



JUNE 2008 ELECTION BALLOT RECOMMENDATIONS & SUMMARIES

STATE PROPOSITIONS:

Proposition 98, California Property Owners and Farmland Protection Act: **NO**

Proposition 98 disallows government seizure of property via eminent domain for any purpose other than direct public use, establishes new standards for the compensation of property owners when eminent domain is exercised and disallows the practice of rent control throughout the state. The stringency of the restrictions placed on eminent domain practices by Proposition 98 creates a significant barrier in the (re)development of multiple parcels of land where a viable free-market solution may not exist and potentially increases the costs of certain types of “public” projects.

Proposition 99, Homeowners and Private Property Protection Act: **NO**

Proposition 99 offers protection from eminent domain seizures for transfer to a private owner, but only applies to owner occupied homes that have been a primary residence for at least one year. The measure also contains a “poison pill” which cancels the effects of Proposition 98 in the event that Proposition 99 receives more votes. Since government rarely seizes property that would be protected under Proposition 99, the measure does not enact any effective change to current eminent domain practices and may preclude future reform efforts.

LOCAL PROPOSITIONS:

Proposition A, City of San Diego Charter Amendment – Public Safety: **YES**

Proposition A assures that those who directly deliver core public safety services are not subject to outsourcing through the managed competition process, which voters approved in 2006 as Proposition C. The measure applies only to badge-carrying sworn police officers, firefighters and lifeguards. It does not include those who perform administrative support functions such as dispatch and clerical duties. These are important jobs, but they are categorically distinct from line public safety functions.

Proposition B, City of San Diego Charter Amendment – Sunset/Veto/9th Council Seat: **YES**

Proposition B will allow voters to decide whether or not the City of San Diego shall continue with the Strong Mayor form of governance at the end of the trial period in the year 2010, as Proposition F (passed by voters in 2004) intended. If voters decide to keep Strong Mayor in place, a ninth Council district will be implemented in addition to a two-thirds requirement to override a Mayoral veto. A true Mayoral veto and override process provides a necessary check and balance of legislative authority.

Proposition C, City of San Diego Charter Amendment – Audit Committee: **YES**

Proposition C would amend the City of San Diego’s Charter to create an Audit Committee and establish the roles and responsibilities of the CFO, City Auditor and Independent Budget Analyst. The measure implements safeguards and controls for true audit independence, which will help to restore our credit rating.

Proposition D, City of Carlsbad Charter: **YES**

Proposition D would establish a Charter form of government for the City of Carlsbad, which currently operates as a General Law municipality. The State Constitution and the State Legislature govern General Law cities, while only the State Constitution governs Charter cities. Passage of this measure would allow the City of Carlsbad to have greater control and flexibility in their decision-making including the negotiation of contracts for goods and infrastructure, which may result in savings.

Proposition E, City of Chula Vista – General Plan Protection Initiative: NO

The General Plan Protection Initiative would require voter approval for any changes regarding height restrictions for new or existing buildings in the city of Chula Vista's General Plan. The formation of the General Plan, including the height restrictions, consists of extensive community input before its approval by the City Council. This Measure bypasses the processes of representative government, imposes a costly election process every time a new building or expansion of an existing structure exceeding the current height limits is proposed and delays proposals that do not occur in election years. This measure serves as a prime example of ballot box planning, a poor form of public policy.

Proposition F, City of Encinitas Transient Occupancy Tax: NO

Proposition F would impose an eight percent Transient Occupancy Tax (TOT) on short-term rentals of 30 days or less. The apparent intent of the measure is to discourage rentals in response to increased complaints regarding noise, parking and trash violations. This is poor public policy that penalizes those property owners that have law-abiding tenants. It is also uncertain that the tax increase will solve the problem the City is attempting to address. The City Council currently has the ability to adopt fines and levies, and should utilize their legislative authority to adopt ordinances that would better address the problem. This measure requires a simple majority for passage.

Proposition G, City of Encinitas Transient Occupancy Tax: NO

Proposition G would impose a two percent TOT on short-term rentals of 30 days or less to fund beach sand replenishment and stabilization projects. The apparent intent of the measure is to discourage rentals in response to increased complaints regarding noise, parking and trash violations. This is poor public policy that penalizes those property owners that have law-abiding tenants. It is also uncertain that the tax increase will solve the problem the City is attempting to address. The City Council currently has the ability to adopt fines and levies, and should utilize their legislative authority to adopt ordinances that would better address the problem. The designation of revenues to a special fund requires a two-thirds majority vote of the people for passage.

Proposition H, Oceanside Unified School District Bond Measure: Neutral

Oceanside Unified School District proposes a facilities bond of \$195 million that will extend the current property tax rate of \$58.35 per \$100,000 of assessed valuation. While the District has a Board-adopted Capital Improvement Plan that details the proposed scope of work for each campus, the ballot language is not project and site specific as outlined in SDCTA's Bond Support Criteria. Specificity regarding the scope of proposed work at each campus in the ballot language creates additional accountability to voters, as Capital Improvement and Facilities Master Plans can be amended by the district after the passage of a facilities bond measure.



The San Diego County Taxpayers Association has completed its review of the June 2008 Primary Election state and local ballot measures. One of our most important functions is to provide voters with ballot recommendations that we believe satisfy our criteria for cost-effective and efficient government. We take pride in the depth of our analysis and the care we take in arriving at our positions.

A detailed analysis of each Proposition is available at www.sdcta.org. I hope you all vote on June 3rd (or before) and that our guide is helpful. If you have questions, please don't hesitate to give us a call at (619) 234-6423.

Sincerely,

A handwritten signature in black ink, appearing to read "Lani Lutar", is written over a light blue horizontal line.

Lani Lutar
President and CEO