




DATE: October 1, 2020
TO: Honorable Mayor and City Council
FROM: Edward C. Starr, City Manager 
SUBJECT: CITY MANAGER'S WEEKLY REPORT — SPECIAL EDITION

This November 3, Californians will vote on much more than the Presidential contest. For Montclair voters, the ballot will feature one local measure (Measure L) and 12 statewide measures.

Measure L was placed on the ballot by the Montclair City Council. Information on Measure L is provided below and at [City of Montclair / City Clerk Homepage / Elections](#) ¹.

Of the statewide measures, eight of the propositions earned a spot on the ballot through the collection of voter signatures by prominent interest groups; and four were added by the Legislature, each proposing to amend the California Constitution. The ballot language for each statewide proposition is available from the [Secretary of State's office](#) ². A summary of each Proposition is also available [here](#) ³, or read below for a discussion of each measure including arguments for and against, lists of major supporters and opponents, and links to additional information.

BALLOT MEASURES

LOCAL BALLOT MEASURE:

Measure L: City of Montclair Essential Services Protection Measure

Summary: Placed on the ballot by the Montclair City Council, Measure L would take Montclair's local sales tax rate from the current rate of 8.0 percent to 9.0 percent, generating approximately \$7 million annually for Montclair. All Measure L revenues are subject to annual independent financial audits and cannot be taken by the State, County, and regional governments or special districts.

The City of Montclair receives only a small portion of the sales tax revenue generated in the City for local services and programs – just 1¼¢ on every dollar spent on taxable purchases in Montclair is returned to the City for essential programs and services. The remaining sales tax revenue (6¾¢ on every dollar spent in Montclair) is divided up between the State and County for various services. If approved by voters, Measure L would provide funding to protect, improve and maintain essential services provided to the community, including the following:

- Maintaining 911 emergency response and public safety services that keep Montclair safe, protected and secure;
- Maintaining and improving paramedic services for emergency medical calls;

¹ <https://cityofmontclair.org/city-government/city-clerk/elections/2020-election/measure-l>

² <https://www.sos.ca.gov/elections/ballot-measures/qualified-ballot-measures/>

³ <https://view.ceros.com/abc/2020-california-propositions-voter-guide>

- Preserving youth and senior services such as after school programs, meals and transit services for seniors and other residents in need, and programs designed to help at-risk youth avoid gang membership;
- Preparation, response and recovery programs for public health emergencies and natural and man-made disasters;
- Maintaining and improving the City's sewer and storm water systems and infrastructure to help prevent contamination of Montclair's local water sources;
- Programs for retaining local businesses and jobs;
- Assistance programs, temporary lodging and health care services for the homeless;
- Infrastructure improvement and maintenance programs for bridges, streets, and roads so they don't become more costly to improve or repair in the future; and
- Maintenance and improvement programs to keep parks and facilities in good condition, and building new facilities to meet the growing needs of Montclair's residents.

Based on market studies, approximately 75% of the sales tax that would be generated by Measure L would be paid by persons other than Montclair residents.

A series of economic recessions and the COVID-19 public health emergency have produced significant fiscal losses for Montclair and other California communities. Residents in many of Montclair's neighboring cities, including La Verne and Pomona, have already voted to approve similar tax measures. Several San Bernardino County cities including San Bernardino, Redlands, Victorville and Chino Hills will also have tax measures on the November 3 ballot, and other local cities are considering tax measures that may be placed on ballots after the November 3, 2020, election.

To cope with declining revenues and continue providing essential services to the community, the Montclair City Council has already taken steps to reduce the City's operating costs, including the following measures:

- Reductions in personnel costs during the Great Recession and years after totaling approximately \$3.5 million.
- Elimination of 51 full-time staff positions over the past decade.
- Renegotiation of labor agreements with employees resulting in short- and long-term savings through the implementation of controls on wage- and benefit-related costs; transferring certain pension costs to employees; and reducing, controlling, restructuring, or eliminating other retirement-related benefits including health care costs.
- In response to the ongoing COVID-19 public health crisis and its fiscal impacts on the economy, the City Council reduced departmental operating expenditures by approximately \$3.5 million year over year (Fiscal Years 2019-20 and 2020-21), postponed spending on new infrastructure and capital projects, and instituted a citywide hiring freeze.









Argument for: Proponents of Measure L argue that a "yes" vote would strengthen Montclair's fiscal ability to provide essential programs and services to businesses and residents by raising approximately \$7 million annually for public safety and 911 emergency medical services, programs targeting recovery from public health emergencies, youth and senior services, initiatives aimed at retaining local businesses and jobs, maintenance of parks and streets, and capital projects that improve the City's infrastructure.

Argument against: No argument on file.

Supporters: Committee to Support Measure L, Ginger Eaton (Montclair Planning Commissioner and former Montclair Mayor), Arturo Padilla (Community Activities Commissioner), David McQuitty (Managing Director, CIM Group, owner of Montclair Place), Steve Hammit (Chairman, Montclair Chamber of Commerce), and Dr. James Lally (Chief Medical Officer, Health Service Alliance).

Opponent: Oscar Miranda (resident).

Links to learn more:

- [City of Montclair Measure L](#) ⁴
-  [Resolution No. 20–3283 Submitting Measure to Voters](#) ⁵
-  [Ballot Measure Notice – Arguments & Rebuttals](#) ⁶
-  [Argument In Favor](#) ⁷
-  [Impartial Analysis](#) ⁸
-  [Montclair Measure L Fact Sheet – English](#) ⁹
-  [City of Montclair Medida L – Hoja de Informacion – Spanish](#) ¹⁰
-  [Montclair Measure L FAQ – English](#) ¹¹
-  [City of Montclair Medida L – Preguntas Mas Frecuentes – Spanish](#) ¹²

STATEWIDE BALLOT MEASURES:

Proposition 14: Funding for stem cell research

Summary: Authorizes \$5.5 billion in general bonds to go to stem cell research, including research on treating Alzheimer's and Dementia. It has been 16 years since California voters approved borrowing \$3 billion to finance a state government stem cell research program. The research organization created by that 2004 ballot measure has funded a variety of research projects and clinical trials, much of it through the University of California. The \$3 billion is now almost completely been spent, and backers of the original effort want voters to authorize another round of borrowing by issuing \$5.5 billion in government bonds to continue stem cell research. Establishes new rules for how research funds are spent by the California Institute for Regenerative Medicine (CIRM), the entity created by the 2004 ballot initiative, including a mandate to improve patient access to stem cell treatments. New grant awards would be prioritized by projects that would use matching funds from outside sources. The governance structure of the CIRM would be changed to improve public oversight.

Argument for: Universities, nonprofits and other research groups need more funding to continue stem cell medical research. The \$3 billion in funding provided by Proposition 71 in 2004 has been depleted.

Argument against: Insufficient oversight on how the money will be spent.

Supporters: University California Board of Regents, several medical institutions and stem–cell research advocates.

Opponents: The nonprofit Center for Genetics and Society.

Links to learn more:

- [Prop. 14: There's much, much more than meets the eye](#) ¹³ (Capitol Weekly)
- [Ballotpedia: Proposition 14](#) ¹⁴
- VIDEO: [What is Prop. 14? California voters will be asked to continue funding stem cell research](#) ¹⁵

⁴ <https://cityofmontclair.org/city-government/city-clerk/elections/2020-election/measure-l>

⁵ <https://cityofmontclair.org/Home/ShowDocument?id=16360>

⁶ <https://cityofmontclair.org/Home/ShowDocument?id=16358>

⁷ <https://cityofmontclair.org/Home/ShowDocument?id=16430>

⁸ <https://cityofmontclair.org/Home/ShowDocument?id=16428>

⁹ <https://cityofmontclair.org/Home/ShowDocument?id=16480>

¹⁰ <https://cityofmontclair.org/Home/ShowDocument?id=16506>

¹¹ <https://cityofmontclair.org/Home/ShowDocument?id=16482>

¹² <https://cityofmontclair.org/Home/ShowDocument?id=16504>

¹³ <https://capitolweekly.net/proposition-14-theres-much-much-more-than-meets-the-eye/>

¹⁴ [https://ballotpedia.org/California_Proposition_14,_Stem_Cell_Research_Institute_Bond_Initiative_\(2020\)](https://ballotpedia.org/California_Proposition_14,_Stem_Cell_Research_Institute_Bond_Initiative_(2020))

¹⁵ <https://abc30.com/politics/what-you-need-to-know-about-california-prop-14/6542023/>

Proposition 15: Increases commercial property taxes for education funding

Summary: Amends the constitution to allow commercial and industrial properties to be taxed at their market value rather than their purchase price. Effectively revises the commercial property tax rules that have existed in California since the passage of Proposition 13 in 1978 — Proposition 13 requires all California properties (residential and commercial) to be taxed at their purchase price with an annual increase of 2% or inflation, whichever is lower.

Proposition 15 seeks to create a set of new rules for commercial property taxes while leaving the existing rules for residential property taxes in place. Proposition 15 would allow market-rate values for commercial and industrial properties to be used as the basis for assessing property taxes owed and would phase in that change over three years. Some properties occupied by small businesses would have a longer transition period to the higher taxes, while some business property owners would be exempt from the new law; e.g., there are exceptions for properties zoned as commercial agriculture and companies valued under \$3 million. Commercial property owners would see their taxes go up. Of the new tax revenue, an estimated \$8 billion to \$12.5 billion a year, 60% would go to local governments and 40% to school districts and community colleges. Residential properties (i.e. homes) are not affected by this proposition.

Argument for: Proponents say that many California companies sit on extremely valuable property, make lots of money and don't pay taxes on their land's market value. The money raised is greatly needed by schools and other governments.

Argument against: Opponents argue the massive tax increase will prompt companies to flee California at a time when businesses are already struggling due to recurring recessions and the current COVID-19 public health emergency.

Supporters: Teachers unions and other labor groups, and Mayors of many California cities.

Opponents: Business groups like the California Business Roundtable, the California Chamber of Commerce PAC, and anti-tax organizations.

Links to learn more:

- [Prop. 15 could raise billions for California, But who will pay?](#) ¹⁶ (NBC San Diego)
- [Governor's endorsement of Proposition 15 disappoints Farm Bureau](#) ¹⁷ (Lassen County Times)
- [Ballotpedia: Proposition 15](#) ¹⁸
- VIDEO: [What is Prop 15? Voters to decide property tax hike on big business](#) ¹⁹

Proposition 16: Repeal Proposition 209 to allow affirmative action

Summary: Allows the state and its public universities to use affirmative action to grant preferential treatment based on race, sex, ethnicity, or national origin in public employment, education, or contracting.

Proposition 16 repeals 1996's Proposition 209, which banned the government and public institutions (like schools) from using affirmative action to consider whether race, ethnicity and gender should be considered in awarding government contracts and admission to the state's colleges and universities. Proposition 16 was [added to the ballot by the Legislature](#) ²⁰.

Argument for: Proponents argue that repealing the constitutional amendment would allow California's public institutions to work toward greater diversity. Federal law preventing discrimination still stands.

Argument against: Opponents argue that discrimination is wrong in all applications, even when benefitting historically underrepresented groups.

¹⁶ <https://www.nbcsandiego.com/news/local/prop-15-could-raise-billions-for-california-but-who-will-pay/2407519>

¹⁷ <https://www.lassennews.com/governors-endorsement-of-proposition-15-disappoints-farm-bureau/>

¹⁸ [https://ballotpedia.org/California_Proposition_15,_Tax_on_Commercial_and_Industrial_Properties_for_Education_and_Local_Government_Funding_Initiative_\(2020\)](https://ballotpedia.org/California_Proposition_15,_Tax_on_Commercial_and_Industrial_Properties_for_Education_and_Local_Government_Funding_Initiative_(2020))

¹⁹ <https://abc30.com/prop-15-voters-to-decide-property-tax-hike-for-big-business/6554464/>

²⁰ <https://www.latimes.com/california/story/2020-06-10/affirmative-action-california-proposition-209-repeal-election>

Supporters: Teachers' unions, and the UC Board of Regents.

Opponents: Members of the state Republican Party.

Links to learn more:

- [New poll finds shaky support for Proposition 16 to restore affirmative action in California](#) ²¹ (LA Times)
- [Proposition 16: Why some Asian Americans are on the front lines of the campaign against affirmative action](#) ²² (Mercury News)
- [Ballotpedia: Proposition 16](#) ²³
- VIDEO: [What is Prop. 16? Here's how it will impact affirmative action in California](#) ²⁴

Proposition 17: Allows parolees the right to vote

Summary: Amends the State Constitution to allow those on parole for a felony conviction to vote in elections. Current California law prevents people from voting if they're imprisoned or on parole for a felony crime. Proposition 17 is a [Constitutional Amendment](#) ²⁵ placed on the ballot by the state Legislature that would allow a person on parole to vote. Rules barring parolees from voting vary by state, though the trend has been toward restoring those rights. A survey conducted by a pro-voting rights group last year estimated that the ban on parolees voting in elections affects about 40,000 Californians.

In California, persons on probation are already allowed to vote. Probation is part of the sentence handed down that often allows those convicted of a felony to avoid time behind bars, whereas parole begins upon release from prison in advance of when an inmate's sentence is scheduled to end.

Argument for: Proponents argue the change would restore voting rights to a disenfranchised group of people released from their prison sentences and reintegrating into society.

Argument against: Opponents argue that people on parole are still being closely monitored and should not have their full rights to freedom restored until parole ends.

Supporters: League of Women Voters, the ACLU, AIDS Healthcare Foundation, and tenants groups.

Opponents: The California Apartment Association, State Building and Construction Trade Council of California, unionized construction workers, and apartment and rental housing companies.

Links to learn more:

- [LA County supervisors support proposition restoring voting rights to those on parole](#) ²⁶ (CBS Los Angeles)
- [Alex Padilla: Why Prop. 17 will strengthen both voting rights and public safety](#) ²⁷ (San Diego Union Tribune)
- [Ballotpedia: Proposition 17](#) ²⁸

²¹ <https://www.latimes.com/california/story/2020-09-16/california-proposition-16-ppic-affirmative-action-poll>

²² <https://www.mercurynews.com/2020/09/17/proposition-16-why-some-asian-americans-are-on-the-front-lines-of-the-campaign-against-affirmative-action/>

²³ [https://ballotpedia.org/California_Proposition_16,_Repeal_Proposition_209_Affirmative_Action_Amendment_\(2020\)](https://ballotpedia.org/California_Proposition_16,_Repeal_Proposition_209_Affirmative_Action_Amendment_(2020))

²⁴ <https://abc30.com/politics/california-prop-16-explained--what-you-need-to-know/6506762/>

²⁵ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200ACA6

²⁶ <https://losangeles.cbslocal.com/2020/09/15/la-county-supervisors-throw-support-behind-proposition-restoring-voting-rights-to-those-on-parole/>

²⁷ <https://www.sandiegouniontribune.com/opinion/commentary/story/2020-09-16/yes-proposition-17-inmate-voting-rights>

²⁸ [https://ballotpedia.org/California_Proposition_17,_Voting_Rights_Restoration_for_Persons_on_Parole_Amendment_\(2020\)](https://ballotpedia.org/California_Proposition_17,_Voting_Rights_Restoration_for_Persons_on_Parole_Amendment_(2020))

Proposition 18: Grant some 17-year-olds right to vote in primaries

Summary: This [Constitutional Amendment](#) ²⁹, placed on the ballot by the Legislature, would allow 17-year-olds to register and vote in primary elections if they turn 18 by the time of the general election in November.

Argument for: Proponents argue that young people who are legally allowed to participate in general elections should be able to participate in that full electoral cycle.

Argument against: Opponents argue that seventeen year olds are legally children and therefore too young to vote.

Supporters: California Secretary of State Alex Padilla, and California League of Conservation Voters.

Opponents: Election Integrity Project California, Inc.

Links to learn more:

- [Alex Padilla: Vote yes on Prop. 18 to engage, energize and empower the next generation of voters](#) ³⁰ (San Diego Union Tribune)
- [Thousands of 17-year-olds could vote in California primaries if initiative passes, study says](#) ³¹ (Sacramento Bee)
- [Ballotpedia: Proposition 18](#) ³²

Proposition 19: Changes certain property tax rules

Summary: Added to the ballot by the state Legislature. If approved by voters, California homeowners who are 55 years of age or older can purchase a new home and keep their property tax payment at the same level or a reduced rate — depending on the value of the new house. Those homeowners would be able to transfer their tax assessment to a more expensive home up to three separate times (currently only one transfer is allowed in some counties).

Expands the property tax break for older homeowners to those who lose their home to a wildfire, a program now limited to other kinds of natural disasters.

Proposition 19 also eliminates one exemption that exists when someone transfers a home to a child or a grandchild; i.e., if the recipient does not use the home as their primary residence its tax value would be reassessed under Proposition 19.

Resulting revenues would go to establishing a Fire Response Fund.

Argument for: Proponents argue that retirees are reluctant to put homes on the market to downsize because they fear paying higher taxes on a new house. Proposition 19 closes a loophole that allows wealthy people to pass on homes to children who use them as rental properties.

Argument against: Opponents argue the proposition, largely backed by real estate special interests, eliminates one loophole, but it creates a bigger problem by allowing wealthy homeowners to continue reaping the benefits of Proposition 13. An argument can be made that revenues from property taxes should not be automatically earmarked for one single purpose, such as fire suppression.

Supporters: California Association of Realtors.

Opponents: Howard Jarvis Taxpayers Association.

²⁹ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200ACA4

³⁰ <https://www.sandiegouniontribune.com/opinion/commentary/story/2020-09-17/yes-on-proposition-18-teen-voters>

³¹ <https://www.sacbee.com/news/politics-government/capitol-alert/article245633730.html>

³² [https://ballotpedia.org/California_Proposition_18,_Primary_Voting_for_17-Year-Olds_Amendment_\(2020\)](https://ballotpedia.org/California_Proposition_18,_Primary_Voting_for_17-Year-Olds_Amendment_(2020))

Links to learn more:

- [Prop. 19 debate: Funding for fighting wildfires or attack on Prop 13 tax protections?](https://sanfrancisco.cbslocal.com/2020/09/16/prop-19-debate-funding-for-fighting-wildfires-or-attack-on-prop-13-tax-protections/)³³ (CBS San Francisco)
- [Worried about fires? California ballot initiative could help you move to a new city](https://www.sacbee.com/news/politics-government/capitol-alert/article245601215.html)³⁴ (Sacramento Bee)
- [Ballotpedia: Proposition 19](https://ballotpedia.org/California_Proposition_19)³⁵

Proposition 20: Reclassifies certain crimes and expands DNA collection

Summary: In recent years, California voters have voted twice to reduce the punishment for crimes considered by existing law to be among those less serious than violent felonies. In 2014 [Proposition 47](https://lao.ca.gov/ballot/2014/prop-47-110414.aspx)³⁶ was passed to reduce the penalties for some theft and drug crimes. In 2016 Proposition 57 offered a chance of parole to some serving prison sentences for crimes that don't fall on the state's list of violent crimes. Both laws have been the subject of intense debate over whether they are the right step toward reducing the prison population and promoting rehabilitation, or a wrong step that has led to an escalation in crime by repeat offenders.

This ballot measure would place new limits on some of the sentence reductions allowed under previous measures. Proposition 20 would allow some theft-related crimes to be charged as felonies and it would create two new crimes: serial theft (applicable only to a select list of crimes and to defendants who have prior convictions for certain crimes) and organized retail theft (two or more people involved in some theft crimes within a 180-day period). Both crimes could result in jail time.

Proposition 20 would change the 2016 parole law (Proposition 57) [championed by then-Governor Jerry Brown](https://www.latimes.com/politics/la-pol-ca-prop-57-jerry-brown-prison-parole-20161027-story.html)³⁷, which blocked inmates convicted of certain crimes from being considered for early release. Proposition 57 also required a judge's approval before most juvenile defendants could be tried in an adult court — reversing [a law approved by California voters in 2000](https://articles.latimes.com/2000/nov/30/news/mn-59353)³⁸; allowed an expansion of good-behavior credits awarded by prison officials; and gave new power to the state parole board to allow early release of prisoners whose primary sentences were not for "violent" crimes.

Proposition 20 would change some of the rules that must be followed by the state Board of Parole Hearings and community probation programs.

Proposition 20 would expand DNA testing to require samples be taken from some people convicted of theft and domestic violence.

Proposition 20 makes it so firearm theft, vehicle theft and unlawful use of a credit card, are classified as "wobblers," meaning they can be charged as misdemeanors or felonies.

Proposition 20 establishes two new crimes under state law, serial crime and retail organized crime, also both wobblers.

Argument for: Proponents argue the proposition gives prosecutors the discretion to pursue harsher sentences for certain retail crimes.

Argument against: Opponents argue the change in crime classification would lead to over-sentencing of nonviolent crimes and contribute to overcrowding in prisons.

Supporters: Various state Legislators, various law enforcement unions, the California Police Chiefs Association, and grocery store chains.

Opponents: Californians for Public Safety and Rehabilitation, former Governor Jerry Brown, and the ACLU.

³³ <https://sanfrancisco.cbslocal.com/2020/09/16/prop-19-debate-funding-for-fighting-wildfires-or-attack-on-prop-13-tax-protections/>

³⁴ <https://www.sacbee.com/news/politics-government/capitol-alert/article245601215.html>

³⁵

[https://ballotpedia.org/California_Proposition_19_Property_Tax_Transfers,_Exemptions,_and_Revenue_for_Wildfire_Agencies_and_Counties_Amendment_\(2020\)](https://ballotpedia.org/California_Proposition_19_Property_Tax_Transfers_Exemptions_and_Revenue_for_Wildfire_Agencies_and_Counties_Amendment_(2020))

³⁶ <https://lao.ca.gov/ballot/2014/prop-47-110414.aspx>

³⁷ <https://www.latimes.com/politics/la-pol-ca-prop-57-jerry-brown-prison-parole-20161027-story.html>

³⁸ <https://articles.latimes.com/2000/nov/30/news/mn-59353>

Links to learn more:

- [Grocery stores are pushing California to be tougher on crime](#) ³⁹ (LA Times)
- [Opposition to Prop. 20 increases; opponents charge it's a step backward for CA](#) ⁴⁰ (Davis Vanguard)
- VIDEO: [Here's how Prop. 20 will affect criminal justice in California](#) ⁴¹
- [Ballotpedia Proposition 20](#) ⁴²

Proposition 21: Rent control overhaul

Summary: Growing concerns over California's lack of affordable housing have made rent control — a government-imposed cap on what property owners (landlords) can charge their tenants — a concern in many California cities. Last year, Governor Newsom signed a law [restricting annual rent increases to no more than 5% plus inflation](#) ⁴³, one of the strictest statewide caps on rent hikes in the country. That law was written after California voters rejected Proposition 10, a statewide rent control measure in 2018. The author of that measure has now introduced Proposition 21.

If Proposition 21 passes, it allows local jurisdictions to put rent control in place for all kinds of housing, including single-family homes, condominiums and townhomes. There are, however, two exceptions: if the home or building was first occupied in the past 15 years, and if the landlord only owns up to two rental properties.

Proposition 21 would replace the Costa-Hawkins Rental Housing Act of 1995. Under Costa-Hawkins, landlords can raise rents after a tenant moves out, but Proposition 21 would put a limit on how much they can raise the rent of a vacated unit to 15% over three years.

Argument for: Proponents argue renters need more protections in California's expensive housing market, and Proposition 21 would allow local governments the ability to expand more of those protections.

Argument against: Opponents argue more rent control could worsen the housing crisis by reducing private builders' profit incentive to build more housing.

Supporters: UC Board of Regents, Los Angeles County Board of Education, and Asian Pacific Islander Legislative Caucus.

Opponents: The Asian American Coalition for Education, various trade unions, real estate groups, and housing developers.

Links to learn more:

- [Bernie Sanders backs rent control, slams greedy landlords in new 'yes on 21' spot](#) ⁴⁴ (Business Wire)
- [Opponents of rent control initiative say Prop. 21 backers violated Stolen Valor Act in ad](#) ⁴⁵ (San Diego Union Tribune)
- [Ballotpedia: Proposition 21](#) ⁴⁶

Proposition 22: Classifies rideshare and delivery drivers as contract workers

Summary: Establishes app-based drivers — including Uber and Lyft rideshare drivers and food delivery drivers like DoorDash, Instacart, etc. — as contract workers instead of employees and establishes labor laws specific to this kind of job.

³⁹ <https://www.latimes.com/business/story/2020-09-16/california-grocery-industry-supports-tougher-crime-laws>

⁴⁰ <https://www.davisvanguard.org/2020/09/opposition-to-prop-20-increases-opponents-charge-its-a-step-backwards-for-ca/>

⁴¹ <https://abc7.com/politics/heres-how-prop-20-will-affect-criminal-justice-in-california/6623811/>

⁴² [https://ballotpedia.org/California_Proposition_20,_Criminal_Sentencing,_Parole,_and_DNA_Collection_Initiative_\(2020\)](https://ballotpedia.org/California_Proposition_20,_Criminal_Sentencing,_Parole,_and_DNA_Collection_Initiative_(2020))

⁴³ <https://www.latimes.com/california/story/2019-09-11/california-renters-relief-legislation-gavin-newsom-rent-cap>

⁴⁴ <https://www.businesswire.com/news/home/20200917005305/en/Bernie-Sanders-Backs-Rent-Control-Slams-Greedy-Landlords-in-New-%E2%80%98Yes-on-21%E2%80%99-Spot>

⁴⁵ <https://www.sandiegouniontribune.com/news/politics/story/2020-09-15/opponents-of-rent-control-ballot-initiative-say-backers-of-prop-21-violated-state-stolen-valor-act-in-advertisement>

⁴⁶ [https://ballotpedia.org/California_Proposition_21,_Local_Rent_Control_Initiative_\(2020\)](https://ballotpedia.org/California_Proposition_21,_Local_Rent_Control_Initiative_(2020))

In 2019, the state legislature passed [Assembly Bill 5](#) ⁴⁷, imposing new criteria to determine the correct employment status for an estimated 1 million Californians defined as independent contract workers. The app-based companies, Uber and Lyft, joined together to file a ballot measure ([Proposition 22](#) ⁴⁸) that, if passed, would create separate rules that would apply to their drivers. Proposition 22 would designate those drivers to be independent contractors, but the measure would also provide those drivers with new employment benefits they do not currently have; e.g., drivers would be guaranteed an hourly wage — slightly above the state minimum wage — for time spent driving; a monthly health insurance stipend for some drivers, based on the hours they work per week; new medical and disability benefits if a driver is injured while driving; and new rules pertaining to rest periods, sexual harassment and criminal background checks. By providing benefits, Proposition 22 would distinguish the rules for app-based contractors from those applying to other sectors of the California economy.

Argument for: Proponents argue classifying drivers as employees, as is law under AB5, would make these services more expensive and companies wouldn't be able to offer as many positions, meaning fewer gig jobs and less flexibility for drivers.

Argument against: Opponents argue the companies are trying to use the ballot proposition to avoid paying drivers' hourly wages and offering them benefits they are entitled to under current California law.

Supporters: Companies like Uber, Lyft, DoorDash, Postmates and Instacart, as well as several chambers of commerce organizations.

Opponents: Labor organizations.

Links to learn more:

- [Uber and Lyft have poured millions of dollars into a November ballot measure to keep Calif. drivers paid as independent contractors](#) ⁴⁹ (Business Insider)
- [Uber analyst expects California's Prop. 22 to pass based on latest polling](#) ⁵⁰ (Yahoo Finance)
- [Ballotpedia: Proposition 22](#) ⁵¹

Proposition 23: Dialysis clinic requirements

Summary: Requires dialysis clinics to have at least one physician present while patients are being treated (except where there is a shortage), to report patient infection data to the state, and to get consent from the state before closing. The measure also bans clinics from discriminating based on who is paying for a patient's care.

This is the second straight November election in which California voters will be asked to approve a new law governing kidney dialysis clinics in the state. About 600 dialysis clinics in California serve an estimated 80,000 patients per month, according to a state legislative analysis. To address the patients' needs, clinics often operate long hours six days a week.

The ballot measure would require every clinic to have at least one physician present during all operating hours. The clinics would have to offer the same level of care to all patients, regardless of whether the treatment is paid for by private insurance or a government-funded program such as Medi-Cal or Medicare. Clinic administrators would have to report more information about infections among their dialysis patients, and the state Department of Public Health would have a new role in agreeing to changes at a clinic or its closure.

Argument for: Proponents argue the increased regulations will make clinics safer for patients and make sure patients with any insurance will be treated equally.

⁴⁷ <https://www.latimes.com/california/story/2019-09-18/gavin-newsom-signs-ab5-employees-independent-contractors-california>

⁴⁸ <https://www.latimes.com/california/story/2019-10-29/uber-lyft-doordash-fight-california-labor-law-ab5>

⁴⁹ <https://www.businessinsider.com/what-is-proposition-22-california-gig-workers-uber-lyft-2020-8>

⁵⁰ <https://finance.yahoo.com/news/uber-analyst-expects-californias-prop-194026983.html>

⁵¹ [https://ballotpedia.org/California_Proposition_22,_App-Based_Drivers_as_Contractors_and_Labor_Policies_Initiative_\(2020\)](https://ballotpedia.org/California_Proposition_22,_App-Based_Drivers_as_Contractors_and_Labor_Policies_Initiative_(2020))

Argument against: Opponents argue the increased regulations would make care more costly for, and less available to, patients.

Supporters: SEIU healthcare workers union.

Opponents: For-profit dialysis clinics (e.g., DaVita, Inc. and Fresenius Medical Care); the California Medical Association; California State Conference NAACP; AMVETS Department of California; and dozens of health, business, taxpayer and veterans groups.

Link to learn more:

- [Prop. 23: Kidney dialysis clinic rules](#) ⁵² (Cal Matters)
- [Ballotpedia Proposition 23](#) ⁵³

Proposition 24: Consumer data privacy protections

Summary: Modifies the California Consumer Privacy Act to force companies to honor consumers' requests that their data not be shared, that incorrect information be corrected, and requires permission before collecting data on teens and children. Establishes a new agency to oversee consumers' data privacy.

California's [sweeping new consumer privacy law](#) ⁵⁴ went into effect in January, and strict state enforcement began July 1. The law gives individuals much more control over data collected by a variety of businesses. Consumers must be told if data is being collected or sold, they can ask that their information be deleted, and businesses are prohibited from charging more to customers who ask for more privacy.

Proposition 24 goes further by creating a new definition in state law of "data sharing" in an attempt to make more businesses subject to privacy rules. Consumers would also have new rights to limit the sharing of their personal information and to correct inaccurate information. Penalties for companies that break the law would go up under Proposition 24, with even higher fines for information related to children. A new consumer protection agency would be established.

Argument for: Proponents argue the law would give people with privacy concerns more control over where and how their data is used.

Argument against: Opponents argue the initiative contains several loopholes and provisions that actually weaken consumer protections (in some cases) compared to existing California law. It also gives large corporations an advantage over individuals with fewer financial and legal assets.

Supporters: Alastair Mactaggart, a San Francisco real estate developer, and former presidential candidate Andrew Yang.

Opponents: The ACLU of California and Consumer Federation of California.

Links to learn more:

- [Andrew Yang takes lead role in California data privacy campaign](#) ⁵⁵ (Politico)
- [Prop. 24 seemingly seeks to expand internet privacy, critics say it won't](#) ⁵⁶ (Salinas Californian)
- [Ballotpedia: Proposition 24](#) ⁵⁷

Proposition 25: Eliminate the cash bail system, or go back to it

Summary: [Senate Bill 10](#) ⁵⁸, a 2018 law, eliminated the cash bail system in California and replaced it with an algorithmic risk assessment method that determines who gets released from jail while awaiting trial

⁵² <https://calmatters.org/election-2020-guide/proposition-23-kidney-dialysis-clinics/>

⁵³ [https://ballotpedia.org/California_Proposition_23,_Dialysis_Clinic_Requirements_Initiative_\(2020\)](https://ballotpedia.org/California_Proposition_23,_Dialysis_Clinic_Requirements_Initiative_(2020))

⁵⁴ <https://www.latimes.com/politics/la-pol-ca-privacy-initiative-legislature-agreement-20180621-story.html>

⁵⁵ <https://www.politico.com/states/california/story/2020/08/31/andrew-yang-takes-lead-role-in-california-data-privacy-campaign-1314061>

⁵⁶ <https://www.thecalifornian.com/story/news/2020/09/08/proposition-24-centers-internet-privacy/5739293002/>

⁵⁷ [https://ballotpedia.org/California_Proposition_24,_Consumer_Personal_Information_Law_and_Agency_Initiative_\(2020\)](https://ballotpedia.org/California_Proposition_24,_Consumer_Personal_Information_Law_and_Agency_Initiative_(2020))

⁵⁸ <https://www.latimes.com/politics/la-pol-ca-brown-signs-bail-reform-20180828-story.html>

based on risk to society instead of ability to post bond. Effectively, the law gives judges wide discretion to decide who can be released prior to trial. Defendants deemed to be a danger to the community could be held under a policy known as “preventive detention.”

Proposition 25 is a referendum on SB10 — the referendum is a process in California that allows the people to veto or uphold a law by putting it on the ballot.

After SB10 became law, companies representing the bail industry quickly gathered signatures to place a referendum on the ballot. As a result, SB10 has been on hold and is awaiting a final decision by voters on November 3.

A “yes” vote upholds SB10 and ends the cash bail system. A “no” vote rejects the law and maintains the decades–old cash bail system.

Argument for: Proponents argue SB10 creates a system that is fairer to everyone accused of crimes and the bail bonds businesses is only putting the issue on the ballot to try and continue profiting off the cash bail system. The cash bail system too often has led to decisions based less on public safety and more on the ability to pay.

Argument against: Opponents argue SB10 is flawed because it still leaves room for racial bias, making it a poor replacement for California's longstanding cash bail system.

Supporters: Chief Justice of the California Supreme Court, state officials, civil rights groups, the California Democratic Party, Action Now Initiative, SEIU Sate Council, and the League of Women Voters.

Opponents: The American Bail Coalition, several chambers of commerce, and Human Rights Watch.

Links to learn more:

- [California's cash bail system favors the rich. Would replacing it help people of color?](#) ⁵⁹ (Fresno Bee)
- [Prop. 25 will replace cash bail with risk assessment, if passed](#) ⁶⁰ (Daily Cal)
- [Ballotpedia Proposition 25](#) ⁶¹

Voting in the November 3, 2020 Election

Election Day is Tuesday, November 3, 2020. All of California's registered voters will be mailed a ballot no later than 29 days prior to Election Day. In addition to having the option to mail in their ballots, in–person voting locations will also be available to voters. Voters must register on or before Election Day (November 3, 2020) for their vote to be counted.

To register to vote in California you must:

- Be a United States citizen, and a resident of California,
- Be at least 18 years old or older on Election Day,
- Not be currently in state or federal prison or on parole for the conviction of a felony, and
- Not be currently found to be mentally incompetent to vote by a court.

You can register to vote in the following ways:

- Online at <https://registertovote.ca.gov/>
- By completing a paper voter registration form, which can be obtained from City Hall upon request or from the County Registrar of Voters' Office (ROV). The application may be mailed to the ROV (no postage required) or dropped off in person.

⁵⁹ <https://www.fresnobee.com/news/politics-government/election/article245051135.html>

⁶⁰ <https://www.dailycal.org/2020/08/04/prop-25-will-replace-cash-bail-with-risk-assessment-if-passed/>

⁶¹ [https://ballotpedia.org/California_Proposition_25_Replace_Cash_Bail_with_Risk_Assessments_Referendum_\(2020\)](https://ballotpedia.org/California_Proposition_25_Replace_Cash_Bail_with_Risk_Assessments_Referendum_(2020))

- By requesting, completing, and submitting a paper voter registration form at a Department of Motor Vehicles office.

Voter Registration deadlines for November 3, 2020 Election:

- Online: Register online by October 19, 2020.
- By mail: Registration form postmarked by October 19, 2020.
- In person: Register in person at an early vote site, polling place or the ROV by November 3, 2020.

Voting In Person

What to bring when voting in person:

- If you are registered and have voted in California before, you don't need to show ID.
- If you're a first-time voter who registered by mail, and didn't include your driver's license number, California ID number, or the last 4 digits of your Social Security number on your registration, you may be asked to provide ID when you vote. Acceptable forms of identification include:
 - A copy of a recent utility bill,
 - The sample ballot booklet you received from your county elections office or another document sent to you by a government agency, or
 - A US passport, driver license, official state identification card, or student identification card showing your name and photograph.
- Voters without ID: If you are unable to provide ID, you will be able to vote a provisional ballot.
- You may want to bring your Voter Information Guide with your choices marked in advance so you know what to vote on each issue.

Call the Secretary of State's toll-free Voter Hotline at (800) 345-VOTE (8683) for more information or if you have specific questions about voting in person.

Vote by Mail (VBM) Ballots

All registered voters in California will receive a ballot by mail, called a Vote by Mail Ballot (VBM). VBMs may be submitted via the mail (postage is paid, no additional postage is required), by dropping it in a VBM Drop Box (Montclair locations listed below), or by submitting it in person at an early vote site, polling place, or at the San Bernardino County Registrar of Voters' Office (locations listed below in their respective sections). Check the status of your ballot at wheresmyballot.sos.ca.gov

- If you are returning your ballot by mail, it must be postmarked on or before Election Day and received by the County Elections Office no later than 17 days after Election Day.
- If you are returning your completed mail-in ballot in person to a voting site or dropping it off in a drop box, it must be delivered no later than the close of polls at 8:00 p.m. on November 3rd.
- Anyone may return your ballot for you, as long as they do not get paid on a per ballot basis. In order for your ballot to be counted, you must fill out the authorization section found on the outside of your ballot envelope.

VBM Drop Boxes in Montclair

Location	Address	Hours
Montclair Civic Center North Parking Lot	5111 Benito Street Montclair, CA 91763	24 hours a day, from Monday, October 5 at 10:00 a.m. - Tuesday, November 3, 2020 at 8:00 p.m.
Montclair Police Department Parking Lot	4870 Arrow Highway Montclair, CA 91763	Boxes are locked, secured, and monitored by video surveillance. Ballots are retrieved by ROV employees throughout the voting period.



Track Your VBM Ballot!

Where's My Ballot? lets voters know where their ballot is and its status every step of the way.

Sign up at WheresMyBallot.sos.ca.gov to receive automatic email, SMS (text), and/or voice call notifications about your ballot.

Voting at a Polling Place

Any registered San Bernardino County voter can cast their ballot from Saturday, October 31st to Tuesday, November 3rd at any of the locations listed below (only Montclair locations are shown). While voters will have an assigned polling place listed on their VBM, they may use a different location to cast their ballot.

Local Polling Places

Location	Address	Hours
Howard Elementary School	4650 Howard Street Montclair, CA 91763	All Polling Places are open: <ul style="list-style-type: none"> Saturday, October 31 through Monday, November 2 from 10:00 a.m. to 6:00 p.m. Election Day, Tuesday, November 3 from 7 a.m. to 8 p.m.
Montera Elementary School	4825 Bandera Street Montclair, CA 91763	
Moreno Elementary School	4825 Moreno Street Montclair, CA 91763	
Our Lady of Lourdes Catholic Church	10191 Central Avenue Montclair, CA 91763	

Voting Early at an Early Vote Site

California voters can vote before Election Day. The early voting period runs from Monday, October 5 to Monday, November 2, 2020, but dates and hours of voting sites will vary based on location.

Registered San Bernardino County voters can cast their ballots prior to Election Day at one of the locations listed below. For a complete list of all locations throughout San Bernardino County, please visit www.sbcountyelections.com.

Early Vote Sites Near Montclair

Location	Address	Hours
San Bernardino County Registrar of Voters Office	777 E. Rialto Avenue San Bernardino, CA 92415	<u>Monday, October 5 - Tuesday, November 3</u> <ul style="list-style-type: none">Monday through Friday, from 8 a.m. to 5 p.m.Monday, October 12 – Closed in observance of Columbus Day / Indigenous Peoples' DaySaturday, Oct. 31 and Sunday, Nov. 1, from 8 a.m. to 5 p.m.Election Day, Tuesday, November 3, from 7 a.m. to 8 p.m.
San Bernardino International Airport Domestic Terminal	105 North Leland Norton Way San Bernardino, CA 92408	<u>Monday, October 26 - Friday, October 30</u> <ul style="list-style-type: none">Monday through Friday, from 10 a.m. to 6 p.m.
Toyota Arena	4000 East Ontario Center Pkwy Ontario, CA 91764	

Additional Online Voter Resources

- City of Montclair Election Information: <http://www.cityofmontclair.org/election/>
- Facebook Voting Information Center: <https://www.facebook.com/votinginfocenter/>
- California Voter Foundation: <http://www.calvoter.org>

CENSUS NEARS COMPLETION

As of September 29th, the U.S. Census Bureau reports that 98.7% of housing units (98,400,000 housing units) nationally have been counted in the 2020 Census, and 32 states plus the Commonwealth of Puerto Rico are over 99% counted. In California, the total enumerated response count is 99.4%. The self-response rate (those housing units in the count that self-responded to the Census count, as opposed to the total enumerated count that includes self-responding and those counted by Census takers) in San Bernardino County is 65.8% (ranked 28 among California counties), and the self-response rate in Montclair is 73.2%, (ranked 210 among California cities and towns).

The Census Bureau reports it is taking additional steps to ensure a complete and accurate count, including adding to the existing in-state census taker workforce in some states, with more than 22,000 experienced, trained census takers traveling from states and areas where the work is complete.

Every day, the U.S. Census Bureau releases the 2020 Census housing unit count completion rate for the nation, all 50 states, the District of Columbia and Puerto Rico.

If you have not participated in the 2020 Census, you are encouraged to respond when a census taker visits your home; or to be counted go online at 2020census.gov or by phone at 844-330-2020.

2020 Census partners include Members of Congress and State and Local Leaders, Complete Count Committees, Faith-Based Organizations, Businesses, and Community Leaders.

For information on the 2020 Census in California, visit 2020census.gov.

COVID SECOND QUARTER BUSINESS ACTIVITY DECLINES

According to the [Inland Empire Business Activity Index](#) ⁶², a report prepared by the [UCR School of Business Center for Economic Forecasting and Development](#) ⁶³, business activity in the Inland Empire (Riverside and San Bernardino counties) fell -26.5 percent during the second quarter of 2020 (April thru June) as regional employment and consumer spending declined because of the COVID-19 public health emergency. The second quarter decline had been preceded by a -0.2% drop for the first quarter of 2020 (January thru March), indicating that growth in the economy was already cooling, partly in response to concerns over a coming pandemic.

The second quarter's -26.5 percent decline affected a number of industries and resulted in record unemployment. Public health-mandated business closures, unemployment, and a decline in consumer confidence are primary reasons for the economic decline. A resurgence of the novel coronavirus late in the second quarter extended the decline in consumer spending and employment across the region and into the second half of 2020.

Taxable sales, described in the report as a "lagging indicator" of business activity and consumer demand, fell 9.5 percent between the fourth quarter of 2019 and the first quarter of 2020 — a decline forecasted to continue through the remainder of 2020 and into 2021, with some analysts predicting economic decline into 2024, primarily a result of business closures and bankruptcies.

Economic Data for the second quarter is incomplete; however, the outlook for second quarter taxable sales is projected to show a 13 percent to 24 percent decline (varying between regions) over the same quarter last year.

Unemployment claims in the Inland Empire hit its peak early in the second quarter. Filed unemployment claims in Riverside County hit 53,500, and San Bernardino County totaled 42,100 claims in the week that ended April 11. Both counties remain among the top five statewide for new COVID-19 cases and unemployment claims.

The report also spotlights socio-demographic differences between households with children, illustrating the immense strain placed on families with lower incomes and with parents who work in certain industries. The report indicates that policymakers should focus on mitigating the economic and employment strain on these families to ensure that the public health crisis does not jeopardize the educational progress and long-term outcomes of their children.

Key socio-demographic findings in the report include:

- Single-parent households and two-parent households where only one parent works—households that respectively make up nearly 25% and 28% of all households with children in the region—can be at a greater disadvantage because of characteristics surrounding their incomes, work environments, and educational backgrounds.
- The median income of single-parent households (\$52,000) and two-parent households where only one parent works (\$62,000) represents a fraction of what two-parent households where both parents work earn (\$111,000), exposing them to a higher degree of economic risk during the pandemic.
- Single-parent households and two-parent households where only one parent works are more prone to be headed by a worker in a riskier, more exposed industry. The most common industry to work in among these households are Construction (15.6%) and Health Care (11.3%), which, for the most part do not have jobs that can be performed from home and thus pose greater health risks. In two-parent households where both parents work, the most common industry is Professional Services, which has a high level of work-from-home adaptability.
- Among two-parent households where only one parent works, 26.8 percent are headed by someone who is employed in either Construction or Manufacturing — both industries where the ability to work from home is unlikely and the risk of contracting COVID-19 is greater.

⁶² https://ucreeconomicforecast.org/wp-content/uploads/2020/09/IE_Business_Activity_Index_Q2_Sept_2020_Digital.pdf

⁶³ <http://ucreeconomicforecast.org/>

- School district employees in both Riverside and San Bernardino Counties have worked to address the negative effects of the distance learning environment — a byproduct of the pandemic. However, some families are more vulnerable to the health crisis and its economic uncertainty. The report encourages that resources be made available to promote educational advancement that may otherwise be stymied by the online learning environment and the lack of in-person interaction between students and teachers.

The report predicts that the national economy is likely to recover on separate tracks, with the nation's Gross Domestic Product (GDP) recovering sooner, while employment will probably not be back to pre-pandemic levels until late in 2021. Recovery in the jobs market will be buoyed, in part, by release of an FDA-approved vaccination.

A bright spot in the Inland Empire's economy is the warehouse-distribution sector, where the public health emergency resulted in an increase in online shopping and a demand for products stored in warehouses.

Currently, there are nearly 7.3 million confirmed cases of the novel coronavirus in the United States, and approximately 207,000 associated deaths, with California reporting over 818,000 cases and nearly 16,000 deaths.

Some public health professionals, including Dr. Anthony Fauci, Director of the National Institute for Allergy and Infectious Diseases (NIAID), are warning about a possible second coronavirus wave this fall. Economists largely agree that if a second wave of the virus does occur, damage to the national economy will probably be less pronounced. Businesses have adjusted to the pandemic and have mitigated it to some extent through various public health practices including social distancing, the requirement for workers and customers to wear face coverings, and sanitation/disinfection practices.

ECS:tnk