

County  
of Riverside



Registrar of  
Voters

# ***Consolidated Presidential General Election***

*Tuesday, November 6, 2012  
Sample Ballot and Information Pamphlet*

Polling Place Location  
on Back Cover  
Polls Open  
November 6, 2012  
7:00 a.m. to 8:00 p.m.

.....  
**Last Day To Register  
To Vote  
October 22, 2012**  
.....

Quick • Easy • Convenient

## **Vote-By-Mail**

October 9th - October 30th  
Application on Back Cover

### **AVISO IMPORTANTE**

Una traducción en Español de  
esta Boleta de Muestra y Folleto  
de Información al Votante puede  
obtenerse en la oficina del Registro  
de Votantes Llame al (951) 486-7200  
o 1 (800) 773-VOTE (8683) o visite  
nuestro sitio [www.voteinfo.net](http://www.voteinfo.net)



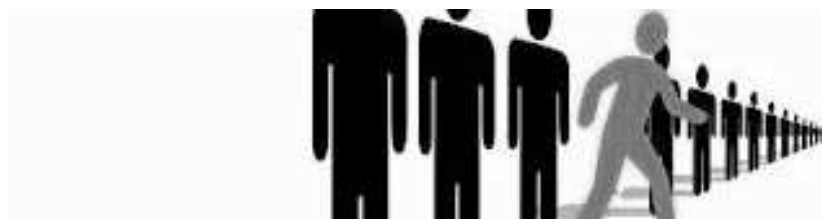
**COUNTY OF RIVERSIDE REGISTRAR OF VOTERS**

2724 Gateway Drive • Riverside, CA 92507

951-486-7200 • 800-773-VOTE (8683) • TTY: 951-697-8966

[www.voteinfo.net](http://www.voteinfo.net)

# Get out of line on Election Day!



## **VOTE-BY-MAIL**

Quick, easy and convenient...  
from the comfort of your home!

See application on back cover

## **VOTE EARLY**

Three Malls in Riverside County or at the  
Registrar of Voters Office

See inside for more details



## **HELP KEEP VOTER ROLLS CURRENT**

In an effort to maintain current voter rolls and to save taxpayer dollars, the Registrar of Voters will mail residency confirmation notices after the November 6, 2012 Election. The notification cards will be mailed to voters who have not voted in any election within the preceding four years, and his or her residence address, name or party affiliation had not been updated during that time.

**For more information visit [www.voteinfo.net](http://www.voteinfo.net)  
or call 951-486-7200 or 1-800-773-VOTE(8683)**

---

**Kari Verjil**  
Registrar of Voters



**Rebecca Spencer**  
Assistant Registrar of Voters

---

**REGISTRAR OF VOTERS**  
COUNTY OF RIVERSIDE

Dear Voter:

November 6, 2012 is Election Day. Your ballot contains contests for Federal, State, and local offices as well as statewide propositions and local measures. This Sample Ballot and Information Pamphlet provides ballot marking instructions, polling place hours, candidate and measure information, and other election details that are important for you to review before you vote. You may mark your selections on your Sample Ballot and take it with you to the polls for easy reference.

Did you know that Vote-by-Mail ballots received in the Registrar of Voters office before Election Day are the first ballots counted on Election Night? You will find an application to receive a Vote-by-Mail Ballot on the back cover of this pamphlet.

Voting early is another great option. You may vote early at the Registrar of Voters office Monday through Friday beginning October 9, and at participating Malls in Riverside County on October 26 through October 28.

There is still time to volunteer to be a poll worker. We need Polling Officers to work at the polls on Election Day and we are eager to train you to assist voters with our proudest legacy – the right to vote.

You can learn more about voting by mail, voting early or training to be a poll worker by reviewing this pamphlet or by visiting [www.voteinfo.net](http://www.voteinfo.net) or by calling (800) 773-VOTE (8683).

The Registrar of Voters team is here to serve you. Please contact us anytime, so we can help make your voting experience a positive one. Thank you for participating in this election -- your vote counts!

Sincerely,

Kari Verjil  
Registrar of Voters



Be sure to follow the Registrar of Voters on  
Facebook, YouTube and Twitter.

# Elections in California

**NEW LAW  
Took Effect  
January 1, 2011**

The Top Two Candidates Open Primary Act, which took effect January 1, 2011, requires that all candidates for a voter-nominated office be listed on the same ballot. Previously known as partisan offices, voter-nominated offices are state legislative offices, U.S. congressional offices, and state constitutional offices.

Only the two candidates receiving the most votes – regardless of party preference – move on to the general election regardless of vote totals.

Write-in candidates for voter-nominated offices can only run in the primary election. However, a write-in candidate can only move on to the general election if the candidate is one of the top two vote-getters in the primary election. Additionally, there is no independent nomination process for a general election.

**California's new open primary system does not apply to candidates running for U.S. President, county central committee, or local offices.**

**California law requires that the following information be printed in this pamphlet.**

## ***Party-Nominated/Partisan Offices***

Political parties may formally nominate candidates for party-nominated/partisan offices at the primary election. A nominated candidate will represent that party as its official candidate for the specific office at the general election and the ballot will reflect an official designation. The top vote-getter for each party at the primary election moves on to the general election. Parties also elect officers of county central committees at the primary election.

A voter can only vote in the primary election of the political party he or she has disclosed a preference for upon registering to vote. However, a political party may allow a person who has declined to disclose a party preference to vote in that party's primary election.

## ***Voter-Nominated Offices***

Political parties are not entitled to formally nominate candidates for voter-nominated offices at the primary election. A candidate nominated for a voter-nominated office at the primary election is the nominee of the people and not the official nominee of any party at the general election. A candidate for nomination to a voter-nominated office shall have his or her party preference, or lack of party preference, stated on the ballot, but the party preference designation is selected solely by the candidate and is shown for the information of the voters only. It does not mean the candidate is nominated or endorsed by the party designated, or that there is an affiliation between the party and candidate, and no candidate nominated by the voters shall be deemed to be the officially nominated candidate of any political party. In this sample ballot booklet, parties may list the candidates for voter-nominated offices who have received the party's official endorsement.

Any voter may vote for any candidate for a voter-nominated office, if they meet the other qualifications required to vote for that office. The top two vote-getters at the primary election move on to the general election for the voter-nominated office even if both candidates have specified the same party preference designation. No party is entitled to have a candidate with its party preference designation move on to the general election, unless the candidate is one of the two highest vote-getters at the primary election.

## ***Nonpartisan State Offices***

Political parties are not entitled to nominate candidates for nonpartisan offices at the primary election, and a candidate at the primary election is not the official nominee of any party for the specific office at the general election. A candidate for nomination to a nonpartisan office may NOT designate his or her party preference, or lack of party preference, on the ballot. The top two vote-getters at the primary election move on to the general election for the nonpartisan office.

## ***Redistricting***

New electoral district boundaries are drawn every 10 years in order to equalize district populations. Boundaries for the congressional, state legislative, and county supervisorial districts are now different. Boundary changes also apply to any city, school district, or special district that votes by trustee areas or divisions. To see the new district maps, visit the Registrar of Voters website at [www.voteinfo.net](http://www.voteinfo.net).

# HOW TO MARK YOUR PAPER BALLOT

Please refer to the following instructions on how to properly complete your official ballot:

- ▶ Connect the head and tail of the arrow that points to your choice like the example provided.
- ▶ 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 vote-by-mail ballot folded the same way you received it.

## TO MARK YOUR VOTE DRAW A LINE



**VOTE!!!**

## IMPORTANT NOTE:

If you are a Vote-by-Mail voter, you must fill out and sign your return envelope in order for your vote to be counted.

---

MAKE YOUR VOTE COUNT...MARK YOUR BALLOT CORRECTLY

## EXAMPLE

**CORRECT**



**INCORRECT**



For a demonstration on marking your ballot please visit our website at [www.voteinfo.net](http://www.voteinfo.net)



|                                                                                                                                                                            |   |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|
| <b>DIANNE FEINSTEIN</b><br>Party Preference: Democratic<br>United States Senator<br>Preferencia de Partido: Demócrata<br>Senadora de Estados Unidos                        | ↓ | ↓ |
| <b>UNITED STATES REPRESENTATIVE</b><br><b>REPRESENTANTE DE ESTADOS UNIDOS</b>                                                                                              |   |   |
| <b>36th Congressional District</b><br><b>Distrito Congresional Núm. 36</b><br>Vote for One / Vote por Uno                                                                  |   |   |
| <b>RAUL RUIZ</b><br>Party Preference: Democratic<br>Emergency Room Doctor<br>Preferencia de Partido: Demócrata<br>Doctor de Sala de Emergencias                            | ↓ | ↓ |
| <b>MARY BONO MACK</b><br>Party Preference: Republican<br>U.S. Representative<br>Preferencia de Partido: Republicano<br>Representante de EE.UU.                             | ↓ | ↓ |
| <b>MEMBER OF THE STATE ASSEMBLY</b><br><b>MIEMBRO DE LA ASAMBLEA DEL ESTADO</b>                                                                                            |   |   |
| <b>42nd Assembly District</b><br><b>Distrito de la Asamblea Núm. 42</b><br>Vote for One / Vote por Uno                                                                     |   |   |
| <b>MARK ANTHONY OROZCO</b><br>Party Preference: Democratic<br>Educator / School Boardmember<br>Preferencia de Partido: Demócrata<br>Educador / Miembro de la Junta Escolar | ↓ | ↓ |
| <b>BRIAN NESTANDE</b><br>Party Preference: Republican<br>Lawmaker / Businessman<br>Preferencia de Partido: Republicano<br>Legislador / Empresario                          | ↓ | ↓ |

CA33-1-170V

(2C1)

|                                                                                               |   |   |
|-----------------------------------------------------------------------------------------------|---|---|
| <b>HOWARD KLEIN</b><br>Retired Businessman<br>Empresario Jubilado                             | ↓ | ↓ |
| <b>TED MERTENS</b><br>Retired Police Chief<br>Jefe de Policía Jubilado                        | ↓ | ↓ |
| <b>DANA REED</b><br>Governmental Ethics Attorney<br>Abogada de Ética Gubernamental            | ↓ | ↓ |
| <b>HADDON B. LIBBY</b><br>Businessman<br>Empresario                                           | ↓ | ↓ |
| <b>LARRY "BEAR" BONAFIDE</b><br>Retired Business Executive<br>Ejecutivo de Negocios Jubilado  | ↓ | ↓ |
| <b>MITCH BLUMBERG</b><br>Non-Profit Executive<br>Ejecutivo de Organización sin Fines de Lucro | ↓ | ↓ |
| <b>BILL POWERS</b><br>Retired Banking Executive<br>Ejecutivo Banquero Jubilado                | ↓ | ↓ |
| <b>TY PEABODY</b><br>Businessman<br>Empresario                                                | ↓ | ↓ |
|                                                                                               |   |   |
|                                                                                               |   |   |
|                                                                                               |   |   |
|                                                                                               |   |   |



SAMPLE BALLOT/BOLETA EJEMPLAR

CA33-2-C1V

SAMPLE BALLOT/BOLETA EJEMPLAR

| MEASURES SUBMITTED TO THE VOTERS / MEDIDAS SOMETIDAS A LOS VOTANTES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| STATE / ESTADO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                  |
| <div><div>30</div><div><p><b>TEMPORARY TAXES TO FUND EDUCATION. GUARANTEED LOCAL PUBLIC SAFETY FUNDING. INITIATIVE CONSTITUTIONAL AMENDMENT.</b> Increases taxes on earnings over \$250,000 for seven years and sales taxes by ¼ cent for four years, to fund schools. Guarantees public safety realignment funding. Fiscal Impact: Increased state tax revenues through 2018-19, averaging about \$6 billion annually over the next few years. Revenues available for funding state budget. In 2012-13, planned spending reductions, primarily to education programs, would not occur.</p><p><b>IMPUESTOS TEMPORALES PARA FINANCIAR LA EDUCACIÓN. FINANCIAMIENTO GARANTIZADO PARA LA SEGURIDAD PÚBLICA LOCAL. ENMIENDA CONSTITUCIONAL POR INICIATIVA.</b> Aumenta los impuestos sobre ingresos mayores de \$250,000 durante siete años y el impuesto sobre las ventas en ¼ de centavo durante cuatro años para financiar escuelas. Garantiza el financiamiento para la realineación de la seguridad pública. Impacto fiscal: Aumenta las recaudaciones tributarias estatales hasta 2018-19, con un promedio anual de unos \$6,000 millones en los próximos años. Recaudaciones disponibles para financiar el presupuesto estatal. No se producirían reducciones de gastos planeadas, principalmente para programas de educación, en 2012-13.</p></div></div>                                           | <div><div>Yes / Sí</div><div>No / No</div></div> |
| <div><div>31</div><div><p><b>STATE BUDGET. STATE AND LOCAL GOVERNMENT. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.</b> Establishes two-year state budget. Sets rules for offsetting new expenditures, and Governor budget cuts in fiscal emergencies. Local governments can alter application of laws governing state-funded programs. Fiscal Impact: Decreased state sales tax revenues of \$200 million annually, with corresponding increases of funding to local governments. Other, potentially more significant changes in state and local budgets, depending on future decisions by public officials.</p><p><b>PRESUPUESTO ESTATAL. GOBIERNOS ESTATAL Y LOCALES. ENMIENDA CONSTITUCIONAL Y LEY POR INICIATIVA.</b> Establece un presupuesto del estado cada dos años. Establece reglas para compensar nuevos gastos y recortes del presupuesto por parte del Gobernador ante emergencias fiscales. Los gobiernos locales pueden modificar la aplicación de las leyes que gobiernan los programas financiados por el estado. Impacto fiscal: Reducción en las recaudaciones tributarias estatales de \$200 millones anuales, con los correspondientes aumentos de financiamiento a los gobiernos locales. Otros cambios potencialmente más significativos en los presupuestos estatal y locales, dependiendo de las decisiones futuras de los funcionarios públicos.</p></div></div>         | <div><div>Yes / Sí</div><div>No / No</div></div> |
| <div><div>32</div><div><p><b>POLITICAL CONTRIBUTIONS BY PAYROLL DEDUCTION. CONTRIBUTIONS TO CANDIDATES. INITIATIVE STATUTE.</b> Prohibits unions from using payroll-deducted funds for political purposes. Applies same use prohibition to payroll deductions, if any, by corporations or government contractors. Prohibits union and corporate contributions to candidates and their committees. Prohibits government contractor contributions to elected officers or their committees. Fiscal Impact: Increased costs to state and local government, potentially exceeding \$1 million annually, to implement and enforce the measure's requirements.</p><p><b>CONTRIBUCIONES POLÍTICAS POR DEDUCCIONES DE NÓMINA. CONTRIBUCIONES A CANDIDATOS. LEY POR INICIATIVA.</b> Prohíbe el uso de fondos deducidos de la nómina para fines políticos por parte de los sindicatos. Aplica la misma prohibición de uso a las deducciones de nómina, si las hay, a las corporaciones o los contratistas del gobierno. Prohíbe las contribuciones sindicales y corporativas a candidatos y sus comités. Prohíbe las contribuciones de los contratistas del gobierno a funcionarios electos o a sus comités. Impacto fiscal: Aumento de costos para los gobiernos estatal y locales, potencialmente en exceso de \$1 millón anuales, para implementar y hacer cumplir los requisitos de la medida.</p></div></div> | <div><div>Yes / Sí</div><div>No / No</div></div> |

33

**AUTO INSURANCE COMPANIES. PRICES BASED ON DRIVER'S HISTORY OF INSURANCE COVERAGE. INITIATIVE STATUTE.** Changes current law to allow insurance companies to set prices based on whether the driver previously carried auto insurance with any insurance company. Allows proportional discount for drivers with some prior coverage. Allows increased cost for drivers without history of continuous coverage. Fiscal Impact: Probably no significant fiscal effect on state insurance premium tax revenues.

**COMPAÑÍAS DE SEGURO DE AUTOMÓVILES. PRECIOS BASADOS EN EL HISTORIAL DE COBERTURA DE SEGURO DEL CONDUCTOR. LEY POR INICIATIVA.** Cambia la ley actual para permitir que las compañías de seguro fijen sus precios de acuerdo a si el conductor tuvo antes un seguro de automóvil con cualquier compañía de seguros. Permite un descuento proporcional para conductores con alguna cobertura previa. Permite aumentar el costo para conductores sin historial de cobertura continua. Impacto fiscal: Probablemente sin efecto fiscal significativo sobre las recaudaciones tributarias estatales sobre las primas de seguro.

Yes / Sí  
No / No

34

**DEATH PENALTY. INITIATIVE STATUTE.** Repeals death penalty and replaces it with life imprisonment without possibility of parole. Applies retroactively to existing death sentences. Directs \$100 million to law enforcement agencies for investigations of homicide and rape cases. Fiscal Impact: Ongoing state and county criminal justice savings of about \$130 million annually within a few years, which could vary by tens of millions of dollars. One-time state costs of \$100 million for local law enforcement grants.

**PENA DE MUERTE. LEY POR INICIATIVA.** Deroga la pena de muerte y la reemplaza por cadena perpetua sin posibilidad de libertad condicional. Se aplica retroactivamente a las sentencias de muerte existentes. Asigna \$100 millones a las agencias de las fuerzas del orden para investigaciones de casos de homicidio y violación. Impacto fiscal: Ahorros continuos para la justicia penal del estado y los condados de alrededor de \$130 millones anuales en unos cuantos años, que podría variar en decenas de millones de dólares. Costos únicos para el estado de \$100 millones para subsidios a las fuerzas del orden locales.

Yes / Sí  
No / No

35

**HUMAN TRAFFICKING. PENALTIES. INITIATIVE STATUTE.** Increases prison sentences and fines for human trafficking convictions. Requires convicted human traffickers to register as sex offenders. Requires registered sex offenders to disclose Internet activities and identities. Fiscal Impact: Costs of a few million dollars annually to state and local governments for addressing human trafficking offenses. Potential increased annual fine revenue of a similar amount, dedicated primarily for human trafficking victims.

**TRATA DE PERSONAS. PENAS. LEY POR INICIATIVA.** Aumenta las sentencias de prisión y las multas por condenas de trata de personas. Requiere que las personas condenadas por trata de personas se inscriban como infractores sexuales. Requiere que los infractores sexuales registrados divulguen sus actividades e identidades de Internet. Impacto fiscal: Costo de unos cuantos millones de dólares anuales para los gobiernos estatal y locales para procesar las infracciones por trata de personas. Aumento potencial de recaudaciones anuales de monto similar debido a las multas, que se dedicarán principalmente a las víctimas de trata de personas.

Yes / Sí  
No / No

CA33-2-C1V

SAMPLE BALLOT/BOLETA EJEMPLAR

CA33-3-515

SAMPLE BALLOT/BOLETA EJEMPLAR

| MEASURES SUBMITTED TO THE VOTERS / MEDIDAS SOMETIDAS A LOS VOTANTES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| STATE / ESTADO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                  |
| <div><div>36</div><div><p><b>THREE STRIKES LAW. REPEAT FELONY OFFENDERS. PENALTIES. INITIATIVE STATUTE.</b> Revises law to impose life sentence only when new felony conviction is serious or violent. May authorize re-sentencing if third strike conviction was not serious or violent. Fiscal Impact: Ongoing state correctional savings of around \$70 million annually, with even greater savings (up to \$90 million) over the next couple of decades. These savings could vary significantly depending on future state actions.</p><p><b>LEY DE TRES GOLPES. INFRACTORES REINCIDENTES DE DELITOS MAYORES. PENAS. LEY POR INICIATIVA.</b> Modifica la ley para imponer sentencias de cadena perpetua solo cuando la nueva condena es por un delito mayor grave o violento. Puede autorizar una nueva sentencia si la tercera condena no fue por un delito mayor grave o violento. Impacto fiscal: Ahorros continuos para correccionales estatales de unos \$70 millones anuales, con ahorros aun mayores (de hasta \$90 millones) en el próximo par de décadas. Estos ahorros pueden variar significativamente dependiendo de las acciones futuras del estado.</p></div></div>                                                                                                                     | <div><div>Yes / Si</div><div>No / No</div></div> |
| <div><div>37</div><div><p><b>GENETICALLY ENGINEERED FOODS. LABELING. INITIATIVE STATUTE.</b> Requires labeling of food sold to consumers made from plants or animals with genetic material changed in specified ways. Prohibits marketing such food, or other processed food, as "natural." Provides exemptions. Fiscal Impact: Increased annual state costs from a few hundred thousand dollars to over \$1 million to regulate the labeling of genetically engineered foods. Additional, but likely not significant, governmental costs to address violations under the measure.</p><p><b>ALIMENTOS MODIFICADOS GENÉTICAMENTE. ETIQUETADO. LEY POR INICIATIVA.</b> Requiere el etiquetado de alimentos vendidos a los consumidores fabricados con plantas o animales cuyo material genético fue modificado de maneras especificadas. Prohíbe la comercialización de dichos alimentos o de otros alimentos procesados como "naturales". Autoriza exenciones. Impacto fiscal: Aumento en los costos anuales para el estado desde unos cuantos cientos de miles de dólares a más de \$1 millón para regular el etiquetado de los alimentos modificados genéticamente. Costos adicionales para el gobierno, pero probablemente no significativos, para tratar las violaciones a la medida.</p></div></div> | <div><div>Yes / Si</div><div>No / No</div></div> |
| <div><div>38</div><div><p><b>TAX TO FUND EDUCATION AND EARLY CHILDHOOD PROGRAMS. INITIATIVE STATUTE.</b> Increases taxes on earnings using sliding scale, for twelve years. Revenues go to K-12 schools and early childhood programs, and for four years to repaying state debt. Fiscal Impact: Increased state tax revenues for 12 years—roughly \$10 billion annually in initial years, tending to grow over time. Funds used for schools, child care, and preschool, as well as providing savings on state debt payments.</p><p><b>IMPUESTO PARA FINANCIAR LOS PROGRAMAS DE EDUCACIÓN Y DE NIÑEZ TEMPRANA. LEY POR INICIATIVA.</b> Aumenta los impuestos sobre los ingresos usando una escala gradual por doce años. Las recaudaciones se destinan a escuelas de K-12 y a programas de niñez temprana, y por cuatro años a saldar la deuda estatal. Impacto fiscal: Aumento de las recaudaciones tributarias estatales durante 12 años – aproximadamente \$10,000 millones anuales en los años iniciales, con tendencia creciente con el tiempo. Los fondos se usan para escuelas, guarderías y preescolares, y también para ahorrar en los pagos de la deuda estatal.</p></div></div>                                                                                                                | <div><div>Yes / Si</div><div>No / No</div></div> |

**39** **TAX TREATMENT FOR MULTISTATE BUSINESSES. CLEAN ENERGY AND ENERGY EFFICIENCY FUNDING. INITIATIVE STATUTE.** Requires multistate businesses to pay income taxes based on percentage of their sales in California. Dedicates revenues for five years to clean/efficient energy projects. Fiscal Impact: Increased state revenues of \$1 billion annually, with half of the revenues over the next five years spent on energy efficiency projects. Of the remaining revenues, a significant portion likely would be spent on schools.

**TRATAMIENTO TRIBUTARIO PARA EMPRESAS MULTISTATALES. FINANCIAMIENTO PARA ENERGÍA LIMPIA Y EFICIENCIA ENERGÉTICA. LEY POR INICIATIVA.** Requiere que las empresas multiestatales paguen impuestos sobre los ingresos basado en el porcentaje de sus ventas realizadas en California. Dedica ingresos durante cinco años a proyectos de energía limpia/eficiente. Impacto fiscal: Aumenta las recaudaciones estatales en \$1000 millones anualmente. La mitad de dichas recaudaciones se gastarán en los próximos cinco años en proyectos de eficiencia energética. Es probable que una porción significativa del resto de las recaudaciones se gaste en escuelas.

Yes / Sí  
No / No

**40** **REDISTRICTING. STATE SENATE DISTRICTS. REFERENDUM.** A "Yes" vote approves, and a "No" vote rejects, new State Senate districts drawn by the Citizens Redistricting Commission. If rejected, districts will be adjusted by officials supervised by the California Supreme Court. Fiscal Impact: Approving the referendum would have no fiscal impact on the state and local governments. Rejecting the referendum would result in a one-time cost of about \$1 million to the state and counties.

**REDISTRIBUCIÓN DE DISTRITOS. DISTRITOS DEL SENADO ESTATAL. REFERENDO.** Un voto "Sí" aprueba y un voto "No" rechaza los nuevos distritos del Senado estatal establecidos por la Comisión Ciudadana de Redistribución de Distritos. Si se rechaza, los distritos serán establecidos por funcionarios supervisados por la Corte Suprema de California. Impacto fiscal: Aprobar el referendo no tendría ningún impacto fiscal sobre los gobiernos estatal y locales. Rechazar el referendo resultaría en un costo único para el estado y los condados de alrededor de \$1 millón.

Yes / Sí  
No / No



SAMPLE BALLOT/BOLETA EJEMPLAR

CA33-4-N1

SAMPLE BALLOT/BOLETA EJEMPLAR

| MEASURE(S) SUBMITTED TO THE VOTERS / MEDIDA(S) SOMETIDA(S) A LOS VOTANTES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| CITY / CIUDAD                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                  |
| CITY OF INDIAN WELLS / CIUDAD DE INDIAN WELLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                  |
| <div><div>Q</div><div>Shall the ordinance of the City of Indian Wells pertaining to the appointment of the Mayor and Mayor Pro Tempore, to provide for an automatic annual rotation of Council Members who occupy the positions of Mayor and Mayor Pro Tempore, be adopted to permit as many Council Members as possible to have an opportunity during their membership on the City Council to occupy the position of Mayor and Mayor Pro Tempore?</div><div>¿Se deberá adoptar la ordenanza de la Ciudad de Indian Wells relacionada con el nombramiento del Alcalde y el Alcalde Interino, para establecer una rotación automática anual de los Miembros del Consejo que ocupen los cargos de Alcalde y Alcalde Interino, para permitir tantos Miembros del Consejo como sea posible para que tengan una oportunidad durante su participación en el Consejo Municipal para ocupar el cargo de Alcalde y Alcalde Interino?</div></div>                                                                                                                                                                                     | <div><div>Yes / Sí</div><div>No / No</div></div> |
| <div><div>R</div><div>Shall the ordinance of the City of Indian Wells authorizing the City to impose, levy, and collect a Special Parcel Tax of \$171 on all taxable property within the City, commencing July 1, 2013, providing for annual adjustments for inflation, and suspending the existing assessments levied on property within Landscape and Lighting District No. 91-1, be adopted to provide sufficient revenues for the maintenance and servicing of citywide public landscape improvements?</div><div>¿Se deberá adoptar la ordenanza de la Ciudad de Indian Wells para autorizar a la Ciudad a imponer, gravar, y recolectar un impuesto especial sobre parcelas de \$171 sobre toda la propiedad sujeta a impuestos dentro de la Ciudad, a partir del 1 de julio 2013, que prevea ajustes anuales por inflación, y la suspensión de las contribuciones impuestas existentes sobre la propiedad dentro del Distrito de No. 91-1 de Paisaje e Iluminación, para proporcionar ingresos suficientes para el mantenimiento y reparación de todas las mejoras del paisaje público de toda la ciudad?</div></div> | <div><div>Yes / Sí</div><div>No / No</div></div> |
| <div><div>S</div><div>Shall the Charter of the City of Indian Wells be amended to limit, except as may be required by Federal or State law, the amount of compensation to 1) City Council Members to \$1,000, 2) the Mayor to \$1,500 and 3) the Mayor Pro Tempore to \$1,250 per month, subject to an annual CPI adjustment, plus reimbursement for expenses reasonably incurred in the performance of their duties and approved in advance by the City Council?</div><div>¿Deberá enmendarse la Carta de la Ciudad de Indian Wells para limitar, a menos que sea requerido por ley federal o estatal, el monto de la indemnización a 1) Miembros del Consejo Municipal a \$1,000, 2) el Alcalde a \$1,500 y 3) el Alcalde Interino a \$1,250 por mes, sujeto a un ajuste anual del CPI, más el reembolso de los gastos razonables incurridos en el ejercicio de sus funciones y aprobado previamente por el Consejo de la Ciudad?</div></div>                                                                                                                                                                             | <div><div>Yes / Sí</div><div>No / No</div></div> |

# SAMPLE BALLOT/BOLETA EJEMPLAR



RV170-011

THIS PAGE INTENTIONALLY LEFT BLANK

CA33-4-N1

---

SAMPLE BALLOT/BOLETA EJEMPLAR

# VOTER'S PAMPHLET INFORMATION SECTION

The following pages contain voter information applicable to your ballot which may include the following items:

- CANDIDATE STATEMENTS
- BALLOT MEASURES
- ANALYSES
- ARGUMENTS IN SUPPORT & IN OPPOSITION

This pamphlet section may not contain a complete list of candidates. A complete list of candidates appears on the Sample Ballot section of this pamphlet. Each candidate's statement in this pamphlet is volunteered by the candidate and is printed at the expense of the candidate unless otherwise determined by the governing body. Deposit amounts required for publication of candidate statements are listed in the candidate handbook at [www.voteinfo.net](http://www.voteinfo.net).

Statements made on the following pages represent the views of authors and are not endorsed by the County of Riverside. Internet website addresses included in any statements are provided by the authors. The County of Riverside assumes no 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.

---

## Campaign Finance Reform

---

Among all state legislative candidates appearing on ballots in Riverside County, the following persons have pledged to abide by campaign spending limits as specified in the California Government Code. Candidates agreeing to the limits have the opportunity to publish a statement of qualifications in the local sample ballot pamphlet.

This list covers all legislative districts in the County. Not all districts will appear on your ballot.

### STATE SENATE, 23RD DISTRICT

Melissa Ruth O'Donnell, Democratic  
Bill Emmerson, Republican

### STATE ASSEMBLY, 42ND DISTRICT

Mark Anthony Orozco, Democratic  
Brian Nestande, Republican

### STATE ASSEMBLY, 56TH DISTRICT

V. Manuel Perez, Democratic  
Corky Reynaga-Emett, Republican

### STATE ASSEMBLY, 60TH DISTRICT

Eric Linder, Republican  
José Luis Pérez, Democratic

### STATE ASSEMBLY, 61ST DISTRICT

Jose Medina, Democratic

### STATE ASSEMBLY, 67TH DISTRICT

Melissa Melendez, Republican  
Phil Paule, Republican

### STATE ASSEMBLY, 71ST DISTRICT

Brian W. Jones, Republican  
Patrick J. Hurley, Democratic

### STATE ASSEMBLY, 75TH DISTRICT

Marie Waldron, Republican

---

## Party Endorsements – Elections Code § 13302(b)

---

The County Elections Official shall print a list of all candidates for Voter-Nominated Offices that are endorsed by the following qualified political parties:

### DEMOCRATIC PARTY

Dianne Feinstein, United States Senator  
Raul Ruiz, United States Representative, 36th District  
Mark Takano, United States Representative, 41st District  
Michael Williamson, United States Representative, 42nd District  
David B. Secor, United States Representative, 50th District  
Melissa Ruth O'Donnell, State Senator, 23rd District  
Richard Roth, State Senator, 31st District  
Mark Anthony Orozco, Member of the State Assembly, 42nd District  
V. Manuel Perez, Member of the State Assembly, 56th District  
José Luis Pérez, Member of the State Assembly, 60th District  
Jose Medina, Member of the State Assembly, 61st District  
Patrick J. Hurley, Member of the State Assembly, 71st District  
Matthew Herold, Member of the State Assembly, 75th District

### REPUBLICAN PARTY

Elizabeth Emken, United States Senator  
Mary Bono Mack, United States Representative, 36th District  
Ken Calvert, United States Representative, 42nd District  
Duncan D. Hunter, United States Representative, 50th District  
Brian Nestande, Member of the State Assembly, 42nd District  
Corky Reynaga-Emett, Member of the State Assembly, 56th District  
Eric Linder, Member of the State Assembly, 60th District  
Bill Batey, Member of the State Assembly, 61st District  
Brian W. Jones, Member of the State Assembly, 71st District  
Marie Waldron, Member of the State Assembly, 75th District

### AMERICAN INDEPENDENT PARTY

Ken Calvert, United States Representative, 42nd District  
Duncan D. Hunter, United States Representative, 50th District  
Bill Emmerson, State Senator, 23rd District  
Jeff Miller, State Senator, 31st District  
Brian Nestande, Member of the State Assembly, 42nd District  
Corky Reynaga-Emett, Member of the State Assembly, 56th District  
Eric Linder, Member of the State Assembly, 60th District  
Bill Batey, Member of the State Assembly, 61st District  
Phil Paule, Member of the State Assembly, 67th District  
Brian W. Jones, Member of the State Assembly, 71st District  
Marie Waldron, Member of the State Assembly, 75th District

**CANDIDATE STATEMENT FOR  
UNITED STATES REPRESENTATIVE,  
36TH CONGRESSIONAL DISTRICT**

**RAUL RUIZ, Democratic**

**AGE: 40**

**OCCUPATION: Emergency Room Doctor**

**EDUCATION AND QUALIFICATIONS:**

Washington is broken. There's too much partisan bickering and too many career politicians who only care about what's best for them and their contributors. That's why I'm running for Congress.

*I'm not a politician; I'm a public servant and physician, dedicated to serving this community. I grew up in Coachella Valley, and after college and Harvard Medical School, I returned to become an Emergency Room Doctor at Eisenhower Medical Center.*

*In Congress, I'll focus on the economy and health care.* Thousands of people have lost their jobs, homes, or retirement savings. Thousands more are worried about Medicare cuts, or can't afford prescription drugs or health coverage. Washington just hasn't done enough to address these problems. I'll fight to develop new local industries that diversify our economy. I'll vote against any attempt to cut Social Security or Medicare. And I'll stand up to banks that take bailout money and then foreclose on responsible homeowners.

*I believe that running for office should be about public service, not personal gain.* I've devoted my life to public service – right here in Coachella Valley – opening clinics for people without health coverage, and mentoring kids who want to become doctors. I'm proud that I was recognized with the U.S. Army's 82nd Airborne Commander's Award for Public Service, and named Humanitarian of the Year by The Rancho Mirage Chamber of Commerce.

As an emergency room doctor, I'm trained to solve problems during challenging times, and to put people first. That's exactly what I'll do in Congress.

**CANDIDATE STATEMENT FOR  
UNITED STATES REPRESENTATIVE,  
36TH CONGRESSIONAL DISTRICT**

**MARY BONO MACK, Republican**

**OCCUPATION: United States Representative**

**EDUCATION AND QUALIFICATIONS:**

I am honored to represent our community and extremely proud of everything we have accomplished together. But there is much more to do.

Our country faces many challenges, especially creating more jobs and turning our economy around. As a former small business owner, I understand what it takes to make payroll and put people to work. I have always fought for commonsense economic policies, lower taxes, and eliminating unnecessary regulations. We must encourage the entrepreneurial spirit of hard-working Americans with a system that rewards ingenuity.

I have fought hard to prevent the government take-over of our health care system, supported our Veterans and seniors, protected consumers and assisted agriculture by passing Country of Origin Labeling, and making Made in America matter again.

As the daughter of a WWII Veteran, I will always support our troops who make sacrifices everyday to keep our nation safe from the threat of terrorism. Our American ideals of liberty, tolerance, and freedom must remain a symbol of hope for all.

I am humbled and honored by the recognition I have received from numerous organizations, including the U.S. Chamber of Commerce, which presented me with their "Spirit of Enterprise Award" and "The Guardian of Small Business Award" from the National Federation of Independent Business.

I would be equally honored to have your vote.

[www.marybonomack.com](http://www.marybonomack.com)

**CANDIDATE STATEMENT FOR  
MEMBER OF THE STATE ASSEMBLY,  
42ND ASSEMBLY DISTRICT**

**MARK A. OROZCO, Democratic**  
**OCCUPATION: Teacher / School Boardmember**  
**EDUCATION AND QUALIFICATIONS:**

**AGE: 35**

As we witness California cities go bankrupt, we all agree, hard-working Californians should not have to pay for Sacramento's mistakes. Californians are tired of broken promises that shortchange our children, our seniors, our veterans, and our working families. Education, healthcare, and public safety cannot continue to take major cuts.

As a Educator, Advocate, and local School Board Trustee I have worked with local leadership, families, and community stakeholders, during a tough budget crisis. We have worked together to balance our budget and have kept the school district fiscally solvent.

As a community leader, I have worked with small businesses to improve our local economy during these challenging times. I will find solutions to shape our communities and to encourage a fiscally strong local government. I am an independent thinker not bound to special interest groups and will always put the needs and concerns of my constituents first.

My pledge and priorities:

- I will bring our fair share of tax dollars back to our district to invest into schools, businesses, roads, and the needs of our communities.
- I will be the independent voice we need in Sacramento that will help stimulate job creation, small business development by eliminating duplicated and unnecessary regulations.
- I will support investment in local law enforcement and public safety, so we can maintain security within our schools and neighborhoods.
- I will demand a higher level of accountability, transparency, and fiscal responsibility.

I would be honored to have your vote, please visit [MarkOrozco.com](http://MarkOrozco.com) for more information.

**CANDIDATE STATEMENT FOR  
MEMBER OF THE STATE ASSEMBLY,  
42ND ASSEMBLY DISTRICT**

**BRIAN NESTANDE, Republican**  
**OCCUPATION: Lawmaker / Business Owner**  
**EDUCATION AND QUALIFICATIONS:**

**AGE: 48**

We can solve the budget crisis by doing two things – Limit Spending and Grow the Economy.

This election year voters face a choice between old policies that have slowed our state recovery and new policies that will lay a path for a more prosperous California. Having started my own business, I know the difficulties job creators face in the state. If California is to be the Golden State once again, we must stop chasing businesses across state lines and overseas.

As a legislature, we should enact policies that encourage economic growth. Our tax and regulatory system should be clear, consistent and fair to all.

We can and must eliminate duplicating and unnecessary regulations thereby growing businesses and putting people back to work.

I support enacting real pension reform, which will eliminate billions of dollars in unfunded liabilities.

We should use independent audits to find and remove waste in government.

A prosperous economy is the best way to ensure support for public safety, education, and a healthy environment for the next generation of Californians.

I would greatly appreciate your vote, please visit [BrianNestande.com](http://BrianNestande.com) for more information.

**CANDIDATE STATEMENT FOR  
GOVERNING BOARD MEMBER,  
DESERT SANDS UNIFIED SCHOOL DISTRICT**

**GARY TOMAK** **AGE: 58**  
**OCCUPATION:** Incumbent  
**EDUCATION AND QUALIFICATIONS:**

Bachelor's Degree – Finance; MBA – Human Resource Management

Since first elected to the school board, I have worked to raise the academic bar, promote a rigorous curriculum, close the achievement gap, offer greater school choice, and provide a safe and effective learning environment.

Academic achievement has improved dramatically across the district. More students are taking college entrance exams and scoring higher. More students are studying calculus, biology, chemistry, and physics.

Desert Sands continues to be recognized by the US Department of Education as a model for school choice programs. During my tenure on the school board I have worked to: add a new charter school for middle school students; develop magnet schools which focus on communication, law, medicine and the performing arts; enhance independent study and online-learning programs; introduce a robotics program; and, expand the highly rigorous International Baccalaureate Program. I support vocational educational programs as an option for those pursuing careers in culinary arts, public service, and computer technology.

I will continue to work to modernize classrooms with state-of-the-art technology, enhance programs in music, art, and the performing arts, and improve facilities for athletic programs.

With your continued support, my priority will always be KIDS: Keep Improving Desert Sands.

**CANDIDATE STATEMENT FOR  
GOVERNING BOARD MEMBER,  
DESERT SANDS UNIFIED SCHOOL DISTRICT**

**DJ RISK**  
**OCCUPATION:** Retired Business Owner  
**EDUCATION AND QUALIFICATIONS:**

I have a great love for this valley and my family shares its history since the 1950s. I graduated from Palm Springs High where I was Senior Class President and played football and wrestled before attending college on an athletic and academic scholarship. I continue to connect to the school system with four children attending the elementary, middle, and high schools of DSUSD. My passion for learning in the classroom is confirmed by each of my children's teachers where I have spent thousands of hours serving in classes teaching reading and science. I volunteer with a youth group and care about these students; I attend their music, theater, science, and sporting events throughout the district.

I'm running for school board having been recruited and encouraged by several teachers and principals because of my passion for our students. My years of business and community service have qualified me to understand budgets and to work with the interests of multiple factions.

Our school district faces enormous strains due to declining budgets. We must be fiscally wise and yet find ways to meet the future through a focus on and love for science and technology developed in our children. DJ Risk for DSUSD!

**CANDIDATE STATEMENT FOR  
GOVERNING BOARD MEMBER,  
DESERT SANDS UNIFIED SCHOOL DISTRICT**

**MATT MONICA** **AGE: 68**  
**OCCUPATION:** Incumbent  
**EDUCATION AND QUALIFICATIONS:**

Educating our children successfully is a necessary and critical element in their becoming productive citizens. Children must be provided the tools needed to excel in reading, writing, mathematics, science and computer technology. This goal can be accomplished by hiring the most Qualified and Competent Teachers, Support Staff and Administrators. Input from Parents, Seniors, Retired Educators and Students must be included in the curriculum decision making process. This district-wide cooperative effort will result in higher test scores, higher graduation rates and the knowledge to pursue college or professional careers.

The district must be responsible and accountable for all expenditures. After all, the district operates as a direct result of taxes paid by district residents.

My wife MaryAnn is past President of the California School Employees Association. Our sons Matteo and Joseph graduated from Indio High School and have professional careers. I'm a Marine Corps Veteran with BA and MA Degrees and Life Credentials in Teaching and Counseling. I served as a Counselor, Administrator and Instructor for 34 years. I have been on the Desert Sands Board of Education for 26 years.

I will bring your voice into the decision making process.  
Let's make a difference together for our Children.

**CANDIDATE STATEMENT FOR  
GOVERNING BOARD MEMBER,  
DESERT SANDS UNIFIED SCHOOL DISTRICT**

**WENDY S. JONATHAN** **AGE: 55**  
**OCCUPATION:** Businesswoman, Retired Educator  
**EDUCATION AND QUALIFICATIONS:**

Through our schools, we build our future. We continue to be challenged by an ongoing economic crisis. So we need leadership with a vision for success that also knows how to maximize limited resources.

As your school board member:

- I will promote policies that remove obstacles to student achievement and that focus on student success.
- I will give schools the tools they need to be effective, including classrooms with modern technology.
- I will ensure a safe and healthy school environment for our children, including zero tolerance for unacceptable behavior and prevention programs that keep kids on the right track.

I am a businesswoman and a community volunteer. I have been an educator for 24 years and I am passionate about education. My husband and I have lived in the Coachella Valley for 33 years. We raised two children here, both of whom received their education through DSUSD. I have earned and received the endorsement of the teachers, city council members, and community leaders from every city in our district.

With quality education our students win, our schools win, and our community wins. On Election Day, vote Wendy Jonathan for Desert Sands School Board.

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**ROSE SWEARINGEN, Ph.D.**

**OCCUPATION: Doctor, Businesswoman and Educator  
EDUCATION AND QUALIFICATIONS:**

As executive director of Life's Journey Center, Inc. which I founded in 1996, I have the experience and leadership necessary to restore Indian Wells to the prestigious and respected community that we all have enjoyed. I have been an Indian Wells property owner and resident of the County Club for 23 years. In addition, I have dedicated countless hours of community service with commitment and integrity to help improve the quality of life for the people within Indian Wells and surrounding areas. As an accomplished business woman who started at the grassroots level without the use of government funding or grants, I have fostered and maintained an unwavering level of integrity and accountability which I will use to create a culture of transparency within the city council. This year, I was honored to receive the annual Athena Award 2012 for Professional Excellence from our City of Indian Wells recognizing my leadership, dedication and contributions to our community. As your council woman, I will listen to you, the people, and assure that your voice is heard and validated. Mutual respect is built on allowing others to express their needs and concerns and to openly discuss options. Indian Wells has numerous issues that affect us all, it is time for change.

- I will require full accountability to the residents for all major city expenditures.
- I will insure that the city council works in conjunction with the residents in forming solutions for safety and traffic.
- I will promote, strengthen and increase the facilities for Senior Citizens in Indian Wells. We can provide the high quality of services our residents deserve.

For more information on my plan for the future of Indian Wells, please visit my website at [www.drrose4iwccitycouncil.weebly.com](http://www.drrose4iwccitycouncil.weebly.com)

I ask for your support in helping me bring Indian Wells back to its fullest potential, respect and the stability we deserve. Your vote for me on November 6, 2012 will make a difference and it is greatly appreciated. Respectfully, Dr. Rose

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**DOUGLAS H. HANSON**

**AGE: 68**

**OCCUPATION: Mayor, City of Indian Wells  
EDUCATION AND QUALIFICATIONS:**

Doug Hanson was elected to the Indian Wells City Council in 2008 and is currently serving as its Mayor.

Mayor Hanson has over 40 years of extensive entrepreneurial and business experience, principally in three areas: Telecommunications, Broadcasting, and Real Estate.

As a former business leader, I understand business and I have demonstrated that over these last four years. I understand that Fiscal Responsibility is a beacon by which every Council Member should be guided. No one has devoted more time, energy, and enthusiasm to our city and I pledge to continue for the next four years. If re-elected, I pledge to only serve four more years.

Working together as a council we have achieved the following:

1. Began televising Council Meetings.
2. Established term limits.
3. Made Tennis Tickets available to all residents.
4. Agreed to underground utilities in the village area.
5. Installed speed monitors.
6. Established Mayor's office hours.
7. Contracted with Troon to manage the Golf Resort.
8. Approved The Ryerson project, with estimated TOT in excess of \$1 million.
9. Established Town Hall meetings.
10. Placed the Mayoral Rotation question on the ballot.
11. Maintained a budget surplus.

My essential goal for the next four years will be, adding revenues and achieving Economic Sustainability.

The future economic drivers lie in three areas of our city:

1. West of Miles Avenue, the proposed Ryerson project.
2. East of Miles, the Miles Lodge Retail LLC, project.
3. Area around the Tennis Gardens.

All three areas will require an experienced negotiator capable of negotiating with the owners to ensure these areas are developed for their highest and best use, yet providing the greatest revenue possible. With my real estate development and contract negotiating experience, I bring a career of knowledge to these negotiations that will allow all three areas to be utilized in a way that will add to the quality of life of our residents.

We must also work closely with representatives of the Tennis Gardens, supporting their goal to increase attendance to over 500,000, representing over \$1.5 million of ticket tax revenue.

As your Mayor this past year, I have created an open and friendly environment. I have always considered the residents first. Our community is safer. The City has become more transparent and accountable. We continue to be fiscally sound and our resident amenities remain intact. I have lived my pledge and ask for your vote.

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**HOWARD KLEIN**

**OCCUPATION:** Retired Businessman

**EDUCATION AND QUALIFICATIONS:**

About Howard:

I am 68 years young, married with 4 children and 3 grand children. I've lived in Indian Wells for 4 years and really love this community. Previously, my family and I lived in Malibu and Hidden Hills for a total of 35 years.

After starting a manufacturing business in 1974, I sold the company in 2001. Earlier, in 1994, I purchased a guest ranch in Northern California

My experience, in leadership and local government, includes 7 years as a City Councilman and Mayor of Hidden Hills, CA.

Since moving to the desert I was invited to join SCORE (Senior Corp. of Retired Executives), which allows me to mentor and advise future entrepreneurs throughout the Coachella Valley.

Let's work together to have the City maintain and pay for the HWY 111 Corridor thru Indian Wells, make the community center available to ALL residents, work with Realtors to improve our values. Work to keep the current funding for our senior housing developments and any change in compensation for the city council must be approved by the voters.

It all goes back to --

**RESPONSIBILITY AND COMMON SENSE**

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**TED MERTENS**

**AGE: 67**

**OCCUPATION:** Retired Police Chief

**EDUCATION AND QUALIFICATIONS:**

Master of Public Administration – University of Southern California  
Bachelor of Science – California State University – San Jose

Life is good in our beautiful Coachella Valley and we are proud to call Indian Wells our home. However, troubling facts are constantly exposed about our City Council's actions. Council repeatedly experiences turbulent times conducting City business creating a sense of uneasiness and disappointment which erodes our public trust. Our City cannot afford to continue on this path and must change. To thrive as a City at our highest level of esteem, we need to rebuild and restore our public trust.

I will use my positive energy and leadership to refocus and to get our community back on track.

With so much at stake, I am committed to investing four years of my life on City Council to benefit our future for every resident, every decision, every meeting, consistently year after year. We will get this right. This is the right time; I am the right leader; and, I am asking for your vote for the right reasons.

Responsible City Government

As Public Safety and a sound fiscally responsible city continue to be top priorities and to preserve our future in today's economic environment, my leadership is needed to:

- ✓ Rebuild and restore our public trust in our City Government
- ✓ Ensure our tax dollars are available for capital improvements/infrastructure
- ✓ Evaluate donations of taxpayer dollars to charities/organizations
- ✓ Increase revenue and tourism dollars while managing City costs
- ✓ Resolve the Miles Crossing development issues
- ✓ Assure future development agreements protect us for highest/best usage
- ✓ Review our 3 page City Charter for possible updates to reflect the people's will
- ✓ Maintain/enhance resident benefits and property values

No Other Candidate Can Duplicate My Background and My Experience

- ✓ Civic Leader - 33 years CA City Government - 20 years Police Chief (14 years Manhattan Beach; 6 years Placerville)
- ✓ Interim City Manager - Manhattan Beach and Placerville during recruitment process for full time City Manager
- ✓ 20 years - Financial Manager for Police Department's Budget (\$10 million plus)
- ✓ Vice Chairman, Indian Wells Architecture and Landscape Committee
- ✓ President, Colony Cove Homeowners Association since 2007

 [www.mertens4iwcitycouncil.net](http://www.mertens4iwcitycouncil.net)

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**DANA REED**

**AGE: 68**

**OCCUPATION: Governmental Ethics Attorney  
EDUCATION AND QUALIFICATIONS:**

I started my career working for Ronald Reagan as a young campaign aide in 1966. Ronald Reagan taught me many things. None is more important than the principle that local government is the most important level of government because it's closest to the people.

Following his inauguration in January 1967, Governor Reagan asked me to work on transportation issues. When George Deukmejian became governor, I put my law practice on hold and returned to Sacramento for two years as his Undersecretary of Business, Transportation and Housing. Later, I was appointed by Governor Pete Wilson to serve on the California Transportation Commission.

I continue to be involved in public service. I have done legal work for numerous cities, counties and special districts, advising them on complying with California's complex governmental ethics laws.

For the past 26 years, I have been privileged to enjoy Indian Wells as a resident and homeowner. I am running for our City Council for one simple reason: I care about Indian Wells, and I am concerned how it is being governed.

Our elected officials receive compensation that is far too generous for a city of our small size.

For example, according to official City records (available at [www.cityofindianwells.com/City-Council/Agendas](http://www.cityofindianwells.com/City-Council/Agendas)) during the past five years, each Councilmember received an average of \$61,800, per year, in salary and benefits.

My neighbor, retired County Supervisor Pete Schabarum, started an initiative campaign to limit what our Councilmembers can receive to \$1,000 per month.

I worked with Pete to write this initiative and helped gather signatures to place it on the ballot – it is now called Measure S.

In addition to passing Measure S, there are other reforms that I will support as your City Councilman.

Currently taxpayers pay both the Employer's share, AND THE EMPLOYEE'S SHARE, of the cost of pension and health care benefits, including Social Security. This is almost unheard of in the private sector – and is fast becoming obsolete in public agencies.

As your Councilman, I will insist that City employees pay their share of pension and health care benefits and I will continue to work to eliminate benefits for Councilmembers entirely.

Excessive compensation for elected officials and public employees erodes public confidence in government. As your City Councilman, I will use my experience in law and public policy to reform our city government.

I would be honored to serve YOU as a Member of the City Council.

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**HADDON B. LIBBY**

**AGE: 50**

**OCCUPATION: Businessman  
EDUCATION AND QUALIFICATIONS:**

If we are going to change the cultures of Washington DC and Sacramento, we must start with our City. This is why I am running. Our Valley needs strong principled leaders who will demand transparency in government and stand up for you against crony capitalism.

More than any other person in this election, I have worked toward resolving the excesses of this city council by questioning excessive pay, pension, perks and benefits that ranked among the top in California.

To solve our City's fiscal problems, it is crucial to have a council member with strong financial and analytical skills. I am that person. This City Council buried 52% or over \$5,000,000 of its operating budget in development projects last year and much more over the last three years. This means that we will be paying for those annual operating expenses over the next decade. This is not how you balance your family budget and is not how our City should balance its budget. With \$130,000,000 in debt and inadequate cashflow to comfortably service all of that debt, we need a council member with the knowledge, will and desire to fix this structural problem without sacrificing the quality of city services that include our Fire and Police departments.

Throughout my career, I have been a problem solver. More than ever, our City needs this expertise.

This election is about regaining control of our City. We deserve a Council that represents all of us and not just a select few.

I want to serve on your City Council in order to show proper decorum and demonstrate what true leadership is. In order to show how government should be of, by and for the people, I need your vote.

For additional information, please visit [www.indianwells2012.org](http://www.indianwells2012.org) or call 760.636.1452.

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**LARRY “BEAR” BONAFIDE**

**OCCUPATION: Retired Business Executive**

**EDUCATION AND QUALIFICATIONS:**

I believe that the City Council's mandate is to enhance our community's exceptional quality of life, encourage active citizen involvement, practice fiscal conservatism and deliver superior services that protect our public health, safety and welfare.

Unbecoming conduct and hostility by Council and citizens alike have generated continuing “tabloid” headlines about our City. The result has been a devaluation of both the City's and the Council's image and reputation. In the process, this has inhibited the Council's ability to fulfill its mandate.

The lack of quality leadership in the Council comes at a perilous time. Given the loss of Redevelopment Agency funds (\$3.7 million annually) and a volatile economy, new leadership is critical! We need leaders who are proactive not reactive. We need cohesion not division.

Solving our City's problems will not be accomplished with slogans, impressive resumes or platitudes. Hence, we must practice fiscal conservatism, delivered through sound planning and financially prudent and contemporary management practices. I am committed to instituting creative and aggressive revenue growth plans and maximizing the contribution of our City's assets and income sources – with an immediate emphasis on those that are underperforming.

I believe the way to restore our prestige and ensure our exceptional quality of life is to embrace a central tenet of the City's General Plan: “Teamwork between citizens, elected and appointed officials, with respect for diverse viewpoints while supporting each other towards common goals”.

Securing the future of our stellar City will demand visionary planners and problem solvers who will work together as a team. I am a successful team builder, team leader and team player. Webster defines BONAFIDE as: “Good faith without fraud or deceit; authentic; earnest...” This is who I am.

I attended Penn State University and held senior executive leadership positions with Marriott, US Foodservice and Chevron. In 2004, I retired and relocated from the San Francisco Bay Area to Indian Wells with my wife Elle. We feel privileged to live here, and as full time residents, we are committed to investing a significant amount of time to civic endeavors.

I am currently Chairman of the Indian Wells Country Club Community-FAMD elected Board of Directors, (an agency of the City of Indian Wells, reporting to the City Council), past Chairman of the Indian Wells Country Club Board of Governors, and Chairman/Founder of the Indian Wells Political Endorsement Committee.

I respectfully ask for your vote of confidence to lead our City into the future.

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**MITCH BLUMBERG**

**OCCUPATION: Non-Profit Executive**

**EDUCATION AND QUALIFICATIONS:**

Raised in Philadelphia, I graduated from the University of Pennsylvania with BA and JD degrees (Law School full scholarship). Then New York City, Account Representative for national brands J. Walter Thompson Company (large advertising agency). Later Harvard Business School MBA degree Highest Honors (top 5% of my class). Headed student government Chair of Education Committee at Harvard, attended Faculty Meetings with veto power.

Active business career often senior executive and Board Member private and public companies – real estate investment and development, venture capital, financial services, Internet and telecommunications, as well as film and television in Los Angeles. Resided in Brentwood, Bel Air and Beverly Hills in LA 15 years before moving to Desert 2006. In LA, studio executive – Executive Vice President in charge of Legal & Business Affairs – for RKO Pictures, and then independent film producer.

In the Desert, oversaw restaurant La Quinta for Canadian partners at their request to prepare it for sale. After the sale I joined Desert Arc as Deputy Executive Director 2009. Desert Arc serves 600 adults with developmental disabilities such as autism, cerebral palsy, Down syndrome, epilepsy, mental retardation and other behavioral and medical conditions. The agency is 53 years old and one of the largest and oldest non-profits in the Coachella Valley.

Served often as Board Member and officer of non-profits – alumni, church, professional, academic, business and service organizations, and I felt a calling to devote full professional time to Desert Arc after series of passings among relatives and friends in 2009. Desert Arc is a prominent organization providing vocational training, employment opportunities and a full social schedule for 600 clients at our main campus in Palm Desert on Country Club east of Monterey and in our two satellite operations in Yucca Valley and Indio.

I am running for Indian Wells City Council to restore “Pride of Place...” to Indian Wells, to bring an experienced business perspective and a Valley-wide understanding of the economic opportunities and ramifications of governmental actions for the citizens of Indian Wells. I understand how government works, the values of positive community and public relations and cooperative leaders. I want the community to have confidence in its elected leaders to behave in the public interest, to present the most positive image of Indian Wells and to maintain the high property values and quality of life that Indian Wells enjoys.

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**WILLIAM T. POWERS**

**AGE: 71**

**OCCUPATION: Retired Banker**

**EDUCATION AND QUALIFICATIONS:**

"Please join me, and so many of your neighbors, in supporting the re-election of Bill Powers. Bill's experience, civility and common sense exemplify the leadership we need in Indian Wells." Dick Oliphant.

Bill Powers has a clear focus on what is important in our community. And Bill has the track record to show he can get the job done:

- Producing a budget surplus For Indian Wells
- Supporting local businesses and economic development
- Promoting Indian Wells as a premier destination
- Improving public safety
- Making underground utility and infrastructure improvements.

Bill is a business leader with 45 years in banking — essential experience for protecting City finances.

Bill is a respected community leader. His accomplishments include:

- Founder and Past-President of the Desert Town Hall Speaker Series
- Founder and Chairman and the Healthy Families Foundation
- Vice-Chairman of the Conventions and Visitors Authority
- Past-Chairman and Board Member of the United Way

We are fortunate to live in one of the greatest communities imaginable. But we cannot take our good fortune for granted.

Bill Powers brings his decades of experience to preserve and enhance the wonderful quality of life we have built in Indian Wells.

**CANDIDATE STATEMENT FOR  
CITY COUNCIL MEMBER,  
CITY OF INDIAN WELLS**

**TY PEABODY**

**AGE: 69**

**OCCUPATION: Business Consultant**

**EDUCATION AND QUALIFICATIONS:**

As a resident of Indian Wells, I wish to be considered a candidate for the City Council in order to improve and provide insight into possible solutions to the current problems that our City faces. Over the last few years, our City Council has taken a direction that concerns me. In the last year, it has been discovered that over the years benefits and wages have been given to the City Council that are unwarranted and are detrimental to the other residents of Indian Wells. In addition, the failure to exhibit fiscal restraints over the last eight years has put Indian Wells in less than satisfactory financial position.

My efforts will be directed to implementing a responsible City government. Below are items I will focus on if elected:

- Listening and respecting the rights and wishes of all our residents not just a special few.
- Oppose unnecessary expenditures.
- Support rigorous budgetary controls.
- Increase the City's cash surplus.
- Eliminate all City Council benefits and limit Council salaries.
- Return City Council to part-time status.
- Attempt to update City Charter regarding:
  - Capital Expenditures
  - Donations
  - Salaries/Benefits
- Improve revenue and cash flow of Indian Wells Club.
- Maximize use of under developed properties.
- Oppose any extensions to Folgesson on Myles Crossing property.
- Oppose widening of Highway 111.

It is time for a change of direction and leadership in our City Council. This community is a special place to live and all the negative publicity and failure to realize the responsibility to the residents of Indian Wells needs to change before the City's reputation is damaged beyond repair.

I pledge to help bring back the integrity, civic responsibility and respect for the Indian Wells residents that we serve. I ask for your vote on November 6.

**Background**

My wife Valerie and I have lived in Indian Wells for over ten years. I was born and raised in Boston, Massachusetts. I attended the University of New Hampshire and received a BS degree. I have two children: Brett, a football coach, and Jennifer, an attorney. For the last 29 years, I held numerous executive positions in the hospitality industry including:

- Divisional Manager of Federated Department Stores
- Chief Operating Officer of Swensen's Ice Cream
- President of La Salsa
- President of Paradise Bakery
- Franchisee of Howard Johnson's, Kentucky Fried Chicken and Taco Bell
- Consultant to the Restaurant Industry Since 2005

My wife Valerie is a co-owner of Don Diego's Restaurant in Indian Wells.

**CANDIDATE STATEMENT FOR  
DIRECTOR,  
DESERT HEALTHCARE DISTRICT**

**MICHAEL ROBERT SOLOMON**

**AGE: 52**

**OCCUPATION: Physician**

**EDUCATION AND QUALIFICATIONS:**

As an incumbent director of our Desert's Healthcare District, it has been my pleasure to serve the residents of our local community by supporting efforts to meet their healthcare needs.

In addition to my duties with the district, I maintain a busy private medical practice in Palm Springs and am very aware of the healthcare concerns of my patients and the gaps in services available to them especially in these difficult economic times.

I am not a career politician. My focus is on the healthcare needs of our community and what can be done to continually improve access to quality care and resources for our residents.

Over the past four years I have worked hard along side of our community leaders to bring new programs and projects to those who need them including the FIND food bank, the Desert Hot Springs Community Wellness Center and establishing UC Riverside's Medical School presence among the hospitals and clinics throughout our valley, while continuing to support ongoing programs such as Shelter From the Storm, the Boy's and Girl's Club, the Desert Aids Project and the health and education programs in our children's school system.

Please vote for Mike Solomon on Election Day.

**CANDIDATE STATEMENT FOR  
DIRECTOR,  
DESERT HEALTHCARE DISTRICT**

**RON STEWART**

**AGE: 46**

**OCCUPATION: Health Services Professional**

**EDUCATION AND QUALIFICATIONS:**

My name is Dr. RON STEWART and I ask for your vote to become a board member of the DESERT HEALTHCARE DISTRICT. Problems such as childhood obesity, the local shortage of doctors & nurses, access to affordable prescription medication, the importance of immunizations for communicable diseases and overall better health for older adults are important issues in our Desert. Realistic solutions are within our reach. The Healthcare District is a powerful vehicle in our health care system and it makes significant investments within our communities each year. Last year the District used its grant making ability to infuse our valley with millions of dollars to support health care. I have extensive experience in budgeting, planning, grant management and evaluation management. I am the vice chair of the JFK Memorial Hospital Board, sit on the County of Riverside's Community Health Centers Board overseeing twelve public health clinics and I authored the study that established this Valley's only totally free medical clinic for our neighbors who can't afford health insurance and need medical attention. I will be your advocate and ensure that politics, personal agendas and personal preferences don't determine the use of our precious tax dollars entrusted to the District. [www.stewartron.com](http://www.stewartron.com)

**CANDIDATE STATEMENT FOR  
DIRECTOR,  
DESERT HEALTHCARE DISTRICT**

**WILLIAM J. GRIMM**

**AGE: 50**

**OCCUPATION: Doctor**

**EDUCATION AND QUALIFICATIONS:**

William J. Grimm - Primary Care Doctor

As a doctor and a resident of The Desert Healthcare District, I understand the importance of the District in guiding the health and wellness for our community.

Serving my patients in the Palm Springs area for over 20 years, I realize that patients are also neighbors, friends, and community who have trusted me with their wellness. I take that position seriously and have served on the Board of Councilors for the Riverside County Medical Association for over 15 years to assure that we focus on the highest level of medical care possible and that we are providing the most advanced treatments available. As a practicing doctor and an active member of the California Medical Association, I understand the impacts of state and federal legislation on our District. It is important to me to make sure that the community is aware and fully understands this ever changing legislation. I'm running for the seat on the Desert Healthcare District Board to help guide the future of medical care for neighbors, patients and the community as a whole. Your vote is a vote to secure and improve the health and wellness for our Desert Healthcare District.

**CONTINUED  
ON NEXT  
PAGE**

**CANDIDATE STATEMENT FOR  
DIRECTOR,  
DESERT HEALTHCARE DISTRICT**

**MARK MATTHEWS**

**AGE: 56**

**OCCUPATION: Desert Healthcare District Director  
EDUCATION AND QUALIFICATIONS:**

I have had the privilege of serving you as a Director of Desert Healthcare District since 1997 and currently am the board President. My hospital governance experience spans over 30 years starting in St. Paul, Minnesota. Healthcare is facing the most significant change in generations with the implementation of the Healthcare Affordability Act and its many components. Residents of Desert Healthcare District can rest assured that we are prepared to meet these challenges with state of the art facilities and services.

In the time I have served many positive things have happened for your Healthcare District. A public debt of nearly 90 million dollars has been transformed into reserves of over 50 million to meet the needs of our community for years to come.

I am a past President of the Mizell Senior Center, have served the City of Palm Springs on the Airport Commission and the Planning Commission. I was a co-founder of the Veterans Day Parade. My education includes a BA in Speech-Communication and an MBA.

I love the diversity and strength of our community and ask for your vote to continue the work of your Desert Healthcare District.

**CANDIDATE STATEMENT FOR  
DIRECTOR,  
DESERT HEALTHCARE DISTRICT**

**SIDNEY J. RUBENSTEIN**

**OCCUPATION: Incumbent**

**EDUCATION AND QUALIFICATIONS:**

Healthcare has been a major part of my adult life starting with my enrollment in dental school and continuing on through my professional career and beyond. On return from military service I began my private practice and also volunteered with a hospital group that provided free services to an indigent population as part of a comprehensive training program. I have served the Desert Healthcare District board in many roles including several years as the board president. I am currently serving as Program/Grant committee chairman. This assignment has provided me with endless opportunities to meet and appreciate the activities of many of the nonprofit groups in our area that are involved in healthcare. I am also serving as a board representative on the governing board of Desert Regional Medical Center-the hospital owned by the citizens of our district. Our talented board of directors with the support of our outstanding professional staff have evaluated and supported many outstanding programs over the past several years.

With your support I promise to devote my time, expertise and efforts to continue the important work we are doing to improve health in our district for all.

Thank you for your consideration.

**CANDIDATE STATEMENT FOR  
DIRECTOR,  
COACHELLA VALLEY WATER DISTRICT, DIVISION 2**

**EDWIN "ED" PACK**

**OCCUPATION: Retired Fireman**

**EDUCATION AND QUALIFICATIONS:**

VOTE FOR ED PACK!

YOUR WATER: With 429,936 people using Coachella Valley Water

YOUR MONEY: with a budget of \$264 MILLION

YOUR VOTE: YOUR VOTE IS CRUCIAL to the ongoing FUTURE of  
quality water at reasonable rates.

With 8 YEARS of experience on the Hesperia City Council (which  
controlled it's own water department), I have a solid ADMINISTRATIVE  
EXPERIENCE leading a water district.

As a retired FIREFIGHTER I have a PRACTICAL APPRECIATION for  
the IMPORTANCE of water.

LIVING IN A DESERT, NOTHING IS MORE IMPORTANT THAN  
WATER, THE QUALITY, AVAILABILITY, AND PRICE OF THAT  
WATER IS WHAT I WILL FIGHT FOR. Our current system is aging and  
maintenance alone is not enough, we must plan for the modernization of  
our water delivery and storage systems in order to meet our growing  
demands in a fiscally and ecologically responsible manner. I can only do  
this with your support, in a district that stretches from Palm Springs to  
Coachella.

On Election Day remember; It's YOUR WATER, YOUR MONEY, and  
YOUR VOTE that will determine the future of our valley. THANK YOU  
FOR YOUR VOTE!

VOTE FOR ED PACK!

**MEASURE "Q" - CITY OF INDIAN WELLS**

**EXHIBIT "A"**

**ORDINANCE BILL NO. 2012-04**

**AN ORDINANCE OF THE CITY OF INDIAN WELLS, CALIFORNIA, ADDING SECTION 2.08.160 TO TITLE 2, CHAPTER 2.08 OF THE INDIAN WELLS MUNICIPAL CODE PERTAINING TO THE APPOINTMENT OF THE MAYOR AND MAYOR PRO TEMPORE**

**THE PEOPLE OF THE CITY OF INDIAN WELLS, CALIFORNIA, DO ORDAIN AS FOLLOWS:**

**SECTION 1.** Title 2, Chapter 2.08 of the Indian Wells Municipal Code is amended by adding thereto Section 2.08.160, to read as follows:

"2.08.160 Appointment of Mayor and Mayor Pro Tempore.

(a) It is the purpose and intent of this section to provide for an automatic annual rotation of Council Members who occupy the positions of Mayor and Mayor Pro Tempore. The automatic annual rotation is further intended to permit as many Council Members as possible to have an opportunity during their membership on the City Council to occupy the position of Mayor and Mayor Pro Tempore. This section shall not be amended or repealed without first obtaining the approval of a majority of those persons voting on any such proposed amendment or repeal at a general or special municipal election called for this purpose.

(b) At the first regular meeting of the City Council in December of each year, or as soon thereafter as reasonably possible in the event any newly elected Council Members have not yet taken office due to delayed certification of election results, the City Council shall appoint from among the Council Members the Mayor and the Mayor Pro Tempore to immediately assume those positions, as applicable. Appointment to the position of Mayor and Mayor Pro Tempore shall be made on a rotating basis among all Council Members as follows, and the Mayor and Mayor Pro Tempore shall serve until their applicable successor is appointed or they vacate the applicable position due to inability to fulfill the responsibilities of that position, as defined in subsection (c):

(1) the Council Member having the longest current continuous membership on the City Council without serving as Mayor shall be appointed Mayor.

(2) the Council Member having the second longest current continuous membership on the City Council without serving as Mayor shall be appointed Mayor Pro Tempore.

(3) if two or more Council Members equally qualify hereunder for appointment as Mayor, any Council Member who has not previously served as Mayor during the period of current continuous membership of the qualified Council Member shall be appointed Mayor; and if two or more Council Members thereafter equally qualify hereunder for appointment as Mayor, the Council Member who received the most votes among them in his/her most recent election to Council shall be appointed Mayor, and the Council Member who received the second most votes among them in his/her most recent election to Council shall be appointed Mayor Pro Tempore; and if two or more Council Members thereafter equally qualify hereunder for appointment as Mayor, the Council Member whose name is then drawn by lot or other random procedure shall be appointed Mayor, and the other Council Member shall be appointed Mayor Pro Tempore.

(4) if two or more Council Members equally qualify hereunder for appointment as Mayor Pro Tempore, the appointment of Mayor Pro Tempore shall be made in accordance with the same priority and criteria as otherwise set forth for appointment as Mayor in subsection (b)(3).

(5) notwithstanding any provision to the contrary, a Council Member shall not be eligible for appointment as Mayor until he/she has first completed at least one year of his/her current term on the City Council, unless no other Council Member can otherwise assume the position of Mayor due to inability to fulfill the responsibilities of that position, as that term is defined in subsection (c).

(6) if the position of Mayor becomes vacant due to inability to fulfill the responsibilities of that position, as that term is defined in subsection (c), the Mayor Pro Tempore shall be appointed Mayor for the remainder of that term of Mayor, and shall be reappointed Mayor for the next full term of the position of Mayor if then qualified hereunder; provide, however, that service for the partial term as Mayor hereunder shall not be deemed to constitute service as Mayor for purposes of subsections (b)(1), (2) and (3).

(7) if the position of Mayor Pro Tempore becomes vacant due to inability to fulfill the responsibilities of that position, as that term is defined in subsection (c), the Council Member next qualified to become Mayor Pro Tempore shall be appointed Mayor Pro Tempore for the remainder of that term of Mayor Pro Tempore, and shall be reappointed Mayor Pro Tempore for the next full term of the position of Mayor Pro Tempore if then qualified hereunder; provided, however, that service for the partial term as Mayor Pro Tempore hereunder shall not be deemed to constitute service as Mayor Pro Tempore for purposes of subsections (b)(1), (2) and (3).

(c) A Council Member shall not be appointed Mayor or Mayor Pro Tempore, and the Mayor or Mayor Pro Tempore shall be deemed to have vacated their position, due to inability to fulfill the responsibilities of that position. As used in this section, the term "inability to fulfill the responsibilities of that position" shall mean at least one of the following:

(1) unexcused absences from more than four (4) regular or special City Council meetings within the twelve (12) month period prior to appointment as Mayor or Mayor Pro Tempore, as applicable, or during the period of service as Mayor or Mayor Pro Tempore, as applicable;

(2) resignation from or voluntary decision not to assume appointment to the position of Mayor or Mayor Pro Tempore, as applicable;

(3) death, or physical incapacity due to medical condition severely limiting the ability of the Mayor or Mayor Pro Tempore, as applicable, to perform ongoing duties assigned to them by City policy or the City Council;

(4) mental incapacity (such as by reason of severe stroke, serious head injury, serious nervous breakdown, or serious mental illness) of the Council Member otherwise qualified hereunder to be appointed to, or serving in the applicable position of, Mayor or Mayor Pro Tempore, as reasonably determined at a public meeting by a majority of the City Council as then fully constituted;

(5) upon the case by case determination by the City Council, in its discretion, to apply the following to the appointment or removal, as applicable, of the Mayor or Mayor Pro Tempore, as applicable: censure at a public meeting by a majority of the City Council, as then fully constituted, resulting from either (A) a repeated failure of the Mayor or Mayor Pro Tempore, as applicable, to represent the City Council's adopted positions when representing the City, and not him or herself individually, after the City Council had first provided a written warning concerning such failure, or (B) a violation of a requirement of law pertaining to conduct by public officials, other than as set forth in subsection(c)(6), as determined by a governmental commission, agency or officer not a part of the City;

(6) arrest while Mayor or Mayor Pro Tempore, as applicable, for a felony or any crime of violence or moral turpitude; provided that if and when the prosecution of such felony or other crime is terminated without a plea agreement or conviction, then the Council Member shall thereafter be placed in the highest priority behind the Mayor or Mayor Pro Tempore, as applicable, as otherwise set forth in subsection (b).

(d) As used in this section, the terms "qualify", "qualified" and "qualify hereunder" mean that a Council Member meets the priority and criteria established for selection as Mayor or Mayor Pro Tem, as applicable, as set forth in subsection (b)."

**SECTION 2.** If any section, subsection, sentence, clause, phrase or provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other provision or applications, and to this end the provisions of this Ordinance are declared to be severable. The People hereby declare that they would have passed this Ordinance and each section, subsection, sentence, clause, phrase or provision thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or provisions thereof be declared invalid or unconstitutional.

**SECTION 3.** This Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Indian Wells voting at a General Municipal election to be held on November 6, 2012, and shall take effect immediately after the City Council has certified the results of the General Municipal election by resolution.

**SECTION 4.** The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 6, 2012, by signing where indicated below.

I hereby certify that the foregoing Ordinance was **PASSED, APPROVED AND ADOPTED** by the people of the City of Indian Wells on the 6th day of November, 2012.

Dated:

**MAYOR**

**APPROVED AS TO FORM:**

**STEPHEN P. DEITSCH  
CITY ATTORNEY**

**ATTEST:**

**RODERICK J. WOOD  
INTERIM CITY MANAGER/CITY CLERK**

### IMPARTIAL ANALYSIS OF MEASURE "Q"

Measure "Q" proposes approval of Ordinance Bill No. 2012-04 by the qualified voters of the City of Indian Wells.

The Ordinance would provide that, at the first regular Council meeting in December annually, the Council will appoint one Council Member as Mayor and one Council Member as Mayor Pro Tempore. The Council Member having the longest current continuous membership on the Council without serving as Mayor shall be appointed as Mayor, and the Council Member having the second longest current continuous membership on the Council without serving as Mayor shall be appointed Mayor Pro Tempore. Currently, the Mayor and Mayor Pro Tempore are selected annually from among all Council Members, and can be changed at any time by a majority vote of the Council.

The Ordinance would provide a specific procedure for selection of the Mayor and Mayor Pro Tempore if two or more Council Members equally qualify for appointment. The Mayor and Mayor Pro Tempore shall serve until their applicable successor is appointed, or until they vacate their applicable position due to inability to fulfill the responsibilities of that position.

A Council Member shall not be appointed Mayor or Mayor Pro Tempore, or a Council Member so appointed shall be deemed to have vacated the position of Mayor or Mayor Pro Tempore, if he or she is unable to fulfill the responsibilities of that position, due to one or more of the following reasons:

1. unexcused absences from more than four Council meetings within the twelve month period prior to appointment or during the term of service as Mayor or Mayor Pro Tempore;
2. resignation or voluntary decision not to assume appointment as Mayor or Mayor Pro Tempore;
3. death or physical incapacity;
4. mental incapacity;
5. if censured by a majority of the City Council for specific reasons outlined in the Ordinance; or
6. arrest for a felony or crime of violence or moral turpitude, provided that, if prosecution of such crime is terminated without a plea agreement or conviction, such Council Member shall be placed in the highest priority for reappointment to the position.

If the position of Mayor becomes vacant due to inability to fulfill the duties of that position, the Mayor Pro Tempore shall be appointed Mayor, and shall be reappointed Mayor for the next full term of the position. Further, if the position of Mayor Pro Tempore becomes vacant due to inability to fulfill the duties of that position, the Council Member next qualified to become Mayor Pro Tempore shall be appointed Mayor Pro Tempore, and shall be reappointed Mayor Pro Tempore for the next full term of the position.

Measure "Q" requires approval of a majority of voters. A "yes" vote for Measure "Q" will approve the proposed Ordinance described above. A "no" vote against Measure "Q" will maintain the status quo.

S/ Office of the City Attorney, City of Indian Wells  
Stephen P. Deitsch, City Attorney

### NO ARGUMENT FILED IN FAVOR OR AGAINST MEASURE "Q"

**MEASURE "R" - CITY OF INDIAN WELLS**

**EXHIBIT "A"**

**ORDINANCE BILL NO. 2012-07**

**AN ORDINANCE AUTHORIZING THE CITY OF INDIAN WELLS TO IMPOSE, LEVY AND COLLECT A SPECIAL PARCEL TAX FOR THE MAINTENANCE AND SERVICING OF LANDSCAPE AND LIGHTING IMPROVEMENTS**

**WHEREAS**, pursuant to the Landscape and Lighting Act of 1972 (California Streets and Highways Code section 22500 et seq.), the City of Indian Wells ) (the "City") formed seventeen separate landscape and lighting maintenance assessment districts (the "LLMDs") for the purpose of funding the maintenance and servicing of landscape improvements (as more particularly defined herein) within the public rights-of-way throughout the City; and

**WHEREAS**, in 1991, the LLMDs were subsequently consolidated into one landscape and lighting maintenance assessment district (the "Landscape and Lighting District No. 91-1"), with eighteen zones established therein; and

**WHEREAS**, although the improvements being maintained and serviced in Landscape and Lighting District No. 91-1 are located throughout the City, not all property owners within the City pay assessments for the maintenance and servicing of the improvements but enjoy and are benefitted by the improvements; and

**WHEREAS**, the current assessments are insufficient to recover the costs of maintaining and servicing the improvements and the City has an interest in providing adequate funding for the maintenance and servicing of such improvements for the benefit of the entire community; and

**WHEREAS**, the City must find an immediate solution to provide adequate funding for the maintenance and servicing of the improvements; and

**WHEREAS**, the City desires to impose, levy, and collect a special parcel tax to provide such funding, meet anticipated future demands; and

**WHEREAS**, pursuant to California Constitution articles XIII A, section 4, XIII C, section 2(d), and XIII D, section 3(a), and California Government Code sections 50075, 50077, 53722, and 53724 no local government may impose, extend, or increase any special tax unless and until that tax is submitted to the electorate and approved by an affirmative vote of two-thirds of the qualified electors voting in the election; and

**WHEREAS**, the City will be authorized to impose, levy, and collect the special parcel tax at the maximum rate of \$171.00 per taxable property within the City of Indian Wells commencing July 1, 2013, and annually may be adjust the special parcel tax for inflation each Fiscal Year to recover increases in the costs of providing the maintenance and servicing of the improvements; and

**WHEREAS**, the automatic annual adjustments to such special parcel tax shall commence on July 1, 2014, and may be imposed each July 1 thereafter; and

**WHEREAS**, because the special parcel tax revenues will be sufficient to fund the maintenance and servicing of the landscape improvements, the City will suspend the imposition, levy and collection of the special benefit assessments on parcels located within Light and Landscaping District 91-1 and the 18 zones therein for so long as the special parcel tax is imposed, levied, and collected by the City.

**THE PEOPLE OF THE CITY OF INDIAN WELLS DO ORDAIN** as follows:

**SECTION 1. Recitals.** The Recitals set forth above are incorporated herein and by this reference made an operative part hereof.

**SECTION 2. Definitions.** Unless the context otherwise requires, the terms defined in this Section 2 shall for all purposes of this Ordinance have the meanings herein specified.

"City" means the City of Indian Wells.

"Improvement" means one or any combination of the following:

- (a) The installation or planting of landscaping.
- (b) The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- (c) The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
- (d) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- (e) The installation of park or recreational improvements, including, but not limited to, all of the following:
  - (1) Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
  - (2) Lights, playground equipment, play courts, and public restrooms.
- (f) The maintenance or servicing, or both, of any of the foregoing, and of any improvement authorized by subdivision (i).

(g) The acquisition of land for park, recreational, or open-space purposes.

(h) The acquisition of any existing improvement otherwise authorized pursuant to this section.

(i) The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

"Incidental expenses" mean and include all of the following:

(a) Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements.

(b) Costs associated with administering the annual levy and collection of the Special Parcel Tax, and the costs of the election.

"Landscaping" of "landscape" means trees, shrubs, grass, or other ornamental vegetation.

"Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

(a) Repair, removal, or replacement of all or any part of any improvement.

(b) Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.

(c) The removal of trimmings, rubbish, debris, and other solid waste.

(d) The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

"Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaires, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

"Public places" means one or any combination of the following:

(a) Any public street, highway, road, alley, lane, boulevard, parkway, or other way dedicated to or used for public use.

(b) Any public property, right-of-way, or leasehold interest which is in use in the performance of a public function and which adjoins any of the ways described in subdivision (a).

"Service" or "servicing" means the furnishing of:

(a) Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.

(b) Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

"Special parcel tax" means that special parcel tax authorized to be imposed, levied, and collected pursuant to this Ordinance and approved by an affirmative vote of two-thirds of the qualified electors voting in the election on November 6, 2012.

"Taxable property" means as any unit of real property in the City which receives a separate tax bill for ad valorem property taxes from the Treasurer-Tax Collector of Riverside County.

**SECTION 3. Special Parcel Tax.** The City is hereby authorized to impose, levy, and collect a special parcel tax. The specific purposes of the special parcel tax are to fund the costs of the annual maintenance and servicing of improvements located in public places throughout the City, and any incidental expenses thereof. Except as otherwise provided in Section 8 of this Ordinance, the special parcel tax shall be imposed, levied, and collected at the maximum rate of \$171.00 per taxable property.

**SECTION 4. Special Account.** The proceeds of the special parcel tax shall be deposited in a special account, created and maintained by the City, and used only for the specific purposes identified in Section 3 hereof.

**SECTION 5. Accountability Measures.** For so long as any proceeds of the special parcel tax remain unexpended, the City Manager shall cause a report to be prepared by an independent auditor and to be filed with the City Council no later than December 31 of each year, commencing December 31, 2013, stating (1) the amount of special parcel tax revenues collected and expended in such year; and (2) the status of any projects or description of any services or programs funded from proceeds of the special parcel tax. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as the City Manager shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the City Council.

**SECTION 6. Annual Report.** The City shall annually adopt a written report which shall contain a description of each lot or parcel of taxable property subject to the imposition, levy, and collection of the special parcel tax, the amount of the special parcel tax for each lot or parcel of taxable property for each fiscal year, and the basis and schedule for the special parcel tax authorized. All property which is otherwise exempt from or on which are levied no ad valorem property taxes in any year shall also be exempt from the special parcel tax in such year. The Riverside County Assessor's determination of exemption or relief for any reason of any parcel from taxation shall be final and binding for the purposes of the special parcel tax. Taxpayers wishing to challenge the County Assessor's determination must do so under the procedures for correcting a misclassification of property

pursuant to section 4876.5 of the California Revenue and Taxation Code or other applicable procedures. Taxpayers seeking a refund of the special parcel tax shall follow the procedures applicable to property tax refunds pursuant to the California Revenue and Taxation Code.

**SECTION 7. Application of Special Parcel Tax.** The special parcel tax shall be assessed to the owner of each taxable property within the City, unless the owner is by law exempt from taxation, in which case, the tax imposed shall be assessed to the holder of the possessory interest in such parcel, unless such holder is also by law exempt from taxation.

**SECTION 8. Imposition of Special Parcel Tax.** The special parcel tax shall be imposed, levied, and collected each year, commencing July 1, 2013, on all taxable property, improved or unimproved, within the boundaries of the City, at the maximum rate of one hundred seventy-one dollars (\$171.00) per year per taxable property. Provided, however, such maximum rate may be adjusted annually for inflation. Each fiscal year, beginning Fiscal Year 2013-14, the maximum allowable maximum special tax may be increased by the percentage change in the year ending January preceding the start of the Fiscal Year of the Consumer Price Index for all Urban Consumers (CPI-U), for the Los Angeles-Riverside-Orange County area. Annual adjustments for inflation shall not exceed three percent (3%) for any single year. If for any reason the percentage change in the CPI-U is negative, the maximum allowable assessment shall not be decreased by reason of such negative percentage change and will remain at the amount as computed on the previous Fiscal Year regardless of any CPI-U adjustment. Provided further, however, if the City Council determines an adjustment for inflation is not necessary in any given Fiscal Year, the City Council is not obligated to increase the special parcel tax in that Fiscal Year.

**SECTION 9. Suspension of Special Benefit Assessments.** Commencing July 1, 2013, the City shall suspend the imposition, levy, and collection of the special benefit assessments within Landscape and Lighting District No. 91-1 and each zone therein for so long as the special parcel tax authorized pursuant to this Ordinance is imposed, levied, and collected by the City.

**SECTION 10. Severability.** The special parcel tax shall not apply to any person, entity, or property as to whom or which it is beyond the power of the City to impose the tax herein provided. If for any reason any provision of this Ordinance or the application thereof is found to be invalid, or if the Special Parcel Tax is found inapplicable to any particular parcel within the City by a Court of competent jurisdiction, the balance of this Ordinance and the application of the Special Parcel Tax to the remaining parcels within the City shall not be affected and, to this end, the provisions of this Ordinance are severable.

**SECTION 11. Successors.** To the fullest extent permitted by law, this Ordinance and its special parcel tax authorization and authority shall be binding upon any successors in interest to the City or any successors in interest to the City's maintenance and servicing of the improvements.

**SECTION 12.** This Ordinance shall take effect only if approved by two-thirds of the eligible voters of the City of Indian Wells voting at a General Municipal election to be held on November 6, 2012, and shall take effect immediately after the City Council has certified the results of the General Municipal election by resolution.

**SECTION 13.** The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 6, 2012, by signing where indicated below.

I hereby certify that the foregoing Ordinance was **PASSED, APPROVED AND ADOPTED** by the people of the City of Indian Wells on the 6<sup>th</sup> day of November, 2012.

Dated

**MAYOR**

**ATTEST:**

**APPROVED AS TO FORM:**

**RODERICK J. WOOD**  
**INTERIM CITY MANAGER/CITY CLERK**

**STEPHEN P. DEITSCH**  
**CITY ATTORNEY**

## IMPARTIAL ANALYSIS OF MEASURE “R”

The City of Indian Wells formed eighteen landscape and lighting maintenance assessment districts (“LLMDs”) to fund the maintenance of landscape and lighting improvements within the City’s public rights-of-way on Highway 111, Cook Street, and Eldorado Drive (“Improvements”). In 1991, the LLMDs were consolidated into one district (the “LLMD No. 91-1”), which has eighteen zones. Although the Improvements maintained within LLMD No. 91-1 are located throughout the City, not all City property owners pay assessments for their maintenance.

Measure “R” proposes the adoption of an ordinance authorizing the City to impose a parcel tax on all taxable property within the City for the specific purpose of funding the maintenance and servicing of the Improvements located in LLMD No. 91-1. The parcel tax would be imposed at a rate of \$171 per taxable parcel commencing July 1, 2013. For each fiscal year beginning fiscal year 2014-15, the maximum allowable parcel tax could be increased, as needed, by the percentage change in the Consumer Price Index for all Urban Consumers (“CPI-U”), for the Los Angeles-Riverside-Orange County area for the year ending the preceding December 31, capped at 3%. If for any reason the percentage change in the CPI-U is negative, the maximum allowable tax could not be decreased and would remain at the amount as computed for the previous fiscal year. If the City Council determines that an adjustment for inflation is not necessary in any given fiscal year, the City Council would not be obligated to increase the parcel tax in that fiscal year.

If the parcel tax is approved by the voters, commencing July 1, 2013, the City will suspend the imposition, levy, and collection of the special benefit assessments on residential parcels within LLMD No. 91-1 for so long as the parcel tax is imposed, levied, and collected by the City. Because there are additional costs for maintaining certain improvements that specially benefit non-residential parcels in Zones A8, A11A, A11C, and E of LLMD No. 91-1, the special benefit assessments for non-residential parcels within these zones would not be suspended.

In order for the City to adopt the proposed parcel tax and resulting suspension of assessments on residential lots in LLMD No. 91-1, Measure “R” must be approved by two-thirds of the voters voting in the election on Measure “R”.

A “yes” vote on Measure “R” authorizes the City to (1) impose the parcel tax, commencing July 1, 2013, at the rate of \$171 per taxable parcel per year; and (2) provide for annual inflationary adjustments of the tax capped at 3%.

A “no” vote on Measure “R” prohibits the City from (i) imposing the parcel tax commencing July 1, 2013, at the rate of \$171 per taxable parcel per year; and (ii) providing for annual inflationary adjustments of the tax capped at 3%.

S/ Office of the City Attorney, City of Indian Wells  
Stephen P. Deitsch, City Attorney

## ARGUMENT AGAINST MEASURE “R”

Indian Wells does not need a new parcel tax. City residents are urged to vote “NO” on Measure “R” because it improperly benefits a limited number of privately owned properties along Highway 111, Cook and Eldorado by requiring all other parcels to pay the cost of beautification for the few.

The City’s existing Landscape and Lighting Maintenance District 91-1 (LLMD) is made up of 18 zones that include many, but not all parcels on the streets mentioned. At the time of purchase, all residents affected by the LLMD should have been advised that a cost of their home ownership included the cost of landscaping and maintaining their properties as required by the LLMD.

Under Measure “R”, all parcels within the city will now share the cost of landscaping and lighting for the LLMD affected properties. In some zones within the LLMD, the costs will actually increase because the new tax is greater than the current LLMD fee. Other parcels will pay less as their costs will be shared by all parcel owners.

For those parcels affected by LLMD fees, the solution is to cut back on annual expenses, just as we all do when budgeting expenses. A little less color planted each year will not make the affected parcels or the City less desirable. Under the new tax, city government will be more directly involved in the landscape business, which almost guarantees increased costs.

Measure “R” unfairly places a greater value on the selected parcels which can now look to city taxes to beautify their properties. Under “R”, we must pay not only for our own landscaping and maintenance, but for the LLMD privately-owned properties as well.

We do not need to pay a tax for the beautification of properties within the city. Vote “No” on “R”.

By: Michael J. Andelson

**NO ARGUMENT FILED IN FAVOR OF MEASURE “R”**

## MEASURE "S" - CITY OF INDIAN WELLS

### EXHIBIT "A" PROPOSED CHARTER AMENDMENT

1. Section 101 is added to Article I of the Charter of the City of Indian Wells to read as follows:

"Section 101. Councilperson's Compensation. Except as below or as may be required by applicable Federal or State law, no City funds shall be expended, or anything of value provided to, or on behalf of, any member of the City Council for his or her personal use or benefit.

The City Treasurer is authorized to make the following payments:

For services rendered as a member of the City Council - \$1,000 per month  
For services rendered as Mayor – an additional \$500 per month  
For services rendered as Mayor Pro Tem – an additional \$250 per month

Beginning July 1, 2014 and each year thereafter, the City Treasurer shall adjust the amounts above to reflect any changes in the Consumer Price Index for this area as determined by the Bureau of Labor Standards of the United States Department of Labor.

Nothing herein shall be construed to prohibit the reimbursement of ordinary and necessary expenses incurred in the performance of ones duties as a Member of the City Council, or Mayor, or Mayor Pro Tem provided such expenditures were reasonably incurred and approved in advance by the City Council."

## IMPARTIAL ANALYSIS OF MEASURE "S"

Measure "S" proposes an amendment to the Charter of the City of Indian Wells. It would provide that no City funds or other items of value may be provided to or on behalf of any City Council Member for his or her personal use or benefit, except as provided therein or required by applicable State or Federal law. Measure "S" was proposed by initiative petition signed by more than 15% of the registered voters of the City.

The proposed amendment would add Section 101 to Article I of the Charter to state that the following payments may be made to City Council Members:

1. For services rendered as a Member of the City Council - \$1,000 per month
2. For services rendered as Mayor – an additional \$500 per month
3. For services rendered as Mayor Pro Tem – an additional \$250 per month

Beginning July 1, 2014, and each year thereafter, Measure "S" would require the City Treasurer to adjust the above amounts to reflect changes in the Consumer Price Index ("CPI") for the area, as determined by the Bureau of Labor Standards of the U.S. Department of Labor.

In addition to the above payments, Measure "S" would permit reimbursement of ordinary and necessary expenses incurred in the performance of duties as a City Council Member, Mayor, or Mayor Pro Tem, provided such expenses were reasonably incurred and approved by the City Council in advance.

Council Members are currently compensated in accordance with Section 2.08.050 of the City of Indian Wells Municipal Code, which provides that Council Members shall receive a stipend of \$2,500.00 per month, subject to an annual Cost of Living adjustment up to a limit of \$100.00. By approval of the current year budget, Council Members have reduced their current stipend to \$2,300.00 per month. In addition, currently, Council Members may receive compensation in the form of tickets in the possession and control of the City for admission to entertainment, recreational, amusement and similar events.

State law requires that sitting Council Members remain in the CalPERS defined benefit plan once they have elected to opt into CalPERS membership. All of the sitting Council Members have made such an election. Therefore, sitting Council Members must not only continue to participate in CalPERS but, the City must continue to contribute to the CalPERS defined benefit plan on their behalf in the form of the required employer contribution.

If Measure "S" is adopted, the amount payable would be reduced to \$1,000.00 per month for Council Members and \$1,500.00 and \$1,250.00 per month for Mayor and Mayor Pro Tem, respectively, subject to an annual CPI adjustment, plus ordinary, necessary and reasonably incurred expenses approved by the City Council in advance.

If adopted by the voters, this Charter Amendment may be amended or repealed only by vote of the people.

Measure "S" requires approval of a majority of voters. A "yes" vote for Measure "S" will adopt the amendment to the City Charter described above. A "no" vote against Measure "S" will maintain the status quo.

S/ Office of the City Attorney, City of Indian Wells  
Stephen P. Deitsch, City Attorney

### ARGUMENT IN FAVOR OF MEASURE “S”

#### STOP Excessive Compensation for Indian Wells Council Members

Excessive compensation and benefits for elected officials erodes public confidence in government.

The members of our Indian Wells City Council vote to set their own compensation and benefits. They have abused their authority.

According to official city records, in the past five years, our councilmembers each received an average of \$61,800 per year in salary and benefits (the records are available at <http://www.cityofindianwells.com/city-council/agendas>).

That's not all! Currently, each City Councilmember is enrolled in the state's generous public pension system in which they are eligible to receive tens of thousands of dollars in additional benefits each year for the rest of their lives.

Lifetime pension and healthcare benefits for each current Councilmember could top \$500,000!

This compensation system is excessive for a city of 5,000 residents, where City Councilmembers attend a few meetings per month.

That is why, more than 700 of your neighbors, signed petitions to place Measure “S” on the ballot.

Measure “S” will reform our city charter and limit amount the amount of compensation our city councilmembers can receive to \$1,000 per month...PERIOD.

That is more than generous considering the limited amount of work our city elected officials are required to do.

Excessive compensation and benefits for part-time elected officials reduces available funding for public safety, road maintenance and other necessary public programs.

When our city was founded in 1967, the mayor and city council served without compensation and there was no shortage of good, qualified public-spirited citizens who were willing to serve.

Our recent mayors and city councils have failed to set the right priorities for our city by limiting their own compensation and benefits. We, the people, must do it for them.

Vote YES on “S”

By: Peter F. Schabaram, “A very interested citizen”

Andy G. Elchuck

Carol Cirbes, Concerned Citizen

Dana Reed, Governmental Ethics Attorney

### REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE “S”

The Indian Wells Council Compensation was never excessive. Yet in spite of this, in August, 2011 the Council voluntarily cut its compensation 26%.

Council members spend on average 20 hours per week representing the residents on City business which includes consideration of fiscal, legal, environmental, labor and other issues and challenges. Indian Wells Council Members have the added responsibility of maintaining City liaison over major hotels, worldwide events and the 5<sup>th</sup> largest tennis stadium in the world.

The Council on its own has proposed additional compensation package reductions which would place the Indian Wells Council in the lower third of Coachella Valley Cities when it comes to Compensation.

The Charter amendment proposal would cut compensation to a level BELOW minimum wage in California! Certainly the expertise and experience that our duly elected Council members bring merits higher compensation than a fast food fry cook. This measure, if enacted, would greatly discourage qualified candidates in being attracted to serve on its Council.

It is neither well thought out nor well intended.

The current Council acted responsibly in carrying out its mandate regulating Compensation. They have also performed in a responsible manner in maintaining fiscal soundness in having not only an unbroken record of balanced budgets but a reserve set aside as well.

❖ Don't try to fix what is not broken!

Vote No on the Proposed Charter Amendment.

By: Michael Kruppe

### ARGUMENT AGAINST MEASURE “S”

We agree with the sponsors of Measure “S” that the current level of Council compensation needs to be reduced. We also agree that when a new council pay base is agreed upon, it should be changed by a majority vote of the residents.

We do not agree with the draconian cuts in Council Compensation proposed in this initiative, especially with no stated basis other than “they are overpaid”! Council compensation should be based on an objective and reasonable valuation after considering all of the tangible and intangible assets of the City. This decision should be about a reasonable choice not a punitive action against current Council members.

On August 2, 2012, a reasonable proposal for restructuring Council compensation was introduced. We believe this to be a fair and reasonable compromise plan. It cuts the total Council Member compensation, including all benefits and taxes, by slightly less than 70% of the 2011 high point and 5% below the 2002 total Council Member compensation.

It must be noted that whatever Council compensation levels are adopted they are not just applicable to the current Council, but to all future Councils as well.

The bottom line is vote no on this amendment! If the voters are unhappy with Council's performance, vote them out. Do not punish all future Council members.

By: Gail S. McQuary

### REBUTTAL TO ARGUMENT AGAINST MEASURE “S”

Opponents of Measure “S” want you to believe that the City Council's efforts to reduce their own compensation have been “reasonable,” and the \$12,000 annual limit set by Measure “S” is “draconian.” They are wrong on both counts.

The ‘Desert Sun’s’ well-researched data show that only a handful of California’s 478 cities pay their councils more than \$20,000 annually. The norm is less than \$10,000 annually. Some large cities that pay their council members less than our proposed \$12,000 annually include;

- Laguna Beach (\$7,487, population 36,224),
- Ventura (\$7,725, pop. 107,514),
- Whittier (\$10,228, pop. 85,943),
- Temecula (\$10,320, pop. 100,146) and
- Murrieta (\$7,200, pop. 101,462)
- San Clemente (\$5,135, pop. 64,401)

The city attorney’s “impartial analysis” of Measure “S” mentions that council members reduced their cash stipend by 8% (to \$27,600 annually) but retained all their “employee” benefits (pension & health care)! Additionally they retained their ability to “receive compensation in the form of tickets in the possession and control of the City for admission to entertainment, recreational, amusement and similar events.” In light of what other similarly-sized cities pay, their self-imposed reduction to \$27,600 annually, we continue to overpay the council.

Measure “S” is NOT designed to “punish” present or future council members – it was signed by five (5) of the ten (10) candidates who are running for city council! It provides fair and reasonable compensation to part-time council members, and puts the controls back in the hands of Indian Wells taxpayers.

Vote Yes on Measure “S”.

By: Peter F. Schabarum, Very Concerned Citizen

Carol A. Cirbes, Concerned Resident

Andre G. Elchuck, (Concerned Resident)

Dana Reed

---

---

CAN'T MAKE IT ON ELECTION DAY?  
WE'RE MAKING IT EASY TO VOTE EARLY

---

---



**AT THE REGISTRAR OF VOTERS OFFICE**

2724 Gateway Drive, Riverside, CA 92507

October 9 through November 5

(excluding Holidays)

Monday through Friday

8:00 a.m. to 5:00 p.m.

Saturday, October 27 and November 3

10:00 a.m. to 5:00 p.m.

Election Day, November 6

7:00 a.m. to 8:00 p.m.

**AND AT THE FOLLOWING LOCATIONS**

October 26-28, Friday through Sunday, 10:00 a.m. to 5:00 p.m.



GALLERIA AT TYLER  
1299 GALLERIA AT TYLER  
RIVERSIDE, CA 92503



WESTFIELD PALM DESERT  
72-840 HIGHWAY 111  
PALM DESERT, CA 92260

THE PROMENADE  
In Temecula



THE PROMENADE  
40820 WINCHESTER ROAD  
TEMECULA, CA 92591

---

---

**VOTE-BY-MAIL**

You can request your OFFICIAL VOTE-BY-MAIL BALLOT by using the application on the back of this sample ballot booklet. Return your vote-by-mail ballot by mail or at the following drop-off locations throughout Riverside County October 9 to November 5:

**CITIES**

- City Clerk's Offices (as listed)
- County-run Libraries (as listed)
- The Registrar of Voters Office up until close of polls on Election Day.
- The Registrar of Voters 24-hour Drop Box is available east of the main entry doors.
- At any Polling Place in Riverside County on Election Day.



Check out our website  
for all of the drop-off  
locations throughout  
Riverside County at  
[WWW.VOTEINFO.NET](http://WWW.VOTEINFO.NET)  
or  
call our office at  
951-486-7200 or  
1-800-773-VOTE(8683)

**Banning**  
**Beaumont**  
**Blythe**  
**Calimesa**  
**Canyon Lake**  
**Cathedral City**  
**Coachella**  
**Corona**  
**Desert Hot Springs**  
**Eastvale**  
**Hemet**  
**Indian Wells**  
**Jurupa Valley**  
**Lake Elsinore**  
**La Quinta**  
**Menifee**  
**Moreno Valley**  
**Murrieta**  
**Norco**  
**Palm Desert**  
**Palm Springs**  
**Perris**  
**Rancho Mirage**  
**Riverside**  
**San Jacinto**  
**Temecula**  
**Wildomar**

**COUNTY LIBRARIES**

|                                           |                                                 |
|-------------------------------------------|-------------------------------------------------|
| <u><a href="#">Anza</a></u>               | <u><a href="#">Lake Tamarisk</a></u>            |
| <u><a href="#">Calimesa</a></u>           | <u><a href="#">Mecca</a></u>                    |
| <u><a href="#">Canyon Lake</a></u>        | <u><a href="#">Mission Trail</a></u>            |
| <u><a href="#">Cathedral City</a></u>     | <u><a href="#">Norco</a></u>                    |
| <u><a href="#">Coachella</a></u>          | <u><a href="#">Nuvview</a></u>                  |
| <u><a href="#">Desert Hot Springs</a></u> | <u><a href="#">Palm Desert</a></u>              |
| <u><a href="#">Eastvale</a></u>           | <u><a href="#">Paloma Valley</a></u>            |
| <u><a href="#">El Cerrito</a></u>         | <u><a href="#">Perris</a></u>                   |
| <u><a href="#">Glen Avon</a></u>          | <u><a href="#">Robidoux</a></u>                 |
| <u><a href="#">Highgrove</a></u>          | <u><a href="#">Romoland</a></u>                 |
| <u><a href="#">Home Gardens</a></u>       | <u><a href="#">San Jacinto</a></u>              |
| <u><a href="#">Idyllwild</a></u>          | <u><a href="#">Sun City</a></u>                 |
| <u><a href="#">Indio</a></u>              | <u><a href="#">Temecula - Grace Mellman</a></u> |
| <u><a href="#">La Quinta</a></u>          | <u><a href="#">Temecula Public Library</a></u>  |
| <u><a href="#">Lake Elsinore</a></u>      | <u><a href="#">Thousand Palms</a></u>           |
| <u><a href="#">Lakeside</a></u>           | <u><a href="#">Valle Vista</a></u>              |
|                                           | <u><a href="#">Woodcrest</a></u>                |

## IMPORTANT DATES



### **OCTOBER 9**

First day you can vote

### **OCTOBER 22**

Close of registration

### **OCTOBER 30**

Last day to request a  
Vote-by-Mail ballot

### **NOVEMBER 6 ELECTION DAY**

Vote at your polling place, drop off your Vote-by-Mail ballot at any polling place or vote at the Registrar of Voters office by 8:00 p.m.

## YOU HAVE THE OPTION

### **OPT-IN TO VIEW YOUR SAMPLE BALLOT ONLINE!**



You can view all future  
Sample Ballot Information Pamphlets  
online with 24/7 access at your convenience.

**It's easy and great for the environment.**

For more information visit [www.voteinfo.net](http://www.voteinfo.net)  
or call 951-486-7200 or 1-800-773-VOTE(8683)

# VOTE-BY-MAIL

## October 9 thru October 30

### HAVE YOU HEARD? VOTING BY MAIL IS...

**E**arly Voting

**A**vailable to any voter

**S**aves time by getting you out of line on Election Day

**Y**our Choice



**You can request to vote-by-mail in any election or elect to receive all ballots for future elections in the mail.**

**SAME OFFICIAL BALLOT – AT YOUR CONVENIENCE**



FROM

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
DID YOU SIGN YOUR APPLICATION?



FIRST  
CLASS  
POSTAGE

PLACE STAMP HERE

REGISTRAR OF VOTERS  
2724 GATEWAY DRIVE  
RIVERSIDE CA 92507-0923



## NOTICE TO THE VOTER WITH SPECIAL NEEDS:

A “YES” or “NO” printed under the disabled symbol/arrow on the back cover of this pamphlet indicates whether or not your assigned polling place is accessible to physically disabled voters. Please be advised of the following alternate ways you may cast your ballot.

- **By mail.** You may request a vote-by-mail ballot. Simply complete the application on the back cover of this pamphlet. The application must be mailed to reach the Registrar of Voters Office by the deadline given.
- **Early Voting.** You may vote at the Registrar of Voters office located at 2724 Gateway Drive, Riverside, CA 92507, October 9 - November 5 (excluding Holidays), Monday through Friday, 8:00 a.m. to 5:00 p.m.; Saturday, October 27 and November 3, 10:00 a.m. to 5:00 p.m.; and Election Day, November 6, 7:00 a.m. to 8:00 p.m. Please visit our website at [www.voteinfo.net](http://www.voteinfo.net) for additional early voting locations and information.
- **Curbside Voting on Election Day.** If you are unable to enter the polling place due to a physical disability, you may request Curbside Voting at your assigned polling place. Upon arrival at the polling place, you will be allowed to vote in a location as near as possible to the entrance that is accessible to the physically disabled. If you require Curbside Voting, please call 1-877-663-9906 before going to your assigned polling place and/or when you arrive at the facility. An Election Officer will be contacted prior to your arrival to meet you at the curb.

REGISTRAR OF VOTERS  
2724 GATEWAY DRIVE  
RIVERSIDE, CA 92507-0918



NONPROFIT  
U.S. POSTAGE  
**PAID**  
Registrar of Voters  
Riverside

## VOTE-BY-MAIL BALLOT APPLICATION

**APPLICATION MUST BE RECEIVED NO LATER THAN OCTOBER 30, 2012**

I hereby request a ballot for the Consolidated Presidential General Election, November 6, 2012.

PLEASE PRINT:

NAME AS REGISTERED

RESIDENCE ADDRESS AS REGISTERED

CITY STATE ZIP

MAIL BALLOT TO:

ADDRESS (IF DIFFERENT)

CITY STATE ZIP

☐ ☒ Check this box to request PERMANENT VOTE-BY-MAIL status.

I declare, under penalty of perjury that the information provided is true and correct to the best of my knowledge.

↓ POSTMASTER DELIVER TO ↓

SIGNATURE  
REQUIRED

SIGNATURE OF VOTER

DATE

33-BCov General 11-06-12

BALLOT  
TYPE 170

## ✓ You May Cast Your Vote Early

At

THE REGISTRAR OF VOTERS OFFICE  
2724 Gateway Drive, Riverside, CA 92507

October 9 through November 5 (excluding Holidays)

Monday through Friday, 8:00 a.m. to 5:00 p.m.

Saturday, October 27 and November 3,  
10:00 a.m. to 5:00 p.m.

**Election Day November 6**

7:00 a.m. to 8:00 p.m.

Please visit our website at [www.voteinfo.net](http://www.voteinfo.net) for  
additional early voting locations and information.

\*\*\*\*\*

### IMPORTANT NOTICE!!!

Accessible Voting Unit available at all polling locations.

TO MARK YOUR VOTE  
DRAW A LINE



VOTE!!!

For a demonstration on marking your ballot visit [www.voteinfo.net](http://www.voteinfo.net)

**VOTE EARLY**

IT'S QUICK

IT'S EASY

IT'S CONVENIENT

**GET OUT OF LINE ON ELECTION DAY!**

**VOTE-BY-MAIL**

↓ LOCATION OF YOUR POLLING PLACE ↓



ACCESS?

