

High School Board Evades Responsibility

by Kevin Dayton, Chamber Board of Directors

Elected Board of Salinas Union High School District Evades Responsibility for High School Construction Debacle

We often hear Chamber members complain that our region suffers from a lack of outstanding leadership, especially in local elected public offices. Sometimes that lack of leadership in local government allows factions hostile to business to derail comprehensive local visions for economic growth and job creation. Read on for an egregious example of this.

Before getting into that story, we must point out though that there are people in Salinas and Monterey County who consistently exhibit strong leadership. For potential leaders who need training to achieve their capabilities, the Chamber has offered the "Leadership Salinas Valley" civic education program, which has been further developed into the "Leadership Monterey County" program. (See the article on Page 5 of this Business Journal or visit www.leadershipmc.org for an important update.)

It is an unfortunate truth that some of our local elected officials seem to neglect their roles and responsibilities as public servants. When something goes wrong, their reaction is to blame lots of other people, businesses, and organizations. However, a Board of Directors has specific legal responsibilities for the organizations over which they preside. They are responsible for the management of staff and finances; ultimately, the buck stops with them.

Today, the governing Board of the Salinas Union High School District is a prominent example of "malfeasance" (to borrow a word used by KSBW 8 News) is. In 2015, the Salinas Valley Chamber of Commerce rightly opposed the board's plan to require construction companies to sign a Project Labor Agreement with unions as a condition of building its new high school. When the Chamber reported on the final 5-1 vote in the Business Journal, it provided readers with a chart showing who voted YES or NO on the Project Labor Agreement.

School board members who voted YES were enraged at this unexpected public



Lila Cann



Evamarie Martinez



Sandra Ocampo



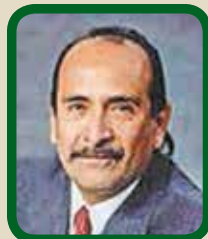
Patty Padilla-Salsberg



Kathryn Ramirez



Carlos Rubio



Phillip Tabera

Asleep at the wheel: the Board of Trustees of Salinas Union High School District should be accountable for their decisions as our elected officials

HIGH SCHOOL - CONTINUED ON PAGE 7

Salinas Valley CHAMBER OF COMMERCE BUSINESS JOURNAL



November
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Issue 370

CREATING A STRONG LOCAL ECONOMY - PROMOTING THE COMMUNITY
PROVIDING NETWORKING OPPORTUNITIES - POLITICAL ACTION
REPRESENTING THE INTERESTS OF BUSINESS WITH GOVERNMENT

Inside

Leadership Monterey County	Page 5	Gas Tax	Page 11
Marketing 101	Page 6	Look What We Found	Page 14
Casa Boronda	Page 9	Monterey County Gives	Page 16

City's Employee Benefits Cost Spiral

by Paul J. Farmer, Chamber CEO

The City of Salinas has a major problem with the ever-increasing cost of its employee benefits and pensions. The problem is not unique to Salinas, but it is one that must be addressed as the current situation is unsustainable.

The cost of all of these employee benefits take away from the limited funds the City has and means there is less money left to invest in:

- quality of life for our residents (like recreational programs to keep our kids healthy and safe)
- infrastructure (pothole-filled roads and non-existent or inadequately-maintained sidewalks)
- economic development so our economy is healthy in the long term

There is a lot to this story, so we'll do something we haven't done in my five-plus years as Chamber CEO: we're going to dedicate multiple Business Journal articles to understanding this challenge and to discussing ways we can help the City address it. With this article, we seek to offer an introduction to the problem; we'll report on more aspects of it in future articles.

Finding the Root of the Budget Problem

As you know, the Chamber is a key advocate for businesses in Salinas. Well over a year ago, leaders at the Chamber were scratching our heads with a simple question: "Why is the City still trying to squeeze every nickel out of businesses in the form of higher taxes and fees, when the City succeeded in passing a tax increase in 2016 which nets an extra \$20M + every year? Where is all this money going?"

It didn't take too much digging to find the root of the problem: the cost of

BENEFITS - CONTINUED ON PAGE 7

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The Chamber is a Smart Investment

by Frank Geisler, Chamber Board Chair

When you receive an invoice for your Chamber dues, there are two ways to look at it: "It's an expense, the cost of doing business" and it is treated as part of the operations of your business. Or: "It's a way to promote myself and my organization" and you consider it a marketing investment. The way we look at the same expense is totally different if it is operational (these costs must be lowered) or part of sales & marketing (it is worth investing in this.)

Here are some reasons to invest in the Salinas Valley Chamber of Commerce and to consider your dues as a good investment for the marketing of your business.

Your investment is good for your image. There is no doubt that joining the Salinas Valley Chamber means increased visibility. I remember reading a survey mentioning that being active in a local Chamber of Commerce is an effective business strategy because consumers believe that such companies use good business practices, are reputable, care about their customers, and are involved in the community.

Your investment builds connections. This is the main reason that one joins a Chamber because it provides opportunities to meet business and community leaders through the many networking events and committee meetings the Chamber provides. These are all great ways to meet people and potential customers.

Your investment strengthens community growth and business development. the Salinas Chamber works to make our area attractive to potential new businesses. We do this in several ways. The Chamber often serves as the first place a visitor or business comes to for such information, especially when considering relocation. We are also engaged with local government, advocating for the benefit of local businesses.

Your investment gives you a voice. Probably the most important reason in the final analysis: the Salinas Chamber is dedicated to helping local companies grow their business by taking the lead in programs and efforts resulting in a strong local economy. Remember the creation of

Local First, championing local preference for businesses located within the tri-county area. There is also a brand-new effort to create a county-wide Leadership program in partnership with the Monterey County Business Council.

The Salinas Valley Chamber takes seriously its role to advocate on behalf of the business community. We work to ensure an environment where businesses can thrive. The Chamber is the only broad-based business organization that aims to represent business interests no matter your size, industry, or location. If you're doing business in the Salinas Valley area, we are working on your behalf.

So, next time you see an invoice from your beloved Chamber, consider it a vital marketing investment!



Chamber Board Chair Frank Geisler shares a smile with his trustworthy companion, Flash

I welcome your feedback.

– Frank Geisler
2017 Chamber Board Chair,
Frank@Geisler3.com
831-917-2802

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Revitalized Leadership Program Launches for 2018

After overseeing our successful Leadership Salinas Valley program for 34 years, the Board of Directors of the Salinas Valley Chamber

Foundation decided to revisit the program. Was it still relevant to participants? What could be done to enhance its effectiveness? Might we partner with others to strengthen its impact? We planned a hiatus from the program in 2017 and we are proud to share with you that, as we launch a revitalized leadership program for 2018, we have answered many of these questions.

A Partnership Forms

In 2016, the Salinas Chamber Foundation Board and Chamber CEO began discussions with Leadership Monterey Peninsula about how we might join forces. Instead of operating two separate programs, we decided it made sense to work together on one regional leadership program. Who better to break down the lettuce curtain than current and future leaders? "Leadership Monterey County" was germinating.

The Monterey County Business Council expressed interest in playing a key role and joined our efforts. The Monterey Peninsula Chamber of Commerce also participated in early discussions. While they are not formally a founder of the new Leadership Monterey County, they are in support of the concept and we hope to enjoy greater engagement from them in the future.

How is this Program Improved?

Previously, our program focused more on helping participants build the personal skills they needed to become a leader. This was done through a series of twenty weekly 3-hour classes, which is ideal for a skills-focused program.

After much discussion of curriculum and desired outcomes, we decided to adopt Leadership Monterey Peninsula's model of building leaders by getting



LEADERSHIP
MONTEREY COUNTY

them out into the community – enabling them to meet regional decision-makers and get hands-on experience visiting places

of interest. We envision the new program taking our students out into the fields, into the jails and courts, before panels of distinguished guests who will talk to them in depth about challenges and solutions. Taking place on the fourth Friday of the month, the new program will have the entire day to delve into topics.

Who Should Participate?

The program is designed for those interested in helping determine the future of our area. That may include supervisors and managers at your company.

Individuals benefit from the program in a number of ways including: increased leadership abilities, a comprehensive understanding of important community issues and organizations, a chance to meet the "mover and shakers" in the community, building a diverse network of informed colleagues, strengthening professional skills and expanding contacts.

Leaders are trained and developed in a program that includes three components:

Education – Seminars on topical leadership and management issues.

Experience – Hands on learning in a variety of community-based venues.

Exposure – Interactive panels with leaders from business, government, non-profits and education.

Class size will be 20 to 30 participants.

Tuition is \$2,000 and the application deadline is January 22.

For more information, please visit www.LeadershipMC.org or contact Kimbley Craig, Executive Director for the Monterey County Business Council, Kimbley@mcbc.biz or 831-216-3020.



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Classes are held on the fourth Friday of the month, February through November. Topics for each class include:

- Hospitality
- Agriculture
- Healthcare
- Defense/Security
- Government/Law
- Nonprofit
- Art/Culture/History
- Education
- Environment



Tuition: \$2000



Salinas Valley
CHAMBER OF COMMERCE



Apply online: www.leadershipmc.org

Application deadline: January 22, 2018, 5:00 pm

Questions? Email: LMC@mcbc.biz

Marketing 101

tips & advice on digital marketing

by Phil Fisk, President
Coastline Marketing Group



Do You Hate Yelp?

When reading your online reviews makes you want to yelp, it is time to take action. One of the things we constantly hear from our clients is how much they hate Yelp, and we completely get it. With Yelp, you have no control over what people post about your company, and it's always possible that a bad or false review could turn potential customers away. Yet, what we have found is that you do have some control over how you let websites such as Yelp affect your company's online reputation when you decide to embrace their platform. By choosing to be proactive, you can turn even the most negative review into an effective marketing opportunity.

Spend a few minutes thinking about what a few positive reviews or a higher Yelp rating could do to improve your bottom line. For the majority of business owners, all of those little stars add up to dollar signs when you embrace the opportunity to turn social media into another way that you connect with your target audience. Instead of ignoring your online reputation, try thinking about those five little stars as being new members of your sales team. When one of your customers posts a positive review, you can bet that they are a likely candidate for repeat business who chose your company based upon its reputation.

So, what do you do to make Yelp work for you? The first step is to embrace the possibilities. Stop worrying about negative reviews, and turn them around by responding with the same level of professionalism and customer care that has made your business successful. Thanking past customers and highlighting your company's dedication to quality are not just good business practices, they are little gestures that get your business noticed. So, put those little stars to work for you and watch as your company's online reputation makes you shine brighter than the competition.



Maya Cinemas Upgrades

Maya Cinemas is completing a \$4 million dollar makeover for the Maya Salinas 14 Cinemas and MPX Theatre at 153 Main Street. The makeover was done in every auditorium at the theatre and features extreme-deluxe electronic recliner seating in every auditorium, as well as all new wall covering,

flooring, digital lighting, and safety features.

All theatres are outfitted with deluxe recliners, which are considered tops in the business. Four of the fourteen theatres will also feature deluxe rockers along with the recliners.

Maya tested hundreds of seat types before settling on the Palliser Deluxe and customers have given rave reviews to the seating at the theatre and on Facebook and Yelp.

Maya also has two auditoriums featuring top-of-the-line Dolby Atmos Sound Systems. Beginning after the 1st of the New Year, Maya will also feature Reserved Seating in all auditoriums.



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HIGH SCHOOL - CONTINUED FROM PAGE 1

accountability. The school district dropped its Chamber membership. Some school board members warned the Chamber to mind its own business. They apparently want businesses to serve as a supplier of tax revenue and not as a critic of anti-competitive contract procurement.

The district board was back in the news two years later, to the surprise of the Chamber and almost everyone else in the region. At a meeting on October 24, 2017, the new superintendent revealed that the new high school under construction had fallen behind schedule and probably would not open for the 2018-2019 school year. Board members started thinking of people, businesses, and organizations to blame.

In a recording of the school board meeting that was obtained by the Chamber, school board member Kathryn Ramirez repeatedly and absurdly claimed that the county's business elite had conspired at "little parties" on Highway 68 to make the project fail. Some board members insisted that the union Project Labor Agreement didn't have anything to do with the failure and would never be suspended or repealed. Board member Phillip Tabera recommended that they not talk about what was happening if a Board member were asked by someone on the street about the high school.

To be generous, perhaps Tabera was simply warning about making statements "on the street" that could be used against the school district in court. To be less generous, it sounds like he was encouraging fellow Board members to try to keep secret the failure of their oversight of the construction of the new high school. It is notable that the public did not find out about the debacle until KSBW News obtained an audio recording of the meeting discussion and got the scoop on the story. Not surprisingly, the failure became a major local news story.

When did the school board plan to officially inform parents, teachers, and taxpayers about the problem with the high school? Why weren't board members paying attention to construction progress over the past year? These are questions that remain unanswered.

On November 1, the board held a special closed session meeting (not open to the public) to discuss the potential for litigation. On November 3, Superintendent Dan Burns held a press conference to explain what the district, under his leadership, was doing to try to get the project back on track. School board members did not speak at this press conference. The superintendent again reported on these efforts at the board's

November 14 meeting.

The superintendent, who essentially inherited this problem, has been meeting with influential community leaders (including the Chamber), developing a community advisory committee, and hiring a respected construction scheduling firm at a reasonable price. He has the potential to be the hero of the city if he can coordinate everyone and implement a strategy that gets the project back on schedule.

Meanwhile, board members have been criticizing news coverage of the failure. At the November 14 board meeting, board member Kathryn Ramirez flung several insults at prominent local news media figure Joseph W. Heston, President and General Manager of KSBW 9 NBC. She called Heston "uncultured, boorish, and oafish." Board member Phillip Tabera agreed with the insults. (This would seem to violate the anti-bullying policies of the school district.)

Mr. Heston has offered this response: "We here at KSBW have to focus on the news. And our station Editorials focus on what we feel needs community attention. I'm surprised with all the important issues which need tending to by the Salinas Union High School District Board, that they have the time and inclination to resort to petty name-calling and juvenile personal attack. Perhaps paying attention to the business of education, providing better oversight and leadership, would set a better example to the students in their schools."

Besides making sure their union campaign backers are absolved of any blame (the Project Labor Agreement remains in effect), some board members want the people to know that it's not their job to build a school. Only one board member seems to be focused on fiscal responsibility and the potential cost impact.

If ordinary citizens heard the audio recordings of the October 24 and November 14 meetings, they would be appalled at their elected school board members, who display a disappointing lack of leadership. If you would like to hear them, contact the Chamber and we will share those recordings with you.

On a positive note, the Chamber is providing and will continue to provide advice and encouragement to the superintendent as he develops a strategy and endures the public relations nightmare. We want to see the project turn around and succeed, just like everyone else in town. But we also want the public to know that most of the school board evaded leadership responsibilities at a time when their courage and leadership was desperately needed.

BENEFITS - CONTINUED FROM PAGE 1

employee benefits and pensions for the City has been skyrocketing.

Once upon a time, a government job paid less than a similar private sector job. But those jobs were filled by employees who preferred the stability and perhaps the ability to work for the good of the community. Somewhere along the way, things changed. Public-sector jobs reached pay parity with the private-sector (we will do the research and share data in a future article), however, the benefits and pensions received by public-sector employers became much more generous (and costly) than those received by the vast majority of private-sector employees. Let's look at some numbers, including hard data from the City of Salinas.

Cost of Employee Benefits vs Pay for Several Types of City Employees			
	Non-Sworn	Police Officer	Firefighter
Base Pay	\$ 97,872.00	\$ 107,340.00	\$ 88,728.00
Total Pay	\$ 179,574.00	\$ 232,205.00	\$ 212,499.00
Cost of Benefits	\$ 81,702.00	\$ 124,865.00	\$ 123,771.00
Benefits, as % of Pay	83%	116%	139%
Multiple	1.8	2.2	2.4

Whereas the Chamber (which is typical of most small private businesses) pays an extra 38% for employee benefits and insurance costs, the City's rate is more than double that: 83% for Non-Sworn employees and 116% for Police Officers and 139% for Firefighters. In essence, a single police officer, whose maximum base pay is \$107k, ends up costing nearly a quarter of a million dollars. And this doesn't even include overtime, which is high for the City (in excess of \$5M annually).

The Salinas Valley Chamber has been at the forefront of talking to City leaders, in public and in private, about this problem and what to do about it. In April of 2017, we put a disturbing graphic on the cover of the Business Journal which showed the ever-expanding deficits the City of Salinas expects in its General Fund Forecast.

Since then, a number of other local media have picked up on the story. We're appreciative of that. The more light that is given to the challenge, the more pressure there will be for to us work together to find a solution. You can expect your Salinas Valley Chamber to continue using our resources to shine our light.

EXAMPLE OF TOTAL COMPENSATION			
Salary/Pays	Police Officer	Firefighter	Non-Sworn - AMPS
Maximum Base	\$ 107,340.00	\$ 88,728.00	\$ 97,872.00
Bilingual	\$ 5,367.00	\$ 4,436.00	\$ 4,894.00
Premium	\$ 8,587.00	\$ 15,527.00	\$ 2,447.00
Education/Cert	\$ 6,404.00	\$ 1,440.00	\$ 4,894.00
Flex/Management	\$ 6,193.00	-	\$ 6,117.00
Annual Leave	\$ 13,623.00	\$ 13,133.00	\$ 12,422.00
Fitness	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Longevity	\$ 8,587.00	\$ 4,436.00	\$ 4,894.00
Tuition	\$ 500.00	\$ 1,000.00	\$ 1,000.00
Uniform	\$ 1,200.00	\$ 1,200.00	-
Health	\$ 24,404.00	\$ 27,492.00	\$ 27,492.00
Retirement	\$ 49,000.00	\$ 54,107.00	\$ 16,542.00



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 Salinas Valley Chamber of Commerce

California Employment Report for October 2017

The Center for Jobs and the Economy has released our initial analysis of the October Employment Report released by the California Employment Development Department.

For additional information and data about the California economy visit www.centerforjobs.org.

Unemployment Rate Improves

4.9% Unemployment Rate

EDD reports California's unemployment rate (seasonally adjusted) in October dropped to 4.9%.

Total employment was up 97,000 from September, while total unemployment was down 35,000. The labor force grew 62,000, producing an uptick in the rate to 62.4%.

The US unemployment rate improved from 4.2% to 4.1%.

National employment was down 484,000, unemployment down by 281,000, and the labor force contracted by 765,000, producing a participation rate drop to 62.7%.

Nonfarm Jobs Up

31.7k Job Gains

Nonfarm wage and salary jobs grew 31,700 (seasonally adjusted) in October. September's gains were revised to 50,300 from the previously reported 52,200.

Counties with Double-Digit Unemployment

1 Counties with Unemployment Above 10%

Only one county, Imperial, had an unemployment rate at 10% or higher. The number with unemployment rates at or below 5% dipped to 29.

MSAs Continue to Have Worst Unemployment in US

6 MSAs in Lowest National Unemployment Rates

Six California Metropolitan Statistical Areas (MSAs) were in the worst 10 unemployment rates nationally in September. Ten were in the worst 20.

Property Tax Postponement

California's Property Tax Postponement Program allows homeowners who are seniors, are blind, or have a disability to defer current-year property taxes on their principal residence if they meet certain criteria, including 40 percent equity in the home and an annual household

income of \$35,500 or less. Applications for the 2017-2018 property tax filing year are now available and may be submitted between October 1, 2017 and February 10, 2018. Funding for property tax postponement program is limited, and applications will be processed in the order they are received beginning October 1. Participants must reapply each year and demonstrate they continue to meet eligibility requirements. The application and more information regarding the program are available on the State Controller's website at www.sco.ca.gov/ardtax_prop_tax_postponement.html. If you have questions regarding this program, you may contact the State Controller's office at (800) 952-5661 or postponement@sco.ca.gov.



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Casa Boronda Breaks Ground

Nunes Company Breaks Ground on Salinas Farm Labor Housing Complex

After years of planning, shovels have gone into the ground on a four-acre parcel in Salinas, known as the Boronda neighborhood, for the second farmworker housing complex in the region.

Avila Construction of Monterey, CA, hosted a groundbreaking ceremony recently to honor the Hibino, Nunes, and Rodriguez families. These families recognize the need for beautiful, safe, and affordable housing for their company's farm labor force. This project received overwhelming support from city and county leaders, as well as affordable housing advocates in the region. Casa Boronda will not only serve as a model for the future of California agriculture, but also for the nation's agriculture industry.

Casa Boronda, when completed, will be available for seasonal agricultural employees. This gated community will include six, two-story apartment buildings (75 units total) with up to eight residents and two full bathrooms per unit on a site that also includes two recreation rooms, a manager's unit, laundry facilities, basketball and volleyball court, and a sports and recreation field.

The three families involved in this project shared a vision to do something innovative for their labor force that would not only help them recruit and retain employees, while providing an affordable and safe housing environment, but would also serve as a model for social responsibility in the agriculture industry.

"This is a win-win situation for our employees, our company and our customers," said Tom Nunes Jr. "It is not only the right time for such a large undertaking, it is simply the right thing to do."

Henry Hibino, partner in the project, grower and former mayor of Salinas, said, "Three very diverse families from very different backgrounds, coming together to accomplish a project like this is indeed rare in the agriculture industry. While we come from different cultures, we share the same core values of dignity and rewarding hard work."

The first phase of the project is scheduled to be completed by April 2018 with the first occupants moving in on or around May 1, 2018.

The Nunes Company has been a leader and innovator in the fresh produce industry for generations. The company farms more than 22,000 crop acres in California, Arizona, Nevada, and Mexico under the Foxy brand.



Mark Rodriguez addresses the crowd at groundbreaking ceremony

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What's New for 2018?

by Sharilyn Payne,
Fenton & Keller



Every year, California employers face the challenge of complying with new laws, and this year is no exception. Following are some of the key new laws that go into effect on January 1, 2018.

New Parent Leave Act (SB 63)

The California Family Rights Act ("CFRA") and Family and Medical Leave Act ("FMLA"), which apply to employers with 50 or more employees, provide a leave of absence of up to 12 weeks for employees who are new parents to care for a new child. Under the New Parent Leave Act,

- Employers with 20-49 employees must provide
 - up to 12 weeks of unpaid, protected leave to eligible employees so that they can bond with a new child within one year of a birth, adoption, or foster care placement.
- To be eligible, the employee must have worked for the employer for more than 12 months, have worked at least 1,250 hours during the 12-month period prior to the leave, and work at a worksite where there are at least 20 employees within a 75-mile radius.
- The employer must continue the same health insurance coverage for the employee during the leave as the employee would have received if he or she were still working.
- Employees taking this leave must be guaranteed reinstatement to the same or a comparable position.

Ban-the-Box (AB 1008)

Many employers have a job application that includes a question about whether an applicant has a criminal record. Under this new law, with limited exceptions for certain jobs,

- Employers with five or more employees cannot seek criminal history information on a job application, in a job interview, or otherwise before a conditional offer of employment has been made.
- Once the employer has made a conditional job offer, it can seek certain criminal history, although limitations apply. For example, an employer cannot ask about an arrest that did not result in a conviction, sealed or expunged convictions and juvenile crimes, or referrals to diversion programs.
- If an employer is considering not hiring an applicant because of a prior conviction, it must first do an individualized assessment as to whether the conviction has a direct and adverse relationship with specific job duties that would justify denying employment.
- If the employer then preliminarily decides not to hire the applicant based on the conviction, it must send written notice to the applicant so that he or she can respond. The employer must then consider any information the applicant provides.
- If the employer still decides not to hire the applicant, it must provide the individual with written notice including certain specific information.

Salary Information (AB 168)

Job applications logically ask for employment history, and usually ask how much the applicant was paid. Under this law,

- Employers may not ask about an applicant's salary history, including information on compensation and benefits, or seek this information through an agent.
- If an applicant voluntarily discloses salary information, the employer may rely on that information in determining the individual's salary.
- Employers must, upon reasonable request, provide a job applicant with the pay scale for the position.

Employers should review their applications and ensure that employees involved in interviewing and hiring are aware of the Ban-the-Box and Salary Information laws. Employers with 20 or more employees should make sure that their supervisory employees and human resource departments are aware of the New Parental Leave law.

Sharilyn Payne is a lawyer with the Fenton & Keller law firm in Monterey. This article is intended to address topics of general interest, and should not be construed as legal advice. For more information, please visit www.fentonkeller.com.

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Where is Gas Tax Going?

by Dan Walters, *calmatters.org*

California motorists who have recently filled their cars' gas tanks have been paying an extra 12 cents a gallon, thanks to a multibillion-dollar package of improvements to highways, streets and other transportation facilities enacted by the Legislature and Gov. Jerry Brown this year.

The package, which also includes some extra automotive fees, is expected to raise more than \$5 billion a year for transportation projects, most of which are aimed at catching up on long-delayed maintenance work.

That's one of the tricky aspects of the situation. To build public support, backers of the package hinted—but did not promise—that it would do something about the state's worst-in-the-nation roadway congestion, but in fact it will do little, if anything, to relieve traffic jams.

Most of the proposed improvements won't be obvious, like expanding a freeway would be, and motorists may wonder whether they are getting

something tangible for the extra money they are paying.

That's not just a theoretical worry, because initial polling indicates that the new gas taxes are not popular, and there are a couple of efforts underway to repeal them via a ballot measure.

In fact, the state Republican Party seems to be counting on a gas-tax backlash to improve its otherwise dim chances of making gains in next year's elections. The GOP is not only encouraging the repeal measures but also throwing its weight behind a recall drive aimed at Democratic state Sen. Josh Newman, who voted for the taxes after winning an Orange County-centered seat that had been in Republican hands for decades.

The unpopularity of the new taxes stems, in part, from the intertwined facts that California's fuel taxes and fuel prices were already among the nation's highest—about 60 cents a gallon above the national average—even as motorists

were contending with congestion and pothole-pitted roadways.

Another factor is a widespread, if erroneous, belief that billions of gas-tax dollars have been siphoned away for non-transportation spending. In fact, while transportation funds have been borrowed to shore up the state's general fund during recessions, all of them have been repaid or soon will be, so transportation projects did not suffer.

The major factors in California's high fuel prices, in addition to high taxes, are the state's generally higher costs of living—housing being the prime example—and its mandates on refiners to produce fuel specifically tailored to reduce smog-causing emissions and greenhouse gases such as carbon dioxide.

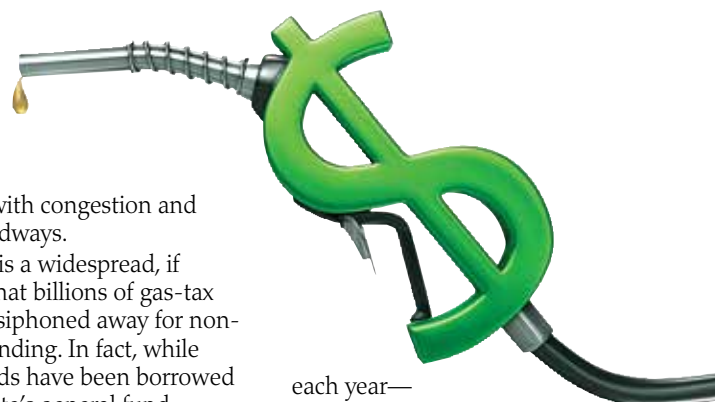
That said, Severin Borenstein, a professor at UC Berkeley's Haas School of Business and a researcher at the Haas Energy Institute, points out that Californians also have been paying an extra 20 cents a gallon—some \$3 billion

each year—for fuel since 2015, due to a somewhat mysterious “large unexplained premium” in the portion of the overall cost going to refiners.

The anomaly, so far unexplained, is outlined in a September report from an advisory panel to the California Energy Commission, on which Borenstein sits.

“Before we roll back the new gas tax, before we cut the revenues for these public programs, shouldn't we figure out where the rest of the money is going?” Borenstein asked in a newspaper article this week.

Indeed, we should. It adds still another dimension to the political debate over fuel prices and taxes that will continue to burn as motorists pay the new levies.



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Should Tax Incentive Program End?

by Liam Dillon, latimes.com

California no longer should give specific tax incentives to businesses and instead should provide broad-based tax relief, the state's nonpartisan Legislative Analyst's Office said in a new report.

The analyst's office examined California Competes, a program that began four years ago to give tax credits to businesses looking to move to the state or remain here, and found it puts existing companies that don't receive the awards at a disadvantage without clear benefits to the overall economy.

"Picking winners and losers inevitably leads to

problems. In the case of California Competes, we are struck by how awarding benefits to a select group of businesses harms their competitors in California," the report said. "We also think the resources consumed by the program are not as focused as they should be on winning economic development competitions with other states to attract major employers that sell to customers around the country and the world."

California Competes has allowed the awarding of nearly \$800 million in tax credits.

The legislative analyst found that more than a third of the credits awarded through California

Competes resulted in no change to the overall economy and put the state's existing businesses at a competitive disadvantage. The analyst couldn't assess the value of the remainder of the credits because it's impossible to know how businesses would have reacted had they not received them.

California Competes is scheduled to end next year. The analyst's office recommends replacing it by lowering business taxes overall or, should lawmakers want to keep it, tailor the program more narrowly to focus on attracting and retaining high-value companies.

New Member Profiles

A&T TAX

Tania Arvizu works with many agricultural companies in Monterey and San Benito Counties, as well as other businesses. She is an Enrolled Agent, meaning that she is approved to represent taxpayers before the Internal Revenue Service. She is a Notary Public and a QuickBooks ProAdvisor. Her memberships include the Latino Tax Pro Association and the American Institute of Professional Bookkeepers. Arvizu graduated from Heald College and is bilingual in English and Spanish.

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Little Sicily has opened their doors in Oldtown Salinas. After years of running a large Italian restaurant in Monterey, Michael and his family have opened their own place on Gabilan St.

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Max Fit Meals is a meal prep and nutrition store in Salinas, CA and Monterey, CA. Max Fit Meals incorporates flavorful gourmet options like tri-tip and salmon, and even introduced an organic line of prepped meals. Owner Kris Spencer's motto is: "food for the soul and fuel for your workouts".

He preaches this mantra to his team and customers because he deeply feels that Max Fit Meals is not just a healthy choice but a lifestyle that is based on results and convenience.

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L to R: Stephanie Chrietzberg, SVP, MCB; Kate Cummings; Jim Davis; Kathy Torres, VP SBA Loan Officer MCB

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California Housing Needs

by Liam Dillon, latimes.com

Gubernatorial candidate Gavin Newsom says California officials should set a goal to help 3.5 million new homes get built by 2025 to stem the state's housing problems.



of new homes in one year hasn't been built since at least 1954, according to permit data from the construction industry.

Newsom outlined a number of policy changes he'd make including:

Expand by \$500 million the low-income housing income tax credit program to build more affordable homes.

Allow cities to sequester local tax dollars to help finance new development in certain neighborhoods.

Link state transportation funding to local governments' housing growth targets, which cities and counties currently have little incentive to meet.

Revamp local tax incentives so it makes more financial sense for cities to approve new homes.

Appoint a homelessness czar.

"Simply put, we're experiencing a housing affordability crisis, driven by a simple economic argument," the lieutenant governor said in a post on Medium outlining his housing plan. "California is leading the national recovery, but it's producing far more jobs than homes. Providing adequate housing is fundamental to growing the state's economy."

To reach that number, which comes from a 2016 analysis by consulting firm McKinsey Global Institute, the state would need to nearly quadruple its annual production of roughly 100,000 new homes a year to 378,000. That amount

"There is significant work ahead of us to tackle the housing and homelessness crisis gripping our state," Newsom wrote in the post. "But I'm committed to turning the tide, because each new unit built and each individual with a place to call their own is one more person who can feel at home in California."

Preserving California's Agricultural Land

The California Land Conservation Act, commonly known as the Williamson Act, has helped preserve California's agricultural and open space lands since 1965 by discouraging their premature and unnecessary conversion to urban uses. The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The Williamson Act is estimated to save

agricultural landowners from 20 percent to 75 percent in property tax liability each year. As of 2015, 52 of California's 58 counties have executed contracts under the program and approximately 14.8 million acres were reported as being enrolled statewide. The minimum term for contracts is ten years with renewal occurring automatically each year. Landowners should contact their local city or county building and/or planning department where the agricultural property is located to apply or inquire if their property is eligible for this program. County website/contact information is available at www.counties.org/countywebsites-profile-information.



Haciendas Phase III Breaks Ground

The Housing Authority of the County of Monterey and their construction crew started the installation of their modular units for Haciendas Phase III recently. The modular units were constructed and assembled by Guerdon Modular Buildings in their factory located in Boise, Idaho and transported to the City of Salinas. The picture shows the installation of the fourth modular unit as it is being lifted with a crane

to its final location within the site. This affordable rental housing development will be comprised of fifty (50) residential units for rent to low-income households. Of the (50) units, forty-nine (49) will be made available for low-income households earning no more than sixty percent (60%) of Area Median Income (AMI), and one (1) unit will be designated as a manager's unit. This development will also include the construction

of 3,600 square feet of residential support space consisting of a small kitchen, a community room, laundry, and a management office. Once this development is completed, it will provide much needed housing for low-income families within the City.



Monterey County Gives 2017

Nonprofits are a cornerstone of our community. Whether you've attended local arts or music events, received legal support or health care services, adopted a pet, or enrolled your child in a special after school program, chances are high you've interfaced with a dozen or more groups — in recent months.

Without the more than 1,000 local nonprofits working tirelessly to fulfill their missions — everyday — our community would look and feel like a very different place.

And each needs your support, however that comes forward.

We've been on the frontlines to witness local nonprofits' broad-reaching impact.

More than a decade ago, the Weekly decided we could leverage our resources and create a new program for local philanthropy — to support the nonprofit community even more. We first established the Monterey County Weekly Community Fund as a donor-advised fund at the Community Foundation for Monterey County in 2000. In 2009, we created an annual appeal to our readers — Monterey County Gives!

In last year's campaign Monterey County Gives! raised over \$3.6 million in six weeks, thanks to over 4,000 donors. Since its inception, the program has raised and donated over \$12.1 million to over 350 local nonprofits.

\$1,190,000 in Matching and Challenge Gifts!

Collaboration. Partnership. Synergy. These are the keys to MC GIVES!

The campaign is a partnership between the Weekly, the Community Foundation for Monterey County and the Monterey Peninsula Foundation. Coupled with the generosity of our major supporters — the Neumeier

Poma Investment Counsel, Cannery Row Company, the David and Lucille Packard Foundation and an anonymous Partner — MC GIVES! kicks off with an overall Matching Fund of over \$425,000.

Many participating nonprofits stepped up and raised Challenge Gifts from key supporters, to spur more giving and new donors from the community — over \$700,000 to kick-off the campaign.

Combined Monterey County Gives! has over \$1.1 million in Matching and Challenge Gifts.

MC GIVES! runs through midnight December 31.

We invite you to join in this great program, become a donor, even help spread the word. If you would, pass along the issue! Every bit helps. We're in this together, and can collectively create positive change for all of us who call Monterey County home.

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*Bradley Zeve,
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Non-Profit Calendar

DATE	TIME	LOCATION	NON-PROFIT	EVENT	CONTACT	WEBSITE
12/1- 12/16	2- 7pm	320 Main Street, Salinas	ARIEL Theatrical	Narnia	831-775-0976	arieltheatrical.org
12/9	10am- 2pm	Northminster Presbyterian Church , 315 E. Alvin Dr., Salinas	American Cancer Society	Relay For Life of Salinas Kickoff Holiday Boutique Carnival	831-540-4086	relayforlife.org/SalinasCA
11/20-12/18	any time	945 S. Main St., Salinas	CASA of Monterey County	Gift of Giving for Foster Youth	831-455-6800	casaoftereay.org
1/23	tbd	945 S. Main St., Salinas	CASA of Monterey County	Training Session	831-455-6800	casaoftereay.org
12/13	6pm	Hartnell College Student Center 411 Central Ave., Salinas	Salinas Senior Center	Holiday Season"Friendraiser" Dinner	831-757-6030	salinasseniorcenter.org
12/9	11am	345 East Alvin Dr., Salinas	Anthem Christian School	Christmas Music Program	831-449-0140	www.anthemschool.net

Ribbon Cuttings



Chamber Board Chair Frank Geisler celebrates the opening of his new office in Marina. From their warehouse in this central location, Geisler 3 can serve their customers throughout the region.



To celebrate 25 years of business in a historic building that has turned 100 years old, Tarpy's Roadhouse welcomed patrons with a fundraiser for the Food Bank of Monterey County.



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Tips for Dealing with Legal Disputes

by Nick Smith

Recently, I wrote an article called, "Three Tips for Businesses Dealing with Legal Disputes and Litigation," which discussed the benefits to businesses of increased communication and positive engagement with attorneys regarding cases and legal disputes. The article also addressed alternative dispute resolution as a way of resolving disputes. The response to the article was positive, I believe, because people are seeking attorneys who can explain complex issues in understandable terms, apply practical solutions to problems, and understand the human element involved in legal disputes.

In this article, I will provide three additional tips that may be of use to businesses dealing with legal disputes.

Tip 1: Employ a problem-solving approach

Sometimes, parties involved in a legal dispute take a "scorched-earth" approach. The parties in those matters can, at times, elevate the conflict above the actual legal issues and expend unnecessary energy, time and money. Most disputes do not warrant (or require) this type of approach because the disputes involve business problems, rather than hot-button emotional issues. Employing a problem-solving approach means figuring out how to solve a business problem in the most efficient way possible. This is good for business clients and the legal system. And it is less costly to all parties.

I encourage anyone seeking legal services to employ a problem-solving approach. Ask yourself these two related questions: "What is the problem I am trying to solve?" and "What solutions would be acceptable to me?" If you think in those terms, you are more likely to reach a desirable outcome. In my experience, taking this approach during a dispute gives you an advantage over those employing a scorched-earth approach because you stay focused on your goals and how to get there efficiently.

Tip 2: Keep an open mind

Legal disputes are unpredictable. Attorneys do their best, but cannot always predict the outcome. Because of this, keeping an open mind as a client is important. If you have tunnel vision about what you expect or want the outcome to be, you may end up wasting time and money pursuing unachievable goals. Further, you may miss the correct path by focusing too much on the path you expected. As the client, you have decision-making power on overall dispute management. That input is critical, so it's extremely important for clients to be open-minded about approach, outcomes and strategy.

Tip 3: Don't take it personally (even if it is)

At first, the advice to not "take things personally" seems crazy. You might respond, "Of course it's personal! This dispute affects my everyday life and possibly my future." I'll tell you why you shouldn't take disputes personally. First and foremost, for yourself and your mental health. A dispute shouldn't eat away at you or make you feel bad for prolonged periods of time. That's why you hire attorneys like me to help you resolve disputes.

Second, not taking things personally will help you be more successful in the dispute. Even when facing unsavory opponents, if you don't take things personally, you will keep a level head and make better business decisions about resolving the dispute. Something that seems very unnatural in the environment of legal disputes can actually pay dividends.

Nicholas W. Smith is an attorney with the law firm Noland, Hamerly, Etienne & Hoss. His practice focuses on litigation and business matters, assisting individuals, companies and governmental agencies to solve problems and resolve disputes.



Smith

Member News

FANOE NAMED CEO

Pacific Valley Bank announced Anker Fanoe will serve as its new CEO.

Joe Robello, chairman of PVB's board of directors, said, "Anker brings well-rounded knowledge of the business of banking to Pacific Valley Bank. Having been born and raised in the Salinas Valley, Anker understands what drives our local economy. His family has been a part of the fabric of this community for generations. We are more excited than ever about the future of Pacific Valley Bank as we continue to grow alongside our customers."



Fanoe

SVR WINS GRANT

Much of the leafy greens and other fresh produce consumed in the U.S. is grown, packaged, and shipped in our area. Salinas Valley Recycles has been awarded over \$1.34 million in grant funding to reduce organic materials (including food scraps, yard waste, wood waste, etc.) from entering the landfill, and recover edible food to feed those who are in need, thereby reducing greenhouse gas (GHG) emissions.

Currently, no full-scale food waste composting facilities exist in the Salinas Valley. The construction of such a facility, together with technology that separates non-marketable organic produce from its packaging, and an edible food rescue program, will allow SVR to significantly increase the diversion of food waste generated by local farmers, businesses and residents from being landfilled.



MATSUI DONATES \$20M TO HARTNELL

Teresa Matsui, on behalf of her parents Mary and Andy Matsui, recently announced the philanthropic gift of 215 acres of land northwest of Salinas valued at \$20 Million.

The land is located within the future growth area of Salinas. This gift is the largest that the Hartnell College Foundation has received in its history.



Andy and Mary Matsui make major donation

Upcoming Events

DATE	TIME	EVENT	LOCATION
6-Dec	12-1 pm	Connect at Lunch - Chef Lee's Mandarin House	1616 N Main St
8-Dec	7:15 am-12 pm	Future Commuter Train Tour w/ TAMC	Salinas Amtrak, 3 Station Pl
13-Dec	11:30 am-1 pm	Government Relations Committee	Chamber Office
18-Dec	12-1 pm	Ambassador Meeting	Chamber Office
3-Jan	12-1 pm	Connect at Lunch - Portobello's Café	150 Main St Ste 116
10-Jan	11:30 am-1 pm	Government Relations Committee	Chamber Office
11-Jan	5-7 pm	Ribbon Cutting - Monterey Museum of Art	559 Pacific Street, Monterey
18-Jan	11 am-1:30 pm	IMPOWER	Corral de Tierra Country Club
22-Jan	12-1 pm	Ambassador Meeting	Chamber Office
25-Jan	5-7 pm	Ribbon Cutting - Monterey County Fair	Monterey Fairgrounds - Seaside Room

.....

Annual Awards Luncheon

Thurs, Feb 22, 2018

11am-1pm

Sherwood Hall, Salinas



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