



Dear City of Rancho Mirage Voter:

On April 12, 2016, the City of Rancho Mirage is conducting an election for the purpose of electing two members to the City Council for four-year terms. All ballots for this election will be cast by mail-in ballots – there will be no polling places on Election Day. The Riverside County Registrar of Voters will be conducting this election for the City and all ballots will be mailed, received and counted by the Registrar's Office.

Postage-paid envelopes are provided for mailed ballot return. Residents are encouraged to vote early! It is important to be sure the back of the return envelope is signed by the voter before mailing. Unsigned ballots cannot be counted. Ballots may also be dropped off at City Hall, located at 69825 Highway 111, Rancho Mirage. City Hall is open Monday through Friday, 8:00 a.m. to 5:00 p.m. and will remain open until 8:00 p.m. on Election Day, Tuesday, April 12, 2016. Voted ballots must be received no later than the close of the polls on Election Day. (Ballots postmarked on Election Day must be received no later than three days after Election Day to be counted).

Please note that March 28, 2016 is the last day to register to vote or transfer registration to vote in this Election. Registration cards are available at City Hall as well as on the Registrar of Voters website, www.voteinfo.net. If you have any questions, please contact:

- City Clerk's Office at (760) 324-4511 or
- Registrar of Voters at (800) 773-VOTE (8683) or (951) 486-7200, TTY (951) 697-8966

The City Clerk's Office and the Registrar of Voters are dedicated to serving the voters of Rancho Mirage and ensuring the integrity and security of the election process. We look forward to your participation in this important election.

Sincerely,

Cynthia Scott, CMC
City Clerk



RANCHO MIRAGE MAIL BALLOT ELECTION
APRIL 12, 2016

POLLING PLACES WILL NOT BE ESTABLISHED FOR THIS ELECTION.

← The enclosed ballot is your **OFFICIAL BALLOT** for this election. →

VOTING INSTRUCTIONS

Your voted ballot must be received at the Registrar of Voters Office or any drop-off location by 8:00 p.m. on Election Day or be postmarked on or before Election Day and received no later than three days after Election Day to be counted.

1. Use a black ball point pen. **DO NOT** use felt tip, red, or gel ink.
 - a. To vote for a candidate whose name appears on the ballot, connect the head and tail of the arrow to the right of the name of the candidate for whom you wish to vote.
 - b. To vote for or against a measure, connect the head and tail of the arrow to the right of the word YES or NO for that measure.
 - c. To vote for a qualified write-in candidate, print the candidate's name in the space provided below the candidates listed for the same office and connect the head and tail of the arrow to the right of the name you have written in. (**Important!** If you do not connect the arrow, your vote will not be counted.)
 - d. One line connecting the arrow is preferred. Vote for no more than the number of votes allowed in each contest (e.g. vote for one, vote for no more than two, etc.).
2. Remove the top stub and place the voted ballot card in the return envelope provided. Please keep the ballot folded the same way as you received it.
 - a. Sign your name and print your address where indicated. **If you fail to sign the envelope your vote cannot be counted;** and
 - b. Seal the envelope.
3. Return your ballot:
 - a. By mail:
 - A postage-paid envelope is provided to conveniently return your ballot by mail. Since this is a mail ballot election, there are **no established polling places**. Voters residing outside of the territorial limits of the United States must add postage appropriate for their current location.
 - b. In Person to:
 - The Registrar of Voters office or the Rancho Mirage City Clerk's office during regular business hours and until close of polls on Election Day. For your convenience the Registrar's office has a locked drop box at its entry for ballot drop off 24 hours a day.
 - c. You may verify that the Registrar of Voters has received your voted ballot by checking the return status online at www.voteinfo.net.

IMPORTANT INFORMATION

- **UNABLE TO RETURN YOUR BALLOT PERSONALLY?** State law allows you to authorize your spouse, parent, child, grandparent, grandchild, brother, sister or a person residing in the same household to return your ballot for you. You and your designated representative must complete the authorization statement on the enclosed return envelope.
- **SPOILED YOUR BALLOT?** Place the ballot card in the enclosed return envelope, place a check mark in the spoiled box on the return envelope and return it to our office. A new ballot will be sent to you if there is sufficient time to do so. If there is not sufficient time to return your ballot and receive another by mail, you may return your ballot personally to the Registrar of Voters office or call for further instructions at (951) 486-7200 or 1-800-773-8683.
- **ACCESSIBLE VOTING UNIT.** An Accessible Voting Unit is available at the Registrar of Voters office.
- **CLOSE OF REGISTRATION.** The last day to register to vote for this election is March 28, 2016.

Each candidate's statement is volunteered by the candidate. Statements made on the following pages represent the views of authors and are not endorsed by the City of Rancho Mirage or the County of Riverside. Internet website addresses included in any statements are provided by the authors. The County of Riverside, nor the City of Rancho Mirage, does not assume any liability for the accuracy or content of websites listed therein. Arguments in support of or in opposition to the ballot measures are opinions of the authors. The text, grammar, and spelling are as submitted by the authors.

HOW TO MARK YOUR PAPER BALLOT

- Connect the head and tail of the arrow that points to your choice, like the example provided, also check both front and back of ballot for voting contests
- Use a black ball point pen. Do not use felt tip, red or gel ink
- One line connecting the arrow is preferred
- Vote for no more than the number of votes allowed in each contest (e.g. vote for one, vote for no more than two, etc.)
- Please keep the ballot folded the same way as you received it

**TO MARK YOUR VOTE
DRAW A LINE**



VOTE!!!

Vote First, Count First! Vote-by-Mail ballots received before Election Day are counted first. Return your ballot as soon as possible to ensure that it is included in the first Election Night results!

**For a demonstration on marking your ballot visit www.voteinfo.net
PARA ESPAÑOL, VEA EL OTRO LADO**



✦ DETACH HERE / SEPARAR AQUÍ ✦

BT 001

Para votar por un candidato calificado por escrito, escriba el nombre de la persona en el espacio en blanco provisto y CONECTE LA FLECHA. **Use una pluma negra. NO use punta de fieltro, roja o gel.**

ADVISORY VOTE ONLY VOTO CONSULTIVO SOLAMENTE	
3 If CV Link were to be constructed, would you approve the City Council committing Rancho Mirage to pay for CV Link's annual operations and maintenance expenses, which on April 6, 2015, CVAG projected Rancho Mirage's share to be between \$110,300 and \$251,800 per annum as of the 9th year of operations, and continuing to increase annually at the rate of inflation? Si CV Link se construyera, ¿aprobaría usted que el Concejo Municipal comprometiera a Rancho Mirage a pagar por las operaciones y los gastos de mantenimiento anuales de CV Link, los cuales el 6 de abril de 2015, CVAG proyectó que la participación de Rancho Mirage sería entre \$110,300 y \$251,800 por año para el 9o año de operaciones, y seguiría aumentando anualmente al ritmo de la tasa de inflación?	YES / SÍ NO / NO
ADVISORY VOTE ONLY VOTO CONSULTIVO SOLAMENTE	
4 Because in 2002 County voters approved Measure A, which is a 1/2 cent increase in our sales tax to be used to repair dilapidated and crumbling roads and highways in the Coachella Valley, should CVAG be allowed to divert up to \$20 million dollars (\$20,000,000) from this Measure A fund, to pay for the construction of the Neighborhood Electric Vehicles portion of the CV Link? Debido a que en el 2002 los votantes del Condado aprobaron la Medida A, la cual es un aumento de ½ centavo en nuestro impuesto sobre las ventas para ser utilizado para reparar carreteras y autopistas en ruinas y que se están derrumbando en Coachella Valley, ¿se debería permitir a CVAG desviar hasta \$20 millones de dólares (\$20,000,000) de este fondo de la Medida A, para pagar por la construcción de la porción de Vehículos Eléctricos Locales de CV Link?	YES / SÍ NO / NO

**CANDIDATE STATEMENT FOR
CITY COUNCIL MEMBER,
CITY OF RANCHO MIRAGE**

MICHAEL HARRINGTON

AGE: 57

OCCUPATION: Attorney at Law

EDUCATION AND QUALIFICATIONS:

My wife and I have lived in Rancho Mirage since 2002. I have been a lawyer since 1992 and my office is here.

I will work to maintain the quality of life in our city. While at the same time protecting our high standards and traditions. Housing, shopping and public safety will be chief among my goals.

The practicality of the free market system has given way to city interventionism. We lack a choice of grocery stores. And important hubs for shopping are being planned in haste.

We contract police service through the Riverside County Sheriff's office. We have put off the rising costs of public safety for too long. I will work to deal with these costs in a way that respects the fact that we have the best men and women in law enforcement serving our city.

We have many gated communities. Residents who are used to a certain way of life have recently felt threatened by economic interventionism, poor planning and a slow response in enforcing city ordinances. Also, I will respect what Rancho Mirage voters decide about having CV Link in our city.

I am Michael Harrington and I respectfully ask for your vote.

www.Harrington4RanchoMirage.com

**CANDIDATE STATEMENT FOR
CITY COUNCIL MEMBER,
CITY OF RANCHO MIRAGE**

RICHARD W. KITE

AGE: 73

OCCUPATION: Incumbent

EDUCATION AND QUALIFICATIONS:

Sixteen years ago I promised to bring a new kind of leadership to a City Council that had been severely divided and lacked the unity to lead our City into the future. Today, after spending sixteen years as your representative on the City Council and four terms as your Mayor, I am pleased to report that the condition of our City has never been better.

Through the efforts of a highly motivated team of council members and staff, much has been accomplished. Some highlights are: undergrounded neighborhood overhead utility lines; built one of the finest libraries in the State; developed a comprehensive Disaster Plan and Emergency Operating Center; and increased reserve funds from \$25 million to over \$60 million.

Even with these accomplishments, much remains to be done. Some of the most important items are: protecting values and our quality of life; increasing fire and police services; protecting property open space and our environment; creating more affordable housing options for seniors; and increasing sales and bed tax revenue through joint marketing efforts with hotels and businesses.

Finally, I pledge to always listen to your concerns as we work together to keep Rancho Mirage the address of choice in the valley.

**CANDIDATE STATEMENT FOR
CITY COUNCIL MEMBER,
CITY OF RANCHO MIRAGE**

TED WEILL

OCCUPATION: Councilman

EDUCATION AND QUALIFICATIONS:

It has been an honor to serve as your Mayor Pro-Tem for the past year. I promised to protect and enhance our quality of life and property values. Since first elected I have done my best to use my business and education background to keep that pledge.

I graduated from the Wharton School of Business at the University of Pennsylvania. My MBA "With Honors" was earned at Pepperdine University. Many issues coming before the council touch on the work I have spent a lifetime developing.

Two examples would be my active involvement in the development of the Rancho Las Palmas Shopping Center and the revitalization of The River, where I helped formulate the city's short and long term objectives. My focus is and will continue to be on the creation of tax-producing opportunities that will ensure decades of future stability in our very special city.

The 92270 area code represents value, fiscal responsibility and a very special way of life. Preserving those values is my highest priority.

I would be honored by your vote on April 12 and I pledge to never violate your trust.

Sincerely,

Ted Weill
Mayor Pro-Tem

Please visit: Tedweill.com



**IMPARTIAL ANALYSIS OF MEASURE “1”
(Placed on Ballot by City Council)**

If Measure “1” passes, it will prevent future Rancho Mirage City Councils from permitting any portion of CV Link to run through Rancho Mirage (other than on Ramon Road) unless first approved by a majority of Rancho Mirage voters. In addition, if Measure “1” passes, it will prevent the use of any streets under the City’s jurisdiction for “Low-Speed Electric Vehicles” (LSEVs) and/or “Neighborhood Electric Vehicles” (NEVs), without prior voter approval. The California Vehicle Code provides that an LSEV is not a golf cart, with some limited exceptions, and that LSEVs are also known as a NEVs.

The City Council adopted Ordinance No. 1099, which prohibits NEVs and LSEVs in certain areas and on certain streets within Rancho Mirage which include: Bob Hope Drive; Country Club Drive; Da Vall Drive; Dinah Shore Drive; Frank Sinatra Drive; Gerald Ford Drive; Highway 111; Magnesia Falls Drive; Monterey Avenue; Park View Drive; Plumley Road; and others.

The Vehicle Code provides that a city by ordinance may restrict or prohibit the use of NEVs/LSEVs within its jurisdiction. The Vehicle Code defines an NEV/LSEV as a motor vehicle that: (1) has four wheels; (2) can attain a speed, in one mile, of more than 20 mph and not more than 25 mph hour, on a paved level surface; and (3) has a gross vehicle weight of less than 3,000 pounds. The Vehicle Code further provides that an NEV/LSEV is subject to all the provisions applicable to a motor vehicle, and the California Streets and Highways Code requires the driver of an NEV/LSEV to possess a valid California driver’s license and carry proof of insurance as required of drivers of standard motor vehicles. Per the Vehicle Code, the operator of an NEV/LSEV is prohibited from operating an NEV/LSEV on any roadway with a speed limit in excess of 35 mph.

Ordinance No. 1099 also prohibits any “Neighborhood Electric Vehicle Plan” established pursuant to California Streets & Highways Code Section 1962.2 from including any area within Rancho Mirage unless the inclusion of such area is first approved by an ordinance of the City of Rancho Mirage. Ordinance No. 1099 also prohibits any portion of CV Link or any similar pathway from including any area within Rancho Mirage unless such inclusion is first approved by an ordinance of the City of Rancho Mirage. The March 2015 CV Link Master Plan indicates that CVAG plans to complete a “Neighborhood Electric Vehicle (NEV) Plan,” which will consist of 211 miles of various NEV paths, lanes and routes throughout multiple jurisdictions within the Coachella Valley, including Rancho Mirage. If Measure “1” is approved, it will prevent Rancho Mirage from being included in such plan without first obtaining approval of the plan by the voters of Rancho Mirage.

By: Steven B. Quintanilla, City Attorney

The above statement is an impartial analysis of Measure “1.” If you desire a copy of the ordinance or measure, please call the City Clerk’s office at (760) 324-4511 and a copy will be mailed at no cost to you.



ARGUMENT IN FAVOR OF MEASURE “1”

Neither the Rancho Mirage City Council nor our residents were ever asked by the Coachella Valley Association of Governments (CVAG) to approve their 50-mile, 20-to-30-foot wide CV Link as a valley-wide project for bicyclists, electric vehicles and pedestrians.

The cost of this extraordinarily expensive venture was projected by CVAG on October 1, 2013, to cost \$70 million; months later the projection was at \$80 million; then \$90 Million; and currently \$100 million. Not to mention the projected \$1.6 million in annual operations and maintenance expenses that would be divided among eight cities and the County.

Contrary to CVAG's false claims, the vast majority of the money thus far raised by CVAG would be available for other local projects the Coachella Valley sorely needs. Virtually all of it comes from governmental tax sources.

A majority of CVAG's Executive Committee has stubbornly refused to acknowledge the negative impact on traffic flow on Highway 111, turning our Public Library into a restroom stop, impeding the entrance to our fire station, and excessive traffic in residential communities. No other city is remotely similarly impacted.

After being convinced that CVAG was adamant on routing CV Link along Highway 111 to Bob Hope Dr., and north to San Jacinto Dr. and back to Highway 111 and our Library, and then continuing west on Highway 111, the council voted 5-0 to ban the route as unsafe within our business community and disruptive in our residential communities.

Rejecting our city council's decision to protect our quality of life, CVAG voted to waste \$150,000 on an environmental study examining the exact route the council has prohibited.

To give our residents peace of mind and increased protection, “Yes on Measure “1” will place future route decisions in the hands of residents rather than the politics of future city councils.

For your long term protection, vote “Yes” on Measure “1”.

By: Dana Hobart, Mayor

Ted Weill, Mayor Pro-Tem

Richard W. Kite, Councilmember

Iris M. Smotrich, Councilmember

Charles Townsend Vinci, Councilmember

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE “1”

Measure “1” is not about CV Link. It is about limiting the authority of all future council members. The Council's argument doesn't actually address Measure “1”. Instead, they rant about CV Link being unsafe even though the purpose of CV Link is to create a safe environment for pedestrians, bicyclist and NEVs by separating them from general traffic.

CV Link as planned would not share any general traffic lane but be exclusively on its own path.

CV Link will have its own rest stops. Our public Library now has bike racks and even electric vehicle charging stations seeming to welcome anyone coming to the library on bikes and electric vehicles.

CV Link is only now starting into the environmental process which is designed to identify issues and solve them. The process may well result in an improved plan that a future council may or may not support. Taking that option away from them by requiring another vote is not only wrong but expensive. It is premature to vote on a draconian measure like this before we know what the details of the project will be.

If this is good policy then there should be a public vote on every project the city is planning in the future. If so why do we need a council?

Measure “1” sets a dangerous precedent and is bad public policy.

VOTE NO on Measure “1”.

By: Gary Lueders
Vice President, Friends of CV Link

Larry Parrish
Retired CEO Riverside County

Robert Brockman
Former Rancho Mirage Community Development Director

David Firestone
Desert Bicycle Club Member

Roger Snoble
Retired CEO Los Angeles County Metropolitan Transportation Authority



ARGUMENT AGAINST MEASURE “1”

A current city council should not assert their will on future elected officials. It is bad policy, yet that is exactly what Measure “1” is designed to accomplish. Its purpose is to bind the hands of any person that we, the voters, choose to represent us in the future. That is the single mission driving our current Council's support of Measure “1”.

The Council has already adopted Ordinance No. 1099, which is a ban on neighborhood electric vehicles (NEVs) on major roadways throughout Rancho Mirage. The Council imposed this ban as part of their opposition to CV Link. They did it after the Coachella Valley Association of Governments, the planning agency for the project, made two different offers to eliminate NEVs on the Rancho Mirage portion of CV Link.

It is ironic that the current council now strongly opposes NEVs, which are similar to golf carts in both their appearance and daily use, when past councils have embraced them. Rancho Mirage has a golf cart plan dating back to 1989, and includes many of the streets identified in Measure “1”. The plan also authorized golf carts along the Whitewater River channel and on the Butler-Abrams Trail. NEVs are simply part of the evolution of the golf cart, and our city should continue to embrace them and make sure they can travel safely through the community-not ban them for all time.

Voting **NO** on this measure won't stop the city's ban on NEVs. But it will make sure that future elected leaders will have the flexibility to make their own decisions and embrace progress and technology. Don't lock us into the past. For more information go to www.FriendsofCVLink.org.

This is simply **BAD** public policy. **VOTE NO** on Measure “1”.

By: Gary Lueders
Vice President, Friends of CV Link

Larry Parrish
Retired CEO Riverside County

Craig Karsen
President, Coachella Valley Hiking Club

David Firestone
Desert Bicycle Club Member

Roger Snoble
Retired CEO Los Angeles County Metropolitan Transportation Authority

REBUTTAL TO ARGUMENT AGAINST MEASURE “1”

The Rancho Mirage City Council's ban prevents CV Link from traversing on or adjacent to Rancho Mirage streets where hazardous conditions exist. CV Link will be 20' to 30' wide; people and pets walk, skateboards and bicyclists roll along with Neighborhood Electric Vehicles (NEVs) cruising up to 25MPH. This combination creates serious hazards for people entering and exiting businesses and residential communities on our busiest streets. (Golf carts continue to be allowed on streets with speed limits 35MPH or less.)

No valley city comes close to being so negatively impacted by the CV Link route as Rancho Mirage – yet, CVAG (Coachella Valley Association of Governments) rejects our proposed Ramon Road route. Would Palm Desert allow CV Link on El Paseo? Or Highway 111? Not Likely!

The need for this ballot measure is because the fight isn't over. CVAG's Executive Director was caught on tape divulging an approach to reverse our City Council's decision. He stated, “...**politics change and generations change [and our \$150,000 environmental impact expenditure] gives somebody in the future an opportunity to make a different decision than somebody today might.**””

Residents worry constantly about the negative impact CV Link will have on our busiest streets and residential communities. They also worry about increased crime opportunities. Our current law helps insulate us, but CVAG leadership is contemplating overturning our law with the election of a new council.

If this law is to be changed by “somebody in the future,” it should be done by affected Rancho Mirage residents - rather than new three council members who may be politically indebted to CVAG.

City Council Recommendation: Vote YES.

By: Dana Hobart, Mayor

Ted Weill, Mayor Pro-Tem

Richard W. Kite, Council Member

Iris M. Smotrich, Council Member

Charles Townsend Vinci, Councilman



IMPARTIAL ANALYSIS OF MEASURE "2"

The City of Rancho Mirage is authorized pursuant to California Elections Code Section 9603 to hold an advisory election for the purpose of enabling qualified voters of the City of Rancho Mirage to voice their opinions on substantive issues pertaining to the proposed CV Link project. As such, the results of Measure "2" will provide an indication of general voter opinion regarding whether the Coachella Valley Association of Governments (CVAG) should spend One Hundred Million Dollars (\$100,000,000) or more to construct CV Link, plus an additional \$1.6 million annually to maintain and operate CV Link, a portion of which CVAG proposes to construct through Rancho Mirage.

CV Link is a paved pathway proposed by CVAG that will accommodate pedestrians, bicycles, Low-Speed Electric Vehicles (LSEVs) and Neighborhood Electric Vehicles (NEVs) that can travel up to 25 miles per hour. Initially, CV Link will be approximately 50 miles long, extending from Highway 111 and the Chino Wash in North Palm Springs to Airport Boulevard in the City of Coachella and the unincorporated community of Thermal. This is known as Phase 1 of CV Link. The plan is to eventually extend the western terminus of CV Link to Desert Hot Springs and the eastern terminus to the Salton Sea. At full buildout of all phases, CV Link will be approximately 88 miles long.

Phase 1 (approximately 50 miles) is anticipated to begin construction in 2017 and includes the majority of construction for the core route of CV Link between Palm Springs and Coachella. The "Proposed Initial Implementation Cost Estimate" set forth in the March 2015 CV Link Master Plan for Phase 1 is approximately \$100,000,000, which includes: \$55,239,000 for 35.2 miles of "Pathway"; \$9,782,900 for 2.0 miles of undercrossing and ramps; \$9,038,500 for 0.3 miles which includes 51 bridge crossings of channels and roadways; \$8,257,600 for 7.4 miles of street segments to be upgraded; \$1,255,100 for 0.5 miles of crossings of roadways at-grade; and \$15,733,500 for miscellaneous items such as, but not limited to, landscaping, planting, access points and support elements.

The March 2015 CV Link Master Plan estimates the annual cost of maintenance for the first phase of CV Link to be \$864,900, or \$18,000 per mile for the initial (approximately) 50 miles of CV Link. The March 2015 CV Link Master Plan also estimates the annual cost of operation for the first phase of CV Link to be \$752,000, or \$15,600 per mile for the initial (approximately) 50 miles of CV Link. The total annual maintenance and operations cost for the first full year of operations of CV Link is estimated to be \$1,616,900.

By: Steven B. Quintanilla, City Attorney

The above statement is an impartial analysis of Measure "2." If you desire a copy of the ordinance or measure, please call the City Clerk's office at (760) 324-4511 and a copy will be mailed at no cost to you.



ARGUMENT IN FAVOR OF MEASURE "2"

Construction of the CV Link is NOT being paid for by the City of Rancho Mirage. There is no proposal that would raise taxes on local residents for any aspect of CV Link. Nor would the project divert funds from existing priorities.

Approximately \$75 million of the \$100 million project cost is already in place and much of it comes from outside of the Coachella Valley. These include grant funds that recognize the positive impact of CV Link on safety, air quality, public health and transportation. Similar pathways have been shown to increase tourist visitation and economic activity. CV Link will be a premier tourism attraction, with the obvious potential to increase tourism by cyclists and overnight visitors as well as a boost to our economy and our struggling shopping centers.

Biking, walking or riding a golf cart on Highway 111 is dangerous. Sadly, more than 900 cyclists and pedestrians were killed or injured valley-wide between 2007 and 2013. Residents who enjoy biking or own golf carts rightly feel unsafe using them on our major roadways.

CV Link will have a 14-foot wide concrete path for bikes and electric vehicles and a soft 6-foot wide path for pedestrians. Bridges and underpasses enable less dangerous traffic interaction and shade stations and its unique design add to its appeal.

Rancho Mirage will be a vital part of a world-class, 50-mile pathway that creates a SAFE route to access jobs, schools and businesses. Providing a safe alternative to the polluting car will encourage more local people to enjoy a healthy and safe trip.

For more information, visit www.FriendsofCVLink.org.

CV Link will provide a much needed boost to our local economy. **VOTE YES** and make sure we don't end up as the **MISSING LINK**.

By: Gary Lueders
Vice President, Friends of CV Link

Beverly Fitzgerald
President, California Desert Association of Realtors

Craig Karsen
President, Coachella Valley Hiking Club

David Firestone
Desert Bicycle Club Member

Roger Snoble
Retired CEO Los Angeles County Metropolitan Transportation Authority

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE "2"

Deceptive arguments by Friends of CV Link are an admission valid arguments don't exist.

Example: The claim spending \$100 Million "would not divert funds from existing priorities."

Fact: 82% of the \$75,000,000 accumulated thus far, including \$20,000,000 in Measure A funds, is designated for use in the Coachella Valley. If these funds are not used on CV Link, they would stay in the Coachella Valley and would be used to remedy genuine valley priorities. Furthermore, CV Link has no known source for the remaining \$25,000,000 needed for construction, and has raised nothing in over a year.

Example: Golf cart owners feel unsafe driving "on our major roadways." (Para. 3)

Fact: Neither golf carts nor Neighborhood Electric Vehicles are legal on California roads with speed limits above 35MPH.

Example: CV Link "creates a safe route to access jobs, schools and businesses." (Para. 5)

Fact: Who goes shopping on a bicycle? How many would ride a bike home after a day's work (weather permitting)? CVAG's proposed Rancho Mirage route is miles from Rancho Mirage High School.

Example: Most deceptive is the claim CV Link won't raise our residents' taxes. (Para. 1)

Fact: CVAG carefully sidesteps discussing CVAG's projected \$1,616,900 in annual Operations and Maintenance expenses eight cities and the county will collectively pay - each year - over the next 75 years. Those expenses reduce our General Fund exactly as do police and fire expenses. Executive Director Tom Kirk's "recommended" O&M plan has Rancho Mirage paying between \$111,322 and \$251,871 by the 9th year, and more every year thereafter. Those expenditures come directly from Rancho Mirage's annual tax revenues!

City Council Recommendation: Vote NO.

By: Dana Hobart, Mayor

Ted Weill, Mayor Pro-Tem

Richard W. Kite, Councilmember

Iris M. Smotrich, Council Member

Charles Townsend Vinci, Councilman



ARGUMENT AGAINST MEASURE “2”

The City Council seeks your views concerning the CV Link. Coachella Valley Association of Governments (CVAG), the lead agency and creator of the CV Link project, must also understand where the public stands.

The question of over-all “costs” is quite murky. Measure “2” identifies construction costs of \$100 million “or more.” The phrase “or more” is significant. In a grant contract document signed October 1, 2013, by the CVAG Executive Director, it states: “The total cost of this project is estimated at \$70 million.” Later, the projection increased to \$80 million; then up to \$90 million. Now it is routinely projected to cost \$100,000,000. What the final cost will be is anyone’s guess.

Measure “2” also references \$1.6 million of Operations and Maintenance (O&M) expenses in the first full year of operation. This figure, calculated by CVAG’s retained experts, is reported in the March 2015 CV Link Master Plan and was later “recommended” for approval by the Executive Director in an April 2015 report he authored. (Once Rancho Mirage began referencing these future O&M figures, CVAG’s leadership got nervous and began claiming to make reductions in projected costs. Those “reductions” are both cosmetic and superficial. Actually, the \$1.6 million is grossly inadequate because it includes no costs for police, security, medics or insurance, etc.)

CVAG readily saw that averaging approximately \$178,000 in O&M costs over each of the eight cities and the County was beyond the capability of some. In response, on April 6, 2015, the Executive Director introduced and recommended a progressive bed tax formula that placed 90% of the entire O&M expense on five cities, including Rancho Mirage. Rancho Mirage’s share was to be between \$110,300 and \$251,800 as of the 9th year, increasing annually.

Should Rancho Mirage assume the long-term economic obligations this project imposes on the cities?

We recommend a “No” vote on Measure “2”.

By: Dana Hobart, Mayor

Ted Weill, Mayor Pro Tem

Richard W. Kite, Councilmember

Iris M. Smotrich, Councilmember

Charles Townsend Vinci, Councilmember

REBUTTAL TO ARGUMENT AGAINST MEASURE “2”

The City’s argument states that “the City Council seeks your views.” But the Council did not ask for our opinions before they held a closed-door meeting to decide to oppose CV Link. They didn’t poll voters before they decided to oppose any feasible routes. They certainly didn’t ask us what we thought about diverting city resources away from other projects so they could challenge CV Link.

Groups like the Greater Palm Springs Convention & Visitors Bureau have urged our Council to support CV Link, saying “an attractive, automobile-free pathway” would create jobs, boost tourism and “provide an important boost to the local economy.”

The California Strategic Growth Council, Riverside County Park and Open Space District, Desert Healthcare District, South Coast Air Quality Management District, California Active Transportation Program and Caltrans have committed more than \$75 million to pay for the construction of CV Link. These grants recognize the positive impact CV Link will have on safety, air quality, public health and transportation.

There are now more than 2 dozen **options** to cover future O/M costs. Most do not include the city paying anything.

If we don’t use this outside grant money on CV Link, **we will lose out** on an incredible opportunity to provide a safe route for those who walk, bike, jog or ride a NEV.

VOTE YES on Measure “2”.

By: Gary Lueders
Vice President, Friends of CV Link

Larry Parrish
Retired CEO Riverside County

Robert Brockman
Former Rancho Mirage Community Development Director

David Firestone
Desert Bicycle Club Member

Roger Snoble
Retired CEO Los Angeles County Metropolitan Transportation Authority



IMPARTIAL ANALYSIS OF MEASURE “3”

The City of Rancho Mirage is authorized pursuant to California Elections Code Section 9603 to hold an advisory election for the purpose of enabling qualified voters of the City of Rancho Mirage to voice their opinions on substantive issues pertaining to the proposed CV Link project. As such, the results of Measure “3” will provide an indication of general voter opinion regarding whether the City Council should commit the City of Rancho Mirage to pay up to \$251,800 per year commencing the 9th year, and increasing thereafter approximately 2% per year, for the maintenance and operation of Phase 1 of CV Link.

CV Link is a paved pathway proposed by the Coachella Valley Association of Governments (CVAG), which will accommodate pedestrians, bicycles, Low-Speed Electric Vehicles (LSEVs) and Neighborhood Electric Vehicles (NEVs) that can travel up to 25 miles per hour. Initially, CV Link will be approximately 50 miles long, extending from Highway 111 and the Chino Wash in North Palm Springs to Airport Boulevard in the City of Coachella and the unincorporated community of Thermal. This is known as Phase 1 of CV Link. Phase 1 (approximately 50 miles) is anticipated to begin construction in 2017 and includes the majority of construction for the core route of CV Link between Palm Springs and Coachella.

The March 2015 CV Link Master Plan and the April 6, 2015, CVAG Transportation Committee Staff Report estimate that the annual cost of maintenance and operation for the first phase of CV Link will be \$1.6 million, which amounts to \$33,600 per mile for the initial (approximately) 50 miles of CV Link, which CVAG expects to increase by 2% every year due to inflation.

“Maintenance” includes but is not limited to sand and debris removal, street sweeping, concrete repair, clearing drainage channels and culverts, graffiti removal, light maintenance and landscaping. “Operations” include but are not limited to electricity, water, events, promotions, website maintenance, management, administration, dispatch and security.

In the April 6, 2015, CVAG Transportation Committee Staff Report, CVAG proposes that the City of Rancho Mirage pay into the CV Link Operations & Maintenance Fund on an annual basis an amount equal to 8% of the incremental growth in the City’s Transient Occupancy Tax (commonly known as the “hotel bed tax”), adjusted for inflation over time, which CVAG estimates will reach between \$111,322 and \$251,871 per year commencing the 9th year, and increasing thereafter by approximately 2% per year.

By: Steven B. Quintanilla, City Attorney

The above statement is an impartial analysis of Measure “3.” If you desire a copy of the ordinance or measure, please call the City Clerk’s office at (760) 324-4511 and a copy will be mailed at no cost to you.



ARGUMENT IN FAVOR OF MEASURE “3”

A detailed report of the operation & maintenance (O&M) cost have been conducted by private professional companies and reviewed last April by the CVAG Executive Committee. The report estimated future O&M cost for maintaining the entire 50 mile route to be \$1,063,900 per year. That is \$21,260 per mile per year which is on par with what is now being paid for trail maintenance in the area.

The numbers cited in Measure “3” are a gross mischaracterization of what was in that report.

As one of the most well off cities in the country, Rancho Mirage will continue to maintain its facilities in top notch shape. Any cost of operating and maintaining CV Link that Rancho Mirage might be asked to cover in the future will be a very small cost compared to other roads, city parks, library and buildings the city cares for.

There's a good chance that cities will not need to consider funding O&M cost as the concert promoter for Coachella and Stagecoach has shown interest in paying O&M for CV Link.

The April report referred to in the ballot question, proposed that since CV Link will boost tourism, CVAG asked cities to discuss the pros and cons of using a small part of the increased revenue from these tourists to offset the O&M costs. The plan was never taken up by any committee. However, paying for O&M cost through the increase due to the CV Link through the Hotel tax is a great idea. Wouldn't you rather have visitors pay for it?

A responsible City Council would work with the region to find a fair and reasonable way to pay for the O&M of a regional facility. www.FriendsofCVLink.com

Of course we want the CV Link maintained. VOTE YES ON MEASURE “3”.

By: Gary Lueders
Vice President, Friends of CV Link

Beverly Fitzgerald
President, California Desert Association of Realtors

Craig Karsen
President, Coachella Valley Hiking Club

David Firestone
Desert Bicycle Club Member

Roger Snoble
Retired CEO Los Angeles County Transportation Authority

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE “3”

CV Link financial figures concerning Operations and Maintenance published before May 1, 2015, though vastly understated, are, nevertheless substantially more reliable than CVAG's figures appearing in recently revised documents, created *after* Rancho Mirage began challenging the accuracy of the original O&M projections.

After Rancho Mirage's detailed criticisms of CVAG's O&M projections, CVAG went through a sham reduction exercise, claiming to have reduced the original \$1,616,900 figure to \$1,000,000. Cities accepting that deception do so at their peril!

To distinguish fact from fiction, reviewing three documents is essential. (1) The **March 2015 Master Plan**; (2) the April 6, 2015 **Transportation Committee Staff Report** by Executive Director Tom Kirk entitled **“Recommendation: Approve an Agreement to Establish and Fund CV Link Operations and Maintenance Fund”**; and (3) another April 6, 2015, Staff Report, **“Recommendation: Approve Adoption of Final CV Link Master Plan”**.

CVAG's retained experts established Operations and Maintenance costs at \$1,616,900 for the first full year of operations. That figure appears in both the **“Final CV Link Master Plan”** (March 2015 Edition) and Mr. Kirk's **“Recommendation”** document. (Actually, even \$1.6M substantially understates this expense because CVAG omits costs for liability insurance, ambulance, police or security expenses, and stupendously understates costs related to operations.)

Mr. Kirk's “recommended” formula to cover O&M expense has Rancho Mirage's share at \$22,842 in year one, increasing annually. By year nine our annual share rises to between **\$111,322 and \$251,871**, continuing upward for the 75-year projected life of CV Link.

Rancho Mirage is fiscally strong because we carefully evaluate financial risks. Should we jeopardize future residents with such open-ended debt obligations?

City Council Recommendation: Vote NO.

By: Dana Hobart, Mayor

Ted Weill, Mayor Pro-Tem

Richard W. Kite, Council Member

Iris M. Smotrich, Council Member

Charles Townsend Vinci, Councilman



ARGUMENT AGAINST MEASURE “3”

Measure “3” assumes that with or without the approval of Rancho Mirage, the CV Link gets constructed. Do the Operations and Maintenance (O&M) expenses appear reasonable, if the city were to consider joining?

Coachella Valley Association of Governments (CVAG) leadership still has not settled on a plan or formula that lays out the amount of annual O&M each city would be responsible for paying. One plan was recommended by the CVAG Executive Director on April 6, 2015, but it has not yet been voted on by the CVAG Executive Committee. That plan is the progressive bed tax formula which projects Rancho Mirage’s share, as of the 9th year of operation, to be between \$110,300 and \$251,800. It would increase annually based on that formula. This plan has five cities (Palm Springs, Palm Desert, Indian Wells, Rancho Mirage and La Quinta) paying about 90% of the entire O&M expense.

Another approach is based on CV Link miles in a given city. CVAG’s retained experts calculated that “Total Per Mile” cost of O&M amounts to \$33,600 per mile of CV Link. Thus, a city with 5 miles of CV Link within it, its O&M expense would be \$168,000 per year. Few cities are capable of absorbing such a long-term financial burden.

The financial problem is further exacerbated; What happens if the nine jurisdictions agreed on the amount of O&M expense each would assume, and later a city decides it can no longer tolerate the financial burden? How would that affect Rancho Mirage’s annual amount? Or, if a city files for bankruptcy and leaves the program, who picks up that financial slack? Or if some private LLC or other business entity contracted to assume some or all of the O&M burden but later quit paying for any of a number of reasons?

We recommend a “No” vote on Measure “3”.

By: Dana Hobart, Mayor

Ted Weill, Mayor Pro-Tem

Richard W. Kite, Councilmember

Iris M. Smotrich, Councilmember

Charles Townsend Vinci, Councilmember

REBUTTAL TO ARGUMENT AGAINST MEASURE “3”

The Council opens their argument with “assumes.” That’s precisely the problem: The Council makes many wrong assumptions to craft their arguments.

Their argument cherry-picked a single number out of a complicated, 11-page report and assumed a number out of context. It highlighted a single sentence from a 167-page master plan and assumed they knew what it meant. Worse yet, they assume that voters should be swayed by out-of-date projections.

The Council makes assumptions because THE FACTS don’t support their argument:

- The current cost projections show the per-mile cost of CV Link is on par with what Rancho Mirage and other cities are already paying for local trails.
- The Coachella Valley Association of Governments has outlined about 2 dozen options to pay for long-term costs. But since the route is still being finalized, the Executive Committee – including the City of Rancho Mirage – has held off on picking the best option.
- CVAG never asked any city for a contribution.
- Private-sector interests have already shown interest in paying for any long-term costs.

The Desert Sun has highlighted Mayor Hobart’s exaggerations, stating that he “swung and missed” with his inflated projections about the long-term costs. If previous councils had used these exaggerations and scare tactics, we would have never had the vision to connect the Valley with Highway 111.

VOTE YES ON MEASURE “3”.

By: Gary Lueders
Vice President, Friends of CV Link

Larry Parrish
Retired CEO Riverside County

Robert Brockman
Former Rancho Mirage Community Development Director

David Firestone
Desert Bicycle Club Member

Roger Snoble
Retired CEO Los Angeles County Metropolitan Transportation Authority



IMPARTIAL ANALYSIS OF MEASURE "4"

The City of Rancho Mirage is authorized pursuant to California Elections Code Section 9603 to hold an advisory election for the purpose of enabling qualified voters of the City to voice their opinions on substantive issues pertaining to the proposed CV Link project. As such, the results of Measure "4" will provide an indication of general voter opinion regarding whether CVAG should be allowed to use \$20,000,000 of Measure A funds to pay for the construction and/or maintenance of CV Link.

Measure A (as codified in Ordinance No. 02-001) is a one-half cent sales tax that was approved by the voters in 1988 and was extended in 2002 by the voters for an additional thirty-year term. Measure A is considered to be a "special tax." The California Constitution defines a "special tax" as any tax imposed for specific purposes and Government Code Section 53724 (e) specifically provides that "[t]he revenues from any special tax shall be used only for the purpose or service for which it was imposed, and for no other purpose whatsoever."

The specific purposes of Measure A funds for the Coachella Valley Area are limited to the following:

- Improve traffic flow and reduce congestion on Highway 111;
- Add / improve interchanges on Highway 86 and I-10;
- Provide funding for local streets and roads improvements;
- Improve Safety and Visibility at Major Intersections and Arterial Roads;
- Reduce congestion by improving major roadways identified as important by local governments in the Coachella Valley;
- Provide Express East-West Transit Routes in the Coachella Valley; and
- Improve and expand public and specialty transit service.

To ensure that Measure A funds are only used for the specific purposes presented to and approved by the voters, as required by Government Code Section 53724 (e), Measure A mandates that an annual financial audit of program expenditures be conducted to verify that all Measure A funds are expended in accordance with the CVAG Transportation Program set forth in Ordinance No. 02-001.

At the February 2012 CVAG Executive Committee meeting, the Executive Committee approved using \$20,000,000 of Measure A funds for CV Link. The Master Plan specifically states that CVAG planned to complete a Neighborhood Electric Vehicle (NEV) Transportation Plan in 2015 that will consist of 211 miles of various NEV paths, lanes and routes that will include CV Link. California Streets & Highways Code Section 1962, *et seq.* is the legal authority that authorizes the establishment of a NEV Transportation Plan in Riverside County. Section 1962, however, was not adopted until 2011 –nine years after Measure A was presented to the voters for its thirty-year extension. As such, it was not included as one of the specific purposes of Measure A. As a special tax, Measure A is subject to Government Code Section 53724 (e), which provides that its revenues shall be used only for the purpose for which it was imposed, and for no other purpose whatsoever.

By: Steven B. Quintanilla, City Attorney

The above statement is an impartial analysis of Measure "4." If you desire a copy of the ordinance or measure, please call the City Clerk's office at (760) 324-4511 and a copy will be mailed at no cost to you.



ARGUMENT IN FAVOR OF MEASURE “4”

Rancho Mirage City officials are quick to bring up Measure A when discussing CV Link. **Here’s the truth: Not a single dime of “Measure A” funding has been used for CV Link.**

“Measure A” is a half-cent sales tax that Riverside County voters approved so we could invest in our transportation network. The money has made a huge difference for our entire Valley by improving the way traffic flows along Highway 111, constructing new interchanges along Interstate 10 and a long list of other projects. Nowhere in “Measure A” does it state that money must be used for “dilapidated and crumbling roads.” Every time you exit Interstate 10 at Bob Hope Drive, you can thank the voters for supporting a proactive approach to addressing traffic and congestion.

“Measure A” is important, but it is not the only source of funding that the Coachella Valley Association of Governments uses for transportation projects. It is used to fund the region’s priority projects, as long as the local cities or jurisdictions can agree to match some of the costs with their own funding.

The CVAG Executive Committee voted in 2012 to commit \$20 million in transportation funds for CV Link – but only if it doesn’t delay construction of other pending high-priority projects. They did it as a match, and secured more than \$55 million in grants with the commitment. Our own Mayor voted to support the idea.

The lawyers that crafted the original “Measure A” ordinance opinion is that it can be a funding source for CV Link. But that doesn’t mean it will be. Again, the \$20 million could come from a variety of sources. www.friendsofCVLink.com

VOTE YES on Measure “4” – just like Mayor Hobart voted yes to approve this funding.

By: Gary Lueders
Vice President, Friends of CV Link

Beverly Fitzgerald
President, California Desert Association of Realtors

Craig Karsen
President, Coachella Valley Hiking Club

David Firestone
Desert Bicycle Club Member

Roger Snoble
Retired CEO Los Angeles County Metropolitan Transportation Authority

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE “4”

The bicycle club (Friends of CV Link) contends that because Mayor Hobart once voted (February 27, 2012) to allocate Measure A funds for CV Link, that mistake should continue on.

As Mayor Hobart has explained, “My mistake was relying on CVAG’s representation that CV Link was a proper use of Measure A funds.” It is not.

The Measure A Ordinance Riverside County voters approved (2002) requires that all of CVAG’s “Measure A revenues will be used for State highways and regional road improvements.” The Preamble states, “The transportation system in Riverside County is rapidly deteriorating... Maintenance and repairs ... cannot be accomplished with available funds. Without additional funds, the system will bog down and pavement will crumble into permanent disrepair.”

Our Coachella Valley regional Measure A funds have never been used other than to repair or rebuild **debilitated** roads, intersections, bridges, etc. Clearly, building a brand new bike/electric vehicle/pedestrian path does not qualify.

The lawyers referenced by the Friends of CV Link are those who represent CVAG and also CVAG’s parent organization, Riverside County Transportation Commission. Other lawyers disagree. CVAG voted down Rancho Mirage’s motion to hire an independent, outside law firm, to evaluate the Measure A legal issues.

Various documents and Executive Director Tom Kirk’s own words make it clear CVAG intends to withdraw \$20,000,000 of Measure A funds for CV Link construction costs and at least \$600,000 each year for Operations and Maintenance expense – while stubbornly refusing to submit it to a vote of the people.

Nothing justifies squandering those Measure A funds voters in 2002 intended to be spent on Coachella Valley’s debilitated roadway infrastructure.

City Council Recommendation: Vote NO.

By: Dana Hobart, Mayor

Ted Weill, Mayor Pro-Tem

Richard W. Kite, Councilmember

Iris M. Smotrich, Council Member

Charles Townsend Vinci, Councilman



ARGUMENT AGAINST MEASURE “4”

In 2002 Riverside County voters approved Measure A, a ½ cent increase in our sales taxes. Measure A mandates that this money “will be used for State highways and regional road improvements.” The Coachella Valley Association of Governments (CVAG) will receive about \$19 million of these Measure A funds during FY 2015-2016 and CVAG plans to give \$20 million to CV Link.

CVAG is currently rewriting the rules to build an argument in support of their effort to divert over \$20 million of our Measure A funds to help build the brand new CV Link; money which was promised to be spent on repairing and replacing dilapidated roadways, intersections and bridges in the Coachella Valley. Never before have our Regional Measure A funds been spent on an utterly brand new project.

CVAG is charged with protecting our Regional Measure A funds and distributing them among the 250 identified and prioritized unsafe roadways in the Coachella Valley. With the advent of the CV Link, however, CVAG has abandoned its role as a sentry guarding our Regional Measure A funds to becoming the fox guarding the hen house. CVAG was entrusted to protect our funds and it has failed.

CVAG justifies this abandonment of established policy in favor of constructing two lanes of travel (7' wide each) on the CV Link for Neighborhood Electric Vehicles (NEVs). NEVs must be licensed and insured, have turn signals, capable of reaching 25MPH, etc.

Furthermore, as CVAG concedes, there are only 440 NEVs registered in the Coachella Valley; most are probably being used commercially. They are a dying breed of vehicle according to CVAG and sales authorities in the field. As CVAG's NEV Plan states, “the NEV fleet has not grown over the last decade.”

We recommend a “No” vote on this effort to misuse Measure A funds.

By: Dana Hobart, Mayor

Ted Weill, Mayor Pro-Tem

Richard W. Kite, Councilmember

Iris M. Smotrich, Councilmember

Charles Townsend Vinci, Councilmember

REBUTTAL TO ARGUMENT AGAINST MEASURE “4”

The irony is not lost that Mayor Hobart approved a \$20 million commitment to CV Link, and is now using this expensive election to justify why he is backtracking.

The \$20 million that Mayor Hobart and the majority of the CVAG Executive Committee authorized in 2012 was for “transportation funding.” That included a long list of funding options, not just Measure A. In fact, **NO MEASURE A FUNDING HAS BEEN USED FOR CV LINK.** If Measure A funds do get used, it will be because it will not delay construction of other pending high-priority projects.

Rancho Mirage is using this expensive election on slanted “advisory measures” to backtrack on an April 2014 vote where the city agreed to add CV Link and similar projects to the list of projects that deserve transportation dollars. Despite what the argument claims, this was done without “rewriting the rules” or the “abandonment of established policy.”

The Council's argument for this ballot measure is full of inaccuracies. For example, the Council states that Measure A funding has “never before ... been spent on an utterly brand new project.” Do they forget that our elected officials spent Measure A funding on an “utterly brand new” bridge to make sure we could travel safely along Dinah Shore Drive?

The world is changing, and we need to plan for the future.

Don't be fooled by the Council's misinformed argument. VOTE YES on Measure “4”

By: Gary Lueders
Vice President, Friends of CV Link

Larry Parrish
Retired CEO Riverside County

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