

County of Riverside



Registrar of Voters

Consolidated General Election

*Tuesday, November 7, 2017
County Voter Information Guide*

Polling Place Location
on Back Cover
Polls Open
November 7, 2017
7:00 a.m. to 8:00 p.m.

.....
Registration Deadline
October 23, 2017

Additional Information Inside
.....

Quick • Easy • Convenient

Vote-By-Mail

October 10th - October 31st
Application on Back Cover

AVISO IMPORTANTE

Una traducción en Español de esta Guía de Información del Condado Para el Votante puede obtenerse en la oficina del Registro de Votantes llamando al (951) 486-7200 o (800) 773-VOTE (8683) o visite nuestro sitio web 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

Get out of line on Election Day!



VOTE-BY-MAIL

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

See application on back cover

VOTE EARLY

Riverside County
Registrar of Voters Office

See inside for additional information

YOU HAVE THE OPTION

OPT-IN TO VIEW YOUR COUNTY VOTER INFORMATION GUIDE ONLINE!

You can view all future
County Voter Information Guides
online with 24/7 access at your convenience.

It's easy and great for the environment.

For more information visit www.voteinfo.net
or call (951) 486-7200 or (800) 773-VOTE (8683)



REBECCA SPENCER
Registrar of Voters



ART TINOCO
Assistant Registrar of Voters

REGISTRAR OF VOTERS COUNTY OF RIVERSIDE

Dear Voter:

November 7, 2017 is Election Day. This County Voter Information Guide provides ballot marking instructions, polling place location, candidate information, and other important election details that you should review before you vote. You may mark your selections on your Sample Ballot and take it with you to the polls for easy reference.

You have several options for voting:

Vote-by-Mail – Voting by mail is convenient and easy. You will find an application to receive a Vote-by-Mail ballot on the back cover of this guide. The deadline to request a Vote-by-Mail ballot is October 31. You have several options for returning your ballot:

- Mail your ballot in time to reach the Registrar of Voters Office by 8:00 p.m. on Election Day, or be postmarked on or before Election Day and received no later than three days after Election Day to be counted.
- Return your ballot in person to the Registrar of Voters Office during regular business hours and until close of polls on Election Day. For your convenience the Registrar's office has a secure locked drop box at its entry for ballot drop off 24 hours a day.
- Deposit your ballot in one of the secure drop-off boxes available at designated City Clerks' Offices from October 10 through November 6. Please visit our website to view a map of ballot drop-off locations.
- Take your ballot to any polling place, vote center, or ballot drop-off location within the state no later than the close of the polls on Election Day.
- You may confirm that the Registrar of Voters Office has received your returned Vote-by-Mail ballot on our website at www.voteinfo.net.
- **Vote First, Count First!** Vote-by-Mail ballots received before Election Day are counted first. Return your ballot as soon as possible to ensure that it is included in the first Election Night results!

Early Voting – Vote at the Registrar of Voters Office beginning October 10 through November 6 (excluding Holidays), Monday through Friday, from 8:00 a.m. to 5:00 p.m.; Saturday, October 28 and November 4, from 9:00 a.m. to 4:00 p.m.; and Election Day, November 7, from 7:00 a.m. to 8:00 p.m. Early voting will also be available at the Palm Springs Public Library on Friday, October 27 and Saturday, October 28, from 10:00 a.m. to 4:00 p.m. Please visit our website at www.voteinfo.net for additional early voting information.

Vote on Election Day November 7 – See the back cover of this County Voter Information Guide for your Polling Place location.

Have you considered participating in the Electoral process? We need you to volunteer to work the polls on Election Day! We are eager to train you to assist voters with their fundamental right to vote. Please contact us for more information.

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,



REBECCA SPENCER
Registrar of Voters

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

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 as 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

SAMPLE BALLOT / BOLETA DE MUESTRA

CONSOLIDATED GENERAL ELECTION / ELECCIÓN GENERAL CONSOLIDADA

November 7, 2017 / 7 de noviembre de 2017

Mark your choices on your Sample Ballot, then refer to it when you vote / Marque sus opciones en su Boleta de Muestra, luego refiérase a esta cuando esté votando

MEASURES SUBMITTED TO THE VOTERS MEDIDAS SOMETIDAS A LOS VOTANTES	
CITY / CIUDAD	
CITY OF DESERT HOT SPRINGS CIUDAD DE DESERT HOT SPRINGS	
B	DESERT HOT SPRINGS 911, GANG/DRUG CRIME PREVENTION MEASURE Shall the Ordinance preventing public safety service cuts to police/emergency response times, anti-gang/anti-drug, youth violence and sex offender/parolee programs, extending existing, voter-approved public safety measure at a reduced rate of \$103 per single family residence, providing approximately \$2,000,000 annually, until ended by voters, requiring audits, with all funds for local public safety, and a tax decrease for these parcels, be adopted?
DESERT HOT SPRINGS 911, MEDIDA DE PREVENCIÓN DE PANDILLAS/DROGAS ¿Debe la Ordenanza prevenir los cortes en los servicios de seguridad pública a los tiempos de respuesta de la policía/emergencia, programas contra la pandilla/antidrogas, violencia juvenil, delincuentes sexuales/libertad condicional, extendiendo la medida de seguridad pública aprobada por los votantes a una tarifa reducida de \$103 por residencia unifamiliar, proporcionando aproximadamente \$2,000,000 anualmente, hasta que terminen los votantes, requiriendo auditorías, con todos los fondos para la seguridad pública local, y una reducción de impuestos para estas parcelas, ser adoptados?	
YES / SÍ  	
NO / NO  	

CITY OF DESERT HOT SPRINGS CIUDAD DE DESERT HOT SPRINGS	
C	DESERT HOT SPRINGS NEIGHBORHOOD POLICE PROTECTION AND PUBLIC SAFETY MEASURE Shall the Ordinance to increase police training, recruitment/retention and crime investigation/prevention; maintain rapid police, fire and 9-1-1 emergency response times; and to hire additional police officers to patrol streets, extending its existing, voter-approved utility users' tax, producing approximately \$2,831,543 annually, until ended by voters, with independent citizens' oversight, annual audits, and requiring all funds for local public safety services be adopted?
DESERT HOT SPRINGS PROTECCIÓN DE LA POLICÍA Y MEDIDA DE SEGURIDAD PÚBLICA DEL VECINDARIO ¿Debe la Ordenanza aumentar la formación policial, la contratación/retención y la investigación/prevenición de delitos; Mantener rápidos tiempos de respuesta de emergencia, 9-1-1 y policía; Y para contratar a policías adicionales para patrullar las calles, extendiendo su impuesto de usuarios de servicios públicos aprobado por los votantes, produciendo aproximadamente \$2,831,543 anualmente, hasta que terminen con los votantes, con la supervisión de los ciudadanos independientes, auditorías anuales y requiriendo todos los fondos para los servicios locales de seguridad pública ¿ser adoptados?	
YES / SÍ  	
NO / NO  	

VOTER'S INFORMATION GUIDE 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 guide section may not contain a complete list of candidate statements. A complete list of candidates appears on the Sample Ballot section of this guide. Each candidate's statement in this guide 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. Additional candidate statements may be available and viewed at www.voteinfo.net.

Statements made on the following pages represent the views of the 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.

POLLING PLACE REMINDER NO ELECTIONEERING!



All electioneering, voter solicitation, etc. is prohibited within 100 feet in any direction of the room where voters are casting ballots.

Avoid wearing or displaying campaign buttons, hats, t-shirts, and other political items.

CALIFORNIA ELECTIONS CODE §§18370, 18371

MEASURE “B” – CITY OF DESERT HOT SPRINGS

ORDINANCE NO. _____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF DESERT HOT SPRINGS, AMENDING CHAPTER 3.32 (PUBLIC SAFETY SPECIAL TAX) OF THE CITY OF DESERT HOT SPRINGS' MUNICIPAL CODE EXTENDING THE DURATION OF THE EXISTING, VOTER-APPROVED PUBLIC SAFETY SPECIAL TAX, AMENDING THE TAX RATES UNTIL ENDED BY THE VOTERS

THE PEOPLE OF THE CITY OF DESERT HOT SPRINGS ORDAIN AS FOLLOWS:

Section 1.

ELECTIONS CODE SECTION 13119 STATEMENT

A. That the **decrease** in the Public Safety Special Tax rate for:

1. Single Family Residential/R-1/CON, which is measured per dwelling unit, which will be decreased from \$138.64 (which is the current rate for FY 2017/2018) to \$103.00

B. That the **increase** in the Public Safety Special Tax rates for:

1. Residential Vacant, which is measured per dwelling unit, which will be increased from \$9.82 (which is the current rate for FY 2017/2018) to \$19.14
2. Commercial Vacant, which is measured per acre, which will be increased from \$133.80 (which is the current rate for FY 2017/2018) to \$267.60
3. Industrial Vacant, which is measured per acre, which will be increased from \$2.71 (which is the current rate for FY 2017/2018) to \$5.42
4. Hotel Vacant, which is measured per acre, which will be increased from \$11.25 (which is the current rate for FY 2017/2018) to \$22.50

All of the above is expected to produce annually an additional \$91,138.44 of revenue for the 245 Fund, with the Public Safety Tax remaining in place until subsequently repealed by the voters.

Section 2.

AMENDMENT TO CHAPTER 3.32

That Chapter 3.32 of the Desert Hot Springs Municipal Code shall be amended to read as follows (the only edit is shown in bold and underline in Section 3.32.210 “Expiration date”):

3.32.010 Definitions.

Except where the context otherwise requires, the definitions of the words and phrases set forth in this section shall govern the application and administration of the provisions of this chapter:

“Administrator” means the City of Desert Hot Springs Finance Director, or designee.

“Animal control services” means services directed towards maintaining a safe and stray-free community, including the enforcement of applicable state and City laws and citing of violators; kennel operation and maintenance services; care for impounded animals and adoption services; pick-up of stray animals; issuing and recording dog licenses; investigating animal abuse; handling endangered species; and removing wild animals and reptiles from the community; and administrative costs directly related thereto.

“City” means the City of Desert Hot Springs.

“Code enforcement services” means services directed toward the enforcement of municipal code provisions with respect to public nuisances, including zoning, signs, land use and property maintenance violations, and toward the enforcement of municipal code provisions with respect to business licensing and removal of abandoned vehicles; and administrative costs directly related thereto.

“Dwelling unit” means, without limitation, one or more rooms including bathroom(s) and a kitchen, designated as a unit for occupancy by one family or for living and sleeping purposes for developed properties. In calculating the special tax for residential vacant properties, the number of dwelling units per acre shall be assigned based on the approved residential zoning according to the following formula: (1) R-L Residential Low—Three dwelling units per acre; (2) R-M Residential Medium—Five dwelling units per acre; (3) R-MH Residential Mobile Home—Six dwelling units per acre; and (4) R-H Residential High—Eight dwelling units per acre. In instances in which the appropriate zoning for a residential vacant property is uncertain, the Administrator shall assign the property to a zoning district, referring to the City of Desert Hot Springs General Plan, Zoning Ordinance, and Zoning Map in making the determination.

“Fire protection services” means the services provided by the Riverside County Fire Department pursuant to a cooperative agreement to provide fire protection, fire prevention, rescue and medical aid for the City entered into by and between the City and Riverside County Fire Department, and administrative costs directly related thereto.

“Parcel” means an individual property assigned its own assessment number by the Riverside County Assessor’s office.

"Person" means any natural individual, firm, trust, common law trust, estate, joint stock company, joint venture, limited liability company, corporation (foreign or domestic), cooperative, or receiver, trustee, guardian or other representative appointed by order of any court.

"Police protection services" means services protecting the safety of the citizens of the City through the maintenance of law and order, including the enforcement of criminal and vehicular laws and municipal code provisions; services to enhance the quality of life, environment and safety of the citizens of the City; services responding to calls for police assistance; services in cooperation with other City departments, including code enforcement and animal control, and services in cooperation with other law enforcement agencies and social service agencies; and administrative costs directly related thereto.

"Public safety services" means animal control services, code enforcement services, fire protection services and police protection services. "State" means the state of California.

3.32.020 Use of special tax revenues.

The revenues of the special tax may be used only for funding public safety services and collection costs related to:

- A. The collection of the tax by the Assessor and Tax Collector of the County of Riverside; and
- B. Foreclosure activities in the event of nonpayment of the tax.

3.32.030 Separate public safety services accounts.

The revenue produced by the special tax shall be placed by the Finance Department into a separate public safety services account.

3.32.040 Prohibited use of revenue for other services—Annual reporting and audit.

- A. No revenue generated by the special tax shall be used for any purpose whatsoever other than for funding public safety services and the collection costs described in Section 3.32.020 unless this chapter is amended to provide otherwise pursuant to the approval of at least a two-thirds vote of the electors of the City at an election called for such a purpose in a manner consistent with California Constitution Article XIID, Section 3, California Government Code Sections 53722 et seq., and/or any other applicable state constitutional provision, law or regulation pertaining to such matters.
- B. The City of Desert Hot Springs' existing Public Safety Commission shall, in addition to the Commission's existing responsibilities, serve as an advisory committee to the City Council with respect to the receipt and expenditure of public safety special tax funds. In that capacity, the Public Safety Commission shall at least annually prepare and provide to the City Council a review of the expenditures of funds generated by the public safety special tax.
- C. By no later than December 31st of each year, the City's independent auditors shall complete a compliance and internal control audit report for public safety special tax funds received. Such report shall review whether the tax revenue is collected, managed and expended in accordance with Chapter 3.32 of the Municipal Code.

3.32.050 Special tax area.

The special tax area is all land within the City of Desert Hot Springs.

3.32.060 Land use category.

The amount of the special tax shall be based in part upon the land use category of the subject parcel (land use category), as set forth in Appendix A hereto and incorporated herein by this reference, and shall be initially in the amounts set forth in Appendix A.

3.32.070 Prohibited additions and modifications to special tax areas and/or land use categories.

No boundary modifications to the existing special tax area and no modifications to the land use categories shall be made which will result in an increase in the rate or amount of any special tax above the rate or amount set forth in this chapter unless such an addition or modification is submitted to the voters and is approved by at least a two-thirds vote of the electors of the City at an election called for such a purpose in a manner consistent with California Constitution Article XIID, Section 3, California Government Code Sections 53722 et seq., and/or any other applicable constitutional provision, law or regulation pertaining to such matters.

3.32.080 Change in special tax rate resulting from change in zoning, development or usage.

Notwithstanding Section 3.32.070, any increase in the rate or amount of the special tax which results from a change in zoning (e.g., from recreational to commercial), a change in development (e.g., from unimproved to improved) or usage (e.g., from a hotel to a boarding house) shall not be required to be submitted to the voters for approval. For each real property which is subject to a change in zoning, or for which a change in development or a change in usage is approved, the rate of the special tax that will be levied upon the real property shall be the rate applicable to other similarly situated properties in that particular zone, with that particular type of development and usage. This paragraph shall be interpreted in a manner which is consistent with this chapter.

3.32.090 Parcels subject to special tax.

The special tax shall be imposed on all parcels of real property located within the special tax area unless otherwise specifically exempted in this chapter.

3.32.100 Exempted parcels.

Parcels owned by the City, the federal government, the state, or any other local public agency and parcels owned by any other public or private entity that is specifically exempted from local property-related taxation regulations under any applicable federal or state statute or regulation shall be exempt from the imposition of the special tax set forth in this chapter.

3.32.110 Possessory interests in exempted parcels.

Any non-public entity holding or possessing a leasehold interest or any other similar possessory interest in any real property specifically exempt under Section 3.32.100 shall be subject to the imposition of the special tax in a manner consistent with the purposes and provisions of this chapter.

3.32.120 Annexations.

Parcels annexed by the City after the effective date of the ordinance codified in this chapter shall be included in the special tax area which most closely resembles the zoning, land use and locational characteristics of the respective parcel, as shall be determined by the City, and the subject parcel shall be subject to the imposition of the special tax set forth in this chapter only if the imposition of the special tax on the subject parcel is accomplished in a manner consistent with California Constitution Article XIII D, Section 3, California Government Code Sections 53722 et seq., and/or any other applicable constitutional provision, law or regulation pertaining to such matters.

3.32.130 Annual adjustments.

The amount of the special tax as set forth in this chapter shall be adjusted annually by the cost of living increase as represented in the Consumer Price Index utilized by the Department of Labor for the area including Riverside County (currently, the Metropolitan Los Angeles area) for the most recent 12 months preceding the annual review of the cost of living pursuant to this section, or three percent, whichever is less.

3.32.140 Prohibition against discretionary adjustments in amount of special tax.

Other than the annual adjustments set forth in Section 3.32.130, the City, the City Council and/or any other decision-making authority of the City shall be prohibited from increasing the rate or amount of the special tax above the rate or amount set forth in this chapter unless such an increase in the rate or amount is submitted to the voters and is approved by at least a two-thirds vote of the electors of the City at an election called for such a purpose in a manner consistent with California Constitution Article XIII D, Section 3, California Government Code Sections 53722 et seq., and/or any other applicable constitutional provision, law or regulation pertaining to such matters.

3.32.150 Civil debt.

The special tax and all applicable penalties and interest shall be deemed a civil debt owing to the City which may be collected in the manner provided by the municipal code or any other applicable law, rule or regulation.

3.32.160 Assessment and collection duties.

The assessment and tax collection duties associated with the special tax described in this chapter shall be, pursuant to California Government Code Section 51501, the responsibility of the Assessor and Tax Collector of the County of Riverside.

3.32.170 Installment dates.

The special tax set forth in this chapter shall be due in two equal installments on the same dates in accordance with the schedule utilized by the assessor and tax collector of the County in collecting other property taxes on behalf of the City.

3.32.180 Method of collection.

The special tax set forth in this chapter shall be collected in the same manner in accordance with the procedures utilized by the Assessor and Tax Collector of the County in collecting other property taxes on behalf of the City.

3.32.190 Penalties and interest.

The special tax shall be subject to the same penalties and interest set forth by the County on behalf of the City and such penalties and interest shall constitute a lien upon the subject parcel until it has been paid.

3.32.200 Limited authority of the City Council.

The City Council, by three affirmative votes, is authorized:

- A. To reduce the amount of the special tax pro rata among parcels for a current fiscal year if it is determined within the City Council's sole discretion that the amount of revenue produced by the special tax exceeds the cost of the public safety services for that fiscal year.
- B. To sit as a Board of Equalization under procedures to be adopted to equalize inequities and reduce hardships for the current fiscal year created by a literal interpretation of this chapter and any such action taken in this capacity shall be deemed an administrative action.
- C. To annually provide an official assessment book designating the actual special tax levy on each parcel to the Assessor and Tax Collector of the County.

- D. To amend this chapter for the purpose of administering the general purposes of the article and conforming with any applicable federal and/or state statute, rule or regulation.

3.32.210 Expiration date.

This chapter shall expire until repealed by the voters ~~June 30, 2020~~.

Appendix A.

LAND USE CATEGORY	UNIT OF MEASURE	TAX RATE	<u>NEW TAX RATE</u>
Single Family Residential/R-1/CON	Per dwelling unit	\$120.87	<u>\$103</u>
Duplexes/R-2	Per dwelling unit	\$67.60	
Apartments/Mobile Homes/ R-3	Per dwelling unit	\$38.71	
Residential Vacant	Per dwelling unit	\$8.57	<u>\$19.14</u>
Commercial Developed	Per acre (<or = 0.15 acres)	\$3,734.14	
Commercial Developed	Per acre (>0.15 acres)	\$3,253.20	
Commercial Vacant	Per acre	\$116.66	<u>\$267.60</u>
Industrial Developed	Per acre	\$521.92	
Industrial Vacant	Per acre	\$2.36	<u>\$5.42</u>
Hotel Developed	Per room	\$38.16	
Hotel Vacant	Per acre	\$9.80	<u>\$22.50</u>

Section 3.

VOTER APPROVAL

That this ordinance was approved by at least two-thirds (2/3rd) of the voters voting in the Desert Hot Springs special municipal election held on November 7, 2017.

Section 4.

SEVERABILITY

That should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 5.

REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Desert Hot Springs that are in conflict with the provisions of this ordinance are hereby repealed.

Section 6.

CERTIFICATION

That the City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

Section 7.

EFFECTIVE DATE

That this ordinance shall take effect ten (10) days following the City Council's certification of the results of the November 7, 2017, special municipal election.

PASSED AND ADOPTED by the People of the City of Desert Hot Springs at a special municipal election held on November 7, 2017.

ATTEST:

Jerry Soriano, City Clerk

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer A. Mizrahi, City Attorney

IMPARTIAL ANALYSIS OF MEASURE "B"

The City Council of the City of Desert Hot Springs has placed Measure B on the November 7, 2017, ballot to ask voters to consider extending the existing, voter-approved Public Safety Special Tax ("Public Safety Tax"), with certain adjustments including a reduced rate for single family residential units, and an increased rate for certain vacant parcel land use categories. Measure B would only become effective if approved by two-thirds of the voters casting a vote on the Measure.

A "Yes" vote is to extend the Public Safety Tax.

A "No" vote is to allow the tax to expire on June 30, 2020.

If passed, Measure B would extend the current Public Safety Tax, until repealed by voters, providing approximately \$2,000,000 annually, with an additional \$91,138.44 annually. All Measure B proceeds would specifically fund public safety, and would be subject to independent audits and public oversight.

If Measure B does not pass, the loss of funds will likely have a significant impact on the levels of public safety services, such as investigating and preventing crime, anti-gang/anti-drug enforcement operations, rapid emergency response times, youth violence prevention, sex-offender and parolee monitoring programs, graffiti removal, animal control, code enforcement, and other support services.

In June 2010, the City's voters extended the Public Safety Tax (codified in Desert Hot Springs Municipal Code Section 3.32), which terminates on June 30, 2020. Currently, the tax is levied on all real property located within the City, except property exempt under state or federal law. The Public Safety Tax provides funding for police and fire protection, emergency response times, anti-gang and anti-drug programs, and youth violence prevention programs.

Measure B would extend the Public Safety Tax, making certain adjustments to certain tax rates as described below. The adjustments are also subject to Consumer Price Index. The amount of the Public Safety Tax is based on each property's land use classification, including residential, commercial, industrial, and hotel properties. If Measure B passes, the rates for the following land use classifications will change, but all other land use classification rates would remain the same:

- Single Family Residential, measured per dwelling unit, will be decreased from \$138.64 to \$103.00;
- Residential Vacant, measured per dwelling unit, will be increased from \$9.82 to \$19.14;
- Commercial Vacant, measured per acre, will be increased from \$133.80 to \$267.60
- Industrial Vacant, measured per acre, will be increased from \$2.71 to \$5.42
- Hotel Vacant, measured per acre, will be increased from \$11.25 to \$22.50

By placing Measure B on the ballot, the City of Desert Hot Springs complies with Article XIII C of the California Constitution, which requires the voters to approve an amended ordinance extending a special tax. The above statement is an impartial analysis of Measure B. If you desire a copy of the measure, call the City Clerk's office at 760-329-6411 and a copy will be mailed to you at no cost.

By: Jennifer Mizrahi, City Attorney

ARGUMENT IN FAVOR OF MEASURE “B”

Vote **YES on B** for a BETTER crime response and REDUCED property taxes!

YES on B maintains:

- Crime investigation and prevention
- Anti-gang and anti-drug enforcement operations
- Youth violence prevention
- Parolee and sex offender monitoring

YES on B maintains existing, voter-approved funding for public safety in Desert Hot Springs, including police officers and emergency dispatch operators, anti-gang enforcement operations, graffiti removal, animal control, and building safety/code enforcement services.

YES on B lowers homeowner property taxes while ensuring everyone – including vacant lot owners – pays their fair share for public safety in Desert Hot Springs.

Our excellent police department is making progress lowering our violent crime rate – we need **YES on B** to keep crime rates down and our families safe!

Measure B is NOT a new tax and will DECREASE homeowners' property taxes. **YES on B** allows the police to continue patrolling our neighborhoods, investigate gang and drug crimes, crack down on parole violations, monitor sex offenders and PREVENT crimes before they happen.

Without Measure B, we will simply not be able to operate our police department.

YES on B is critical to revitalizing the local economy. Spas and tourism are crucial to Desert Hot Springs' economy. By reducing crime, drugs and gangs, Measure B makes our city safer and more attractive to business – providing the economic stimulus we need to continue revitalizing our city.

Measure B continues to require tough accountability, including guaranteed annual independent audits. Every penny is required, by law, to stay in Desert Hot Springs for public safety. These fiscal safeguards ensure Measure B funds are used efficiently, effectively and as promised to voters.

Join a unanimous City Council, public safety and business leaders, community members and neighbors in voting **YES on B** – for a BETTER crime response and REDUCED taxes!

For more factual information visit: www.cityofdhs.org.

By: Walt Meyer, Retired Desert Hot Springs Police Officer / Resident
Kent Helser, Local Small Business Owner
Errikka R. Paiz, Parent Leader / Desert Hot Springs AYSO Board Member
Courtney Moe, Taxpayer / Property Owner
Russ Martin, Retired Police Officer / Resident

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE “B”

Remember, I was the only one who told you the truth.
Just After the Election... CBS Local 2...

“DHS Residents Want Answers

People we spoke with in Desert Hot Springs Tuesday could not believe the mayor and the entire council were not aware their city was projected to run out of money by early next year. How wouldn't they know? That's what they do for a living, 33-year DHS resident, Sam Jones, said. They're supposed to run the city. You're telling me that they just don't know, yet they're going to go bankrupt. I'd like to know why does City Hall have to steal money from the people? Art Shine said. Were paying through the nose as is.”

The General Fund = City Council Slush Fund (Dark Pools of Money)

Over \$300 Million for a new prison in Indio... Plenty of money for prison beds for DHS kids, but nothing else. Twisted priorities, a dead end for DHS kids.

They claim they have made huge cuts to the budget. Are they lying again? The fact is if you cut money you were never going to have, that is not a cut. That is just reality crashing in on you.

One defining characteristic of an actual cut is that you have the money left over afterward. Only in politics can you pat yourself on the back for not spending money you were never going to have.

Thank you,

Robert M. Bentley

Former Police Commissioner

www.NODHSTAX.com

ARGUMENT AGAINST MEASURE “B”

KILLS BUSINESS & KILLS DEVELOPMENT!!!

This is a trick. This tax was agreed to end now 100%. Devastating to Desert Hot Springs business and development. Crushing tax increase. No more effective way to destroy DHS business prospects. Takes aim at the only thing that can save us... business.

A game of chicken? Raising the stakes, refusing to reform. No enormous tax increase and they will bankrupt the city (requiring reforms anyway). They get this tax increase, no reforms. Pretty well thought out and precisely timed. Cynically short changing the kids (needing money for our pool) to advantageously change perceptions. Remember the absurdity of our swim team forced to practice in a parking lot. Twisted priorities and gross mismanagement is our problem.

We had millions for facades and other goodies. More than \$36 Million in redevelopment bonds alone... like magic, all gone with interest. This dramatic sleight of hand distracts from asking where it went. Realistic balance is needed. The stakeholders need to propose solutions.

Bentley's Transparency Reforms (Why can't we do this?)

- 1) Require the current and proposed budgets be online
- 2) Require expense account expenditures online
- 3) Require city contracts online

"Impartial Analysis" is written by the City Attorney. You've already paid him for it.

My Analysis

Purpose: Increase taxes and punish owners of open space. Wrecks well considered plans of individuals. More taxes will kill development prospects. Value of the properties will simply drop to balance the cost of new taxes, devastating all property values. This is obvious, like gravity. The basis upon which the taxes are levied is reduced. Bringing in less revenue than predicted. Added taxes may cause more unfinished projects.

Thank You,

Robert M. Bentley

Former Police Commissioner

www.NODHSTAX.com

REBUTTAL TO ARGUMENT AGAINST MEASURE “B”

Same old political rhetoric, same old nonsense. We need to keep our neighborhoods safe. The very survival of our city is at stake.

Consider the facts and vote **YES on B:**

FACT: Measure B LOWERS taxes for homeowner's while maintaining public safety services in Desert Hot Springs. Do you want lower taxes? Then vote **YES on B!**

FACT: Measure B is NOT a new tax. Measure B extends existing, voter-approved funding for public safety, while slightly adjusting taxes on vacant lots so owners pay their fair share of public safety services they receive. If you do not own vacant land, you will not pay a penny more.

FACT: Over the past decade, the State has taken millions of dollars from our City – and state policies continue to put criminals back on our streets with NO funding from Sacramento politicians to address public safety needs!

FACT: Amid these state money grabs, the City has avoided bankruptcy, reduced a \$6 million deficit, cut staff by half, increased fiscal stability and transparency, and maintained essential services including public safety – We need Measure B locally-controlled funding to keep our City safe. NO Measure B funding can be taken by the State.

YES on B maintains neighborhood safety, and anti-gang/anti-drug and crime prevention programs.

YES on B prevents further cuts to public safety and maintains our fiscal stability.

Measure B requires a 2/3rds vote – Remember, vote **YES on B** for a BETTER crime response and LOWER homeowner taxes.

More Information: www.cityofdhs.org.

By: John Abboud, local Developer

Richard Cromwell III, Parcel Owner

Paul E. Miller, Neighborhood Watch Volunteer

Dirk Voss, Chairman – Planning Commission

Breanna Sewell, Local Business Owner

MEASURE “C” – CITY OF DESERT HOT SPRINGS

ORDINANCE NO. _____

AN ORDINANCE OF THE PEOPLE OF THE CITY OF DESERT HOT SPRINGS, AMENDING CHAPTER 3.28 (UTILITY USERS TAX) OF THE CITY OF DESERT HOT SPRINGS' MUNICIPAL CODE EXTENDING THE DURATION OF THE EXISTING, VOTER-APPROVED UTILITY USERS' TAX, WITHOUT ANY INCREASE, UNTIL ENDED BY VOTERS.

THE PEOPLE OF THE CITY OF DESERT HOT SPRINGS ORDAIN AS FOLLOWS:

Section 1. ELECTIONS CODE SECTION 13119 STATEMENT

That the Utility Users Tax currently produces annually approximately \$2,831,815 of revenue for the Public Safety and Debt Service Funds, which will remain the same since there will be no increase in or expansion of the Utility Users Tax rates, until subsequently repealed by voters.

Section 2. AMENDMENT TO CHAPTER 3.28

That Chapter 3.28 of the Desert Hot Springs Municipal Code shall be amended to read as follows (the only edit is shown in bold and underline in Section 3.28.210 “Expiration date”):

3.28.010 Definitions.

Except where the context otherwise requires, the definitions of the words and phrases set forth in this section shall govern the application and administration of the provisions of this chapter.

“City” means the City of Desert Hot Springs.

“Cogenerator” means any corporation or person employing cogeneration (as defined in Public Utilities Code Section 218.5) for producing power for the generation of electricity for self use or sale to others from a qualified cogeneration facility (as defined in the federal Public Utility Regulatory Policies Act of 1978 and federal regulations thereunder).

“Electrical corporation” means a corporation or person as defined in Public Utilities Code Section 218.

“Exempt wholesale generator” means the same meaning as set forth in the Federal Power Act (15 United States Code Sections 79z-5a) and the federal regulations thereunder.

“Gas” means natural or manufactured gas or any alternate hydrocarbon fuel, including propane, which may be substituted therefor.

“Gas corporation” means a corporation or person as defined in Public Utilities Code Section 222.

“Intrastate telecommunication” means all telecommunications regardless of routing that either (1) originate in the City and terminate in the state, or (2) originate in the state and terminate in the City, where, in either instance, the service or billing address of the service user is in the City.

“Interstate telecommunication” means all telecommunications that either (1) originate in the City and terminate in another state, or (2) originate in another state and terminate in the City, where, in either instance, the service or billing of the service user is in the City.

“International telecommunication” means all telecommunications that either (1) originate in the City and terminate outside of the United States, or (2) originate outside of the United States and terminate in the City, where, in either instance, the service or billing of the service user is in the City.

“Month” means a calendar month.

“Non-utility supplier” means: (1) a service supplier, other than an electrical corporation franchised to serve within the City, which generates electricity in capacities of 50 kilowatts, or more, for its own use or for sale to others, and shall include but is not limited to any publicly-owned electric utility, investor-owned utility, municipal utility district, federal power marketing agency, electric rural cooperative, or other supplier or seller of electricity; (2) an electricity broker, marketer, aggregator, pool operator, or other supplier of electricity which is not franchised by the City to use or occupy any public right-of-way, which sells or supplies electricity or supplemental services to electric service users within the City; and (3) a gas supplier, aggregator, marketer or broker, other than a gas corporation franchised to serve within the City, which sells or supplies gas to users within the City.

“Person” means, without limitation, any natural individual, firm, trust, common law trust, estate, joint stock company, joint venture, limited liability company, corporation (foreign or domestic), cooperative, or receiver, trustee, guardian or other representative appointed by order of any court.

“Public safety” means, animal control services, code enforcement services, fire protection services and police protection services, as defined in municipal code Section 3.32.010.

“Service(s)” refers to the utility and other compensated activities provided by a service supplier to a service user. The use of the word “service” as used in a particular section of this chapter refers to the particular utility and other compensated activities which are paid for by

the service user to the service.

"Service supplier" means any entity or person required to collect (or self-collect) and remit any tax imposed under this chapter.

"Service user" means a person required to pay a tax imposed under the provisions of this chapter. In general, a service user is the person in whose name a service supplier delivers the services and other compensation activities provided by a service supplier and who is responsible for paying for the cost of such services.

"State" means the State of California.

"Tax Administrator" means the Finance Director of the City.

"Telecommunication services" means and includes, in addition to the meaning ordinarily and popularly ascribed to it, without limitation, the transmission of messages or information (including, but not limited to voice, data, facsimile, video, text) through the use of the local, toll and wide area telephone service; telegraph, teletypewriter and computer services; cellular telephone services; or any other transmission of messages or information by electronic or similar means through interconnected service with the public switched network (as those terms are commonly used in the Federal Communications Act and the regulations of the Federal Communications Commission) by wire, cable, fiber-optics, light waves, laser, microwaves, radio waves, switching facilities, satellite or similar facilities, whether such service is provided by a telephone corporation, competitive access provider, private communication service provider, or any other person. Telecommunication services shall include access services, and any other services that are an adjunct to the transmission of messages or information described above. Telecommunication services shall not include land mobile services or maritime mobile services, which are not interconnected with the public switched network.

"Telephone corporation" means a corporation or person as defined in Public Utilities Code Section 234(t).

"Video services" means any and all services related to the providing of video programming (including origination programming), or communications (including two-way communications), regardless of the content of the video programming or communications, and shall include the leasing of channel access, but shall not include services for which a tax is paid under Section 3.28.020.

"Video services provider" means any person or corporation, partnership, association, joint stock company, joint venture, limited liability company or other entity providing one or more channels of video programming or communications (including the leasing of channel access to provide such video programming or communications) to an address in the City, including to a business, home, condominium or apartment, where some fee is paid, whether directly or as included in dues or rental charges for that service, whether or not public rights-of-way are utilized in the delivery of the video programming or communications. A video services provider includes, but is not limited to, multichannel video programming distributors (as defined in 47 U.S.C. Section 522(12)), providers of cable television, master antenna television, satellite master antenna television, direct broadcast satellite, multichannel multipoint distribution services and other providers of video programming or communications (including two-way communications), whatever their technology.

"Water and sewer services provider" means Mission Springs Water District and any successor entity providing water and sewer services to an address in the City, including to a business, home, condominium or apartment.

3.28.020 Telecommunication services user tax.

- A. There is approved, imposed and levied by the City a tax upon every person, other than a telephone corporation, using interstate, international, and/or intrastate telecommunication services in the City. The tax approved and levied by this section shall be at the rate of seven percent of the charges billed for such services by the telecommunications service supplier, and shall be paid by the service user/person. The tax shall not be based on network usage-related charges for cellular telephone services and other similar mobile services, for which the service provider cannot, as a practical matter, determine the origination or termination of the telecommunication. The Tax Administrator may adopt administrative rules for assuring a reasonable and consistent allocation of the monthly cellular billing between network usage-related charges and non-usage-related charges. The word "charges" as used in this section shall also include the value of any other services, credits, property of every kind or nature, or other consideration payable to the service user to the service supplier.
- B. The following charges (whether or not they are determined to be exempt from or not subject to a federal excise tax) shall be included in the calculation of the tax amount payable under this section:
 1. Charges to a service user by a hotel or motel for telecommunication services used in the City when such charges are incidental to the right of occupancy in such hotel or motel. Collection of the tax shall be the responsibility of the hotel or motel;
 2. Charges to a service user in the City by a telecommunication service supplier for providing access to a public long distance network, by any means, including but not limited to a virtual private network, private channel or private line, or radio wave or microwave, whether such access charges are determined as a flat periodic amount, on the basis of distance and/or elapsed transmission time, or in any other manner; and
 3. Charges to a service user in the City by a telecommunication service provider for providing access to an interactive subscriber network, which is available to the general public through the public switched network, among other means.
- C. The tax approved by this section shall be collected from the service user by the service supplier providing the telecommunication services (or by the motel or hotel owner in cases covered by subsection (B) (1) of this section). The amount of the tax collected in one month shall be remitted by United States mail to the Tax Administrator, and must be received by the Tax Administrator on or before the last day of the following month.

- D. To prevent actual multi-jurisdictional taxation of the telecommunication services subject to the tax approved by this section, any service user, upon proof to the Tax Administrator that the service user has previously paid the same tax in another state or City on such telecommunication service, shall be allowed a credit against the tax approved by this section to the extent of the amount of such tax legally imposed in such other state or local agency; provided, however, the amount of credit shall not exceed the amount of the tax owed to the City under this section.

3.28.030 Electricity service users tax.

- A. There is approved, imposed and levied by the City a tax upon every person using electricity, including cogenerated electricity, in the City. The tax approved and levied by this section shall be at the rate of seven percent of the charges made for such electricity (or cogenerated electricity, as applicable) and for any supplemental services provided by a service supplier or non-utility supplier to a service user related to the provision of electricity. The tax shall be paid by the service user/person paying for such electricity or supplemental services.
- B. The word "charges," as used in this section, shall include charges payable by the service user for: (1) metered energy; (2) minimum charges for services, customer charges, services charges, demand charges, standby charges, fuel or other cost adjustments, stranded investment or competitive transition charges, and all other annual and monthly charges or surcharges for electricity services or programs, which are authorized by the State Public Utilities Commission, whether or not such charges appear on a bundled or line item basis on the customer billing. The word "charges for supplemental services related to the provision of electricity" as used in this section shall include charges payable by the service user for wheeling, transmission (including congestion charges), distribution and stand-by, reserves, firming, ramping, voltage, support, regulation, emergency or other similar services. The word "charges" as used in this section shall also include the value of any other services, credits, property or every kind or nature, or other consideration payable by the service user to the service supplier in exchange for the electricity or services related to the provision of such electricity. The word "charges" as used in this section shall not include charges made for electricity sold for the production or distribution of water by a public utility or governmental agency.
- C. As used in this section, the words or term "using electricity" shall not be construed to mean the storage of electrical energy in a battery that a person owns or possesses for use in an automobile or other machinery or device apart from the premises upon which the electricity was received; provided, however, the term shall include the receiving of such electricity for the purpose of using it in the charging of batteries; nor shall the term include the mere receiving of such electricity by an electrical corporation or governmental agency at a point within the City for resale.
- D. The tax approved in this section shall be collected from the service user by the electricity service supplier or non-utility supplier who provides such service. The amount of tax collected in one month shall be remitted by United States mail, to the Tax Administrator, postmarked on or before the last day of the following month.
- E. The tax approved by this section on electricity provided to the service user by a self-production or by a non-utility supplier or an electric utility not otherwise collecting and remitting the tax to the Tax Administrator under this section in the case of one or more of its customers shall be collected and remitted in the manner set forth in Section 3.28.090(C).
- F. The tax approved, imposed and levied by this section on cogenerated electricity shall be calculated at the rate specified in subsection A of this section on the value of the cogenerated electricity consumed by the service user in the City. For the purpose of this subsection, the value of cogenerated electricity consumed by the service user in the City shall be determined by reference to the electric utility suppliers combined "Avoided Cost Energy Pricing and Avoided Cost Capacity Pricing" reporting procedure which is filed with the State Public Utilities Commission or by such successor formula authorized by the State Public Utilities Commission. The cogenerated electricity service user shall pay the tax approved by this section to the Tax Administrator in the manner provided in Section 3.28.090(C).

If the cogenerator sells the energy for consumption by other service users in the City, the value of the cogenerated electricity sold to each such service user in the City shall be based upon the actual charges made for such service, and the amount of the tax approved by this section shall be collected from the service user by the cogenerator/non-utility supplier. The cogenerator shall install and maintain an appropriate metering system for measuring the number of kilovolts of cogenerated electricity provided to the service user such that the cogenerator and the Tax Administrator may verify compliance with the obligation of the service user to pay the tax amount approved by this subsection. The amount of tax collected in one month shall be remitted by United States mail, to the Tax Administrator, and must be received by the Tax Administrator on or before the last day of the following month. The tax on cogenerated electricity provided by a non-utility supplier shall be collected and remitted in the manner set forth in Section 3.28.090(C).

Whether the cogenerator consumes or sells the cogenerated electricity, the service user of the cogenerator shall also pay the tax on all "charges for supplemental services" related to the provision of cogenerated electricity which includes the analogous matters covered in the definition of this term as found in subsection (B)(2) of this section.

3.28.040 Water and sewer service user tax.

- A. There is approved, imposed and levied by the City a tax upon every person using water and sewer services in the City delivered to a service user by a water and sewer services provider. The tax approved, imposed and levied by this section shall be at the rate of seven percent of the charges made for such water and sewer services and shall be paid by the person using such water and such sewer services. The word "charges" as used in this section shall include: (1) the commodity charges payable by a service user for purchased water; (2) water transportation charges (including interstate charges), customer charges, minimum charges, annual and monthly charges and any other charges for water and sewer services which a water and sewer services provider is authorized to impose.

- B. All taxes on charges for water and sewer services approved by this section shall be collected from the service user by the water and sewer services provider. The amount of tax collected in one month shall be remitted by United States mail, to the Tax Administrator, and must be received by the Tax Administrator on or before the last day of the following month.

3.28.050 Gas services user tax.

- A. There is approved, imposed and levied by the City a tax upon every person using gas in the City, which is delivered to a service user through a pipeline distribution system or by mobile transport. The tax approved, imposed and levied by this section shall be at the rate of seven percent of the charges made for such gas, including all services related to the storage, transportation and delivery of such gas, and shall be paid by the person using such gas; provided, however, that the tax shall not apply to any charge for gas storage services when the service supplier cannot, as a practical matter, determine the location where such stored gas is ultimately used. The word "charges" as used in this section shall include: (1) the commodity charges payable by a service user for purchased gas, or the cost of gas owned by the service user, which is delivered through a gas pipeline distribution system or by mobile vehicle transport; (2) gas transportation charges (including interstate charges), customer charges, minimum charges, annual and monthly charges and any other charges for gas services or programs, which are authorized by the State Public Utilities Commission or the Federal Energy Regulatory Commission. The words "cost of gas owned by the service user" as used in this section shall include the actual costs attributed to drilling, production, lifting, storage, gathering, trunkline, pipeline and other operating costs associated with the production and delivery of such gas. The word "charges" as used in this section shall also include the value of any other services, credits, property of every kind or nature, or other consideration payable by the service user in exchange for the gas or services related to the delivery of such gas.
- B. There shall be excluded from the base on which the tax imposed in this section is computed: (1) charges payable by a service user for gas which is to be resold and delivered through a pipeline distribution system or by mobile vehicle transport; (2) charges made for gas sold for use in the generation of electrical energy or for the production or distribution of water by a public utility or governmental agency; (3) charges made by a gas public utility for gas used and consumed in the conduct of the business of gas public utilities; (4) charges payable by a service user at the time of sale of propane or other alternate hydrocarbon fuel which is to be used by the service user in motor vehicles or charges for propane or other alternate hydrocarbon fuels payable by the service user where the quantity of the propane or alternate hydrocarbon fuel at each time of delivery is 25 gallons or less; and (5) charges made for gas used by a non-utility supplier to generate electrical energy for its own use or for sale to others provided the electricity so generated is subject to the tax in accordance with this section.
- C. The tax that is calculated on charges for gas provided by self-production or by a non-utility supplier not otherwise remitting the tax to the Tax Administrator under this section shall be collected and remitted in the manner set forth in Section 3.28.090(C). All other taxes on charges for gas approved by this section shall be collected from the service user by the gas service supplier. The amount of the tax collected in one month shall be remitted by United States mail to the Tax Administrator, and must be received by the Tax Administrator on or before the last day of the following month.
- D. Where a gas service supplier is providing commodity transportation service to a service user but the service user has purchased the commodity from a third party, then the commodity transporting service supplier shall collect the tax imposed by this section from the service user, which shall be calculated as follows:
1. Seven percent of the commodity transportation charges, including interstate transportation charges to the extent not included in the commodity charge, transition charges or any other charges for gas services or programs, which are authorized by the State Public Utilities Commission or the Federal Energy Regulatory Commission; plus
 2. Seven percent of the imputed value of the transported commodity (net of the amount described in subsection (D) (1) of this section) as calculated in accordance with Public Utilities Code Section 6353(a), (b) and (c), or at the election of the service user, seven percent of the actual charges for the transported commodity (net of the amount described in subsection (D) (1) of this section).
- E. If the service user elects to pay the tax approved by this section based upon the actual charges for the transported commodity as provided in subsection (D)(2) of this section, the service user must:
1. Give 30 days prior written notice to the Tax Administrator of the exercise of such an election; and
 2. Submit to the Tax Administrator an adjusted payment or request for credit, as appropriate, within 60 days following each calendar quarter to reflect the difference between the tax based upon the imputed value in accordance with the Public Utilities Code Section 6353(a), (b) and (c) and the actual charges of the transported commodity. A credit, if approved by the Tax Administrator, may be applied against any subsequent tax bill relating to the tax imposed by this section that becomes due.

3.28.060 Video service user tax.

- A. There is approved, imposed and levied by the City a tax upon every person using video services from a video services provider. The tax approved and levied by this section shall be at the rate of seven percent of the charges made for such service. The tax shall be paid by the person paying for such video services.
- B. The tax approved in this section shall be collected from the service user by the video services provider. The amount of tax collected in one month shall be remitted by United States mail, to the Tax Administrator, and must be received by the Tax Administrator on or before the last day of the following month.

3.28.070 Delinquency—Interest—Penalty.

- A. Taxes collected by a service supplier from a service user which are not remitted to the Tax Administrator on or before the due date provided in this chapter are delinquent. Taxes owed by a service user subject to Section 3.28.090(C) are delinquent if not received by the Tax Administrator on or before the due date. Should the due date occur on a weekend or legal holiday, the return and the corresponding tax amount must be received by the Tax Administrator on the first regular business day of the City following a Saturday/ Sunday, or legal holiday.
- B. Civil penalties for delinquency in either the filing of a tax return and/or the remittance to the City of any tax amounts collected by a service supplier shall attach and be paid by the service supplier at the rate of 15 percent of the total tax amount imposed by the provision of this chapter during the period of such delinquency.
- C. The Tax Administrator shall have the power to impose additional civil penalties upon any service supplier or other person required to collect and remit tax amounts pursuant to the provisions of this chapter for fraud and negligence in reporting or remitting to the City of any tax amounts at the rate of 15 percent of the tax amount imposed by the City, or as recomputed by the Tax Administrator during the period of time that such fraud or negligence is alleged to have occurred.
- D. Each penalty amount imposed pursuant to the provisions of this section shall become a part of the tax amount required to be remitted to the Tax Administrator.
- E. Whenever the Tax Administrator determines that a service user has deliberately withheld the amount of the tax owed by the service user from the amounts remitted to a service supplier or other person required to collect the tax, or whenever the Tax Administrator deems it in the best interest of the City, the Tax Administrator may relieve such service supplier or other person of any further obligation to collect the tax amounts due under this chapter from certain named service users for specific billing periods. Whenever the service user has failed to pay the amount of the tax owed for a period of two or more consecutive billing periods, the service supplier shall be relieved from the further obligation to collect the tax amounts owed by such user which correspond to the period of such delinquency; provided, however, that the service supplier has first provided the City with the name and address of such service user and the amount of the tax owed under the provisions of this chapter.
- F. The Tax Administrator shall notify each non-paying service user as identified in subsection E of this section that the Tax Administrator has assumed the responsibility to collect the tax amounts due for the stated periods and demand payment of such taxes. The notice shall be served on the service user at the address to which billing was made by the service supplier or other person required to collect the tax, or, should the service user have changed its address, to the last known address. If the service user fails to remit the tax to the Tax Administrator within 15 days from the date of the mailing of the notice, a penalty of 25 percent of the amount of the tax set forth in the notice shall be imposed, but not less than five dollars. The penalty shall become a part of the tax required to be paid.
- G. The Tax Administrator may make an assessment for any tax amount not paid or remitted by a service user or other person required to pay or remit such tax amount to the City. A notice of the assessment shall refer briefly to the amount of the taxes and penalties imposed and the time and place when such assessment shall be submitted to the City Council for confirmation or modification. The City Clerk shall mail a copy of such notice to the service supplier and to the service user at least ten days prior to the date of the hearing and shall post such notice for at least five continuous days prior to the date of the hearing. Any interested party having any objections may appear and be heard at the hearing provided his or her objection is filed in writing with the City Clerk prior to the time set for the hearing. At the time fixed for considering such assessment, the City Council shall hear the same, together with any objections filed as provided in this subsection, and thereupon may confirm or modify such assessment by motion. Upon the confirmation or modification of an assessment, the City may seek to recover the amount of the assessment by any lawful means, including but not limited to the bringing of an action against the person responsible for payment of the amount.

3.28.080 Actions to collect.

The amount of any tax required to be paid by a service user under the provision of this chapter shall be deemed a debt owed by the service user to the City. Any amount of a tax collected from a service user by a service supplier which has not been remitted to the Tax Administrator shall be deemed a debt owed to the City by the service supplier. Any person owing money to the City under this provisions of this chapter shall be liable to pay such an amount upon entry of judgment in an action brought in the name of the City for the recovery of such sum, including reasonable attorneys' fees, costs and interest.

3.28.090 Duty to collect—Procedures.

The duty of each service supplier (including certain direct purchasers of electricity or gas services) to collect and remit to the City the tax amounts approved and levied by any provision of this chapter from each service user who is a customer of the service supplier shall be performed as follows:

- A. The tax shall be collected by the service supplier insofar as practicable at the same time as, and along with, the charges made in accordance with the regular service billing practice of the service supplier. In the event that an amount paid by a service user to a service supplier includes less than the full amount of the charge and tax imposed by this chapter which accrued during the billing period, such amount and any subsequent payments by a service user shall be applied to the utility service charges: first, (or net of the amount of the tax imposed under this chapter) until such other charges of the service supplier have been fully satisfied; and second, any remaining balance shall be applied to the tax amount due from the service user under this chapter. In those cases where a service user has notified the service supplier of a refusal to pay a tax amount approved by this chapter, Section 3.28.070(F) shall apply.
- B. The duty of the service supplier to collect the tax approved by this chapter from a service user shall commence with the beginning of

the first regular billing period applicable to the service user where all charges normally included in such regular billing are subject to the provisions of this chapter. Where a service user receives more than one billing from the service supplier relating to one or more billing periods or relating to one or more separate service accounts, the duty of the service supplier to collect the amount of the tax approved by this chapter from the service user shall arise separately for each billing period and/or for each separate account payable by that service user.

- C. Any service user subject to the tax imposed by Section 3.28.030 or Section 3.28.050 of this chapter, which produces electricity or gas for self-use, as applicable, or any service user who purchases gas or electricity directly from a non-utility supplier which does not collect the applicable tax amount approved and levied by this chapter from the service user, or any such service user who does not otherwise pay the full tax due for the use of such gas or electricity (as applicable), shall report such fact to the Tax Administrator and shall remit the tax due directly to the Tax Administrator within 30 days of use of such gas or electricity. In lieu of paying the actual amount of any of the taxes referenced in the first sentence of this section, the service user may, at its option, remit to the Tax Administrator within 30 days of such use an estimated amount of the tax payable based upon an average monthly estimated payment pattern for use of comparable amounts of gas or electricity (as applicable), provided that the service user shall submit an adjusted payment or request for credit, as appropriate, to the Tax Administrator within 60 days following the end of each calendar quarter. A credit, if approved by the Tax Administrator, may be applied against any subsequent tax bill that becomes due. The Tax Administrator may require the service user to identify its non-utility supplier and provide, subject to audit, invoices, books of account or other satisfactory evidence documenting the quantity of gas or electricity used and the cost thereof. If the service user is unable to provide satisfactory evidence relating to the calculation of the tax, or, if the administrative costs of calculating the tax, in the opinion of the Tax Administrator, is excessive, the Tax Administrator may determine the amount of the tax payable by applying the tax rate to the equivalent service charges which the service user would have incurred if the gas or electricity used had been provided by a gas corporation or electrical corporation, as applicable, which is a primary provider of gas or electricity within the City. Rate schedules for this purpose shall be prepared by the Tax Administrator.
- D. Nothing contained in this chapter shall prohibit the City from directly billing any service user or directly collecting from any service user the amount of any tax approved by this chapter in accordance with such direct tax billing and/or direct tax collection procedure as may be provided by rule or regulation of the Tax Administrator approved by resolution of the City Council.
- E. Each service supplier (and each service user subject to subsection C of this section) shall prepare and file a written tax return to the Tax Administrator on forms provided by the Tax Administrator. The full amount of the tax collected shall be included with the return and filed with the Tax Administrator once per month or on such other schedule of reporting and payment as may be authorized by the Tax Administrator. The Tax Administrator is authorized to specify such additional information as deemed necessary to determine if the tax is being calculated and collected by the service supplier in accordance with this chapter. Returns are due immediately upon cessation of business for any reason.

3.28.100 Additional powers and duties of Tax Administrator.

- A. The Tax Administrator shall have the power and duty, and is directed to enforce each and all of the provisions of this chapter.
- B. The Tax Administrator shall have the power to adopt rules and regulations not inconsistent with the provisions of this chapter for the purpose of carrying out and enforcing the payment, collection and remittance of the taxes imposed by this chapter. A copy of such rules and regulations shall be on file in the Tax Administrator's office.
- C. The Tax Administrator may enter into administrative agreements to vary from the strict requirements of this chapter, so that collection of any tax imposed herein may be made in conformance with the billing procedures of a particular service supplier (or service user subject to Section 3.28.090(C)) as long as such agreements result in the collection of the tax in conformance with the general purpose and scope of this chapter. A copy of each such agreement shall be on file in the Tax Administrator's office.
- D. The Tax Administrator, or designee, shall provide prompt written notice to all service suppliers of any change in the City's boundaries following any annexation or other change in the City's boundaries. Such notice shall set forth the revised boundaries by street and address along with a copy of the final annexation order from the Local Agency Formation Commission.

3.28.110 Records.

- A. It shall be the duty of every person required to collect and remit to the City any tax imposed by this chapter to keep and preserve, for a period of three years, all records as may be necessary to determine the amount of such tax as he or she may have been liable for the collection of and remittance to the Tax Administrator, which records the Tax Administrator, or the Tax Administrator's designated representative, shall have the right to inspect at all reasonable times. The Tax Administrator or the Tax Administrator's designated representative, is authorized to execute a nondisclosure agreement approved by the City Attorney to protect the confidentiality of customer information.
- B. The Tax Administrator, or the Tax Administrator's designated representative, may request from a person providing transportation services of gas or electricity to service users within the City a list of the names and address of its transportation customers within the City pursuant to Section 6354(e) of Chapter 2.56 of Division 3 of the State Public Utilities Commission.
- C. If any person subject to record-keeping under this section unreasonably denies the Tax Administrator, or the Tax Administrator's designated representative, access to such records, then the Tax Administrator may impose a penalty of \$500 on such person for each day following the initial date that the person refuses to provide such access.

3.28.120 Refunds.

Whenever the amount of any tax imposed under this chapter has been overpaid or paid more than once or has been erroneously or illegally collected or received by the Tax Administrator, it may be refunded as provided in this section.

- A. The Tax Administrator may refund any tax amount that has been overpaid or paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this chapter, provided that no refund shall be paid under the provisions of this section unless the claimant has submitted a written claim for a refund of the tax amount paid to the Tax Administrator within one year of the date of the overpayment or the date of erroneous or illegal collection of the tax. Such a tax refund claim must clearly establish claimant's right to the refund by written record showing entitlement thereto. The submission of a written tax refund claim, which complies with the claim filing procedures of Government Code Section 910, et seq., shall be a prerequisite to the initiation of any legal proceeding to recover a refund of any tax amount or assert any other challenge to the validity of any tax approved and levied by this chapter. The City Council shall act upon each tax refund claim within the time period set forth in Government Code Section 910.4. If the City Council fails or refuses to act on a tax refund claim within the time prescribed by Government Code Section 910.4, the claim shall be deemed to have been rejected by the City Council on the last day of the period within which the City Council is required to act upon the claim as provided in Government Code Section 910.4. It is the intent of the City Council that any tax refund claim which may have arisen prior to the commencement of the one year tax refund claim period of this section and which is not otherwise barred by the applicable statute of limitation or claim procedure found elsewhere in this chapter shall be filed with the Tax Administrator in accordance with the tax refund claim procedure applicable to any such claim arising prior to the operative date of this chapter.
- B. Notwithstanding other provisions of this section, whenever a service supplier, pursuant to an order of the State Public Utilities Commission or a court of competent jurisdiction, orders the service supplier to pay a refund to one or more service users of charges for past services, the taxes paid by each such affected service user pursuant to this chapter on the amount of such refunded charges shall also be refunded to each such affected service user by the service supplier; provided, however, the service supplier shall be entitled at its option to claim a credit for the amount of such refunded tax against the amount of the tax which is due and payable to the City with the next monthly return following the date of payment of such refunded charges for past services.

3.28.130 Termination or suspension of taxes by resolution of the City Council.

Upon written notification from the Tax Administrator that the City Council has authorized a termination or suspension of any tax approved under this chapter, each service supplier shall implement the direction of the City Council terminating or suspending the tax for the period of time indicated in such a written notice, commencing with the first full billing period which occurs after the effective date of such an action authorized by resolution of the City Council.

3.28.140 Exemptions.

The taxes imposed by this chapter shall not apply to:

- A. Any person if imposition of such tax upon that person would be in violation of the Constitution of the United States or the Constitution of the state;
- B. The City;
- C. Charges related to late payments, returned checks and collection charges.

The City Council may by resolution establish other classifications of persons or services which may be declared to be exempt, in whole or in part, from the levy, payment and collection of any tax imposed by this chapter. Such classifications shall be described in the resolution of the City Council, along with a description of the duration of the exemption. The Tax Administrator shall annually prepare a list of the persons exempt from the provisions of subsection A of this section and furnish a copy thereof to each person required to collect or to self-collect and to remit a tax as imposed by this chapter.

3.28.150 Maximum tax rate.

No person shall pay a tax of more than seven percent to the City of any services subject to a tax under this chapter, nor shall any person pay in the aggregate more than seven percent in taxes to the City of all services subject to tax under this chapter.

3.28.160 Temporary reduction in the rate of any tax approved in this chapter.

Each of the tax rates approved, imposed and levied by Sections 3.28.020 through 3.28.060 may be temporarily reduced and levied at a rate of less than seven percent by resolution of the City Council. Each such temporary reduction of the tax rate shall be in effect and may be levied at a reduced rate only for the period of time authorized in the City Council resolution and upon the end of the temporary period of the tax rate reduction authorized in the resolution, the tax shall be levied at the full amount of the rate set forth in Sections 3.28.020 through 3.28.060. Neither a temporary reduction in a tax rate approved by a resolution of the City Council nor the reinstitution of the rate set forth in Sections 3.28.020 through 3.28.060 shall require the approval of the voters of the City.

3.28.170 Any amendment to increase a tax rate set forth in Sections 3.28.020 through 3.28.060 requires further voter approval.

Any amendment of one or more sections of this chapter to increase the rate of a tax above the rate of the tax set forth in Sections 3.28.020 through 3.28.060 shall not take effect until after an ordinance proposing such an increase in a tax rate has first been approved by a majority vote of the electors of the City at an election called for such a purpose in a manner authorized by law.

3.28.180 Use of tax revenue.

All proceeds of the tax levied and imposed hereunder shall be accounted for and paid into two special funds. Thirty-five and seventy-one one hundredths (35.71) percent of the proceeds generated by the tax shall be deposited into a fund to be used solely for debt reduction; the other sixty-four and twenty-nine one hundredths (64.29) percent shall be deposited into a fund to be used solely for the provision of public safety services.

3.28.190 Annual reports to the City Council regarding the tax revenues received.

- A. Commencing on October 1, 2001 and thereafter on each October 1st until such time as the taxes approved and levied by this chapter may be terminated or suspended, the Finance Director of the City shall submit a written report to the City Council which includes the following information:
1. a. Total tax revenue received and expended by the City under Section 3.28.020 as of June 30th of the fiscal year preceding the date of the report,
 - b. Total tax revenue received and expended by the City under Section 3.28.030 as of June 30th of the fiscal year preceding the date of the report,
 - c. Total tax revenue received and expended by the City under Section 3.28.040 as of June 30th of the fiscal year preceding the date of the report,
 - d. Total tax revenue received and expended by the City under Section 3.28.050 as of June 30th of the fiscal year preceding the date of the report,
 - e. Total tax revenue received and expended by the City under Section 3.28.060 as of June 30th of the fiscal year preceding the date of the report;
 2. An appropriately detailed summary of the amount of taxes which have been refunded, adjusted or modified as authorized under this chapter as of June 30th of the fiscal year preceding the date of the report;
 3. An appropriately detailed summary of tax collection and administration costs and expenses incurred by the City, and penalty and interest amounts, if any, received by the City under this chapter as of June 30th of the fiscal year preceding the date of the report; and
 4. A recommendation of the Director of Finance of the City as to whether an adjustment to the rate of any tax approved and levied under this chapter is indicated in light of the financial condition of the City as described in the report; provided, however, that any recommendation to increase any one or more of the tax rates to a new rate (or rates) which is higher than the rate or rates approved and levied under this chapter shall not be deemed to empower the City Council to approve a higher tax rate than seven percent on any service without first obtaining approval by a majority vote of the electors of the City at an election called for such a purpose in a manner authorized by law.
- B. The City of Desert Hot Springs existing Finance Advisory Commission shall, in addition to the Commission's existing responsibilities, serve as an advisory committee to the City Council with respect to the receipt and expenditure of funds under Sections 3.28.020 through 3.28.060. In that capacity, the Finance Advisory Committee shall at least annually prepare and provide to the City Council a review of the expenditures of funds generated by Sections 3.28.020 through 3.28.060.
- C. By no later than December 31st of each year, the City's independent auditors shall complete a compliance and internal control audit report for the funds received under Sections 3.28.020 through 3.28.060. Such report shall review whether the tax revenue is collected, managed and expended in accordance with this chapter.

3.28.200 Expansion of scope of tax.

The tax imposed pursuant to this chapter may be imposed and levied by resolution of the City Council on a utility service or on utility services additional to those set forth in Sections 3.28.020 through 3.28.060; provided however, that the scope of the tax imposed and levied by this chapter shall not be expanded if the estimated total revenues to be derived from the expanded tax exceed the total revenues derived from the tax in fiscal year 2000-2001 ("base amount"), which base amount shall be adjusted annually by that percentage which is 90 percent of the total percentage of change in the United States Department of Labor, Bureau of Labor Statistics' Gas (piped) and Electric Consumer Price Index For All Consumers Urban for the Riverside/San Bernardino Area calculated on the basis of the two consecutive and most recent completed years for which data is available from the United States Department of Labor.

3.28.210 Expiration date.

This chapter shall expire until repealed by the voters. ~~June 30, 2020.~~

Section 3. VOTER APPROVAL

That this ordinance was approved by at least two-thirds (2/3rd) of the voters voting in the Desert Hot Springs special municipal election held on November 7, 2017.

Section 4. SEVERABILITY

That should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 5. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Desert Hot Springs that are in conflict with the provisions of this ordinance are hereby repealed.

Section 6. CERTIFICATION

That the City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

Section 7. EFFECTIVE DATE

That this ordinance shall take effect ten (10) days following the City Council's certification of the results of the November 7, 2017, special municipal election.

PASSED AND ADOPTED by the People of the City of Desert Hot Springs at a special municipal election held on November 7, 2017.

ATTEST:

Jerryl Soriano, City Clerk

Scott Matas, Mayor

APPROVED AS TO FORM:

Jennifer A. Mizrahi, City Attorney

IMPARTIAL ANALYSIS OF MEASURE "C"

The City Council of the City of Desert Hot Springs has placed Measure C on the November 7, 2017, ballot to ask voters to consider extending the existing Utility Users Tax ("UUT") at the current tax rate, specifically for public safety services. Measure C would only become effective if approved by two-thirds of the voters casting a vote on the Measure.

A "Yes" vote is to extend the existing UUT, with no increase or decrease in rates.

A "No" vote is to allow the UUT to expire on June 30, 2020.

In May 2009, Desert Hot Springs voters approved a modernization and expansion of the City's UUT, which is codified in Chapter 3.28 (Utility Users Tax) of the Desert Hot Springs Municipal Code. The tax was set at 7% of the cost of telecommunications, water, sewer, electric, gas, and cable utilities services. Utility service providers collect the tax as part of the monthly service bill and remit the proceeds to the City. As a special tax, the revenue from the UUT will be for public safety services.

If passed, Measure C would extend the existing, voter-approved UUT, without an increase or decrease in the tax rate, until repealed by voters, producing approximately \$2,831,534 annually. All proceeds generated by Measure C would specifically fund public safety, including increasing police training, police recruitment and retention, crime investigation, crime prevention, maintenance of rapid police, fire and 911 emergency response times. If passed, all funds generated by Measure C would be subject to independent audits and public oversight.

If Measure C does not pass, the loss annually in public safety funding for police officers and emergency dispatch operators would likely have a significant impact on the levels of services for investigating and preventing crime, anti-gang/anti-drug enforcement operations including drug house investigations, rapid emergency response times, graffiti removal, animal control, code enforcement, and other support services.

By placing Measure C on the ballot, the City of Desert Hot Springs complies with Article XIIIC of the California Constitution, which requires the voters to approve an amended ordinance extending a special tax. The above statement is an impartial analysis of Measure C. If you desire a copy of the measure, call the City Clerk's office at 760-329-6411 and a copy will be mailed to you at no cost.

By: Jennifer Mizrahi, City Attorney

ARGUMENT IN FAVOR OF MEASURE “C”

Protect Public Safety – without raising taxes – Vote YES on C!

YES on C extends existing, voter-approved funding critical to the safety and survival of our city – without raising taxes.

YES on C will maintain and prevent cuts to:

- Police/Fire emergency response times
- Police training, recruitment/retention
- Neighborhood police patrols

Without Measure C Desert Hot Springs faces increased emergency response times, cuts to neighborhood patrols, and one of our fire houses could even close – Desert Hot Springs’ main fire station is the third-busiest in the county! Closing a fire station would risk lives and property.

YES on C helps train, recruit/retain skilled police officers. Our officers are some of the lowest paid in ALL of California! They have taken a 22% pay cut and still protect our community. The violent crime rate has DECREASED. Vote YES on C to keep these dedicated officers protecting us.

Without Measure C, we will not be able to recruit/retain experienced police officers. Desert Hot Springs is already short officers, with one-third too few police officers for a city of our size according to national standards.

YES on C protects us from state policies that continue to put more criminals back on our streets. The state has shifted more and more public safety responsibilities to cities, with no funding to help. Measure C ensures that we can continue to monitor criminals in our neighborhoods.

We need Measure C! Measure C does not increase taxes. It simply extends voter-approved funding to protect public safety. Measure C continues to require strict accountability, including oversight and independent financial audits.

By law, all Measure C funds must stay local, for public safety ONLY.

Join a unanimous City Council, Police Officers, Firefighters, Community Leaders, and Neighbors—Vote YES on C—protect our safety!

For more factual information visit: www.cityofdhs.org.

By: Larry Gaines, Desert Hot Springs Police Officer’s Association, President

Barbara Eastman, Neighborhood Watch Advocate

Magdalena “Nina” Duarte, Desert Hot Springs Public Safety Commissioner

John Crater, Desert Hot Springs Fire Battalion Chief International Association of firefighters

Kephyan Sheppard, 25 year Resident / Tax Payer

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE “C”

The fact is crime is down in DHS.

I can only give you the facts. You’ve been lied to again and again.

We’re overflowing with medical marijuana tax money. Before the City Council election there was no talk of problems. Everyone claims they didn’t know of any deficit. Is this innocent dishonesty or just gross negligence? Neither, it is a trick. When I hear the first few notes of a song I know its playing again...

We just did this. The song is the same. More taxes are urgently required.

The deficit is not in Public Safety. (Currently 68% of our budget.) Unsustainable imbalance; it’s a deficit in everything else. But by threatening Public Safety the City Council can get you to raise your own taxes with no reforms whatsoever.

City Council and previous City Manager have thrown the problem they created in your laps offering only one solution... more taxes with no accountability. And they will use it, as they just did, in their election campaigns, claiming they saved the DHS Police... Shocking! Make no mistake threatening our Public Safety is not saving it. If you vote to raise our taxes, please understand you are letting them off the hook completely. No explanation why they did this.

Remember, I was the only one who told you the truth.

Thank You,

Robert M. Bentley

Former Police Commissioner

www.NODHSTAX.com

ARGUMENT AGAINST MEASURE “C”

MORE TAXRS = LESS BUSINESS & DEVELOPMENT!!!

Reject the Liars! This is a special tax, which means we agreed it would end now. DHS residents are in dire straits... will this 100% tax increase help? Many DHS residents have barely enough to live, disabled veterans among them. This tax increase breaks the agreement and takes the food and medicine away from people in immediate need. They know better how to spend your money.

DHS Taxpayers – Residents & Businesses Didn't Cause the Problem. Punishing Them Won't Fix It!

Our problem is not that the taxes are not high enough!

IT WON'T FIX THE PROBLEM! WHY DO IT?

Just transfers a public debt into many private debts. A government Bail-In! Private individuals are less able to get help or make adjustments. They're just stuck. Destroys the "safe harbor" people have struggled to find from the economic storms. People are already in peril. Where did your money go? "The Vortex Plan", millions on "facades" - Truth is stranger than fiction! The whole plan was an attempted facade of success. But it didn't work at all. Who knew a city that just went bankrupt, immediately borrowing \$35,835,000, plus over \$32 Million interest would cause problems... me!

Another \$50 Million "is set aside" for a golf cart path to Indio. (!!!???) Our City Council is nonstop drama, breathtaking cliffhangers, heart pounding terror. Our opportunities disappear as they squabble about nonsense.

Lacking Vision - Loosing Opportunities - Drifting aimless from crisis to crisis.

Reject the Politics of Fear - Don't Follow Chicken Little Scare Tactics The sky is not falling. The sun will come up tomorrow. They cried wolf before. "Panic... it's the end!" But the world goes on. Scammers often use fear. Don't fall for it.

Thank You,
Robert M. Bentley
Former Police Commissioner
www.NODHSTAX.com

REBUTTAL TO ARGUMENT AGAINST MEASURE “C”

Don't fall for fake information and false accusations!

Vote **YES on C** for no new taxes and to keep our neighborhoods safe. Here are the facts:

FACT: Measure C is NOT a new tax. Measure C is NOT an increase. Measure C simply extends previously voter-approved local funding that can ONLY be spent on public safety in Desert Hot Springs, and will not cost a penny more.

FACT: If we lose locally-controlled Measure C funding, our crime rate will increase. We will no longer have voter-approved funding to keep our streets safe. We will lose more police officers and the financial stability of our city will be in peril.

FACT: Violent crime has DECREASED 18% in the past year. Our community is safer thanks to locally-controlled, voter-approved funding that we cannot afford to lose in these uncertain times.

FACT: As public safety increases, the local economy gets stronger! No one will want to do business here if it's simply unsafe.

FACT: Measure C has only been spent on public safety – there is no wasted funds.

YES on C keeps our fire stations open and prevents cuts to fire/police response times, neighborhood police patrols, and helps train and retain officers to keep up safe.

YES on C maintains local funding for local public safety needs. Not a dime can be spent for any other purpose.

Remember, Measure C needs 2/3rds. Vote **YES on C** for NO NEW TAXES and to keep our neighborhoods safe!

More information: www.cityofdhs.com.

By: Jeff Horton, Resident, Veteran
Lee Eastman, Public Safety Commissioner
Michael D. Platt, Taxpayer & 25 year Plus Resident
Greta Carter, Local Business Owner
Jan M. Pye, Revenue Advisory Committee

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 10 through November 6
(excluding Holidays)

Monday through Friday
8:00 a.m. to 5:00 p.m.
Saturday, October 28 and November 4
9:00 a.m. to 4:00 p.m.

Election Day, November 7
7:00 a.m. to 8:00 p.m.

AND AT THE PALM SPRINGS PUBLIC LIBRARY

Learning Center
300 S. Sunrise Way, Palm Springs, CA 92262-7639
Friday, October 27 and Saturday, October 28
10:00 a.m. to 4:00 p.m.



VOTE-BY-MAIL

You can request your **OFFICIAL VOTE-BY-MAIL BALLOT** by using the application on the back of this County Voter Information Guide. Return your vote-by-mail ballot by mail or at the following drop-off locations throughout Riverside County October 10 to November 6:

★ ★ ★ ★ ★	★ ★ ★ ★ ★	★ ★ ★ ★ ★
<ul style="list-style-type: none">• City Clerk's Offices (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 within the State of California on Election Day.	<p><u>Participating City Clerk's Offices</u></p> <p>Banning Blythe Desert Hot Springs Indian Wells La Quinta Palm Desert Palm Springs Perris</p>	<p>Please visit our website for all of the drop-off locations throughout Riverside County at</p> <p><u>WWW.VOTEINFO.NET</u></p> <p>or</p> <p>call our office at (951) 486-7200 or (800) 773-VOTE(8683)</p>



Conditional Voter Registration

Effective January 1, 2017, Conditional Voter Registration is available to eligible voters in California pursuant to Election Codes 2170 through 2173.

Conditional Voter Registration (CVR) extends the existing 15-day registration deadline to eligible voters, allowing them to register and vote 14 days prior to an election through Election Day. An eligible voter would need to register directly in the office of the Riverside County Registrar of Voters, located at 2724 Gateway Drive, in Riverside, CA 92507 to conditionally register to vote and vote a provisional ballot.

Voters may register online at www.registertovote.ca.gov, however, **CVR ballots will only be issued at the office of the Registrar of Voters.**

In order to conditionally register, the voter must first complete an affidavit of registration (also known as a Voter Registration Card). Once the registration is submitted, the Registrar of Voters will issue a CVR provisional ballot to vote.

The affidavit will be processed and once the eligibility is determined and validated, the registration will become permanent and the CVR provisional ballot will be counted.

Conditional Voter Registrations are treated and processed in the same manner as other registrations; CVR provisional ballots are treated and processed the same as other provisional ballots.

If you have any questions regarding Conditional Voter Registration, please call (951) 486-7200 or toll free (800) 773-VOTE (8683).

You may check the status of your voter registration at www.voteinfo.net/AmIRegistered.

CVR was enacted in 2012, to be operative on January 1st after the certification of a statewide voter registration database. VoteCal, California's statewide voter registration database, was certified on September 26, 2016; CVR became operative as of January 1, 2017.



VOTER BILL of RIGHTS



YOU HAVE THE FOLLOWING RIGHTS



1. **The right to vote if you are a registered voter.** You are eligible to vote if you are:

- ★ a U.S. citizen living in California ★ registered where you currently live
- ★ at least 18 years old ★ not in prison or on parole for a felony

2. **The right to vote if you are a registered voter even if your name is not on the list.**

You will vote using a provisional ballot. Your vote will be counted if elections officials determine that you are eligible to vote.

3. **The right to vote if you are still in line when the polls close.**

4. **The right to cast a secret ballot** without anyone bothering you or telling you how to vote.

5. **The right to get a new ballot if you have made a mistake**, if you have not already cast your ballot. You can:
Ask an elections official at a polling place for a new ballot; or
Exchange your vote-by-mail ballot for a new one at an elections office, or at your polling place; or
Vote using a provisional ballot, if you do not have your original vote-by-mail ballot.

6. **The right to get help casting your ballot** from anyone you choose, except from your employer or union representative.

7. **The right to drop off your completed vote-by-mail ballot at any polling place** within the state of California.

8. **The right to get election materials in a language other than English** if enough people in your voting precinct speak that language.

9. **The right to ask questions to elections officials about election procedures** and watch the election process. If the person you ask cannot answer your questions, they must send you to the right person for an answer. If you are disruptive, they can stop answering you.

10. **The right to report any illegal or fraudulent election activity** to an elections official or the Secretary of State's office.

SPECIAL NOTICE

- Polls are open from 7:00 a.m. to 8:00 p.m. on the day indicated in the posted county Voter Information Guide.
- Specific instructions on how to vote, including how to cast a provisional ballot, can be obtained from a poll worker or by reading the information mailed to you by your local elections official.
- If you are a newly registered voter, you may be asked to provide appropriate identification or other documentation according to federal law. But please note that every individual has the right to cast a provisional ballot even if he or she does not provide the documentation.
- It is against the law to represent yourself as being eligible to vote unless you meet all of the requirements to vote under federal and state law.
- It is against the law to tamper with voting equipment.

If you believe you have been denied any of these rights, call the Secretary of State's confidential toll-free Voter Hotline at (800) 345-VOTE (8683).



On the web at www.sos.ca.gov



By phone at (800) 345-VOTE (8683)



By email at elections@sos.ca.gov

IMPORTANT DATES



October 10

First day you can vote

October 23

Registration Deadline

October 31

Last day to request a
Vote-by-Mail ballot

November 7, ELECTION DAY

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



DO YOU KNOW SOMEONE WHO IS NOT REGISTERED TO VOTE?

You can register to vote by:
Completing a registration application online
or

By requesting a registration card to be mailed to you.

You can also check to see if you are registered
by calling our office or online.

**For more information visit www.voteinfo.net
or call (951) 486-7200 or (800) 773-VOTE (8683)**

VOTE-BY-MAIL

October 10 through October 31



HAVE YOU HEARD?

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

It's not too late to have your ballot mailed to you for this election. Fill out the application on the back cover of this County Voter Information Guide.

QUICK - EASY - CONVENIENT

Please visit our website at www.voteinfo.net for ballot drop-off locations.

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

EARLY VOTING ALSO AVAILABLE

You can vote early at:

The Registrar of Voters Office
2724 Gateway Drive
Riverside, CA 92507



October 10 – November 6 (excluding Holidays)

Monday through Friday, 8 a.m. - 5 p.m.

Saturday, October 28 and November 4, 9 a.m. - 4 p.m.

Election Day, November 7, 7 a.m. - 8 p.m.

**Please visit our website at www.voteinfo.net
for additional early voting information.**

FROM



FIRST
CLASS
POSTAGE

PLACE STAMP HERE

DID YOU SIGN YOUR APPLICATION?

REGISTRAR OF VOTERS
2724 GATEWAY DRIVE
RIVERSIDE CA 92507-0923



ACCOMMODATIONS FOR VOTERS WITH DISABILITIES

A "YES" or "NO" printed under the disabled symbol/arrow on the back cover of this guide 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 guide, or, you may contact the Registrar of Voters Office by calling (951) 486-7200, (800) 773-VOTE (8683), TTY (951) 697-8966. The application must be received by the Registrar of Voters Office by the deadline given. Your ballot must be received at the Registrar of Voters Office no later than 8:00 p.m. on Election Day or be postmarked on or before Election Day and received no later than three days after Election Day to be counted.
- **Early Voting** - You may vote at the Registrar of Voters office located at 2724 Gateway Drive, Riverside, CA 92507, October 10 - November 6 (excluding Holidays), Monday through Friday, 8:00 a.m. to 5:00 p.m.; Saturday, October 28 and November 4, 9:00 a.m. to 4:00 p.m.; and Election Day, November 7, 7:00 a.m. to 8:00 p.m. Please visit our website at 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. Curbside Voting doorbells are available at some polling places. If you require Curbside Voting assistance you may call (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 31, 2017.

I hereby request a ballot for the Consolidated General Election, November 7, 2017.

PLEASE PRINT:

NAME AS REGISTERED

RESIDENCE ADDRESS AS REGISTERED

CITY STATE ZIP

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

SIGNATURE REQUIRED

SIGNATURE OF VOTER

DATE

MAIL BALLOT TO:

ADDRESS (IF DIFFERENT)

CITY STATE ZIP

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

↓ POSTMASTER DELIVER TO ↓

33-BCov General 11-07-17

✓ **You May Cast Your Vote Early**
At

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

October 10 through November 6 (Excluding Holidays)

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

Saturday, October 28 and November 4, 9:00 a.m. to 4:00 p.m.

Election Day November 7
7:00 a.m. to 8:00 p.m.

**BALLOT
TYPE**

003

VOTE EARLY

IT'S QUICK

IT'S EASY

IT'S CONVENIENT

GET OUT OF LINE ON ELECTION DAY!

VOTE-BY-MAIL

Please visit our website at 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

↓ LOCATION OF YOUR POLLING PLACE ↓



ACCESS?

