

FUNDING THE NEXT GENERATION

NEWSLETTER

First round
of court
hearings: A
success
for
democracy



SAN FRANCISCO SUPERIOR COURT JUDGE RULES CITIZEN BALLOT MEASURES FOR FUNDING ONLY NEED MAJORITY VOTE!



Both pictures above: Parent Voices demonstrating at San Francisco Courthouse on July 3 before Judge's ruling.

Courtesy of Parent Voices chapter of the SF Children's Council.

WANT MORE INFORMATION ON THE SAN FRANCISCO COURT CASE?

The following links all contain valuable information on the San Francisco court case.

[Child Care Law Center](#)

[Judge's opinion](#)

[SF Chronicle story on lawsuits](#)

OTHER CITIES AND COUNTIES WRESTLE WITH VOTER THRESHOLD ISSUE

According to **Ballotpedia**, 6 places in California certified funding ballot measures

On July 3, **Judge Ethan Schulman** heard two cases in

San Francisco Superior Court - one concerned a local ballot measure funding childcare which had received 51% of the vote and the other a ballot measure funding homeless services, which received a vote of 61%. Both measures were placed on the ballot by petition of the voters, and certified as approved by the City officials after the 2018 election. The City was then sued by the **Howard Jarvis Taxpayers Association** and various business groups saying a 2/3 vote was needed to pass. The Judge sided with the City and declared both measures to have passed. **This was the first time that a trial court addressed the question of voter margins since the Upland Supreme Court decision.**

The San Francisco childcare measure will yield up to **\$140 Million a year for childcare**. The money is being collected, but will not be spent until the court case is resolved – all the way up to the California Supreme Court, if need be.

True to form the activist child care community of San Francisco did not just sit back and watch the case unfold. Led by **Parent Voices**, they publicized the court hearing and staged a rally outside the courthouse and filled the chambers with parents, children and advocates, declaring democracy was at stake – a perfect pre-July 4 event.

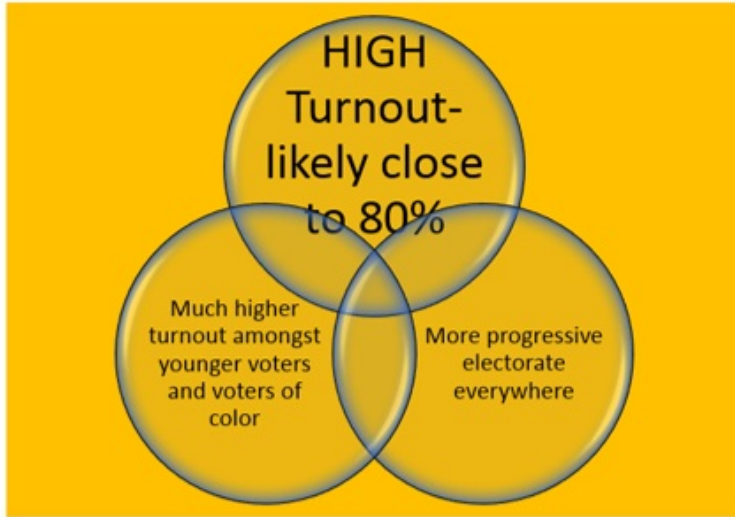
This is the first victory – but not the end of the road. On one hand: As our attorneys have pointed out, this decision only applies to the San Francisco measures, and it will be appealed to the Appeals Court, and then probably the California Supreme Court. *According to experts, this could all take up to three years.* **On the other hand:** This first court ruling went in favor of democracy and those seeking funding for crucial social needs – and can be used by other localities as a strong basis for their arguments. *The Child Care Law Center attorney, Patti Prunhuber says, “the Court’s well-reasoned opinion and analysis of the history and meaning of Prop 13 and Prop 218 will be looked to by other courts considering this same question.”*

THE 2020 OPPORTUNITY

as approved when they received a majority vote, but not the 2/3 supermajority. All are having different fates.

- In **Fresno, Building Healthy Communities** filed a lawsuit in Feb. 2019 against the city arguing that Measure P, a citizen initiative to fund parks, should have passed with 52% approval. The City Attorney then filed an action asking the court to determine the correct vote requirement.
- In **Del Norte** in Nov. 2018, a hotel tax placed on the ballot by citizen initiative received 55% of the vote, and based on the Upland decision, the County Counsel determined that it had passed. To our knowledge, no court case has been filed.
- The controversy in **Oakland** about the passage (or not) of the children’s funding initiative, a parcel tax, has yet to be resolved. The City Council voted to certify the measure as passed, but is also considering placing a similar measure on the ballot again amidst lots of local controversy (including a lawsuit) since the ballot handbook said passage required a 2/3 vote.

WHAT IS LEGAL FOR A NON-PROFIT TO DO TO ENGAGE IN BALLOT MEASURE



Since May we have conducted **4 Learning Community sessions** - 2 in LA for folks in Southern California, and 2 in Oakland for folks in Northern California. 14 communities were represented at these meetings. The major message: **2020 is a unique opportunity for success at the ballot.**

Recipe for success:

- Clear proposal, simple message
- Strong and diverse coalition
- Budget and fundraising plan
- Coordination with other campaigns
- Activation and mobilizing plan



Diana Ross, Executive Director of Mid-City CAN, led a team from San Diego attending Learning Community meetings in Southern California.

Some of the questions asked in Learning Community sessions:

Will the Governor's budget additions to early care and other children's services negatively impact public support for local funding measures in November 2020?

Absolutely not. The state budget will not solve local funding shortages, and voters do not know what is in the Governor's budget, nor would they remember it if they did.

In some counties Boards of Supervisors are planning funding measures behind the scenes. How can we demand transparency and input?

Develop your own framework for a measure (including funding needed to solve the problem) and start communicating it far and wide. Mobilize support for your

**CAMPAIGNS?
HOW DO YOU SET UP
BALLOT
COMMITTEES AND
BANK ACCOUNTS?**

We are offering a new service through 50+1 Strategies. They will help you with the questions above. **Contact Margaret Brodtkin** if you want a consultation on these issues.

Just out from the Annie. E. Casey Foundation's Kids Count 2019

HOW DOES CALIFORNIA RANK COMPARED TO OTHER STATES?

OVERALL CHILD WELL-BEING IN CALIFORNIA

RANK 35*

ECONOMIC WELL-BEING

RANK 46*

*out of 50 states

[Link to Kids Count 2019.](#)

EARLY CARE MATRIX ON BALLOT MEASURES AVAILABLE

Longtime childcare administrator and advocate, **Michele Rutherford**, created a tool for those considering early care measures - a comparative matrix from 6 local California measures on 14 criteria, including type of tax, administration,

version. If need be, propose an alternative measure.

We need to determine the feasibility of a local fund for kids. What should we research?

The fate of previous revenue ballot measures; the legality of possible revenue options; other ballot measures in the works; supporters, champions and opponents (individuals, organizations, inside and outside government); specific evidence of unmet need. *Many organizations must shift from a focus on services, training or philanthropy to becoming a political and organizing force in the fight for resources. This requires a major organizational culture change and a pro-active strategy. Funding the Next Generation can help you think through this shift.*

LA PLANNING PROCESS MOVES FORWARD

A Steering Committee to assess the feasibility of a dedicated children and youth fund in Los Angeles has been meeting since January, 2019. The Community Health Councils, Inc. has stepped up to the plate to be the initial "backbone" organization to move the process forward. Several local funders have agreed to support this phase of the work.



Pictured above is **Michelle Burton, the Community Health Councils' lead** for the ballot measure planning process, making an impassioned presentation to a group of over 50 community agencies assembled by the Steering Committee to discuss LA's potential for a dedicated children and youth fund.

NATIONAL INSTITUTE IN DENVER ON DEDICATED LOCAL FUNDING MEASURES. LET US KNOW IF YOU WANT TO ATTEND.

On September 5 and 6, Funding the Next Generation and the Children's Funding Project will be sponsoring a two-day institute for communities pursuing local ballot measures to dedicate funding for children in 2020 or 2022. We are inviting teams

planning process, oversight, and expenditures allowed. [Linked here.](#)

Funding the Next Generation is a project of SF State University, School of Public Affairs and Civic Engagement

Partner organizations include Children's Funding Project; Children Now; California Childcare Resource and Referral Network; Center for Juvenile and Criminal Justice; 50+1 Strategies; FM3 Research; Partnership for Children and Youth; Partners in Prevention; Prevent Child Abuse California; Social Change Partners; First 5 Association of California; Youth Forward; Youth Leadership Institute; The Children's Partnership.

FOR MORE INFORMATION:

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E-mail to arrange a speaking engagement or a consultation about the potential of your city or county to create dedicated funding for children, youth and their families -- or just to share your thoughts and opinions.
margaret@fundingthenextgeneration.org

from cities and counties for a training and coaching opportunity. This is a "by invitation only" event, and will take place in Denver, Colorado.

If you would like to be invited, let Margaret Brodtkin know.

"These are all our children; we will all profit by, or pay for, whatever they become." James Baldwin