are currently serving life sentences for non-serious, non-violent felonies would continue to serve the remainder of their life sentences.

Proposition 37 – Genetically Engineered Foods. Mandatory Labeling. Initiative Statute.

A **YES** vote means: Genetically engineered foods sold in California would have to be specifically labeled as being genetically engineered. A **NO** vote means: Genetically engineered foods sold in California would continue not to have specific labeling requirements.

Proposition 38 – Tax for Education and Early Childhood Programs. Initiative Statute

A **YES** vote means: State personal income tax rates would increase for 12 years. The additional revenues would be used for schools, child care, preschool, and state debt payments. A **NO** vote means: State personal income tax rates would remain at their current levels. No additional funding would be available for schools, child care, preschool, and state debt payments.

Proposition 39 – Tax Treatment for Multistate Businesses. Clean Energy and Energy Efficiency Funding. Initiative Statute.

A **YES** vote means: Multistate businesses would no longer be able to choose the method for determining their state taxable income that is most advantageous for them. Some multistate businesses would have to pay more corporate income taxes due to this change. About half of this increased tax revenue over the next five years would be used to support energy efficiency and alternative energy projects. A **NO** vote means: Most multistate businesses would continue to be able to choose one of two methods to determine their California taxable income.

Proposition 40 – Redistricting. State Senate Districts. Referendum

A **YES** vote means: The state Senate district boundaries certified by the Citizens Redistricting Commission would continue to be used. A **NO** vote means: The California Supreme Court would appoint special masters to determine new state Senate district boundaries.

Measure E – El Camino Community College Improvement/Transfer/Job Training Measure

Approval of Measure E would authorize the Board of Trustees of the El Camino Community College District to issue general obligation bonds, in an amount not to exceed \$350,000,000 for facility and technology upgrades and repairs.

Measure J – Accelerating Traffic Relief, Job Creation County of Los Angeles

Approval of Measure J would authorize adoption of an ordinance proposed by the Los Angeles County Metropolitan Transportation Authority to extend the previously approved measure R retail transactions and use tax for an additional 30 years, from 2039 to 2069, at the current rate of one-half of one percent (0.5%) as well as the adoption of an expenditure plan.