

Council Meeting of  
January 29, 2008

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

**Members of the Council:**

**SUBJECT: Legislative Ad Hoc Committee – February 5, 2008 Primary Election Ballot Measures**

**RECOMMENDATION**

Recommendation of the Mayor's Legislative Ad Hoc Committee that City Council concurs with the February 5, 2008 ballot measure positions recommended by the Committee.

**BACKGROUND/ANALYSIS**

At the City Council meeting of January 15, 2008, the Mayor appointed an Ad Hoc Legislative Committee. It is the role of this Ad Hoc Committee to meet prior to elections to consider State, County and local ballot measures appearing on the primary election ballot. In reviewing the ballot measures, the Committee applies the criteria listed below to determine whether the City should take a position to support or oppose a measure or take a neutral position:

Does the proposed measure:

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

There are seven (7) State measures that will be presented to the electorate on the February 5, 2008 primary election ballot. The measures were organized by proposition number with materials explaining the individual proposition including a summary from the Legislative Analyst's Office and presented to the Committee. In order to obtain a better understanding of what affect a measure may have on the City, City departments were requested to complete an analysis of the proposition that would fall in their area of expertise. Attached for Council review is a copy of the California Quick Reference Guide issued by the Secretary of State (Attachment B).

The Legislative Ad Hoc Committee met on January 23, 2008 to review and discuss the State measures. After studying the background material on the individual propositions and discussing the issues with staff and departments that could be impacted with the passage of the measures, the Committee voted on the following ballot measures as follows:

## Positions of Other Organizations and Committee's Recommended Positions

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
91*	Oppose	No position	Non-issue	No position	Neutral	Neutral
92*	Oppose	No position	No position	No position	N/A	Oppose
93*	Neutral	No position	Oppose	No position	N/A	No position
94	No position**	No position	Support	No position	N/A	No position
95	No position	No position	Support	No position	N/A	No position
96	No position	No position	Support	No position	N/A	No position
97	No position	No position	Support	No position	N/A	No position

\*Initiative Constitutional Amendment

\*\*The League of Women Voters does not cover issues in Ballot Measures 94 through 97, Referenda on Amendments to Indian Gaming Compacts; the LWVC is taking no stand these measures.

The Committee held lively discussion on the propositions before taking a position and now brings their recommendation forward to Council for further discussion and vote.

Respectfully submitted,

COUNCIL LEGISLATIVE AD HOC COMMITTEE

  
Hope Witkowsky, Chair

  
Bill Sutherland, Member

  
Gene Barnett, Member

Attachments: A) Agenda Ad Hoc Committee Meeting January 23, 2008  
B) California Quick Reference Guide for February 5, 2008 Primary Election

## AGENDA

### CITY COUNCIL AD HOC LEGISLATIVE COMMITTEE

DATE: Wednesday, January 23, 2008

TIME: 2:00 – 3:30 p.m.

PLACE: Assembly Room, City Manager's Office

COMMITTEE MEMBERS: Chair, Councilwoman Witkowsky  
Councilman Gene Barnett  
Councilman Bill Sutherland

STAFF: LeRoy J. Jackson, City Manager  
Mary Giordano, Assistant City Manager  
Eleanor B. Jones, Management Associate  
John Fellows, City Attorney  
Eric Tsao, Finance Director  
Kim Turner, Transit Director

SUBJECT: Review of Ballot Measures

- |       |   |                               |
|-------|---|-------------------------------|
| I.    | Welcome and Introductions                         | Chair, Councilwoman Witkowsky |
| II.   | Overview of Ballot Measures                       | Eleanor B. Jones              |
| III.  | Public Comment                                    |                               |
| IV.   | Policy Issues: City's Position on Propositions    | Committee                     |
| V.    | Discussion of City's Overall Legislative Strategy | Committee                     |
| VI.   | Committee Questions/Discussion                    |                               |
| VII.  | Direction from Committee                          |                               |
| VIII. | Adjournment                                       |                               |

# CALIFORNIA PRESIDENTIAL PRIMARY ELECTION TUESDAY, FEBRUARY 5, 2008

★ OFFICIAL VOTER INFORMATION GUIDE ★

## *Certificate of Correctness*

I, Debra Bowen, Secretary of State of the State of California, do hereby certify that the measures included herein will be submitted to the electors of the State of California at the Presidential Primary Election to be held throughout the State on February 5, 2008, and that this guide has been correctly prepared in accordance with the law.

Witness my hand and the Great Seal of the State in Sacramento, California, this 13th day of November, 2007.

*Debra Bowen*



Debra Bowen  
Secretary of State

CALIFORNIA PRESIDENTIAL  
**PRIMARY**  
**ELECTION**  
**PULL-OUT GUIDE**  
 TUESDAY, FEBRUARY 5, 2008

★ **QUICK-REFERENCE GUIDE** ★

**PULL OUT THIS  
 QUICK-REFERENCE GUIDE  
 AND TAKE IT WITH YOU  
 TO THE POLLS!**

This guide contains summary and contact information for each state proposition appearing on the February 5, 2008, ballot.



Visit our website at [www.sos.ca.gov](http://www.sos.ca.gov)

**PROP 91** Transportation Funds.  
 Initiative Constitutional Amendment.

**SUMMARY**

*Put on the Ballot by Petition Signatures*

Prohibits certain motor vehicle fuel taxes from being retained in General Fund and delays repayment of such taxes previously retained. Changes how and when General Fund borrowing of certain transportation funds is allowed. Fiscal Impact: Increases stability of state funding for highways, streets, and roads and may decrease stability of state funding for public transit. May reduce stability of certain local funds for public transit.

**WHAT YOUR VOTE MEANS**

**YES** A YES vote on this measure means: The state would no longer be able to suspend the transfer of gasoline sales tax revenue from the General Fund to transportation. In addition, the state would be able to loan specified transportation funds, potentially including certain local transportation funds, to the General Fund for essentially short-term cash flow purposes only. The state, however, may be able to loan to the General Fund, without express time limitation for repayment, certain state funds for public transit.

**NO** A NO vote on this measure means: The state would still be able to suspend, under certain conditions, the transfer of gasoline sales tax revenue from the General Fund to transportation. Additionally, the state would continue to be able, under certain conditions, to loan specified transportation funds to the General Fund for up to three fiscal years.

**ARGUMENTS**

**PRO** Prop. 91 is NO LONGER NEEDED. Please VOTE NO. Voters passed Proposition 1A in 2006, accomplishing what Prop. 91 set out to do. Prop. 1A stopped Sacramento politicians from taking our gas tax dollars and using those funds for non-transportation purposes. Prop. 91 is no longer needed. VOTE NO.

**CON** No argument against Proposition 91 was submitted.

**FOR ADDITIONAL INFORMATION**

**FOR** No contact information was provided.

**AGAINST** No contact information was provided.

**PROP 92** Community Colleges. Funding. Governance. Fees. Initiative Constitutional Amendment and Statute.

**SUMMARY**

*Put on the Ballot by Petition Signatures*

Establishes independent community college districts and Board of Governors. Requires minimum funding for schools and community colleges to be calculated separately. Sets fees at \$15/unit and limits future increases. Fiscal Impact: Increased state spending on K-14 education from 2007-08 through 2009-10 averaging about \$300 million annually, with unknown impacts annually thereafter. Potential loss in community college student fee revenues of about \$70 million annually.

**WHAT YOUR VOTE MEANS**

**YES** A YES vote on this measure means: The existing formula that establishes a minimum funding level for K-12 schools and community colleges would be replaced with separate formulas for each system. Community college fees would be reduced from \$20 per unit to \$15 per unit, and various changes would be made to the state-level community college governing board.

**NO** A NO vote on this measure means: Existing laws regarding community college funding, fees, and governance would be unchanged.

**ARGUMENTS**

**PRO** Proposition 92 doesn't raise taxes. It lowers community college fees to \$15 per unit, limits future fee increases, and stabilizes funding. When the Legislature doubled community college fees, 305,000 fewer Californians enrolled. Wages for students who earn a community college vocational degree jump from \$25,600 to \$47,571 in three years.

**CON** 92 isn't what it seems. It locks huge new spending into California's Constitution with no way to pay for it, which could result in new taxes or cuts to critical programs, including K-12 schools. It contains no accountability and no guarantee funds will reach college classrooms. No on 92.

**FOR ADDITIONAL INFORMATION**

**FOR**  
Scott Lay  
Yes on Proposition 92  
2017 O Street  
Sacramento, CA 95811  
(916) 444-8641  
admin@prop92yes.com  
www.prop92yes.com

**AGAINST**  
Californians for Fair  
Education Funding,  
No on Proposition 92  
3001 Douglas Blvd. #225  
Roseville, CA 95661  
(916) 218-6640  
info@noprop92.org  
www.noprop92.org

**PROP 93** Limits on Legislators' Terms in Office. Initiative Constitutional Amendment.

**SUMMARY**

*Put on the Ballot by Petition Signatures*

Reduces permissible state legislative service to 12 years. Allows 12 years' service in one house. Current legislators can serve 12 years in current house, regardless of prior legislative service. Fiscal Impact: No direct fiscal effect on state or local governments.

**WHAT YOUR VOTE MEANS**

**YES** A YES vote on this measure means: Members of the State Legislature could serve a maximum total of 12 years in office—without regard to whether the years were served in the Assembly or Senate. Some current Members could serve more than the 14 total years now allowed.

**NO** A NO vote on this measure means: Members of the State Legislature could continue to serve a maximum total of 14 years in office—up to 6 years in the Assembly and up to 8 years in the Senate.

**ARGUMENTS**

**PRO** Prop. 93 strikes a reasonable balance between the need to elect new people with fresh ideas and the need for knowledgeable, experienced legislators working to protect taxpayers. Independent studies prove it will help make our Legislature more effective, accountable, and better able to deal with the complex problems facing California.

**CON** Proposition 93 is a scam written by politicians and funded by special interests. It has a special loophole that benefits 42 termed out incumbent politicians by giving them more time in office. It doubles Assembly terms from 6 to 12 years and increases Senate terms from 8 to 12 years.

**FOR ADDITIONAL INFORMATION**

**FOR**  
Charu Khopkar  
Committee for Term Limits  
and Legislative Reform  
1510 J Street, Suite 210  
Sacramento, CA 95814  
(916) 443-7817  
info@termlimitsreform.com  
www.termlimitsreform.com

**AGAINST**  
Bob Adney  
California Term Limits  
Defense Fund  
2331 El Camino Ave.  
Sacramento, CA 95821  
(916) 482-5000  
CATermLimits@gmail.com  
www.stopthepoliticians.com

# CALIFORNIA PRESIDENTIAL PRIMARY ELECTION TUESDAY, FEBRUARY 5, 2008

★ OFFICIAL VOTER INFORMATION GUIDE ★

## *Certificate of Correctness*

I, Debra Bowen, Secretary of State of the State of California, do hereby certify that the measures included herein will be submitted to the electors of the State of California at the Presidential Primary Election to be held throughout the State on February 5, 2008, and that this supplemental guide has been correctly prepared in accordance with the law.

Witness my hand and the Great Seal of the State in Sacramento, California, this 13th day of December, 2007.

*Debra Bowen*



Debra Bowen  
Secretary of State

★ **SUPPLEMENTAL** ★

This guide contains information  
regarding four additional measures  
that have qualified for the February ballot.

# QUICK-REFERENCE GUIDE

**PROP 94** Referendum on Amendment to Indian Gaming Compact.

## SUMMARY

*Put on the Ballot by Petition Signatures*

“Yes” Vote approves, and “No” Vote rejects, a law that ratifies an amendment to existing gaming compact between the state and Pechanga Band of Luisefño Mission Indians. Fiscal Impact: Net increase in annual state revenues probably in the tens of millions of dollars, growing over time through 2030.

## WHAT YOUR VOTE MEANS

**YES** A YES vote on this measure means: The Pechanga Band of Luisefño Indians—a tribe that owns a casino in Riverside County with about 2,000 slot machines—could operate up to 7,500 slot machines. The tribe would make increased payments to the state annually through 2030.

**NO** A NO vote on this measure means: The Pechanga tribe would be able to continue operating its existing casino, but would not be able to significantly expand its casino operations. The tribe’s current payments to the state would not be affected.

## ARGUMENTS

**PRO** YES on 94, 95, 96, 97 preserves four tribal gaming agreements and protects hundreds of millions of dollars each year they will provide to our state. The agreements increase the percentage of revenues tribes pay to the state, mandate strict new environmental protections, and share revenues with non-gaming tribes.

**CON** *Part of Sacramento political deal for 4 wealthy, powerful tribes. Bad deal for California.* Huge casino gambling expansion. Could economically devastate other tribes. Lacks protections for workers, environment. *Loophole language lets tribes manipulate revenue and underpay state.* Revenue claims wildly exaggerated. Schools not guaranteed 1¢. NO—94, 95, 96, 97.

## FOR ADDITIONAL INFORMATION

**FOR**  
Coalition to Protect California’s Budget and Economy  
(800) 827-1267  
info@YESforCalifornia.com  
www.YESforCalifornia.com

**AGAINST**  
Californians Against Unfair Deals—No on 94, 95, 96, 97, A coalition of tribes, educators, taxpayers, public safety officials, labor, seniors, environmentalists.  
(310) 996-2676  
www.NoUnfairDeals.com

**PROP 95** Referendum on Amendment to Indian Gaming Compact.

## SUMMARY

*Put on the Ballot by Petition Signatures*

“Yes” Vote approves, and “No” Vote rejects, a law that ratifies an amendment to existing gaming compact between the state and Morongo Band of Mission Indians. Fiscal Impact: Net increase in annual state revenues probably in the tens of millions of dollars, growing over time through 2030.

## WHAT YOUR VOTE MEANS

**YES** A YES vote on this measure means: The Morongo Band of Mission Indians—a tribe that owns a casino in Riverside County with about 2,000 slot machines—could operate up to 7,500 slot machines. The tribe would make increased payments to the state annually through 2030.

**NO** A NO vote on this measure means: The Morongo tribe would be able to continue operating its existing casino, but would not be able to significantly expand its casino operations. The tribe’s current payments to the state would not be affected.

## ARGUMENTS

**PRO** YES on 94, 95, 96, 97 preserves four tribal gaming agreements and protects hundreds of millions of dollars each year they will provide to our state. The agreements increase the percentage of revenues tribes pay to the state, mandate strict new environmental protections, and share revenues with non-gaming tribes.

**CON** *Part of Sacramento political deal for 4 wealthy, powerful tribes. Bad deal for California.* Huge casino gambling expansion. Could economically devastate other tribes. Lacks protections for workers, environment. *Loophole language lets tribes manipulate revenue and underpay state.* Revenue claims wildly exaggerated. Schools not guaranteed 1¢. NO—94, 95, 96, 97.

## FOR ADDITIONAL INFORMATION

**FOR**  
Coalition to Protect California’s Budget and Economy  
(800) 827-1267  
info@YESforCalifornia.com  
www.YESforCalifornia.com

**AGAINST**  
Californians Against Unfair Deals—No on 94, 95, 96, 97, A coalition of tribes, educators, taxpayers, public safety officials, labor, seniors, environmentalists.  
(310) 996-2676  
www.NoUnfairDeals.com

# QUICK-REFERENCE GUIDE

**PROP 96** Referendum on Amendment to Indian Gaming Compact.

## SUMMARY

*Put on the Ballot by Petition Signatures*

“Yes” Vote approves, and “No” Vote rejects, a law that ratifies an amendment to existing gaming compact between the state and Sycuan Band of the Kumeyaay Nation. Fiscal Impact: Net increase in annual state revenues probably in the tens of millions of dollars, growing over time through 2030.

## WHAT YOUR VOTE MEANS

**YES** A YES vote on this measure means: The Sycuan Band of the Kumeyaay Nation—a tribe that owns a casino in San Diego County with about 2,000 slot machines—could operate up to 5,000 slot machines. The tribe would make increased payments to the state annually through 2030.

**NO** A NO vote on this measure means: The Sycuan tribe would be able to continue operating its existing casino, but would not be able to significantly expand its casino operations. The tribe’s current payments to the state would not be affected.

## ARGUMENTS

**PRO** YES on 94, 95, 96, 97 preserves four tribal gaming agreements and protects hundreds of millions of dollars each year they will provide to our state. The agreements increase the percentage of revenues tribes pay to the state, mandate strict new environmental protections, and share revenues with non-gaming tribes.

**CON** *Part of Sacramento political deal for 4 wealthy, powerful tribes. Bad deal for California.* Huge casino gambling expansion. Could economically devastate other tribes. Lacks protections for workers, environment. *Loophole language lets tribes manipulate revenue and underpay state.* Revenue claims wildly exaggerated. Schools not guaranteed 1¢. NO—94, 95, 96, 97.

## FOR ADDITIONAL INFORMATION

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(800) 827-1267  
info@YESforCalifornia.com  
www.YESforCalifornia.com

**AGAINST**  
Californians Against Unfair Deals—No on 94, 95, 96, 97, A coalition of tribes, educators, taxpayers, public safety officials, labor, seniors, environmentalists.  
(310) 996-2676  
www.NoUnfairDeals.com

**PROP 97** Referendum on Amendment to Indian Gaming Compact.

## SUMMARY

*Put on the Ballot by Petition Signatures*

“Yes” Vote approves, and “No” Vote rejects, a law that ratifies an amendment to existing gaming compact between the state and Agua Caliente Band of Cahuilla Indians. Fiscal Impact: Net increase in annual state revenues probably in the tens of millions of dollars, growing over time through 2030.

## WHAT YOUR VOTE MEANS

**YES** A YES vote on this measure means: The Agua Caliente Band of Cahuilla Indians—a tribe that owns two casinos in Riverside County with about 2,000 slot machines—could operate up to 5,000 slot machines. The tribe would make increased payments to the state annually through 2030.

**NO** A NO vote on this measure means: The Agua Caliente tribe would be able to continue operating its existing casinos, but would not be able to significantly expand its casino operations. The tribe’s current payments to the state would not be affected.

## ARGUMENTS

**PRO** YES on 94, 95, 96, 97 preserves four tribal gaming agreements and protects hundreds of millions of dollars each year they will provide to our state. The agreements increase the percentage of revenues tribes pay to the state, mandate strict new environmental protections, and share revenues with non-gaming tribes.

**CON** *Part of Sacramento political deal for 4 wealthy, powerful tribes. Bad deal for California.* Huge casino gambling expansion. Could economically devastate other tribes. Lacks protections for workers, environment. *Loophole language lets tribes manipulate revenue and underpay state.* Revenue claims wildly exaggerated. Schools not guaranteed 1¢. NO—94, 95, 96, 97.

## FOR ADDITIONAL INFORMATION

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www.YESforCalifornia.com

**AGAINST**  
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