



**NOTE:** This version of the Voter Information Pamphlet includes information about all contests for local offices throughout the City and County of San Francisco. Not all voters are eligible to vote on all contests. Your sample ballot includes the contests for which you are eligible to vote. For more information, see your sample ballot, which can be accessed, along with the address of your polling place, at the following address:

*<http://gispubweb.sfgov.org/website/pollingplace/>*

Also, because this version of the pamphlet is a compilation of the various versions of the printed pamphlets distributed throughout San Francisco, some page numbers are duplicated; the pages are also arranged in a different order from the printed version. For these reasons, we are unable to provide a Table of Contents. To find specific information, please refer to the book-marks on the left side of this file.



September 5, 2008

Dear San Francisco Voter:

San Francisco held its first Presidential Election in 1852, and as the picture on the cover illustrates, much has changed in the City since that election. As the City has evolved, so have the materials in this Voter Information Pamphlet—one of the nation's largest voter guides—and the materials available on the Department of Elections website. With so much information available, I hope you use this guide and our website as you consider how your vote could affect the City in the coming years.

#### **BALLOT SIMPLIFICATION COMMITTEE**

To assist with your decision-making on the local ballot measures, this pamphlet provides a summary of each local measure, called a "Digest." The Digests are crafted by the five San Francisco residents who make up the Ballot Simplification Committee and who have experience in the fields of education and communication. Their challenge is to transform the legal text of each local measure into clear, voter-friendly language. The Committee holds meetings which allow for public comment before the Committee makes its final decisions.

In the past year, San Francisco has conducted five elections, four of which included local measures. For this election alone, the Committee drafted digests for 22 measures. The Committee members deserve special acknowledgement for their tremendous effort and good work.

#### **OUR WEBSITE**

As you prepare to decide the City's future, consider visiting the Department of Elections website, which I consider one of the most informative elections websites in California. Some of the resources the site offers are:

**VOTER REGISTRATION LOOKUP:** This new service allows people to check their voter registration status and provides information about how to register or re-register to vote.

**VOTE-BY-MAIL BALLOT STATUS LOOKUP:** This service began recently and allows voters to check both the date the Department mailed their ballot and whether their voted ballot has been received by the Department.

**POLLING PLACE LOOKUP:** Allows voters to locate their polling places, provides a map, and, if polling sites are inaccessible to people with disabilities, provides the nearest accessible polling places within one-quarter mile.

**ONLINE REGISTRATION FORM:** Allows people to complete an online registration form, then print and sign the form before mailing it to the Department.

**PROVISIONAL BALLOT STATUS LOOKUP:** Allows voters who voted provisionally to determine whether their ballots were counted.

**RANKED-CHOICE VOTING INFORMATION:** Voters in 7 of San Francisco's 11 Supervisorial districts will vote for their candidates for the Board of Supervisors using the ranked-choice voting method. Our website includes information on ranked-choice voting, including an interactive demonstration and an explanation of how to correctly mark ballot cards with ranked-choice contests.

#### **VOTING**

Please note that the busiest times at the polling places are when the polls open at 7 a.m., then at midday, and after 5 p.m. Before Election Day, however, you can vote by mail or vote at City Hall.

**EARLY VOTING AT CITY HALL:** Beginning October 6, weekdays (except holidays) from 8 a.m. until 5 p.m., early voting is available in City Hall to all registered voters. On Election Day, City Hall is open for voting from 7 a.m. until 8 p.m.

**WEEKEND VOTING AT CITY HALL:** Early voting is available in City Hall during the three weekends before the election from 10 a.m. until 4 p.m.: October 18—19, October 25—26, and November 1—2. For weekend voting, please enter City Hall at the Grove Street entrance.

#### **TO CONTACT US**

If you have questions or need more information on any issue related to the election, please contact the Department at 554-4375, 554-4367 (Chinese), or 554-4366 (Spanish), or visit our website, [www.sfgov.org/elections](http://www.sfgov.org/elections).

Respectfully,  
John Arntz, Director

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Voice (415) 554-4375  
Fax (415) 554-7344

1 Dr. Carlton B. Goodlett Place, Room 48  
San Francisco CA 94102-4634

Vote-by-Mail Fax (415) 554-4372  
TTY (415) 554-4386



# Purpose of the Voter Information Pamphlet

The purpose of this pamphlet is to provide voters with information about candidates and ballot measures before each election. In addition to the sample ballot, this pamphlet includes: candidates' statements of their qualifications for local office; information about the duties and compensation of the elective offices sought by those candidates; an impartial summary of each local ballot measure prepared by the City's Ballot Simplification Committee; a financial analysis of each local ballot measure prepared by the City's Controller; an explanation of how each local ballot measure qualified for the ballot; arguments supporting and opposing local ballot measures, and the legal text of each local ballot measure. The California Secretary of State also produces an Official Voter Information Guide that covers statewide ballot measures.

You may bring this pamphlet with you to your polling place. In addition, every precinct is supplied with a copy of the Voter Information Pamphlet. Please ask a pollworker if you would like to use it.

The Department of Elections provides the Voter Information Pamphlets to the Post Office for delivery to individual voters. If you do not receive your pamphlet by October 20, 2008, please contact your local Post Office and the Department of Elections.

This pamphlet is also available in Chinese and Spanish.

這本手冊有**中文版**，如果要索取中文版，請致電：(415) 554-4367。

Este folleto también está disponible en **español**. Para solicitar una copia, por favor llame al 415-554-4366.

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## The Ballot Simplification Committee

The Ballot Simplification Committee prepares an impartial summary of each local ballot measure. This summary, or "Digest", is written in simple language and includes a brief explanation of "The Way it is Now," what each proposal would do, what a "Yes" vote means, and what a "No" vote means. In addition, the Committee writes or reviews other information in this pamphlet, including the glossary of "Words You Need to Know" and the Frequently Asked Questions (FAQs). The Committee members have backgrounds in journalism, education and written communication, and they volunteer their time to prepare these informational materials for voters. The Committee members are:

Betty Packard, *Chair*  
*Nominated by the Northern California  
Broadcasters Association*

Adele Fasick  
*Nominated by the League of Women Voters*

Dana Chisnell  
*Nominated by the Northern California  
Media Workers Guild*

Mollie Lee, *ex officio*  
*Deputy City Attorney*

Andrew Shen, *ex officio*  
*Deputy City Attorney*

June Fraps  
*Nominated by the National Academy of  
Television Arts and Sciences*

Ann Jorgensen  
*Nominated by the San Francisco  
Unified School District*



# Accessible Voting and Services for Voters With Disabilities

**Voting by Mail before Election Day** – Vote-by-mail voters are mailed an official ballot prior to the upcoming election, which allows them to vote privately and at their convenience. Any registered voter may request to vote by mail in any election. A Vote-by-Mail Application can be found on the back cover of this pamphlet. For more information, see page 7.

**Early Voting in City Hall** – During the 29 days prior to an election, any voter may vote at the Department of Elections on the ground floor of City Hall. City Hall is fully accessible from any of its four entrances. The polling station at City Hall is equipped with all of the assistance tools provided at polling places on Election Day. For more information, see page 7.

**Access to the Voter Information Pamphlet** – In collaboration with the Department of Elections, San Francisco Library for the Blind and Print Disabled, at 100 Larkin Street, distributes audiocassette versions of the Voter Information Pamphlet and the state Official Voter Information Guide. To request a copy call Martin Magid at 415-557-4253.

The Department of Elections also offers the Voter Information Pamphlet in audiocassette, audio CD and large-print formats, and the state Official Voter Information Guide in audiocassette and large-print formats.

To request either guide in alternative format, please call 415-554-4375. You may also access a PDF or text-only version of the Voter Information Pamphlet online on the Department of Elections website: [www.sfgov.org/elections](http://www.sfgov.org/elections)

**Accessible Voting Machine** – Voters with, but not limited to, sight and mobility impairments have the option to use an accessible voting machine. This machine is designed to assist voters with specific needs to vote independently and privately; it is available at every polling place on Election Day. For instruction on its use, see page 18.

## Other Forms of Assistance at the Polling Place:

**Personal Assistance** – A voter may bring up to two people, including pollworkers, into the voting booth for assistance in marking his or her ballot.

**Curbside Voting** – If a voter is unable to enter a polling place, pollworkers can be asked to bring the necessary voting materials to the voter outside the polling place.

**Reading Tools** – Every polling place is provided with large-print instructions on how to mark a ballot and special optical sheets to magnify the print on the ballot.

**Seated Voting** – Every polling place has at least one voting booth that allows voters to vote while seated.

**Voting Tools** – Every polling place has two easy-grip pens for signing the roster and marking the ballot.

**TTY (Teletypewriter Device)** – The Department of Elections can be reached via TTY by calling 415-554-4386.

If your polling place is not functionally accessible, you may call 415-554-4551 prior to Election Day to find out the location of the nearest accessible polling place within your district. For accessible polling place information on Election Day, or further information on accessibility for the upcoming election, please contact the Department of Elections at 415-554-4375.





# Multilingual Voter Services: Voter Assistance in Chinese and Spanish

## 多種語言選民服務： 選民中文和西班牙文語言協助

## Servicios Multilingües para los Electores: Asistencia para los Electores en Chino y Español

In compliance with federal law and local ordinance, the Department of Elections provides services to voters and official election materials in Chinese and Spanish, in addition to English. Multilingual voter services include:

- Translated election materials: ballots, voter registration forms, voter notices, vote-by-mail ballot applications and instructions, and Voter Information Pamphlets.
- Telephone assistance in Chinese and Spanish, available Monday through Friday, 8 a.m. to 5 p.m. and from 7 a.m. to 8 p.m. on Election Day.
  - Telephone Assistance in Chinese: 415-554-4367
  - Telephone Assistance in Spanish: 415-554-4366
- Instructional signs in English, Chinese and Spanish at all polling places on Election Day.
- Chinese and Spanish bilingual pollworker assistance at designated polling places on Election Day.
- Voter information in Chinese and Spanish on our website: [www.sfgov.org/elections](http://www.sfgov.org/elections)

### 中文選民服務

依照聯邦法律和地方法令，選務處提供選民中文服務和官方選舉資料。中文服務包括：

- 已翻譯的選舉資料，其中包括：選票、選民登記表、選舉預告、郵寄投票申請表和指南以及選民資料手冊。
- 於星期一至星期五上午8時至下午5時及選舉日上7時至晚上8時提供的中文電話協助：415-554-4367。
- 於選舉日在每個投票站提供中文的說明標牌。
- 於選舉日在指定的投票站提供中文語言協助。
- 在選務處網站([www.sfgov.org/elections](http://www.sfgov.org/elections)) 提供中文選舉資料。

### 中文版的選民資料手冊

除了英文版選民資料手冊之外，選務處還提供中文版的選民資料手冊。如果你想要選務處郵寄給你一本中文版的選民資料手冊，請致電：415-554-4367。

### Asistencia para los Electores en Español

Conforme a la ley federal y el reglamento municipal, el Departamento de Elecciones proporciona materiales electorales y asistencia a los electores en español. Servicios para los electores en español incluyen:

- Materiales electorales traducidos incluyendo: la boleta electoral, el formulario de inscripción para votar, avisos a los electores, solicitudes e instrucciones para votar por correo y el Folleto de Información para los Electores.
- Asistencia telefónica en español disponible de lunes a viernes de 8 a.m. a 5 p.m. y en el Día de las Elecciones de 7 a.m. a 8 p.m. llamando al 415-554-4366.
- Rótulos con instrucciones en español en los lugares de votación el Día de las Elecciones.
- Trabajadores electorales bilingües en los lugares de votación designados el Día de las Elecciones.
- Información electoral en nuestro sitio web en español: [www.sfgov.org/elections](http://www.sfgov.org/elections)

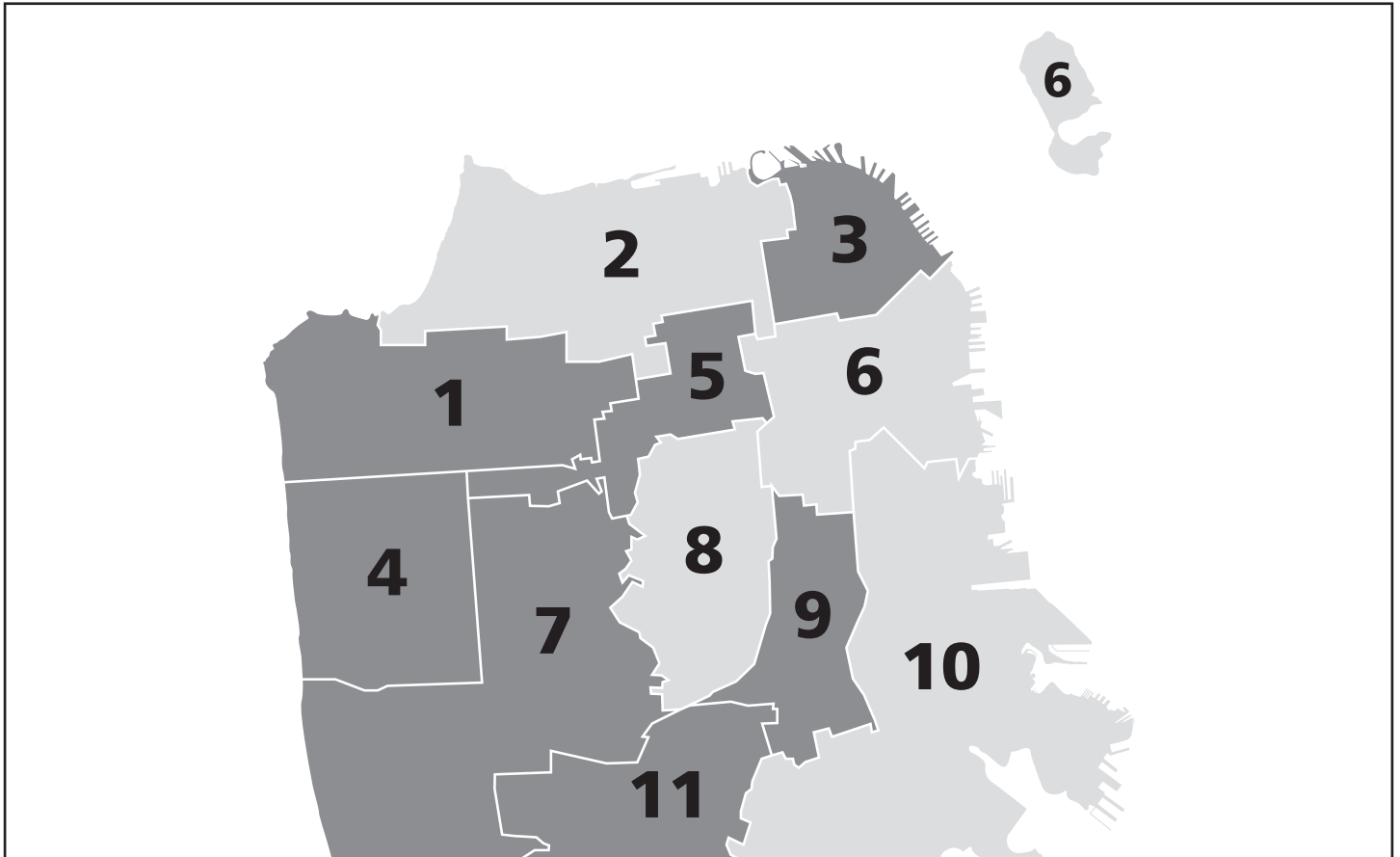
### El Folleto de Información para los Electores en español

Además del Folleto de Información para los Electores en inglés, el Departamento de Elecciones provee un Folleto de Información para los Electores en español a los electores que lo soliciten. Si desea recibir un Folleto de Información para los Electores en español, por favor llame al 415-554-4366.



# San Francisco's Supervisorial Districts

San Francisco is divided into eleven Supervisorial districts. For the November 4, 2008 election, San Francisco voters who live in Districts 1, 3, 4, 5, 7, 9 and 11 will elect their member of the Board of Supervisors. To find out which district you live in, please refer to the map below or the box at the top right of this pamphlet's back cover.



**District 1** covers most of the Richmond neighborhood.

**District 2** includes the Presidio, Cow Hollow, Marina and Pacific Heights neighborhoods, as well as part of the Richmond neighborhood.

**District 3** includes Chinatown, Nob Hill, Russian Hill, Telegraph Hill and the northern Embarcadero waterfront.

**District 4** covers most of the Sunset neighborhood.

**District 5** includes the Haight-Ashbury, Panhandle and Western Addition neighborhoods.

**District 6** includes the Civic Center and South of Market neighborhoods and Treasure Island.

**District 7** includes Park Merced and Twin Peaks.

**District 8** includes the Castro, Noe Valley, Glen Park and Upper Market neighborhoods.

**District 9** includes the Mission and Bernal Heights neighborhoods and part of the Portola neighborhood.

**District 10** includes the Bayview, Hunter's Point and Potrero Hill neighborhoods and part of the Portola neighborhood.

**District 11** includes the Ingleside, Excelsior, Ocean View and Merced Heights neighborhoods.





# Early Voting in Person or by Mail

(Absentee Voting)



**Any voter may request a vote-by-mail ballot (absentee ballot).** You can request that a ballot be mailed to you, or you can come to the Department of Elections and vote in person starting on October 6, 2008.

## VOTING IN PERSON

You can vote on or before Election Day at *City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48.*

Office hours for early voting are as follows:

- **8 a.m. to 5 p.m., Monday through Friday (except holidays), October 6—November 3;**
- **10 a.m. to 4 p.m., Saturday and Sunday, October 18—19, October 25—26 and November 1—2 (enter on Grove Street);**
- **7 a.m. to 8 p.m. on Election Day, Tuesday, November 4, 2008.**

## VOTING BY MAIL FOR THIS ELECTION ONLY

To request a ballot by mail, **complete the application on the back cover of this pamphlet**, and mail it to the Department of Elections. You may also request a ballot by sending a written request or postcard to the Department of Elections. Remember to include your home address, the address to which you want the ballot mailed, your birthdate, name and **signature. Your signature must be included!** Mail your request to the address on the front cover of this pamphlet, or fax it to 415-554-4372. Your request must be received by the Department of Elections before 5 p.m. on October 28, 2008. (By law, the Department of Elections cannot accept requests for mailed ballots received after 5 p.m. on October 28, 2008, *regardless of when these requests were postmarked!*) Once we process your request, a ballot will be sent to you.

When you receive your ballot, please read the instructions carefully. You can mark your ballot using a **#2 pencil (recommended) or a black pen**. If you use another type of marking device, the vote-counting machines may not record your votes properly. (Do not use a felt-tip pen because these can bleed through to the reverse side of the ballot card.) You can mail your ballot back to the Department of Elections—**free-of-charge**—by inserting your ballot into the envelope provided, signing and sealing the envelope, and dropping it in any mailbox—no stamp is required. You can also drop off your voted ballot at any San Francisco polling place on Election Day, Tuesday, November 4, 2008. The Department of Elections **MUST** receive your ballot by 8 p.m. on Tuesday, November 4, 2008.

If your ballot is damaged or you make a mistake, check the “Spoiled Ballot” box on the back of the return envelope and return it to the Department of Elections, no later than 5 p.m. on October 28, 2008, to be mailed a new one. You may also surrender the spoiled ballot at your polling place or at the Department of Elections in City Hall, Room 48, to obtain a new ballot.

## VOTING BY MAIL FOR ALL ELECTIONS

**Any voter may request to be a permanent vote-by-mail voter (permanent absentee voter).**

Once you become a permanent vote-by-mail voter, we will mail you a ballot automatically for every election until you move, re-register, or do not vote in two consecutive statewide general elections.

If you do not vote in two consecutive statewide general elections, you will no longer be a permanent vote-by-mail voter. However, you will remain on the voter roll unless the Department of Elections has been informed that you no longer live at the address at which you are registered. To regain your permanent vote-by-mail status, you will need to re-apply as described below.

To become a permanent vote-by-mail voter, complete the Vote-by-Mail Application on the back cover and return it to the Department of Elections, or call for an application at 415-554-4375. **Be sure to check the box that says, “Permanent Vote-by-Mail Voter” and sign your name where indicated.**



### **IMPORTANT NOTICE TO PERMANENT VOTE-BY-MAIL VOTERS**

If you have already registered as a permanent vote-by-mail voter, your ballot will be mailed on or about October 6. To find out if you are registered as a permanent vote-by-mail voter, please use the Voter Registration Status Lookup tool on the Department of Elections website, [www.sfgov.org/elections](http://www.sfgov.org/elections), or call the Department of Elections at 415-554-4411. If you have not received your ballot by October 20, please call 415-554-4375.

### **Track and Confirm Receipt of Your Vote-by-Mail Ballot**

Vote-by-mail voters can track and confirm when their voted ballot was received by the Department of Elections. To determine the receipt status of your ballot, visit our website at [www.sfgov.org/elections](http://www.sfgov.org/elections) or call the Department of Elections at 415-554-4411.



# Always Check the Location of Your Polling Place

Each election an average of 13% of San Francisco's polling places change due to cancellations.

Check the back cover of this pamphlet:

Back cover



**NOTE:**

Your polling place address is located on the upper left-hand side of the back cover of this pamphlet. Please make a note of it. Even if you request a vote-by-mail ballot, you may still wish to turn in your ballot at your polling place on Election Day.

Check whether your polling place is accessible for people with disabilities.

<p><b>Your Polling Place Address Is:</b></p> <p>Eureka Valley Playground          100 Collingwood Street          Between Stevens and Broadway          PRECINCT 3623</p>	<p><b>Access:</b></p> <p>Are the entryway and the voting area accessible?</p> <p>5.1% Slope</p> <p><b>YES</b></p>
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Your precinct number

A physical description of your polling place entryway, such as slope, ramped access or height clearance.

Your polling place address is also available at the Department of Elections website: [www.sfgov.org/elections](http://www.sfgov.org/elections)

If your polling place is not functionally accessible, you may call 415-554-4551 prior to Election Day to find the nearest accessible polling place within your district. For accessible polling place information on Election Day, call 415-554-4375.

# Late Polling Place Changes



If a polling place becomes unavailable after the Voter Information Pamphlet is mailed, the Department of Elections notifies affected voters with:



## Change of Polling Place Cards

The Department of Elections sends change notification postcards to all registered voters within the precinct to inform them of the new location.



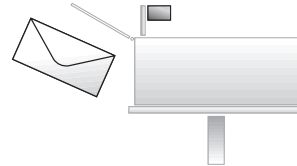
## Change of Polling Place Signs

For those voters who are unaware that their polling place has changed, the Department of Elections posts “Change of Polling Place” signs at the address of the old location on Election Day. Voters can tear off a sheet of paper with the address and cross-streets of their new polling place from a pad attached to the “Change of Polling Place” sign.

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## Some Precincts Do Not Have a Polling Place

Voting precincts with fewer than 250 registered voters may be designated “Mail Ballot Precincts”. An official ballot and postage-paid return envelope will be mailed automatically to all voters in those precincts approximately four weeks before every election.



For those voters who would prefer to drop off their official mail ballot at a polling place, the addresses of the two polling places nearest to their precinct are provided with the ballot.



# Visit our website [www.sfgov.org/elections](http://www.sfgov.org/elections) for information on:

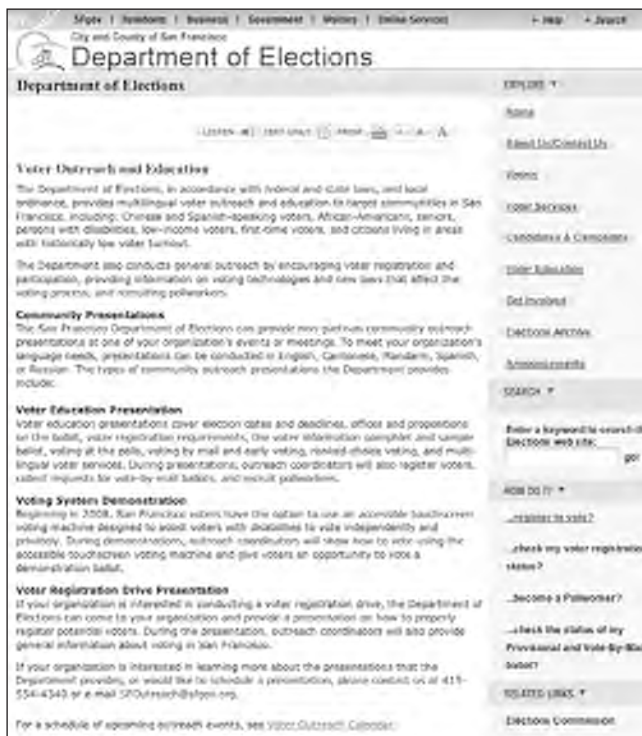


## VOTING

- Voter Registration Status Lookup tool
- Voting by mail
- Voting at the polls on Election Day
- Ranked-choice voting
- Polling Place and Sample Ballot Lookup tool
- Access for voters with disabilities

## MULTILINGUAL VOTER SERVICES

- List of services available in English, Chinese and Spanish
- Bilingual voter registration forms and vote-by-mail ballot applications
- Voter Information Pamphlets in Chinese and Spanish
- Contact numbers for Chinese and Spanish telephone assistance



## UPCOMING ELECTIONS

- Election calendar
- Official list of local ballot measures
- Qualified candidate lists
- Voter Information Pamphlet

## HOW TO GET INVOLVED

- Become a pollworker on Election Day
- High school student pollworker program
- Provide your property as a polling place
- Voter education programs

## ANNOUNCEMENTS

- Press releases and memoranda
- Employment opportunities
- Local election results

## ELECTIONS ARCHIVE

- Historical Voter Information Pamphlets going back to 1907!
- Election results dating back to 1995
- Historical voter turnout records

Your first source for election information is [www.sfgov.org/elections](http://www.sfgov.org/elections)





# Important Election Dates

▶ <b>First day of early voting at City Hall</b> <i>(see page 7):</i>	<b>October 6</b>
▶ <b>Deadline to register to vote</b> <i>(see page 12):</i>	<b>October 20</b>
▶ <b>Deadline to notify Department of Elections of address change</b> <i>(see page 12):</i>	<b>October 20</b>
▶ <b>First weekend of early voting at City Hall</b> <i>(see page 7):</i>	<b>October 18–19</b>
▶ <b>Deadline for Department of Elections to receive request for a vote-by-mail ballot</b> <i>(see page 7):</i>	<b>October 28, 5 p.m.</b>
▶ <b>Deadline for new residents or new citizens to register and vote</b> <i>(see page 12):</i>	<b>October 28, 5 p.m.</b>
▶ <b>Last weekend of early voting at City Hall</b> <i>(see page 7):</i>	<b>November 1–2</b>
▶ <b>Election Day:</b>	<b>November 4, 7 a.m. to 8 p.m.</b>



## Contacting the Department of Elections

The Department of Elections has telephone lines for specific purposes:

- For general information, call 415-554-4375;
- To register to vote, call 415-554-4375;
- To request a **Vote-by-Mail Application**, call 415-554-4375;
- For assistance in Chinese, call 415-554-4367; **中文電話協助** : 415-554-4367;
- For assistance in Spanish, call 415-554-4366; **Para recibir asistencia en español**, llame al 415-554-4366;
- For TTY assistance, call 415-554-4386;
- For information about becoming a pollworker, call 415-554-4395;
- For election results on Election Night, call 415-554-4375;
- To offer your facility as a polling place, call 415-554-4551;
- To request a voter education presentation or voter education materials for distribution, call 415-554-4340.

Our office hours are Mondays through Fridays (except holidays) from 8 a.m. until 5 p.m.





# Eligibility, Registration and Voting Information

## Eligibility

### To be eligible to register to vote in San Francisco:

- You must be a citizen of the United States;
- You must be a resident of San Francisco;
- You must be at least 18 on or before Election Day; and
- You must not be in prison or on parole for the conviction of a felony.

## Registration

### For this election, the registration deadline is October 20. To obtain a voter registration form:

- Visit [www.sfgov.org/elections](http://www.sfgov.org/elections) to fill out or download a form;
- Call the Department of Elections at 415-554-4375 and request that one be mailed to you; or
- Pick one up at the Department of Elections or the County Clerk's office in City Hall, the Department of Motor Vehicles, or at public libraries and post offices throughout San Francisco.

Once the Department of Elections receives a completed voter registration form, the new voter will receive a card in the mail confirming his or her right to vote.

Each registrant *must* provide a current and valid California driver's license or California identification number on his or her voter registration form. Registrants who do not have either must provide the last four digits of their Social Security number to meet the identification requirements. If a voter does not have any of these three forms of identification, a unique identifying number will be assigned for voter registration purposes only. Any registrant who does not provide this information prior to Election Day may have to vote a provisional ballot; if the identification cannot be confirmed, the provisional ballot cannot be counted.

## Have You Moved?

Voters must inform the Department of Elections of address changes at least 15 days before an election to vote in that election. Voters may change their address by:

- Completing and submitting a voter registration form; or
- Submitting a written notice of their change of address along with their signature, printed name, date of birth, and previous and new addresses.

**Voters who moved within San Francisco** and were unable to change their address prior to the deadline 15 days before the election are encouraged to:

- Come to City Hall, Room 48, on or before Election Day, complete a new voter registration form and vote at the Department of Elections.
- Go to their new polling place on Election Day, complete a new voter registration form and cast a provisional ballot. Voters can check the address of their new polling place by entering their new address on our website, or by calling the Department of Elections.

**New residents** who establish San Francisco residency after the close of registration on October 20 may, no later than

October 28, register and vote at the Department of Elections. New residents are eligible to vote for President and Vice-President only.

## Not Yet 18?

Anyone who will turn 18 years of age on or before Election Day is eligible to register and vote in that election. To register:

- Complete a voter registration form; and
- Submit the registration form either in person or by mail no later than 15 days before that election.

## New Citizen Registration and Voting

California election law extends the registration and voting deadline to the 7th day before the election for those who become new citizens after the close of registration on October 20. Anyone who becomes a new citizen between October 21 and October 28 must, no later than October 28:

- Present your Certificate of U.S. Naturalization to the Department of Elections;
- Complete a voter registration form; and
- Vote at the Department of Elections after registering.

## Overseas and Military Voters

### Special Overseas and Military Voters are:

- Members of the armed forces;
- Spouses or dependents of members of the armed forces;
- United States citizens temporarily living outside of the country; or
- U.S. citizens serving on a merchant vessel documented under the laws of the United States.

Special Overseas and Military Voters can register to vote and receive a vote-by-mail (absentee) ballot by completing the Federal Post Card Application (FPCA). The application can be downloaded from <http://www.fvap.gov/pubs/onlinefpca.pdf> or obtained from embassies, consulates or military voting assistance officers.

## Ex-Offenders' Right to Vote

California law allows a person who has been convicted of a felony to register and vote if he or she:

- Has completed his or her prison term for a felony, including any period of parole or supervised release.
- Is on federal or state probation.
- Is incarcerated in county jail as a condition of felony probation or as a result of a misdemeanor sentence.

Additionally, people who have been convicted of a misdemeanor can register and vote even while on probation, supervised release, or incarcerated in county jail.

In order to restore the right to vote, a person only needs to complete and return a voter registration form. No other documentation is required.



# Frequently Asked Questions (FAQs)

by the Ballot Simplification Committee

**Q — *Who can vote?***

**A —** U.S. citizens, 18 years or older, who are registered to vote in San Francisco on or before October 20, 2008.

**Q — *When do I vote?***

**A —** Election Day is Tuesday, November 4, 2008. Your polling place will be open from 7 a.m. to 8 p.m.

**Q — *Where do I go to vote?***

**A —** Go to your polling place. The address is on the back cover of this book.

**Q — *My 18th birthday is after October 20, 2008 but on or before November 4. May I vote in the November 4 election?***

**A —** Yes, if your 18th birthday is on or before November 4, but after October 20, you can register to vote on or before October 20 and vote November 4 — even though you were not 18 at the time you registered to vote.

**Q — *If I was arrested or convicted of a crime, can I still vote?***

**A —** You can register and vote as long as you are not in prison or on parole for a felony conviction. You must complete a new registration form on or before October 20 to vote.

**Q — *I have just become a U.S. citizen. Can I vote in the November 4 election?***

**A —** If you became a U.S. citizen on or before October 20, you may vote in the election, but you must register to vote by October 20;

**OR**

If you became a U.S. citizen after October 20, but on or before October 28, you may register and vote at the Department of Elections office by October 28 with proof of citizenship.

**Q — *I have moved within San Francisco but have not re-registered. Can I vote in this election?***

**A —** Yes, but you must go to your new polling place or City Hall, Room 48, and complete a voter registration form to update your registration information. You can look up the address of your new polling place by entering your new home address on the Department of Elections website ([www.sfgov.org/elections](http://www.sfgov.org/elections)). You may be asked to vote a provisional ballot at your new polling place.

**Q — *What do I do if my polling place is not open?***

**A —** Check the back cover of this book to make sure you have gone to the right place. Polling places often change. If

you **are** at the right place, call the Department of Elections immediately at 415-554-4375.

**Q — *If I don't know what to do when I get to my polling place, is there someone there to help me?***

**A —** Yes, the pollworkers at the polling place will help you.

**Q — *Can I take my sample ballot or my own written list into the voting booth?***

**A —** Yes. Deciding your votes before you get to the polls is helpful. Your sample ballot is located inside this voter pamphlet, or you may use the Ballot Worksheet included in this pamphlet for this purpose.

**Q — *Do I have to vote on every item on the ballot?***

**A —** No, you do not. The votes you cast will be counted whether you have voted on every item or not.

**Q — *Is there any way to vote instead of going to the polling place on Election Day?***

**A —** Yes, you can vote before November 4 if you:

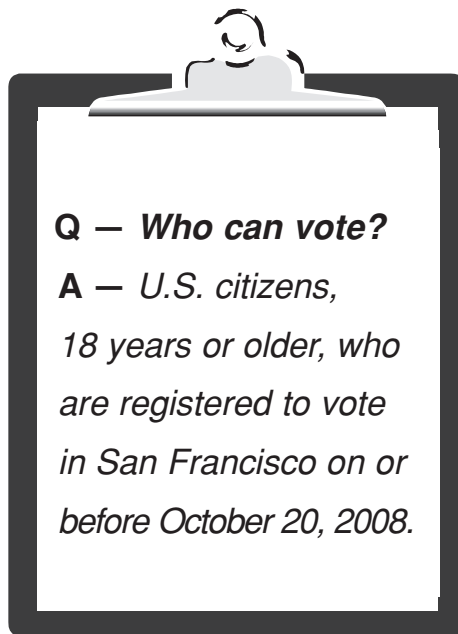
Fill out and mail the Vote-by-Mail Application printed on the back cover of this book. Once we process your request, a vote-by-mail ballot will be sent to you. Your request must be **received** by the Department of Elections no later than 5 p.m. on October 28, 2008;

**OR**

Go to the Department of Elections at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48, from October 6 to November 4. The office hours are: 8 a.m. to 5 p.m., Monday through Friday (except holidays), 10 a.m. to 4 p.m., Saturday and Sunday on October 18-19, October 25-26 and November 1-2 (weekend entrance on Grove Street); and 7 a.m. to 8 p.m. on Election Day, November 4.

**Q — *If I don't use an application, can I get a vote-by-mail ballot some other way?***

**A —** You can send a note, preferably on a postcard, to the Department of Elections asking for a ballot. This note must include: your printed home address, the address where you want the ballot mailed, your birthdate, your printed name and your **signature**. Mail your request to the address on the front cover of this pamphlet, or fax it to 415-554-4372. Your request must be received by the Department of Elections no later than 5 p.m. on October 28, 2008.



# Voting at Your Polling Place on Election Day



Approach the table where pollworkers are issuing ballots and state your name and address. When one of the pollworkers finds your name in the roster of voters, the pollworker will repeat your name and address. Sign your name on the signature line next to your name in the roster of voters.

You can choose to vote with a paper ballot or an accessible touchscreen machine (see page 18). If you choose a paper ballot, a pollworker will give you your ballot, your ballot's stub receipt, a blue secrecy folder and a special ballot-marking pen. Your ballot will consist of multiple cards. Take your ballot to one of the voting booths, where you may mark your ballot in privacy.

## Marking the Ballot

Using the ballot-marking pen provided at your polling place, mark your paper ballot by connecting the head and tail of the arrow pointing to your choice for each contest, as shown in the picture. The ballot may be printed on both sides of the page -- be sure to review both sides of each ballot card!

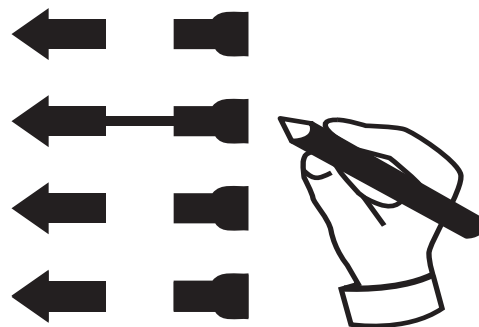
Please note: the number of candidates you may select for each contest or choice will be printed above the list of candidate names for each contest. If you overvote by marking more than the allowed number of candidates for any contest or choice, or by marking both "YES" and "NO" in a measure contest, your votes for that contest cannot be counted!

In addition to the candidates listed on the ballot, there may be other people running as qualified write-in candidates. For a list of qualified write-in candidates, please ask a pollworker. Voters with mailed ballots may access the list of qualified write-in candidates by visiting our website at [www.sfgov.org/elections](http://www.sfgov.org/elections) or by calling the Department of Elections at 415-554-4375.

To vote for a qualified write-in candidate, write the name of the candidate in the space marked "Write-In." **You must connect the head and tail of the arrow pointing to the "Write-In" space for your write-in vote to be counted.** Only write-in votes for qualified write-in candidates can be counted. Do not write in a vote for a candidate whose name is printed on the ballot.

If you make a mistake while voting, ask a pollworker for another ballot. Voters may request up to two replacement sets of ballots.

For information on ranked-choice voting, see page 16.



### PRESIDENT

Vote For One



## Once You Have Marked Your Ballot



Make sure that your ballot stub receipt has been detached from the top of each ballot card. Insert your ballot, one card at a time, into the slot in the front of the "Insight" optical-scan voting machine. The ballot can be inserted into the voting machine in any direction: upside down, right side up, backwards or forwards. The voting machine counts the votes electronically when the ballots are inserted by the voter. The ballots are stored in a locked compartment inside the voting machine.



# Guidelines for Provisional Voting

If you are a registered San Francisco voter, you have the right to cast a provisional ballot if:

- You were issued a vote-by-mail ballot that you are unable to surrender and you want to vote at the polls;
- Your name does not appear in the roster of voters for the precinct;
- You have moved within San Francisco but did not provide written notice of the address change to the Department of Elections by the deadline; or
- You are a first-time voter listed in the pink Provisional Roster and did not provide a valid California driver's license or state identification number or the last four digits of your Social Security number on your voter registration form.

## How to cast a provisional ballot:

You will receive a ballot and a pink provisional ballot envelope from a pollworker. The pollworker will fill out the pollworker section of the envelope. You must complete the voter's section of the provisional envelope, including providing your name, date of birth, current address and previous address, if applicable. You must also sign the declaration confirming that you are a resident of San Francisco and are registered and eligible to vote in this election. **It is very important that you sign your name at the bottom of the envelope – without your signature your provisional ballot cannot be counted.**

Once you have filled out the voter's section of the provisional envelope and marked your ballot, insert your ballot into the envelope, **seal the envelope**, and return it to a pollworker.

A receipt on the back of the provisional envelope includes a website and a toll-free number which you may use to find out whether your provisional ballot was counted. To determine the status of your provisional ballot, call 1-866-325-9163 or visit the Department of Elections website ([www.sfelections.org/pv/](http://www.sfelections.org/pv/)) no sooner than **December 15** and provide the number printed on your provisional voter receipt.

# Your Sample Ballot

Your sample ballot begins on page 20. It is a reduction in size of the official ballot you will use to cast your vote on Election Day. Feel free to mark your sample ballot and bring it to the polling place to use as a guide on Election Day. (You can also use the Ballot Worksheet, located on page 269 of this pamphlet, for the same purpose.)

MEASURES SUBMITTED TO THE VOTERS 提交選民投票表決的提案	
INICIATIVAS DE LEY PRESENTADAS A LOS ELECTORES	
STATE PROPOSITIONS / 州提案 / PROPOSICIONES ESTATALES	
1A	<p><b>SAFE, RELIABLE HIGH-SPEED PASSENGER TRAIN BOND ACT.</b> To provide Californians a safe, convenient, affordable, and reliable alternative to driving and high gas prices; to provide good-paying jobs and improve California's economy while reducing air pollution, global warming greenhouse gases, and our dependence on foreign oil, shall \$9.9 billion in bonds be issued to establish a clean, efficient high-speed train service linking Southern California, the Sacramento-San Joaquin Valley, and the San Francisco Bay Area, with at least 90 percent of bond funds spent for specific projects, with private and public matching funds required, including, but not limited to, federal funds, funds from revenue bonds, and local funds, and all bond funds subject to independent audits? Fiscal Impact: State costs of \$18.4 billion, assuming 30 years to pay both principal and interest costs of the bonds. Payments would average about \$67 million per year. When constructed, unknown operation and maintenance costs, probably over \$1 billion annually, at least partially, and potentially fully, offset by passenger fares.</p> <p><b>安全可靠的高速客運列車債券法案。</b> 為了向加州人提供開車和油漲價之外的一條安全、方便、可靠和可預期的替代方案，為了提供高薪優質的工作機會，並提升加州經濟，同時減少空氣污染、導致全球變暖的溫室氣體，以及我們對外來石油的依賴，加州應發行總額為99.9億美元的債券，以建立一條清潔、有效的高速鐵路服務，連接南加州、薩克拉門托-聖華金谷和舊金山灣區。至少90%的債券資金應用於特定項目，包括但不限於聯邦資金、來自收入債券的資金以及本地資金，且所有債券資金都應經獨立審計？財政影響：州將在30年內支付194億美元以償還債券本金及利息，每年支付16.47億美元左右。建成之後，營運與維護成本不詳，數可能每年10億美元以上，至少有一部分成本可能全部由乘客票款彌補。</p>
2	<p><b>STANDARDS FOR CONFINING FARM ANIMALS. INITIATIVE STATUTE.</b> Requires that certain farm animals be allowed, for the majority of every day, to fully extend their limbs or wings, lie down, stand up and turn around. Limited exceptions apply. Fiscal Impact: Potential unknown decrease in state and local tax revenues from farm businesses, possibly in the range of several million dollars annually. Potential minor local state enforcement and prosecution costs, partly offset by increased fine revenue.</p> <p><b>農場與動物物的標準 - 法規動議。</b> 規定允許某些農場動物在每天大部分時間內完全伸展四肢或翅膀、躺下、站立和轉身。會有有限例外。財政影響：州和當地稅收可能減少數百萬美元不詳，可能每年有幾百萬美元之間。地產和刑罰可能存小筆的執法和起訴開支，部分由增加的罰款收入抵銷。</p>
3	<p><b>CHILDREN'S HOSPITAL BOND ACT. GRANT PROGRAM. INITIATIVE STATUTE.</b> Authorizes \$380,000,000 in general obligation bonds for construction, expansion, remodeling, renovation, furnishing and equipping of eligible children's hospitals. Fiscal Impact: State cost of about \$2 billion over 30 years to pay off both the principal (\$380 million) and interest (\$933 million) costs of the bonds. Payments of about \$64 million per year.</p> <p><b>兒童醫院債券法案 - 撥款計畫 - 法規動議。</b> 授權發行3.8億美元的普通責任債券，用於合格兒童醫院的興建、擴建、裝修、翻新和設備。財政影響：州在30年內支付20億美元左右以償還債券本金(3.8億美元)和利息(9.33億美元)，每年支付6400萬美元左右。</p>
4	<p><b>WAITING PERIOD AND PARENTAL NOTIFICATION BEFORE TERMINATION OF MINOR'S PREGNANCY. INITIATIVE CONSTITUTIONAL AMENDMENT.</b> Changes California Constitution, prohibiting abortion for unemancipated minor until 48 hours after physician notifies minor's parent, legal guardian, or, in limited cases, substitute adult relative. Provides an exception for medical emergency or parental waiver. Fiscal Impact: Potential unknown net state costs of several million dollars annually for health and social services programs, court administration, and state health agency administration combined.</p> <p><b>未成年人士的等候期及家長通知 - 憲法修正案動議。</b> 修改加州憲法，禁止醫生在通知未成年人的家長、法定監護人或少數情況下通知其成人親屬後48小時內為其墮胎。醫療急診或其簡化的通知除外。財政影響：健康與社會服務計畫、州法院、州行政和州健康機構行政費用可能每年合計達數百萬美元的未知開支成本。</p>
5	<p><b>PERIODO DE ESPERA Y NOTIFICACION A LOS PADRES ANTES DE PONER FIN AL EMBARAZO DE UNA MENOR DE EDAD. ENMIENDA CONSTITUCIONAL POR INICIATIVA.</b> Cambia la Constitución de California para prohibir los abortos a menores de edad no emancipadas hasta que hayan transcurrido 48 horas desde que el médico se lo haya notificado a uno de los padres, al tutor legal o, en casos limitados, a un pariente adulto sustituto de la menor de edad. Permite una excepción para emergencias médicas o renuncia de los padres. Impacto fiscal: Posibles costos netos desconocidos para el estado de varios millones de dólares anuales correspondientes a programas de salud y servicios sociales, administración de tribunales y administración de la agencia de salud pública del estado.</p> <p><b>NONVIOLENT DRUG OFFENSES, SENTENCING, PAROLE AND REHABILITATION. INITIATIVE STATUTE.</b> Allocates \$460,000,000 annually to improve and expand treatment programs. Limits court authority to incarcerate offenders who commit certain drug crimes, break drug treatment rules or violate parole. Fiscal Impact: Increased state costs potentially exceeding \$1 billion annually primarily for expansion of offender treatment programs. State savings potentially exceeding \$1 billion annually on corrections operations. Net one-time state prison capital outlay savings potentially exceeding \$2.5 billion.</p> <p><b>非暴力毒品犯罪、判刑、假釋和戒除 - 法規動議。</b> 每年撥出4.6億美元用於改善和擴大治療計畫。限制法院監禁某些毒品犯罪、違反戒除計畫或違反非暴力毒品犯罪規定而未犯暴力罪之犯罪者的權限。財政影響：州可能每年增加10億美元以上的開支，主要用於擴展戒毒治療計畫，但可能每年節省10億美元以上的矯正開支。州撥款的一次性淨省開支可能超過25億美元以上。</p>





# Ranked-Choice Voting

Ranked-choice voting was passed by San Francisco voters as an amendment to the City Charter in March 2002 (Proposition A).

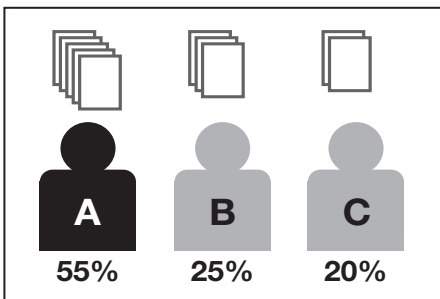
Ranked-choice voting allows San Francisco voters to rank up to three candidates for the same office.

## Who is elected using ranked-choice voting?

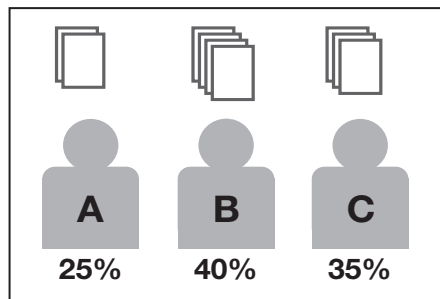
San Francisco voters use ranked-choice voting to elect the Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender and Members of the Board of Supervisors.

For the **November 4, 2008 election**, San Francisco voters who live in Supervisorial Districts 1, 3, 4, 5, 7, 9 and 11 will use ranked-choice voting to elect their **Member of the Board of Supervisors**. (San Francisco voters who live in Supervisorial Districts 2, 6, 8 and 10 will not use ranked-choice voting in this election.) To locate your district, please refer to the map on page 6 or the box at the top right of this pamphlet's back cover.

## How Ranked-Choice Voting Works:

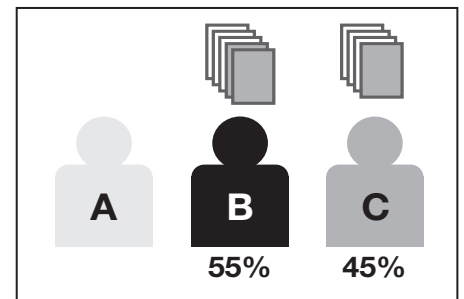


To start, every first-choice selection is counted. Any candidate who receives a majority (more than 50%) of the first-choice selections is declared the winner.



If no candidate receives more than 50% of the first-choice selections, the candidate who received the fewest number of first-choice selections is eliminated.

Voters who selected the eliminated candidate as their first choice will have their vote transferred to their second choice.



The votes are then recounted. If any remaining candidate receives more than 50% of the votes, he or she is declared the winner.

If no remaining candidate receives more than 50% of the votes, the process of eliminating candidates and transferring votes to the next-ranked candidate is repeated until one candidate has a winning majority.

For more information and an interactive demonstration on ranked-choice voting, visit [www.sfgov.org/elections/rcv](http://www.sfgov.org/elections/rcv)



# Marking the Ranked-Choice Ballot

With ranked-choice voting, the names of all the candidates are listed in three repeating columns on the ballot. This allows you to rank up to three candidates for the same office.

## First Column

Select your **first-choice candidate** by completing the arrow pointing to your choice.

## Second Column

To indicate a **second choice**, select a different candidate in the second column by completing the arrow pointing to your choice.

## Third Column

To indicate a **third choice**, select a different candidate in the third column by completing the arrow pointing to your choice.



CITY AND COUNTY / 市縣 / CIUDAD Y CONDADO		
MEMBER, BOARD OF SUPERVISORS / 市參議員 / MIEMBRO DEL CONSEJO DE SUPERVISORES		
DISTRICT 0 / 第 0 選區 / DISTRITO 0		
VOTE YOUR FIRST, SECOND AND THIRD CHOICES / 投選你的第一、第二和第三選擇 / VOTE POR SU PRIMERA, SEGUNDA Y TERCERA SELECCIÓN		
1 FIRST CHOICE 第一選擇 PRIMERA SELECCIÓN	2 SECOND CHOICE 第二選擇 SEGUNDA SELECCIÓN	3 THIRD CHOICE 第三選擇 TERCERA SELECCIÓN
Vote for One 選一名 Vote por Uno	Vote for One - Must be different from your first choice 選一名 / 必須與第一個選擇不同 Vote por Uno - Deberá ser diferente de su primera selección	Vote for One - Must be different from your first and second choices 選一名 / 必須與第一個和第二個選擇不同 Vote por Uno - Deberá ser diferente de su primera y segunda selección
ELEANOR ROOSEVELT Incumbent Titular 現任者	ELEANOR ROOSEVELT Incumbent Titular 現任者	ELEANOR ROOSEVELT Incumbent Titular 現任者
CESAR CHAVEZ 西薩·查瓦茲 Labor Organizer Organizador Laboral 勞工組織者	CESAR CHAVEZ 西薩·查瓦茲 Labor Organizer Organizador Laboral 勞工組織者	CESAR CHAVEZ 西薩·查瓦茲 Labor Organizer Organizador Laboral 勞工組織者
WALTER LUM 沃爾特·林 Publisher Editor 出版商	WALTER LUM 沃爾特·林 Publisher Editor 出版商	WALTER LUM 沃爾特·林 Publisher Editor 出版商
JOHN HANCOCK 約翰·漢考克 Physician Médico 醫生	JOHN HANCOCK 約翰·漢考克 Physician Médico 醫生	JOHN HANCOCK 約翰·漢考克 Physician Médico 醫生
MARTIN LUTHER KING, JR. Minister Pastor 牧師	MARTIN LUTHER KING, JR. Minister Pastor 牧師	MARTIN LUTHER KING, JR. Minister Pastor 牧師
ANNA MAE PICTOU AQUASH Indigenous Rights Organizer Organizadora para Derechos Indígenas	ANNA MAE PICTOU AQUASH Indigenous Rights Organizer Organizadora para Derechos Indígenas	ANNA MAE PICTOU AQUASH Indigenous Rights Organizer Organizadora para Derechos Indígenas



Complete the arrow as shown here.

## Write-In Candidates

If you wish to vote for a qualified write-in candidate for any of your three choices, write the person's name in the space provided and complete the arrow pointing to your choice.

## When Marking the Ranked-Choice Ballot, Keep in Mind:

You may—but are not required to—rank three candidates. To rank fewer than three candidates, or if there are fewer than three candidates for the same office, leave any of the remaining columns blank.

If you select the same candidate in more than one column, your vote for that candidate will count only once.

Your second choice will be counted only if your first-choice candidate has been eliminated. Your third choice will be counted only if BOTH your first-choice and second-choice candidates have been eliminated.



# Voting with the Accessible Touchscreen Voting Machine

For every election, each polling place will have one "Edge" accessible touchscreen voting machine that assists voters with disabilities to vote independently and privately. This accessible voting machine allows voters to make ballot selections using a touchscreen and review their selections on a paper record before casting their vote.

Additionally, the touchscreen voting machine provides an audio ballot feature that allows voters to listen to instructions and ballot selections while voting. The touchscreen machine also has an option for voters to use their own personal assistive device such as a sip/puff switch.

The accessible touchscreen voting machine will be available for use at each of the City's polling places and during early voting in City Hall. If you would like to vote using the touchscreen voting machine on Election Day, please tell a pollworker.



## Audio Ballot and Hand-held Keypad

For audio voting, the accessible voting machine is equipped with headphones and a Braille-embossed hand-held keypad. When you use the audio ballot feature, the voting machine will provide you with audio instructions and guide you through the ballot. The keypad is used to move through the ballot and make selections. If you would like to use the audio ballot feature, please tell a pollworker.



## Ranked-Choice Voting with the Accessible Voting Machine

Voters in districts with contests for Member of the Board of Supervisors will use ranked-choice voting. The accessible voting machine will indicate through visual or audio instructions that the contest uses ranked-choice voting and will present one list of all the candidates. From this list, voters may select up to three candidates in order of preference. After each selection, there will be a visual or audio confirmation of the candidate's ranking.

For more information on Ranked-Choice Voting, see page 16.





# Steps for Voting Using the Touchscreen

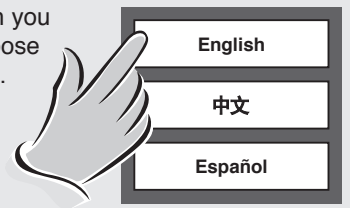
## Step 1: Insert Voter Card

Insert **Voter Card** into the yellow slot on the lower left-hand side of the machine.



## Step 2: Select Language

Select the language in which you want to vote. Voters can choose English, Chinese or Spanish.



## Step 3: Select Candidates and Ballot Measure Choices

Make your selections by touching the name of the candidate or the choice for which you intend to cast your vote. A green check mark will appear in the circle, indicating your selection.

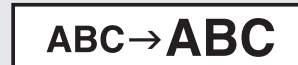


To change your selection, touch your selection again. The check mark will disappear and you can make a new selection.

To go to the next contest or measure, touch the **"Next"** arrow button at the bottom of the screen. Touch the **"Back"** arrow button to return to the previous screen.



Touch the **"ABC"** button to enlarge the text on the screen.



## Step 4: Print and Review Selections

At the end of the ballot, a review screen is displayed showing all your selections.

To change a selection, touch the box of the contest or measure and select a new candidate or choice.

After completing your on-screen ballot review, print and review a paper record of your ballot. A paper record of your selections will appear in the window on the left side of the screen.

Touch Here to Print and Review a Paper Record of Your Ballot.



### Write-In Candidates

To vote for a qualified write-in candidate, touch **"Write-In"** and a keyboard will appear on screen. Type the name of the candidate and press **"OK."**



## Step 5: Cast Ballot or Make Changes

After verifying the paper record touch either **"Cast Ballot"** or **"Make Changes."**

Touch **"Cast Ballot"** to finish voting. The printer will show **"Accepted"** on the paper record. The voter card will eject for you to return it to the pollworker.

**IMPORTANT!** – You cannot change your vote after **"Cast Ballot"** is pressed.

Touch **"Make Changes"** to change a selection. After you make a change you can review a new paper record of your ballot.

**IMPORTANT!** – You can print only two paper records of your ballot for review. After this you will need to cast your ballot.

Please review the paper record of your ballot.

You may now cast your ballot or make changes.

Make Changes

Cast Ballot

### Ballot Review

At any time you can review your ballot selections by touching **"Review."** The review screen will show you a summary of your selections. To change a selection, touch the box of the contest or measure and select a new candidate or choice.



# Voter Bill of Rights

- 1. You have the right to cast a ballot if you are a valid registered voter.**  
A valid registered voter means a United States citizen who is a resident in this state, who is at least 18 years of age and not in prison or on parole for conviction of a felony, and who is registered to vote at his or her current residence address.
- 2. You have the right to cast a provisional ballot if your name is not listed on the voting rolls.**
- 3. You have the right to cast a ballot if you are present and in line at the polling place prior to the close of the polls.**
- 4. You have the right to cast a secret ballot free from intimidation.**
- 5. You have the right to receive a new ballot if, prior to casting your ballot, you believe you made a mistake.**  
If, at any time before you finally cast your ballot, you feel you have made a mistake, you have the right to exchange the spoiled ballot for a new ballot. Vote-by-mail voters may also request and receive a new ballot if they return their spoiled ballot to an elections official prior to the closing of the polls on Election Day.
- 6. You have the right to receive assistance in casting your ballot, if you are unable to vote without assistance.**
- 7. You have the right to return a completed vote-by-mail ballot to any precinct in the county.**
- 8. You have the right to election materials in another language, if there are sufficient residents in your precinct to warrant production.**
- 9. You have the right to ask questions about election procedures and observe the elections process.**  
You have the right to ask questions of the precinct board and election officials regarding election procedures and to receive an answer or be directed to the appropriate official for an answer. However, if persistent questioning disrupts the execution of their duties, the board or election officials may discontinue responding to questions.
- 10. You have the right to report any illegal or fraudulent activity to a local elections official or to the Secretary of State's Office.**

If you believe you have been denied any of these rights, or you are aware of any election fraud or misconduct, please call the Secretary of State's confidential toll-free **Voter Protection Hotline at 1-800-345-VOTE (8683)**.

CALIFORNIA SECRETARY OF STATE **DEBRA BOWEN**

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Any voter has the right under California Elections Code Sections 9295 and 13314 to seek a writ of mandate or an injunction, prior to the publication of the Voter Information Pamphlet, requiring any or all of the materials submitted for publication in the Pamphlet to be amended or deleted.

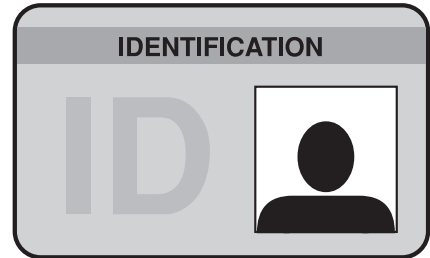


# Confidentiality and Voter Records

## Permissible Uses of Voter Registration Information

To protect your privacy and the integrity of voting, laws that took effect in 2006 create safeguards for voter records as follows:

Information on your voter registration form will be used by election officials to send you official information on the voting process, such as the location of your polling place and the issues and candidates that will appear on the ballot. Commercial use of voter registration information is prohibited by law and is a misdemeanor. Voter information may be provided to a candidate for office, a ballot measure committee, or other person for election, scholarly, journalistic, political, or governmental purposes, as determined by the Secretary of State. Driver's license, state identification and social security numbers, or your signature as shown on your voter registration form cannot be released for these purposes. If you have any questions about the use of voter information or wish to report suspected misuse of such information, please call the Secretary of State's Voter Protection and Assistance Hotline: 1-800-345-VOTE (8683).



Additionally, any person obtaining information on your voter registration form shall not send that information outside of the United States or make it available in any way electronically to persons outside the United States, including, but not limited to, access over the Internet.

## Secretary of State's Safe At Home Program

Certain voters facing life-threatening situations may qualify for confidential voter status. For more information, please contact the Secretary of State's Safe At Home program at 1-877-322-5227, or visit the Secretary of State's website at [www.sos.ca.gov](http://www.sos.ca.gov)



Absentee voting has a new name:



# Voting by Mail!

“Absentee voting” is now referred to as “voting by mail” in all of the Department of Elections’ materials. A new state law mandates this change, but all the benefits and requirements remain the same!

To receive your ballot in the mail, send in the application on the back cover of this pamphlet. The Department of Elections must receive your application by 5:00 p.m. on Tuesday, October 28, 2008.

For more information about voting by mail, see page 7.



# Before Casting a Write-In Vote, Read This:



Every write-in vote must be manually reviewed by the Department of Elections.

Unfortunately, **a great majority of write-in votes cast each election *cannot* be counted.**

## Here's why:

- X** **The write-in vote was not for a qualified write-in candidate.** Only votes for qualified write-in candidates can be counted. Write-in votes for anyone else CANNOT be counted. Qualified write-in candidates can be found on the Certified Write-In List, available at your polling place, on the Department of Elections Web site ([www.sfgov.org/elections](http://www.sfgov.org/elections)) or by calling the Department of Elections.
- X** **The write-in vote was not correctly marked.** Write-in votes must be indicated by both writing the candidate's name in the space provided **and** completing the arrow next to the "Write-In" space.
- X** **Overvoting by selecting a candidate listed on the ballot and also marking a write-in vote for the same candidate** will invalidate your vote for that contest.

**Make sure your write-in vote counts!**



# **DO YOU KNOW WHERE TO GO TO VOTE?**

## **YOUR POLLING PLACE MAY HAVE CHANGED.**

The location of your polling place is printed on the back cover of this pamphlet, on the top left-hand side.

You can also check the location of your polling place online at:

***[www.sfgov.org/elections](http://www.sfgov.org/elections)***

or by calling:

**415-554-4375**

Election Day is **Tuesday, November 4, 2008.**

The polls will be open from **7 a.m. to 8 p.m.**

Please vote at your assigned polling place or vote by mail. There is an application to vote by mail on the back cover of this pamphlet.



# Important Notice

## Residential Confirmation Postcard

### Will you vote in the upcoming election?

When people don't vote, we begin to think they may no longer live in San Francisco.

When our records include people who no longer live in San Francisco, tax money is needlessly spent maintaining their records, mailing election materials to them, and preparing to count votes that will never be cast.

In January 2009, we will update our voter records, but we do not want to lose track of anybody still living in San Francisco just because they haven't voted in recent elections.

As part of this update, we will mail several thousand residential confirmation postcards to people who, in the past four years:

- have not voted in any election, or
- have not updated their name, address or party affiliation.

If you receive one of these postcards, please take the time to mail it back to us **within 15 days of receipt** to confirm your residential and mailing addresses. ***If we don't hear from you, we will inactivate your voter registration.*** Voters whose files are inactivated will not receive a Voter Information Pamphlet for future elections.

So, let us know if you still live in San Francisco and want to remain on the active voter roll. PLEASE take the time to vote, respond to our mailing, or write to let us know that you want to stay on the active voter roll. If you write to us, please sign the letter and include the date, your current San Francisco residential address, your mailing address if different from your San Francisco residential address, your birthplace, and your date of birth.

We thank you in advance for your cooperation!

Voter Services Division,  
Department of Elections





# Ballot Worksheet

**Fill in your choices – Cut out and take with you to the polls**

Not all voters are eligible to vote on all contests. Your sample ballot includes the contests for which you are eligible to vote. For more information, see your sample ballot.

OFFICES		
President and Vice President	<i>Vote for one party</i>	
United States Representative	<i>Vote for one</i>	
State Senator	<i>Vote for one</i>	
Member, State Assembly	<i>Vote for one</i>	
Judge of the Superior Court, Seat #12	<i>Vote for one</i>	
Member, Board of Education	<i>Vote for no more than four</i>	
Member, Community College Board	<i>Vote for no more than four</i>	
BART Director	<i>Vote for one</i>	
Member, Board of Supervisors	<i>Rank up to three choices</i>	<i>First choice</i>
		<i>Second choice</i>
		<i>Third choice</i>

PROPOSITIONS		
TITLE	YES	NO
<b>1A:</b> Safe, Reliable High-Speed Passenger Train Bond Act.		
<b>2 :</b> Standards for Confining Farm Animals. Initiative Statute.		
<b>3 :</b> Children’s Hospital Bond Act. Grant Program. Initiative Statute.		
<b>4 :</b> Waiting Period and Parental Notification Before Termination of Minor’s Pregnancy. Initiative Constitutional Amendment.		
<b>5 :</b> Nonviolent Drug Offenses. Sentencing, Parole and Rehabilitation. Initiative Statute.		
<b>6 :</b> Police and Law Enforcement Funding. Criminal Penalties and Laws. Initiative Statute.		
<b>7 :</b> Renewable Energy Generation. Initiative Statute.		
<b>8 :</b> Eliminates Right of Same-Sex Couples to Marry. Initiative Constitutional Amendment.		
<b>9 :</b> Criminal Justice System. Victims’ Rights. Parole. Initiative Constitutional Amendment and Statute.		
<b>10:</b> Alternative Fuel Vehicles and Renewable Energy. Bonds. Initiative Statute.		
<b>11 :</b> Redistricting. Initiative Constitutional Amendment and Statute.		
<b>12:</b> Veterans’ Bond Act of 2008.		

**(The ballot worksheet continues on the next page)**



# Ballot Worksheet *(continued)*

**Fill in your choices – Cut out and take with you to the polls**

## PROPOSITIONS

TITLE	YES	NO
<b>A</b> : San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008.		
<b>B</b> : Establishing Affordable Housing Fund		
<b>C</b> : Prohibiting City Employees from Serving on Charter Boards and Commissions		
<b>D</b> : Financing Pier 70 Waterfront District Development Plan upon Board of Supervisors' Approval		
<b>E</b> : Changing the Number of Signatures Required to Recall City Officials		
<b>F</b> : Holding All Scheduled City Elections Only in Even-Numbered Years		
<b>G</b> : Allowing Retirement System Credit for Unpaid Parental Leave		
<b>H</b> : Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities		
<b>I</b> : Creating the Office of an Independent Rate Payer Advocate		
<b>J</b> : Creating a Historic Preservation Commission		
<b>K</b> : Changing the Enforcement of Laws Related to Prostitution and Sex Workers		
<b>L</b> : Funding the Community Justice Center		
<b>M</b> : Changing the Residential Rent Ordinance to Prohibit Specific Acts of Harassment of Tenants by Landlords		
<b>N</b> : Changing Real Property Transfer Tax Rates		
<b>O</b> : Replacing the Emergency Response Fee with an Access Line Tax and Revising the Telephone Users Tax		
<b>P</b> : Changing the Composition of the San Francisco County Transportation Authority Board		
<b>Q</b> : Modifying the Payroll Expense Tax		
<b>R</b> : Renaming the Oceanside Water Treatment Plant		
<b>S</b> : Policy Regarding Budget Set-Asides and Identification of Replacement Funds		
<b>T</b> : Free and Low-Cost Substance Abuse Treatment Programs		
<b>U</b> : Policy Against Funding the Deployment of Armed Forces in Iraq		
<b>V</b> : Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools		

**Notes:** \_\_\_\_\_

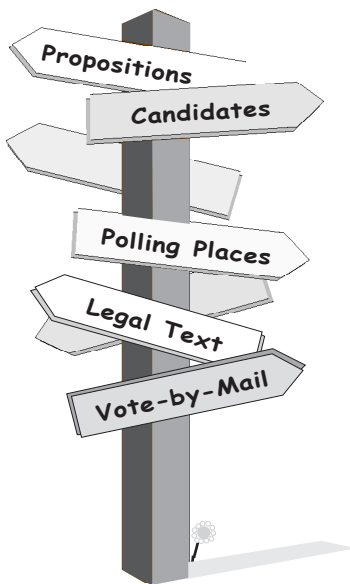
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The Department of Elections makes every effort to print candidates' statements of qualifications and proposition arguments exactly as submitted – mistakes and all.



However, with all the items that are included in the Voter Information Pamphlet, it is possible that we have made a mistake of some kind in the layout and printing process. If we learn of any substantial errors on our part after the pamphlet has been printed and mailed, we will publish a correction notice in local newspapers in the days preceding the election.

If necessary, a correction notice will appear in the Public Notices section of the *San Francisco Chronicle* and in *Sing Tao Daily* on October 21, 22 and 23, in *El Reportero* on October 22 and in *El Mensajero* on October 26.



# Candidate Information

## Notice about Candidates' Statements of Qualifications

Not all candidates submit a statement of qualifications. A complete list of candidates appears on the sample ballot located in this pamphlet. The sample ballot begins on page 20.

Each candidate's statement of qualifications, if any, is volunteered by the candidate and is printed at the expense of the candidate, unless otherwise determined by the jurisdiction. The statements have been printed as submitted by the candidates and have not been checked for accuracy by any City official or agency. Spelling and grammatical errors have not been corrected. Please refer to the Table of Contents for the location of specific candidate statements in this pamphlet.

As required by Campaign Finance Reform Ordinance (CFRO) Section 1.128, a notice appears below each statement of qualifications submitted by a candidate for City or County office indicating whether the candidate has adopted the voluntary expenditure ceiling, as defined in Campaign Finance Reform Ordinance (CFRO) Section 1.130.

## Voluntary Campaign Spending Limits and State Legislative Candidates' Statements of Qualifications

In November 2000, California voters approved Proposition 34, which states that if a candidate for State Senate or State Assembly accepts voluntary campaign spending limits specified in Section 85400 of the California Government Code, that candidate may purchase the space to place a candidate statement in the Voter Information Pamphlet.

The legislative candidates who have accepted the voluntary campaign spending limits and are therefore eligible to submit a candidate statement for the November 4, 2008 Consolidated General Election are listed below:

### **State Senator, District 3**

Sashi McEntee – Republican

### **Member, State Assembly, District 12**

Conchita Applegate – Republican

### **Member, State Assembly, District 13**

Tom Ammiano – Democratic  
Harmeet K. Dhillon – Republican



# City and County of San Francisco Offices to be Voted on this Election

## Member, Board of Supervisors

The Board of Supervisors is the legislative branch of government for the City and County of San Francisco. Its members make laws and establish the annual budget for City departments.

The term of office for members of the Board of Supervisors is four years. Supervisors are currently paid \$98,660 per year.

There are eleven members of the Board of Supervisors. Voters in Districts 1, 3, 4, 5, 7, 9 and 11 will vote for their member of the Board of Supervisors this election.

Voters in District 4 will vote for their member to fill a vacancy due to the resignation of the former Supervisor in January 2008. In accordance with local law, the Mayor appointed a replacement to temporarily fill the vacancy. The appointee serves only until the voters of District 4 elect a candidate to complete the remainder of the four-year term to which they had elected the former Supervisor. Therefore, the term of office for the person elected by District 4 voters at this election will be two years.

## Member, Board of Education

The Board of Education is the governing body for the San Francisco Unified School District. It directs kindergarten through grade twelve.

The term of office for members of the Board of Education is four years. They are paid \$6,000 per year.

There are seven members of the Board of Education. Voters will elect four members this election.

## Member, Community College Board

The Community College Board is the governing body for the San Francisco Community College District. It directs City College and other adult learning centers.

The term of office for members of the Community College Board is four years. They are paid \$6,000 per year.

There are seven members of the Community College Board. Voters will elect four members this election.



# Candidates for State Assembly, District 13

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## TOM AMMIANO

**My occupation** is San Francisco Supervisor.

**My qualifications are:**

I will be honored to represent the 13th Assembly District after living here for 34 years. My daughter and granddaughter were born and live in the Mission. I've served San Francisco as an educator, civil-rights advocate, School Board President and Board of Supervisors President. Some of my legislative accomplishments include:

- Passed pioneering domestic partner law
- Passed universal healthcare for San Francisco
- Secured \$300 million for public schools in rainy day fund
- Won Living Wage for lowest-paid workers
- Created identification cards for all San Franciscans
- Authored solar and public power initiatives
- Supported tenants rights
- Created safe house for exploited children
- Won landmark police reforms and gang prevention funding
- Established Children's Fund, which provides millions of dollars for childcare, healthcare, and social services

In the State Assembly, I will advocate for:

- Quality and affordable healthcare for all Californians
- Improved public schools and colleges
- Renewable energy sources and reduce global warming
- Affordable housing and tenant's rights

Please join my supporters:

State Senator Leland Yee, State Senator Carole Migden, Assemblymember Mark Leno, Assemblymember Fiona Ma, Board of Equalization President Betty Yee, District Attorney Kamala Harris, City Attorney Dennis Herrera, Sheriff Mike Hennessey, Public Defender Jeff Adachi, Board of Supervisors President Aaron Peskin

California Democratic Party, Sierra Club California, California Federation of Labor, California Teachers Association, California Federation of Teachers, California Nurses Association, California Professional Firefighters, San Francisco Firefighters

*Tom Ammiano*

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

## HARMEET K. DHILLON

**My occupation** is Small-Business Owner.

**My qualifications are:**

I'm a small-business owner in San Francisco. As an attorney and award-winning civil-rights activist, I have worked passionately to fulfill the principles of equal opportunity and protection, limited and accountable government, economic empowerment, and individual liberties. My legislative agenda includes overhauling the state budget process, market-based healthcare reform and educational choices for parents.

My public service includes the ACLU (Northern California); South Asian Bar Association (Northern California); Support Network for Battered Women, and many other civic organizations.

For too long, San Francisco's elected leaders have failed their duties. Career politicians push their pet projects but are insensitive to the needs of business owners and the economic realities that drive businesses to leave California every day. They impose burdensome and illogical regulations governing every aspect of life, yet fail to keep our streets safe, teach our children their ABCs or provide opportunities for economic growth. When businesses suffer, California loses jobs and destroys the tax base needed to improve education, invest in infrastructure, keep us safe and free and grow our economy for the future.

It's time for change in San Francisco. Please help me deliver that change.

Supporters include:

Former San Francisco Police Chief Tony Ribera  
California Insurance Commissioner Steve Poizner  
Former U.S. Congressman Tom Campbell  
Assembly Member Guy Houston  
San Francisco Coalition for Responsible Growth  
Small Property Owners of San Francisco  
San Francisco Young Republicans  
Citizens for a Better San Francisco  
California Women's Leadership Association  
San Francisco Pink Pistols  
San Francisco County Republican Women Federated  
Republican Jewish Coalition  
WISH List

[www.Dhillon08.com](http://www.Dhillon08.com)

*Harmeet K. Dhillon*

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Statements are printed as submitted. Spelling and grammatical errors have not been corrected.

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# Candidates for Superior Court Judge, Seat 12

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## THOMAS MELLON

**My occupation is:** Judge of the Superior Court.

**My qualifications are:**

An Experienced Trial Judge Who Believes Politics Has No Place in Our Courts.

I provide justice for all – regardless of political considerations or any other factors. That’s one of the reasons why I am the only candidate rated qualified by the Bar Association of San Francisco.

My strong record of service has earned me the support of the overwhelming number of my judicial colleagues. I have presided over more than 500 trials, confronting issues touching nearly every facet of the law.

Prior to serving as judge, I practiced law in San Francisco for 22 years and worked as a VISTA volunteer in an inner-city neighborhood, as a poverty law attorney providing free assistance to poor families and as a law clerk for a prominent federal jurist. I am a graduate of the University of San Francisco. My wife and I raised two daughters in San Francisco.

My experience is in the law. My focus is bringing justice to all who appear before me. Now I need your help to make sure our courts focus on justice, not politics.

Please join us at [www.KeepJudgeMellon.com](http://www.KeepJudgeMellon.com).

Thank you.

*Thomas Mellon*

## GERARDO C. SANDOVAL

**My occupation is** Member, San Francisco Board of Supervisors.

**My qualifications are:**

Please visit [www.SandovalForJudge.com](http://www.SandovalForJudge.com) for a detailed description of my qualifications.

- Former San Francisco Public Defender.
- Columbia Law School graduate: alumni include six U.S. Supreme Court Justices.
- S.F. Board of Supervisors, member and lawmaker for eight years.
- Completed many jury trials and appeared in court countless times.
- Aide to S.F. Mayor Art Agnos, overseeing many legal issues for the City.

Endorsements  
(partial list)

S.F. Public Defender Jeff Adachi  
S.F. District Attorney Arlo Smith (former)  
S.F. Labor Council  
Art Torres, Chairman, California Democratic Party  
Senators Leland Yee & Carole Migden  
Assemblywoman Fiona Ma  
S.F. Treasurer José Cisneros  
S.F. Supervisors Tom Ammiano, Bevan Dufty, Aaron Peskin, Sophie Maxwell, Jake McGoldrick, Chris Daly, & Ross Mirkarimi.  
Service Employees International Union (SEIU)  
S.F. Building & Construction Trades Council  
S.F. Firefighters Local 798, Teamsters Local 350, UFCW Local 648 & IBEW Local 6  
The Harvey Milk LGBT Club  
Jane Morrison, Connie O’Connor, Gerry Crowley, Susan Hall

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

*Gerardo C. Sandoval*

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# Candidates for Board of Supervisors, District 1

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## NICHOLAS C. BELLONI

**My occupation is** Independent Television Producer.

**My qualifications are:**

As a lifelong citizen of the Richmond, I have seen the needs and desires of our community evolve over time. I have seen those needs and desires ignored by our elected officials, first through City wide elections, then even by a district supervisor. It is time we are represented by someone who cares for community and will listen and work with all community groups to return this to being one of the greatest areas in all of San Francisco. I attended Star of the Sea ('87), then Sacred Heart Cathedral ('92). Living in the Richmond I have noticed we have been neglected, streets are littered with garbage, children are forced to be sent out of the area to go to school, school programs are being forced to shut down, and streets are closed even when we said and vote no. It is time someone from the community, and who cares about this community, not their next government position, to step forward and do something.

I have worked for the largest video game company, and as an independent Film and Television producer. I understand and manage large projects. Returning representation to the Richmond will be my fondest and greatest project.

*Nicholas C. Belloni*

## SHERMAN D'SILVA

**My occupation is** Manager.

**My qualifications are:**

I was born and have lived in the Richmond District my entire life. I believe it to be one of the most vibrant and diverse neighborhoods in San Francisco. In that time, I have seen a decline in the maintenance and repair of our streets, sidewalks, roads, lights and overall cleanliness. We all pay taxes for these services when we pay property tax, rent, or sales tax when we buy something, but it never seems to get the problems we see everyday fixed. I am always told there is not enough money, but then hear City Hall found money for some other project. I know there are many things that need to be addressed, but if we cannot take care of basic things like clean streets, safe sidewalks and traffic lights that keep traffic moving and us safe while crossing the street, then our priorities are backward. I believe these basic things are a priority, and I will work hard each day to see that these are the issues worked on first.

If you believe that our priorities are backward I respectfully ask for your support and would be honored by your vote on Tuesday, November 4, 2008.

[www.DSILVA2008.com](http://www.DSILVA2008.com)

*Sherman D'Silva*

The above candidate has accepted the City's voluntary spending limit.

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 1

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## GEORGE FLAMIK

**My occupation is** Businessman.

**My qualifications are:**

I have been an active Richmond district resident for over 16 years. I am not a career politician and believe real business experience can help solve the problems facing San Francisco today. My longstanding charitable commitment to the elderly, injured veterans, at risk youth and San Francisco's less fortunate brings a compassionate viewpoint and unique perspective to alleviate the problems that many people face.

Please join me in the following endeavors:

- Improving the Richmond district infrastructure.
- Improving Public Transportation.
- Keeping Hospitals open.
- Solving our graffiti problem.
- Supporting locally owned businesses.
- Make sure our public school system is serving our children's needs.

I need your vote.

*George Flamik*

## FIDEL GAKUBA

**My occupation is** Business/Management Consultant.

**My qualifications are:**

Like many immigrants, my journey to San Francisco has been long and interesting; but the real challenge is staying in San Francisco to raise my children.

Working class families are the economic and social backbone of San Francisco, yet we are taken for granted. We push to make San Francisco a better place, but our city is struggling despite a healthy tax base.

Schools aren't the center of neighborhoods because of the school choice system. The city's infrastructure is hampered by poor transit service and poor pedestrian and bike accessibility. Housing suffers from chaotic legislation and zoning laws that don't benefit residents. These assaults contribute to the exodus of small businesses and families with children – both of which provide the services vital to a metropolitan area.

Born in Odessa, Ukraine, I lived in Rwanda and Tanzania before landing in America. I graduated from Brown University and Wharton School of Business. I've been a management and business consultant for most of my career, so I'm accustomed to being accountable and fiscally responsible. Because of my multiethnic background, I am open-minded to all people and solutions. I want real change that provides the greatest good for the greatest number of people.

*Fidel Gakuba*

The above candidate has accepted the City's voluntary spending limit.

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 1

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## JASON JUNGREIS

**My occupation is** Attorney.

**My qualifications are:**

WWW.JASONJUNGREISFORSUPERVISOR.COM (listing 100+ specific positions)

Independence – Fiscal and Environmental Sustainability – Innovative Ideas

Married homeowner, children in public school.  
Community activist: Judge Pro Tem, P.A.R. Director, member many neighborhood groups.  
Registered Independent, practicing campaign reform.

**FISCAL RESPONSIBILITY**

- Oppose disruptive \$300M Geary BRT: implement quick inexpensive alternatives
- Avoid bonds
- Rigorous union negotiation: termination for incompetence
- Reduce overtime through private contracting
- Mandate grant oversight and accountability
- Require proof-of-residence to receive City aid
- Reduce social services costs by only providing services to citizens
- Remove contractor preferences
- Ballot propositions only on general elections
- Allow rent increases

**QUALITY OF LIFE**

- Promote family-friendly City policies in day care, health care, schooling, recreation
- Time traffic lights
- Preserve neighborhood character
- Facilitate City-wide volunteerism
- Increase crime-witness cameras
- Decriminalize natural-state drugs; enforce personal, property, quality-of-life crimes
- Repair Ocean Beach seawall
- Farmers markets all neighborhoods
- District taxi availability
- Treasure Island installation of Burning Man art

**ENVIRONMENTAL CONSERVATION**

- Community Choice Aggregation energy plan
- Tax-base method residential solar
- City wind power
- Wholesale-cost buyer programs: electric bikes, CFLs
- Promote electric bicycles, motorcycles, cars
- Create electric vehicle racing event
- water conservation: gray water use
- Repeal paper bag law
- Require business recycling
- Create East Shore public beach

*Jason Jungreis*

The above candidate has accepted the City's voluntary spending limit.

## BRIAN J. LARKIN

**My occupation is** Engineer.

**My qualifications are:**

I have been the chairperson of the Citizens Advisory Committee to the San Francisco Transportation Authority since 2006, and a member since 2004.

I am also a member of the Citizens Advisory Committee to the Transportation Effectiveness Program and was a member of the Citizen's Advisory Committee to the Geary Corridor Transportation Study from 2004 to 2007. I am the commanding officer of San Francisco Cadet Squadron 86 of the Civil Air Patrol, the civilian auxiliary of the US Air Force

My wife and I have lived in the Richmond District since 1985, and have raised our three daughters here. All three attended San Francisco public schools

My goal as your representative on the Board of Supervisors will be to ensure that our infrastructure and services are the best that our tax dollars can provide for us.

*Brian J. Larkin*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 1

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## SUE LEE

**My occupation is** Nonprofit Executive Director.

**My qualifications are:**

My campaign is about building a brighter future for Richmond District residents including:

- Safe, clean streets, parks and playgrounds.
- Transit, traffic and parking improvements for a reliable transportation system.
- Housing for middle income families.
- Incentives for neighborhood-serving small businesses.
- Quality schools, close to home.

My public service began in the 1970s, teaching English to immigrants, fighting to expand Muni service and developing senior housing in Chinatown.

I am proud of my accomplishments as an activist and advocate in government and in the community:

- Helping to write landmark legislation to pay tenants interest earned on security deposits.
- As a leader in the grassroots effort establishing the Richmond District Neighborhood Center.
- Publishing a guide to help launch small businesses.
- Creating a small business panel to promote environmental best practices.

My history in the Richmond District spans 40 years – living in the neighborhood since I was 8, attending neighborhood schools, and later returning to raise a family.

But my campaign isn't about the past – it's about the future:

Our best days are yet to come, let's work together for a better neighborhood and a better City.

I would be honored by your support.

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

*Sue Lee*

## ERIC MAR

**My occupation is** Board of Education Commissioner, Teacher, Parent.

**My qualifications are:**

Longtime Richmond District resident, educator, lawyer, community leader.

I'm running for Supervisor to improve the quality of life in The Richmond and throughout San Francisco. I'll bring leadership to City Hall to overcome political divisions that stand in the way of San Francisco tackling critical challenges to:

- keep working families in San Francisco;
- improve MUNI;
- restore public safety;
- address homelessness.

During my two terms on the Board of Education, we eliminated financial mismanagement; brought transparency to SFUSD functioning; created new funding to increase teacher salaries and restore programs; improved classroom safety and conditions.

San Francisco schools have outperformed the seven largest school districts in California for six consecutive years.

I've lived in the Richmond District for 22 years as a renter and homeowner where my wife's a teacher and my daughter attends McCoppin School. I've taught at San Francisco State since 1992, directed the Coalition for Immigrant Rights and served on the Human Rights Committee of the State Bar.

Please join United Educators of San Francisco, Sierra Club, California Nurses Association, San Francisco Labor Council, Senators Leland Yee and Carole Migden, Assemblywoman Fiona Ma, Supervisors Ammiano, Peskin, McGoldrick and Mirkarimi, Public Defender Jeff Adachi, Jane Morrison, Sandra Lee Fewer and Jesse Fink in supporting my candidacy.

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

*Eric Mar*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 1

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## ALICIA WANG

**My occupation is** Educator/Political Party Official.

**My qualifications are:**

- Vice Chair – largest political party in California – three terms
- Delegate, San Francisco Labor Council
- Founding Member AFT 2121
- Former President Faculty Senate – CCSF
- Past Board Member
  - Fort Mason Foundation
  - Coleman Advocates for Families and Youth
  - Telegraph Hill Neighborhood Center
  - CAVEC
- Vice President – Harvard Club San Francisco
- Board Member Faculty Association of Community Colleges
- Member Park-Presidio Lions Club.

Our beloved City needs new leadership to begin an era of common sense, cooperation and problem solving. Building consensus and coalitions, I will bring our City together to solve the problems of affordable housing, traffic congestion, safe and clean parks, and to improve the quality of life for all. Let's end the politics of ideology and City Hall insiders.

As a mother, teacher and longtime community activist, I will work with you to make the smart choices today to build the community we want tomorrow.

I am dedicated to bringing your voice, concerns, and hopes for District One to City Hall.

Let's vote for integrity, compassion, and honest leadership. This November we can change the course of this nation; we can change the direction of the City we love.

I ask for your vote. Thank you.

Vote Alicia Wang for Supervisor [www.votealicia.com](http://www.votealicia.com)

*Alicia Wang*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 3

## JOSEPH ALIOTO, JR.

**My occupation is** Small-Business Attorney.

**My qualifications are:**

As a 4th generation San Franciscan, I care about our community. My wife and I are expecting our first child and are raising our family here. I want to ensure all our families have better schools, cleaner streets, greener parks, and safer neighborhoods.

The Board of Supervisors has become divisive, often deadlocked in personality battles. San Francisco deserves better. I want to end the bickering and push for progress.

- **CRIME** – I support the Community Justice Center and foot patrols. A longtime neighborhood leader, I am fighting to reduce crime throughout the District. I am the Police Officers Association’s #1 choice.
- **SMALL-BUSINESS** – My plan will fill our boarded-up storefronts, revitalize neighborhood-serving retail, and attract business.
- **ENVIRONMENT** – I am working to build parks like DiMaggio Playground and protect open spaces. An officer of One Atmosphere, I helped eliminate 200,000 lbs of CO2 waste last year.

As an attorney, I represent small-businesses against America’s largest corporations. I would be honored to represent you.

**Endorsements:**

U.S. Senator Dianne Feinstein  
Mayor Gavin Newsom  
Firefighters Union  
Police Officers Association  
Arnold Lee, President, Chinese Six Companies\*  
Paul Scott, President, Citizens to Save the Waterfront\*  
John Malloy, Polk Corridor Business Association\*

\*Identification only

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

*Joseph Alioto, Jr.*

The above candidate has NOT accepted the City’s voluntary spending limit.

## CLAUDINE CHENG

**My occupation is** Attorney/Community Advocate.

**My qualifications are:**

District 3 has been my home since 1987. I am the best candidate to tackle issues important to District residents because of the combination of my 20 years of experience, dedication to community and common sense approach.

As director of SPUR, RENEWSF and North Beach Citizens – actively participated in creating solutions to address issues such as MUNI reform, pedestrian safety, housing shortage, small business needs and homelessness.

As trustee of Saint Francis Memorial Hospital – developed a successful plan to better connect hospital services with community healthcare needs.

As president of Treasure Island Development Authority – forged a plan which has set national standards for green and sustainable development encompassing 30% affordable housing, vast open space and myriad community benefits.

As national president of OCA, a national Asian Pacific American advocacy organisation, – spearheaded successful battles for civil rights, justice and equal opportunities.

Please join my supporters:

Senator Dianne Feinstein  
Mayor Gavin Newsom  
City College Trustee Lawrence Wong  
Former Supervisor Barbara Kaufman  
Harrison Lim, Chinatown  
John Addeo, Mid Polk  
Steve Farrand, Bob Varni, Nob Hill  
Pamela Berman, Russian Hill  
Anne Halsted, Jane Winslow, Telegraph Hill  
Doris Ward, Waterfront  
Mike Ege, North Beach  
Gwendolyn Wright, Union Square West

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

*Claudine Cheng*

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# Candidates for Board of Supervisors, District 3

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## DAVID CHIU

**My occupation is** Attorney/Small Businessperson

**My qualifications are:**

A 12-year tenant resident and District 3 small business entrepreneur, I'm a proven bridge builder who'll get things done for neighborhoods and move San Francisco forward.

I'm proud to have served San Francisco:

- Small Business Commissioner
- Community Court Judge-Arbitrator
- Civil Rights Advocate
- Criminal Prosecutor

My neighborhood leadership includes:

- Chair, Lower Polk Neighbors. Advocated for quality of life issues: clean streets, public safety, better transit, appropriate neighborhood development.
- Chair, Chinatown Community Development Center. Fought for affordable housing and protected tenants from illegal evictions.
- Community Advocate. Led battles for civil rights, immigrants, domestic violence victims, marriage equality, small businesses.

I'm committed to:

- Bringing people together to achieve progressive reforms;
- Independent leadership that listens to you, not special interests;
- Putting neighborhoods first by responding effectively to neighbors' concerns.

Please join my supporters Assemblyman Mark Leno, Board of Supervisors President Aaron Peskin, State Senator Leland Yee, District Attorney Kamala Harris, Public Defender Jeff Adachi, Assessor-Recorder Phil Ting, Supervisor Tom Ammiano, San Francisco Labor Council, Service Employees International Union, United Educators of San Francisco, Community Tenants Association.

Visit [www.votedavidchiu.org](http://www.votedavidchiu.org) for neighborhood leader endorsements representing North Beach, Chinatown, Telegraph Hill, Russian Hill, Polk Street, Nob Hill, Union Square, Financial District, Barbary Coast and Fisherman's Wharf.

*David Chiu*

The above candidate has accepted the City's voluntary spending limit

## MIKE DENUNZIO

**My occupation is** Independent Financial Manager.

**My qualifications are:**

The supervisors have made it easier to open a pot club than a corner grocery store.

They also have made it more difficult for young families and seniors to live in San Francisco, and small businesses to survive.

Record homicides, a failed Muni, intrusive bureaucracy, dirty parks, homeless, and sanctuary policies that protect criminals are their legacy.

District 3, and every district, needs a supervisor independent of special interests who understands finance, and will protect vital services.

I will work with a non-partisan coalition from District 3 and every district for serious reforms: Public safety, transportation, housing, homelessness, excess spending and preservation are priorities.

Two mayors and the Governor have appointed me to city and state commissions. As CEO of Community Counseling, I guided citywide capital projects, they include: On-Lok Senior Services, Restoration of Fort Mason Center, and Save the Cable Cars.

I'm endorsed by The San Francisco Police Officer's Association and civic leaders. I serve on boards of North Beach Neighbors, Columbus Day Committee, the Handicapped and renter-homeowner associations.

A better district needs a city that is safe, pays its bills and spends tax dollars with respect for taxpayers. See: [WWW.CompetenceMatters.org](http://WWW.CompetenceMatters.org)

*Mike DeNunzio*

The above candidate has NOT accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 3

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## TONY GANTNER

**My occupation is** Attorney.

**My qualifications are:**

I am a sixth generation San Franciscan, an environmentalist endorsed by the Sierra Club, dedicated to enhancing the beauty, livability and sustainability of our City.

I have lived all my life in District 3, and know our neighborhoods well, from Polk to the Waterfront, Fisherman's Wharf to Union Square.

As founder of the North Beach Merchants Association and former President of a prominent District 3 political club, I work effectively with people from diverse social, ethnic, and political backgrounds.

The quality of life in our neighborhoods is integral to our happiness and well being. My campaign platform in support of our neighborhoods is – "Safe, Clean, Green Streets for a Livable City":

- Safe Streets—increase foot patrols, community policing, hire the mandated level of 2,000 quality officers. I pledge to meet weekly with Central Police Station.
- Clean Streets—hire more street sweepers, steamers, truck drivers, assign block routes. I pledge to meet weekly with the Department of Public Works.
- Green Streets—create more people-friendly open space, plazas, pocket parks, widen sidewalks, beautify alleyways, landscape our corridors.

And, we need to streamline City government, cutting back on managers, hiring more frontline workers.

Thank you, I would appreciate your vote.

*Tony Gantner*

## LYNN JEFFERSON

**My Occupation is** Planning and Zoning Chair, North Beach Neighbors.

**My qualifications are:**

I'm a neighborhood leader, serving as President of North Beach Neighbors for two years, cleaning up parks and preserving neighborhood character. I'm leading the fight against destructive zoning policies creating boarded-up storefronts along the Columbus corridor and Grant Avenue.

Compare candidate funding: I am the TRUE independent voice for District 3- no family dynasty, no downtown money, no political machines. My campaign accepts spending limits and is funded almost entirely by San Francisco residents and public finance.

As Supervisor, I'll provide leadership for real progress on issues that matter:

- I'll protect renters and fight to build workforce housing for our middle class. Firefighters, police and teachers can't afford to live here.
- A lead with Project Homeless Connect, I support implementing Assisted Outpatient Treatment, the next bold step to get help for mentally ill people living and dying on our streets.
- I'll work for more foot patrols, making neighborhoods safer with police walking our streets, and expand after-school programs to keep kids occupied.
- I'll support green power for San Francisco and work to get more people out of cars and onto a safe MUNI.

My passion is community service. Join leaders from every neighborhood supporting change: independent leadership that represents citizens.

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

*Lynn Jefferson*

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# Candidates for Board of Supervisors, District 3

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## DENISE MCCARTHY

**My occupation is** Non-Profit Executive.

**My qualifications are:**

A community comes from people working together for a common goal. My goal: do what's right for District 3. As a community advocate and 30yr North Beach resident, I'm running for supervisor to get things done, not as a political stepping stone.

What's right for our district? Programs and alliances that keep families and seniors here: affordable housing; rent control; small business preservation; smart land-use planning; better public schools; safe, clean streets; and reducing homelessness.

For 25 years, I ran the Telegraph Hill Neighborhood Center. Tel-Hi now serves over 600 families, providing affordable preschool and programs for youth and seniors. During lean budget years I learned that community input helped make cuts more bearable.

As a Port Commissioner for 7yrs, I built coalitions that protected neighborhood interests, such as preserving commercial fishing at Fisherman's Wharf, and breakthrough projects like the Ferry Building and AT&T Ballpark.

I'm proud to have the support of the California Nurses Association, Carpenters Local #22, Supervisor Sophie Maxwell, Sheriff Michael Hennessey and former Senator John Burton.

I'm not beholden to any political faction. I'm from the community and for the community.

As your supervisor, my door will always be open. Contact me at [www.denisemccarthyforsupervisor.com](http://www.denisemccarthyforsupervisor.com).

*Denise McCarthy*

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The above candidate has NOT accepted the City's voluntary spending limit.

## WILMA PANG

**My occupation is** Professor.

**My qualifications are:**

As a long time resident of District 3: I am the founder of ABCT (A Better Chinatown Tomorrow), a community based organization formed to preserve the rich cultural heritage of San Francisco's Chinatown. One of the projects is to build an entry gateway on Broadway and Grant.

As an administrator: I have demonstrated my ability to work in harmony with people of diverse ethnic background from years of teaching and working abroad in Australia as an Ethnic Arts Officer in 1983. Previously, I served as North Beach/Chinatown Neighborhood Arts organizer for the SF Arts Commission.

As a small business owner: I work closely with SF Convention and Visitors Bureau, the travel industry, performers and visual artists to showcase cultural arts to visitors and the general public.

As a college professor: I have taught music, Citizenship and ESL at City College of SF for over 30 years.

As a parent: I raised three daughters who all graduated from SF public schools.

My platform: I will work to revitalize the economy of District 3. Clean, safe, and vibrant neighborhoods. Affordable housing for the most needed. Enriched educational opportunities for young and old. Quality childcare for the working parents.

*Wilma Pang*

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# Candidates for Board of Supervisors, District 4

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## CARMEN CHU

**My occupation is** Supervisor, District 4.

**My qualifications are:**

My job as a supervisor is to serve the residents of the Sunset. That is why I have taken on issues like restoring our parks, increasing police patrols, pedestrian safety and improving opportunities for small businesses. I believe no problem is too small, and no job is too big, when it makes a difference to the Sunset.

I am your voice at City Hall, and I look forward to completing the work we have begun:

- Creating a new shared vision for Ocean Beach to enhance this resource for Sunset residents and the City
- Improving and rebuilding our parks, recreation facilities and libraries
- Taking on the School District's failed student assignment system
- Protecting victims of domestic violence
- Improving the quality of life in our neighborhood.

My work on behalf of the Sunset has earned me the support of State Senator Leland Yee, Assemblywoman Fiona Ma, the San Francisco Police Officers' Association and the San Francisco Firefighters. I would be honored to earn your support also.

I am proud to be your neighbor and to represent you at City Hall. We still have much to accomplish together. Thank you for your support.

[www.carmenchu2008.com](http://www.carmenchu2008.com)

*Carmen Chu*

## RON DUDUM

**My occupation is** Small Business Person.

**My qualifications are:**

The hard working families of the Sunset and Parkside deserve an independent member of the Board of Supervisors who understands our concerns, can deliver results, and will not simply abandon our neighborhood for their personal ambition of higher political office.

Those days are over. Now, it's our time.

I'm a lifelong Sunset resident, a public school kid with immigrant parents who is not looking to run for higher office – only to ably represent the neighborhood I care deeply about.

Today, my wife and I are raising our children in the same home where I grew up. And someday, I would like my children to have the same opportunity to raise their families here.

However, without an independent voice standing up to special interests and advocating for working families – my kids and many like them may never get the chance.

We deserve better from City Hall.

Our neighborhood needs an elected member of the San Francisco Board of Supervisors who demands respect from City Hall for the honest, hard working families who play by the rules – delivering us safe neighborhoods, reliable MUNI service, excellent schools, affordable homeownership and a city government that spends money wisely.

That's Common Sense Leadership.

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

*Ron Dudum*

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The above candidate has NOT accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 4

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## DAVID FERGUSON

**My occupation is** School Teacher/Residential Manager.

**My qualifications are:**

- Native San Franciscan, 47 years Sunset District resident
- Attended Sunset schools, CCSF, SFSU, Graduated USF, 1974
- Demonstrated 35 years active experience with neighborhood issues, people, events
- Fire Department trained NERT disaster relief volunteer

Our neighborhood needs a committed, concerned and sensible advocate. City Hall has neglected us. We need reasonable loyal representation and services for Sunset residents, businesspersons and property owners. My daily service will be to you constituents, not to special interests or personal political aspirations. Your Supervisor must be a smart, creative and open-minded advocate for your needs.

Our West side concerns must be addressed to include action on:

Crime prevention, Senior services, Ocean Beach restoration, Green Space enhancements, Recreation opportunities, Traffic flow, MUNI improvement, supporting Laguna Honda Hospital, Housing affordability, Homeless outreach, Property Rights, Earthquake preparedness, Living wage, Job creation, Youth Services, Lake Merced preservation, Stern Grove safety, Presidio conservation and Infrastructure repair.

I am this person! I'll work for you exclusively!  
I pledge to not run for another public office after my term.

I am endorsed by diverse residents, leaders and concerned businesspeople from all over San Francisco who join me in supporting SERVICE TO THE SUNSET!

VoteYour Best Interest.

*David Ferguson*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 5

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## ROSS MIRKARIMI

**My occupation is** Supervisor.

**My qualifications are:**

During my term, I have strived to make our lives better with proven results: significant decline in violent crime with foot patrols and community policing; stopped school closures by organizing neighborhood alliances and helped revive PTA's where absent. I've authored citywide workforce reform, catalyzing new job training/placement centers; and sponsored landmark laws on climate protection standards, plastic bag ban, and commuter benefits for mass transit.

In partnership with many, I'm working toward the revitalization of the Divisadero, Fillmore, Haight, and Japantown corridors, and preparing the transition out of a troubled past - the end of Redevelopment Agency's 45 year rein. I've fought hard for the passage of the 55 Laguna and Market-Octavia Plans (largest mixed-use, affordable housing in 20 years).

Looking forward: securing long-term solutions to homelessness and neighborhood distress is imperative; tackling the high repeat offender rate with effective reentry; and making green energy cheap and accessible.

I respectfully ask for your vote.

Ross Mirkarimi

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

**Endorsements:**

SF Labor Council  
Sierra Club  
Mark Leno, Assemblyman  
Aaron Peskin, President, Board of Supervisors  
Mark Sanchez, President, Board of Education  
London Breed, African American Arts Cultural Center\*  
Sandy Mori, Japantown Task Force\*  
Craig Dawson, Inner Sunset Merchants\*

\*identification purposes

*Ross Mirkarimi*

The above candidate has accepted the City's voluntary spending limit.

## OWEN P. O'DONNELL

**My occupation is** Chair, Baykeeper.

**My qualifications are:**

I have lived in District 5 for nearly 40 years and know the issues that matter. As your Supervisor, I will dedicate myself solely to the job of improving the quality of life for all District 5 residents. I will fight to:

- Reduce crime in neighborhoods most at risk
- Repair roads and increase bicycle lanes
- Make housing more accessible and affordable
- Upgrade the safety and accessibility of our city parks
- Reduce redundancies in our recycling programs
- Improve our transit system to be more reliable
- Protect our environment by initiating alternative energy measures
- Make our city government more efficient, responsive, and environmentally pro-active

I have been a lifelong advocate for education and the environment, including serving for many years as Board Chairman of Baykeeper.

As a husband and a father of two sons who were born and raised in San Francisco, I am keenly aware of the issues facing all generations living in the City. From young renters who depend on public transportation to homeowners for whom public education is a central concern, I will work tirelessly on your behalf.

Endorsed by  
Judge William A. Newsom

*Owen P. O'Donnell*

The above candidate has NOT accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 7

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## SEAN R. ELSBERND

**My occupation is** Member, Board of Supervisors.

**My qualifications are:**

I am a fourth generation San Franciscan. I was educated in District 7 schools, played in our neighborhood parks, and now, proudly make our neighborhoods my home.

Since my election to the Board of Supervisors in 2004, I have worked hard to establish myself as a Board member known for hard work, integrity, a common sense approach, and fiscal responsibility.

I have taken on the tough issues upon which San Francisco's future depends. I have worked to reduce City expenditures, and have effectively balanced the health and retirement benefits of City employees and retirees with the City's financial health, as evidenced by June 2008's Proposition B, a Charter Amendment I authored that was approved by 74% of the electorate.

My advocacy and ability to secure funding for park, library, and major street renovations, like Portola Drive, have resulted in safer playgrounds, more accessible libraries, and improved streets throughout District 7.

The basic quality of life issues important to residents of District 7 will always be my top priorities.

Please join Diane Feinstein, Gavin Newsom, Leland Yee, Fiona Ma, and many others in supporting my re-election.

I respectfully ask for your vote on November 4th.

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

*Sean R. Elsbernd*

## JULIAN P. LAGOS

**My occupation is** Public School Teacher.

**My qualifications are:**

Since coming to San Francisco in 1978, I have always fought for what I believed was just, fair, and equitable, regardless of the odds. From battles to preserve our neighborhoods to the defense of our environment and their precious wildlife habitats, I have been on the frontlines.

Quality-of-life in our city has seriously deteriorated over the past decade due to bad public policy decisions coming from City Hall. Lack of affordable housing and quality neighborhood schools, a broken public transit system, outrageous parking fines, and rising violent crime are a few of the major factors driving families, workers, and small businesses away from San Francisco. It's time to reverse this trend!

My agenda items for the first term:

1. Preserve our westside neighborhoods.
2. Preserve/expand affordable housing.
3. Fix MUNI without raising fares/cutting service.
4. A solar-powered San Francisco.
5. Preserve open spaces.
6. Expand animal care/rescue efforts.
7. Extend consumer protections.
8. Fully-staffed police stations.
9. Balanced budgets without new taxes.
10. Protect small businesses from unfair competition.

Together, we can make San Francisco ours again!

Endorsers: Aaron Goodman, Parkmerced Residents Organization  
Robert Pender, San Francisco Tenants Network

Website: [JulianLagosforSupervisor.org](http://JulianLagosforSupervisor.org)

*Julian P. Lagos*

The above candidate has NOT accepted the City's voluntary spending limit.

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 7

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## BILLY BOB WHITMER

**My occupation is** Teacher.

**My qualifications are:**

There are many people in San Francisco who could be an excellent Supervisor. I am one of those who understand it is my civic duty to offer my experience and knowledge for your consideration. For forty years I have served the city as a businessman, teacher, site manager, and union negotiator. I know how great our city can be as it has been in the past. Today our officials are elected with less than 20% of the total vote. Our government is bloated with 8000 employees salaries at \$100,000 +. The city has 459,000 voters and 29,000 city workers. That is one employee for every 16 voters. If you as a voter want a better city, you must do your civic duty and find a candidate of your choice. If you do not vote, you do vote for the status quo and there will be no change. Thank you for taking time to read my message,

Billy Bob Whitmer for Supervisor of District 7

*Billy Bob Whitmer*

The spending limit was lifted before this candidate decided whether to accept or not accept the limit.

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# Candidates for Board of Supervisors, District 9

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## DAVID CAMPOS

**My occupation is:** Civil Rights Attorney.

**My qualifications are:**

Born in Guatemala, I was 14 when my family came to America as undocumented immigrants. Raised in a Los Angeles barrio, I earned scholarships to Stanford University and Harvard Law School.

I've served as San Francisco Deputy City Attorney, School District General Counsel, and progressive Police Commissioner.

My work includes:

- Strong Schools Advocate. Helped desegregate public schools, prosecute fraud, and increase open government.
- Progressive Police Commissioner. As first gay Latino Commissioner, increased police foot patrols, supported police reform, protected immigrant rights and medical marijuana.
- Civil Rights Attorney. Worked on landmark litigation against gun industry and defended the city's right to provide public power against PG&E.
- Community Volunteer. Co-chair, Bay Area Lawyers for Individual Freedom; Board, San Francisco La Raza Lawyers; volunteer tutor, School to College Program.

My priorities as Supervisor include: public safety, public education, expanding opportunities for youth, affordable housing, making San Francisco more livable for families.

"I trust David Campos to deliver a progressive agenda for San Francisco and the Mission, Bernal Heights and Portola neighborhoods."

- Tom Ammiano

Endorsers:

Supervisor Tom Ammiano  
State Senator Carole Migden  
State Senator Leland Yee  
District Attorney Kamala Harris  
Sheriff Mike Hennessey  
Assessor-Recorder Phil Ting  
Board of Supervisors President Aaron Peskin  
Supervisor Bevan Dufty  
San Francisco Firefighters

*David Campos*

The above candidate has accepted the City's voluntary spending limit.

## VERN MATHEWS

**My occupation is** Handy person.

**My qualifications are:**

30 year resident

Time's up for token responses to global warming. With the polar icecaps melting, the bay rising toward my front steps, and everyone as dependent on fossil fuels as ever, I must articulate my alarm and suggest ways to keep my city and planet ecologically viable. Can we in good conscience leave a used-up world buried under a mountain of debt and garbage to our children? Are we too bushed to fight the really necessary war?

San Francisco is often ridiculed for being out of step, and it's true we are—a step ahead. The world is awaiting our leadership to pioneer the lean and green living that needs invention if humankind is to survive. I'm running for Supervisor in the hope that, win or lose, I can help change the prevailing ethos of mindless consumption into one of mindful conservation. I promise pragmatism over ideology and believe that all aspects of city governance can be tackled better with sense than with dollars.

*Vern Mathews*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 9

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## ERIC QUEZADA

**My occupation is** Non-Profit Executive Director.

**My qualifications are:**

I am Executive Director of Dolores Street Community Services, a Mission-based organization providing Housing, Homeless, AIDS, and Immigrant services. I am co-founder of the Mission anti-displacement Coalition. Previously, I served as Director of Resident Programs for Mission Housing Development Corporation, was a community organizer, and worked in Portola at E.R. Taylor Elementary School. A 20-year resident of Bernal Heights, I am a Board Member of the Bernal Heights Neighborhood Center.

In my career, I have been awarded and managed millions of dollars in City funds, and have dealt at a managerial level with all of District 9's civic issues: crime reduction, educational opportunities, economic development, child-care, access to healthcare, open space, immigrant rights, youth programs and services, tenants' rights, small business growth, and neighborhood preservation. I am recognized city-wide for leadership and expertise in land use, and in increasing and preserving affordable housing – our District's most pressing problems.

I have been a leader in District 9's major issues, identifying problems and solutions, bringing people together and motivating them to work together, successfully, for the common good. As Supervisor, I will continue to bring people together to work successfully for the good of our District and our City

*Eric Quezada*

The above candidate has accepted the City's voluntary spending limit.

## EVA ROYALE

**My occupation is** Nonprofit Administrator/Mother.

**My qualifications are:**

My priority is to create jobs, secure public safety and bring "commonsense" to District 9.

I raised my family in the District for 30 years, working as a community organizer with labor small business, public safety, education, affordable housing and health coalitions. I also work with environmental, elderly, LGBT and immigration rights groups.

I was Regional Director of the United Farm Workers for 12 years and Development Director of the Dolores Huerta Foundation. As a woman, I am inspired by Dolores' example.

District 9 has lost many economic opportunities with workers, neighbors and small business paying the price for economic paralysis. Public safety has deteriorated and District 9 constituents pay the price daily. I will be the "commonsense" Supervisor needed to create jobs and ensure safe streets and neighborhoods.

**Community involvement:**

Project Director, 10 years, San Francisco Latino Voter Registration and Education Project

San Francisco Labor Council Member 12 years

Project Director, San Francisco Labor/Neighbor Program

Keep DeYoung in the Park

Keep Cesar Chavez Street/ No on O

Proposition 89/California for Fair Elections

As a proven coalition builder, I will bring everyone to the table to participate in finding solutions to the economic paralysis in District 9.

*Eva Royale*

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

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 9

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## MARK SANCHEZ

**My occupation is** President, School Board.

**My qualifications are:**

During my tenure on the Board of Education, I've authored key proposals on educational achievement and social justice. I'm proud to have been a unifying voice on the Board, leading commissioners to work together to solve the issues facing our community.

As a 16-year Mission District resident, I want San Francisco to promote smart development; neighborhoods that are clean, green, and free of violence; and an overall atmosphere where creativity thrives.

My proposals include:

- Rehabilitate existing housing units, increasing the amount of affordable housing
- Block current development plans for the Mission that will pave the way for millionaire housing
- Expand police foot patrols, keep schools open longer and establish a café staffed by social workers for at-risk youth
- Protect nonprofit spaces by creating land trusts
- Establish public power to provide cleaner, cheaper energy

My supporters include:

Mark Leno, Assemblyman  
Jeff Adachi, Public Defender  
Ross Mirkarimi, Supervisor  
Art Agnos, Former Mayor  
Matt Gonzalez, Former Supervisor  
Jane Kim, School Board Commissioner  
Jose Cisneros, Treasurer

Sierra Club, San Francisco Bay Chapter  
United Educators of San Francisco

Residents of the Mission, Bernal Heights, Portola, and St. Mary's Park deserve leadership that's progressive and practical.

Please join me.

[www.marksanchez.org](http://www.marksanchez.org)

*Mark Sanchez*

The above candidate has accepted the City's voluntary spending limit.

## ERIC STOREY

**My occupation is** Telecommunications Technician.

**My qualifications are:**

I live in Bernal with my wife Joanna, our newborn baby, and our dog Toby.

I offer a fresh perspective and common sense solutions to the issues that face us, including Public Safety, Transportation, and Beautification.

For the last fifteen years, I was a senior field technician in the telecom industry, finding solutions to technical problems. It is my ability to quickly problem solve, my flexibility to work with people individually and as a team member that makes me the best choice for Supervisor. My hands-on approach, experience, integrity and a desire to improve life in the Mission, Bernal, St. Mary's Park, Portola, and for all San Franciscans will serve you well. Please review my website: ([www.EricStorey.com](http://www.EricStorey.com)). I am ready ... you decide.

Thank you,

*Eric Storey*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 9

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## TOM VALTIN

**My occupation is** Environmentalist.

**My qualifications are:**

I am a 51-year-old environmentalist working for the Sierra Club. I have lived in San Francisco for 25 years, all but one in District 9. I am married to an artist, Ellen Cox, and we have a 9-year-old son, Jamie, who attends Sunnyside Elementary School. I am proud to have a child in the public schools, and among my top priorities is to support our schools.

I believe San Francisco should be the greenest big city in America. I support public power, a transit-first policy, and I will work to create new green jobs as a key component of a robust, diversified economy. I believe what's good for the environment is also good for business.

A thriving middle class is the best indicator of civic health, and I will work to create more affordable middle-class housing so families and working people can comfortably live and work here. I favor beefed-up foot patrols to enhance public safety, and I believe no San Franciscan should have to sleep on the street. I am running for Supervisor because I believe we can demonstrate that progressive governance can produce the healthiest urban quality of life this country has to offer.

*Tom Valtin*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 11

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## JOHN AVALOS, M.S.W.

**My occupation is** Legislative Aide.

**My qualifications are:**

I am a 10-year resident of District 11 and have worked in the district as a community organizer. My wife teaches at Monroe School. We are proudly raising our children in the district. I bring genuine representation to District 11's working families and neighborhoods.

I am a trained social worker, educator, and policy expert.

As the Director of Organizing at Coleman Advocates for Children and Youth, I joined hands with D11 residents on graffiti abatement, park improvements, health care and after school programs.

As a union organizer, I have won living wages in the workplace.

I am respected at City Hall for building consensus around the City's annual budget. I've helped make government more efficient and crafted budgets to make safer our neighborhoods, clean our streets, fix our parks and increase services to seniors and families.

As your Supervisor, I pledge to stay connected with the community and work with you to:

- Increase public safety
- Support small businesses and create new jobs
- Beautify our neighborhoods and clean our streets.

My endorsers include:

The San Francisco Labor Council  
The Sierra Club  
The California Nurses Association  
Sheriff Michael Hennessey and  
former Mayor Art Agnos.

I respectfully ask for your support

*John Avalos*

[www.avalos08.com](http://www.avalos08.com)

## ADRIAN BERMUDEZ

**My occupation is** Environmental Health Investigator.

**My qualifications are:**

A life time commitment of Progressive Human rights Activism: Serve on the Human Rights Commission. Elected twice to the Central Committee. Serve for 10 years as a Executive Board Member of Mission Neighborhood Center Inc. Founder and supervisor of the Patients Interpreters Aid Program, at the S.F. Gral Hospital. Lead the effort in the 60's and 70's through the Mission Coalition to empower most of the Non-Profit Orgnasations in the Inner and Outer Mission Neighborhoods. I work for the Dept of Public Health as a Environmental Health Investigator for 34 years.

With my Experience, Independence and reform, I will fight and work to get quality Education, Assistance for affordable Housing. Good Union Jobs, Quality Health Care, safe and clean streets and Parks, support for Immigrants. Small Business support.

I am sensitive to your needs and I am well qualified to serve you as your Supervisor.

WITH YOUR VOTE ALL THINGS ARE POSSIBLE

ONE PEOPLE, ONE STRUGGLE, ONE NEIGHBORHOOD.

PEACE, LOVE, EQUALITY

FOR ALL

*Adrian Bermudez*

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# Candidates for Board of Supervisors, District 11

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## MARY GOODNATURE

**My occupation is** Senior Manager Information Technology.

**My qualifications are:**

Yes, this name was awarded at birth. I offered it to my husband. Nine years later he is still thinking about it. We've lived in the district since 1998 enjoying the benefits of the effective hard working neighborhood associations, police and supervisor's office. They have made this district one that I love. After 24.5 years working with a multinational transportation company and 8 years in Yemen, Oman and Hong Kong, I am now free to invest myself in the district. I commit to being as effective locally as I was globally.

My personal and professional community describes me as: calm, grounded, wise, graceful, loving, patient, fun, supportive, fair, open-minded, honest, straight-forward, listens and remembers, inclusive, positive, resilient, thorough, detail oriented, persistent, dedicated, inquisitive, smart, analytical, thoughtful, delegates well, gets things done, gives credit where credit is due, good team leader and player, fiscally conservative, exhibits authority and self control, commits then gives it her all, passionate, has a proven record of aligning diverse ideas towards a common goal.

I commit to represent neighborhood groups' demand for improved public safety, youth programs, business and job growth and public space utilization. Vote for me to be your advocate at city hall.

*Mary Goodnature*

## ELI HORN

**My occupation is** Program Director.

**My qualifications are:**

I am a native San Franciscan who wants to make the The City and the neighborhood I grew up in a better place to live. I have for over ten years provided services to the residents, families and citizens of San Francisco. Currently, in my capacity as Beacon program director, I run a large scale program that provides services such as violence prevention, after school programming and family services to a large number of families and community members. I also chair the Juvenile Justice Commission for the city and county, advocating for community based alternatives for non violent youth and ensuring that there are adequate programs in the community to serve them. My experience in providing services to families and running programs that foster public safety, after school programs and jobs for communities make me a qualified candidate. Overall, I am committed to my city and my neighborhood and want to make both a better place to live.

*Eli Horn*

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# Candidates for Board of Supervisors, District 11

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## RANDY KNOX

**My occupation is** Attorney.

**My qualifications are:**

I've lived in District 11 for 20 years.

Public safety is the cornerstone of vibrant neighborhoods. We can do better. As a lawyer and former Assistant District Attorney, I've protected the rights of individuals and the victims of crime.

I will be your voice for middle-class and working families. Let's bridge the gap between moderates and progressives to focus on making the City livable again.

As a Commissioner on the Board of Permit Appeals, I built consensus between property owners and neighbors, landlords and tenants, developers and preservationists. Effective City government requires we put aside political divisions and collaborate.

Legislative priorities:

- Encourage City employees — especially teachers, police and firefighters — to live in San Francisco.
- Streamline the permitting processes for small business to create more jobs.
- Focus on juvenile crime prevention and deterrence.
- Bring the services we deserve to District 11 — we have the highest percentage of home ownership and deserve more attention from City Hall.

I'm not a politician; I'm just a citizen who cares. If I don't have the answers, I'll ask the right questions. I'll be there for you and I'll listen.

Supporters: Supervisor Bevan Dufty, former Supervisor Matt Gonzalez.

*Randy Knox*

The above candidate has accepted the City's voluntary spending limit.

## MYRNA LIM

**My occupation is** Business Owner/Journalist.

**My qualifications are:**

TAKE SAN FRANCISCO BACK FOR FAMILIES

Dear friends and neighbors,

City Hall must work for us again -- make our lives easier not harder. I ask for your vote.

A small business owner, homeowner, I served on the Planning and Small Business Commissions, graduated from City College of San Francisco and UC Berkeley in Social Welfare/Business. I grew up in our district: my family operated the old Granada and Apollo Theaters, attended Balboa High School, mass at Epiphany, Corpus Christi and St. Emydius parishes.

### ECONOMY

- Promote job creation. Relax restrictions on businesses.
- Hire San Franciscans and local businesses.
- Freeze regressive taxes, fines, utility, sewer and water rates.
- Build parking, roll back tickets.
- Demand clean streets, graffiti and garbage removal, fix pot holes.

### CRIME

- Punish criminals. Community policing.

### EDUCATION

- Preserve JROTC, vocational/after school programs for teenagers.

### AFFORDABLE HOUSING, HEALTH CARE , TRANSPAR- ENT GOVERNMENT

"With her passion to assist her community, improve the lives of those disadvantaged, Ms. Lim is the best candidate to lead her district." Major General Antonio M. Taguba, Author of Report on Abu Ghraib, Iraq

San Francisco Police Officers Association  
Steve Westly California Controller, Lawrence Wong  
President, City College, Nelson Lum, Alice Bulos, Walter  
Franco, Carl Barnes, Clara Tempongko Women Against  
Violence

*Myrna Lim*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Supervisors, District 11

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## JULIO RAMOS

**My occupation is** Trustee, San Francisco Community College District.

**My qualifications are:**

I am a proud son of blue-collar immigrants and a native Californian, my parents worked hard to achieve the American Dream of a middle class life. My Columbia Law School graduation was a family achievement.

Twice elected Trustee of City College and immediate past Vice-President, I fight for educational opportunity for everyone.

My 97-year old grandmother - my inspiration - has lived at Excelsior and Naples for over 40 years. My wife and I raise our 2-year old daughter a block away. Public safety is paramount.

We face a serious decline in our quality of life - too much crime, gangs, graffiti and not enough jobs for our kids. I am the only candidate for Supervisor who will force City Hall to tackle violent crime, vandalism, graffiti and pollution.

My public record includes:

- Specialist, California Army National Guard
- BA Political Science, Claremont Colleges
- Recycling Coordinator, Pomona CA
- Public Affairs Fellow, Coro Foundation
- Intern, United States Congress, Space, Science and Technology Committee
- State Attorney, California Public Utilities Commission
- Board Member, Housing Conservation Development Corporation (HCDC Ingleside)
- Private Attorney General, Toxic Toys Litigation

I will fight at City Hall to bring District 11 the resources we desperately need!

Visit [www.julioramos.org](http://www.julioramos.org)

*Julio Ramos*

The above candidate has accepted the City's voluntary spending limit.

## AHSHA SAFAI

**My occupation is** City Planner/Neighborhood Organizer.

**My qualifications are:**

I'm running for Supervisor to put our neighborhoods back on the map.

District 11 has long been treated as the forgotten part of San Francisco. In fact, many residents joke that our neighborhoods aren't on some City maps.

Over the past decade, I have worked as a City Planner on affordable housing, public safety, infrastructure, job training and greening.

Together with many of you, I have:

- fought to keep life-saving services at St. Luke's Hospital
- secured over \$3 million to rebuild Balboa Park and its new playground
- raised money for our neighborhood schools and churches
- secured funding for a neighborhood child-care center

Over the past year, I have walked door-to-door to listen to your concerns. With each neighbor I meet, I am more encouraged that as we work together we can restore a sense of pride to our community.

I'm honored to have the support of thousands of my neighbors, Senator Feinstein, Mayor Newsom, Assemblywoman Ma, Assessor Ting, Treasurer Cisneros, Supervisors Elsbernd, Chu, and Alioto-Pier, Bay Area Union Labor Party, Police Officers Association, Firefighters Local 798, Teamsters, Local 12, Laborers Local 261, Plumbers Local 38, and SEIU Local 87.

I respectfully ask for your vote.

[www.AhshaSafai.com](http://www.AhshaSafai.com) (SA-FAH-EE)

*Ahsha Safai*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for BART Director, District 7

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## LYNETTE SWEET

**My occupation is** BART Director.

**My qualifications are:**

I've served on the BART Board of Directors since 2003.

I've been elected to numerous leadership positions including Chair of the Security Committee and Seismic Committee. Elected President of the BART Board 2006-2007, and currently serve on the Capital Corridor Board.

Prior to BART, I served as President of the San Francisco Redevelopment and Taxi Commissions. As a BART Director, I've been a consistent voice for BART riders and an advocate for safety and reliability of the BART system, diversity in the workplace, and increased state and federal dollars for transit.

My accomplishments include:

- Secured \$5.6 million dollars for security upgrade cameras from Governor Schwarzenegger's homeland security grant.
- Promoted good land use at BART stations.
- Effectively negotiated with labor unions and management a compromise on contracts averting a strike.
- Successfully fought for passage of Measure AA, a \$980 million dollar seismic retrofit bond to make BART safe.
- Hired the first female General Manager in BART's history.
- Supported educating inner city 8th gradestudents to pursue careers in engineering, math and science in the FutureCities competition.

A Bay Area native, I received a BA from University of California, Berkeley.

*Lynette Sweet*

## MARSHALL WALKER III

**My occupation is** Retireed Urban Planner.

**My qualifications are:**

As an Urban Planner for the City of Richmond for 35 years, I have served my community as a member of the Bay Area Metropolitan Transportation Citizens Advisory Committee; California State Bar Access to Justice Commission; and as an elected union leader in San Francisco, Alameda and Contra Costa.

As your representative on the BART board I will be your agent for change and help lead BART into the next decade. District 7 needs and deserves better representation. With the high price of gasoline, BART ridership is up. We need to plan now for how to handle the increase to make sure that riders get to their destinations safely, quickly and comfortably. My education, professional experience as an urban planner and my service as a community leader makes me uniquely qualified to help move BART forward in a positive direction for the riders, workers and tax payers.

I'm proud to be endorsed by former Richmond Mayor Irma Anderson, Contra Costa County Supervisor John Gioia, Richmond City Councilman Harpreet Sandu, former Councilman Jim McMillan and BAPAC President Joe Fisher.

I respectfully ask for your vote. Thank you.

*Marshall Walker III*



# Candidates for BART Director, District 9

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## PETER A. KLIVANS

**My occupation is** Attorney.

**My qualifications are:**

As both an attorney and a father of four young children, I have experience in working through complex tasks and balancing a variety of interests.

I enjoy riding BART--it's green, cheaper than driving, and fast. But every time I ride, I ask: why doesn't BART take me to Castro or the Richmond? Why not to Oakland Airport, Silicon Valley, or Sacramento? I believe that with some imagination, BART can take us there.

I hope to serve as your BART Director so that I can work towards a self-financed dramatic expansion of BART. BART already sits on top of a gold mine. BART can raise money for expansion by 1) selling rights to develop high density housing and office developments above its existing stations and parking lots; and 2) sharing the revenue generated by developing transit-first, green communities alongside new lines on the congested I-80 and I-580 corridors. By building BART closer to existing communities and by building new communities close to BART, ridership will be permanently higher. And, by channeling growth alongside a growing BART, we can build a greener, gasoline-free future for the Bay Area.

Why not take BART wherever we want to go?

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

*Peter A. Klivans*

## TOM RADULOVICH

**My occupation is** BART Director.

**My qualifications are:**

I have been fortunate to represent you on the BART Board, and I respectfully request your continued support.

Since I started there, ridership has grown nearly 40%. We extended BART to San Francisco Airport. We completed a renovation program that replaced every fare gate and ticket machine, and secured funding for BART's earthquake safety program, now underway. Our last customer survey found satisfaction at record levels.

This is public transit's moment. With high gas prices and rising the environmental concern, better transit is essential to creating a livable, just, and sustainable future for San Francisco and the Bay Area.

We need to make transit connections seamless --a single regional farecard, no-wait transfers, and good connections between transit lines, and better service throughout the city and the region.

We need to improve the customer experience -- BART reliability is good, but must improve. Our stations and trains can be cleaner and better kept. We must to add trains to reduce crowding.

We need to improve our stations -- better lighting and signage, real-time information, better public spaces, and better walking and cycling access to make our stations more safe, accessible, and attractive. Last year, we committed to a major station renovation program.

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

*Tom Radulovich*



# Candidates for Board of Education

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## H. BROWN

**My occupation is:** Retired SFUSD Teacher.

**My qualifications are:**

I am a retired school teacher, Firefighter and U.S. Navy Beach Jumper. I'm running for the School Board to promote two programs that are my own ideas.

Free Parking for Mentors

I learned as a Special Ed. teacher that nothing turns a kid around like a mentor. I propose connecting 2,000 screened mentors with 2,000 At-Risk students and rewarding volunteers with free parking, Muni passes or BART credit.

Student Defense Corps

Teaching students to march in circles and mindlessly follow orders does not benefit them or the community. I propose a 4 year curriculum that will produce thousands of trained young men and women ready to respond to a disaster.

Year One

Work with NERT learning to access City cisterns and stored emergency rescue equipment.

Year Two

Work with SFFD Paramedic personnel to earn EMT certification.

Year Three

Work with SFFD to learn search and rescue, shoring and ladder work.

Year Four

Work with SFPD learning how to establish perimeters on disaster ground.

*h. brown*

## DR. JAMES M. CALLOWAY

**My occupation is** Teacher/Counselor/Principal.

**My qualifications are:**

I am running for the San Francisco Board of Education and with your help, I would like to make a positive difference in the lives of the students of San Francisco Unified School District (SFUSD). After being retired from the SFUSD since 1994; I returned in October, 2005 to work as a substitute teacher. I have the opportunity to teach at different schools, which allows me to evaluate each school on a personal basis. I also wanted to become more knowledgeable and updated on the overall operation of the SFUSD. I am a member of the United Educators of San Francisco. I was employed by the SFUSD for 20+ years, starting out as a teacher's assistant, then teacher, counselor, head counselor/dean, assistant principal and principal. I hold the following degrees: AA, BA, MA and Doctor of Education. I have taught grades K-12, and at several colleges. I have worked with regular students, bilingual education, special education, gifted, counseling, career planning and adult education. I am also sensitive to the issues surrounding sexual orientation, the challenged and disabled student.

Priorities:

- An educational plan for each student
- Excellent educational and classified staffs at every school site
- Parental Empowerment

*Dr. James M. Calloway*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Education

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## MARIGRACE COHEN

**My occupation is** Retired San Francisco Unified School District Educator.

**My qualifications are:**

- 44 years employed by the SFUSD
  - Teacher, Mission High School
  - Counselor, Mission and McAteer High Schools
  - Assistant principal, McAteer and Mission
  - Supervisor, career and technical education. Partnered with business and
  - industry advisory boards to develop career opportunities for students in law, health/biotechnology, business and finance, hospitality, construction trades and engineering.
- Managed public funds:
  - Federal Vocational Technical Education Act
  - Regional Occupation Program
- Initiated programs for use of technology in high schools.
  - Pilot program for on-line instruction
  - Installation of interactive white board technology
  - Digital media integrated with academic instruction
- Priorities:
  - I will support proven academic programs for all students
  - Reinstate the JROTC
  - Evaluate fiscal decisions to ensure the most efficient and effective use of resources for academic priorities
  - Equitable distribution of resources, facilities and instruction for all students in all neighborhoods
  - Implement Grand Jury recommendations on student application process.
  - Develop effective plans for increased use of technology
  - Integrate academic and career skills
- Community supporters: Gwen Chan, retired SFUSD Superintendent; Douglas Draper, S.J.: Jim Dierke, Principal; Marc Christensen, coach & teacher; Julie Reis, science teacher; Julia Sobalvarro, counselor; John McNulty, architect; Larry Yee, math teacher; Dana Woldow, school food advocate; Nancy Yalon, consultant juvenile justice issues

*Marigrace Cohen*

The above candidate has NOT accepted the City's voluntary spending limit.

## GLENN DAVIS

**My occupation is** Community Volunteer.

**My qualifications are:**

As a person who was raised attending public schools and has since kept actively involved. I understand the everyday struggles that students, parents and teachers encounter and the circumstances San Francisco faces. I have been a student, substitute classroom teacher, developed recruitment strategies at San Francisco School Volunteers to engage the community to volunteer in public schools, collaborated with SFUSD administrative staff on special projects, and been a classroom tutor for eight years. I will soon complete my Master's in Public Administration. My experience allows me to understand the issues at all levels and as a school board commissioner I will work to find solutions for all our schools.

**Priorities:**

- Increase support services to K-5
- Provide incoming middle school students with a classroom computer
- Expand online classes for high school students
- More funding for child development centers
- Provide special education students with needed resources
- Strengthen District planning and City partnerships

**Endorsements:**

My endorsers include School Board Commissioner Kim-Shree Maufas, Joanne Hayes-White and San Francisco Party Affiliated County Central Committee members Scott Wiener, Laura Spanjian, Debra Walker – Building Inspection Commissioner\* and David Campos – Police Commissioner\*.

\*For identification purposes only

[www.glenndavisforschoolboard08.com](http://www.glenndavisforschoolboard08.com)

*Glenn Davis*

The above candidate has NOT accepted the City's voluntary spending limit.

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# Candidates for Board of Education

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## SANDRA LEE FEWER

**My occupation is** Education Policy Director.

**My qualifications are:**

I am the Director of Education Policy at Coleman Advocates for Youth, and the parent of public school students.

I believe that every child has a right to a quality education, and it is our community's responsibility to provide students with engaging, supportive learning environments. That's why for the past 20 years I have been actively involved in parent groups, serving as PTA President and Vice President, and a member of 10 school site councils.

I am running for School Board to use my experience to:

- Raise the standard of expectations to better prepare our children for college or a living wage job
- Close the achievement gap so that the district's lowest performers are not left behind
- Strengthen the District's commitment to parent engagement
- Develop more effective principal training

My supporters include:

Mark Leno, Assemblyman  
Jeff Adachi, Public Defender  
Tom Ammiano, Supervisor  
Bevan Dufty, Supervisor  
Sophie Maxwell, Supervisor  
Jake McGoldrick, Supervisor  
Ross Mirkarimi, Supervisor  
Aaron Peskin, Supervisor  
Mark Sanchez, School Board  
Jane Kim, School Board  
Eric Mar, School Board  
Norman Yee, School Board  
Kim-Shree Maufas, School Board  
Sarah Lipson, Former School Board  
Andrew Ishibashi, Principal, Lowell High School  
Henry Der, Former California Deputy Superintendent

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

*Sandra Lee Fewer*

## OMAR KHALIF

**My occupation is** Urban Services YMCA Site Coordinator.

**My qualifications are:**

I offer myself as a candidate for the Board of Education, and offer thanks to the 15,000+ citizens who voted and supported me in my 2006 campaign. A resident of San Francisco for the past two decades, I'm the proud parent of four daughters. Two currently attend SFUSD public charter schools, Gateway High School and KIPP Bayview Academy, one attends Crystal Springs School in Hillsborough, and the oldest is at Prairie View A&M University. I served two terms on the Parent Advisory Council, and I plan to continue representing the parent voice on the board. San Franciscans share my belief that: Parents should have the right to choose the school that meets their child's and family's needs, whether that school is located in their neighborhood or elsewhere in San Francisco. Parents and students should be able to participate in any programs they deem successful to their future. No child should be advanced to the next grade unless they can demonstrate competency in their current grade level. It's important that we close the achievement gap. And also vital that we address the opportunity gap in our city. In addition to being culturally competent, our teachers should also be curriculum compassionate.

*Omar Khalif*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Education

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## ALEXANDER LEE

**My occupation is** Business Manager.

**My qualifications are:**

29% of San Francisco's students attend private school (4x's the state average), because the San Francisco School Board has continuously failed to provide a viable alternative to higher learning. I will strive to recreate the San Francisco Public School System into a balanced symbol of scholarly pursuit and social interaction, rather than the current student perception that schools are primarily a place to meet friends.

Also, the role of the School Board should be to enhance career choices for all children of San Francisco, and not as a tool to voice personal political objections at an administration that cannot hear, especially at the students' expense.

I've been a San Francisco resident for over 25 years, and I've benefitted from public schools from Sherman Elementary, into Presidio Middle School, and through Washington High School. Thus, I have personal knowledge of the shortfalls of our public school system and have wrestled with the concerns that many parents face: limited resources, unmotivated students, and school safety. We need to prepare students for a globalized world by way of an increasingly competitive college admissions environment, as they compete against students everywhere. Each student must be equipped with the knowledge necessary to have ample choices in life.

*Alexander Lee*

## BARBARA LOPEZ

**My occupation is** Family Education Coordinator.

**My qualifications are:**

I have worked on education issues as a family and youth advocate for the past seven years. As co-founder of La Voz Latina, a program that empowers immigrant families to access resources, I understand the challenges facing working families as they struggle to have their children receive the high quality education that they deserve.

In my capacity as the Family Education Coordinator for the Tenderloin Housing Clinic, I have fought for greater equity in our public schools, and have helped to forge working coalitions between families, teachers, administrators, labor unions, and youth.

Our school district needs reform. In these precarious economic times when public education is constantly on the chopping block, we need to stand firm and demand that proper resources reach the classroom.

I am proud to be a long-time LGBT activist, and a chief shop steward in my SEIU local.

My supporters include:

Ross Mirkarimi, Supervisor\*  
Mark Sanchez, President, Board of Education\*  
Jane Kim, Commissioner, Board of Education\*  
Maria Guillen, SEIU 1021, Cope Co-Chair\*  
David Ho, Tenant Organizer, Chinatown Community Development\*  
Christina Olague, President, Planning Commission\*  
Jeremiah Jeffries, Teachers 4 Social Justice\*

\*For identification purposes

[www.barbaralopez.org](http://www.barbaralopez.org)

*Barbara Lopez*

The above candidate has accepted the City's voluntary spending limit.

The above candidate has NOT accepted the City's voluntary spending limit.

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# Candidates for Board of Education

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## JAYNRY MAK

**My occupation is** Attorney/Parent/Community Youth Advocate.

**My qualifications are:**

I believe we can and must do more to improve our public schools and offer quality education to every child in San Francisco.

As Chairwoman of Community Youth Center, I lead a non-profit organization that provides counseling, violence prevention and leadership development to 3,000 youth, ages 5 to 25, at 15 public schools. I was a member of the SFUSD Hardship Appeals Board and Sunset Neighborhood Beacon Center Community Council. Additionally, I served San Francisco as staff for the late Congressman Tom Lantos and Assemblymember Fiona Ma.

As a native San Franciscan with four generations of my family here, I am personally invested in improving our public school system for all children, including my two year old son.

My priorities include:

- Increasing funding for our schools and per pupil spending
- Retaining and recruiting quality teachers for every school
- Increasing access to neighborhood schools

San Francisco is one of the top performing urban school districts in California with the largest achievement gap. My priorities will close that gap.

My supporters include:

Senators Leland Yee and Carole Migden  
Board of Supervisors President Aaron Peskin  
Supervisors Sean Elsbernd, Jake McGoldrick, and Carmen Chu  
School Board Member Eric Mar  
College Board Trustee John Rizzo

*Jaynry Mak*

## EMILY M. MURASE

**My occupation is** Executive Director/Parent.

**My qualifications are:**

As San Franciscans, we are proud of our landmarks, our diversity, our innovation, but not so proud of our public schools. A world class city like San Francisco deserves world class schools. My San Francisco public school education enabled me to pursue a career which has taken me to AT&T Japan as an account executive, to the Clinton White House to work on world trade issues, and now to work for Mayor Newsom as Executive Director of the San Francisco Department on the Status of Women. I am a public school parent, with 2 children in the Rosa Parks Japanese Bilingual Bicultural Program.

I ask you to support my candidacy and help remake our school district to be world class.

Education: BA (honors), Bryn Mawr College; MPIA in International Relations, UCSD; PhD in Communication, Stanford.

Affiliations: SFUSD Parent Advisory Council 2006; Lowell Alumni Association Board of Directors; Girl Scout Leader; Leadership San Francisco 2007; Emerge 2003; Blood Donor.

Endorsements: Assemblymember Mark Leno, Mayor Gavin Newsom, Jeff Adachi, Kamala Harris, Michael Hennessey, Eric Mar, Phil Ting, Gwen Chan, Carlota del Portillo, Joanne Hayes-White, Warren Hellman, Harriet & Norman Ishimoto, Caryl Ito, Larry Mazzola, Sr., Allen Okamoto, Reverend Chong Park, Joan-Marie Shelley, Andrea Shorter, Jan Yanehiro.

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

*Emily M. Murase*

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# Candidates for Board of Education

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## RACHEL NORTON

**My occupation is** Public School Parent, Editorial Director.

**My qualifications are:**

- Since 2001 I have worked closely with Parents for Public Schools: I created the organization's first trilingual newsletter, serve as a resource for prospective families and work with the district and the City to support families' concerns and ideas for improving our schools;
- Public school parent since 2002;
- Since 2005, I have served on the Community Advisory Committee for Special Education, a committee of parents and teachers that monitors the effectiveness of special education programs in San Francisco;
- Broad support in the parent and advocacy community, and a reputation for being reasonable, collaborative, well-informed and fair.

As a Commissioner, I will:

- Work to solve problems like our achievement gap, our system of assigning students to schools, declining enrollment and inadequate funding;
- Insist upon a transparent, open exchange of information and ideas between district leadership and the community;
- Represent the concerns of all San Francisco families.

I am proud to be endorsed by: Mayor Gavin Newsom; District Attorney Kamala Harris; Assemblyman Mark Leno; Supervisors Bevan Dufty, Tom Ammiano, Aaron Peskin, Sean Elsbernd, Carmen Chu, Michela Alioto-Pier and Ross Mirkarimi; Sheriff Michael Hennessey; Board of Education Commissioner Hydra Mendoza and many others!

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

*Rachel Norton*

## KELLY WALLACE

**My occupation is** Division Manager, City of Berkeley.

**My qualifications are:**

I am a single father with three children in the San Francisco public schools. I am also the product of 16 years of California public school education and am committed to public schools serving the needs of all of our children.

I am the Manager of the Division on Aging for the City of Berkeley and serve on the Management team for the Department of Health and Human Services. I have worked in government agencies at both the local and federal levels as well the non-profit sector as the Executive Director for a number of agencies. I have served on numerous Boards and Commissions. Prior to my current employment, I was the Executive Director of a non-profit agency that provided a school-to-work program for underserved high school students in partnership with community colleges and the Biotech industry.

I will bring to the Board of Education my personal experience as the parent of children in the SF public school system and my professional experience as an effective manager working within a school system and within different government agencies. I have the skills, the experience and the commitment to be an excellent addition to the Board of Education.

*Kelly Wallace*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Board of Education

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## KIMBERLY WICOFF

**My occupation is** Director, Public Partnerships.

**My qualifications are:**

I am the product of public schools and believe that every child has the right to a great education. San Francisco has fulfilled that promise for thousands of students, yet we face a growing inequality between our highest-performing schools and our lowest. Closing this achievement gap must be our number one priority and I am willing to make tough decisions to support progressive reforms to make that happen.

Since graduating from Stanford Business School, I have been working on issues of equity and social change. I began as a consultant to nonprofits that provided alternative educational options and sought to influence district reform. But driving change from the outside is difficult, so two years ago I joined Communities of Opportunity, a public/private partnership to fight poverty and inequality in our most disconnected neighborhoods.

Through my work I have learned first hand what it takes to move bureaucratic systems and align the right players to get things done. Providing a high-quality public education is the key to giving all students the chance to fulfill their dreams. It is time we come together to make the tough choices and changes that will make those dreams a reality in San Francisco.

*Kimberly Wicoff*

## JILL WYNNS

**My occupation is** School Board Member.

**My qualifications are:**

I am a public school parent who has worked hard to serve our children during my sixteen years on the Board of Education, including two terms as President and ten years as Budget Chair. I have played a leadership role in nine school funding measures that have raised TWO BILLION dollars for local schools. Making state and federal governments adequately fund schools continues to be my highest priority.

Our students' achievement has improved in each of the last six years. We have restored arts and music to schools and added counselors, PE teachers, social workers and tutoring. With my help money is now available to recruit and retain qualified, excellent teachers. We have provided healthier food for students, wellness programs, and modernized schools all over our City.

There is still work to be done. With Superintendent Carlos Garcia I will work to make every school a desirable choice for families while providing good schools close to home with language and arts programs.

Please join hundreds of parents, teachers, students, community members and Mayor Gavin Newsom, Senator Dianne Feinstein, Congresswoman Jackie Speier Senator Carole Migden Supervisors Dufty, Elsbernd and Chu, Sheriff Mike Hennessey.

Vote for JILL WYNNS for SCHOOL BOARD  
[jillwynns.com](http://jillwynns.com)

*Jill Wynns*

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# Candidates for Board of Education

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## NORMAN YEE

**My occupation is** Incumbent, Education Advisor.

**My qualifications are:**

Four years ago, the community elected me to the School Board because our District was in desperate need of change.

Since elected, I served as President and Vice-President and am proud to say we have made significant progress:

- We are the top urban District in California
- Test scores improved in math and language arts
- Voters passed Prop A to retain high quality teachers
- New Superintendent is providing strong educational leadership

We have laid the groundwork for change. Our schools need leadership to build on the progress we have created and implement the strategic plan to ensure each student reaches their full potential.

I am running for re-election because I am able to lead the changes. I am an experienced educator, an effective leader, a proud parent of public school graduates. For 35 years, my life's work has been advocating for children and families.

Please join me in ensuring our City's schools get the dedicated and qualified leadership they deserve.

Endorsed by:

- Mayor Newsom
- Assemblyman Mark Leno
- Assemblywoman Fiona Ma
- District Attorney Kamala Harris
- Assessor Phil Ting
- Supervisors Ammiano, Dufty, Elsbernd, Maxwell, Peskin

A cross section of other elected officials, teachers, education advocates, community leaders. For more information, visit: [www.normanyee.com](http://www.normanyee.com).

*Norman Yee*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Community College Board

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## DR. NATALIE BERG

**My occupation is** Incumbent.

**My qualifications are:**

For over 30 years I served City College as a teacher and administrator including 12 years as a trustee. My main commitment has been to the students and community. Student access to quality programs is critical to developing marketable skills, transferring to baccalaureate programs, and personal growth. During difficult budgetary conditions, I have been an effective problem solver and manager and will continue to ensure that City College remains responsive to the community.

**Accomplishments during my tenure:**

- Three terms as College Board President
- Increased participation of minorities in the College's Local Small Business Enterprise Program
- Increased funding for LGBT programs
- Passed three facility bonds
- Increased enrollment
- Ensured balanced budgets
- Opened the new Mission Campus and the new Health & Wellness Center
- Approved construction for a Chinatown/North Beach Campus
- Secured resources for all students to achieve their full potential
- Vice President, Jewish Vocational Services Board
- Award-winning Bay Area Business Leader

**Endorsements:**

Senator Diane Feinstein  
Congressperson Jackie Speier  
Attorney General Edmund G. (Jerry) Brown Jr.  
State Senator Leland Yee  
Assemblymember Mark Leno  
Assemblymember Fiona Ma  
Mayor Gavin Newsom  
District Attorney Kamala D. Harris

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

*Dr. Natalie Berg*

The above candidate has accepted the City's voluntary spending limit.

## ROBERTO FIGUEROA

**My occupation is** Consultant in Education.

**My qualifications are:**

Originally from New York City, I have been a resident of San Francisco since 1976 and graduated from SFSU in Political Science and Speech Communication. I have been an educational consultant since 1993 in the private college and vocational education environment with varied bi-lingual experience in the public and private sectors. Currently, I am a member of the CITIZEN'S BOND OVERSIGHT COMMITTEE OF CITY COLLEGE OF SAN FRANCISCO.

San Francisco, like the rest of the nation, is suffering through a nursing shortage crisis. As a member of the Board of Trustees of CCSF, I envision addressing this critical need that affects ALL people. Life and death issues demand an active forward thinking commitment. As a Trustee I will advocate a prioritized focus on increasing enrollment and resources to the nursing profession. The Governor's Healthcare Initiative seeks to bring about an early resolution to the nursing crisis but will require unified effort.

The one promise I can make to every voter is that all my talents and resources will be employed to strengthen the connection between CCSF and the healthcare environment. This must result in a greater number of qualified healthcare professionals serving San Francisco and the greater community at large.

*Roberto Figueroa*

The above candidate has accepted the City's voluntary spending limit.

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# Candidates for Community College Board

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## MARY T. HERNANDEZ, ESQ.

**My occupation is** Education Attorney/Mom.

**My qualifications are:**

Graduate Harvard/Stanford Universities; former School Board President; education law specialist; small business owner; mother of public school students.

You elected me in 1996 and 2000 to reform our schools. I delivered a mother's perspective – empowering parents; fighting for academic achievement; insisting on fiscal responsibility. Since then, I founded a law firm with offices statewide and built its education practice. I want to strengthen City College and restore public trust and confidence.

- As a first generation professional, I understand the importance of access to education. I will ensure an open door for every student and help them succeed.
- As a former School Board member, I understand a Trustee's role. I will hold administration accountable and ensure taxpayer dollars are well-spent.
- As an education attorney, I understand the issues.
- As a mother, I understand the urgency of strengthening the College.

Vote for a Mom with an expert's know-how whose priority is students.

Endorsed by:

U.S. Senator Dianne Feinstein  
Mayor Gavin Newsom  
City Treasurer Jose Cisneros  
College Board President Lawrence Wong  
College Board Trustees Julio Ramos, John Rizzo, Rodel Rodis  
Supervisor Michela Alioto-Pier  
Commissioner Carlota del Portillo  
Commissioner Jim Lazarus  
Former School Board President Libby Denebeim  
Phil Ginsburg

*Mary T. Hernandez, Esq.*

The above candidate has accepted the City's voluntary spending limit.

## CHRIS JACKSON

**My occupation is** Policy Analyst, SF Labor Council.

**My qualifications are:**

With leadership, integrity, and foresight City College can be an empowering community partner, building ties, decreasing violence in our neighborhoods, and increasing economic stability in San Francisco. As a Board member, I will continue to work for students and working families to:

- Increase access to higher education in underserved communities by improving workforce development programs
- Implement new and creative youth outreach programs
- Expand teacher preparation programs in the face of growing demand
- Promote green job training programs and education to meet current and future needs
- Form a Network of Cooperation with the SF Unified School District, the City, and community organizations

Experience:

- Created the first program at SFSU to primarily focus on recruitment and retention of historically underserved communities
- In the state Assembly, I worked on legislation primarily focusing on higher education.
- As a board member of Young Workers United, I helped pass the City's Minimum Wage Ordinance and to draft the City's Paid Sick Day Leave Act.

Sincerely,

Chris Jackson  
chrisjackson4collegeboard.com

Kamala Harris, SF District Attorney  
Jeff Adachi, SF Public Defender  
Leland Yee, Ph.D, State Senator  
Mark Leno, Assemblymember  
Carole Migden, State Senator  
Tom Ammiano, SF Board of Supervisors  
Aaron Peskin, Board of Supervisors  
Scott Weiner  
Betty Yee, Board of Equalization  
Ross Mirkarimi, Board of Supervisor  
Sophenia Maxwell, Board of Supervisors

*Chris Jackson*

The above candidate has NOT accepted the City's voluntary spending limit.

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# Candidates for Community College Board

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## CARL KOEHLER

**My occupation is** Chief of Police.

**My qualifications are:**

I am a native San Franciscan, Vietnam-era veteran, retired Chief Deputy Sheriff, teacher, and former administrator at City College. While Chief of Police for the Community College District, I worked hard to improve campus safety and emergency preparedness at the institution and to bring about a high level of cooperation with our neighbors. As Chief, I was able to work successfully with college unions, student organizations, shared governance, and administration.

A seasoned educator with teaching experience at the University level, a Master's Degree in Public Administration, and a Bachelor's Degree in Organizational Behavior, I am dedicated to making an affordable, quality education available for all.

I will bring a fresh perspective and new ideas to the Board to help lead the College into prominence in the 21st century.

When elected, I'll have the following priorities for the College:

- Fighting for increased funding and lower fees
- Expansion of vocational education programs, with a focus on "green"
- Demanding integrity and accountability in the College systems and processes
- Developing better communication and building bridges with City government and the neighborhoods we serve
- Insuring safe campuses for students, employees and the public.

ENDORSED BY SHERIFF MICHAEL HENNESSEY!

*Carl Koehler*

The above candidate has accepted the City's voluntary spending limit.

## MILTON MARKS

**My occupation is** Member, College Board.

**My qualifications are:**

As a College Board Member and Education Committee Chair, I have worked hard to enhance student success, improve management, and create a climate of tolerance and open discourse. My leadership has made City College more vibrant, accessible, and accountable.

We have taken great strides to modernize College facilities. Today, we enjoy new buildings on the Ocean and Mission Campuses.

With your support, I will continue my advocacy to:

- Ensure student success and guarantee course access
- Complete the new Chinatown/North Beach Campus
- Adopt a comprehensive Sustainability Plan
- Implement "green jobs" training
- Maintain affordability
- Improve the Board's fiscal oversight

Together, we will create an environment at City College that builds community.

My endorsers include:

Senator Dianne Feinstein  
Congresswoman Jackie Speier

Senator Leland Yee  
Assemblymembers Mark Leno, Fiona Ma

Mayor Gavin Newsom  
Public Defender Jeff Adachi  
District Attorney Kamala Harris  
Assessor-Recorder Phil Ting  
Sheriff Michael Hennessey  
Treasurer José Cisneros

Supervisors Tom Ammiano, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin

College Board: Anita Grier, Julio Ramos, John Rizzo, Rodel Rodis

School Board: Jane Kim, Kim-Shree Maufas, Hydra Mendoza, Mark Sanchez, Jill Wynns, Norman Yee

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

*Milton Marks*

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# Candidates for Community College Board

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## STEVE NGO

**My occupation is** Lawyer.

**My qualifications are:**

I am running for College Board because I believe in the transformative power of education.

A vocational education changed my mother's life. She moved from Vietnam with a third grade education, attended cosmetology school and built a life for her family.

I am the first in my family to attend college. I know the struggles community college students face, and these struggles keep mounting. For years, we have failed to adequately fund our schools. Tuition has far outpaced inflation and financial aid.

I will fight to ensure we adequately fund education. I will push a K through Life Partnership between City College, Unified and the City focusing on:

- Green Jobs
- Workforce development
- Re-entry programs
- Affordability, access and retention

I am an experienced attorney and problem solver. I was a budget consultant to the California State Legislature and know how the budget process works. I am a community leader who defends civil rights and has led campaigns against student fee increases. I would be honored to have your vote.

Endorsements: Mayor Gavin Newsom, Assemblymembers Mark Leno and Fiona Ma; District Attorney Kamala Harris, Supervisor Aaron Peskin, Public Defender Jeff Adachi, Assessor Phil Ting, and many more.

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

*Steve Ngo*

## RODEL RODIS

**My occupation is** College Board Trustee.

**My qualifications are:**

As chair of the Board's Facilities Committee, I have worked tirelessly to improve the deteriorating facilities at City College and to obtain funds to construct new facilities to benefit our 110,000 students in 10 campuses.

We recently opened our new Wellness Center, new Mission campus and new Student Health Center. Soon, we will be breaking ground on our new much-needed Chinatown-North Beach campus, Joint Use building and Performing Arts Center.

We have made significant improvements in our academic programs which have resulted in more students graduating with AA/AS degrees, more students gaining valuable skills to enter the job market, and more students engaging the world through non-credit courses in art, ESL and citizenship programs.

However, we face some serious challenges as the massive state budget deficit has forced us to do more with less.

My experiences as a Trustee, former SFPUC President, college instructor, journalist/author, activist and lawyer have provided me with the tools, perspective and fortitude necessary to confront the challenges to ensure that our faculty and staff have the resources to effectively serve our students.

Indeed, City College must remain an oasis of opportunity and learning for all.

I respectfully ask for your vote.

*Rodel Rodis*

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# Candidates for Community College Board

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## BRUCE WOLFE

**My occupation is** Social Worker.

**My qualifications are:**

City College, our gem of the city and it's luster needs some polishing.

A solid run two years ago, I continue to pledge accessibility, affordability and accountability as your new Trustee.

Fifteen years calling SF home, I believe public education, sustainable environment and affordable housing brings certain success.

Attended CCSF (1995-98) after a work injury; SFSU B.A./M.A. Social Work and Social Development. As student leader, shared 35 years experience of business, Taichi instructor, peace officer, health educator and community organizer.

Policy/legislative/budgetary experience:

Sunshine Task Force, two terms

SFUSD Prop-H Education Fund, four years

SF Community Land Trust, HANC, boardmember

Marin Institute, Social Worker MIS

Various environmental, transportation, student, disability advocacy group membership

Endorsed by:

CCSF Trustees John Rizzo, Julio Ramos

Supervisors Ross Mirkarimi, Jake McGoldrick, Chris Daly,

SFUSD BOE Mark Sanchez, Kim-Shree Maufus, Eric Mar, Jane Kim

Senator Carole Migden

Roma Guy, M.S.W., Health Education Professor

Nominated by (partial list):

Robert Varni (former Trustee)

Johnny Carter (former Trustee)

Debra Walker

Michael Goldstein

Michael Bornstein

John Avalos

David Campos

Kevin Danaher

Alix Rosenthal

David Ho

Riva Enteen

Joey Cain

Tami Bryant

Krissy Keefer

*Bruce Wolfe*

The above candidate has accepted the City's voluntary spending limit.

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# Information on Local Ballot Measures

## DIGEST AND ARGUMENT PAGES

On the following pages, you will find information about local ballot measures. For each measure, a digest has been prepared by the Ballot Simplification Committee. This digest includes a brief explanation of “The Way it is Now,” what each proposal would do, what a “Yes” vote means, and what a “No” vote means. Also included is a statement by the City Controller about the fiscal impact or cost of each measure. There is also a statement of how the measure qualified to be on the ballot. Following the digest page, you will find arguments for and against each measure.

**NOTE: All arguments are strictly the opinions of their authors. They have not been checked for accuracy by the Department of Elections or any other City official or agency. Arguments and rebuttals are reproduced as they are submitted, including any typographical, spelling or grammatical errors.**

## PROPONENT’S AND OPPONENT’S ARGUMENTS

For each measure, one argument in favor of the measure (“proponent’s argument”) and one argument against the measure (“opponent’s argument”) is printed in the Voter Information Pamphlet free of charge.

The designations “proponent’s argument” and “opponent’s argument” indicate only that the arguments were selected in accordance with criteria in Section 540 of the San Francisco Municipal Elections Code and were printed free of charge. The Director of Elections does not edit the arguments and makes no claims as to the accuracy of statements in the arguments.

## SELECTION OF PROPONENT’S AND OPPONENT’S ARGUMENTS

The proponent’s argument and the opponent’s argument are selected according to the following priorities:

PROPONENT’S ARGUMENT	OPPONENT’S ARGUMENT
1. The official proponent of an initiative petition; or the Mayor, the Board of Supervisors, or four or more members of the Board, if the measure was submitted by same.	1. For a referendum, the person who files the referendum petition with the Board of Supervisors.
2. The Board of Supervisors, or any member or members designated by the Board.	2. The Board of Supervisors, or any member or members designated by the Board.
3. The Mayor.	3. The Mayor.
4. Any bona fide association of citizens, or combination of voters and association of citizens, any individual voter.	4. Any bona fide association of citizens, or combination of voters and association of citizens, any individual voter.

## REBUTTAL ARGUMENTS

The author of a proponent’s argument or an opponent’s argument may also prepare and submit a rebuttal argument. Rebuttals are also the opinions of the author and are not checked for accuracy by the Director of Elections or any other City official or agency. Rebuttal arguments are printed below the corresponding proponent’s argument and opponent’s argument.

## PAID ARGUMENTS

In addition to the proponents’ arguments, opponents’ arguments, and rebuttals, which are printed without charge, any eligible voter, group of voters, or association may submit paid arguments.

Paid arguments are printed in the pages following the proponents’ and opponents’ arguments and rebuttals. All of the paid arguments in favor of a measure are printed together, followed by the paid arguments opposed to that measure. Paid arguments for each measure are printed in order of submission.

Arguments and rebuttals are solely the opinions of their authors. Arguments and rebuttals are not checked for accuracy by the Director of Elections, or by any other City official or agency. Information about those submitting arguments is available from the Department of Elections.





# Words You Need to Know

by the Ballot Simplification Committee

## LISTED BELOW ARE DEFINITIONS OF TERMS:

**ABSENTEE (VOTE-BY-MAIL) BALLOTS** (FREQUENTLY ASKED QUESTIONS) — Ballots mailed to voters or given to voters in person at the Department of Elections. Absentee ballots can be mailed to the Department of Elections, turned in at the Department of Elections office in City Hall, or turned in at any San Francisco polling place on election day. Also known as vote-by-mail ballots. See page 7 for more information.

**ACUTE CARE** (PROPOSITION A) — Providing emergency services and general medical and surgical treatment for brief and severe disorders rather than long-term residential care for chronic illnesses.

**AFFORDABLE HOUSING** (PROPOSITIONS B AND N) — Residential units that persons or households within a certain range of incomes would be able to afford.

**AMEND** (PROPOSITIONS B-K AND M) — To change.

**AUDIT** (PROPOSITION A) — A formal examination of financial or management accounts and information.

**BATTERY** (PROPOSITION K) — The willful and unlawful use of force or violence against another person.

**BOND** (PROPOSITIONS A, D, H AND I) — A bond is a promise by the City to pay back money borrowed, plus interest, by a specific date. If the City needs to raise a large amount of money to pay for a library, sewer line, school, hospital or other project or program, it may borrow the money by selling bonds. (See also “General Obligation Bond” and “Revenue Bond”.)

**BUDGETARY AND FISCAL PROVISIONS** (PROPOSITION I) — Provisions addressing financial resources, spending, and debt.

**CALIFORNIA SPECIAL SUBJECT TEACHING CREDENTIAL** (PROPOSITION V) — A state-issued certificate that authorizes a person to teach a particular subject.

**CHARTER AMENDMENT** (PROPOSITIONS B-J) — A change to the City’s Charter. The Charter is the City’s Constitution. The Charter can only be changed by a majority of the votes cast.

**CHARTER-CREATED BOARDS AND COMMISSIONS** (PROPOSITION C) — The following boards and commissions are created by the Charter: Airport Commission, Board of Appeals, Building Inspection Commission, Civil Service Commission, Commission

on Aging, Commission on the Environment, Commission on the Status of Women, Elections Commission, Entertainment Commission, Ethics Commission, Fire Commission, Health Commission, Human Rights Commission, Human Services Commission, Juvenile Probation Commission, Library Commission, Municipal Transportation Agency Board of Directors, Planning Commission, Police Commission, Port Commission, Public Utilities Commission, Recreation and Parks Commission, Rent Board, Small Business Commission and Taxi Commission.

**CITIZEN ADVISORY COMMITTEE** (PROPOSITION C) — A committee created by the City to obtain the input and views of San Franciscans. The following citizen advisory committees are created by the Charter: Municipal Transportation Agency Citizens’ Advisory Council; Public Utilities Commission Citizens’ Advisory Committee; Park, Recreation and Open Space Fund Citizens Advisory Committee; and Citizens Audit Review Board.

**CITY ADMINISTRATOR** (PROPOSITIONS E, H AND I) — The City official responsible for managing services within the City’s executive branch.

**CLEAN ENERGY** (PROPOSITION H) — Although there is no official definition, it is often used to refer to a source of energy that is either renewable, such as solar power or wind power, or emits very little pollution when it is generated.

**COMMON AREA** (PROPOSITION M) — An area that may be accessed or used by all tenants.

**CONSERVATION DISTRICT** (PROPOSITION J) — A geographical area legally designated to preserve and protect historical or natural resources.

**COST-OF-LIVING ADJUSTMENT** (PROPOSITION S) — An amount added to a base to adjust for inflation.

**DECLARATION OF POLICY** (PROPOSITIONS U AND V) — A statement or expression of the will of the voters.

**DEPLOYMENT** (PROPOSITION U) — The placement or stationing of troops.

*(continued on the next page)*



## WORDS YOU NEED TO KNOW *(continued)*

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**DOWNTOWN** (PROPOSITION J) — The area generally bounded by Washington or California streets on the north, Harrison or Folsom streets on the south, the Embarcadero on the east, and Fifth or Taylor on the west. The downtown also extends west for one block along Market Street to Van Ness Avenue. (see the City's Zoning Map, which is available on the City's website at [www.sfgov.org/site/planning\\_index.asp?id=35228](http://www.sfgov.org/site/planning_index.asp?id=35228))

**EARLY VOTING** — Voting in person at City Hall before election day or mailing an absentee ballot before election day. See page 7 for more information.

**EXEMPTION** (PROPOSITIONS O AND Q) — Freedom from an obligation or requirement that others must follow.

**EXTORTION** (PROPOSITION K) — The threat of physical force or fear against another person to obtain money or property.

**FELONY** (PROPOSITION L) — A major crime or offense that is punishable by a fine and/or a jail sentence of more than a year.

**FISCAL YEAR** (PROPOSITIONS L AND S) — The City's 12-month budget period, starting July 1<sup>st</sup> and ending June 30<sup>th</sup> of the following calendar year.

**GENERAL FUND** (PROPOSITIONS N, O AND S) — That part of the City's annual budget that can be used for any City purpose. Each year, the Mayor and the Board of Supervisors decide how the General Fund will be used. Money for the General Fund comes from property, business, sales, and other taxes and fees. Currently, the General Fund is 47% of the City's budget.

**GENERAL OBLIGATION BOND** (PROPOSITION A) — A promise issued by the City to pay back money borrowed, plus interest, by a certain date. When the City wants to raise money to pay for a large public project, it can borrow money by issuing General Obligation Bonds. The City then repays the money plus interest over a period of years with property taxes. General obligation bonds must be approved by the voters. (See also "Revenue Bond".)

**HISTORIC DISTRICT** (PROPOSITION J) — A geographical area legally designated to protect and preserve historic buildings and structures.

**HOTEL TAX** (PROPOSITION D) — A tax added to the rental of hotel rooms.

**HUMAN TRAFFICKING** (PROPOSITION K) — The transportation and sale of persons into forced labor.

**INFRASTRUCTURE** (PROPOSITION D) — The basic facilities and services needed for the functioning of a community, such as transportation and communications systems, and water and power lines.

**INITIATIVE** (PROPOSITIONS K, V AND R) — A proposition placed on the ballot by voters. Any voter may place an initiative on the ballot by gathering the required number of signatures on a petition.

**LANDLINE** (PROPOSITION O) — A telephone line such as metal wire or optic fibers.

**LOW AND MODERATE INCOME** (PROPOSITION B) — Annual incomes which fall within a specified range used to determine eligibility for specific programs or benefits.

**MAYOR'S OFFICE OF HOUSING** (PROPOSITION B) — The Mayor's Office of Housing coordinates efforts to maximize housing opportunities for low-income households and individuals. It administers a variety of housing programs funded by federal, state, and local sources. It also works to coordinate the efforts of federal, state, and local housing agencies.

**MEDIAN INCOME** (PROPOSITION B) — A level of income based on all incomes earned within San Francisco. Half of all San Francisco households have incomes above this level and half have incomes below this level.

**MISDEMEANOR** (PROPOSITION L) — A minor crime or offense that is punishable by a fine and/or a jail sentence of one year or less.

**MIXED USE AREA** (PROPOSITION D) — An area where there are multiple significant uses such as housing, office buildings, retail, and industrial uses, and open space and parks.

**ORDINANCE** (PROPOSITIONS K-T) — A local law passed by the Board of Supervisors or by the voters.

**OVERSIGHT** (PROPOSITION A) — Watchful care or management; supervision.

**PARENTAL LEAVE** (PROPOSITION G) — Policy that allows parents to temporarily leave their jobs to care for a child.

*(continued on the next page)*



## WORDS YOU NEED TO KNOW *(continued)*

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**PASS-THROUGH** (PROPOSITION A) — To recover an increase in property taxes by passing on a portion of the cost to tenants.

**PLANNING COMMISSION** (PROPOSITION J) — The City commission responsible for adopting and maintaining a comprehensive, long term general plan for future improvement and development of the City.

**PROPOSITION** (PROPOSITIONS A-V) — Any measure that is submitted to the voters for approval or disapproval.

**PUBLIC UTILITIES COMMISSION (PUC)** (PROPOSITIONS H, I AND R) — A City agency that provides water, wastewater, and municipal power services to San Francisco.

**PUBLIC UTILITY** (PROPOSITIONS C, H, I AND R) — A privately owned company that provides utility services to the general public, such as an electric company, cable company, or bus line. State law regulates public utilities.

**QUALIFIED WRITE-IN CANDIDATE** — A person who has completed the required paperwork and signatures for inclusion as a write-in candidate. Although the name of this person will not appear on the ballot, voters can vote for this person by writing the name of the person in the space on the ballot provided for write-in votes and following the specific ballot instructions. The Department of Elections counts write-in votes only for qualified write-in candidates.

**RECALL** (PROPOSITIONS E AND F) — The process by which voters can remove an elected official from office.

**REFERENDUM** (PROPOSITION F) — The process by which voters can overturn legislation enacted by a governing body such as the Board of Supervisors.

**REVENUE BOND** (PROPOSITION H) — If the City needs money to pay for something, such as the construction or repair of a facility, the City may borrow the money by selling bonds. The City pays back the money with interest. Revenue bonds are bonds that are paid back using money such as fees collected by the department which issued the bonds. These bonds are not repaid with property tax money. (See also “General Obligation Bond”.)

**SALES TAX** (PROPOSITION P) — A tax added to the sale of certain retail goods.

**SAN FRANCISCO MEDIAN INCOME** (PROPOSITION B) — See “Median Income”.

**SEISMIC** (PROPOSITIONS A AND N) — Relating to earthquakes.

**SET-ASIDE** (PROPOSITIONS B AND S) — The amount of money in the City’s budget that must be used for a particular purpose.

**SEX WORKERS** (PROPOSITION K) — Prostitutes or other people who work in the sex industry.

**SIGNATURE REQUIREMENTS** (PROPOSITION E) — The number of signatures required by law.

**TERM** (PROPOSITIONS E, F, J AND P) — The period of time for which a public official may hold his or her office.

**TRAUMA CENTER** (PROPOSITION A) — A hospital equipped to provide comprehensive emergency medical services.

**VOTING BY MAIL** (FREQUENTLY ASKED QUESTIONS) — Also known as absentee voting. See page 7 for more information.





# AN OVERVIEW OF SAN FRANCISCO'S DEBT

## WHAT IS BOND FINANCING?

Bond financing is a type of long-term borrowing used to raise money for projects. The City receives money by selling bonds to investors. The City must pay back the amount borrowed plus interest to those investors. The money raised from bond sales is used to pay for large capital projects such as fire and police stations, affordable housing programs, schools, libraries, parks, and other city facilities. The City uses bond financing because these buildings will last many years and their large dollar costs are difficult to pay for all at once.

**Types of Bonds.** There are two major types of bonds – General Obligation and Revenue.

**General Obligation Bonds** are used to pay for projects that benefit citizens but do not raise revenue (for example, police stations or parks are not set up to pay for themselves). When general obligation bonds are approved and sold, they are repaid by property taxes. General obligation bonds issued by the City must be approved by a two-thirds vote. The San Francisco General Hospital and Trauma Center Rebuild Bond on this ballot is a general obligation bond to be issued by the City.

**Revenue Bonds** are used to pay for projects such as major improvements to an airport, water system, garage or other large facilities which generate revenue. When revenue bonds are approved and sold, they are generally repaid from revenues generated by the bond-financed projects, for example usage fees or parking fees. The City's revenue bonds must be approved by a majority vote. There is no revenue bond on this ballot.

## WHAT DOES IT COST TO BORROW?

The City's cost to borrow money depends on the amount borrowed, the interest rate on the debt and the number of years over which the debt will be repaid. Large debt is usually paid off over a period of 10 to 35 years. Assuming an average interest rate of 6% the cost of paying off debt over 20 years is about \$1.73 for each dollar borrowed – \$1 for the dollar borrowed and 73 cents for the interest. These payments, however, are spread over the 20-year period. Therefore inflation reduces the effective cost of borrowing because the future payments are made with cheaper dollars. Assuming a 4% annual inflation rate, the cost of paying off debt in today's dollars would be about \$1.18 for every \$1 borrowed.

## THE CITY'S CURRENT DEBT SITUATION

**Debt Payments.** During fiscal year 2008-2009 property tax payers in the City will pay approximately \$245.6 million of principal and interest on outstanding bonds of the City and the other issuers of general obligation debt (San Francisco Community College District, San Francisco Unified School District and Bay Area Rapid Transit District). The property tax rate for the year will be 16.3 cents per \$100 of assessed valuation or \$641 on a home assessed at \$400,000.

**Legal Debt Limit.** The City Charter imposes a limit on the amount of general obligation bonds the City can have outstanding at any given time. That limit is 3% of the assessed value of taxable property in the City – or currently about \$4.3 billion. Voters give the City *authorization* to issue bonds. Those bonds that have been issued and not yet repaid are considered to be *outstanding*. As of August 1, 2008, there were \$1.14 billion in general obligation bonds issued by the City outstanding, which is equal to 0.80% of the assessed value of taxable property. There were an additional \$447.8 million in bonds that are *authorized but unissued*. If all of these bonds were issued and outstanding, the total debt burden would be 1.12% of the assessed value of taxable property. Bonds issued by the School District and



Community College District and Bay Area Rapid Transit District (BART) do not increase the City’s debt burden for the purposes of the Charter limit, however they are repaid by property taxes (see Prudent Debt Management below). Part of the City’s current debt management policy is to issue new general obligation bonds as old ones are retired, keeping the property tax rate from City general obligation bonds approximately the same over time.

**Prudent Debt Management.** Even though the City is well within its legal debt limit in issuing general obligation bonds, there are other “prudent” debt calculations used by bond rating agencies when they view the City’s financial health. These agencies look at most types of local and regional debt that are dependent on the City’s tax base – our general obligation bonds, lease revenue bonds, certificates of participation, special assessment bonds, school and community college district bonds and BART bonds. They then take that debt as a percentage of taxable assessed property value for the City and the result is called the overall debt ratio. Municipalities comparable to San Francisco have an average overall debt ratio of 4.0%. The City currently has an overall debt ratio of 2.29%. **While this is under the national average debt ratio, the City needs to continue to set priorities for future debt to continue to maintain good credit ratings that, in turn, are a sign of good financial health.**

## **CITIZEN OVERSIGHT OF GENERAL OBLIGATION BONDS**

Voters must approve the purpose and amount of the money to be borrowed through bonds. Bond money may be spent only for the purposes approved by the voters.

For general obligation bonds issued by the City of San Francisco, the Citizens’ General Obligation Bond Oversight Committee reviews and reports on how bond money is spent. The nine members of the Committee are appointed by the Mayor, Board of Supervisors, Controller, and Civil Grand Jury. If the Committee finds that bond money has been spent for purposes not approved by the voters, the Committee can require corrective action and prohibit the sale of any authorized but unissued bonds until such action is taken. The Board of Supervisors can reverse the decisions of the committee by a two-thirds vote. The Controller may audit any of the City’s bond expenditures.

Prepared by *Ben Rosenfield*, Controller





# Looking for the legal text?

*The full legal text of all ballot measures is printed at the back of the book.*

The text starts on page 227.



# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

# A

## PROPOSITION A

To ensure the availability of San Francisco General Hospital and Trauma Center in the event of a natural disaster or emergency, by building and/or rebuilding and improving the earthquake safety of the hospital and to pay related costs necessary or convenient for the foregoing purposes, shall the City and County of San Francisco issue \$887,400,000 in general obligation bonds subject to independent oversight and regular audits?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The San Francisco Department of Public Health (DPH) operates the San Francisco General Hospital and Trauma Center (SFGH) located on Potrero Avenue. SFGH treats more than 1,500 patients every day, almost 100,000 a year, and is the only trauma center in the City.

In 2000, DPH commissioned a study concluding that SFGH may not be able to continue to provide services after a major earthquake. The City's ten-year capital plan identified SFGH as one of the City's highest priority earthquake safety projects.

Under state law, SFGH must show that it plans to meet seismic safety standards by 2013 or close its acute care facilities.

Property tax revenues pay for the principal and interest on general obligation bonds.

**THE PROPOSAL:** Proposition A is a bond measure that would authorize the City to borrow \$887,400,000 by issuing general obligation bonds for building and/or rebuilding SFGH to improve earthquake safety.

The bond proceeds would primarily fund the construction of a new building on the current SFGH site. The building, as described in the City's environmental impact report, would meet the state's new higher standards for seismic safety for acute care hospitals. It would provide 284 beds for acute care treatment and would house the SFGH emergency department, operating rooms, obstetrics, pediatrics, and intensive care and nursing units.

Construction would begin in 2010, and it is estimated that the new building would be complete in 2015. Patient treatment would continue during construction.

Proposition A would require the Citizen's General Obligation Bond Oversight Committee to provide independent oversight of the spending of bond funds. One-tenth of one percent (0.1%) of the bond funds would pay for the Committee's audit and oversight functions.

Proposition A would allow an increase in the property tax to pay for the bonds. It would permit landlords to pass 50 percent of the resulting property tax increase to tenants.

Two-thirds of the voters would have to approve this measure for it to pass.

**A "YES" VOTE MEANS:** If you vote "yes," you want the City to issue \$887,400,000 in general obligation bonds, subject to independent oversight and regular audits, to improve the seismic safety and ensure continuing operation of San Francisco General Hospital. Landlords would be allowed to pass 50% of any increase in property taxes to tenants.

**A "NO" VOTE MEANS:** If you vote "no," you do not want the City to issue these general obligation bonds to improve the seismic safety and ensure continuing operation of San Francisco General Hospital.

### Notice to Voters:

The "Controller's Statement" and "How 'A' Got on the Ballot" information on this measure appear on the opposite (facing) page.

**THIS MEASURE REQUIRES 66<sup>2</sup>/<sub>3</sub>% AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 227.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



**A**

# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## Controller's Statement on "A"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition A:

Should the proposed \$887.4 million in bonds be authorized and sold under current assumptions, the approximate costs will be as follows:

- In fiscal year 2009-2010, following issuance of the first series of bonds, and the year with the lowest tax rate, the estimated annual costs of debt service would be \$3.4 million and result in a property tax rate of \$0.00251 per \$100 (\$2.51 per \$100,000) of assessed valuation.
- In fiscal year 2013-2014, following issuance of the last series of bonds, and the year with the highest tax rate, the estimated annual costs of debt service would be \$78.5 million and result in a property tax rate of \$0.05032 per \$100 (\$50.32 per \$100,000) of assessed valuation.
- The best estimate of the average tax rate for these bonds from fiscal year 2009-2010 through 2033-2034 is \$0.0337 per \$100 (\$33.70 per \$100,000) of assessed valuation.
- Based on these estimates, the highest estimated annual property tax cost for the owner of a home with an assessed value of \$400,000 would be approximately \$197.77.
- Landlords would be allowed to pass through 50% of the annual property tax cost of the proposed bond to tenants as permitted in the City Administrative Code. Based on these estimates, the highest estimated annual cost for a tenant in a unit with an assessed value of approximately \$131,000 would be \$32.96.

These estimates are based on projections only, which are not binding upon the City. Projections and estimates may vary due to the timing of bond sales, the amount of bonds sold at each sale, and actual assessed valuation over the term of repayment of the bonds. Hence, the actual tax rate and the years in which such rates are applicable may vary from those estimated above. The City's current debt management policy is to issue new general obligation bonds only as old ones are retired, keeping the property tax impact from general obligation bonds approximately the same over time.

## How "A" Got on the Ballot

On July 22, 2008 the Board of Supervisors voted 11 to 0 to place Proposition A on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

**THIS MEASURE REQUIRES 66<sup>2</sup>/<sub>3</sub>% AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THE FACING PAGE. THE FULL TEXT BEGINS ON PAGE 227.  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# A

# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

### Save San Francisco General Hospital – Vote Yes on Proposition A

San Francisco General Hospital, the heart of our city's health-care system, needs to be rebuilt to ensure that it is able to remain open, caring for all those patients who need it, during and after a major earthquake.

As the only trauma center in San Francisco, General Hospital is the only acute-care facility in the city whose staff is equipped, trained and prepared to respond to any life-threatening injury or catastrophic illness, from car accidents to natural disasters to public health emergencies.

It is also San Francisco's hospital for all. Dedicated doctors and nurses deliver state-of-the-art medicine to all needing care. It is at the center of our city's pioneering initiative to provide universal health-care to our uninsured residents. It treats 1,500 patients daily and nearly 100,000 per year – from delivering babies, to HIV/AIDS care, to brain surgery.

Now is the time to ensure General Hospital remains open and continues to serve generations to come.

**State law requires that it be able to withstand an earthquake or shut down as early as 2013.** Independent studies have found General Hospital falls far short of that mark and the most

efficient, cost-effective way to meet it is to construct a new acute-care hospital building on the SFGH grounds.

Proposition A will rebuild General Hospital – and without a net increase in the city's debt load or property tax burden as the city will be retiring bonds for other construction projects.

We all have a stake in General Hospital.

### Vote YES on A.

*Mayor Gavin Newsom  
Board President Aaron Peskin  
Supervisor Michela Alioto-Pier  
Supervisor Tom Ammiano  
Supervisor Carmen Chu  
Supervisor Chris Daly  
Supervisor Bevan Dufty  
Supervisor Sean Elsbernd  
Supervisor Sophie Maxwell\*  
Supervisor Jake McGoldrick  
Supervisor Ross Mirkarimi  
Supervisor Gerardo Sandoval*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

### COMPLIANCE WITHOUT ACCOUNTABILITY

San Francisco *does* need SFGH seismically safe; not the overpriced, poorly located "trophy" hospital being presented to voters.

The Civil Grand Jury's 6/26/2008 report documents horrendous City bond oversight, concluding: "The ultimate response to the lack of accountability and oversight is for the voters to demand better governance from City officials. In the meantime, there are no standard operating procedures to hold departments and commissions accountable [for bonds] and, by extension, no accountability by the Board of Supervisors, [the Controller], or the Mayor's Office."

The \$1.7 billion hospital contains insufficient beds to serve future needs and is too big to construct between two 85', non-retrofitted, 93-year-old brick buildings.

State law requires both seismic safety *and* continued operations following earthquakes. The proposed glass walled hospital, in the fall zone of both brick buildings, will be damaged and non-operational if they collapse.

The hospital was designed *before* the Lewin report projected San Francisco's 24% shortage of acute hospital beds.

The oval hospital design costs \$265 million over the original rectangular design, including \$7 million for art.

A dangerous helipad remains under consideration.

Renters: 50% pass-through erodes rent control.

Homeowners: \$59 for every \$100,000 in assessed value for 23 years.

Construction costs will exceed City estimates.

Laguna Honda Hospital's delayed, rebuild is \$241 million (60%) over budget and 420 beds (35%) smaller than originally promised.

Voters deserve accountability. **Vote "No" on Proposition A!**

*George Wooding, West of Twin Peaks Central Council\*  
Mara Kopp, Good Government Alliance\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

# A

## OPPONENT'S ARGUMENT AGAINST PROPOSITION A

We support SFGH's healthcare mission; however, SFGH's proposed rebuild project is poorly planned.

The proposed hospital sits within the fall-zone of two brick buildings built in 1915 not scheduled for seismic retrofit before 2015; a catastrophic earthquake could crush the new hospital.

After 12 years of planning, DPH rejected a rectangular design, substituting a circular design, adding \$265 million to the cost.

Bed capacity is insufficient for future needs: The project adds 32 beds, increasing 19 neonatal ICU and pediatric beds, and eliminating 16 medical/surgical beds. The 2007 Lewin report cited a citywide shortage of 533 acute hospital beds by 2030, 24% below projected needs.

The project's minimum cost is \$1.7 billion, including planning; construction; debt service; and furniture, fixtures, and equipment.

Property owners will be annually taxed \$59 for every \$100,000 of property assessments over the next 23 years. Due to a 50% pass-through clause, renters face annual \$100 to \$300 rent increases.

Hospitals in other jurisdictions, including San Diego, chose, and/or completed, seismic retrofits, but San Francisco inadequately explored retrofitting SFGH. DPH officials offer conflicting

excuses why retrofitting to non-structural Level 2 (NPC-3) standards, a viable option, wasn't considered.

The City's final project report doesn't discuss Emergency Room capacity. Estimated construction costs may reach \$943 million, possibly under-funding the bond by \$55.6 million, even before inevitable cost overruns. Supplemental funding will be used without voter approval. A 2008 Grand Jury Report concluded fiscal accountability and oversight of capital projects remain ongoing problems.

The 2013 deadline is man-made: Senate Bill 306 (October 2007) provides extensions to 2020. We recommend taking time to correct project flaws and increasing bed capacity.

Vote "No" on Proposition A.

*George Wooding*, Vice-President, West of Twin Peaks Central Council\*

*Mara Kopp*, Good Government Alliance\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION A

### WE CANNOT AFFORD TO WAIT — YES ON A TO SAVE SAN FRANCISCO GENERAL HOSPITAL

In their argument against Proposition A, the opponents acknowledge they support the mission of San Francisco General Hospital and the need to rebuild it.

The doctors and nurses who work at San Francisco General Hospital know that it is critical that this hospital, the only trauma center in the city, be rebuilt now. We have spent the last eight years planning how to comply with the state's seismic laws. We have considered four different sites and a number of different configurations. We have chosen a design that will provide the best possible medical and nursing care for our patients for generations to come. Finally, this project won't increase the city's debt load or property tax burden because the city will be retiring debt from other projects.

Delaying the rebuild will only increase the costs of a new hospital and risk closure of the existing hospital due to an earthquake

or the failure to meet state seismic laws. That's why Proposition A is supported by a broad coalition that includes the Democratic and Republican parties, business and labor, the Mayor and the entire Board of Supervisors, and hundreds of doctors, nurses, and healthcare providers.

**Yes on A!**

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

*Dr. Mitch Katz*, Director – San Francisco Public Health Department\*

San Francisco General Hospital Physicians and Nurses:

*Dr. Jeff Critchfield*, Chief of Medical Staff\*

*Kathryn Fowler, RN* – Emergency Department Nurse Manager\*

*Dr. Robert Mackersie*, Trauma Director\*

*Ocean Berg, RN* – Perinatal Clinical Nurse Specialist\*

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# A

# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

We must rebuild General Hospital by 2013 and Proposition A will do it without a net increase in the city's debt load or property tax burden. Business and labor agree that emergency services and the health of our city must be our first priority.

**VOTE YES ON A, Rebuild General Hospital**

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

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**Nonprofit health-care providers say, "Keep the hospital doors open" – Yes on A**

We are proud to be part of a network of community-based non-profit organizations delivering health services close to home. It is something that sets our city apart and helps put within our grasp our city goal of universal access to medical services.

But our work and the prospect of universal health care will be fatally undermined if San Francisco General Hospital isn't rebuilt and brought into compliance with state seismic standards.

SFGH is the city's lone trauma center and truly a world-class hospital for us all. Don't let it close.

**Support the General Hospital rebuild – Vote yes on A.**

*Human Services Network*

The true source of funds for the printing fee of this argument is the Committee to Rebuild General Hospital, Yes on Prop A.

The three largest contributors to the true source recipient committee are: 1. San Francisco General Hospital Foundation, 2. Service Employees International Union Local 1021 Issues PAC, 3. Service Employees International Union Local 1000 Issues PAC.

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**Mental-health services are on the line – Vote YES on Proposition A**

One in five patients at San Francisco General Hospital suffers from mental illness. Often these patients start out in the hospital's emergency room.

For the health of our city and the health of those with mental disabilities, we need to rebuild SFGH. To do that, we must pass

Proposition A, which will ensure the city rebuilds the hospital, bringing it into compliance with state seismic laws and avoiding a threatened closure in 2013.

If SFGH closes, the mentally ill will suffer.

**Vote Yes on Proposition A.**

*Progress Foundation*

The true source of funds for the printing fee of this argument is the Committee to Rebuild General Hospital, Yes on Prop A.

The three largest contributors to the true source recipient committee are: 1. San Francisco General Hospital Foundation, 2. Service Employees International Union Local 1021 Issues PAC, 3. Service Employees International Union Local 1000 Issues PAC.

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**LGBT leaders say, "Save the hospital that saved so many" – Vote yes on Proposition A**

Now it's time to do our part for San Francisco General Hospital. Our public hospital was at the forefront responding to the AIDS epidemic. No other facility has administered more care to HIV/AIDS patients than SFGH. Today, this experience has helped ensure that members of our community, who live with HIV/AIDS, receive outstanding care.

But SFGH, of course, is more than just an HIV/AIDS treatment center. It is our city's only trauma center prepared to respond to any medical emergency. And it is the one hospital committed to provide quality health care to all, regardless of ability to pay.

Our community deserves a new SFGH that is seismically safe and capable of operating after an earthquake.

**Yes on Prop. A!**

*Harvey Milk LGBT Democratic Club*

*Supervisor Tom Ammiano*

*Supervisor Bevan Dufty*

*Treasurer José Cisneros*

*Brian Basinger, Director, AIDS Housing Alliance/ SF\**

*Robert Haaland, SF Pride at Work*

*Rebecca Prozan, Former Co-Chair, Alice B. Toklas LGBT Democratic Club\**

*Scott Wiener, Former Chair, San Francisco Democratic Party*

*John Newsome, Co-founder, And Castro for All\**

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

# A

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

*Laura Spanjian*, Former Co-Chair, Alice B. Toklas LGBT Democratic Club\*

*Julius Turman*, Co-Chair, Alice B. Toklas LGBT Democratic Club\*

*Susan Belinda Christian*, Co-Chair, Alice B. Toklas LGBT Democratic Club\*

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### YES on A

San Francisco General Hospital is our only trauma center. Any resident, commuter or visitor with a life threatening injury is brought there for treatment.

This hospital serves everyone, wealthy or poor. It deserves support of everyone.

### Please vote YES on A

*Mike DeNunzio*

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### Hospitals say, "It takes us all to care for San Franciscans" – Vote yes on Proposition A

All the hospitals throughout San Francisco support Proposition A to rebuild San Francisco General Hospital.

Quality access to health care in San Francisco relies on all of our hospitals continuing to service all San Franciscans. If San Francisco General Hospital no longer existed, the quality of care we provide in our hospitals would be greatly affected. Our emer-

gency rooms would be overflowing, and we would not have the needed hospital beds to care for you. Because San Francisco General Hospital operates the only Trauma Center between Palo Alto and Sacramento, we all rely on San Francisco General to provide care that no other hospital in the City can provide.

### Please vote yes on Prop. A.

*Hospital Council*

Representing all the hospitals, public and private, in San Francisco

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### Public health commissioners rally: Save SF General Hospital, Vote Yes on Prop. A

As San Francisco Health Commissioners, past and present, we are committed to keeping our residents healthy. That's why we fully support the Prop. A bond measure for San Francisco General Hospital Medical Center. Our first line of defense, our only trauma center, SFGH is vital to the health of the entire city.

To continue serving San Franciscans, SFGH must comply with state seismic laws requiring that it be capable of withstanding an earthquake and remaining open and in service. A study commissioned by our Public Health Department concluded that building a new acute care hospital on the SFGH grounds is the smartest and most cost-effective way to comply with state law and to preserve the mission of General Hospital for generations to come.

### Vote Yes on Proposition A.

*James M. Illig*, President, San Francisco Health Commission\*

*Sonia E. Melara*, Vice President, Health Commission\*

*Edward A. Chow, M.D.*, Health Commissioner\*

*Margine A. Sako, M.D.*, Health Commissioner\*

*Steven Tierney*, Health Commissioner\*

*David J. Sanchez, Jr., Ph.D.*, Health Commissioner\*

*Catherine J. Dodd, R.N., Ph.D.*, former Health Commissioner\*

*Lee Ann Monfredini*, Former President, San Francisco Health Commission\*

*John Umekubo, M.D.*, Former Health Commissioner\*

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

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**Dr. Sandra Hernández says “Rebuild SF General—on budget and on time.” Yes on A**

As CEO of The San Francisco Foundation and a former Director of the San Francisco Department of Public Health, I appreciate and share your concern that we get the most out of every dollar spent on vital health assets such as San Francisco General Hospital.

In 1996, our community celebrated completion of a voter-approved new 185-bed Mental Health Rehabilitation Facility at SF General Hospital. This facility was completed on budget and on time.

Having chaired the blue ribbon panel created to determine how SFGH could best be rebuilt to comply with new state-mandated seismic safety requirements, I am confident that everything possible has been done to ensure the new acute care hospital is built on budget and on time. The up-front design, pricing, and regulatory work needed to assure a successful project has been diligently completed. Your support will assure all of us access to state-of-the-art trauma and acute care services at SFGH well into the future.

It can and should be done.

**Vote yes on Proposition A**

*Sandra R. Hernández, M.D.*

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**Listen to SFGH patients! “Rebuild SF General Hospital, Yes on Prop. A”**

We are blessed to be among the 100,000 patients cared for each year at San Francisco General Hospital Medical Center.

General Hospital is the only trauma center in San Francisco. But it is much more. Whether you face life-threatening illness or injury, whether you are in need of treatment for chronic disease or are preparing to deliver a baby. Whoever you are. Whatever your condition. Whether you possess health insurance or not. SFGH is there for you.

People generally don’t foresee their next hospital visit. Now it’s time for all of us to do our part to make sure the mission of SFGH lives on. State law requires that SFGH rebuild its acute care hospital to meet new seismic standards or close. Please support the bond measure to build that new hospital.

**Vote YES on Prop. A.**

*Johanna Staudinger  
Susan Linneman  
Adam Augustine Willumsen  
Kate Miles*

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**Former mayors say, “Protect public health and welfare” – Vote YES on Prop. A**

As mayors, we took an oath to protect the health and welfare of our residents. We could never have accomplished that without San Francisco General Hospital Medical Center.

Over the years, we have seen a nationwide trend in healthcare playing out within our city: fewer hospitals and fewer emergency rooms. San Francisco General Hospital now stands alone in its ability to respond to any medical need or emergency faced by any resident or member of our workforce.

But the ability of SFGH to remain open is now in doubt because it no longer meets state-mandated seismic standards. Please join

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

# A

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

us to pass this vital bond measure to rebuild SFGH and guarantee its future for decades to come.

### Vote YES on Prop. A

*Willie L. Brown, Jr.*, Former Mayor  
*Senator Dianne Feinstein*, Former Mayor  
*Frank M. Jordan*, Former Mayor

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### Investment in SF General pays off – “Yes on A”, say SFGH Foundation board members

We are part of the not-for-profit corporation that raises money to support San Francisco General Hospital because we know great public medicine needs constant investment to meet the evolving health-care needs of our great city.

Our four-year-old Heroes & Hearts public art fundraising program for the hospital was conceived around the desire to reflect our city’s reputation for acceptance, tolerance and open-heartedness.

We look forward to continuing to support the heroic medicine practice at our city’s lone trauma center and hospital for all – but to keep SFGH’s mission alive, we must have a hospital that is earthquake-safe and meets state-mandated seismic safety standards.

### With open hearts, Vote YES on Proposition A.

*San Francisco General Hospital Foundation*

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### Political party leaders united behind Proposition A – “Save SF General Hospital”

With such a crowded ballot in November, there is plenty of room for disagreement and conflict this election. However, there’s one thing we can all agree on – the need to pass Proposition A to save San Francisco General Hospital.

SFGH needs a new acute care hospital building to meet state-mandated seismic safety requirements – or face closure as early as 2013.

Prop. A will provide all of the funding necessary to keep open and secure the future of the city’s only trauma center and only hospital that serves ALL residents of our great city.

Join political leaders from across the political spectrum.

### Vote yes on Prop. A.

*Howard Epstein*, Chairman, San Francisco Republican Party  
*Supervisor Ross Mirkarimi*  
*Aaron Peskin*, Chair, Democratic County Central Committee\*

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### Building engineers say, “Yes on Proposition A – for a secure SF General Hospital”

San Francisco General Hospital, the city’s only trauma center, faces a 2013 deadline to meet mandatory state seismic safety standards. It won’t meet those standards without being rebuilt – and approval of Prop. A is the smartest way to finance the project.

Recent analysis of the main hospital building on the SFGH grounds found it poses significant risk of collapse and a danger to the public in an earthquake. Yet, SFGH is intended to be the mainstay of a medical response to the major earthquake we all know is coming someday.

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

A review of the completed schematic designs and Environmental Impact Report for the proposed rebuild project gives us confidence that we can erect a new acute care hospital at SFGH – and one that is patient-centered, energy-efficient, cost-effective and, most importantly, meets modern safety standards and complies with state law.

### Join us in voting YES on Prop A

Mark Primeau, CEO, P.B. Strategies, LLC  
Frankie G. Lee, Chairman, SOHA Engineers  
Daniel Shapiro, Principal, SOHA Engineers  
David G. Fong, Principal, Fong & Chan Architects  
Chiu Lin Tse-Chan, Principal, Fong & Chan Architects  
Paolo H. Diaz, Principal, Fong & Chan Architects  
Siu-Ling Sharlene Chan  
Pak Yend Yim, Mechanical Engineer  
Robert LaRocca, President, Robert LaRocca & Associates Inc.  
Joe Chin, PE, Civil Engineer

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### Physicians agree – Vote yes on Proposition A

San Francisco General Hospital Medical Center is one of the best, well-run hospitals in the country and is the core of our city's pioneering push to provide access to health-care benefits to the uninsured. SFGH treats more than 1,500 patients every day, almost 100,000 a year, and it is the only trauma center in San Francisco.

Whether it's a fall, car crash, gunshot wound, cancer, an infectious disease or common health issues, San Francisco General is available to take care of everyone.

State law mandates that we rebuild SFGH—to bring it into compliance with seismic standards that will be in place in 2013—or it closes. As doctors living and working in San Francisco, we urge all voters to support Prop. A. Our city's health – and perhaps your health – depends on rebuilding San Francisco General.

### Vote yes on Proposition A!

Jeff Critchfield, M.D., Chief of Medical Staff, SFGH\*  
Rebecca McEntee, M.D.  
John M. Luc, M.D.  
Elena Fuentes-Afflick, M.D.  
Jens W. Krombach, M.D.  
Theodore Miclau, M.D.  
Judith A. Luce, M.D.  
Anand Dhruva, M.D.  
Donald I. Abrams, M.D.

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### Supervisor candidates stand as one – “Rebuild SF General, vote yes on Prop. A”

Candidates for district supervisor have been squaring off all across town but they are lining up together behind Proposition A – to save San Francisco General Hospital Medical Center.

SFGH is the city's only trauma center and truly the hospital for all San Franciscans. But it must be rebuilt to meet state seismic standards or face the loss of its license and closure in 2013. A study commissioned by the city's Department of Public Health concluded that the best and most cost-efficient means of complying with state law and preserving the mission of SFGH was to seek voters' approval of a general obligation bond issue.

Rebuild SFGH. It's good medicine. It's good policy.

### Vote yes on Prop. A.

John Avalos, Excelsior District Resident  
David Campos, Police Commissioner\*  
David Chiu, Candidate District 3 Supervisor  
Mike DeNunzio, Candidate District 3 Supervisor  
Randell Knox, Attorney  
Eric Mar, Board of Education\*  
Eric Quezada, Executive Director  
Julio Ramos, Trustee CCSF\*  
Ahsha Safai, City Planner

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

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### **Education leaders support the General Hospital rebuild – Vote yes on Prop. A**

The time is now to rebuild our SF General Hospital. As the heart of the city's Universal Health program, SFGH serves as a critical part of the safety net for many of our students and parents who need access to medical services. San Francisco needs an improved public hospital for our communities.

#### **Vote yes on A!**

*Mark Sanchez*, President, San Francisco Board of Education\*  
*Lawrence Wong*, President, San Francisco Community College Board\*  
*Dennis Kelly*, President, United Educators of San Francisco\*

Board of Education Members\*:  
*Kim-Shree Maufas*, Vice President  
*Jane Kim*  
*Eric Mar*  
*Hydra Mendoza*  
*Norman Yee*  
*Jill Wynns*

Community College Board of Trustees\*:  
*Natalie Berg*, Vice President  
*Anita Grier*  
*Milton Marks*  
*John Rizzo*  
*Rodel E. Rodis*

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### **Ethnic health services providers for the SF General Hospital rebuild – Yes on A**

A diverse city needs a diverse public health system. Our ethnic-based health services organizations fill that role – but we're only part of the story.

San Francisco General Hospital's commitment to care for all and its diverse staff devoted to culturally competent service means that no community or individual is denied access to quality medical treatment.

#### **Save General Hospital. Vote yes on Proposition A.**

*Elena Fuentes-Afflick*, M.D.  
*Ana Sampera*, R.N.  
*Jovy Elizande*, R.N.  
*Kenneth Johnson*, N.P.-R.N.  
*Cheryl Jay*, M.D.  
*Jay P. Kloo*, R.N.

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### **Tenant and landlord advocates united behind SF General Hospital – Vote yes on A**

Real estate market forces and the relatively high cost of living in San Francisco frequently pit tenants and landlords against each other – and those battles frequently are played out at City Hall and on Election Day.

But on November 4<sup>th</sup>, we will be turning out at the polls together to pass Proposition A – the rebuild of San Francisco General Hospital.

SFGH, the city's only trauma center, is vulnerable to collapse in an earthquake, and faces loss of its state operating license and closure in 2013 as a result.

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

Our city can't let that happen. Tenants and landlords need SFGH, the only hospital that's equipped and staffed to meet any medical emergency and treat any injury, regardless of a patient's ability to pay.

### Save SF General – Vote yes on Proposition A.

*Mitchell Omerberg, Chair, Affordable Housing Alliance\**

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### Latino community leaders say, "Save SF General Hospital" – Yes on Proposition A

San Francisco General Hospital provides vital, culturally competent and comprehensive medical services – from delivering babies to treating critically injured patients. And, with three of every 10 of its patients being Latino, it is genuinely our community hospital.

### Support the rebuild of SF General. Vote YES on A!

*Supervisor Gerardo Sandoval*

*Jaime Ruiz, M.D., Pediatrician, Mission Neighborhood Health Center\**

*Brenda Storey, Executive Director, Mission Neighborhood Health Center\**

*Fernando Gomez-Benitez, Deputy Director, Mission Neighborhood Health Center\**

*Ricardo Alvarez, Mission Neighborhood Health Center\**

*Alfredo Pedroza, Lower 24<sup>th</sup> Street Merchant & Resident Association\**

*Eva Royal, Director, Cesar Chavez Holiday Committee\**

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### Keep faith with the hospital for all of us – Vote yes on Proposition A

San Francisco General Hospital Medical Center's mission is to provide quality medicine and health care to all – regardless of one's station in life.

We believe this is emblematic of the best teachings of our faith, and should not be compromised.

### Yes on A – Rebuild General Hospital

*The Rev. Paul Fromberg\**

*Brother Richard Jonathan, Society of St. Francis*

*Sara Miles, Director, The Food Pantry\**

*Janice Mirikitani*

*Rev. Cecil Williams*

*The Rev. Elizabeth Welch*

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### HIV/AIDS health-care advocates and providers agree – Yes on A, Rebuild SFGH

San Francisco General Hospital has been at the forefront of patient care and treatment in the face of public health epidemics. Starting with the tuberculosis outbreak of the late 1800s and most recently the HIV/AIDS epidemic, San Francisco General has been there – and staff has performed heroically – in our most desperate hours.

Today, no medical facility has more experience when it comes to treating patients with HIV/AIDS. For many residents living

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with HIV/AIDS – those with insurance and those without insurance – SFGH is their best and only resource for life sustaining treatment.

We need to rebuild SFGH. State law mandates that all acute care/trauma facilities meet a certain seismic code, which SFGH currently does not. Proposition A will rebuild SFGH and ensure it remains open, caring for those living with HIV/AIDS and ready to combat the next public epidemic.

### Vote yes on A!

#### *AIDS Emergency Fund*

*Michael J. Smith*, Executive Director, AIDS Emergency Fund

*Brett Andrews*, Executive Director, Positive Resource Center\*

*Sherilyn Adams*, Executive Director, Larkin Street Youth Services\*

*Tom Nolan*, Executive Director, Project Open Hand\*

*Randy Allgaier*, Interim Director, SF HIV Health Service Planning Council\*

*Ronald L. Jewell*, HIV Health Services Planning Council\*

*George O. Simmons*, Sr. Program Director, Catholic Charities\*

*Laura Thomas*, Co-Chair, HHSPC\*

*Mark Molnar*, Co-Chair, HHSPC\*

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### **African American leaders support rebuilding SF General Hospital – Yes on A**

Public Health Department studies have shown time and again that public health problems disproportionately affect African Americans in San Francisco. San Francisco General Hospital, our city's only trauma center, has always been there to meet the medical needs of our community – from traumatic injury, to coping with chronic illness such as asthma and diabetes, to prenatal care and child-birthing.

Anyone who walks through the hospital doors is treated with respect and dignity by the hospital's culturally competent staff.

The hospital's future is threatened because it doesn't meet state-mandated seismic safety standards. We can't afford to see SFGH close.

### **YES on Proposition A.**

*Supervisor Sopenia Maxwell\**

*Kim-Shree Maufas*, Board of Education\*

*Lynette Sweet*

*Julius Turman*

*Susan Belinda Christian*

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### **Labor leaders support Proposition A**

Labor agrees that Prop. A is good for working families. Currently, SFGH is vulnerable to collapse during an earthquake. According to state law, the hospital must be relocated into a seismically superior building or face closure. Last year, SFGH employed 2,700 fulltime city employees and approximately 1,300 full-time UCSF employees. If the hospital is forced to close, many of these workers will face unemployment during difficult economic times.

Rebuilding the hospital will preserve the jobs of nurses, physicians, other health-care workers and custodians, and is sure to create new construction-related jobs.

It also will protect the future of a hospital that provides top-flight medical care to all, regardless of ability to pay.

San Francisco has always attracted working families because of its vibrant culture and forward thinking.

**Let's continue to support the working class by voting Yes on A.**

*Tim Paulson*, Executive Director, *San Francisco Labor Council*

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

*Michael Theriault, Secretary-Treasurer, San Francisco Building and Construction Trades Council*

*Robert Haaland, Political Coordinator, SEIU 1021*

*Sal Rosselli, President, SEIU-UHW*

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### **Political club leaders turn out to back Prop. A – Rebuild SF General Hospital**

We live and breathe politics, some of us. Good politics is about making good policy. Good health-care policy demands that we rebuild San Francisco General Hospital.

SFGH, the city's only trauma center, is essential in our efforts to bring quality health care to all. But SFGH faces closure in 2013 because the building housing its acute care services doesn't meet state-mandated seismic safety standards. Those standards require that SFGH's acute care hospital be able to remain open and continue operating after an earthquake. That's good policy, too, by the way.

The Prop. A bond measure would raise all of the money needed to build a new acute care hospital on the SFGH grounds.

### **Vote yes on Prop. A.**

*Susan Belinda Christian, Co-Chair, Alice B. Toklas LGBT Democratic Club\**

*George E. Dias, President, Central City Democrats\**

*Andrew Fleischman, President, Noe Valley Democratic Club\**

*Luke H. Klipp, Past President, San Francisco Young Democrats\**

*Rafael Mandelman, President, Harvey Milk LGBT Democratic Club\**

*Laura Spanjian, Noe Valley Democratic Club\**

*Julius Turman, Co-Chair, Alice B. Toklas LGBT Democratic Club\**

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### **San Francisco's Public Health Director says Vote YES on Prop A**

For the past 11 years, I have served as San Francisco's Public Health Director. Without question, I could never fulfill my mission of protecting and promoting the health of all San Franciscan's without San Francisco General Hospital.

I began as an intern in the Hospital's Trauma Center in 1986. I saw first hand patients rushed in to the emergency department after suffering devastating injuries from car accidents and knifings and drug overdoses. I saw skilled doctors and nurses bring these patients back to life. I knew then, as I know now, that I always wanted to be part of this great hospital.

During the late 1980s the AIDS epidemic was devastating San Francisco, with frighteningly high death rates. Working on the HIV/AIDS ward, I learned the best treatments for the disease. I also learned from the doctors, the nurses, the social workers, the counselors, the volunteers, the families, and the patients themselves, how to care for people who were dying. I was proud then, as I am now, to be a doctor at a hospital where people care.

Now I need your help. The State's seismic laws require that the hospital be rebuilt or be closed. We cannot lose this great hospital. Please vote Yes on Proposition A.

*Mitch Katz, MD*

Public Health Director

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

### Healthy economies need good public health – Business leaders urge a yes on Prop. A

State law demands acute care hospitals meet seismic standards that would allow them to remain open and operate after a major earthquake. Therefore, San Francisco General Hospital needs to be rebuilt. We think doing so is a wise investment.

An independent, internationally recognized consulting firm with extensive national healthcare experience studied SFGH and concluded it plays a critical role in the San Francisco healthcare market. With just 20 percent of the staffed hospital beds in the city, SFGH provides over 50 percent of the psychiatric, HIV and substance abuse care citywide. And while scoring near the top in overall clinical quality measures in areas such as treatment for heart attacks, it uses almost 26% less overtime, employs 60 fewer employees and maintains revenues that are as good or better than comparable hospitals nationwide. Besides, it's the only trauma center in the city and the only hospital prepared to respond to just about any medical emergency.

### Vote yes on Proposition A.

*San Francisco Chamber of Commerce*  
*Golden Gate Restaurant Association*  
*F. Warren Hellman, Chairman, Hellman & Friedman\**  
*Mike DeNunzio, CEO, Bridgeway Group\**

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### Asian Pacific American leaders call for "YES" on Proposition A

Recent scenes of devastation resulting from the earthquake in China's Sichuan province remind us of our own vulnerability living in the earthquake zone. In the event of such a natural disaster it is of utmost importance that our city's public hospital and only trauma center remain structurally sound and fully functioning.

That's why we support passage of Proposition A, a bond measure to raise the money to rebuild San Francisco General Hospital to meet state mandated seismic safety standards. Without meeting those standards, General Hospital faces closure by 2013.

Approximately, 20,000 API patients receive culturally competent, high-quality health care from SF General Hospital annually. SFGH staff speaks more than 35 languages, including Cantonese, Mandarin, Vietnamese, Tagalog, Korean, Hmong, Laotian and Sign.

### Save and rebuild SF General Hospital. Vote YES on A!

*Senator Leland Yee\**  
*Assessor-Recorder Phil Ting\**  
*Supervisor Carmen Chu*  
*Edward A. Chow, M.D., Medical Director, Chinese Community Health Plan\**  
*Kent Woo, Executive Director, NICOS\**  
*Anni Yuet-Kuen Chung, Executive Director, Self-Help for the Elderly\**  
*Mai-Mai Quan Ho, E.D.\**  
*Henry Der, Former California Deputy Superintendent of Public Instruction\**

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### San Francisco Medical Society says, "Save General Hospital" -- Yes on A

We are the leading advocacy organization for the interests of professional physicians and their patients -- and we're committed to advancing the cause of public health. Frankly, there is nothing more important for the cause of public health in San Francisco than keeping the doors of General Hospital open by passing Proposition A on November 4th.

State law dictates that a new acute care hospital building needs to be built on the SFGH grounds to make sure our city's lone trauma center can withstand and stay open following an earthquake. And it's not just state law -- it's common sense.

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# A

# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

As our only trauma center, SFGH is uniquely equipped to respond to any medical emergency. It also delivers state-of-the-art medicine to all, regardless of ability to pay. And it spurs professional medical education and research through a partnership with UCSF Medical School.

Let's make sure General Hospital is there for all of us when any one of us needs it most.

### Vote yes on Prop. A

*San Francisco Medical Society*

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### SFGH Neighbors for Prop. A – We need a seismically safe SF General Hospital

City public health officials have known for several years that San Francisco General Hospital needed to be rebuilt to meet mandatory state seismic-safety requirements. It's a necessary project given SFGH's position as the only trauma center in the city and its role in providing health care to the under insured, uninsured and indigent.

But rather than rush into construction, city health officials carried out an extensive planning process and solicited public input, particularly from the hospital's neighbors.

The relationship between a neighborhood and a hospital employing and serving thousands of people a day is never likely to be an easy one. But we've had our say in how SFGH get's rebuilt, what the new acute care hospital building is going to look like, and how it will affect our community. To their credit, health officials have agreed to reroute ambulance paths so they pass by fewer homes.

SFGH Neighbors are proud of the new General Hospital.

*Iris Biblowitz  
Jennifer Baity Carlin  
Lisa Espinda  
Michael Finnie*

*Kathleen Flanagan  
Martin Gran  
Diane Jones  
Ed Kinchley  
James Magee  
Mary Magee  
Alfredo Mireles, Jr., R.N.  
Alfredo Pedroza  
Linda Ray  
Alma Rendon  
Susan Silberman  
Jacqueline Y. Sowers  
Francis Taylor  
Eva Vanderschmidt*

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### Efficient, cost-effective: Taxpayer advocates say, "Yes on Prop. A hospital bonds"

We keep close tabs on our city's fiscal practices. Prop. A, the bond measure to rebuild San Francisco General Hospital, has our support because a study commissioned by the city public health department found that constructing a new acute care hospital on the SFGH grounds is the most prudent way of meeting new state-mandated seismic safety requirements and increasing demand for SFGH services.

And there is no doubt that San Francisco can't do without San Francisco General Hospital – the only trauma center in the city.

Moreover, it would cost our city an estimated \$76 million a year to provide care at private hospitals for the indigent and uninsured currently treated at SFGH. Without our public hospital, these costs would drain funds for other public services like police, parks and fire.

### Don't be pennywise and pound-foolish – VOTE YES ON A.

*Treasurer José Cisneros  
Supervisor Sean Elsbernd  
Mike DeNunzio, S.F. Commissioner on Aging (Former)*

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

# A

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

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### **African-American ministers back Proposition A – “SF General is our hospital”**

While we tend to our community’s spiritual wellbeing, San Francisco General Hospital tends to its physical and sometimes mental health. Whether it is caring for traumatic injury, chronic illness or just helping people live healthier lives, SFGH is our hospital and among our community’s most precious assets.

This resource is in danger of closing, however, because it does not meet seismic safety requirements. That’s why we need to rebuild SFGH.

Our community, and all of San Francisco, needs SFGH.

### **Vote Yes on Prop. A.**

*Edgar E. Boyd, Pastor*  
*Amos Brown, Pastor, Third Baptist\**  
*Calvin Jones Jr., Pastor, Providence Baptist Church\**  
*Rev. Theron L. Jones I, Pastor, Star of Hope Missionary Baptist Church\**  
*Emmett J. Neal, Pastor, Macedonia Baptist Church\**  
*Kevin M. O’Brien, Pastor\**  
*Theodore M. Reed, Minister, S.F. Christian Center\**  
*Shadrick Riddick, Pastor, Metropolitan Baptist Church\**  
*Carolyn H. Scott, Pastor\**  
*Tanya A. Smith, Assoc. Minister, Providence Baptist Church\**  
*Joycelyn E. Tatum, Pastor\**  
*Arelious Walker, Pastor*  
*Rev. Billy Ware, Pastor, St. Paul Tabernacle Baptist\**

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Employees International Union Local 1021 Issues PAC, 3. Service Employees International Union Local 1000 Issues PAC.

Currently, General Hospital does not meet state seismic regulations. In order to prevent the state from shutting down the facility by 2013, we urge voters to support its rebuilding to ensure it can continue to care for patients during and after a major earthquake.

As the only trauma center in San Francisco, firefighters, police officers and sheriff deputies need the trauma facility to care for them when they are injured on the job. In addition, we all need the facility in case we get into an accident.

SFGH is an invaluable resource for everyone in our community. San Francisco is a safer, healthier place because of San Francisco General Hospital. Vote Yes on A.

*Citizens for a Better San Francisco*  
(For more information, please visit [www.CBSF.net](http://www.CBSF.net).)  
*Edward Poole*  
*Harmeet Dhillon*

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### **Save an invaluable public safety resource – Public safety leaders want a yes on A**

San Francisco General Hospital Medical Center is an invaluable resource for those of us responsible for law enforcement and public protection.

For those whose jobs put them in harms way – firefighters, police officers and sheriff’s deputies – San Francisco General Hospital literally can represent a life-line as the city’s only trauma center, with doctors, nurses and health workers equipped to respond to any medical emergency.

For those engaged directly in law enforcement – police officers, sheriff’s deputies, prosecutors and city attorneys – the ability to maintain public safety and keep order on the streets and in our jails is directly tied to the future of San Francisco General.

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# A

# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

A new acute hospital building is essential to keeping SFGH open and operating.

### **YES on Prop. A.**

*Sheriff Michael Hennessey  
San Francisco Police Officers Association*

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### **On one measure all elected officials agree: Vote YES on Proposition A**

Rarely are all of San Francisco's elected officials on the same page but that's the case when it comes to passing the bond measure to rebuild San Francisco General Hospital.

State law and common sense demand that the only hospital in the city equipped to respond to any traumatic injury must be constructed to withstand and continue operating after an earthquake. But that's not the case at General Hospital. Passage of Prop. A will raise all the money necessary to address this critical vulnerability.

Failure to do so would mean the loss of state licensing and closure of the city's only trauma center and the hospital providing the vast majority of acute medical care to our residents on public health insurance programs and those without any health-care coverage at all.

### **We urge you to vote YES on Prop. A**

*Speaker of the House of Representatives Nancy Pelosi  
Senator Carole Migden  
Senator Leland Yee\*  
Assemblyman Mark Leno  
Assemblywoman Fiona Ma*

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### **Women overwhelming support Proposition A to rebuild SF General Hospital**

Currently, women make-up 49% of all patients seen at San Francisco General Hospital. With the range of health problems that can confront any of us, regardless of age, San Francisco women are coming together to protect the future health of our City's families and children by voting YES on A to save San Francisco General Hospital.

It is the only hospital that guarantees a mid-wife at your delivery. The Gyn/Obstetric services and the Family Practice Program is an irreplaceable resource for woman in San Francisco needing specialized and primary care. Just last year 3,000 women received prenatal care, of which 30% where high risk. SFGH's commitment to maternal child education and care was recognized by the World Health Organization and UNICEF and is the only hospital in the Bay Area to receive a prestigious Baby Friendly Hospital certificate.

SFGH is at the forefront of women's health care and research, including programs for screening and treatment of Breast Cancer.

We have come together to support this measure because SFGH is an invaluable resource for women's health care and the health of all San Franciscans.

### **Please remember to Vote Yes on A on November 4<sup>th</sup>.**

*Speaker of the House of Representatives Nancy Pelosi  
Supervisor Michela Alioto-Pier  
Supervisor Carmen Chu  
Supervisor Sopenia Maxwell\*  
Catherine Dodd, R.N., Former President, SF NOW\*  
Mary E. Foley, R.N., Former President, American Nurses Association\*  
Mary Lou Licwinko, San Francisco Medical Society\*  
Joan Simmons  
Laura Spanjian, Democratic County Central Committee\**

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

# A

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

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### Neighborhoods Agree – Vote Yes on Proposition A

What happens if we suffer an earthquake and San Francisco General Hospital is damaged and cannot operate? No matter what neighborhood we live in, SF General is our trauma hospital and a precious community resource. As the only trauma center in San Francisco, it is the only medical facility equipped to respond to life-threatening injuries or catastrophic illnesses, from car accidents to public health emergencies. It has provided vital emergency care to many of our neighborhood families.

In normal times, the hospital helps save hundreds of lives a year. In a natural disaster, it could save hundreds in days.

State law mandates that acute-care trauma facilities like General Hospital be able to withstand most earthquakes or be shut down by 2013. Our hospital falls woefully short of these seismic standards. In order to save our hospital and preserve this crucial medical resource, our neighborhood groups urge you to **vote Yes on Proposition A**.

*Golden Gate Heights Neighborhood Association*  
*Sunset Heights Association of Responsible People (SHARP)*  
*Tim Colen, Former President, Greater West Portal Neighborhood Association\**  
*Jeff Eng, President, Golden Gate Heights Neighborhood Association*  
*Rick Hauptman, President, North Mission Neighbors\**  
*Espanola Jackson, Chair, Bayview Hunters Point Coordinating Council\**  
*Frank Noto, Sunset Reform Democrats\**  
*Nancy Wuerfel, Parks, Recreation & Open Space Advisory Committee\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Golden Gate Heights Neighborhood Assn.

### Seniors Agree – Save Our Hospital, Vote Yes on A

San Francisco General Hospital is one of the city's largest providers of health care to people covered by Medicare and MediCal public insurance programs. Both insured and uninsured seniors utilize SFGH to receive quality care and treatment for their ailments, both minor and serious. In fact, the single largest category of treatment administered at SFGH is for falls, a leading cause of injury for seniors.

San Francisco General is also the city's only trauma center. But for the hospital to remain open, it must meet state seismic safety standards – something that can be achieved by building a new acute care hospital on the SFGH grounds.

Join senior leaders and advocates. **Vote yes on Proposition A** – and preserve a legacy of excellent medical treatment for San Francisco's senior citizens.

*Karen Garrison, Vice President, Coalition of Agencies Serving the Elderly\**  
*Julie Wasem, Director of Senior Services, Project Open Hand\**  
*Alice Wong, President, IHSS Public Authority Governing Body\**  
*Donna Calame, Executive Director, In Home Supportive Services Public Authority\**  
*Kathleen Mayeda, HSP Director, San Francisco Senior Center\**  
*Adriana Der, MSW Student\**  
*Dann Gonyea, San Francisco Senior Center\**  
*Erika Moore, Director of Programs, IHSS\**  
*Barbara Blong, Executive Director, Senior Action Network*  
*Howard Wallace*

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### Nurses say, "Vote YES on A to save San Francisco General Hospital"

As nurses living and working here in San Francisco, we urge you to support the General Hospital bond measure, Prop. A. Every day, we are witness to the 1,500 patients who seek out SFGH for

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

their medical needs. Every year, our nurses and physicians are ready for the over 15,000 ambulance runs that arrive at SFGH, the only trauma center in San Francisco.

Since 1872, SFGH has been serving this city through cost-effective, culturally competent, patient-centered health care. It is our mission to do so with compassion and respect. That is why we have nurses and staff members who speak 35 different languages, and treat every patient who walks through our doors regardless of medical coverage or economic circumstances.

We truly believe SFGH is one of the best public hospitals in the county and is a resource San Franciscans cannot afford to lose.

### Join San Francisco nurses by voting YES on Prop A.

- Alfredo Mireles, R.N.*
- Fern Ebeling, R.N.*
- David Paul, N.P.*
- Deborah Henerman, N.P.*
- Christine Mende, R.N.*
- Regina Glass, R.N.\**
- Kimberly Cates, R.N.*
- Jean Horan, R.N.*
- Susan Koehler, R.N.*
- Jeanette Conley, R.N.*
- Mary C Magee, R.N.*
- Rachel Andel, R.N.*
- Christine M. Greene, R.N.*
- Sue Trupin, R.N.*
- Liz Hewlett, R.N.*
- Michael Daly, R.N.*
- Maryellen Ryan, R.N.*
- Maya Vasquez, R.N.*

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### Paramedics ask for your support for the SF General rebuild – Vote yes on Prop. A

Minutes matter when it comes to saving life and limb. That's what sets San Francisco General Hospital apart. Its staff is made up of the best medical professionals across all disciplines, meaning it is prepared to respond to any medical need at a moment's notice.

Take it from us, when faced with a health emergency or catastrophic illness, General Hospital is the place you want to be.

And its doors are open to everyone. Let's keep it that way.

### Vote yes on Proposition A.

- Jonathan Meade, Paramedic Chapter President, SEIU 1021; San Francisco Fire Department\**
- Megan Byrne, Paramedic*

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# San Francisco General Hospital and Trauma Center Earthquake Safety Bonds, 2008

# A

## PAID ARGUMENTS AGAINST PROPOSITION A

### Proposition A's Blank Check

San Francisco's Civil Grand Jury released its report, "Accountability in San Francisco Government," on 6/26/2008; a footnote indicated a newspaper reported a current City Supervisor acknowledges nobody has been minding the City's information technology expenditures store, including himself. So, too, with bond measures.

The Jury concluded the Citizen's Obligation Bond Oversight Committee can't utilize its experience to improve projects *prior to* ballot bond measures, including the proposed rebuilding of SFGH. The Jury is concerned key lessons weren't learned from the Branch Library Improvement, and Laguna Honda Hospital, bond fiascos.

San Francisco's elections code requires the Controller estimate increases to City government costs from ballot measures. The *Bay Guardian's* 8/13/2008 editorial "And now, the controller's big lie," exposes Controller Rosenfield vastly *overestimated* by "billions" this year's Clean Energy Act. Rosenfield's 8/11/2008 Proposition A statement vastly *underestimates* City government cost increases, neglecting mentioning the \$36 million annual operating cost increase from adding 212 SFGH employees, and neglecting mentioning this \$887.4 million bond may underfund the project \$55.6 million, if the City's estimate construction costs may reach \$943 million proves accurate.

Among findings, the Jury recommended increasing Bond Oversight Committee responsibilities, and conducting pre- and post-election independent analyses of the Controller's voter guide estimates to test Controller accuracy ... both laudable goals. The Jury noted private-sector projects experiencing significant cost overruns and delays would likely replace project managers.

The City failed implementing Jury accountability recommendations before placing the SFGH bond measure on the ballot.

We need both our County hospitals. But we shouldn't sacrifice increasing government accountability and project oversight to rebuild them.

Renters facing landlord's 50% pass-through: Demand greater accountability! Send City Hall a message it must implement Grand Jury recommendations *before* we'll pass bond measures.

**Vote "No" on Proposition A's blank check.**

*Patrick Monette-Shaw, Accountability Advocate*

The true source of funds for the printing fee of this argument is Patrick Monette-Shaw.

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### **Oppose \$887.4M Bond to Rebuild SF General Hospital!**

Rebuild is only 32 beds bigger; a PUBLIC hospital needs more beds — *not* flashy, expensive architecture!

**\$290 per \$500,000 each year property tax increase.**

**50% tax increase PASSED THROUGH to TENANTS!!**

Bond doesn't cover \$125M for furniture, fixtures, equipment.

**SFGH won't close: deadline extensions are possible.**

— *Concerned patients of SFGH*

The true source of funds for the printing fee of this argument is Concerned Patients of SFGH.

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# Establishing Affordable Housing Fund

# B

## PROPOSITION B

Shall the City establish an Affordable Housing Fund; set aside from the property tax 2 ½ cents for every \$100 of assessed value for this Fund through 2024; and use this Fund, subject to public review, to acquire and develop new affordable housing units meeting certain priorities and income limitations?

YES ←    
NO ←  

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The Charter requires the City to set aside portions of the annual property tax for specific purposes. For every \$100 of assessed value, the Charter requires the City to set aside:

- 2 ½ cents for the Park, Recreation and Open Space Fund;
- 3 cents for the Children's Fund; and
- 2 ½ cents for the Library Preservation Fund.

The City has various programs that provide financing to develop, rehabilitate or acquire affordable housing in San Francisco. These programs are funded by money from City funds as well as state and federal funds. The Mayor's Office of Housing (MOH) administers most of these programs.

The San Francisco Redevelopment Agency is governed by state law. Most of the San Francisco Redevelopment Agency's budget comes from property tax. The City has encouraged the San Francisco Redevelopment Agency to use over 50% of those funds to provide low and moderate income housing. The Redevelopment Agency has adopted that policy, which exceeds the requirements of state redevelopment law.

**THE PROPOSAL:** Proposition B would amend the Charter to establish the San Francisco Affordable Housing Fund and require the City to set aside money from the annual property taxes for this Fund. For every \$100 of assessed value, Proposition B would require the City to set aside 2 ½ cents for the Affordable Housing Fund. This set aside would expire in 2024.

Money from the Affordable Housing Fund could be used to:

- purchase, build, rehabilitate or maintain housing for households that earn not more than 80% of the San Francisco median income,
- support programs to help first-time homebuyers,
- provide rent subsidies and other services to tenants, and
- help with urgent repairs of public housing properties owned by the San Francisco Housing Authority.

Money from the Affordable Housing Fund could also be used for housing for families with dependents, seniors, people who have disabilities, people who are HIV positive, and people who were recently homeless or are at risk of becoming homeless.

Proposition B also sets priorities for and limits on how the City can spend the Fund. For example, the City must spend at least 75% of the Fund to acquire and develop new housing units, at least half of which must be 2 bedroom or larger units. It also must assure that at least 40% of those new units will be affordable to households earning 30% or less of the San Francisco median income.

The Affordable Housing Fund could not be used to replace other City funding for affordable housing.

The Affordable Housing Fund would be managed by the Mayor's Office of Housing (MOH). Each year, MOH, in cooperation with the Department of Public Health and the Department of Human Services, would submit a budget for public review that would then be submitted to the Board of Supervisors for additional public review and approval. Every three years MOH will present a coordinated Affordable Housing Plan for public review.

Proposition B would affirm City policy encouraging the Redevelopment Agency to use at least 50% of its property tax funds for low and moderate income housing.

**A "YES" VOTE MEANS:** If you vote "yes," you want the City to establish an Affordable Housing Fund, set aside 2 ½ cents for every \$100 of assessed value for this Fund through 2024, and use this Fund to acquire and develop new affordable housing units to meet certain priorities and income limitations and offer opportunities for public comment.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make these changes to the Charter.

### Notice to Voters:

The "Controller's Statement" and "How 'B' Got on the Ballot" information on this measure appear on the opposite (facing) page.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 228.  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# B

# Establishing Affordable Housing Fund

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## Controller's Statement on "B"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition B:

Should the proposed charter amendment be approved by the voters, in my opinion, it would affect the cost of government for a fifteen year period beginning in fiscal year 2009-2010 in that it would set aside funds for affordable housing which are currently available for any public purpose. To the extent that funds are shifted to these programs, other City spending would have to be reduced or new revenues identified.

The amendment specifies that the City appropriate property tax revenues in the amount of 2.5 cents out of the one dollar base property tax collected on every \$100 of assessed valuation beginning in fiscal year 2009-2010 and dedicate those funds to affordable housing programs. As of the fiscal year 2008-2009 budget, that amount is \$36 million.

The amendment would also set a "baseline" amount as of fiscal year 2006-2007 City appropriations for certain types of affordable housing programs and require that the City not reduce its appropriations for those programs during the 15-year period of the set-aside. Based on our analysis, that baseline amount is estimated at \$88 million.

## How "B" Got on the Ballot

On January 8, 2008 the Board of Supervisors voted 8 to 3 to place Proposition B on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Ammiano, Daly, Duffy, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

**No:** Supervisors Alioto-Pier, Chu and Elsbernd.

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# B

## Establishing Affordable Housing Fund

This disclaimer applies to the proponent's argument and the rebuttal to the proponent's argument on this page and the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin and Sandoval; oppose the measure: Supervisor Alioto-Pier, Chu and Elsbernd; take no position on the measure: Supervisor Maxwell.*

### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION B

***Vote YES on Proposition B to build thousands of affordable housing units with public oversight and no new taxes!***

#### **AFFORDABLE HOUSING WITHOUT RAISING TAXES**

Affordable housing continues to be one of the top issues facing San Francisco. Proposition B will provide a regular source of funds to build thousands of new housing units **without** raising taxes. This local investment will leverage over a billion dollars in federal and state monies.

#### **A CHANCE FOR WORKING FAMILIES**

At least half of the new affordable units will be at least 2 bedrooms and target working families like teachers, healthcare workers, housekeepers and janitors.

#### **HOUSING FOR SENIORS**

Seniors on a fixed income rely on affordable housing, so they can live in the City they helped build with the dignity they deserve.

#### **A REAL SOLUTION TO HOMELESSNESS**

There's lots of talk about homelessness, but the number of people on the street remains the same. Homelessness can not be solved without building new affordable housing. Proposition B will house our homeless without putting new people on the street.

#### **ACCOUNTABILITY & COMMUNITY INPUT**

This measure is the result of an extensive community process and is supported by dozens of community groups. It will provide greater transparency and public input in the City's administration of affordable housing dollars.

#### **INVESTING IN THE FUTURE OF SAN FRANCISCO**

With a majority of San Francisco families struggling to stay here, we are losing much of our City's diversity. Proposition B is an investment for the next generation to have a chance to live and thrive in this great city!

***Vote YES on Proposition B!***

*Tom Ammiano  
Chris Daly  
Bevan Dufty  
Sophie Maxwell  
Jake McGoldrick  
Ross Mirkarimi  
Aaron Peskin  
Gerardo Sandoval*

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION B

Proposition B's proponents have one thing right: we absolutely need to invest in the future of San Francisco. But creating new earmarks does nothing for the future of our City.

Carving \$2.7 billion out of San Francisco's budget, as this measure would do, and setting it aside for a single program leaves the City little ability to respond to future needs. In fact, Proposition B will put the City's future in question by holding a significant portion of citywide funding hostage.

To claim that this measure would provide affordable housing without raising taxes is irresponsible. To find funds to support Proposition B without raising taxes, city officials would be forced to divert funds from the City's already stretched budget.

Proposition B offers no solutions for San Francisco's working families. These families depend on the services and salaries that this measure would cut. Moreover, our City's dedicated public

servants – teachers, police officers and firefighters – would not qualify for affordable housing under Proposition B.

**Proposition B promises big things for San Francisco's working families, but all it delivers is more deficit spending, more cuts to City services and no new affordable housing for those who need it. Every decision we make with our City's budget has consequences. Proposition B is no different.**

Join me in supporting responsible spending that *truly* protects San Francisco's future – **Vote NO on Proposition B.**

*Mayor Gavin Newsom  
Supervisor Sean Elsbernd  
Supervisor Carmen Chu  
Supervisor Michela Alioto-Pier*

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# Establishing Affordable Housing Fund

# B

## OPPONENT'S ARGUMENT AGAINST PROPOSITION B

### PROTECT OUR CITY BUDGET FROM THIS \$2.7 BILLION MONEY GRAB.

We are facing serious financial challenges in San Francisco. Last year our deficit reached \$338 million. Next year's deficit is projected to reach \$250 million. We simply cannot afford to create any new set-asides that take funds away from our City's dwindling discretionary fund.

The majority of our budget is already spoken for by set-asides and other required spending – new set-asides like Proposition B will only further tie our hands in responding to the City's needs.

Mandating that \$2.7 billion be spent on affordable housing for the next 15 years means we will have to make drastic cuts in vital city services. Jobs will be lost and residents will go without important services.

Affordable housing is important but is not our City's only obligation. Proposition B will leave local leaders unable to respond when critical needs emerge because the budget will be constrained. Our challenges and priorities in 5-10 years will likely be different than they are today.

Additionally, this narrow prescription leaves out most San Francisco families especially the working middle class. And it

doesn't account for some of the most creative solutions we have crafted, including requiring private developers to chip in by developing over 5,500 new affordable homes in Hunter's Point Shipyard and Treasure Island alone.

And when services are cut or taxes raised to bridge the budget gap that Proposition B creates, San Francisco's most vulnerable will feel the crunch. That doesn't make our City more affordable for anyone.

Intelligent budgeting and responsible fiscal and social policy are critical to the stability of our City. Approving new spending mandates limits our ability to achieve all of the City's priorities.

*Gavin Newsom*  
Mayor

*Sean Elsbernd*  
Supervisor

*Michela Alioto-Pier*  
Supervisor

*Carmen Chu*  
Supervisor

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION B

### A Prudent Investment in Our Civic Future

Mayor Newsom claims that we simply cannot afford to commit funds for affordable housing for San Franciscans, that Proposition B commitment to fund housing affordable to families, seniors, people with AIDs and provide assistance to first time homeowners is a budget breaker. He claims that the \$2.7 billion committed by B over the next 15 years is too much while failing to point out that it would be less than 2% of the City budget over that same period.

He fails to point out that our senior population is growing at historic levels, the AIDs catastrophe shows no signs of let-up and that San Francisco continues to lose families at a higher rate than any City in the nation. Over the last five years we have built less than 35% of the affordable housing the Newsom Administration committed to the State to build.

Read B and see how it earmarks money from the steeply rising assessed value of real estate- still rising even now- for the production of affordable housing. B would specifically protect critically needed health and human services through the establishment of a "baseline" budget the Mayor could not cut. And it would provide new public oversight on the spending of all affordable housing money.

Like a family that cares about it's future we must set aside what we need to keep us whole each year. Affordable housing keeps our civic family whole.

*The Campaign for a San Francisco Housing Fund*

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# B

# Establishing Affordable Housing Fund

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

Help End Homelessness-Vote Yes on Proposition B

Proposition B will help the City meet the goals of the Mayor's Ten-Year Plan to End Homelessness by increasing affordable housing. Vote YES on Proposition B!

*Central City Hospitality House  
Community Housing Partnership  
Episcopal Community Services*

The true source of funds for the printing fee of this argument is the SF Housing Fund.

The three largest contributors to the true source recipient committee are: 1. Chinatown Community Development Center, 2. Tenderloin Neighborhood Development Corporation, 3. Mercy Housing of California.

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Yes on Proposition B Means Health and Housing

Good public health starts with safe, decent, and affordable housing! Vote Yes on Proposition B!

*Bill Hirsh, AIDS Law Attorney*

The true source of funds for the printing fee of this argument is the SF Housing Fund.

The three largest contributors to the true source recipient committee are: 1. Chinatown Community Development Center, 2. Tenderloin Neighborhood Development Corporation, 3. Mercy Housing of California.

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Renters Need Affordable Housing

With for-profit evictions threatening renters in every district, we need to have a way to fund affordable housing programs. Proposition B will help our communities plan for our long-term affordable housing needs.

*Saint Peters Housing Committee  
SF Tenants Union  
Housing Rights Committee  
Dean Preston Tenants Together\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the SF Housing Fund.

The three largest contributors to the true source recipient committee are: 1. Chinatown Community Development Center, 2. Tenderloin Neighborhood Development Corporation, 3. Mercy Housing of California.

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Housing For Families

Working families need Proposition B. Thanks to sky rocketing housing costs, San Francisco is losing families. San Francisco has the smallest child population of any US city. This will result in thousands of new homes for working families. A vote for Proposition B is a vote for families.

*Bernal Heights Neighborhood Center  
South of Market Community Action Network  
John Avalos, Excelsior Resident  
Eric Quezada, Mission Community Activist*

The true source of funds for the printing fee of this argument is the SF Housing Fund.

The three largest contributors to the true source recipient committee are: 1. Chinatown Community Development Center, 2. Tenderloin Neighborhood Development Corporation, 3. Mercy Housing of California.

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### YES ON B: KEEP WORKING FAMILIES IN SF!

*Across San Francisco, parents and young people are coming together to volunteer thousands of hours to pass Prop B. Join us!*

**A REAL SOLUTION.** Everyone knows that low and moderate income families are being priced out of the city. SF now has the smallest child population of any city in the nation. Prop B, the SF Housing Fund, is finally a real solution – without raising taxes. Over the next 15 years, the measure will fund the construction of thousands of new units of housing for San Franciscans struggling to raise children here.

**FOR ALL KINDS OF FAMILIES.** Low and moderate income families will benefit. People like Monica, a San Francisco public school teacher raising a teenage son. Or Maritza and Jose, working minimum wage jobs at downtown restaurants with two young children. Or Elaine and Jason, artists and nonprofit managers who want to raise their newborn son in the city of their birth, get involved in their neighborhood, and invest in the city's future.

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# Establishing Affordable Housing Fund

# B

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

### **FINALLY MAKES FAMILY HOUSING A CITY PRIORITY**

The city builds more luxury housing than it needs every year. Most new housing being built are one-bedroom condos that are too pricey and too small to raise kids. Prop B helps reverse this trend, finally making *housing* for working families and struggling San Franciscans a city priority -- like the police, libraries and parks--with minimum funding every year. At least half of this new \$33 million set-aside in the city budget each year will be for family-sized housing of 2 bedrooms or more! And with the fair revenue measures on the ballot, vital services will be protected.

*Housing to Keep Families in San Francisco: Vote Yes on B!*

*Coleman Action Fund for Children*

The true source of funds for the printing fee of this argument is the Coleman Action Fund for Children.

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San Francisco, despite its density and transportation options, fails the smart growth test because of its inability to provide housing that is affordable to its middle and lower-income residents. This feeds suburban sprawl, as workers and their families search for affordable housing outside of San Francisco and end up as long-distance commuters.

Proposition B provides a continuous funding source that allows the City to address its affordable housing deficit. This is a reasonable, modest investment in the City's greatest need. **Please Vote Yes on B.**

*Sierra Club  
San Francisco Tomorrow*

The true sources of funds for the printing fee of this argument are the Sierra Club and SF Tomorrow.

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### **Funding Homes for ALL**

San Francisco's diversity is its strength, but without affordable housing, that diversity cannot survive. For decades young LGBT people have found a haven in San Francisco and in turn have contributed to the vitality of our city. Today skyrocketing rents threaten our community's future. Without this funding, our city will become ever more unaffordable to many who have so much to offer.

**Vote YES on B.**

*Harvey Milk LGBT Democratic Club*

The true source of funds for the printing fee of this argument is the Harvey Milk LGBT Democratic Club.

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# B

# Establishing Affordable Housing Fund

## PAID ARGUMENTS AGAINST PROPOSITION B

Prop B is an Affordable Housing Scam

The "affordable" housing the City develops often costs twice as much to build than the same housing built by the private sector. San Francisco needs affordable housing that is truly affordable and can't afford to line the pockets of the so-called "affordable" housing developers.

Vote No on Prop B

*Professional Property Management Association of San Francisco*

The true source of funds for the printing fee of this argument is the Professional Property Management Association of San Francisco.

Set Asides Put San Franciscans Aside

This set aside ballot measure takes funding away from programs that San Franciscans care about; programs for recreation, education and raising our young. Imagine going to the library and not having reading programs for our kids or visiting the park only to find the buffalo gone. That is what is at stake. Don't let our city go underfunded.

Vote No on B

*San Francisco Apartment Association*

The true source of funds for the printing fee of this argument is the San Francisco Apartment Association Political Action Committee.

Prop B is the Wrong Priority

San Francisco is laying off workers in order to balance its budget. Even while the City has severe financial troubles, some of our Supervisors want to require the City to spend tens of millions of dollars on "affordable" housing every year. This is fiscal lunacy. It will take away funds from **ALL** other discretionary programs - including health and social welfare - not to mention gravely needed street repairs and MUNI. Let's get our priorities straight.

Vote No On B

*Coalition for Better Housing*

The true source of funds for the printing fee of this argument is the CBH PAC.

It is bad public policy to spend billions of dollars of general fund money on housing that would exclude a pair of union security guards because **they make too much money to qualify**. The over \$2.7 billion set aside in this measure will mean less money for middle income housing, health care, and public safety. We support building housing for working families, but this measure is not the way to do it.

**VOTE NO on B.**

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

**San Francisco's Neighborhoods Oppose Prop B**

This set-aside measure would change the Charter to create both a new **cash fund** and a **guaranteed budget** that escalates *each year* for 15 years... supposedly for building affordable housing.

It siphons off our tax dollars from going to other deserving safety, public welfare and quality of life programs.

It hamstring our city budget!

The poorly written Charter revision would permit money to be spent in vague, contradictory ways, leading to possible abuses.

The measure **does not require** that even one new unit be built with its annual \$100,000,000.00+ budget for 15 years.

It provides for:

- **No** public accountability or citizen oversight of \$100 million/year!
- **No** performance standards to be met!
- **No** controls on wasteful spending!

**We support new affordable housing — but this dangerously expensive scheme does not deliver it!**

**Vote NO on Prop B!**

— *Coalition for San Francisco Neighborhoods*

The true source of funds for the printing fee of this argument is the Coalition for San Francisco Neighborhoods.

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# Establishing Affordable Housing Fund

# B

## PAID ARGUMENTS AGAINST PROPOSITION B

### VOTE NO ON B!

Supervisor Chris Daly's measure would mandate \$2.7 billion in spending on low-income housing, without any real help for middle class residents who are increasingly priced out of San Francisco - most teachers, police, firefighters and health care workers would not qualify for assistance. This huge low income housing mandate *will force budget cuts for parks, healthcare, education, public safety, street repairs and other priorities when we can least afford it!*

We need to make housing affordable for all San Franciscans - but a \$2.7 billion low-income housing straightjacket is not the way to do it.

Vote **NO** on B!!

*Plan C San Francisco*  
www.plancsf.org

The true sources of funds for the printing fee of this argument are Robert Gain and Michael Sullivan.

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### Ten Reasons to Vote No on Proposition B

1. Funds are needed to increase police presence in the neighborhoods;
2. Funds are needed to keep neighborhood fire stations open;
3. Funds are needed for San Francisco General to be able to offer a greater range of specialized health services to residents;
4. Funds are needed to give seniors increased access to care facilities;
5. Funds are needed for neighborhood libraries to acquire new books;
6. Funds are needed for schools to be able to increase the academic performance of their students;
7. Funds are needed to rebuild recreation and park facilities;
8. Funds are needed to improve MUNI;
9. Funds are needed to provide the homeless with increased access to support services; and
10. Funds are needed to repair the City's streets.

Proposition B, if passed by the voters, would mandate (in the City Charter) that every year tens of millions of dollars from the General Fund be spent on affordable housing. That funding mandate would take precedence over and be at the expense of almost all other vital public services receiving General Fund funding--regardless of the circumstances.

Proposition B establishes the wrong priorities. Vote NO on Proposition B.

*San Francisco Association of REALTORS*

The true source of funds for the printing fee of this argument is the San Francisco Association of REALTORS.

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### Don't Be Tricked by Proposition B

Proposition B, if passed by the voters, would require that tens of millions of dollars be set aside each year for "affordable housing" (in addition to the tens of millions of dollars already being spent) without creating a new source of funds for the set aside. Because Proposition B is a Charter Amendment, the City will be forced to give funding priority to affordable housing, regardless of the circumstances. Regardless of more pressing needs. Regardless of the state of the economy. Regardless of what other city programs and services have to be cut.

Proposition B is fiscally irresponsible because it creates a funding mandate without providing a new source of funds to pay for it. Proposition B will put other vital city programs and services at risk.

Don't be tricked by Proposition B. Vote NO on B.

*San Francisco Association of REALTORS*

The true source of funds for the printing fee of this argument is the San Francisco Association of REALTORS.

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The so-called "Affordable Housing Fund" and similar programs do not make living in San Francisco more affordable. Instead, they end up funding pet projects for individual Supervisors. This one will rob the General Fund of \$88 million, making tax increases or reductions in existing services inevitable.

No on B

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# B

# Establishing Affordable Housing Fund

## PAID ARGUMENTS AGAINST PROPOSITION B

*San Francisco Republican Party*

Endorsed Candidates

*Dana Walsh, Congressional District 8*

*Conchita Applegate, Assembly District 12\**

*Harmeet Dhillon, Assembly District 13*

*Mike DeNunzio, Supervisorial District 3*

Officers

*Howard Epstein, Chairman*

*Walter Armer, VC Political Affairs*

*Janet Campbell, VC - Special Events*

*Leo Lacayo,*

*Christopher L. Bowman, VC - Precinct Operations*

Members

12<sup>th</sup> Assembly District

*Michael Antonini*

*Stephanie Jeong*

*Barbara Kiley*

13<sup>th</sup> Assembly District

*John Brunello*

*Alisa Farenzena*

*Sue C. Woods*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the San Francisco Republican Party.

The three largest contributors to the true source recipient committee are: 1. DGF Y2K Special Purpose Trust, 2. PG&E, 3. CA. Republican Party.

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# Prohibiting City Employees from Serving on Charter Boards and Commissions



## PROPOSITION C

Shall the City prohibit City employees from serving on most Charter created boards and commissions?

YES ←  
NO ←

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The Charter does not generally prohibit City employees from serving on City boards and commissions created by the Charter. For some commissions, including the Retirement Board and the Health Service Board, the Charter requires that at least some members be City employees. For other commissions, including the Elections Task Force and the Public Utilities Rate Fairness Board, the Charter requires certain City officials or their representatives to serve in an official capacity.

**A “YES” VOTE MEANS:** If you vote "yes," you want to change the Charter to prohibit City employees from serving on most boards and commissions created by the Charter.

**A “NO” VOTE MEANS:** If you vote “no,” you do not want to make this change to the Charter.

**THE PROPOSAL:** Proposition C is a Charter Amendment that would prohibit current City employees from serving on most boards and commissions created by the Charter. This prohibition would not apply to citizen advisory committees, the Law Library Board of Trustees, the Arts Commission, the Asian Art Commission, the Fine Arts Museums Board of Trustees, the governing board of the War Memorial and Performing Arts Center, the Retirement Board and the Health Service Board.

Proposition C would permit City officers to serve on boards and commissions when the Charter requires their participation as part of their official duties.

## Controller’s Statement on “C”

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition C:

Should the proposed charter amendment be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The proposal would prohibit City employees from serving as members of most Charter boards and commissions. City staff from the appointing or confirming authority, such as the Mayor’s Office or the Board of Supervisors, would need to verify the employment status of candidates for board and commission seats prior to making nominations.

## How “C” Got on the Ballot

On July 16, 2008 the Board of Supervisors voted 9 to 2 to place Proposition C on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Chu, Daly, Elsbernd, McGoldrick, Mirkarimi, Peskin and Sandoval.

**No:** Supervisors Dufty and Maxwell.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 230.  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# Prohibiting City Employees from Serving on Charter Boards and Commissions

This disclaimer applies to the proponent’s argument on this page and the opponent's argument and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Alioto-Pier, Ammiano, Chu, Elsbernd, McGoldrick, Mirkarimi and Peskin; oppose the measure: Supervisor Dufty; take no position on the measure: Supervisors Daly, Maxwell and Sandoval.*

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION C

Prohibiting City employees from serving on City chartered commissions is simply an issue of good government. The issues that are faced and important votes that are cast on these commissions and boards can have a huge impact on the citizens of the City and County of San Francisco. San Franciscans need to be assured that the people representing them on these boards and commissions are as objective as possible and free from excessive influence.

A City employee serving as a commissioner or board member may be asked to vote on issues that concern the department or agency that they work for possibly clouding their judgement. Such a conflict can make it very difficult for them to make an unbiased decision. We should not put City employees in this extremely untenable position.

Also, City employees could use their potentially powerful positions on boards or commissions to advance themselves personally

at their place of work. This is an unfair advantage and a detriment to fellow employees and should not be permitted.

Proposition C will eliminate the potential for any conflict of interest relating to City employees and their service as voting members on these chartered commissions and boards. There must neither be nor appear to be any conflict of interest for our City employees.

We urge a “YES” vote on Proposition C.

*Supervisor Jake McGoldrick*

*Supervisor Chu*

*Supervisor Elsbernd*

*Supervisor Mirkarimi*

*Supervisor Peskin, President, Board of Supervisors*

## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION C

**NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION C WAS SUBMITTED**

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# Prohibiting City Employees from Serving on Charter Boards and Commissions



## OPPONENT'S ARGUMENT AGAINST PROPOSITION C

If this charter amendment is approved, a San Francisco fire-fighter, for example, may never serve on the Environment Commission.

How does this improve City government?

This is a solution in search of a problem. Please vote NO.

*Bevan Dufty*  
*Sophie Maxwell*

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION C

This measure is aimed at eliminating any potential conflict of interest in relation to City employees serving as members on City chartered boards and commissions. A City employee's vote could be influenced due to their position with their respected department. We want to make sure that our City employees are not put in these uncomfortable positions.

A City employee has direct contact with their department and possibly other City departments on a daily basis. Many of the decisions on these boards and commissions deal with issues that involve City departments. The judgement of a City employee serving on a City chartered board or commission would have a greater chance of being questioned due to their close involvement with their respected department or agency and the City family of employees.

When members of City chartered boards or commissions need an expert opinion from a City department in order to make a determination on an issue, they can request that a member of the appropriate department appear before them at a meeting. This will

help provide the necessary information to the voting body and aid them in making the tough and important decisions that there are tasked with.

Again, this is an issue of good government. With an adult population of over 600,000, there is no shortage of qualified, willing residents to serve as commissioners.

Vote "YES" on Proposition C.

*Supervisor Jake McGoldrick*  
*Supervisor Carmen Chu*  
*Supervisor Sean Elsbernd*  
*Supervisor Mirkarimi*  
*Supervisor Aaron Peskin, President, Board of Supervisors*

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# Prohibiting City Employees from Serving on Charter Boards and Commissions

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PAID ARGUMENTS IN FAVOR OF PROPOSITION C

**NO PAID ARGUMENTS IN FAVOR OF PROPOSITION C WERE SUBMITTED**

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PAID ARGUMENTS AGAINST PROPOSITION C

**NO PAID ARGUMENTS AGAINST PROPOSITION C WERE SUBMITTED**

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# Financing Pier 70 Waterfront District Development Plan upon Board of Supervisors' Approval



## PROPOSITION D

Shall the City provide funds to develop Pier 70, based on new City hotel and payroll expense tax revenues from the development, if the Board of Supervisors approves a financial and land use plan for Pier 70?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** Pier 70 is a 65-acre waterfront area in southeastern San Francisco. The Port of San Francisco (Port) is the City agency responsible for the City's waterfront, including Pier 70. The City holds the waterfront in public trust for the people of California. The City does not generally provide the Port with any City funds to pay for the Port's management of the waterfront.

As directed by the voters, the Port adopted a waterfront land use plan in 1997, including the development of a Pier 70 mixed-use area. Pier 70 is the West Coast's oldest continuously operating shipyard. Many of its buildings and structures are eligible for the National Register of Historic Places, but have deteriorated. The Port's 2007 capital plan seeks substantial investment in Pier 70.

Developing Pier 70 may require one or more long-term leases with private entities. The Charter requires the Board of Supervisors (Board) to approve Port leases, except for maritime uses, if they have a term of ten years or more or provide anticipated revenue of \$1 million or more.

The Charter also sets forth the priorities for the expenditure of Port revenues.

**THE PROPOSAL:** Proposition D is a Charter Amendment that would provide City funds to develop Pier 70 if the Board approves a financial and land use plan for Pier 70 (Pier 70 Plan).

The Pier 70 Plan would determine the geographic boundaries for development, improvements, and financing. At the time the plan is submitted, the City would calculate the amount of payroll tax revenues collected from the Pier 70 Plan area and estimate the new hotel and payroll tax revenues the City would collect over the next 20 years if the proposed development occurs. If the Board approves the Pier 70 Plan, the City would provide funds for historic preservation and the development of infrastructure such as parks and utilities in an amount up to 75% of projected new Pier 70 hotel and payroll tax revenues.

The Board's approval of the Pier 70 Plan would also authorize long-term Port leases in the area without any further Board approval.

The Mayor may also submit to the Board agreements to facilitate the transfer of funds between City agencies and the Port. If the Board approves such agreements, the City would be required to provide the necessary funding.

Proposition D would also change the priorities for the expenditure of Port revenues. It would clarify the use of revenues to pay for bonds and other indebtedness and allow revenues to be used to reconstruct or replace Port property, equipment and facilities.

**A "YES" VOTE MEANS:** If you vote "yes," you want to change the Charter to provide City funds to develop Pier 70 if the Board approves a financial and land use plan for Pier 70.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make this change to the Charter.

### Notice to Voters:

The "Controller's Statement" and "How 'D' Got on the Ballot" information on this measure appear on the opposite (facing) page.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 230.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# D

# Financing Pier 70 Waterfront District Development Plan upon Board of Supervisors' Approval

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## Controller's Statement on "D"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition D:

Should the proposed charter amendment be approved by the voters, in my opinion, it would in and of itself have a minimal direct impact on the cost of government. The amendment allows for creation of a development district and plan at Pier 70, a 65-acre site on the southern waterfront. A Pier 70 development plan will require significant expenditures by the Port, however, new and increased revenues resulting from the development, including property tax increment financing, lease revenues, and payroll and hotel tax increment financing would pay for these expenditures.

The Port currently projects that expenditures for infrastructure such as roads, utilities and repair of historic structures for the Pier 70 project would total approximately \$635 million in current dollars and would support approximately \$2.0 billion of private investment over a 15-20 year period.

The amendment provides that the Board of Supervisors can appropriate to the Port up to 75% of increased payroll and hotel tax revenues that are attributable to the Pier 70 development for a 20-year period. The remaining 25% of increased payroll and hotel tax revenues, as well as other increased tax revenues resulting from the development, would remain available for any public purpose. The Controller and the Tax Collector would determine the base tax revenue amounts and the projected incremental tax revenue amounts resulting from the development.

## How "D" Got on the Ballot

On July 22, 2008 the Board of Supervisors voted 11 to 0 to place Proposition D on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

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**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

**ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THE FACING PAGE. THE FULL TEXT BEGINS ON PAGE 230. SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.**



# D

## Financing Pier 70 Waterfront District Development Plan upon Board of Supervisors' Approval

This disclaimer applies to the proponent's argument on this page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure:* Supervisors Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D

#### Historic Pier 70

Pier 70 is a 65-acre brownfields site on San Francisco's Central Waterfront. For 150 years, this site has been used for shipbuilding and repair. Pier 70 is poised to become one of the City's most unique new neighborhoods, preserving the history that helped make San Francisco a world-class waterfront city.

The Port owns the largest floating drydock on the West Coast. The Port's ship repair operation occupies a 16-acre portion of Pier 70. This Port tenant provides hundreds of high-paying skilled jobs.

The California Office of Historic Preservation determined that Pier 70 has 40 historic structures eligible for listing on the National Register of Historic Places. Many Pier 70 historic resources, including the Union Iron Works Building, are condemned. Without new funding, these resources could be lost forever.

Proposition D provides the Port Commission, the Mayor and the Board of Supervisors with tools to promote adaptive reuse of Pier 70, while preserving existing ship repair operations:

An **option** for the Board of Supervisors to approve a Pier 70 land use and financial plan, developed through a two year community planning process;

An **optional** new financing tool to pay for public improvements to Pier 70 such as:

- waterfront parks,
- environmental remediation,
- historic rehabilitation of Pier 70 buildings,
- solar panels, rainwater recycling, and natural stormwater management, and
- maritime terminals

These improvements will be paid for by existing City revenues and will be offset by future tax receipts generated by the development of Pier 70.

As we have seen in the northern waterfront, visitors and residents love the San Francisco Bay shoreline. It's time to extend this experience to the Port's southern waterfront.

A great waterfront makes a great city. Please vote yes on Proposition D.

Supervisors,  
*Sophenia Maxwell\**,  
*Tom Ammiano\**,  
*Michela Alioto-Pier\**,  
*Bevan Dufty\**,  
*Kimberly Brandon*, Port Commission President

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D

**NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D WAS SUBMITTED**

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# Financing Pier 70 Waterfront District Development Plan upon Board of Supervisors' Approval

**D**

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OPPONENT'S ARGUMENT AGAINST PROPOSITION D

NO OPPONENT'S ARGUMENT AGAINST PROPOSITION D WAS SUBMITTED

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REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION D

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION D WAS SUBMITTED

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# D

# Financing Pier 70 Waterfront District Development Plan upon Board of Supervisors' Approval

## PAID ARGUMENTS IN FAVOR OF PROPOSITION D

Save our historic waterfront - **Vote YES on D.**

For 150 years Pier 70 south of the ballpark has been the center of our ship building industry. However, dozens of acres of historic buildings sit empty because the restoration and environmental clean-up costs are too great for either the Port or a private developer.

Your YES Vote on Proposition D will allow the Port, at no cost to taxpayers, to issue bonds for the restoration of Pier 70, paid for from lease revenues and business and hotel taxes generated from these historic properties.

Join business, labor and community groups in supporting this important historic preservation and economic development measure.

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

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### Save Pier 70, Yes On Proposition D

You can begin exploring Pier 70, most of which is currently closed to the public, by visiting [www.pier70sf.org](http://www.pier70sf.org) and [www.sfport.com/pier70](http://www.sfport.com/pier70). The Port is undertaking a two-year community master planning effort to create a unique new San Francisco neighborhood at Pier 70. The plan includes:

**Maritime:** Pier 70 has been used for shipbuilding and repair since the mid 1800's; the plan calls for retaining current shipyard operations on approximately 25% of the site.

**Parks:** The Pier 70 plan calls for up to 20-acres of open space including two significant shoreline open spaces along the Blue Greenway and Bay Trail, providing new open space and Bay access for the City.

**Historic Preservation:** Pier 70 contains the most significant intact industrial complex west of the Mississippi, with buildings such as the Union Iron Works Machine Shop and the Bethlehem Steel Administration Building. Pier 70 is a national treasure worth preserving.

**Culture:** Pier 70's historic resources, continued ship repair and open space opportunities will create a destination for a broad range of cultural activities that will enliven Pier 70 and the neighboring community.

**Jobs:** The plan will provide up to 8,000 new jobs along San Francisco's waterfront.

**Bay:** The restoration and adaptive reuse of Pier 70 will become an exciting new San Francisco neighborhood at the foot of Potrero Hill, another location where we can enjoy the beauty of San Francisco Bay.

**Join us in supporting Proposition D to make Pier 70 a reality!**

*Neighborhood Parks Council  
San Francisco Democratic Party  
San Francisco Republican Party  
San Francisco Chamber of Commerce  
San Francisco Labor Council  
San Francisco Architectural Heritage  
San Francisco Planning and Urban Research  
San Francisco Tomorrow  
San Francisco League of Conservation Voters  
Potrero Boosters Neighborhood Association  
Dogpatch Neighborhood Association  
Pier 70 SF.org  
Green Trust SF*

The true source of funds for the printing fee of this argument is the San Francisco League of Conservation Voters.

The three largest contributors to the true source recipient committee are: 1. SPUR Urban Issues, 2. San Francisco League of Conservation Voters, 3. Susan Eslick Designs.

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# Financing Pier 70 Waterfront District Development Plan upon Board of Supervisors' Approval

**D**

PAID ARGUMENTS AGAINST PROPOSITION D

NO PAID ARGUMENTS AGAINST PROPOSITION D WERE SUBMITTED

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# Changing the Number of Signatures Required to Recall City Officials



## PROPOSITION E

Shall the City adopt state law signature requirements for petitions to recall City officials?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The Charter allows voters to recall elected City officials, including members of the Board of Supervisors, before their terms end. Voters may also recall the City Administrator, Controller, and members of certain boards and commissions.

To recall an official, signatures must first be collected on a recall petition. For recall of an official holding City-wide office, the Charter requires that the petition be signed by at least 10% of the City's registered voters. For a recall of a member of the Board of Supervisors, the petition must be signed by 10% of the registered voters in the supervisor's district.

The Charter provides for an election to recall an official when the Director of Elections receives a recall petition with a sufficient number of signatures. The election must take place within 120 days.

**THE PROPOSAL:** Proposition E is a Charter Amendment that would adopt the signature requirements set by state law to recall an official.

State law establishes a sliding scale for the number of signatures required based on the total number of registered voters. Under this scale, the number of signatures required on a recall petition for a City-wide office holder would continue to be 10% of City registered voters.

Adopting the state law scale would increase the number of signatures required to recall a supervisor. Most supervisorial districts have at least 10,000 but fewer than 50,000 registered voters. For a district of this size, state law requires signatures from 20% of the district's registered voters. One district, District 8, currently has more than 50,000 registered voters. For a district of this size, state law requires signatures from 15% of the district's registered voters.

Under Proposition E, if the state law requirements for signatures for recall elections change, the signature requirements for the recall of City officers would also change.

**A "YES" VOTE MEANS:** If you vote "yes," you want to change the Charter to adopt the state law signature requirements for recall petitions.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make these changes to the Charter.

## Controller's Statement on "E"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition E:

Should the proposed charter amendment be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The proposal would increase the number of signatures required for recall of a member of the Board of Supervisors from ten percent of the registered voters of a district to twenty percent. The Department of Elections validates petition signatures by randomly sampling 500 signatures as allowed by state election law. An increase in the number of required signatures will not change this sample size and will not increase the cost of petition validation. In the event that a petition's signatures cannot be sufficiently validated through random sampling, a complete review of all signatures is required. The Department of Elections estimates that the cost of a complete review in this instance would not be significant.

## How "E" Got on the Ballot

On July 16, 2008 the Board of Supervisors voted 7 to 4 to place Proposition E on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick and Mirkarimi.

**No:** Supervisors Chu, Elsbernd, Peskin and Sandoval.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 232.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# Changing the Number of Signatures Required to Recall City Officials

This disclaimer applies to the proponent’s argument on this page and the opponent's argument and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick and Mirkarimi; oppose the measure: Supervisors Chu, Elsbernd and Sandoval; take no position on the measure: Supervisor Peskin.*

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION E

Prop E will reform the outdated City and County of San Francisco’s recall signature requirements for any elected official by adopting the state law that applies to other chartered counties.

Currently, the recall of any elected city official, the City Administrator, the Controller, members of the Board of Education, the governing board of the community College District, the Ethics Commission, or the Public Utilities Commission, can be placed on the ballot with the signatures of ten percent of the registered voters within that jurisdiction, whether it be city-wide or by district.

Prop E will change the flat rate of signatures required to the more dynamic state model, which relies on the population of each jurisdiction to determine the number of signatures needed.

The majority of chartered California counties apply the state standard, including Orange County, Los Angeles, Santa Clara, San Bernadino and San Diego.

This measure does not eliminate the ability of San Francisco voters to recall an elected official due to malfeasance, misfeasance or nonfeasance.

This measure will reduce the number of frivolous recall attempts based on merely due to policy disagreements.

State law simply mandates that if registration is less than 1000, 30% of signatures are required; between 1000-10,000 registered voters, 25% signatures are required; between 10,000 and 50,000, 20% are required; 50,000 to 100,000 requires 15%; and more than 100,000 requires 10%. Most Supervisorial districts have less than 50,000; one has a more than 50,000.

The current San Francisco requirement of 10% is absolutely too low a threshold. It has been ripe for abuse.

Vote Yes for Prop E.

- Supervisor Jake McGoldrick*
- Supervisor Tom Ammiano*
- Supervisor Chris Daly*
- Supervisor Bevan Dufty*
- Supervisor Sophie Maxwell*
- Supervisor Ross Mirkarimi*

## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION E

**NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION E WAS SUBMITTED**

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# Changing the Number of Signatures Required to Recall City Officials



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## OPPONENT'S ARGUMENT AGAINST PROPOSITION E

**Measure E is a solution in search of a problem.**

Raising the recall petition threshold is unnecessary because the law we have in place suffices: over the past 8 years, all 3 attempts to recall an elected official have failed.

**Citizens have the right to oust an elected official who has failed to live up to the public's expectations. Do not make this right more difficult. Vote No on E!**

*Sean R. Elsbernd*, Supervisor District 7  
*Carmen Chu*, Supervisor District 4  
*Gerardo Sandoval*, Supervisor District 11

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION E

Opponents argue that Prop E is not needed, as the ten percent requirement serves as a check for elected officials in San Francisco.

The ten percent requirement is too low a threshold, especially for a district that has a small population. The flat rate of ten percent is ripe for abuse by small special interest groups, who often initiate a recall based on one or two policy disagreements.

Prop E would base the signature requirement on the state model, as most chartered counties in California have done. The dynamic state model would establish the number of signatures required for a recall on the size of the population of each jurisdiction.

Prop E would not eliminate the ability to recall an elected official. It would however decrease the abuse that currently marks the recall efforts.

Vote yes on Prop E.

*Supervisor Jake McGoldrick*  
*Supervisor Tom Ammiano*  
*Supervisor Chris Daly*  
*Supervisor Bevan Dufty*  
*Supervisor Sophie Maxwell*  
*Supervisor Ross Mirkarimi*

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# E

## Changing the Number of Signatures Required to Recall City Officials

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PAID ARGUMENTS IN FAVOR OF PROPOSITION E

NO PAID ARGUMENTS IN FAVOR OF PROPOSITION E WERE SUBMITTED

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PAID ARGUMENTS AGAINST PROPOSITION E

NO PAID ARGUMENTS AGAINST PROPOSITION E WERE SUBMITTED

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# Holding All Scheduled City Elections Only in Even-Numbered Years



## PROPOSITION F

Shall the City shift all City elections except special elections to even-numbered years after the November 2011 election?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The Charter provides for the election of some City officers in odd-numbered years and others in even-numbered years. The City elects the Mayor, Sheriff, District Attorney, City Attorney and Treasurer in odd-numbered years. Persons elected to these offices serve four-year terms. The City last held an election for Mayor, Sheriff and District Attorney in 2007. The next election for these three offices will be in 2011. The City last held an election for City Attorney and Treasurer in 2005. The next election for these two offices will be in 2009.

The City elects the Assessor-Recorder, Public Defender, Board of Supervisors members, School Board members, and Community College Board members in even-numbered years. Election of offices to the State or Federal Government also occur in even-numbered years under State and Federal law.

The Charter requires the City to hold special elections under certain circumstances. Special elections may be called by the Board of Supervisors, required by an initiative, referendum or recall petition, or required by the State.

The Charter establishes limits of two successive 4-year terms for the Mayor and members of the Board of Supervisors. Any partial term of two or more years counts as a full term.

**THE PROPOSAL:** Proposition F is a Charter Amendment that would shift all City elections except special elections to even-numbered years after the November 2011 election. The result of this would mean shifting elections for Mayor, Sheriff, District Attorney, City Attorney and Treasurer to even-numbered years.

Proposition F would allow the persons elected to the offices of City Attorney and Treasurer in 2009 to serve five-year terms. The City would next hold an election for these offices in 2014. After 2014, the City would hold elections for these offices every four years.

The persons elected to the offices of Mayor, Sheriff and District Attorney in 2011 would serve five-year terms. The City would next hold an election for these offices in 2016. After 2016, the City would hold elections for these offices every four years.

**A "YES" VOTE MEANS:** If you vote "yes," you want to change the Charter to shift all City elections except special elections to even-numbered years after the November 2011 election.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make this change to the Charter.

## Controller's Statement on "F"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition F:

Should the proposed charter amendment be approved by the voters, in my opinion, it would decrease the cost of government by a minimum of \$3.7 million over two years by consolidating elections and eliminating municipal elections in odd-numbered years. However, these savings would be reduced or eliminated if a special election is required in an odd-numbered year.

Under the amendment, there would be no further elections in odd-numbered years after November 2011 in San Francisco unless a special election is called. The amendment provides that the Mayor, Sheriff and District Attorney who are elected in November 2011 would serve five-year terms, moving the subsequent election for these offices to November 2016. The City Attorney and Treasurer who are elected in November 2009 would serve five-year terms, moving the subsequent elections for these offices to November 2014.

These changes would save the City approximately \$4.8 million for the cost of running general municipal elections in odd-numbered years, offset by approximately \$1.1 million for the cost of printing ballot cards and other materials that would be shifted from one year to the next, for a net savings of \$3.7 million over two years beginning in Fiscal Year 2013-2014.

## How "F" Got on the Ballot

On July 22, 2008 the Board of Supervisors voted 6 to 5 to place Proposition F on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Daly, Dufty, Maxwell, McGoldrick, Peskin and Sandoval.

**No:** Supervisors Alioto-Pier, Ammiano, Chu, Elsbernd and Mirkarimi.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 232.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# F

## Holding All Scheduled City Elections Only in Even-Numbered Years

This disclaimer applies to the proponent's argument and the rebuttal to the proponent's argument on this page and the opponent's argument and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, McGoldrick, Peskin and Sandoval; oppose the measure: Supervisors Alioto-Pier, Chu, Elsbernd and Mirkarimi; take no position on the measure: Supervisor Maxwell.*

### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION F

For voters, the sheer number of elections in San Francisco is almost overwhelming. Over the last forty years, there have been up to three elections a year. Voter fatigue is apparent when you take a look at the numbers.

On average over the last 40 years, only 40% of registered voters cast ballots in municipal elections in odd-numbered years. On the other hand, in even-year elections, 70.45% of voters on average turn out to vote for the president; 61.35% of voters on average turn out to vote for governor.

Currently, the city holds municipal elections for the Offices of the Mayor, Sheriff, District Attorney, City Attorney and Treasurer in odd-numbered years, while holding general elections that include the offices of California State Governor and President of the United States in the even-numbered years.

By combining odd-year and even-year elections, Prop F will ensure that a much larger, more vibrant and more diverse body of voters will choose San Francisco's leaders and make decisions on policy that affect every resident. Combining the election cycles will increase civic participation, prevent voter burnout, and give a voice to more San Franciscans.

The numbers don't lie: The turnout in the November 2007 election was the lowest ever – 35%. That means a very low number of voters in San Francisco choose the elected officials who hold the offices of Mayor, Sheriff, and District Attorney.

When a minority of the voters elects the leaders, democracy is not working.

Additionally, this measure will save the city millions of dollars, more than \$3 million every two years when elections are combined.

A healthier voter turnout means a healthier democracy.

Yes on Prop F.

*Supervisor Jake McGoldrick  
Supervisor Aaron Peskin, President  
Supervisor Chris Daly  
Supervisor Bevan Dufty  
Supervisor Sophie Maxwell  
Supervisor Gerardo Sandoval*

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION F

**Voter turnout is NOT the only measure of "healthy democracy," and mixing our local contests into the shuffle of a huge federal election DECREASES citizen participation in local contests.**

Picture mayoral candidate forums as we know them: numerous, well-attended, vocal, they allow the incoming officeholder to know the needs and priorities of real San Franciscans. Now picture mayoral forums in a year with a Presidential election: forums would be fewer, less attended, and the exchange between citizens and leaders would dwindle. Grassroots campaigns would suffer because local candidates would have to fight for airtime with Presidential and state candidates.

Picture the op-ed pages of area newspapers and blogs. In an odd-year, local outlets cover local issues, increasing participation in democracy. In a Presidential year, media focus is necessarily on national issues.

Healthier democracy? Hardly.

Lastly, Measure F would NOT save \$3M per biennium. \$3M is the total cost of an election, and much of that would get **shifted** to the even-year elections, not saved. Two significant costs of elections are ballot cards and printing costs/postage for the voter pamphlet—and both will cost more if we combine our elections. Moreover, there **WILL** be special elections in odd-numbered years, as we have an active citizenry and Board of Supervisors that knows how to get measures on the ballot. Special elections are costly: \$3M in savings is an illusion.

**Ensure citizen participation in local elections continues. Vote No on F!**

*Supervisor Elsbernd  
Supervisor Alioto-Pier  
Supervisor Chu*

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# Holding All Scheduled City Elections Only in Even-Numbered Years



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## OPPONENT'S ARGUMENT AGAINST PROPOSITION F

**Measure F prevents San Franciscans from focusing on local issues and risks damaging Elections Department operations.**

San Franciscans currently have the unique opportunity to focus on City candidates and local ballot measures in off-year elections. Although voter turnout is lower, public knowledge of candidates is greater and input into city elections is higher when local campaigns are not forced to compete with state and federal candidates and measures for the attention of community forums, neighborhood organizations, and the media. As an example, if the mayoral election coincided with the presidential, a significant loss of voter focus and attention on our City's future would result. Citizen involvement, grassroots work and diverse voices would all suffer.

Additionally, long lapses between elections would irreparably damage the Elections Department. We now have a Department that conducts elections efficiently and equitably. Effective elections rely on a competent workforce—specifically, the ability to re-hire trained temporary workers when necessary— which becomes difficult, if not impossible, with elections that are up to two years apart. If Measure F passes, skilled workers will be lost, and the Department will be forced to hire dozens of unskilled temporary workers for sensitive, important work: long layoffs between elections will ruin the readiness and human capital in a reliable Department.

**Protect San Franciscans right to have their voices heard on local elections and ensure our Elections Department can continue to serve the public well.**

**Vote No on F!**

*Sean Elsbernd*, Supervisor District 7

*Michela Alioto-Pier*, Supervisor District 2

*Carmen Chu*, Supervisor District 4

*Ross Mirkarimi*, Supervisor District 5

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION F

Opponents' arguments against Prop F do not stand up to scrutiny.

Opponents' arguments ignore the fact that only **35%** of San Francisco voters showed up to “focus” on the last municipal election (November 2007). **The leaders of San Francisco were chosen by 35% of registered San Franciscans.**

We believe in a majoritarian democratic process. Prop F will ensure that local, statewide and national candidates ALL receive the greatest exposure to voters.

Opponents' arguments that the change will destroy Elections Department operations make even less sense. There is no evidence, anecdotal or otherwise, that operations will not carry on in the same efficient manner. In fact, the very idea that a department can't train temporary workers every two years instead of one is laughable at best.

The cost savings are not minimal, but millions every year without an election. Some opponents argue that there may need to be costly special elections in years without elections. In 2008, San Francisco held regular elections in February and June, and still needed to hold a special election in April. Special elections are rare, and will happen if needed, regardless of the number of elections in a year.

The arguments against Prop F are ignoring the facts. Combining the election cycles will increase civic participation, prevent voter burnout, and give a voice to more San Franciscans.

Vote Yes on Prop F.

*Supervisor Jake McGoldrick*

*Supervisor Aaron Peskin*

*Supervisor Chris Daly*

*Supervisor Bevan Dufty*

*Supervisor Sophie Maxwell*

*Supervisor Gerardo Sandoval*

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**F**

# Holding All Scheduled City Elections Only in Even-Numbered Years

## PAID ARGUMENTS IN FAVOR OF PROPOSITION F

NO PAID ARGUMENTS IN FAVOR OF PROPOSITION F WERE SUBMITTED

### PAID ARGUMENTS AGAINST PROPOSITION F

Protect your right to the ballot box - **Vote NO on F.**

Think about all the mail you received this election and the size of this voter pamphlet. Do you think we should add the Mayor's race on top of that, and would that help inform your choice for the City's most important job? No major city in America schedules its mayor's race to compete for voter attention with a presidential election. Let's not start now.

Vote NO on F.

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

Most major American cities, including San Francisco, hold elections for Mayor in odd numbered years to give proper attention to that important office. Candidates for Mayor would have to compete for voter attention with candidates for President, U.S. Senator, or Governor – to the detriment of the candidates and voters alike.

There is no reason to change this system. Vote No on F.

*Citizens for a Better San Francisco*

(For more information, please visit [www.CBSF.net](http://www.CBSF.net).)

*Edward Poole*

*Michael Antonini*

*Harmeet Dhillon*

The true source of funds for the printing fee of this argument is Citizens for a Better San Francisco.

The three largest contributors to the true source recipient committee are: 1. Charles Munger Jr., 2. Edward Poole, 3. PG&E.

Proposition F Will Reduce Your Voice in the Operation of Government

San Francisco is known throughout the world for its political activism. Everyone has a voice. This November, 22 measures will appear on the municipal ballot. Some qualified for the ballot through the initiative process, others were put on the ballot by the supervisors, and still others were added by the mayor. But in every case, the purpose is the same--to give voters a chance to decide vital public issues.

Proposition F would consolidate San Francisco's municipal elections and extend up to 19 months the time before voters can vote on issues of vital importance to the City and its residents.

Vote NO on Proposition F.

*San Francisco Association of REALTORS*

The true source of funds for the printing fee of this argument is the San Francisco Association of REALTORS.

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# Allowing Retirement System Credit for Unpaid Parental Leave



## PROPOSITION G

Shall the City allow City employees to purchase retirement system credit for unpaid parental leave taken before July 1, 2003, as long as the purchase price covers all City costs?

YES ←   
NO ←

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The San Francisco Employees' Retirement System (SFERS) provides retirement benefits for retired City employees. SFERS determines retirement benefits by multiplying a retired employee's highest annual City salary by an age factor for each year of service. Service time includes periods when an employee is working and periods of paid leave. When calculating years of service for retirement benefits, SFERS excludes periods of unpaid leave, including unpaid parental leave.

Before July 1, 2003, the City did not provide paid parental leave to any of its employees. After July 1, 2003, a Charter Amendment passed by the voters provided City employees with paid parental leave of up to 16 weeks.

**THE PROPOSAL:** Proposition G would amend the Charter to allow employees to purchase service credit for periods of unpaid parental leave taken before July 1, 2003, and have such credit count towards their service time when SFERS calculates their retirement benefits.

City employees who took unpaid parental leave before July 1, 2003 would be allowed to purchase credit for unpaid parental leave taken before that date. Employees would be eligible to pur-

chase this credit if they returned to work for the City for at least six months after the end of their unpaid parental leave. For each period of unpaid parental leave, employees would be required to purchase at least two months of credit, up to a maximum of four months. If they took less than two months of unpaid parental leave, they must purchase credit for the full period of the leave. Employees must purchase this credit before they retire.

SFERS would determine the cost to purchase service credit for unpaid parental leave so that the amount employees pay for the service credit covers all City costs.

**A "YES" VOTE MEANS:** If you vote "yes," you want to change the Charter to allow City employees to purchase retirement system credits for unpaid parental leave taken before July 1, 2003, as long as the purchase price determined by SFERS covers all City costs.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make this change to the Charter.

## Controller's Statement on "G"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition G:

Should the proposed charter amendment be approved by the voters, in my opinion, it would not increase the cost of government.

The amendment would allow City employees who are members of the Retirement System the opportunity to purchase retirement service credit for periods of unpaid time while they were on parental leave. The amendment specifies that the purchase of the service credit must be at no cost to the City and be entirely paid by the employee. The Retirement System's actuarial report on the amendment notes that the cost to the employee of this type of service credit is likely to be significant—in the range of 20% of an employee's current pay per year of credit.

## How "G" Got on the Ballot

On July 22, 2008 the Board of Supervisors voted 9 to 2 to place Proposition G on the ballot.

The Supervisors voted as follows:  
**Yes:** Supervisors Alioto-Pier, Ammiano, Chu, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi and Sandoval.  
**No:** Supervisors Elsbernd and Peskin.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 233.  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# G

## Allowing Retirement System Credit for Unpaid Parental Leave

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### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION G

In 2003, our City's charter was amended to provide paid parental leave for City employees. As the amendment was written, employees who took parental leave before the amendment was passed were ineligible to earn retirement credits for their unpaid time off.

*Supervisor Alioto-Pier  
Supervisor Ammiano  
Supervisor Chu  
Supervisor Dufty  
Supervisor Maxwell  
Supervisor McGoldrick  
Supervisor Mirkarimi*

This charter amendment is a solution for City employees who started their families prior to July 1, 2003. These employees will have the opportunity to buy back unpaid parental leave time and earn retirement credits for that time period. This charter amendment makes sure ALL San Francisco employees benefit from the 2003 charter amendment, regardless of when they chose to build a family.

Proposition G has **NO** cost to the taxpayers and applies to both male and female employees. It is a solution that benefits everyone.

Join us in voting YES on Proposition G to bring fairness and equality to our City employees.

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### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION G

The City frequently changes the benefits that it offers to its employees. If the City intended to extend the July 1, 2003 paid parental leave benefits to employees who had taken unpaid parental leave prior to July 1, 2003, the City would have specifically provided for the retroactive application of the paid parental leave charter amendment. It is inappropriate to use an amendment to the City's pension plan to provide retroactive pension entitlements that did not exist before the City improved the parental leave benefits for its employees.

**Do not open the door to relying on the City's pension plan to solve problems created by changes in City personnel policies. Vote NO on Proposition G.**

*Aaron Peskin, President, Board of Supervisors  
Sean R. Elsbernd, Supervisor District 7*

Proposition G looks to the City's pension plan to remedy a problem created by a change in the City's personnel policies. It also promises that there will be no additional pension cost passed on to the City as a result of the proposed pension changes. The City's retirement board cannot guarantee that the Proposition G benefit changes will not cost the City money over the long term.

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# Allowing Retirement System Credit for Unpaid Parental Leave



## OPPONENT'S ARGUMENT AGAINST PROPOSITION G

Proposition G would fundamentally change an underlying premise of the City's retirement plan – that City employees earn retirement credit based on the employees' paid service to the City. This measure creates the first circumstance under the City's retirement plan where an employee could purchase time not actually worked as service for retirement purposes.

*Aaron Peskin, President, Board of Supervisors  
Sean R. Elsbernd, Supervisor District 7*

Further, the use of the City's retirement plan to cure a perceived disparity created by the City's personnel policies is a misuse of the retirement trust. The City frequently changes or improves benefits available to its employees. This proposal creates a precedent whereby the voters could be asked to remedy a disparity in benefits that result from future changes to employee benefits by again requiring the City's retirement plan to retroactively recognize pension entitlements that did not exist before the change in employee benefits.

The concept of "no cost to the City" is a fiction. If this proposal is approved, the retirement board cannot guarantee that over time there will be no additional cost passed on to the City as a result of these purchases, even though the retirement board will make every effort to establish the cost to purchase these periods of unpaid parental leave using sound actuarial methods.

**Do not undermine the integrity of the City's retirement plan by using it to remedy problems created by changes in the City's personnel policy. Vote NO on G.**

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION G

Working mothers are a majority in the United States, with nearly two-thirds of women back on the job by their child's first birthday. Yet we still have not caught up to support the unprecedented diversity of roles modern women take on in a single day.

The "disparity" that the opponents refer to as "perceived" is absolutely real. As a working mother, I cheered when the 2002 voter mandate repaired the inequity in our City's retirement plan, only to find that some working families had been left out.

Proposition G does not represent the first time our City has honored those who serve their communities by allowing them to buy back time. When San Franciscans leave for the military, we rightfully allow them to purchase time back towards their retirement.

**Having a baby and starting a family is no less noble. We will not have real equality until a woman's retirement is not jeopardized by pregnancy.**

Regardless of what Proposition G's opponents may claim, Proposition G specifically amends the City's charter to state that only when "all costs are received by the Retirement System" from the employee will retirement credit be awarded.

**Proposition G sets no new precedent, costs taxpayers NOTHING and provides working families with the retirement equity they deserve.**

Just like the University of California and the California Public Employees' retirement programs, **Proposition G repairs this gap in our City's retirement policy WITHOUT additional cost to taxpayers.**

Support working mothers, fathers and families. **YES on Proposition G.**

*Supervisor Alioto-Pier*

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# Allowing Retirement System Credit for Unpaid Parental Leave

## PAID ARGUMENTS IN FAVOR OF PROPOSITION G

In 2003, our City Charter was amended to allow Police, Firefighters, and other City workers to take 4 months of paid Parental Leave, without losing retirement or other benefits.

Unfortunately, workers who took unpaid Parental Leave before the Amendment was enacted lost retirement credit during their leave. This is simply not fair to those who work so hard to protect our communities. The proposed Amendment allows City workers to buy back these retirement credits.

This measure will cost the City nothing, will put fairness back into our leave system and will honor our most dedicated public servants. **Please Vote Yes on Proposition G.**

*Heather Fong*, Chief of Police\*  
*Joanne Hayes-White*, Firechief\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true sources of funds for the printing fee of this argument are Belinda Kerr and Leanna M. Dawydiak.

Proposition G is pro-family and fair for all. Prior to 07/01/2003, when the voters passed the Paid Family Leave Charter Amendment, City workers, both women and men, had to give up pay and benefits to care for their newborn and newly adopted babies.

This proposition would allow City workers to buy back (at their own expense) some of their missed retirement benefits. Currently, City workers do not lose retirement benefits while on Paid Parental Leave.

Proposition G is a fiscally responsible resolution to an oversight created by the 2003 Charter Amendment. It creates **No New Cost For Taxpayers** and allows City employees to not lose retirement benefits.

Proposition G just makes sense. **Vote Yes on Proposition G.**

*San Francisco Police Officers' Association*  
*Service Employees International Union 1021*  
*San Francisco Democratic Party*  
*San Francisco Chamber of Commerce*  
*San Francisco Republican Party*  
*San Francisco Firefighters 798*

The true sources of funds for the printing fee of this argument are Belinda Kerr and Leanna M. Dawydiak.

## PAID ARGUMENTS AGAINST PROPOSITION G

**NO PAID ARGUMENTS AGAINST PROPOSITION G WERE SUBMITTED**

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities



## PROPOSITION H

Shall the City: evaluate making the City the primary provider of electric power in San Francisco; consider options to provide energy to San Francisco residents, businesses and City departments; mandate deadlines for the City to meet its energy needs through clean and renewable energy sources; establish a new Office of the Independent Ratepayer Advocate to make recommendations about utility rates to the City's Public Utilities Commission; and allow the Board of Supervisors to approve the issuance of revenue bonds to pay for any public utility facilities without voter approval?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City generates hydroelectric power at its Hetch Hetchy facilities in Tuolumne County. The City uses this power to meet its municipal electric power needs, including MUNI and the airport, and those of other public entities, such as the San Francisco Unified School District. The City sells some Hetch Hetchy electric power to the Modesto and Turlock irrigation districts. The City generally does not sell electric power to San Francisco residents and businesses.

The City's Public Utilities Commission (PUC) operates the City's electric power and water utilities. A state-regulated private company, the Pacific Gas & Electric Company (PG&E), is the primary provider of electric power to San Francisco residents and businesses.

Generally, voter approval is required before a City agency can issue a revenue bond. However, there are some exceptions.

**THE PROPOSAL:** Proposition H is a Charter Amendment that would:

- require the PUC to evaluate making the City the primary provider of electric power in San Francisco, including a comprehensive study of options for providing clean, secure, cost-effective electricity;
- mandate deadlines for the City to meet its energy needs through clean, renewable power sources; and
- allow the Board of Supervisors to approve the issuance of revenue bonds to pay for any public utility facilities without voter approval.

Proposition H would require the PUC to study:

- Various ways of transmitting Hetch Hetchy electric power to the City,
- Electric power transmission and distribution needs in the City,
- Resources needed to meet the demand for electric power in the City,
- Cost-effective options to reduce and off-set greenhouse gas emissions, and
- Costs and benefits of making the City the primary provider of electric power in San Francisco.

The study would also include a workforce development plan to train and place individuals in jobs related to operating or expanding PUC facilities.

The draft study would be reviewed by independent experts and subject to public hearing. The final draft of the study, with recommendations, would be considered by the Board of Supervisors. If the Board found that public interest demands it, Proposition H would require the Board to direct the PUC to immediately prepare a plan to acquire, construct or complete the electric system that serves the City.

Proposition H would require the PUC to rely on energy efficiency and clean and renewable energy sources, excluding nuclear power, to meet the electricity demand of customers served by the City.

Proposition H would mandate deadlines for the City to meet the following energy needs through the use of clean electric power sources:

- By 2012, at least 107 megawatts
- By 2017, at least 51% of the City's electricity needs
- By 2030, at least 75% of the City's electricity needs
- By 2040, 100% or the greatest possible amount of the City's electricity needs

Proposition H would require that every two years the PUC file a report with the Board of Supervisors describing its efforts to meet these clean energy requirements. The Board of Supervisors could modify these requirements by a 2/3 vote if it found the change serves the public interest.

Proposition H would create an Office of the Independent Ratepayer Advocate to make recommendations about utility rates to the City's PUC. The City Administrator would appoint the Independent Ratepayer Advocate, whose office would have the same powers and duties as the Office of the Independent Ratepayer Advocate described in Proposition I. However, Proposition H would make the appointment and removal of the Independent Ratepayer Advocate subject to Board of Supervisors' approval.

Proposition H would create a new exception to the voter-approval requirement for the issuance of revenue bonds. This exception would allow the Board of Supervisors to approve the issuance of revenue bonds to pay for public utility facilities, not limited to electricity facilities, without voter approval.

**A "YES" VOTE MEANS:** If you vote "yes," you want to change the Charter to require the City to:

- evaluate making the City the primary provider of electric power in San Francisco, including a comprehensive study of options for providing clean, secure, cost-effective electricity;
- consider options to provide energy to San Francisco residents, businesses and City departments;
- meet certain deadlines for serving energy needs through clean power sources;
- establish a new Office of the Independent Ratepayer Advocate to make recommendations about utility rates to the City's PUC; and
- allow the Board of Supervisors to approve the issuance of revenue bonds to pay for any public utility facilities without voter approval.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make these changes to the Charter.

### Notice to Voters:

The "Controller's Statement" and "How 'H' Got on the Ballot" information on this measure appear on the opposite (facing) page.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 245.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities

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## Controller's Statement on "H"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition H:

Should the proposed Charter amendment be adopted, in my opinion, there could be costs and benefits to the City and County. The costs and benefits would vary widely depending on how the Public Utilities Commission (PUC) implements the amendment.

There will be estimated early costs of between \$825,000 and \$1.75 million for a comprehensive clean and renewable energy study which includes a workforce development component as specified by the amendment. The study would be funded through the rates and charges to current PUC energy customers.

The proposal requires studies of the costs and benefits of various approaches before a decision is made to pursue a particular energy strategy. The most significant cost or savings related to this or any similar power proposal would occur if the PUC, after reviewing the required studies, proposes to buy or build power generation and/or distribution facilities. There are several possible methods for costing the purchase or construction of power facilities and estimates range widely. Under any method, the amounts are certainly substantial—likely in the billions of dollars. The PUC would have the authority to issue revenue bonds to fund the costs of buying or building power facilities. Revenue bonds are paid for through the rates and charges to customers of the utility that issues them.

Other savings or costs to be considered would come from the avoidance of profits, or from the loss of taxes paid by private power companies that would not be incurred by a publicly-owned entity, and the relative value of labor contracts and other efficiencies that might favor public or private power providers. Specific savings or costs cannot be determined at this time for other proposed objectives under the amendment such as generating renewable energy and reducing greenhouse gas production.

## How "H" Got on the Ballot

On July 22, 2008 the Board of Supervisors voted 7 to 4 to place Proposition H on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin and Sandoval.

**No:** Supervisors Alioto-Pier, Chu, Elsbernd and McGoldrick.

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**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities

This disclaimer applies to the proponent’s argument and the rebuttal to the proponent’s argument on this page and the opponent’s argument and the rebuttal to the opponent’s argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval; oppose the measure: Supervisors Alioto-Pier, Chu and Elsbernd.*

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION H

**Yes on Prop H** - The San Francisco Clean Energy Act

Prop H will make San Francisco a world leader in the fight against global warming. It mandates that the city switch to 100% clean, renewable and sustainable electricity.

And it won’t raise taxes or cost the city a penny.

Prop H requires the city to use electricity generated from renewable sources such as solar and wind. The standards:

- 51% clean electricity by 2017
- 75% by 2030
- 100% by 2040

That’s far beyond what the State of California requires of private companies like PG&E – and far beyond what they can deliver. PG&E is supposed to produce 20% renewable electricity by 2010-- they won’t/ can’t even meet that modest goal.

Prop H requires a study to determine the best way to achieve the clean energy mandate. The city could decide to issue cost-neutral revenue bonds creating jobs to build renewable energy facilities to deliver sun and wind energy at lower rates than we currently pay to PG&E —all without raising taxes. If the study shows that the

city should expand its energy business to all of San Francisco without risk to our credit or bond rating –the City would be free to pursue that option.

To protect consumers and make sure our electricity bills stay affordable, Prop H creates a truly independent Ratepayer Advocate.

Prop H will boost the green energy industry in San Francisco. It mandates green jobs training that will ensure good union jobs for local residents.

Publicly owned utilities all over California are leading the way toward renewable energy and selling electricity at lower prices than what San Francisco pays to PG&E.

**Vote YES on Proposition H!**

*Sierra Club  
San Francisco Democratic Party  
Assemblymember Mark Leno  
Aaron Peskin, President, Board of Supervisors  
Supervisors Maxwell, Dufty and Mirkarimi  
Susan Leal, Former SFPUC General Manager*

## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION H

If Proposition H passes, the Board of Supervisors would have the power to issue **Billions** in revenue bonds to take over utilities - **Without a Vote of the People.**

They claim “no cost to the taxpayers.” But, the Controller’s report shows this plan could cost **“Billions.”** A takeover of just the electric utility will cost taxpayers approximately \$20 million in lost taxes and fees; even the study they seek could cost more than \$1 million.

They claim they will issue “cost-neutral” bonds. **These bonds would be issued without voter approval and must be repaid by you.** Hundreds or thousands of dollars more per year from your checkbook is not “cost neutral.”

Proposition H promises “renewable power.” But, the proponents have exempted themselves from enforceable state renewable standards. Under the proponent’s own deceptive definition, the dirty fossil fuel burning power plants of Potrero Hill could

qualify as “renewable.” They define renewable only as **not** “nuclear” power.

The proponents say public power is cleaner. But some of the dirtiest power in California comes from the coal plants of Los Angeles’ public system and other dirty public systems.

Our city should focus on cleaning the environment, decreasing the homicide rate, filling potholes and improving services - **not** buying and running a multi billion dollar utility.

Visit [www.StopTheBlankCheck.com](http://www.StopTheBlankCheck.com) to learn more about the deceptive falsehoods in the proponent’s argument and to read the facts for yourself.

**Vote no on H – No Blank Check.**

*Supervisor Michela Alioto-Pier*

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities



## OPPONENT'S ARGUMENT AGAINST PROPOSITION H

PROPOSITION H TAKES AWAY YOUR RIGHT TO VOTE ON BILLIONS IN NEW BONDS.

This measure gives the Board of Supervisors and the San Francisco Public Utilities Commission the right to issue bonds in any amount without a vote of the people.

Just look at the actual language of the measure starting at Section 9.107 which states that "...no voter approval shall be required with respect to revenue bonds..." [issued to finance the takeover of utility facilities].

That means politicians and unelected commissioners will have the power to borrow billions to take over utilities and force you to pay the cost. If this measure passes, voters will not have another chance to vote on revenue bonds that could total many billions of dollars.

That is simply too much power to give to any group of elected and appointed officials.

The proponents hide this tremendous new power under a cloak of "green" rhetoric. But the core provision allows the Board and the SFPUC to take over utilities and make you pay for it with higher rates - without your approval.

Initial estimates show a public power takeover will cost at least \$4 billion. In these tough economic times, the last thing San Franciscans need is to pay hundreds of dollars more each year to fund a power system takeover or any other utility takeover. And the "Green" rhetoric is hollow. In fact, a city-owned utility would be EXEMPT from enforceable state regulations mandating renewable energy.

Look beyond the promises and see what's really there: taking away your right to vote on billions in bonds and massive rate increases to fund this new borrowing.

Please join us in voting No on Proposition H.

*Supervisor Michela Alioto-Pier\**  
*Supervisor Sean Elsbernd*  
*Supervisor Carmen Chu\**  
*US Senator Dianne Feinstein*  
*Mayor Gavin Newsom*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION H

Opponents want to scare you about Proposition H. The facts: San Francisco already pays billions and billions of dollars to an unaccountable, unelected corporation each year - called PG&E.

PG&E is actually going BACKWARDS in its use of renewable energy. With only 1% solar and 2% wind, they will never make the 20% renewables required by 2010. We can and must do better, now.

Publicly-run utilities like the Sacramento Municipal Utility District achieve much, much more *-because* they are accountable to residents, consumers and voters.

Proposition H will have accountability we will never get from PG&E - any revenue bonds issued must be approved by the Board, the Mayor, and satisfy requirements imposed by the Controller.

When did PG&E ask you - or anyone else - before they invested in dirty power like nuclear, coal, or liquefied natural gas? Where was the oversight when PG&E made the deal with Enron that ratepayers ultimately bailed out with \$18 billion?

As our nation debates its energy future - with Republicans urging more offshore drilling and dependence on foreign oil -- San Francisco will lead the country by passing Proposition H.

Don't let PG&E hold us back with their scare tactics and misleading campaign. Join the broad coalition of San Franciscans who know we can and must do better.

Switch **ON** the clean energy. Vote YES on H.

*Sierra Club*  
*San Francisco Democratic Party*  
*Assemblymember Mark Leno*  
*Assemblymember Fiona Ma*  
*Supervisor Bevan Dufty*  
*Supervisor Ross Mirkarimi*  
*Susan Leal, former SFPUC General Manager, former San Francisco Treasurer*

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities

## PAID ARGUMENTS IN FAVOR OF PROPOSITION H

HANC's highly acclaimed recycling center reduces San Francisco's carbon footprint everyday.

San Francisco Clean Energy Act leads the world to a carbon free energy future by mandating the highest clean energy standards ever set for a major U.S. city.

Vote with us to save our planet.

*Haight-Ashbury Neighborhood Council*

The true source of funds for the printing fee of this argument is the Haight-Ashbury Neighborhood Council.

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### Educators Support Proposition H.

Proposition H will bring cheaper electricity to our schools, which are continually facing funding cuts and rising costs. As the cost of fossil fuel-generated electricity continually rises, the cost of green energy drops. Prop H allows us to buy clean energy in bulk and also to build it ourselves.

Switching to clean energy in San Francisco will also set an example for our children and the next generation of citizens to take action. They will either face the catastrophic effects of global warming or will be the beneficiaries of a new green energy economy.

We have the technology and the know-how to move beyond our dependence on polluting power. All we need is the will to switch to clean, safe, and affordable renewable energy.

*Mark Sanchez*, President, SF Board of Education\*  
*Milton Marks*, Trustee, SF Community College Board\*  
*John Rizzo*, Trustee, SF Community College Board\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true sources of funds for the printing fee of this argument are John Rizzo, Milton Marks and Mark Sanchez.

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### Yes on Prop H: Switch to Clean Energy

*We can solve global warming –if we act now.*

Proposition H answers Al Gore's call for a switch to green energy and green jobs. It transitions San Francisco away from fos-

sil fuels and towards solar, wind, geothermal, and other renewable energies.

**The Clean Energy Act** makes San Francisco the leader in the fight against global warming, providing 51% of the city's electricity from renewable sources in 10 years, 75% by 2030, and 100% by 2040.

Proposition H also creates a new green energy industry in San Francisco, and ensures green jobs training for local residents.

Don't believe the lies: **Proposition H uses investor money, not taxpayer money**, and creates new safeguards for affordable rates.

### Clean energy: Switch it on with Proposition H.

*Sierra Club*  
*San Francisco Tomorrow*

The true sources of funds for the printing fee of this argument are the Sierra Club and San Francisco Tomorrow.

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The time is **now**. The choice is **yours**:

Will San Francisco *lead* America's fight against *Global Warming*?

The San Francisco League of Conservation Voters urges you to **VOTE YES ON H!**

*San Francisco League of Conservation Voters*

The true source of funds for the printing fee of this argument is the San Francisco League of Conservation Voters.

- 
- PG&E has only 2% wind, less than 1% solar... that means 98% hot air. (*See PG&E portfolio mix*)
  - PG&E caused more blackouts than any other California utility. (*San Francisco Chronicle 8/10/07*)
  - PG&E wants to raise rates 10% next year and plans to charge customers \$1 billion over 3 years to pay for skyrocketing cost of fossil fuels. (*CPUC 6/10/08*)
  - PG&E is investing \$10 million on misleading ads to buy this election so they can continue avoiding renewable investments. (*Track PG&E funding the opposition at [www.LetsGreenWashThisCity.org](http://www.LetsGreenWashThisCity.org)*)

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities



## PAID ARGUMENTS IN FAVOR OF PROPOSITION H

**The only reliable thing about PG&E is its greed.**

Vote Yes on Prop H if you want cheaper, cleaner, reliable energy.

– *League of Young Voters and Green Guerrillas Against Greenwash*

The true source of funds for the printing fee of this argument is Aliza Wasserman.

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Yes on **H!**

Switching to clean energy is good for workers and good for seniors.

Clean energy brings workers a **H**ealthy environment to work in.

Clean energy brings Seniors **H**ealthy, fresh air to enjoy.

Workers and Seniors say Yes to Prop **H!**

*SEIU 1021 and Senior Action Network* working together for a better S.F.

The true source of funds for the printing fee of this argument is SEIU 1021.

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### **Clean Energy Now**

With so many in our community living on fixed incomes and sensitive to the effects of air and water pollution, planning a cleaner, greener, less expensive energy future is in all our interest.

### **Support Prop H.**

*Harvey Milk LGBT Democratic Club*

The true source of funds for the printing fee of this argument is the Harvey Milk LGBT Democratic Club.

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Vote Yes. Let's take the first step to get out of doing business with PG&E and make Public Power a reality in San Francisco.

*David Campos*

The true source of funds for the printing fee of this argument is David Campos.

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PG&E has demonstrated that they lack the leadership to manage San Francisco's utility undergrounding program in a fiscally responsible manner, leaving San Francisco in the shade of electrical forests and vulnerable during an earthquake.

The San Francisco Clean Energy Act will put San Francisco in control of its electricity supply. We simply cannot count on PG&E to deliver renewable energy and keep costs low for the people of San Francisco.

*Supervisor Bevan Dufty*

The true source of funds for the printing fee of this argument is SF Clean Energy.

The contributor to the true source recipient committee is Tom Ammiano.

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities

## PAID ARGUMENTS AGAINST PROPOSITION H

While Proposition H proposes laudable goals, there are important reasons to reject it --- cost and reliability.

**COST:** Proposition H exposes San Franciscans to *billions* of dollars in unnecessary costs to purchase PG&E's infrastructure. Without a vote of the people, the Board of Supervisors can issue an unspecified amount of expensive revenue bonds to buy the utility's infrastructure. Thus, it will crowd out financing of vital city services like public safety, health, and affordable housing. Additionally, San Francisco ratepayers or the city will be assessed a departure fee as required by state law. In the end, we will pay more, not less, for electricity.

**RELIABILITY:** We should shift as much as possible to renewables. But Proposition H requires specific levels that may not be attainable or affordable. If we cannot practically achieve that mandate, do we restrict electricity deliveries and risk power outages?  
**Vote No on Proposition H.**

*Jeff Brown*, former California Public Utilities Commissioner, former S.F. Public Defender

The true source of funds for the printing fee of this argument is Jeff Brown.

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### Making Us Pay Without Our Approval

Proposition H takes away the voters authority to authorize revenue bonds and gives it to the Board of Supervisors allowing them to take by eminent domain, existing utilities like PG&E, Comcast or AT&T and make you pay for it.

And if you like the on time performance of MUNI, you will love the "on time" performance of a City run electrical system. Don't give the Board of Supervisors a blank check. **Vote no on Proposition H.**

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

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We don't need a bigger San Francisco government! This proposition will allow our politicians to purchase and operate the local electric and gas company. It would be an unnecessary and expensive venture that would most likely drive up our utility costs, and not provide any greater "green" power than would be available

from our current private utility company. The reliability of our electric and gas system is critical to everyone. Do we really want to entrust our gas and electric service to the same folks who run MUNI?

Please stop this power grab by City Hall! Tell our leaders to focus city resources on fixing our streets, parks, public transportation system and public safety first.

### Vote No on Prop H.

*Building Owners & Managers Association of San Francisco*  
*Ken Cleaveland*, Director, Gov't. & Public Affairs

The true source of funds for the printing fee of this argument is the BOMA SF IE PAC - ID#870449.

The three largest contributors to the true source recipient committee are: 1. Harsch Investment Properties, 2. Cushman & Wakefield of California, 3. Capital and Counties USA, Inc.

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### San Francisco's Neighborhoods oppose Prop H.

San Francisco Supervisors want to control the electric power system. They ask voters for authority to issue bonds without voter approval. **Don't let them!**

While they call it "clean energy", the aim is to take over powerlines and electric power facilities, then provide your electricity. *Public power.* As window dressing, the measure sets *mandates* for renewable (clean) generation--mandates they won't be able to meet!

Electricity rates will be set by the Supervisors. This measure sets no limit on electricity rates!

Proponents claim that the City will buy infrastructure to deliver electricity *at no cost*. Don't be fooled. Probable cost: up to \$4,000,000,000. Rates must cover the cost of infrastructure as well as the cost of generating or purchasing electricity.

The City department that would provide public power is in the middle of rebuilding the Hetch Hetchy water system (\$4.4 billion), and soon starts on the aging sewer system (\$4 billion). Is now the time to undertake more? **It's just too risky.**

### Vote No on Prop H.

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities



## PAID ARGUMENTS AGAINST PROPOSITION H

*Coalition for San Francisco Neighborhoods*

The true source of funds for the printing fee of this argument is the Coalition for San Francisco Neighborhoods.

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### Proposition H Will Hurt San Francisco residents

The Board of Supervisor's plan to takeover PG&E would force San Franciscans to pay an estimated \$4 billion for the power system through a dramatic increase in monthly utility bills. It will cost more to live in San Francisco. Our apartment residents and their families will face an additional \$400 to \$600 a year expense in utility bills. With economic uncertainty, we don't need our citizens and taxpayers to bear additional financial burden.

Join the *Professional Property Management Association of San Francisco*, *San Francisco Apartment Association* and *Coalition for Better Housing* in Voting No on Proposition H

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PGE.

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### Public Safety Unions Oppose Proposition H

San Francisco's Firefighters, Deputy Sheriffs and Police Officers urge you to vote no on Proposition H. This proposition would give the City the authority to take over PG&E, this could put our City's electric system at risk.

This is the wrong priority for San Francisco. The \$20 million a year PG&E pays in taxes would disappear if this measure passes. We would need to raise taxes, cut services – or – both to make up for this lost revenue.

Because PG&E serves all of Northern California, in an emergency—like an earthquake—employees and resources can be brought in from throughout the region. Just like they did after the 1989 Loma Prieta earthquake.

Protect our City's electric system and vote No on Proposition H

*San Francisco Firefighters Local 798*

*San Francisco Police Officers Association*

*David Wong, President, Deputy Sheriff's Association\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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The contributor to the true source recipient committee is PGE.

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### Proposition H Could Force Cuts in City Services

If Proposition H passes the City would lose the more than \$20 million a year that PG&E pays in taxes and fees. That means our taxes would need to go up to pay for this lost revenue or basic services, like libraries, police and fire services would need to be cut.

Protect City Services Vote No on Proposition H

*The San Francisco Republican Party*

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PGE.

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### Proposition H Could Cost you \$400 A Year.

Proposition H gives the Board of Supervisors a massive credit card to grab control of the City's power grid. This poorly conceived and wasteful takeover scheme will force the City to borrow billions to buy electrical distribution facilities. Repaying that huge debt could increase your annual utility bill by more than \$400 dollars for decades. This could be a tax hike without limits.

The Supervisors can't fix our streets' potholes; we cannot trust them to run a reliable power company.

*Doug Chan, S.F. Human Rights Commissioner and former Police Commissioner\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities

## PAID ARGUMENTS AGAINST PROPOSITION H

### Proposition H Could Force Cuts in City Services

If Proposition H passes the City would lose the more than \$20 million a year that PG&E pays in taxes and fees. That means our taxes would need to go up to pay for this lost revenue or basic services, like libraries, police, fire and emergency services would need to be cut. Many of the people we work with are on fixed incomes and the \$400 per year that this would cost them would mean missed meals, difficulty in paying rent and great hardship.

Protect San Francisco 's Seniors and City Services Vote No on Proposition H

Anni Chung, Senior Activist\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PGE.

### Proposition H Could Force Cuts in Critical City Services

If Proposition H passes the City would lose the more than \$20 million a year that PG&E pays in taxes and fees. That means our taxes would need to go up to pay for this lost revenue and we would face cuts to services for the disabled as well as libraries, police, fire and other emergency services.

Join the FDR Democratic Club to Protect City Services Vote No on Proposition H

The FDR Democratic Club

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

### Protect Taxpayers from the Blank Check!

Proposition H will allow the Board of Supervisors virtually **unlimited power to spend \$4 Billion of our money without** voter approval to takeover PG&E - using the guise of "clean" energy.

Keep the Board of Supervisors from taking away your rights as taxpayers and ratepayers. Let's not give them a "blank check". Vote NO on Prop H!

Elsa Cheung  
Vice-Chair, California Chinese American Republican Association\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PGE.

### Making Us Pay Without Our Approval

If Proposition H passes the San Francisco PUC (SFPUC) could then issue bonds in any amount to take over PG&E without another vote of the people, giving the SFPUC and the Board of Supervisors a virtual blank check.

Don't give the Board of Supervisors a blank check. Please join the San Francisco Hispanic Chamber of Commerce in voting no on Proposition H

San Francisco Hispanic Chamber of Commerce

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

Proposition H is not about clean energy

Be warned, Proposition H has the devil in the details.

Not only will you pay \$400 a year more for electricity, the city will lose \$20 million a year in taxes and fees jeopardizing fire, library and other city services. The takeover of PG&E will cost the city \$4 Billion over the next thirty years and the electricity generated IS NOT guaranteed to be clean.

Search for the truth before voting for this proposition. Vote No on Proposition H.

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities



## PAID ARGUMENTS AGAINST PROPOSITION H

*The Rev. Sally G. Bingham,*  
Canon for the Environment for the Diocese of California\*

*Nadine Weil*  
Environmentalist\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

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The Bay Area Council has analyzed Proposition H and strongly urges a NO vote. San Franciscans benefit from a reliable delivery system of increasingly renewable energy. A taxpayer price tag of \$4 billion or more to disrupt this is pure fiscal folly. Well-considered public policy requires a NO vote on Prop H.

*Bay Area Council*

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

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Prop H gives the Board of Supervisors unlimited authority to spend \$4 billion in taxpayer money to take over PG&E without going back to the people for a final vote.

This ill-conceived scheme will force taxpayers and business owners to pay much more in monthly utility bills for years to come. The City will also lose \$20 million in tax revenue that PG&E provides San Francisco every year. In a time of economic uncertainty, we should not hand the Board of Supervisors a "blank check" to drive San Francisco and its citizens deeper into debt.

Vote No on H.

*Citizens for a Better San Francisco*  
(For more information, please visit [www.CBSF.net](http://www.CBSF.net).)

*Edward Poole*  
*Michael Antonini*  
*Harmeet Dhillon*

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

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Oppose the Takeover of PG&E

The Golden Gate Restaurant Association opposes the potential takeover of P G &E by the City government. P G &E currently provides reliable power. This is a classic example of a solution in search of a problem. Do you believe the City could provide more reliable service during intense periods of energy consumption?

The estimated cost of the buyout is \$4 billion dollars which will cost our members \$400 to \$600 extra per year at a time of increasing economic uncertainty and shrinking tourist dollars. Proposition H will hurt families, business owners and further burden our city with a needless expense. We believe the City should focus on affordable housing, reducing crime, running an efficient Muni, fixing the potholes, etc. instead of taking over a utility system that currently operates efficiently.

Join the Golden Gate Restaurant Association and Vote No on Proposition H - let's work together to "Stop The Blank Check".

*Golden Gate Restaurant Association*

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The contributor to the true source recipient committee is PG&E.

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Proposition H is not the answer for Potrero Hill

As residents of the Potrero Hill community, we are urging you to vote NO on Proposition H.

Proposition H is bad for San Francisco's ratepayers because you will now pay \$400 a year more for electricity. This is bad for taxpayers because the city will lose \$20 million a year in taxes and fees jeopardizing emergency services, library and other important city services. This is bad for San Francisco's future because the takeover of PG&E will cost the city \$4 Billion over the next thirty years. To top it all off, this is bad for our community and San Francisco because the energy generated is not guaranteed to be "clean".

As residents of Potrero Hill, we urge to take a closer look and Vote No on Proposition H.

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities

## PAID ARGUMENTS AGAINST PROPOSITION H

*Lorena Hernandez*  
Resident of Potrero Hill

*Joe Manzo*  
Resident of Potrero Hill

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PGE.

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### *If Proposition H Passes Our Community Will Be Paying More*

If Proposition H passes the City pays \$4 billion to take over PG&E. Our taxes will increase to pay for lost corporate tax revenue, and basic services will be cut - street cleaning, police, fire and other emergency services. The average San Franciscan will see their utility bill increase \$500 dollars per year for at least 30 years.

Don't give the Board of Supervisors a blank check. Join the Asian Pacific Democratic Club and vote No on Proposition H

*Asian Pacific Democratic Club*

The true source of funds for the printing fee of this argument is the Committe to "Stop The Blank Check".

The contributor to the true source recipient committee is PGE.

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### *Proposition H Could Force Cuts in City Services*

If Proposition H passes the City would lose the more than \$20 million a year that PG&E pays in taxes and fees. That means our taxes would need to go up to pay for this lost revenue or basic services, like libraries, police and fire services would need to be cut.

Protect City Services Vote No on Proposition H

*Thom Lynch*, Principal, Lynch Pin Ass.\*  
*Don Cecil*, Bd. Member San Francisco LGBT Community Center\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is "Stop the Blank Check".

The contributor to the true source recipient committee is PGE.

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As former SF Public Utilities Commission members, we urge you to vote NO on Proposition H. Don't be fooled. It's really all about giving the Board of Supervisor the power to spend an unspecified and unlimited amount of our money to buy out and take over PG&E. PG&E says it would cost San Franciscans \$4 billion to take over the company's SF electric lines and substations. That would cost every resident who pays an electric bill an additional \$400 per year for the next 30 years to pay off the \$4 billion in bonds.

The wording is so broad and ludicrous that it would allow the City to take over the Diablo Canyon Nuclear plant --even if the city's own studies said this was a bad idea.

Right now the City and the SF Public Utilities Commission have enough to do spending billions of dollars to make sure our water and sewer systems survive an earthquake.

Vote NO on Prop H.

*Nancy Lenvin*, Former P.U.C. Commissioner\*  
*Claire Pitcher*, Former Past President San Francisco P.U.C.\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

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### *Proposition H Could Force Cuts in City Services*

If Proposition H passes the City would lose the more than \$20 million a year that PG&E pays in taxes and fees. That means our taxes would need to go up to pay for this lost revenue meaning while basic services including libraries, parks and emergency services will see dramatic budget cuts.

Protect San Francisco's Critical City Services Vote No on Proposition H

*Mel Lee*  
Public Library Commissioner\*

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities



## PAID ARGUMENTS AGAINST PROPOSITION H

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*Join Labor in Voting No on Proposition H*

This flawed proposal would put the pensions and benefits of hundreds of workers at risk, cost ratepayers hundreds of dollars each year and it will not address the problems it claims to solve.

Labor stands opposed to this measure. Taking over PG&E will put pensions at risk and cost the City more than \$20 million in tax revenue each year. It could cost the City \$4 billion to take over PG&E's electric system --and this measure does not stop there --it takes away voters right to approve revenue bond and gives this authority to the Board of Supervisors.

The Board of Supervisors could issue revenue bonds, with out limit for any utility in the City.

Join Labor in voting No on Proposition H

*Plumbers and Pipefitters, Local 38, San Francisco  
International Brotherhood of Electrical Workers, Local 6, San Francisco*

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

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### **Proposition H Will Hurt San Francisco Small Business Owners**

The Board of Supervisor's plan to takeover PG&E would force San Franciscans to pay an estimated \$4 billion for the power system through a dramatic increase in monthly utility bills. If Proposition H passes the City would lose the more than \$20 million a year that PG&E pays in taxes and fees. That means our taxes would need to go up to pay for this lost revenue or basic services, like libraries, street cleaning, police and fire services, will be cut. It will cost more to do business in San Francisco as small business owners and their families will face an additional \$400 to \$600 a year expense in utility bills.

Join San Francisco's Small Business Community in Voting No on Proposition H

*San Francisco Small Business Network*

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PGE.

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If Proposition H Passes Our Utility Rate and Taxes Could Go Up.

If Proposition H passes the City would lose the more than \$20 million a year that PG&E pays in taxes and fees. That means our taxes would need to go up to pay for this lost revenue or basic services, like libraries, police and fire services would need to be cut.

This plan to take over PG&E would cost more than \$4 billion. That would mean a utility bill increase of over \$400 dollars per customer per year for at least 30 years.

Please join the Asian American Community and vote No on Proposition H

*Sandy Mori*

*Jeff Mori*

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

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*African American Community Leaders Say NO on H*

If Proposition H passes, the City will be paying more than \$4 billion to takeover PG&E, and losing \$20 million in annual tax and fee revenue. Our rates will increase and our city services will decrease.

Proposition H will also take away our right to vote. It gives the Board of Supervisors a blank check to raise billions of dollars without our approval.

With so many African Americans leaving San Francisco because of the high cost of living, we need to prevent unnecessary costs that will drive even more of us out.

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities

## PAID ARGUMENTS AGAINST PROPOSITION H

The city has more important priorities, and this dangerous legislation will make it even more expensive to live in San Francisco.

We urge you to vote NO on Proposition H!

Rev. Amos Brown, Senior Pastor  
Rev. Calvin Jones\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Committee to Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

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### VOTE NO ON H!

Prop H is cloaked as a “study”, but is designed to set up a takeover of PG&E at a cost of up to \$4 billion to City taxpayers. If this measure passes, the Board of Supervisors will have the authority to issue revenue bonds, in **any amount** and for the takeover of **any utility** (cable, power, phone, etc), **without voter approval!** This could mean higher fees for anyone who pays a utility bill. San Francisco can’t even make its buses run on time - should we be spending billions of dollars to take on another complex and expensive business with no prior experience?

Let’s spend our money on schools, parks, public safety and healthcare - and avoid this expensive quagmire.

Vote **NO** on H!

Plan C San Francisco

[www.plancsf.org](http://www.plancsf.org)

The true sources of funds for the printing fee of this argument are Robert Gain and Michael Sullivan.

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Proposition H masquerades as a “green” initiative. But it isn’t. It is yet another attempt by some supervisors to buy out PG&E. Here’s the problem: the City will have to spend up to **\$4 billion** to acquire PG&E’s electric system --\$4 billion that won’t be available to invest in renewable power, energy efficiency and other green initiatives.

Adding insult to injury, the proponents will make City residents more vulnerable to spikes in the cost of electricity. Why? Because Hetch Hetchy provides only 15% of the power City residents consume. The rest of the electricity would have to be purchased in an energy market that is often volatile.

Taking over PG&E isn’t just a matter of changing ownership at the top. The workers who provide your electricity on a day-to-day basis will lose their jobs and face a lose-lose choice: They can go to work for the new City utility (and lose their pension and other benefits), or they can stay with PG&E and be relocated to another area of California. The new City utility would have to start from scratch. Given the acute nationwide shortage of qualified lineworkers, how would San Francisco find the workers needed to keep electric service safe and reliable?

Green energy is a critical priority. If Proposition H was truly a green energy initiative, we could support it. Unfortunately, it is not.

Please vote NO on Proposition H.

*International Brotherhood of Electrical Workers Local Union 1245*

The true source of funds for the printing fee of this argument is the International Brotherhood of Electrical Workers Local 1245.

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Please join me in opposing Proposition H. Throughout San Francisco’s history, Asian American’s have gratefully, selflessly given of ourselves so that our home, San Francisco, can be great. Today, with over one third of the City’s population being Asian American and with our substantial economic contribution to the city as home owners and consumers, we continue to desire not only greatness, but to also be part of the major decisions that will affect us as San Franciscans.

Proposition H, which will not only fundamentally change how we and all San Franciscans receive power but also seriously and adversely affect our check books was drafted without any input from our community. Where was our voice when this was being considered? Don’t Asian Americans deserve the right to be part of this process?

Honestly, given media reports of over time abuse and government waste, does anybody really believe that government operation of our utilities will lower our rates or provide better service? To make matters even worse, under Proposition H, the people of San

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# Setting Clean Energy Deadlines; Studying Options for Providing Energy; Changing Revenue Bond Authority to Pay for Public Utility Facilities



## PAID ARGUMENTS AGAINST PROPOSITION H

Francisco, again, remember, we are over one-third of San Francisco's population, will have to pay PG&E \$4 billion dollars in order for the City to have the right to operate our utilities. While I never claim to be a mathematician, but how can we have lower if we first have to pay a whopping 4 billion dollars!

The bedrock question remains however: as San Franciscans of Asian ancestry, who love and work in this wonderful city, where was our input when this was drafted? Until there is more participation at the drafting level, City Hall shouldn't take us for granted and assume we as San Franciscans of Asian ancestry or any San Franciscan should take their word as fact.

Please join me in opposing Proposition H.

*James Fang*  
BART Director\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Fang for BART Board FPPC# 902200.

The three largest contributors to the true source recipient committee are 1. Law Offices of Alex Park, 2. Law of Crowley, Stringer & Fenske, 3. Ms. Soreta Wong.

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Our city should concentrate on existing projects.

Let's improve our infrastructure and transit.

Then we can consider creating a new municipal enterprise.

*Harold M. Hoogasian*

The true source of funds for the printing fee of this argument is Harold M. Hoogasian.

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Please join me in opposing Proposition H. We do not want the city to run our utility system. The takeover of PG & E would cost more than \$4 billion and the City would lose more than \$20 million a year in taxes and fees. Furthermore, Asian and Filipino American community groups and non-profits that benefit from PG & E's financial support will no longer be able to count on PG & E's generosity.

In its long history PG & E has been a good friend and supporter of the Asian and Filipino American Community and small businesses throughout San Francisco.

*Rudy Asercion*, Executive Director, WestBay Filipino Multi-Service Center\*

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The true source of funds for the printing fee of this argument is the Committee To Stop the Blank Check.

The contributor to the true source recipient committee is PG&E.

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# Creating the Office of an Independent Rate Payer Advocate



## PROPOSITION I

Shall the City create an Office of the Independent Ratepayer Advocate to make recommendations about utility rates to the City's Public Utilities Commission?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The San Francisco Public Utilities Commission (PUC) oversees the City's water, sewer and electric power utilities. The PUC provides water and sewer services to all San Francisco residents and businesses. The PUC sets the rates paid by users of these utilities, subject to possible rejection by the Board of Supervisors. The PUC also supplies water, sewer and electric power services to City facilities, including MUNI and the airport.

The PUC uses the money generated by these rates to cover the costs of providing its services. The PUC also uses this money to repay bonds the City has issued to build and improve these utilities.

At least once every five years, the PUC must hire an independent consultant to review rates and ensure that the utilities' costs are shared fairly among users.

The PUC must annually adopt a five-year forecast of its future rates. A Rate Fairness Board reviews the PUC's forecasts, holds public hearings, and makes recommendations to the PUC about its proposed rates. The Rate Fairness Board consists of seven members: the City Administrator, the Controller, the Director of the Mayor's Office of Public Finance, two residential retail customers, and two business retail customers.

**THE PROPOSAL:** Proposition I is a Charter Amendment that would create an Office of the Independent Ratepayer Advocate (Advocate) to make recommendations about utility rates to the City's PUC. The Advocate would be funded from the PUC's utility

revenues, subject to the Charter's budgetary and fiscal provisions. The City Administrator would have the sole authority to appoint or remove the Advocate.

The Advocate would have the authority to:

- examine PUC rates from the viewpoint of PUC customers,
- review the PUC's use of its revenues,
- hold public meetings and provide recommendations to the PUC,
- accept inquiries from the PUC's customers,
- provide explanations about the PUC's rates, and
- conduct customer outreach activities.

The Advocate could comment on the rates proposed by the PUC at meetings of the Rate Fairness Board, the PUC, and the Board of Supervisors. The PUC would be required to cooperate with the Advocate in its analysis.

**A "YES" VOTE MEANS:** If you vote "yes," you want to change the Charter to create an Office of the Independent Ratepayer Advocate to make recommendations about utility rates to the City's PUC.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make this change to the Charter.

## Controller's Statement on "I"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition I:

Should the proposed charter amendment be approved by the voters, in my opinion, it would increase the cost of government by an estimated \$250,000 every other year, or \$125,000 on an annual basis, for independent analytical services from a ratepayer advocate and for Public Utilities Commission (PUC) staff to respond to requests from the ratepayer advocate. The amendment specifies that this cost would be included as an expense of the utilities and paid for through the charges to their customers.

The proposed amendment adds a ratepayer advocate to the existing Charter-required processes through which the PUC establishes water and wastewater service rates. Currently, these processes include carrying out independent rate and cost studies every five years, performing studies of rate-based incentives for conserva-

tion and other programmatic goals, and administering a Rate Fairness Board which reviews and holds hearings on rate proposals prior to their approval by the PUC and Board of Supervisors.

## How "I" Got on the Ballot

On July 16, 2008 the Board of Supervisors voted 8 to 3 to place Proposition I on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, Maxwell, McGoldrick and Sandoval.

**No:** Supervisors Daly, Mirkarimi and Peskin.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 248.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# Creating the Office of an Independent Rate Payer Advocate

This disclaimer applies to the proponent's argument on this page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Alioto-Pier, Ammiano, Chu, Dufty, Elsbernd, McGoldrick and Sandoval; oppose the measure: Supervisors Daly, Mirkarimi and Peskin; take no position on the measure: Supervisor Maxwell.*

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION I

Proposition I would create an Office of the Independent Ratepayer Advocate for the San Francisco Public Utilities Commission (SFPUC). The Independent Ratepayer Advocate would be an independent body from the SFPUC and would advocate on behalf of ratepayers to achieve the lowest possible rates and to ensure safe and reliable service.

The SFPUC is our largest, wealthiest and most powerful commission overseeing an annual budget of **\$677 million and a ten-year capital plan program of over \$7 billion**. The SFPUC is responsible for the Hetch Hetchy rebuild, the proposed waste water master plan, the San Francisco West side recycled water project, and the solar incentive program.

Billions of dollars are at stake and you, the ratepayer will pay the price. Previous rate increase plans have been ill-conceived, unfair and excessive. We must have an independent advocate to review rates, to ensure that the utilities' costs are shared fairly among all users, and to guarantee that ratepayers have a voice.

The Independent Ratepayer Advocate would be charged with evaluating the efficiency, equity and fiscal responsibility of all proposals, contracts, investments, program expenditures and operations put forth by the SFPUC.

The Ratepayer Advocate would have the power to obtain PUC information, hold public meetings and provide comments and recommendations on rate proposals to the SFPUC and the Board of Supervisors.

To insulate the Ratepayer Advocate from political influence, this person will be appointed by the City Administrator, not an elected official.

It is time that San Francisco ratepayers were represented by an independent voice. By supporting this proposition, you will give San Francisco residents an independent voice at the SFPUC.

Join us in voting YES on Proposition I to create an Independent Ratepayer Advocate and greater scrutiny of the SFPUC.

*Supervisor Alioto-Pier  
Supervisor Ammiano  
Supervisor Chu  
Supervisor Dufty  
Supervisor Elsbernd  
Supervisor McGoldrick*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION I

**NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION I WAS SUBMITTED**

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# Creating the Office of an Independent Rate Payer Advocate



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OPPONENT'S ARGUMENT AGAINST PROPOSITION I

NO OPPONENT'S ARGUMENT AGAINST PROPOSITION I WAS SUBMITTED

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REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION I

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION I WAS SUBMITTED

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# Creating the Office of an Independent Rate Payer Advocate

## PAID ARGUMENTS IN FAVOR OF PROPOSITION I

### *San Francisco's Neighborhoods Support Prop I.*

The ratepayer deserves a voice.

The San Francisco Public Utilities Commission is not regulated by the State of California. It is an unregulated monopoly and **sets its own water and sewer rates**. The Commission which oversees the department consists of five *political* appointees.

Under the Charter, the Board of Supervisors is not required to approve rates; however, it may reject them. But the Board has shown no interest in scrutinizing rates. Last year, **it failed to even hold a hearing** on \$70,000,000 of water and sewer rate increases!

Ratepayers must pay billions for the Hetch Hetchy seismic upgrade, Wastewater Master Plan, recycled, groundwater and greening projects. **Rates will be going up every year.**

We need an Independent Ratepayer Advocate to:

- Safeguard the interests of the ratepayer and ensure transparency in the ratesetting process.
- Advocate proactively for the ratepayer in the formulation of programs and policies affecting rates.
- Provide a necessary check and balance to the authority of the Commission to set our water and sewer rates.
- Be *independent* of the Commission, the department and the politicians.

- Help ensure that efficiencies are identified and implemented, and waste is prevented.

**MAKE SURE THE HETCH HETCHY SEISMIC PROJECT IS COMPLETED!**

**MAKE SURE YOUR MONEY IS WELL SPENT!**

**VOTE YES ON PROP I!**

*Coalition for San Francisco Neighborhoods*

The true source of funds for the printing fee of this argument is the Coalition for San Francisco Neighborhoods.

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At the state level, the Office of Ratepayer Advocate protects the rights of ratepayers during rate-setting processes for private utilities.

With water rates rising to pay for system repairs, San Franciscans also need an advocate in their corner. Proposition I provides an expert whose *only* purpose is to represent consumers and ensure fairness.

**Vote Yes on I!**

*San Francisco Tomorrow*

The true source of funds for the printing fee of this argument is San Francisco Tomorrow.

## PAID ARGUMENTS AGAINST PROPOSITION I

**NO PAID ARGUMENTS AGAINST PROPOSITION I WERE SUBMITTED**

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# Creating a Historic Preservation Commission



## PROPOSITION J

Shall the City establish a seven-member Historic Preservation Commission and give it authority over historic preservation-related decisions in the City?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The Landmarks Preservation Advisory Board (Landmarks Board) advises the Planning Commission and Planning Department on issues related to historic preservation, but the Landmarks Board does not have final decision-making authority. The Mayor appoints the nine members, who serve four-year terms. The Mayor may remove members of the Landmarks Board without cause.

After reviewing the Landmarks Board's recommendations, the Planning Commission or Planning Department make decisions about permit applications for demolition of or alteration to designated landmarks, buildings in downtown historic districts and buildings in other historic districts. With advice from the Landmarks Board, the Planning Commission also reviews and submits to the Board of Supervisors proposed designations of landmarks, historic buildings, historic districts, and conservation districts. The Planning Commission and the Planning Department are not required to follow the Landmarks Board's recommendations.

The Landmarks Board relies on the Planning Department for staff and budgeting.

**THE PROPOSAL:** Proposition J is a Charter Amendment that would create an Historic Preservation Commission (HPC). The HPC would consist of seven members, nominated by the Mayor and approved by a majority of the Board of Supervisors. Six of the seven members would be required to have specific professional qualifications related to architecture and historic preservation. Four members would serve an initial term of four years and three members would serve an initial term of two years. After that, all members would serve four-year terms. Members could only be removed for cause.

The HPC would take over the duties of the Landmarks Board as well as some currently performed by the Planning Commission and the Planning Department. Specifically, the HPC would have the authority to:

- make recommendations directly to the Board of Supervisors about designation of landmarks, historic buildings, historic districts, and conservation districts;
- approve permits or certificates for demolition of or alteration to designated landmarks and historic buildings, as well as buildings in historic districts and conservation districts; and
- make recommendations about proposed ordinances and resolutions concerning historic preservation.

Historic Preservation Commission decisions could be appealed.

The HPC would not have its own department head, staff or budget authority, but would rely on Planning Department staff and budgeting.

**A "YES" VOTE MEANS:** If you vote "yes," you want to change the Charter to create a seven-member Historic Preservation Commission and to give it authority over historic preservation-related decisions in the City.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make this change to the Charter.

## Controller's Statement on "J"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition J:

Should the proposed charter amendment be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The proposed measure would replace the current nine-member Landmarks Preservation Advisory Board with a seven-member Historic Preservation Commission. The amendment would generally transfer to the Commission existing functions from the current Landmarks Preservation Advisory Board, and would confer additional authority to make recommendations directly to the Board of Supervisors, bypassing the Planning Commission, on the designation of landmark buildings, historic districts, and significant buildings. The proposed measure would provide that certain certificates of appropriateness that cannot currently be appealed could be appealed to the Board of Supervisors, which will require the Board of Supervisors to establish some new procedures.

The seven members of the Historic Preservation Commission would be appointed by the Mayor subject to confirmation by the Board of Supervisors. Six members would be required to have professional backgrounds in planning, architecture, historical conservation and related fields. The existing Landmarks Preservation Advisory Board is currently staffed with two full time employees. The amendment specifies that the budget and employees for the Historic Preservation Commission would remain under the City Planning Department.

## How "J" Got on the Ballot

On July 29, 2008 the Board of Supervisors voted 11 to 0 to place Proposition J on the ballot.

The Supervisors voted as follows:  
**Yes:** Supervisors Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 249.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# J

## Creating a Historic Preservation Commission

### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION J

HELP PRESERVE OUR WORLD-CLASS CITY. VOTE YES ON J

As one of the world's most-beloved historic cities, it's time for San Franciscans to adopt world-class best practices that have protected the history and vitality of other great American cities. – that's why we need Proposition J.

ADOPTS BEST PRACTICES FROM AROUND THE COUNTRY

San Francisco's preservation apparatus is more than forty years old, and needs serious reform. The body currently charged with preserving historic buildings has no final decision-making authority.

Proposition J adopts best practices and national standards of historic cities around the country – including New York, Boston, Chicago, and Philadelphia – that have independent preservation commissions with jurisdiction over historic buildings and neighborhoods.

STREAMLINES PERMITTING AND IMPROVES EFFICIENCY

Proposition J streamlines the review of applications for changes to historic resources and helps prevent the demolition of the landmark buildings and neighborhood character that make San Francisco unique.

Proposition J was drafted collaboratively with the City's Planning Department, Mayor's Office, Landmarks Board, and the California Office of Historic Preservation. The result is a good government measure that provides clear guidance to homeowners, architects, and builders, and gives city staff the best tools available to make sound decisions about our historic buildings and neighborhoods.

PROMOTES ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

Improving San Francisco's preservation efforts will also help the City meet its environmental goals. Supporting the preservation of existing historic structures conserves resources and prevents demolition debris from ending up in California landfills. Construction and demolition waste can comprise up to thirty percent of landfill content.

IT'S TIME FOR PROPOSITION J

It's time we bring San Francisco in line with other great cities by reforming the permitting process for historic buildings and giving an independent commission a voice on preservation issues.

*San Francisco Architectural Heritage  
National Trust for Historic Preservation  
San Francisco Democratic Party  
San Francisco Tomorrow*

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION J

NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION J WAS SUBMITTED

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# Creating a Historic Preservation Commission

**J**

**OPPONENT'S ARGUMENT AGAINST PROPOSITION J**

**NO OPPONENT'S ARGUMENT AGAINST PROPOSITION J WAS SUBMITTED**

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**REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION J**

**NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION J WAS SUBMITTED**

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION J

Proposition J will bring San Francisco's historic preservation efforts into 21<sup>st</sup>- century best practices, and in line with other major cities with effective preservation commissions, including Portland, Seattle, Chicago and New York. The current Landmarks Preservation Advisory Board was created forty years ago. It's time to enable San Francisco to effectively administer the preservation process. Unanimously approved by the Board of Supervisors, Proposition J creates a Historic Preservation Commission that will enhance San Francisco's capacity to handle more projects as new landmarks and districts are designated. It will address inefficiencies and confusion that currently exist by:

- Allowing minor projects that meet nationally recognized preservation standards to avoid time consuming, costly delays and to be approved administratively by the Planning staff with preservation expertise.
- Adopting nationally recognized preservation standards and a review process to provide greater consistency and predictability for property owners and the public.
- Streamlining the cumbersome existing review process that has frustrated most all San Franciscans. The Commission will replace the current advisory Landmarks Board. Proposition J reserves jurisdiction over complex projects to the City Planning Commission, San Francisco's land-use policy experts. In all other cases, the Commission will make decisions appealable only to the Board of Supervisors or the Board of Appeals, providing clarity and consistency in the City's entitlement process.
- The seven-member Historic Preservation Commission (with members from architecture, preservation, architectural history, engineering, real estate, and other professions) will have authority to apply national standards to designated landmarks, and historic and conservation districts.
- This diverse body will provide perspective on development, architecture, and preservation, and will be a commission that is invested in responsible growth of our City yet mindful of its famed cultural and historical identity.
- **Vote YES on Proposition J!**

*San Francisco Architectural Heritage*

The true source of funds for the printing fee of this argument is San Francisco Architectural Heritage.

Neighborhoods are struggling now more than ever to protect the historic fabric of their communities from demolition and inappropriate development.

Logic, zoning laws, design guidelines and neighborhood character are ranked last in a series of decisions by City Hall which all too often succumb to the siren call of developers and lawyers. The result? Out of scale, incompatible development that tarnishes the City's historic fabric.

Our current *advisory* Landmarks Board has no power to enforce its recommendations for historic preservation or retention of neighborhood character.

Proposition J will replace this outdated model with an independent, qualified commission -- the Historic Preservation Commission -- with the power to make enforceable planning and preservation decisions.

It's time for San Francisco to join other great American cities in empowering historic preservation.

### JOIN US AND VOTE YES ON PROPOSITION J!

*San Francisco Tomorrow*  
*Sunset Parkside Education and Action Committee (SPEAK)*  
*Telegraph Hill Dwellers*  
*Mission Dolores Neighborhood Association*

The true sources of funds for the printing fee of this argument are San Francisco Tomorrow, the Sunset Parkside Education and Action Committee (SPEAK), the Telegraph Hill Dwellers and the Mission Dolores Neighborhood Association.

### VOTE YES on PROPOSITION J

Bring San Francisco's preservation process into the 21<sup>st</sup> century. Assure the highest quality preservation deliberations and decision-making while *streamlining* the development and approvals process for the applicants. Proposition J results in the best process for all concerned... project applicants, building occupants, preservationists and the City as a whole.

**San Franciscans for Preservation Planning says VOTE YES on PROPOSITION J**

*Bruce Bonacker, Steering Committee Chair, San Franciscans for Preservation Planning*



# Creating a Historic Preservation Commission

## PAID ARGUMENTS IN FAVOR OF PROPOSITION J

The true source of funds for the printing fee of this argument is San Franciscans for Preservation Planning.

The three largest contributors to the true source recipient committee are: 1. Dennis Antenore, 2. Bruce Bonacker, 3. Gertrude B. Platt.

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### VOTE YES ON PROPOSITION J!

PROPOSITION J is justifiable and straightforward.

**Prop J crafts an improved Landmarks Board – a Historic Preservation Commission – for San Francisco today. Prop J is a good government measure, streamlining and enhancing economic development and historic preservation choices for San Francisco.**

Let's dispel the myths surrounding historic preservation in San Francisco. Virtually every major American city has an independent preservation commission, and *finally*, after years of incongruent and ineffective legislation, *it is our time*.

As past and current presidents of the Landmarks Preservation Advisory Board, we understand the need to balance and respect the rights of property owners, the increased property values resulting from good preservation policies, the value in revitalizing our historic neighborhoods and commercial districts, the necessity of protecting existing housing, and the inherent value of our ethnically and economically varied populations.

**Proposition J will help future Commissions manage change, not prevent change.** It allows San Francisco to retain the best of our shared heritage, preserve sites of unique quality and beauty, reawaken neglected neighborhoods, spur economic revitalization and create better communities.

San Francisco's distinctive history must be preserved in a rapidly changing urban landscape. **Preservation tools and economic incentives exist – let's put them to use, so that San Francisco's tourist industry and uniqueness can continue to prosper and flourish for future generations.**

**As appointees of Mayors Shelley, Alioto, Feinstein, Agnos, Jordan, Brown and Newsom, and Presidents of the Landmarks Board since 1973, we took an oath to protect, preserve and enhance San Francisco's historic architecture and resources. Now, we as voters must do the same.**

### JOIN US AND VOTE YES ON PROPOSITION J!

*Gee Gee Platt  
Alice Carey  
Hisashi Sugaya  
Denise M. LaPointe  
Daniel F. Reidy  
M. Bridget Maley*

The true sources of funds for the printing fee of this argument are Gertrude Bland Platt (Gee Gee), Denise M. LaPointe, Alice Ross Carey, Hisashi B. Sugaya, Daniel F. Reidy and M. Bridget Maley.

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**San Franciscans love their City for many reasons including its many historic or architecturally exceptional buildings and neighborhoods.** San Franciscans have long sought to preserve buildings and districts that make their city unique. The current Landmarks Preservation Advisory Board was created in 1967. Though revised, the law has not adequately kept up with advances in environmental law such as the California Environmental Quality Act and with increasing public concern about the quality of life. Proposition J addresses these matters by updating the Planning Code regarding oversight for reuse of San Francisco's historic resources.

**Proposition J creates a rational, fair, and predictable process for reviewing changes to San Francisco's historic buildings.** Proposition J shifts the respective responsibilities of the Planning Commission and the new Historic Preservation Commission (HPC) toward the HPC as the importance of the historic resource increases. The Planning Commission will still review projects with multiple entitlements that involve buildings of lesser historic merit. HPC decisions will be subject to appeal. Proposition J expedites the approval process by specifying that issues concerning Landmarks or other highly rated buildings will no longer require a second review by the Planning Commission. Proposition J ensures that HPC members will have a professional understanding of the field and make informed determinations. Homeowners and project sponsors will come to the HPC for advice knowing they are talking to the body that can give definitive guidance regarding appropriate changes or reuse.

The quality, variety, and number of our historic buildings make San Francisco a place like no other in the world. These buildings attract people to come here as tourists and to stay here as residents.

**VOTE YES ON PROPOSITION J to modernize San Francisco's planning for its irreplaceable historic fabric.**

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# J

# Creating a Historic Preservation Commission

## PAID ARGUMENTS IN FAVOR OF PROPOSITION J

*Alan Martínez, Architect\**  
*Robert Cherny, History Professor\**  
*Karl Hasz, Design and Development\**  
Current Members of the Landmarks Preservation Advisory Board

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true sources of funds for the printing fee of this argument are Alan Martínez, Robert Cherny and Karl Hasz.

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**YES on J** helps maintain a healthy balance in preserving San Francisco's historic and cultural resources, which enchant 16 million visitors who spend \$8 billion annually. As historical character fades, many cities and nations have created Historic Preservation Commissions--for example, the 2,000 such commissions in the United States, the French National Historic Landmark Commission, UNESCO and its advocacy for vulnerable world heritage sites.

**YES on J** enables a professional overview that facilitates projects, and enhances San Francisco's unique identity for future generations.

*Linda Jo Fitz*  
*Wilma Pang*  
*Howard Wong, AIA\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Howard Wong.

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As residents in Dogpatch Historic District, and as active members of Dogpatch Neighborhood Association, we support passage of Charter Amendment J. It will elevate historic preservation to a higher level than the "advisory" status of the current Landmarks Board, it will establish a minimum level of professionalism on the new Historic Preservation Commission, and it will signify that San Franciscans recognize the importance of historic preservation as an integral part of city planning and development.

*Susan Eslick, President, Dogpatch Neighborhood Association\**  
*Anna Budinger,*  
*L. Joseph Boss,*  
*Janet Carpinelli,*  
*Roger Donaldson,*  
*Jared Doumani,*

*Steve Griffith,*  
*Marc Infield,*  
*Frank Kingman,*  
*David Siegel,*  
*Mark Walther*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true sources of funds for the printing fee of this argument are Susan Eslick, Anna Budinger, L. Joseph Boss, Janet Carpinelli, Roger Donaldson, Jared Doumani, Steve Griffith, Marc Infield, Frank Kingman, David Siegel and Mark Walther.

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San Francisco Beautiful urges you to support Proposition J.

This Amendment makes modest improvements to San Francisco's long outdated 40 year-old ordinance dealing with landmark buildings and historic districts, moving us closer to basic good practices employed by many other American cities. These changes will bring greater professionalism, lessen inappropriate political influence and reduce duplicative and unnecessary reviews. This proposal creates no new regulations over historic buildings but reallocates authority between already existing bodies for a more effective and efficient process.

San Francisco's rich historical architecture is a unique and important aspect of our city. It is not only a critical aspect of the quality of life of those who live here but through the tourism it engenders, a key to our resilient local economy.

*San Francisco Beautiful*

The true source of funds for the printing fee of this argument is San Francisco Beautiful.

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San Francisco is one of America's most historic and environmentally aware cities. The city's recent adoption of a groundbreaking green building ordinance has made us national leaders in sustainability.

Meanwhile, our efforts to protect our city's unique historic character are guided by an outmoded historic preservation program more than 40 years old.

Historic preservation is inherently "green," and should be an important part of our efforts to promote sustainable development and combat climate change. Reusing and rehabbing our historic

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# Creating a Historic Preservation Commission



## PAID ARGUMENTS IN FAVOR OF PROPOSITION J

buildings and neighborhoods instead of demolishing them reduces consumption of scarce resources and assures that our history doesn't end up in a landfill.

Vote Yes on J!

*National Trust for Historic Preservation, Western Office San Francisco*

The true source of funds for the printing fee of this argument is the National Trust for Historic Preservation, Western Office.

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We are committed to the preservation of San Francisco's important historical properties, districts and neighborhoods, especially those that are associated with the more recent LGBT history and culture. We support this proposition because its approval will communicate to city government the high value that voters place

on the protection of San Francisco's irreplaceable historic resources. This proposition promotes the treatment of historic preservation as a legitimate part of the city's development review process and not as a luxury, and is an important small step towards a new land use ethic that calls for the integration of preservation into quality new development.

The true source of funds for the printing of this argument is Friends of 1800 a volunteer preservation advocacy association.

*Mark Paez, Chair  
Friends of 1800*

The true source of funds for the printing fee of this argument is the Friends of 1800 discretionary fund.

## PAID ARGUMENTS AGAINST PROPOSITION J

### **Prop J – Just Another Power Grab by the Board of Supervisors**

Proposition J would create a new Commission to take over historic preservation decisions from the Planning Department, Planning Commission and Mayor-appointed Landmarks Board. The seven individuals on this Commission, all of whom must be approved by the Supervisors, would have ultimate authority over permits for any building these individuals determine is historically significant.

Do you want the Board of Supervisors making your building permit decisions?

**Vote NO on J.**

*Small Property Owners of San Francisco*

The true source of funds for the printing fee of this argument is Small Property Owners of San Francisco.

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers



## PROPOSITION K

Shall the City: stop enforcing laws against prostitution; stop funding or supporting the First Offender Prostitution Program or any similar anti-prostitution program; enforce existing criminal laws that prohibit crimes such as battery, extortion and rape, regardless of the victim's status as a sex worker; and fully disclose the investigation and prosecution of violent crimes against sex workers?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** State and local laws prohibit prostitution. State and federal laws prohibit human trafficking for prostitution or forced labor. Criminal laws also prohibit crimes such as battery, extortion and rape, regardless of the victim's status as a prostitute or sex worker.

In 1994, the Board of Supervisors established a Task Force on Prostitution (Task Force) to examine prostitution in the City and to recommend social and legal reforms. In 1996 the Task Force released a report recommending that:

- City departments stop enforcing and prosecuting prostitution crimes;
- City departments instead focus on neighborhood complaints about quality of life infractions;
- The City redirect funds from prosecution and incarceration to providing services and alternatives for those involved in prostitution.

To date, the City has implemented some of the Task Force's recommendations. In 2003, the City adopted an ordinance transferring the licensing and regulation of massage parlors from the Police Department to the Department of Public Health (DPH). In 2006, DPH adopted another recommendation by establishing an anonymous telephone message line for sex workers to voice concerns about their working conditions.

The District Attorney's office, in cooperation with the Police Department and a local non-profit organization, manages the First Offender Prostitution Program. This is a diversion program with separate programs for prostitutes and clients who have been arrested. It is partially funded by fees from clients who have been arrested.

**THE PROPOSAL:** Proposition K would prohibit the Police Department from providing resources to investigate and prosecute prostitution. It would also prohibit the Police Department from applying for federal or state funds that involve racial profiling to target alleged trafficking victims and would require any existing funds to implement the Task Force's recommendations.

Proposition K would require the Police Department and the District Attorney to enforce existing criminal laws that prohibit coercion, extortion, battery, rape, sexual assault and other violent crimes, regardless of the victim's status as a sex worker. It also requires these agencies to fully disclose the investigation and prosecution of violent crimes against sex workers.

Proposition K would prohibit the City from funding or supporting the First Offender Prostitution Program or any similar anti-prostitution program.

The Board of Supervisors would be able to amend this measure by a two-thirds vote if it found the amendments would reduce criminalization of prostitution and violence against sex workers.

**A "YES" VOTE MEANS:** If you vote "yes," you want the City to:

- stop enforcing laws against prostitution,
- stop funding or supporting the First Offender Prostitution Program or any similar anti-prostitution program,
- enforce existing criminal laws that prohibit crimes such as battery, extortion and rape, regardless of the victim's status as a sex worker, and
- fully disclose the investigation and prosecution of violent crimes against sex workers.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make these changes.

### Notice to Voters:

The "Controller's Statement" and "How 'K' Got on the Ballot" information on this measure appear on the opposite (facing) page.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 252.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# Changing the Enforcement of Laws Related to Prostitution and Sex Workers

## Controller's Statement on "K"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition K:

Should the proposed ordinance be approved by the voters, in my opinion, costs could increase or decrease depending on how the City implements the ordinance. The ultimate cost or savings from the proposal would depend on decisions made in the City's budget process.

In general, the ordinance proposes to decriminalize prostitution by restricting the City from allocating resources to the investigation and prosecution of prostitutes for prostitution. Investigation and prosecution of other crimes related to prostitution would not be restricted.

The proposed ordinance could result in lower costs related to decreased enforcement by the Police Department and other public safety and justice agencies related to investigating, arresting, prosecuting and jailing sex workers for prostitution. Estimates are that the City spends between \$1.6 million and \$3.2 million on these enforcement efforts annually. However, there is also research showing that decreasing prostitution enforcement could significantly increase other public safety and justice costs as well as costs related to public health, counseling and regulatory activities.

The City would be specifically prohibited from providing support or receiving funds through the First Offender Prostitution Program, which collects fines from clients of prostitutes and uses these funds to educate them about the effects of prostitution among other purposes. In Fiscal Year 2007-2008 public agencies such as the District Attorney and Police Department received approximately \$162,000 from the First Offender Prostitution Program and non-profit organizations received approximately \$85,000 through contracts with the City.

## How "K" Got on the Ballot

On July 18, 2008 the Department of Elections certified that the initiative petition calling for Proposition K to be placed on the ballot had a sufficient number of valid signatures to qualify the measure for the ballot.

7,168 signatures were required to place an initiative ordinance on the ballot. This number is equal to 5% of the total number of people who voted for Mayor in 2007. A random check of the signatures submitted by the proponents of the initiative petition prior to the July 7, 2008 submission deadline showed that more than the required number of signatures were valid.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

**ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THE FACING PAGE. THE FULL TEXT BEGINS ON PAGE 252. SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.**





# Changing the Enforcement of Laws Related to Prostitution and Sex Workers

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION K

The current system of criminalized prostitution is not working in San Francisco. It is not working for PROSTITUTES who work consensually nor for those who are abused or coerced. As of this date, there have been no prosecutions for human trafficking in California.

According to the Public Defender's Office "This initiative would not prohibit local law enforcement from enforcing federal law to combat the exploitation of persons who are kidnapped, transported, abused and held captive by sex traffickers."

MEASURE K WOULD enable sex workers, clients and authorities to join forces and challenge abuses. In less criminalized environments, police can also obtain assistance from clients who are often the first to report trafficking or other abuses.

The city spends millions of dollars each year on the revolving door of arrests and operating a shame-based program. Meanwhile there is a record homicide rate. This legislation is about sensible law enforcement, budgeting priorities, and redirecting resources for sex workers and our families. By focusing on equal protection, the whole community’s standards will be improved.

A five year study just released in New Zealand where decriminalization has been in place since 2003, found no increase in prostitution, either street or home based. Although the stigma for sex workers had not disappeared, coercion was not widespread, and prostitutes were safer and healthier than before.

This city has a unique opportunity to once again to take the lead in advancing civil rights. Please vote YES on MEASURE K.

*Maxine Doogan, Erotic Service Providers Union  
Starchild, Sex Workers Outreach Project Northern California*

## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION K

Unfortunately, my office sees the faces of women and children being exploited every day. Many are brought to San Francisco against their will by human trafficking rings that force them into sexual slavery. Many speak little English and don’t know their rights. Many are victims of pimps who control their lives.

All of them are scared.

Proposition K empowers pimps and human traffickers, allowing them to exploit their victims without repercussion.

If Proposition K passes, San Francisco’s justice system will turn a blind eye to those who violate the human rights and dignity of their victims, encouraging these dangerous predators to come to San Francisco.

Proposition K forces police officers to disregard California’s prostitution laws, strips ALL funding to investigate human trafficking rings and prevents my office from prosecuting prostitution-related crimes.

This measure will harm prostituted children, for whom enforcement efforts are often the only hope. Only by pursuing and prosecuting abusers can we find these young victims and give them the help they need.

Services will be cut across the board if Proposition K passes. City funding will end for re-education programs like the First Offender Prostitution Program and Early Intervention Prostitution Program.

Proposition K conceals the inhumane nature of prostitution and cripples efforts of law enforcement, human rights groups and social service agencies to assist those seeking to escape.

As a law enforcement officer, a woman and a citizen of San Francisco, I ask you to join me in voting NO on Proposition K.

*Kamala Harris, San Francisco District Attorney*

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers



## OPPONENT'S ARGUMENT AGAINST PROPOSITION K

### VOTE NO ON ORDINANCE K

Ordinance K is bad policy because it decriminalization prostitution without any accompanying regulation.

Decriminalization of Prostitution in other states has been accompanied by **strict regulations that allow local communities some level of control over the impact of prostitution on the individual communities.**

For example, while prostitution in a brothel allows for community input as to **appropriate locations, hours of operation and HIV testing**, this legislation decriminalizes prostitution across the board. There is no differentiation between prostitution that takes place in a hotel room or in a car parked across the street from an elementary school.

Even with the current laws, it is not uncommon for our kids to find used condoms in and around their school. Ordinance K which prohibits law enforcement from allocating resources for investigation and prosecution of prostitution can only make this situation worse.

The San Francisco Police report a large percentage of drug dealers arrested near our BART stations do not live in San Francisco. They use BART to commute to “work” because of real or imagined lax enforcement/prosecution of drugs crimes in San Francisco.

**Isolated decriminalization will make San Francisco a magnet for both prostitution and their customers who don't want to risk a night in jail.**

Even if you believe in decriminalization, this is bad legislation.

### VOTE NO ON ORDINANCE K

*Wendy Collins*

Member Mission Merchants Association.\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION K

It is unnecessary to charge people with prostitution in order to enforce existing laws against lewd acts in public, littering, or other “quality of life” offenses.

San Francisco already has a vast number of zoning restrictions and other means of regulating appropriate business locations. These regulations do **not** require criminalizing consensual sex.

The idea that Proposition K will result in an increase in people coming to San Francisco is purely speculative. The truth is that other economic factors impact the already self-regulated sex industry. Contrary to what the opponent infers, the SFPD's CrimeMAPS website, [http://www.sfgov.org/site/police\\_index.asp?id=23813](http://www.sfgov.org/site/police_index.asp?id=23813) does **not** show arrests clustered around BART stations.

Additionally, highly regulated environments like the Nevada brothels tend to favor management over workers, and therefore would not be a good match for our city. When workers are evicted from housing, commercial districts and other locations because prostitution is criminalized, the result is that they are trafficked to the streets. Voting Yes on prop K will stop this cycle.

Furthermore, Proposition K will stop another cycle by which the city spends money on condom distribution as a means to promote public health, then the police confiscate these safety devices when arresting people, which is detrimental to worker/public health and safety.

A Yes vote will also stop law enforcement resources from being used to force people into the shame based First Offender Prostitution Program. Sexually shaming people is not a San Francisco value.

*The Libertarian and Green parties recommend YES on K.*

*Annie Chen*, educator

*Ted Gullicksen*, Tenants Rights\*

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers

## PAID ARGUMENTS IN FAVOR OF PROPOSITION K

I am a practicing doctor, public health official and university professor. I have worked in STD Prevention for over 15 years and am an expert in sex worker health. I urge San Francisco voters to vote yes on Proposition K to support a measure that will significantly improve the health of and reduce violence against sex workers.

When sex is a crime, as in some countries where homosexuality is criminalized, those who practice criminalized behavior are forced underground, suffer poorer health, increased violence and have more STDs including HIV. My own extensive research in The Philippines and Peru has shown that sex workers who work in decriminalized settings have much lower rates of STDs and HIV. In Australia, New Zealand, Berlin, Thailand, The Netherlands and Nevada counties where sex work is allowed, sex workers are healthier, have lower STD rates including HIV and lower health risks.

Currently in San Francisco the enforcement of anti-prostitution laws results in more violence against sex workers and less condom use during sex. Because law enforcement officials use condoms as evidence of illegal activity, sex workers are less likely to have condoms available or use condoms. In some places in San Francisco sex workers may not have condoms where they work because police may use the presence of condoms to pursue investigations into illegal activity. The decriminalization of prostitution is unlikely to result in more STDs. Actually, decriminalizing prostitution may result in sex workers and their clients getting tested more often and treated faster causing fewer STDs.

*Jeffrey D. Klausner, MD, MPH*  
Director, STD Prevention and Control Services, San Francisco Department of Public Health\*  
Associate Clinical Professor of Medicine, AIDS and Infectious Diseases, UCSF\*  
President, California STD Controllers' Association

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Jeffrey D. Klausner, MD, MPH.

San Francisco Student Sex Workers are young adults, entrepreneurs, and activists. As citizens and taxpayers of San Francisco we demand **equal rights**.

Under current law, workers sexually assaulted on the job cannot go to the police for fear of prosecution. Violent offenders go unpunished.

Criminalization forces us into a black market. Please vote Yes on Proposition K; **our lives depend on it**.

*Patricia West, SFSSW\**  
*Kayce Povey, SFSSW\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Patricia West.

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### Stand With Workers

The biggest obstacle to ensuring the protection of workers in the sex industry is the criminalization of prostitution. The Harvey Milk Club has always stood with workers. Join us in supporting sex workers and helping them to improve their working conditions.

### Vote YES on Prop. K!

*Harvey Milk LGBT Democratic Club*

The true source of funds for the printing fee of this argument is the Harvey Milk LGBT Democratic Club.

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There is no social consensus in San Francisco behind criminalizing adults for consensual sex. The Public Defender's Office reports that of 340 prostitution cases it handled last year, only nine went to trial. Not one defendant was convicted by a jury.

Yet according to a 2007 City Budget Analyst's estimate, San Francisco spends \$11.4 million each year arresting and prosecuting sex workers and their clients. Meanwhile, the city faces a budget crisis, with fees being raised and services being cut left and right.

What a waste of resources!

The thousands of prostitution citations issued over the past few years represent tens of thousands of hours spent by police -- *often receiving overtime pay* -- and prosecutors. These hours could have

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers



## PAID ARGUMENTS IN FAVOR OF PROPOSITION K

been better spent investigating and prosecuting homicides, rapes, robberies, and other violent crimes. Last year 99 people were killed. Most of those murders remain unsolved.

Regardless of how you personally feel about prostitution, is this a sensible way to prioritize the allocation of taxpayer resources?

**It comes down to this: We can't afford to do everything we might like to do. What is more important to you – reducing violent crime, or prosecuting adults for consensual sex?**

If you want to see more resources going to stop violent criminals, VOTE YES ON K!

*Starchild,*

Outreach Director, Libertarian Party of San Francisco and sex worker\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true sources of funds for the printing fee of this argument are Starchild, Mike Denny and Marcy Barry.

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As a San Francisco native who has been providing social services and outreach to indoor and street-based sex workers of all genders and ages for over 13 years I know that **regardless of how sex workers got to their current situation being criminalized is a social injustice with serious public health consequences.**

Prostitutes are victims of abuses including rape, robbery, exploitation and poverty. NONE of this gets better when prostitutes or trafficked victims are criminalized and sent to jail. **A Yes Vote on Proposition K will end the suffering that results from arresting prostitutes.**

The police and prosecutors say they need to arrest and jail adult and child prostitutes to “protect” them from pimps and traffickers. Instead prostitutes are violated and humiliated every time police jail them. Jail means the loss of families, community, housing and other assets, as well as the demoralizing effects such as strip searches and having male officers watch female prisoners shower, dress and use the bathroom. In San Francisco jail the rates of infections like TB, HIV and staph are greater than in the general public, making jail a health risk. NONE of this helps prostitutes or San Francisco.

Because prostitutes are currently criminalized and may go to jail, they are afraid to report abuse like violence and coercion. **Proposition K will NOT cut funding to voluntary programs or funding to pursue traffickers but would change the priority from arresting prostitutes to arresting abusive pimps, brutal rapists and traffickers.** This will allow SFPD more resources to pursue violent crime and permit sex workers to utilize the community services to better their lives.

*Naomi Akers, MPH*

Executive Director, St. James Infirmary\*

Former Executive Director, PROMISE, for women escaping prostitution\*

Former Planning Committee Member, Safe House\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Naomi Akers.

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The National Lawyers Guild  
San Francisco Bay Area Chapter  
Endorses Proposition K

**The National Lawyers Guild has been fighting for civil rights and workers' rights since 1937 and we view this endorsement as part of that struggle.**

The laws as currently enforced make it harder to stop sex trafficking and child prostitution. **Prosecutions under the California Trafficking Victims Protection Act would increase under this measure.** With the passage of Proposition K, victims of sex trafficking will find it easier to come forward because they do not have to fear arrest or deportation simply because they were engaged in illegal work. Those who are victimized will have a chance for justice.

**Proposition K would aid in establishing regulations for the industry, and the application of health and safety standards.**

*Richard P. “Terry” Koch*

Executive Board member, *National Lawyers Guild*

The true source of funds for the printing fee of this argument is Richard P. “Terry” Koch.

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers

## PAID ARGUMENTS IN FAVOR OF PROPOSITION K

As a transgender activist, former sex worker and long time consultant on commercial sex work and health services within many communities, **I urge San Francisco to Vote Yes on K.**

Rather than subjecting sex workers to revolving door arrests and criminal records which impedes their ability to find other work, Proposition K would shift priorities to enforcement of crimes against them and badly needed social services.

**This legislation is a good first step.  
Please Vote Yes on Proposition K  
to support health and safety.**

*Tamara Ching*

The true source of funds for the printing fee of this argument is Tamara Ching.

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Faces are red,  
Uniforms are blue,  
Fighting prostitution not homicide?!  
I'd be embarrassed as hell too!

Please help reduce violence, vote Yes on K!

*Phil Berg*, Libertarian Candidate for Congress

The true source of funds for the printing fee of this argument is Phil Berg.

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Most sex workers are mothers and/or young people working to support ourselves and our families. Criminalization pushes women underground into more isolated areas away from the protection of the community. Putting women in jail for what is essentially consenting sex between adults destroys lives. The money currently spent on prosecuting sex workers should go into supporting women and children and prosecuting rapists and murderers. New Zealand successfully decriminalized prostitution five years ago and found: \* No rise in numbers of women working \* Women able to report violence without fear of arrest \* Let San Francisco be next! Save women's lives, stop enforcement of damaging prostitution laws.

*US PROStitutes Collective*

The true sources of funds for the printing fee of this argument are individual donations from members of the US PROStitutes Collective.

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers



## PAID ARGUMENTS AGAINST PROPOSITION K

### San Francisco's Neighborhoods Oppose Prop K

- Proposition K is dangerous for San Francisco neighborhoods because it creates a refuge for sexual predators and human traffickers, putting the safety of every San Franciscan at risk.
- Our neighborhoods will see increases in individuals roaming our streets to solicit prostitutes without fear of prosecution.
- Young women and children could become targets for pimps looking to recruit them into prostitution.
- There are no supporting controls to this ordinance to regulate its impacts.

### *Vote NO on Prop K!*

— *Coalition for San Francisco Neighborhoods*

The true source of funds for the printing fee of this argument is the Coalition for San Francisco Neighborhoods.

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San Francisco's policy to not enforce drug-related laws has led to increased criminal activity. Passage of this measure will have the same effect. This measure also eliminates funding for diversion programs designed to help prostitutes escape from the trade. Vote No on K.

*Citizens for a Better San Francisco*

(For more information, please visit [www.CBSF.net](http://www.CBSF.net).)

*Edward Poole*

*Michael Antonini*

*Harmeet Dhillon*

The true source of funds for the printing fee of this argument is Citizens for a Better San Francisco.

The three largest contributors to the true source recipient committee are: 1. Charlie Munger Jr, 2. Edward Poole, 3. PG&E.

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Proposition K strips San Francisco of ANY ability to investigate and prosecute human trafficking crimes - crimes that we know disproportionately affect women, children and immigrants.

Recently over 100 women were trafficked into the Bay Area, mostly young adults, vulnerable and abused. Should Proposition K pass, victims of human trafficking and forced prostitution like those 100 women would have no protection or support and law

enforcement would be forced to ignore any prostitution-related illegal activities.

To turn a blind eye to women and children who have been exploited in the sex industry is a crime. Proposition K puts women in danger, emboldens their abusers and encourages human traffickers and pimps to seek refuge in our City.

This is a matter of human rights.

I urge you to help protect victims of sex trafficking by joining me, District Attorney Kamala Harris and the San Francisco Police in voting NO on Proposition K.

*Supervisor Michela Alioto-Pier*

The true source of funds for the printing fee of this argument is No on K: Committee Against Trafficking & Sexual Exploitation.

The three largest contributors to the true source recipient committee are: 1. Coalition Against Trafficking in Women, 2. Twiss Butler, 3. Gloria Steinem.

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In 10 years of operations serving homeless women, SafeHouse for Women Leaving Prostitution's client surveys record:

75% had extended periods of homelessness

90% had major mental health diagnoses

90% suffered severe child abuse and/or incest before age 18

90% had long-term drug addiction

57% never completed high school

75% are mothers with children in the system

They averaged 19 years in prostitution beginning as young as 12.

Proposition K cuts funds for supporting prostituted women in changing their lives. Don't abandon them to pimps and other predators. Vote No on K.

*Elizabeth Boardman*, Writer and Peace Activist\*

*Maritza Penagos*, MSW, MSPH – HIV Services Activist\*

*Aileen C. Hernandez*, California Women's Agenda\*

*Doreen Der-McLeod*, Cameron House\*

*Glenda Hope*, Safehouse for Women\*

*Rev. Norman Fong*, Chinatown Community Development Corporation\*

*Barry Hermanson*, Green for Congress\*

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers

## PAID ARGUMENTS AGAINST PROPOSITION K

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No on Proposition K!

To ignore a law has consequences.

We must not further erode the safety net of civilized society.

Law abiding citizens have nothing to fear from enforcement of laws.

*Harold M. Hoogasian*

The true source of funds for the printing fee of this argument is Harold M. Hoogasian.

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Proposition K is a trafficker’s dream. To pimps and johns, it would declare open season on women and children, putting those involved in prostitution in even more danger and removing them even farther from urgently needed help. Prostitution is an extremely dangerous activity for those in it. They are not any safer if they are offered for sale just like Kleenex, which is what this ballot measure would do.

Most women, men, children, and transgendered individuals who are trapped in prostitution in San Francisco are domestically or internationally trafficked. Having been systematically sexually abused and exploited, 90% of them want to get out of prostitution. Measure K would de-fund educational programs that offer victims of trafficking help and the means to escape. We need more housing, addiction treatment, mental health and job counseling for those in prostitution – not fewer services.

Let’s defeat this measure. Let’s enforce the existing state laws against pimps, johns, and traffickers. Let’s develop a progressive social policy and legal response to the human rights violations of trafficking and prostitution.

*Allen Wilson, Member ACLU\**

*Francine Braae, Interim Executive Director SAGE Project\**

*Ann Singer, Jewish Coalition to End Human Trafficking\**

*Gretchen Richardson, Program Manager, Walden House\**

*Roma Guy, Former Health Commissioner\**

*Libby Denebeim, Former President, SF BOE\**

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The true source of funds for the printing fee of this argument is No on K: Committee Against Trafficking & Sexual Exploitation.

The three largest contributors to the true source recipient committee are: 1. Coalition Against Trafficking in Women, 2. Twiss Butler, 3. Gloria Steinem.

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Measure K, if it passes, will damage the most vulnerable among us. It will prevent enforcement of laws against people who violate their human rights.

Measure K will prohibit prostitution investigations. Sex trafficking investigations result from prostitution investigations. Sex traffickers will gain virtual immunity. They know this. Measure K proponents hide it.

Measure K would cripple prosecution of sex traffickers and hobble human rights groups and social service agencies in helping people escape prostitution. Women, children, and immigrants—the vast majority of those in prostitution—will be abandoned, along with their human rights.

Human traffickers often victimize those from a single racial or national group. Under this measure, the San Francisco Police Department could not seek or accept federal funds to investigate organized crime rings exploiting victims of an identifiable race or nationality. Investigations into severe crimes that disproportionately effect women of color, children, and immigrants will be prohibited.

Measure K hides the true nature of prostitution and misrepresents our labor laws. Prostitution is not covered by labor laws because it is known to be so dangerous and degrading that it can never be made safe and nonexploitive.

Sex traffickers flock to destinations where law enforcement ignores prostitution. Please don’t vote for Measure K.

*Pamela LoPinto San Francisco United for Women & Neighborhoods\**

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers



## PAID ARGUMENTS AGAINST PROPOSITION K

*Laurie Fields*, Dept. of Psychiatry UCSF\*  
*Alicia Boccellari*, Trauma Recovery Center\*

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The true source of funds for the printing fee of this argument is No on K: Cmte Against Trafficking & Sexual Exploitation.

The three largest contributors to the true source recipient committee are: 1. Coalition Against Trafficking in Women, 2. Twiss Butler, 3. Gloria Steinem.

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Prostitution is a racist, sexist activity that drives human trafficking, a form of slavery.

Trafficked women are primarily women of color or immigrants. San Francisco is a hub for the sex trade in Asians (often captive in massage parlors), Latinos (used in Cantina bar prostitution), and African Americans (often sold on the street).

The first prostituted women in California were trafficked Chinese women. Today we see the same trafficking of Chinese, Korean, Filipina, Thai, and Vietnamese women trafficked by pimps and sold to johns in San Francisco massage parlors and escort prostitution.

Measure K will decriminalize pimps and traffickers. Pimps do not speak for most prostituted people, who are predominantly women of color, trafficked, and poor. Measure K will end funding for educational services that help women and children escape their slavery. We oppose Measure K.

*Yasmin Kaderali*, Students & Artists Fighting to End Human Slavery\*

*Aundre Herron*

*Andrea Bass*, San Francisco United for Women & Neighborhoods\*

*Kathleen Watkins*, Prostitution Research & Education\*

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The true source of funds for the printing fee of this argument is No on K: Committee Against Trafficking & Sexual Exploitation.

The three largest contributors to the true source recipient committee are: 1. Coalition Against Trafficking in Women, 2. Twiss Butler, 3. Gloria Steinem.

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San Francisco Women Say: Vote No on K

In its official response to Proposition K, the San Francisco District Attorney's office stated:

“The measure is based on the inaccurate and harmful premise that prostitution is a victimless crime. Repeated studies document that the vast majority of prostituted people have been victims of repeated abuse, violence and molestation. Often, they have been coerced, tricked, threatened or beaten into participating in commercial sex. Their “choice” to engage in the commercial sex trade is not meaningful.

Many victims of sexual exploitation and trafficking are children. According to recent studies, the average age that a person enters the commercial sex trade is 13 years old. Our office has encountered prostituted children as young as nine years old. Minors cannot, as a matter of law, consent to molestation. By barring enforcement of laws against prostitution, the measure attempts to place a group of molested children and teens outside the protection of the city's law enforcement system. This would be inhumane and irresponsible.”

Join District Attorney Kamala Harris, Supervisor Michela Alioto-Pier, Carmen Chu in VOTING NO ON PROPOSITION K.

*Carmen Chu*, SF Supervisor

*Catherine Dodd RN*, Former President SF NOW\*

*Heidi Machen*, President, City Democratic Club\*

*Sue Lee*, Candidate, District One Supervisor\*

*Mary E. Foley RN*, Vice President American Nurses Association\*

*Judith Berkowitz*, Immediate Past President, Coalition for San Francisco Neighborhood\*

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The true source of funds for the printing fee of this argument is No on K: Committee Against Trafficking & Sexual Exploitation.

The three largest contributors to the true source recipient committee are: 1. Coalition Against Trafficking in Women, 2. Twiss Butler, 3. Gloria Steinem.

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# Changing the Enforcement of Laws Related to Prostitution and Sex Workers

## PAID ARGUMENTS AGAINST PROPOSITION K

Don't turn San Francisco into a sanctuary city for prostitutes.

Prop. K is an irresponsible measure which will hurt our neighborhoods. It would force the City to stop enforcing existing laws on prostitution -- increasing the likelihood for more violent prostitution on our streets. It would also eliminate two programs -- First Offender and Standing Against Global Exploitation (SAGE) -- that work to end sexual exploitation.

No on K

*San Francisco Republican Party*

### Endorsed Candidates

*Dana Walsh, Congressional District 8*

*Conchita Applegate, Assembly District 12\**

*Harmeet Dhillon, Assembly District 13*

*Mike DeNunzio, Supervisorial District 3*

### Officers

*Howard Epstein, Chairman*

*Walter Armer, VC Political Affairs*

*Janet Campbell, VC - Special Events*

*Leo Lacayo*

*Christopher L. Bowman, VC - Precinct Operations*

### Members

#### 12<sup>th</sup> Assembly District

*Michael Antonini*

*Terence Faulkner*

*Stephanie Jeong*

*Barbara Kiley*

#### 13<sup>th</sup> Assembly District

*Alisa Farenzena*

*Sue C. Woods*

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The true source of funds for the printing fee of this argument is the San Francisco Republican Party.

The three largest contributors to the true source recipient committee are: 1. DGF Y2K Special Purpose Trust, 2. PG&E, 3. CA. Republican Party.

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# Funding the Community Justice Center



## PROPOSITION L

Shall the City guarantee that the City provide first-year funding for the Community Justice Center, authorize the Director of Property to lease space for the CJC, and define the CJC's scope and operations?

YES ←   
NO ←

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The San Francisco Superior Court's criminal division hears misdemeanor and felony cases. If defendants are found guilty, they may be subject to fines or imprisonment.

The City has acted to establish a new Community Justice Center (CJC), which will include a court as well as access to health and social services. The CJC Court will handle some criminal misdemeanor and non-violent felony cases normally heard by the Superior Court. The Court will handle cases in which defendants are charged with committing crimes in the Tenderloin, South of Market Area, Civic Center, and Union Square neighborhoods, as well as any other areas of the City selected by the Mayor's office and the Superior Court. Defendants appearing before the CJC Court will be offered health and social services case management.

In 2008, the Board of Supervisors approved the following actions:

- Provided \$998,145 to create and operate the CJC in the 2008-2009 fiscal year. The Board of Supervisors has the authority to change this funding, subject to the Mayor's veto.
- Authorized the Department of Public Health to accept a federal grant of up to \$984,000 in additional funds.
- Authorized the Director of Property to enter into a lease to house the CJC. The Director of Property has entered into that lease.

**THE PROPOSAL:** Proposition L would:

- Guarantee that the City provide first-year funding for the CJC,
- Authorize the Director of Property to lease space for the CJC, and

- Define the CJC's scope and operations.

Proposition L would guarantee \$1.77 million for the 2008-2009 fiscal year to set up the CJC and fund its first year of operations. The Board of Supervisors would not have the authority to reduce these funds for the 2008-2009 fiscal year.

Proposition L would also authorize the Director of Property to enter into a lease or take other actions to obtain facilities for the CJC.

Proposition L states the CJC Court would hear criminal cases concerning misdemeanors, non-violent felonies, and other crimes considered appropriate by the Superior Court and the Mayor's office. The Court would handle cases in which defendants are charged with committing crimes in the Tenderloin, South of Market Area, Civic Center, and Union Square neighborhoods, as well as any other areas of the City selected by the Mayor's office and the Superior Court. In the CJC Court, a single judge would preside over cases to help ensure that defendants appear in court and obtain needed social services. The CJC would provide access to social, health and community services to defendants and other community members.

**A "YES" VOTE MEANS:** If you vote "yes," you want to guarantee that the City provide first-year funding for the Community Justice Center (CJC), authorize the Director of Property to lease space for the CJC, and define the CJC's scope and operations.

**A "NO" VOTE MEANS:** If you vote "no," you do not want the City to take these actions.

## Controller's Statement on "L"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition L:

Should the proposed ordinance be approved by the voters, it would, in my opinion, have the net effect of increasing the cost of government by an amount of \$129,177 in Fiscal Year 2008-2009 to fund the Community Justice Center (CJC), a community-based collaborative court that would provide immediate social and health services to individuals charged with misdemeanors and non-violent felonies in the Tenderloin, South of Market, Civic Center and Union Square areas.

The ordinance specifies a budget of \$2,754,000 for the CJC, however the Board of Supervisors and the Mayor have already included \$2,624,823 of that amount in the City's annual budget and in approved federal grant appropriations. Should the ordinance be approved by the voters, the Controller would use the already appropriated \$2,624,823

and an additional \$129,177 to fund the total budget amount for the CJC.

The annual operating costs of the CJC are estimated to be approximately \$2.4 million after the first year. Note that an ordinance cannot bind future Mayors and Boards of Supervisors to provide funding for this or any other purpose. In future budget years, the ultimate cost of the proposal would depend on how the City implements the ordinance and on decisions made in the City's annual budget process.

## How "L" Got on the Ballot

On June 11, 2008 the Department of Elections received a proposed ordinance signed by Mayor Newsom.

The City Elections Code allows the Mayor to place an ordinance on the ballot in this manner.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 253.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



**L**

# Funding the Community Justice Center

This disclaimer applies to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Alioto-Pier, Chu, Dufty and Elsbernd; oppose the measure: Supervisors Ammiano, Daly, McGoldrick, Mirkarimi and Peskin; take no position on the measure: Supervisors Maxwell and Sandoval.*

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION L

Help is on the way for San Francisco neighborhoods plagued by auto break-ins, aggressive panhandling, drugs and theft. The Community Justice Court is a collaborative, problem-solving services center with a court onsite that provides long-term solutions for frequent offenders who commit misdemeanors and nonviolent felonies.

### **Vote YES for a safer and more livable city.**

The Community Justice Court will engage and revitalize our neighborhoods through a collaborative approach that includes a Citizen Advisory Board, regular town hall forums and direct interaction with criminal justice and service agency representatives.

### **Vote YES to help offenders break the cycle of crime.**

In the Community Justice Court, defendants can choose treatment and a way out, rather than incarceration. A judge will work with social services staff to create individual treatment plans that address the root causes of the defendants’ problems – like substance abuse, lack of permanent housing, high-risk health issues or an inability to support themselves.

### **Vote YES to stop politicians from playing politics with community justice.**

At least one member of the Board of Supervisors has announced his intention to “eliminate” the Community Justice Court when a new board takes office next year. A “yes” vote is necessary to

ensure the court can continue to address frequent offenders and revitalize our neighborhoods.

### **The Community Justice Court is a proven solution.**

Our current criminal justice system is simply not providing solutions to address quality-of-life crimes in our neighborhoods or getting offenders the help they need. But community justice courts are reducing crime and having a positive effect in more than 30 cities across America.

Please join us in voting YES for this proven solution to break the cycle of crime and improve the quality of life in our neighborhoods.

*Gavin Newsom*  
Mayor

*Kamala Harris*  
District Attorney

*Phil Ting*  
Assessor-Recorder

## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION L

**NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION L WAS SUBMITTED**

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# Funding the Community Justice Center



## OPPONENT'S ARGUMENT AGAINST PROPOSITION L

Vote no on L.

It is unnecessary for this measure to be on the ballot.

The Community Justice Center has ALREADY BEEN FUNDED by the Board of Supervisors. This ballot measure professes to create what has already been created, appropriating funds that have already been appropriated.

The Community Justice Center is a new project, introduced to the Board of Supervisors during a time when the city was facing a \$350 million deficit. Vital health and social services provided to our most needy residents, programs that served the elderly, the disabled, those living with AIDS, survivors of domestic violence, and other vulnerable populations were being decimated in the Mayor's proposed budget. The budgets of many city departments were facing drastic cuts.

Through hard work and many long nights, the Board of Supervisors restored tens of millions of dollars to cuts that served the people of San Francisco and passed a compassionate, fiscally prudent budget at the end of July. Only then did the Board deem it suitable to fund new programs. The Board of Supervisors passed legislation that fully funded the start up costs, the lease costs, and other personnel costs of the Community Justice Center in July.

It is wasteful to place this measure on the ballot, knowing that the Justice Center is fully funded.

Please do not support this unnecessary measure. Don't fall for the gimmick.

Vote No on L.

*Supervisor Jake McGoldrick*, Chair of Budget and Finance Committee

*Supervisor Aaron Peskin*, President

*Supervisor Tom Ammiano*

*Supervisor Chris Daly*

*Supervisor Sophie Maxwell*

*Supervisor Ross Mirkarimi*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION L

The facts show the Community Justice Court will make our city safer.

That's why I have been working in partnership with the courts, the District Attorney, community leaders and many others to open the Community Justice Court.

Unfortunately, politics is getting in the way of this proven policy.

Winning start-up funds from the Board of Supervisors has been an ongoing struggle. After funds were approved last year, the Board later put a hold on the money for what appeared to be political reasons.

When we finally won approval for the second time this year, Supervisor Chris Daly vowed he would work to elect candidates to the Board of Supervisors in the November election to stop the funding of this new program.

The *San Francisco Chronicle* quoted Daly as promising, "I can't wait until we have a new Board of Supervisors next year that can eliminate the Community Justice Center."

The opponents say they have other priorities. I respectfully disagree with their assessment. Proven and cost-effective safety programs such as the Community Justice Court should be one of our very highest priorities. **Courts like this are already being used in other cities to help dramatically decrease crime.**

This program will help reduce homelessness and crime. By working in tandem with other proven programs it will encourage those suffering from addictions to find the help they need.

Please find out more about how the Community Justice Court will work to reduce crime and help San Franciscans at [www.CommunityJusticeCourt.com](http://www.CommunityJusticeCourt.com).

*Mayor Gavin Newsom*

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# Funding the Community Justice Center

## PAID ARGUMENTS IN FAVOR OF PROPOSITION L

Our San Francisco Police Officers and Judicial System are overwhelmed dealing with petty criminals, drug/alcohol abusers, aggressive panhandlers and repeat offenders. This Community Justice Court helps non-violent offenders without incarceration, decreases crime and saves taxpayer dollars. Please Vote Yes. A no vote helps No one.

*Michael E. Hardeman*  
*Sign Display Local Union 510*

The true source of funds for the printing fee of this argument is the Sign Display Local Union 510.

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With 63% of the city's alcohol and drug related crime taking place in the Tenderloin and South of Market, this new court will provide an opportunity for restorative justice and accountability to the community. The Court will address the underlying roots of criminal activity by directly connecting those in need of mental health and addictive services with service providers. Help make San Francisco a model for court reform.

**SUPPORT THE COMMUNITY JUSTICE CENTER. Vote Yes on L.**

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

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It's time to break the cycle of quality-of-life crimes in our neighborhoods. This November, voters can authorize a proven solution that has not only made other cities safer and more livable, but has also helped offenders get the services they need to break the cycle of crime.

The Building Owners and Managers Association (BOMA), which represents the largest group of commercial property owners in San Francisco, fully endorses the Community Justice Court, as a faster, more efficient means of dealing with misdemeanor crimes such as aggressive panhandling, drug use, public intoxication and the like. The CJC will address the root causes of the defendants' problems by providing connections to rehabilitation, housing and other social services as part of their court proceedings.

The creation of Community Justice Courts have proved very effective in New York City in reducing quality of life crimes. It can work here.

**BOMA strongly encourages you to vote YES on Prop L.**

*Ken Cleaveland, BOMA*

The true source of funds for the printing fee of this argument is the BOMA SF IE PAC - ID#870449.

The three largest contributors to the true source recipient committee are: 1. Harsch Investment Properties, 2. Cushman & Wakefield of California, 3. Capital and Counties USA, Inc.

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The Superior Court, the SFPD, District Attorney, and Sheriff, are doing the best to cope with a huge backlog of felony and misdemeanor cases, and quality of life issues take a back seat - so that homeless people who run afoul of the law, never have to face the consequences of their actions or have access to supportive housing and services which break the cycle of homelessness in the City. Proposition L is based on the best practices nationally. Vote Yes on L.

*Citizens for a Better San Francisco*  
(For more information, please visit [www.CBSF.net](http://www.CBSF.net))  
*Edward Poole*  
*Michael Antonini*  
*Harmeet Dhillon*

The true source of funds for the printing fee of this argument is Citizens for a Better San Francisco.

The three largest contributors to the true source recipient committee are: 1. Charlie Munger Jr., 2. Edward Poole, 3. PG&E.

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The Community Justice Court represents a real opportunity to break the cycle of crime, get proper treatment to defendants and improve the quality of life in San Francisco.

**I urge you to vote YES on Proposition L.**

*Senator Dianne Feinstein*

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

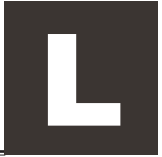
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# Funding the Community Justice Center



## PAID ARGUMENTS IN FAVOR OF PROPOSITION L

As a former San Francisco Superior Court judge, I fully support the Community Justice Court ballot initiative. The Community Justice Court will revitalize our neighborhoods, reduce crime and provide treatment to the individuals who need it most.

**Please vote YES on Proposition L.**

*Justice Harry Low (ret.)\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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The Community Justice Court will engage and revitalize our neighborhoods by helping frequent offenders find a way out of the criminal justice system and securing them the social services and treatment they need. In the Community Justice Court judges work with social services staff to create individual treatment plans that address the root causes of defendants' problems — like substance abuse, lack of permanent housing, high-risk health issues and inadequate income and job skills. Defendants, in cases involving misdemeanors and nonviolent felonies can choose treatment and a way out — rather than incarceration.

In more than 30 cities across the country, this collaborative approach has reduced crime, reduced the number of frequent offenders and improved the quality of life for neighbors and the safety of neighborhoods. Let's do the same in San Francisco.

**Please join me in voting YES on Proposition L**

*Roberta Achtenberg*

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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The Golden Gate Restaurant Association **supports the Community Justice Court**. San Francisco needs to follow the positive example set by many other major U.S. cities in creating treatment options for repeat offenders of misdemeanor crimes.

Tired of quality of life crimes in your neighborhood like auto break-ins and petty theft?

The social services staff at the Community Justice Court creates individual treatment plans for repeat offenders that address core issues like substance abuse that lead to the crimes. A judge on site administrates the program. The misdemeanor offender can choose the individual treatment plan as an option to incarceration. The option creates the opportunity to break the cycle of crime.

San Francisco benefits by unclogging the courts of repeat misdemeanor offenders leading to improved efficiency dealing with violent and felony crimes. The misdemeanor offender benefits with options to incarceration and the personal choice to address the core issues leading to the need for the crime. San Franciscans benefit with a reduction in quality of life crimes.

The Community Justice Court is just that. Oversight is provided by a citizen advisory board. Vote to create a treatment option to incarceration and improve the quality of life for all San Franciscans.

*Golden Gate Restaurant Association*

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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Currently, non-violent offenders are offered two choices within the criminal justice system: incarceration or release. Neither of these options addresses the heart of the matter, which is that these offenders need a comprehensive program of treatment, education and counseling.

The "community justice court" is the alternative that can meet this desperate need. It will give the court the best option for intervening in the lives of non-violent, but troubled individuals by addressing the issues and directing them into qualified treatment.

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# Funding the Community Justice Center

## PAID ARGUMENTS IN FAVOR OF PROPOSITION L

Instead of overcrowding an already overwhelmed justice system; instead of overcrowding an already saturated jail, we should strive to treat the systemic issues. Let's improve the quality of life in our community.

*Darolyn Davis*  
Small Business Owner

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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As a former New Yorker, I witnessed the transformation of Times Square from a crime ridden area avoided even by thick-skinned native New Yorkers to a thriving, vibrant neighborhood enjoyed at all times of the day by visitors and New Yorkers alike. Crucial to that transformation was New York's implementation of a community court aimed at identifying repeat street offenders and insuring that they, under court supervision, get the help they need for their own sake and the sake of the city as a whole.

It worked in New York and it will work here. Let's reclaim our streets and truly help those who need assistance in putting their lives back together. Vote **YES on Proposition L**.

*Anita Theoharis*  
Past President S.F. Planning Commission\*  
Past President West of Twin Peaks Central Council\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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This November, voters can authorize a proven solution that has not only made other cities safer and more livable, but has also helped offenders get the services they need to break the cycle of crime. The Community Justice Court will hear cases of misdemeanor and non-violent felonies and address the root causes of the defendants' problems, instead of just cycling them through the

system over and over again without solving anything. By offering them the choice of incarceration or treatment, we can refer defendants to social services that will help them with substance abuse, lack of permanent housing, unfulfilled benefits, or high-risk health issues. On-site case managers and treatment resources will allow for the provision of immediate services and treatment plans to get at the root causes of an offender's problems.

The Community Justice Court represents a real opportunity for San Franciscans to improve the quality of life of their neighborhoods and to reduce petty crime.

**I strongly urge you to vote YES on Prop L.**

*Scott Wiener*  
Past Chair, San Francisco Democratic Party\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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The Community Justice Court is a fresh alternative to our clogged, overcrowded court system. Instead of simply incarcerating or releasing defendants, it will offer them treatment for their problems. Vote YES on Proposition L to improve our court system and the quality of life in San Francisco.

*Union Square Association*

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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The Community Justice Court (CJC) represents needed reform to the lack of attention to the persistent low-level crime in San Francisco neighborhoods while getting defendants the help they need. With a Judge working with social services and the community, the Community Justice Court's collaborative approach addresses problems by providing long-term solutions that prevent crime and transform life.

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# Funding the Community Justice Center



## PAID ARGUMENTS IN FAVOR OF PROPOSITION L

The Court's service area is only 5% of our City's geography and 10% of our population, yet 38% of all misdemeanors and non-violent felonies and half of all narcotic arrests. The CJC needs our continuing support.

**Please join me in voting YES for Proposition L.**

*Supervisor Bevan Dufty*

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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Community Justice Courts nationwide are reducing crime and helping offenders get the treatment and help they need. It is time for San Francisco to solve the problem of auto break-ins, aggressive panhandling, drugs and theft.

In the Community Justice Court, misdemeanor and non-violent felony defendants can choose treatment over incarceration, and a judge will work with social services staff to create individual treatment plans that address the root causes of the defendants' problems. The Community Justice Court is a collaborative, problem-solving services center that will provide long-term solutions for frequent offenders who commit misdemeanors and nonviolent felonies.

**Please join Laborers Local 261 in voting YES on Prop L, and revitalize San Francisco neighborhoods.**

*Laborers, Local 261*

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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Our current criminal justice system is failing to address quality-of-life crimes in our neighborhoods, which are suffering from endemic panhandling, drugs, and theft. The Community Justice Court, used successfully in New York City and over 30 cities across the U.S., will help us clean up our neighborhoods and get treatment for repeat offenders.

**Please Vote YES on Prop L.**

*Small Property Owners of San Francisco*

The true source of funds for the printing fee of this argument is the Community Justice Court Coalition: Breaking the Cycle.

The three largest contributors to the true source recipient committee are: 1. Local 39 Stationary Engineers IUOE, 2. Seven Hills Properties, 3. Nils Welan.

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Community Justice Centers--Their Time Has Come

Community Justice Centers are a proven solution that have not only made other cities safer and more livable but also have helped offenders get the services they need to break their cycle of crime. More than 30 cities across the nation use this model to provide solutions for overtaxed criminal justice and social services systems.

Proposition L will create a Community Justice Center serving the Tenderloin, Civic Center, South of Market, and Union Square neighborhoods. It will provide a collaborative, problem-solving service center with a court on site, where misdemeanor and non-violent felony defendants can choose treatment over incarceration, and a judge will work with social services staffs to create individual treatment plans that address the root causes of a defendant's problems. Proposition L has the support of the 49 judges of the Superior Court and will ensure that quality of life crimes are addressed rather than be shunted aside because of the court's high caseload.

Community Justice Centers will directly address quality of life issues in the Tenderloin, Civic Center, South of Market and Union Square neighborhoods.

Vote YES on Proposition L.

*San Francisco Association of REALTORS*

The true source of funds for the printing fee of this argument is the San Francisco Association of REALTORS

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The Community Justice Center will help solve the city's chronic quality of life/street crime problems by using proven methods that have been successful in over 30 U.S. cities. Break the cycle of homelessness and improve the quality of life for offenders, neighbors and visitors alike.

Yes on L

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# Funding the Community Justice Center

## PAID ARGUMENTS IN FAVOR OF PROPOSITION L

*San Francisco Republican Party*

### Endorsed Candidates

*Dana Walsh, Congressional District 8*

*Conchita Applegate, Assembly District 12\**

*Harmeet Dhillon, Assembly District 13*

*Mike DeNunzio, Supervisorial District 3*

### Officers

*Howard Epstein, Chairman*

*Walter Armer, VC Political Affairs*

*Janet Campbell, VC - Special Events*

*Leo Lacayo*

*Christopher L. Bowman, VC - Precinct Operations*

### Members

12<sup>th</sup> Assembly District

*Michael Antonini*

*Stephanie Jeong*

13<sup>th</sup> Assembly District

*Alisa Farenzena*

*Sue C. Woods*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the San Francisco Republican Party.

The three largest contributors to the true source recipient committee are: 1. DGF Y2K Special Purpose Trust, 2. PG&E, 3. CA. Republican Party.

## PAID ARGUMENTS AGAINST PROPOSITION L

**NO PAID ARGUMENTS AGAINST PROPOSITION L WERE SUBMITTED**

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# Changing the Residential Rent Ordinance to Prohibit Specific Acts of Harassment of Tenants by Landlords



## PROPOSITION M

Shall the City's Residential Rent Ordinance be amended to prohibit specific acts of tenant harassment by landlords and to provide for enforcement by means of court orders, rent reduction, monetary awards or criminal penalties?

YES ←   
NO ←

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City's Residential Rent Ordinance applies to most rental housing built before June 1979. In general, the Rent Ordinance limits annual rent increases and requires "good cause" for landlords to evict tenants. The Rent Ordinance lists a number of specific reasons for eviction. When a rental unit is vacated voluntarily or by eviction, the landlord may set the rent at the market rate. Once a new tenant has rented the unit, the Rent Ordinance again limits annual rent increases.

Under state and local law, landlords are required to keep rental units livable. Among other things, units must have intact windows, doors, roofs and walls; units must have adequate plumbing, heating, water and electricity available; and common areas must be clean and sanitary. These requirements may be enforced by various penalties, including court orders, rent reductions, monetary awards or criminal penalties.

**THE PROPOSAL:** Proposition M would amend the City's Residential Rent Ordinance to prohibit harassment of tenants by landlords, including:

- failure to provide required housing services, repairs or maintenance;
- failure to safely complete repairs once they are begun;

- attempts to intimidate a tenant into vacating a rental unit;
- threats of physical harm to the tenant;
- violation of laws against discrimination;
- refusal to acknowledge receipt of a rent check, or refusal to cash a rent check for over 30 days; and
- request of information that could violate a tenant's right to privacy, including information about residence, citizenship status or social security number.

Proposition M would provide for enforcement by means of court orders, rent reduction, monetary awards or criminal penalties.

**A "YES" VOTE MEANS:** If you vote "yes," you want to amend the City's Residential Rent Ordinance to prohibit specific acts of tenant harassment by landlords and to provide for enforcement by means of court orders, rent reduction, monetary awards or criminal penalties.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make these changes.

## Controller's Statement on "M"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition M:

Should the proposed ordinance be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The proposed ordinance would amend the City's Residential Rent Stabilization and Arbitration Ordinance to define tenant harassment by landlords, and add related enforcement mechanisms for violations including reduction of rent upon reduction of housing services, misdemeanor prosecution, civil actions including injunctions, statutory, actual and punitive damages.

The proposed ordinance could increase the caseload for the San Francisco Residential Rent Stabilization and Arbitration Board, to the extent that additional claims are filed. The Rent Board is funded entirely by fees paid by owners and renters of rental units subject to the City's rent ordinance.

## How "M" Got on the Ballot

On July 29, 2008 the Board of Supervisors voted 7 to 4 to place Proposition M on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

**No:** Supervisors Alioto-Pier, Chu, Duffy and Elsbernd.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 254.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# M

## Changing the Residential Rent Ordinance to Prohibit Specific Acts of Harassment of Tenants by Landlords

This disclaimer applies to the proponent's argument on this page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, McGoldrick, Mirkarimi, Peskin and Sandoval; oppose the measure: Supervisors Alioto-Pier, Chu and Elsbernd; take no position on the measure: Supervisors Dufty and Maxwell.*

### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION M

Current laws do not give tenants in San Francisco protection against harassment. Rent control has no provisions prohibiting landlords from harassing tenants. Even when landlords wage a war of intimidation against their tenants or constantly harass them to move so that they can raise the rent, the Rent Board will not get involved. Right now, when a tenant is being harassed, their only option is to live through, and document, this abuse for months or years until the harassment becomes so bad that the tenant actually suffers physical, mental or financial damages. Only then can a tenant file a lawsuit.

Proposition M will stop landlords from harassing tenants or pressuring them to leave so that the rent can be raised. It adds to San Francisco's rent control law a section defining and prohibiting harassment. Under Proposition M tenants can get a rent reduction when victimized by harassment and, if faced with multiple & phony eviction notices, Proposition M ensures tenants get attorneys fees to fight off bogus eviction attempts.

Harassment of tenants --often seniors who have lived in their homes for decades --is unacceptable behavior which San Francisco should not tolerate. Vote YES on Proposition M to stop landlords

from harassing tenants so that they can get them out and raise the rent.

*Supervisor Aaron Peskin*

*Supervisor Chris Daly*

*Supervisor Ross Mirkarimi*

*Supervisor Gerardo Sandoval*

*Supervisor Tom Ammiano*

*Supervisor Sophie Maxwell*

*Supervisor Jake McGoldrick*

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION M

Current laws already provide ample protection for tenants who feel harassed. The San Francisco Rent Ordinance already permits a tenant to sue a landlord who wrongfully endeavors to recover possession of a rental unit without just cause. Even without Proposition M, tenants can, as numerous tenants have done, sue their landlords for any harassment that is intended to cause them to move. Current law allows tenants and their lawyers to recover actual damages, damages for emotional distress, injunctive relief and attorneys fees for acts of harassment. In fact, under current law, landlords can be put jail for harassing tenants.

The Rent Ordinance already permits tenants to petition the Rent Board for a reduction in housing services. A tenant who feels harassed can simply ask the Rent Board for a lower rent based upon a decrease in quiet enjoyment of the premises.

The real purpose of Proposition M is to increase the profits of greedy lawyers by giving them more complicated laws to abuse. A nice cottage industry has been developed by lawyers who rep-

resent BOTH landlords and tenants who thrive on conflicts and new laws. Vote Yes on M if you want to support this industry.

Tenants don't have to wait years before filing a lawsuit. San Francisco is filled with lawyers eager to file lawsuits against errant landlords. *Google* "tenant lawyer San Francisco" and you get 300,000 hits! There's no shortage of laws or lawyers in San Francisco. **Vote NO on M.**

*San Francisco Apartment Association*

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# Changing the Residential Rent Ordinance to Prohibit Specific Acts of Harassment of Tenants by Landlords



## OPPONENT'S ARGUMENT AGAINST PROPOSITION M

### **Measure M should be called the Full Employment Act for Greedy Lawyers.**

State and local law already protects tenants from harassment and wrongful evictions and the other conduct prohibited by Measure M. The true purpose of Measure M is to give greedy lawyers another way to line their pockets at the expense of both property owners and tenants.

Property owners will lose because they won't know the difference between a "warning" to a tenant and "harassment." If the property owner guesses wrong, a lawsuit will be filed and some lawyer will get a big paycheck.

Tenants will lose because they won't be able to directly negotiate buyouts of their tenancies without an attorney, who will take at least a third of what the tenant is entitled to. The proponents of this measure believe that all tenants are idiots and can't negotiate without a lawyer. If you want to subsidize greedy lawyers, vote yes on M.

### **Measure M violates the 1<sup>st</sup> Amendment.**

Measure M is unconstitutional and has already lost in court twice. In 2004, (*Baba v. Board of Supervisors of CCSF*), the California Court of Appeal struck down a similar law enacted by

the San Francisco Board of Supervisors. In 2007, (*Action Apartments Association v. City of Santa Monica*) the California Supreme Court declared a Santa Monica law unconstitutional because it attempted to make it illegal for landlords to threaten tenants. Passage of this measure will lead to costly litigation that the voters will ultimately pay for.

**If you support free speech and oppose lawyers profiting at the expense of landlords and tenants, vote NO on M!**

*San Francisco Apartment Association*

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION M

Being forced to move under any circumstance is difficult. San Francisco rents are soaring and with prices on everything else rising too, finding affordable housing in the city is near impossible. When you are forced to move because your landlord has threatened and tormented you to the point that you have no choice but to leave, it is especially difficult to deal with. When we allow landlords to harass people out of their homes just so the landlord can raise the rent, we are condoning unacceptable behavior. Landlords claim it is their right to "threaten tenants." It is not okay to threaten someone hoping to make their life so miserable that they will move, so the rent can be doubled or tripled.

Harassment has become epidemic in San Francisco because we have no local law prohibiting tenant harassment. In recent months we have seen the City Attorney file a lawsuit against Citi Apartments claiming it systematically harasses tenants and the District Attorney file criminal charges against another landlord, who went so far as to cut support beams under a tenants' apartment.

Tenants should not have to depend on the City Attorney, the District Attorney or lawsuits to stop landlords from harassing them. Prop M provides a simple mechanism to stop harassment at the Rent Board, without lawyers or lawsuits. Please join elected officials, senior groups, labor groups, affordable housing advocates, community groups and the San Francisco Democratic Party in voting YES on Prop M.

*San Francisco Tenants Union*

[www.sftu.org](http://www.sftu.org)

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# M

# Changing the Residential Rent Ordinance to Prohibit Specific Acts of Harassment of Tenants by Landlords

## PAID ARGUMENTS IN FAVOR OF PROPOSITION M

In this year of change, let's change the rent control law so landlords can no longer profit off of tenant harassment. Vote YES on Proposition M.

*San Francisco Democratic Party*

The true source of funds for the printing fee of this argument is the San Francisco Tenants Union.

Forcing tenants to move through harassment and intimidation just so landlords can profit off higher rents is behavior we should not tolerate. Vote YES on Proposition M.

*San Francisco Labor Council*

The true source of funds for the printing fee of this argument is the San Francisco Tenants Union.

The Parkmerced Residents Organization *strongly* urges you to support the proposed specific worded measure, to protect and assist tenants who are at risk of eviction by landlords when they are threatened or at risk of eviction due to the circumstances as stated in the measure. We thank Supervisor Daly, and the organizations who support this measure for being true to the needs of *ALL* renter's in the city of San Francisco.

Sincerely

*The Parkmerced Residents Organization (P.R.O.)*  
www.parkmercedresidents.org

The true source of funds for the printing fee of this argument is the Parkmerced Residents Organization.

The three largest contributors to the true source recipient committee are: 1. Individual tenants living in the Parkmerced community, 2. Neighborhood donors surrounding Parkmerced, 3. PRO Board of Directors.

### Keep Rent Control Secure

Too often landlords looking to raise rents on vacant apartments resort to harassment to drive tenants out. Vote YES on Proposition M to stop landlord harassment of tenants.

*David Campos*  
Police Commissioner\*  
Candidate For Supervisor, District 9

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is David Campos.

### Secure Housing For LGBT Tenants

Speculators and profiteers are harassing tenants from affordable, rent controlled apartments. Many in San Francisco's LGBT community depend on rent control to survive in the city. Protect our most vulnerable.

### YES on Proposition M.

*Harvey Milk LGBT Democratic Club*

The true source of funds for the printing fee of this argument is the Harvey Milk LGBT Democratic Club.

Tenants have a basic right to always feel safe and secure in their home. These are simple protections from any potential type of harassment by landlords. We need Proposition M. Vote YES on M.

*Assemblyman Mark Leno*  
*State Senator Carole Migden*

The true source of funds for the printing fee of this argument is the San Francisco Tenants Union.

Landlords who use harassment to get tenants out typically target long-term tenants paying affordable rents. The victims of harassment are often seniors. We can't tolerate the sad practice of harassing seniors who are struggling to get by on fixed incomes.

*Senior Action Network*  
*Senior Housing Action Committee (SHAC)*

The true source of funds for the printing fee of this argument is the San Francisco Tenants Union.

Rent control does not provide adequate protection for tenants whose landlords are harassing them. Proposition M will add a provision to our rent control law prohibiting tenant harassment and letting tenants get rent reductions if being harassed, Vote YES on Proposition M.

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# Changing the Residential Rent Ordinance to Prohibit Specific Acts of Harassment of Tenants by Landlords



## PAID ARGUMENTS IN FAVOR OF PROPOSITION M

*Rent Board Commissioner Dave Crow*  
*Rent Board Commissioner Polly Marshall*  
*Rent Board Commissioner Cathy Mosbrucker*

The true source of funds for the printing fee of this argument is the San Francisco Tennats Union.

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CitiStop is a coalition of tenants, tenant organizations and labor unions formed to address the harassment of tenants by one of San Francisco's largest landlords -- CitiApartments. CitiApartments buys up properties all over the city and then, upon buying a building, implements a systematic campaign of harassment and intimidation in order to force tenants with affordable rents to leave. As tenants, we are faced with repeated invasions of our privacy, constant buyout offers and baseless and bogus eviction notices which we are forced to fight. On top of that, we're made to live with repairs which are begun but never seem to be finished and constant inquiries for private information. In 2006, After we exposed the abuses we had been facing for years the City Attorney filed a lawsuit against CitiApartments for their bad business practices and unlawful tactics.

Many of us have visited the Rent Board over the years with well documented cases of harassment but were unable to win because no language exists in the Rent Ordinance to define and protect us against harassment. We need Proposition M which will add prohibitions against landlord harassment to the rent control law and allow us to better protect ourselves against landlord harassment. Please vote YES on Proposition M.

*CitiSTOP*

The true source of funds for the printing fee of this argument is the San Francisco Tennats Union.

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Landlords harassing tenants out of their apartments, so the rent can be raised or the apartment converted to a condo, is one of the most common and difficult issues tenant counseling organizations face. Current laws provide little protection against harassment and most tenants find moving is their only option. People are losing their homes and San Francisco is losing affordable housing. We need to stop the horrendous practice of intimidating people out of their homes. Vote YES on Proposition M to stop landlords from harassing tenants.

*San Francisco Tenants Union*  
*Housing Rights Committee of San Francisco*  
*Community Tenants Association*

*Affordable Housing Alliance*  
*Eviction Defense Collaborative*  
*Tenderloin Housing Clinic*

The true source of funds for the printing fee of this argument is the San Francisco Tenants Union.

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Affordable rental housing is being lost because landlords are being allowed to harass tenants from their homes. We need to save affordable, rent controlled housing and build more affordable housing. Vote YES on Prop M to stop tenant harassment and also vote YES on Proposition B to create the San Francisco Affordable Housing Fund.

*Council of Community Housing Organizations*  
*Rene Cazenave*  
*Calvin Welch*

The true source of funds for the printing fee of this argument is the San Francisco Tenants Union.

---

The sad fact is that renters are getting bullied out of their apartments by unscrupulous landlords and frequently end up homeless. We need to keep people housed if we want to address homelessness. Vote YES on M.

*Religious Witness with Homeless People*

The true source of funds for the printing fee of this argument is the San Francisco Tenants Union.

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# M

# Changing the Residential Rent Ordinance to Prohibit Specific Acts of Harassment of Tenants by Landlords

## PAID ARGUMENTS AGAINST PROPOSITION M

UNCONSTITUTIONAL!

Just ANOTHER ballot measure that our Supervisors put on the ballot that will be found unconstitutional.

Just ANOTHER waste of City money both at election time and again in a legal fight.

Vote No on Prop M

*Professional Property Management Association of San Francisco*

The true source of funds for the printing fee of this argument is the Professional Property Management Association of San Francisco.

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Prop M Takes Away Tenant's Rights

Prop M is an effort by a group of special interest attorneys to worm their way in to tenant's negotiations with their landlords. It will require tenants to hire these expensive lawyers who take as much as a third of the tenant award.

Don't be hoodwinked by this stealth measure to take your money and right to negotiate on your own behalf.

Vote No on Prop M

*Coalition for Better Housing*

The true source of funds for the printing fee of this argument is the CBH PAC.

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Prop M would guarantee more small property owners will quit the rental business.

A landlord could be fined \$1,000 or imprisoned for six months if a tenant claims he was somehow intimidated. The tenant could claim a rent reduction because of perceived verbal harassment. Property owners could be sued by the City Attorney, or *anybody*, for emotional distress inflicted on tenants who make harassment complaints.

Prop M will pit landlords against tenants lured into the fray by financial gain.

Owning property in San Francisco is already a nightmare of regulations – landlords are leaving the business through the Ellis Act in droves, and thousands of units sit vacant all over the city.

If you want to preserve decent rental housing, **vote NO on M.**

Otherwise, don't be surprised if a FOR SALE sign appears in front of your apartment building.

*Small Property Owners of San Francisco*

The true source of funds for the printing fee of this argument is Small Property Owners of San Francisco.

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Proposition M Isn't What It Claims to Be

We can all agree that harassment of any sort is inappropriate and should not be tolerated. But Proposition M defines harassment in such extreme terms that it could have a chilling effect on communications between renters and owners. Because any person convicted of violating Proposition M would be subject to imprisonment in the County Jail, Proposition M is likely to force owners to insist that renters communicate with them through their attorneys to reduce the risk of being convicted of a violation. Is this really the result the proponents of Proposition M had in mind?

The lines of communication between renters and owners should be kept open while protecting each from harassment or intimidation. Proposition M goes too far.

Proposition M isn't what it claims to be. Vote NO on Proposition M.

*San Francisco Association of REALTORS*

The true source of funds for the printing fee of this argument is the San Francisco Association of REALTORS.

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# Changing Real Property Transfer Tax Rates



## PROPOSITION N

Shall the City increase its transfer tax on sales of real estate worth more than \$5 million to 1.5% and reduce the tax by up to 1/3 on sales of residences where the seller installed solar energy systems or made seismic safety improvements?

YES ←  
NO ←

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** Under authority granted by state law, the City imposes a transfer tax on the sale of real estate in San Francisco. The tax rate ranges from 0.50% to 0.75%, depending on the value of the real estate. The 0.75% rate applies to the sale of real estate worth \$1 million or more. The transfer tax also applies to real estate leases with a term of more than 50 years.

The proceeds from the transfer tax go into the City's General Fund.

**THE PROPOSAL:** Proposition N would increase the transfer tax rate to 1.5% for the sale of real estate worth \$5 million or more. The Board of Supervisors could exempt the sale of affordable housing projects from this increase. Proposition N would not increase the tax rate for the sale of real estate worth less than \$5 million. Proposition N would extend the transfer tax to real estate leases of 35 years or more.

In addition, Proposition N would reduce the transfer tax for the sale of residential property by up to 1/3 if, after January 1, 2009, the person selling the real estate had:

- installed a solar energy system or
- made improvements to increase earthquake safety.

**A "YES" VOTE MEANS:** If you vote "yes," you want to increase the transfer tax rate to 1.5% for sales of real estate worth more than \$5 million and reduce the tax by up to 1/3 for sales of residential property with solar energy systems or earthquake safety improvements.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make these changes.

## Controller's Statement on "N"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition N:

Should this ordinance be approved, in my opinion, it would result in a net annual tax revenue increase to the City of approximately \$29 million. The ordinance would change the property transfer tax rate for properties with a sale price of over \$5 million from 0.75% to 1.5%.

If the proposed 1.5% tax rate had been in effect during the past ten fiscal years, it would have generated, on average, approximately \$32 million annually in additional gross revenue, decreased by approximately \$3 million from new exemptions for solar installations and seismic improvements proposed in the ordinance. Note that actual future revenue under the proposed transfer tax would vary widely from year to year because large commercial property transactions occur irregularly and are strongly affected by changes in the financial markets. During the past ten year period, the estimated revenue under this tax rate would have ranged widely—from \$19 million in Fiscal Year 1997-1998 to \$80 million in Fiscal Year 2006-2007.

The proposal would exempt up to one third of the transfer tax on residential properties for eligible solar installations and seismic improvements. Finally, the ordinance clarifies that acquisitions or transfers of ownership interests in a legal entity are subject to the transfer tax. Because current law does not require owners to record a deed at the time of such transfers, no data are available to estimate the value of these transactions.

## How "N" Got on the Ballot

On July 29, 2008 the Board of Supervisors voted 9 to 2 to place Proposition N on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

**No:** Supervisors Alioto-Pier and Chu.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 257.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# N

## Changing Real Property Transfer Tax Rates

This disclaimer applies to the proponent's argument and the rebuttal to the proponent's argument on this page and the opponent's argument and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick and Mirkarimi; oppose the measure: Supervisors Alioto-Pier and Chu; take no position on the measure: Supervisors Peskin and Sandoval.*

### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION N

#### CLOSE THE LOOPHOLES, SUPPORT TAX REFORM, VOTE YES ON N

During these tough economic times, many San Francisco homeowners, renters and small businesses are struggling with their tax burdens. Yet at the same time, a serious loophole in our real estate transfer tax is allowing multinational corporations to evade paying their fair share.

#### YES ON N CLOSES THE LOOPHOLE

The multinational real estate interests use shell companies and tricky accounting to game our tax system, costing the City tens of millions of dollars in lost revenue. Yes on N closes the loophole that allows them to shelter their transactions – creating a more equitable tax structure and saving essential services threatened by our massive deficit.

#### YES ON N SUPPORTS PROGRESSIVE TAX REFORM

Multi-national corporations rely on our transit, public safety and infrastructure services. Yet they are not paying their fair share of the costs of these services – leaving the burden to the rest of us. Yes on N is real reform that raises the real estate transfer tax on properties sold for \$5 million or more. Small property owners and homeowners won't pay more – over 99% of residential transaction would not be impacted.

#### YES ON N CREATES INCENTIVES FOR SOLAR AND SEISMIC IMPROVEMENTS

Proposition N also contains incentives for property owners to make solar and seismic improvements to their property, by reducing the transfer tax when those types of improvements are made. This is good for our environment and for public safety.

#### VOTE YES ON N

Please join with San Franciscans united for fair, progressive tax reform. Vote YES on Proposition N.

*San Francisco Democratic Party*

*Assessor-Recorder Phil Ting\**

*Treasurer Jose Cisneros*

*Board of Supervisors President Aaron Peskin*

*San Francisco Planning and Urban Research Association (SPUR)*

*San Francisco Firefighters Local 798*

*Sierra Club*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION N

We all support an equitable tax system but this measure is not just tax reform it is a significant increase in the tax on selling property.

In the following year the City's own projections already show a budget shortfall of \$250 million. This means that once again we are spending more than we have. Even in our own households we all know that we should not spend more than we have in our bank accounts – nor should the City.

At a time when the economy is showing signs of slowing down, it is important not to discourage economic activity. Taxing more for property sales could possibly do just that. We should be taking actions that encourage a diverse and robust economy not raising

taxes and potentially stifling that activity. The City already places significant burdens on our economy, we do not need another one at this time.

Real reform we can all support means getting the City's financial house in order, developing a plan to control spending and addressing our long-term structural deficit.

*Supervisor Carmen Chu*

*Supervisor Michela Alioto-Pier*

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# Changing Real Property Transfer Tax Rates

# N

## OPPONENT'S ARGUMENT AGAINST PROPOSITION N

The City has a spending problem not a revenue problem. Over the past several years the City's revenue has grown but our expenses have grown faster. This is why we face a budget deficit year after year.

We don't need another tax; we need to fix the structural problems with our budget.

The real state property tax is among the most volatile sources of revenues for the City. The amount of money the City receives from this tax can swing wildly. Over the past 10 years, we have seen it vary from a \$47 million low to a \$144 million high. It all depends on the economy, interest rates and other factors completely out of the City's control.

Now we want to balance our budget on this volatile tax. That is a mistake.

This tax increase might even decrease the amount of money the City takes in from its current property transfer tax. If this tax passes, businesses and individuals may choose not to buy or sell property because of the costs associated. We are in the midst of an economic downturn and we should be encouraging, not discouraging economic growth and investment so San Francisco can continue to thrive.

Proposition N is a tax for no identified purpose. The money would simply go into the general fund and could be spent for any purpose, without any further input from taxpayers.

This is the wrong tax at the wrong time. The City should be working to fix its structural budget problems, control spending and then if necessary go to voters with specific proposals if we need to raise taxes.

Please join us in voting No on Proposition N

*Supervisor Carmen Chu*

*Supervisor Michela Alioto-Pier*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION N

Contrary to assertions by opponents, Proposition N is not an effort to balance the city's budget. It is a straightforward, progressive reform measure that will ensure that city services are funded in the most equitable and fair manner possible.

- **Proposition N closes tax loopholes** that are being exploited by multi-national real estate corporations at the cost of tens of millions of dollars that should rightfully be funding vital services for San Franciscans.
- **Proposition N ensures that huge real estates pay their fair share** in real estate transfer taxes, so that homeowners and small businesses are not overly burdened.
- **Proposition N only impacts properties worth more than \$5 million**, meaning the vast majority of homeowners and small property owners will be unaffected.
- **99% of San Francisco homeowners are not impacted by Proposition N**

Proposition N is broadly supported by a diverse group of San Franciscans, including the San Francisco Planning and Urban Research Association (SPUR), San Francisco Firefighters, San Francisco Democratic Party, the Sierra Club, Assessor-Recorder Phil Ting, and Treasurer Jose Cisneros.

Please join us in promoting fair tax reform that relieves the burden San Francisco renters, homeowners, small businesses and small property owners.

*San Francisco Democratic Party*

*Assessor-Recorder Phil Ting*

*Treasurer Jose Cisneros*

*Board of Supervisors President Aaron Peskin*

*San Francisco Planning and Urban Research Association (SPUR)*

*San Francisco Firefighters Local 798*

*Sierra Club*

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# Changing Real Property Transfer Tax Rates

## PAID ARGUMENTS IN FAVOR OF PROPOSITION N

*These difficult economic times are plunging more and more San Franciscans into poverty and homelessness. Increased revenue is imperative for the protection of these most vulnerable members of our community. Therefore, Religious Witness strongly supports Proposition N.*

*- The Steering Committee of Religious Witness with Homeless People*

The true source of funds for the printing fee of this argument is Religious Witness with Homeless People.

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There is a long tradition of robust non-profit provided social services in San Francisco. These services have made possible the rise of many different groups from the bonds of poverty to contributing members of this community. In Bayview, as the forces of redevelopment move forward, it is essential to support services that allow the whole community to grow. Measure N will provide a stable source of funds for this important work. Vote yes on N.

*Lillian Shine  
James McElroy  
Jeffery Betcher  
Edward Hatter  
Nicole Thomas  
Jeanette Johnson  
Kenneth Rogers*

The true source of funds for the printing fee of this argument is Jacob K. Moody.

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### **SUPPORT SF FAMILIES, CITY SERVICES & PROGRESSIVE TAX REFORM! VOTE YES ON N!**

Proposition N closes a real estate tax loophole abused by some of the biggest corporations in the world to avoid paying tens of millions of dollars to our city over the past five years. As state and local budget deficits are forcing cuts in essential programs, San Francisco's already struggling families can't afford a corporate tax giveaway. Close the loophole, protect essential city services, vote YES on N!

*Coleman Action Fund for Children*

The true source of funds for the printing fee of this argument is the Coleman Action Fund for Children.

### **GO SOLAR!**

Support progressive tax reform!

Provide tax incentives for residential solar systems!

Reduce our reliance on fossil fuel!

Increase solar power generation in San Francisco!

How? Just **Vote YES on N!**

*San Francisco Tomorrow*

The true source of funds for the printing fee of this argument is San Francisco Tomorrow.

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Vote yes on N and make big business pay its fair share in real estate. Closing the unfair loop hole will provide funds for services such as health care and help to promote green building practices.

*San Francisco Democratic Party*

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the SF Dem Party.

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### **SF LABOR SUPPORTS YES on Q FOR FAIR TAX REFORM**

This year, San Francisco had to make cuts in public safety. State, federal and local budget deficits are threatening even more. Now is the time to close unfair tax loopholes and ensure adequate funding for essential services by voting YES on Q!

*San Francisco Labor Council*

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the SF Dem Party.

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# Changing Real Property Transfer Tax Rates

# N

## PAID ARGUMENTS IN FAVOR OF PROPOSITION N

SAY YES TO MORE SOLAR IN SF! SIERRA CLUB SAYS  
“VOTE YES ON N”!

Support construction of residential solar systems! Vote Yes on N to promote solar energy use and reduce reliance on fossil fuel energy.

*Sierra Club*

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the SF Dem Party.

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SUPPORT PROGRESSIVE TAX REFORM! JOIN LGBT LEADERS IN VOTING YES ON N!

Voting yes on N will close an unfair loophole and provide vital funding to improve city services benefiting the LGBT community.

*State Senator Carole Migden*

*Assemblyman Mark Leno*

*Treasurer Jose Cisneros*

*Supervisor Tom Ammiano*

*Supervisor Bevan Dufty*

*Harvey Milk LGBT Democratic Club*

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the SF Dem Party.

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Prop Q closes an unfair loophole for corporate real estate speculators and supports vital services for seniors on fixed incomes. To support progressive tax reform and close the unfair loophole - Seniors say YES on N!

*Senior Action Network*

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the SF Dem Party.

Public Safety Leaders Agree - Yes on N!

This year, San Francisco had to make cuts in public safety. State, federal and local budget deficits are threatening even more. Now is the time to close unfair tax loopholes and ensure adequate funding for essential services by voting YES on N!

*San Francisco Police Officers' Association*

*San Francisco Firefighters Local 798*

*Sheriff Michael Hennessey*

*David Wong, President, SF Deputy Sheriffs' Association\**

*District Attorney Kamala Harris*

*Public Defender Jeff Adachi*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the SF Dem Party.

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**Reform the transfer tax and support solar energy and seismic safety!**

**Yes on N!**

Prop N is common sense tax reform. It includes a modest increase in the transfer tax rate for large transactions and closes a tax loophole that has allowed some to avoid our local real estate transfer tax. It also establishes incentives for solar energy and seismic safety improvements.

***Fair increase in transfer tax for large properties – over 99% of residences are exempt***

The value of property in San Francisco is based in large part on public investments and the quality of City services. Investments in transit, parks, and City services all yield increases in property values. Since we are unable to raise property taxes as values increase, it is appropriate for the City to capture value at the point a property is sold.

***Closes a tax loophole***

For years, some have avoided paying the City tens of millions of dollars in taxes by transferring ownership of corporate entities rather than actually transferring titles to property. Prop N ends this

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# N

# Changing Real Property Transfer Tax Rates

## PAID ARGUMENTS IN FAVOR OF PROPOSITION N

practice by clarifying that transfers of corporate entities owning property are subject to our local tax.

### *New incentives for residential solar and seismic improvements*

Prop N provides critical tax incentives for installation of solar energy systems and seismic safety improvements on residential properties. San Francisco is dangerously unprepared for earthquakes, and far too few property owners are taking advantage of improvements in solar energy technology. Prop N strengthens our resilience for our next earthquake and move us closer to energy independence.

*Prop. N is good public policy for San Francisco. Vote Yes on Prop. N.*

### *San Francisco Planning and Urban Research Association*

To join SPUR and read our complete ballot analysis, go to [www.spur.org](http://www.spur.org)

The true source of funds for the printing fee of this argument is the SPUR Voter Education Fund.

The three largest contributors to the true source recipient committee are: 1. Linda Jo Fitz, 2. Jean Fraser, 3. Kirby Sack.

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In recent years, people with serious health issues, including HIV/AIDS, substance abuse and mental illness have been increasingly at risk of losing critically needed services. In their absence, more people will be at risk of homelessness, involvement with the criminal justice system and over-utilization of our acute care system. Propositions N and Q will help to stabilize revenues and enable these critical services to continue.

*Vote YES on N and Q.*

### *Baker Places Inc.*

The true source of funds for the printing fee of this argument is Baker Places Inc.

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# Changing Real Property Transfer Tax Rates



## PAID ARGUMENTS AGAINST PROPOSITION N

### The Real Property Transfer Tax Does Not Help Tenants

This Transfer Tax takes already bloated real estate prices and pushes them even higher. Tenants will be the first to pay this “Don’t Live Here” tax. They will feel the pinch when their apartment building is sold and the costs are passed through. Don’t let greed at City Hall stop YOU from living here.

Vote No on Prop N

*San Francisco Apartment Association*

The true source of funds for the printing fee of this argument is the San Francisco Apartment Association Political Action Committee.

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### Prop N **Will** Raise Home Prices

It is hard enough for San Franciscans to afford a home in the City. Now City Hall wants to double the tax on some home sales. This measure will raise the already towering price of homes in San Francisco. Rather than raise taxes the City should get its own fiscal house in order.

Vote No on Prop N

*Coalition for Better Housing*

The true source of funds for the printing fee of this argument is the CBH PAC.

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San Francisco's City Government is too big, too inefficient, and not sufficiently focused on dealing with the real issues that are affecting people's quality of life in the City. Until our Mayor and Board of Supervisors seriously directs the city's resources toward reducing and solving crime, fixing our city streets, making MUNI operate on time and safely, and stops harassing its businesses and citizens with more and more expensive social experiments, we don't think they should be given more tax dollars.

If you are as concerned about the direction and the expense of our City Government as we are, we invite you to VOTE NO on PROP N.

Help Stop the Waste at City Hall!

*Building Owners & Managers Association of San Francisco.*

The true source of funds for the printing fee of this argument is the BOMA SF IE PAC - ID#870449.

The three largest contributors to the true source recipient committee are: 1. Harsch Investment Properties, 2. Cushman & Wakefield of California, 3. Capital and Counties USA, Inc.

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Once again, the Board of Supervisors wants to “tax the rich” to fill the City Hall coffers using the smokescreen of a worthy cause – in this case, solar energy.

But Prop N allows the Supervisors to enact future ordinances exempting certain affordable housing developments from this transfer tax without voter approval – their friends will pay nothing and you will get hosed because your property has appreciated to over \$5 million.

Tell the Supervisors that a \$6.5 billion annual budget is plenty for their pet projects, and they should learn to live within their means like you do.

**Vote NO on N.**

*Small Property Owners of San Francisco*

The true source of funds for the printing fee of this argument is Small Property Owners of San Francisco.

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### Now is Not the Time to Increase Taxes

Now is not the time to increase the rate of San Francisco’s real property transfer tax, or the rate of any other tax for that matter, given present economic conditions. For the sponsors of Proposition N to contend otherwise provides a graphic example of the insensitivity and arrogance public officials can exhibit.

Everyone is cutting back because, by almost all accounts, the country is in a recession. Citizens are tightening their belts. Shouldn’t government be held to the same standard of living within its means?

Now is not the time to increase taxes. Vote NO on Proposition N.

*San Francisco Association of REALTORS*

The true source of funds for the printing fee of this argument is the San Francisco Association of REALTORS.

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# N

# Changing Real Property Transfer Tax Rates

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## PAID ARGUMENTS AGAINST PROPOSITION N

### **NO on to Higher Taxes**

Real estate sellers have enough expenses and obligations upon sale. San Francisco already has one of the highest transfer tax rates in California, by allowing another increase, though on \$5 million plus sales, will encourage higher rates on lower price sales in the future!

Don't increase taxes, let's send a message to decrease spending in times like this.

### **Vote No on Proposition N.**

*Chinese Real Estate Association of America, Inc.*

The true source of funds for the printing fee of this argument is the Chinese Real Estate Association of America, Inc.

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# Replacing the Emergency Response Fee with an Access Line Tax and Revising the Telephone Users Tax



## PROPOSITION O

Shall the City replace the Emergency Response Fee with an Access Line Tax at the same rates and with the same exemptions, and revise the Telephone Users Tax?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City imposes an Emergency Response Fee on each telephone line. This fee is deposited in the 911 Emergency Response Fund and may only be used for costs to operate and improve the City's 911 system. In other cities, emergency response fees have been legally challenged as taxes and not fees.

In addition, the City collects a utility users tax on charges for telephone communication services (Telephone Users Tax). The Telephone Users Tax does not apply to residential landline services. It also does not apply to certain other services.

**THE PROPOSAL:** Proposition O would replace the Emergency Response Fee with a general tax (Access Line Tax) at the same rates and with the same exemptions. Revenue from this tax would go to the City's General Fund.

Proposition O would also revise the Telephone Users Tax to:

- Define "telephone communications services" to include current and future technologies for telephone communications, including voice over internet protocol (VOIP) services, and

- Give examples of the types of charges subject to this tax, including charges for conference calls, voicemail, and call waiting; activation, termination, and late payment fees; and universal service charges.

Proposition O would continue the Telephone Users Tax exemption for residential landline services. Certain other services would also continue to be exempted.

Proposition O would also state that voters approve the City's past collection of the Telephone Users Tax and the Emergency Response Fee.

**A "YES" VOTE MEANS:** If you vote "yes," you want the City to replace the Emergency Response Fee with the Access Line Tax at the same rates and with the same exemptions, and to revise the Telephone Users Tax.

**A "NO" VOTE MEANS:** If you vote "no," you do not want the City to make these changes.

## Controller's Statement on "O"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition O:

Should the proposed ordinance be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

The proposal would replace the current emergency response fee (the 911 fee) charged to phone customers with a general access line tax. The current 911 fee rate is \$2.75 per month per phone line, with higher rates on commercial lines, and generates approximately \$42 million annually. These revenues are budgeted for costs associated with the City's emergency response (911) service. The replacement tax would be at the same rates with the same exemptions and is projected to generate the same amount of revenue. These revenues would be available for any public purpose.

The proposal would also update and modernize the City's telephone users tax, which generates approximately \$40 million annually. The telephone users tax rate is 7.5% of the cost of services billed, and exempts residential and certain other users. The proposal does not change the tax rate or the exemptions. The proposal would modernize the tax to specifically apply to new and future technologies that over time are expected to replace a portion of current telephone services, such as non-residential voice

over internet protocol and other emerging types of communication services. The projected tax revenue amount will not significantly change over time, because while emerging services would be subject to the tax, these services are likely to replace classic telephone services which are gradually decreasing.

The California Court of Appeal recently decided that a similar emergency response fee is a special tax which requires voter approval under the state constitution. Also, changes to telephone user taxes made without voter approval have been legally challenged in some other California cities. Voter approval of the proposed measure would confirm the City's continued and future collection of these revenues.

## How "O" Got on the Ballot

On July 29, 2008 the Board of Supervisors voted 11 to 0 to place Proposition O on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 258.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# Replacing the Emergency Response Fee with an Access Line Tax and Revising the Telephone Users Tax

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION O

SAVE 9-1-1. NO NEW TAXES. VOTE YES ON O

What do you do in an emergency? You dial 911. Emergency response is the most important service our city government provides.

**Today, it’s our 911 system that faces an emergency.**

A recent court ruling has jeopardized the funding source that San Francisco uses to provide 911 services. At risk is San Francisco’s Emergency Response Fee, created after the tragic 1993 shootings at 101 California Street.

The Emergency Response Fee is the lifeline for our 911 service. It has enabled San Francisco to centralize 911 Police, Fire and EMS dispatch functions and dramatically improve our ability to respond to life-threatening events, natural disasters and public safety emergencies. We cannot afford to lose it.

### Voting YES on Proposition O:

- **Rescues our emergency response system** by repealing the Emergency Response Fee and replacing it with a safer Access Line Tax.
- **Does not increase costs to any user**
- **Maintains the low-income user exemptions** in the current Emergency Response Fee

- **Updates and modernizes** our antiquated telephone users tax, leaving it at its current level and continuing to *exempt residential users*.

### San Franciscans are coming together to support Proposition O

Yes on O is strongly supported by San Francisco Firefighters, San Francisco Police Officers, Mayor Newsom and entire Board of Supervisors, San Francisco Democratic Party and Republican Party, business, labor organizations, neighborhood groups and San Francisco small business owners.

Now, it’s up to all of us to vote YES on O, to save 911 services with no new taxes.

- Mayor Gavin Newsom*
- Board of Supervisors President Aaron Peskin*
- District Attorney Kamala Harris*
- Sheriff Michael Hennessey*
- San Francisco Firefighters Association*
- San Francisco Police Officers Association*
- San Francisco Deputy Sheriffs Association*
- San Francisco Planning and Urban Research Association (SPUR)*

## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION O

In 2005, a coalition of San Francisco’s business groups released a study which found that on a per-capita basis, “San Franciscans paid roughly \$461 in governmental fees in 2004, which is **more than double that of neighboring San Jose's per capita figure of \$222 and almost triple Honolulu's \$156 per capita, which like San Francisco combines city and county government.**”

Since then of course, fees paid by San Franciscans have risen dramatically. **Let’s not give government a new authority to tax our Internet use!**

A fee is a payment for a service rendered to the person paying the fee. The “Emergency Response Fee” never met this definition, therefore it has **always** been a tax.

Proponents of Proposition O are **trying to have it both ways**. If they admit it was a tax all along, then **it should have been approved by the voters in order to be levied – and that approv-**

*al was never obtained*. If they say it wasn’t a tax before, then making it a tax now puts the lie to their claim of “no new taxes.”

Call a spade a spade, and a tax, a tax!

**Please have compassion for working people and families trying to make ends meet. For residents of limited means, every penny counts. Vote NO on O and send this testament to government greed to the circular file!**

*Starchild*, Outreach Director, Libertarian Party of San Francisco/ Steering Committee Member, San Francisco Taxpayers Union\*

*Phil Berg*, Libertarian candidate for Congress

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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# Replacing the Emergency Response Fee with an Access Line Tax and Revising the Telephone Users Tax



## OPPONENT'S ARGUMENT AGAINST PROPOSITION O

For 15 years, San Francisco City Hall has been **taxing your telephone usage and calling it a fee.**

They did this in order to collect the money without seeking voter approval, which is required to impose a tax.

Recently however, a court ruling put such duplicitously named "fees" in legal jeopardy. But **instead of apologizing, or scheduling a vote to refund the extra money you've been wrongfully charged on your phone bill for the past decade and a half, the politicians want voters to reward their dishonest maneuver** by affirming that this confiscation is the tax it was all along rather than a fee, thus **protecting their ability to keep charging you.**

Measure O *soothingly reassures* us that "Future increases should be limited to the inflation rate." However the use of "should" rather than "shall" means there actually is no limitation on future increases.

Even this wasn't enough to sate the government's greed. A second provision in Measure O **would for the first time allow them to tax Internet-based telephone services**, and even new technologies that haven't been invented yet.

I am not arguing against emergency services. I am saying find other sources of funding to pay for these services which do not involve taking more money out of the pockets of ordinary working people.

For instance, according to the City Budget Analyst, San Francisco spends an estimated **\$11.4 million a year arresting and prosecuting prostitutes and their clients for consensual sex between adults**, contrary to the tolerant, sex-positive values of San Franciscans, and despite the fact that San Francisco juries regularly refuse to convict individuals charged with prostitution.

Expenditures like that could be better put toward funding emergency services.

*Starchild*

Outreach Director, Libertarian Party of San Francisco  
Steering Committee Member, San Francisco Taxpayers Union\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION O

Opponents of Proposition O would have you put our emergency response system at risk. That's a risk San Franciscans can't afford to take.

That's why our front-line public safety officials and first-responders, including the San Francisco Firefighters, San Francisco Police Officers, San Francisco Deputy Sheriffs, Sheriff Michael Hennessey and District Attorney Kamala Harris strongly support Proposition O.

These are the facts about Prop O:

- Proposition O replaces our current Emergency Response Fee – it is NOT a new cost
- Proposition O is set at the exact same levels as the current fee – and includes the exact same low-income user exemptions
- Proposition O is the only guarantee we have that vital emergency and other services will not face drastic cuts

At the same time that Proposition O secures our emergency funding, it also updates our Telephone Users Tax. Residential

phones are exempt from this tax. Proposition O leaves the current tax rate unchanged.

Thirty-three California cities have passed a similar update to reflect changes in telecommunications since the 1960's. It is time for San Francisco to approve a similar update.

Please join the diverse coalition of San Franciscans – including the San Francisco Democratic and Republican Parties, Mayor Gavin Newsom and the entire Board of Supervisors, business, labor and neighborhood groups, and vote YES on Prop O.

*Mayor Gavin Newsom*

*Board of Supervisors President Aaron Peskin*

*District Attorney Kamala Harris*

*Sheriff Michael Hennessey*

*San Francisco Firefighters Association*

*San Francisco Police Officers Association*

*San Francisco Deputy Sheriffs Association*

*San Francisco Planning and Urban Research (SPUR)*

*Public Defender Jeff Adachi*

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# Replacing the Emergency Response Fee with an Access Line Tax and Revising the Telephone Users Tax

## PAID ARGUMENTS IN FAVOR OF PROPOSITION O

Retain vital city services - **Vote YES on O.**

Since 1970 the city has collected a utility users tax on commercial telephone service. The City also assesses a fee on phone bills to fund the city's emergency call center and 911 system. Recent court decisions and amendments to federal law jeopardize these essential revenues.

Proposition O will allow the city to continue to collect these revenues without changing the tax rate or residential exemption, preserving funding for police, fire and emergency services.

Vote YES on Proposition O, Vote YES for 911.

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

The Emergency Response Fee is the lifeline for our 911 service. It has enabled San Francisco to centralize 911 Police, Fire and EMS dispatch functions and dramatically improve our ability to respond to life-threatening events, natural disasters and public safety emergencies. We cannot afford to lose it. Rescue our emergency response system by repealing the Emergency Response Fee and replacing it with a safer Access Line Tax!

Immediate emergency response is one of our most fundamental rights as citizens. Residents and businesses rely on 911 emergency services in life-threatening situations. Please vote YES on Proposition O.

*Ken Cleaveland, Director, Government and Public Affairs  
Building Owners and Managers Association of San Francisco*

The true source of funds for the printing fee of this argument is the BOMA SF IE PAC - ID#870449.

The three largest contributors to the true source recipient committee are: 1. Harsch Investment Properties, 2. Cushman & Wakefield of California, 3. Capital and Counties USA, Inc.

San Francisco cannot afford to lose essential funding for public safety. Please join me in supporting Proposition O to preserve critical services for our city.

*Heather J. Fong  
Chief of Police\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Fire Fighters PAC.

The Emergency Response Fee provides vital and necessary funding for 911 emergency workers in San Francisco. It saves lives. Please vote YES on Proposition O and keep our 911 service funded for the health and safety of all San Franciscans.

*Senator Dianne Feinstein\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Fire Fighters PAC.

For several years, the Emergency Response Fee has funded our first line of defense against life-threatening emergencies: police, fire and EMS dispatch. Please join me in voting YES for Proposition O and keep our City's emergency dispatch fully funded.

*Anita Theoharis  
Former President SF Planning Commission\*  
Former President West of Twin Peaks Central Council\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Fire Fighters PAC.

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# Replacing the Emergency Response Fee with an Access Line Tax and Revising the Telephone Users Tax



## PAID ARGUMENTS IN FAVOR OF PROPOSITION O

San Francisco's Emergency Response Fee provides essential funding for our 911 emergency services. To continue funding this vital resource, please vote YES on Proposition O

*George Lau, President, San Francisco Fire Commission\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Fire Fighters PAC.

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We must preserve funding for 911 services.

*Victor Makras, Fire Commissioner\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Victor G. Makras.

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All San Franciscans depend on the Emergency Response Fee to fund vital dispatch functions for Police, Fire and EMS. Please vote YES on PROP O to keep our emergency services fully funded.

*Scott Wiener, Past Chair, San Francisco Democratic Party\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Fire Fighters PAC.

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Save critical emergency services! Join San Francisco Labor in voting Yes on O!

Every San Franciscan depends on our first responders in emergency situations. That's why San Francisco working families are supporting Yes on O. Proposition O saves essential funding for

emergency services without raising taxes. Join San Francisco labor in voting Yes on O to Save 911.

*San Francisco Labor Council*

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Fire Fighters PAC.

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San Francisco Democrats Support Yes on O – Save 911!

Proposition O ensures continued funding of the most important service our local government provides – emergency response by trained public safety professionals. San Francisco Democrats can help support emergency services without raising taxes by voting Yes on O!

*San Francisco Democratic Party*

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Fire Fighters PAC.

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It's common sense – Save 911 without raising taxes! - Yes on O!

Emergency response is the most important service our City provides its citizens. The dedicated funding stream for our emergency response infrastructure is in legal jeopardy, potentially costing the city \$43 million of public safety funds next year alone. Now you can help guarantee continued funding for our emergency communications system without raising taxes. Join us and help Save 911 by voting Yes on O!

*San Francisco Firefighters Local 798*

*Sheriff Michael Hennessey*

*San Francisco Deputy Sheriffs Association*

*District Attorney Kamala Harris*

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Firefighters PAC.

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# Replacing the Emergency Response Fee with an Access Line Tax and Revising the Telephone Users Tax

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION O

Join SF LGBT leaders in supporting Yes on O!

San Francisco's diverse neighborhoods and communities have one thing in common – we all rely on our first responders in emergency situations. For years, our 911 system has been funded by a fee that is now in legal dispute. To keep our life-saving emergency response system operating without raising taxes, vote Yes on O!

*State Senator Carole Migden*

*Assemblyman Mark Leno*

*Supervisor Tom Ammiano*

*Supervisor Bevan Dufty*

*Harvey Milk LGBT Democratic Club*

The true source of funds for the printing fee of this argument is the Coalition to Save Essential Services, Yes on O.

The contributor to the true source recipient committee is the San Francisco Fire Fighters PAC.

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## PAID ARGUMENTS AGAINST PROPOSITION O

**NO PAID ARGUMENTS AGAINST PROPOSITION O WERE SUBMITTED**

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# Changing the Composition of the San Francisco County Transportation Authority Board



## PROPOSITION P

Shall the City change the size and composition of the Transportation Authority Board and encourage the Authority to use City agencies and departments to perform staff functions, to obtain expert financial review before adopting Authority budgets, and to adopt the same ethics and public records laws that apply to City agencies?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The San Francisco County Transportation Authority (Authority) is a State agency separate from the San Francisco Municipal Transportation Agency, which operates MUNI and other transportation services.

The Authority directs use of a one-half cent sales tax to help pay for transportation projects in San Francisco, described in a spending plan approved by the voters in 2003.

State law allows San Francisco to determine the membership of the Authority's governing board (Authority Board), so long as all of its members are local elected officials. Since 1989, the Authority Board has consisted of the eleven members of the Board of Supervisors.

The Authority may use public agencies or outside contractors to perform staff functions. It is subject to State financial, ethics and public records laws but is not obligated to adopt those of the City. However, its financial statements are subject to City review.

**THE PROPOSAL:** Proposition P is an ordinance that would change the size and composition of the Authority Board. The new membership of the Authority Board would be:

- The Mayor;
- The President of the Board of Supervisors;

- The Treasurer;
- One elected City official selected by the Mayor; and
- One elected City official selected by the President of the Board of Supervisors.

The Mayor, the President of the Board of Supervisors, and the Treasurer would each be able to designate another elected City official to serve as his or her alternate. Members of the new Authority Board would take office on February 1, 2009, when the terms of the members of the previous Authority Board would expire.

Proposition P would urge the Authority to use City agencies and departments to perform staff functions, to obtain expert financial review before adopting Authority budgets, and to adopt the same ethics and public records laws that apply to City agencies.

**A "YES" VOTE MEANS:** If you vote "yes," you want to change the size and composition of the Transportation Authority Board and encourage the Authority to use City agencies and departments to perform staff functions, to obtain expert financial review before adopting Authority budgets, and to adopt the same ethics and public records laws that apply to City agencies.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make these changes.

## Controller's Statement on "P"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition P:

Should the proposed ordinance be approved by the voters, in my opinion, it would not increase the cost of government.

The proposed ordinance would change the composition of the San Francisco County Transportation Authority by replacing the existing Authority Board consisting of the eleven members of the San Francisco Board of Supervisors with five members: (1) the Mayor, (2) an elected official appointed by the Mayor, (3) the President of the Board of Supervisors, (4) an elected official appointed by the Board President, and (5) the City Treasurer.

The proposed ordinance would also establish a new City policy that the San Francisco County Transportation Authority's staff functions be performed, to the extent practicable, by agencies and departments of the City and County. The proposed ordinance would also require that the Authority obtain expert financial review before adoption of Authority budgets and adopt the ethics and public records laws that apply to the City and County.

## How "P" Got on the Ballot

On June 11, 2008 the Department of Elections received a proposed ordinance signed by Mayor Newsom.

The City Elections Code allows the Mayor to place an ordinance on the ballot in this manner.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 263.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# P

## Changing the Composition of the San Francisco County Transportation Authority Board

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This disclaimer applies to the rebuttal to the proponent's argument on this page and the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors oppose the measure:* Supervisors Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION P

Almost 10 years ago, voters created the Municipal Transportation Agency (MTA) to reform MUNI. I was proud to have taken a leadership roll in that effort.

Since then we have made great strides to get MUNI back on track. But we still have a long way to go. Proposition P is another important step in the right direction.

Proposition P makes sure our MTA, which runs MUNI, will be better coordinated with the city's Transportation Authority. In recent years, the two transportation agencies have begun to overlap, resulting in duplication and waste. Left unchecked, these inefficiencies put real transit reform in jeopardy.

Proposition P also requires the Transportation Authority adopt higher standards of transparency and accountability, including:

Obtaining Expert Financial Review before adopting budgets.

Following the Same Ethics laws as other city agencies. The TA is currently operating under less stringent ethics requirements.

Adhering to the Same Public Records Laws as the rest of the city to make sure their work is more transparent to the public.

We are working hard to bring a higher standard of accountability and customer service to our public transportation system. We are improving service through the Transit Effectiveness Project. We are implementing NextMuni so riders can use their computers and even cell phones to track when their next bus or streetcar will arrive. We are working with our unions to change work rules so the system can be more efficient.

Slowly but surely, on-time performance is inching up.

**I need your help to continue this progress by passing Proposition P, a common-sense measure that will lead to even more efficiency and accountability in our public transportation system.**

Let's keep San Francisco on the right track — please join me in voting YES on P.

*Gavin Newsom*  
Mayor

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### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION P

Vote NO on P!

A takeover of the Authority is about eliminating voter-mandated oversight and letting MUNI spend freely. Make no mistake: throwing billions in sales tax at MUNI, with no controls, will only generate huge cost overruns.

The San Francisco Chronicle reported earlier this year that the Mayor is spending over \$821,000 in MUNI funds to pay six-figure salaries to political operatives in his own office working on tasks unrelated to transit.

The Authority is a transportation funding agency. Its functions are unique. There would be no efficiencies from eliminating its 30-person staff, or blending it into MUNI's 5,700 person workforce, because MUNI's overhead is 50% higher than the Authority's.

The Transportation Authority is already subject to stringent state laws on ethics, public records and financial and budget review. The same auditors that review the City Controller's books regularly audit the Authority's financial records and have given the Authority clean audits for years.

Keep the independent controls on MUNI spending!

Vote NO on P!

Committee to Keep MUNI Accountable

Opponents list (partial):

*Senator Leland Yee*

San Francisco Supervisors:

*Tom Ammiano*

*Chris Daly*

*Bevan Dufty*

*Sophie Maxwell*

*Jake McGoldrick*

*Ross Mirkarimi*

*Aaron Peskin*

*Gerardo Sandoval*

*BART Director Tom Radulovich*

*San Francisco Democratic Party*

*Harvey Milk LGBT Democratic Club*

*Sierra Club*

*San Francisco Bicycle Coalition*

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# Changing the Composition of the San Francisco County Transportation Authority Board

P

## OPPONENT'S ARGUMENT AGAINST PROPOSITION P

### DON'T GRIDLOCK SAN FRANCISCO'S TRANSIT - VOTE NO ON P

San Franciscans voted in 1989 and 2003 to create and confirm our Transportation Authority as the independent watchdog agency for the local transportation sales tax. The Transportation Authority, subject to stringent State of California financial, budget, ethics and public records law, has an unmatched record of efficiency, transparency and ethics.

With a tiny staff of 30, it's the only watchdog agency keeping MUNI from overrunning multi-billion dollar construction budgets -- yet this proposition would get rid of the Authority's staff to prevent it from fulfilling its oversight role over MUNI and other bloated city bureaucracies.

### THE WRONG TURN FOR TRANSIT

If Proposition P passes, billions of dollars will be handed over to a group of political appointees, thus avoiding independent oversight.

For Muni riders, car drivers and neighborhood businesses concerned about traffic and parking, it's the wrong turn for our transportation future.

### PUTTING US IN LEGAL GRIDLOCK

The Legal Counsel at the State Legislature is already working on a legal opinion that this proposition was placed on the ballot violating state laws, and is invalid. If approved, it will lead to lawsuits and gridlock at City Hall - slowing down transportation improvements to address traffic, reduce global warming, and increase the MUNI reliability.

### ELIMINATING CHECKS AND BALANCES

This proposition is not about eliminating duplication - it's about eliminating checks and balances. Vote NO on Prop P. Keep the Transportation Authority independent.

*Senator Carole Migden  
Senator Leland Yee  
Assemblywoman Fiona Ma  
Assemblyman Mark Leno*

San Francisco Supervisors:

*Michela Alioto-Pier  
Tom Ammiano  
Carmen Chu  
Chris Daly  
Bevan Dufty  
Sean Elsbernd  
Sophie Maxwell  
Jake McGoldrick  
Ross Mirkarimi  
Aaron Peskin, President  
Gerardo Sandoval  
Former Supervisor Leslie Katz*

*BART Director Tom Radulovich*

*San Francisco Bicycle Coalition  
Harvey Milk LGBT Democratic Club  
Sierra Club  
San Francisco Democratic Party*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION P

### To Keep Making Progress on MUNI Reform, Vote Yes on Proposition P.

Let's focus on the facts of Proposition P:

It demands **ethics reform** by requiring the Transportation Authority to adopt strict ethics laws.

It promotes **better coordination** between agencies to improve transportation.

It extends the city's **sunshine laws** to the Transportation Authority.

In other California counties, the Transportation Authorities run transportation systems that have jurisdictions larger than one city. San Francisco is the only city and county in California. This unique status creates duplication and it means we must work harder to coordinate all of our transportation activities. That's exactly what Proposition P will do -- require better coordination.

Proposition P requires that we work to eliminate duplication by sharing staff functions and spend our tax dollars more efficiently by making sure the Transportation Authority obtains expert financial review before approving budgets.

The Transportation Authority budget is a tempting source of funds for politicians. Recent press reports show that politicians are using the TA budget to purchase cell phones and office furniture. These may be small expenses, but we should make sure that all of our tax dollars are spent wisely.

Proposition P brings sound accounting practices and the city's stringent ethics and sunshine laws to this powerful agency. By requiring that we all work together, it will help make sure our MUNI is working better.

Please vote YES on P.

*Mayor Gavin Newsom*

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**P**

# Changing the Composition of the San Francisco County Transportation Authority Board

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PAID ARGUMENTS IN FAVOR OF PROPOSITION P

NO PAID ARGUMENTS IN FAVOR OF PROPOSITION P WERE SUBMITTED

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PAID ARGUMENTS AGAINST PROPOSITION P

NO PAID ARGUMENTS AGAINST PROPOSITION P WERE SUBMITTED

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# Modifying the Payroll Expense Tax



## PROPOSITION Q

Shall the City specify that certain partnerships and other businesses are subject to the City's payroll expense tax and expand the payroll expense tax exemption for small businesses so that businesses with annual payroll expenses of \$250,000 or less would not have to pay the tax?

YES ←  
NO ←

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City imposes a 1.5% tax on the payroll expenses of businesses that have employees working for them in San Francisco. Payroll expenses include salaries, wages, bonuses, and commissions. The payroll expense tax does not apply to compensation to owners of certain partnerships and businesses.

The City's payroll expense tax does not apply to small businesses. A company qualifies as a small business if its payroll expenses do not exceed \$166,667.

**THE PROPOSAL:** Proposition Q would specify that the City's 1.5% payroll expense tax applies to compensation paid to shareholders of professional corporations, members of limited liability companies, and owners of partnerships for their services.

Proposition Q would allow these types of businesses to choose one of two ways to calculate how much of the payments to their owners is a taxable payroll expense. The business could:

- determine how much of the payment to its owners is taxable compensation for services, or
- calculate payroll expenses for each owner using a formula specified in the Tax Code.

Proposition Q would also expand the City's payroll expense tax exemption for small businesses. Beginning January 1, 2009, small businesses with annual payroll expenses of \$250,000 or less would not have to pay the City's payroll expense tax. Every two years, the City would increase the \$250,000 ceiling to reflect inflation.

**A "YES" VOTE MEANS:** If you vote "yes," you want to specify that certain partnerships and other businesses are subject to the City's payroll expense tax, and you want to expand the payroll expense tax exemption for small businesses.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make these changes.

## Controller's Statement on "Q"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition Q:

Should this ordinance be approved, in my opinion, it would result in a net annual tax revenue increase to the City of approximately \$10.5 million. The ordinance would change the number and types of businesses in the City that pay the payroll tax.

Some types of corporations compensate their partners by paying them a share of the firm's annual profits in addition to any salary paid for services rendered. Currently, the City's payroll tax is not paid on these profits. The proposed ordinance would require the payroll tax to be paid on all partner compensation, excluding returns on investment, and would result in additional gross annual tax revenue of approximately \$17 million. The businesses that would be affected are typically law, accounting, medical, and other types of professional corporations.

The ordinance would also increase the small business tax exemption. Currently, businesses with a payroll of up to \$167,000 do not have to pay the payroll tax. The ordinance would raise this limit to \$250,000 exempting additional businesses, and resulting in decreased gross tax revenue of approximately \$6.5 million.

## How "Q" Got on the Ballot

On July 29, 2008 the Board of Supervisors voted 10 to 0 to place Proposition Q on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval.

**Excused:** Supervisor Alioto-Pier.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 264.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.



# Q

## Modifying the Payroll Expense Tax

This disclaimer applies to the proponent's argument on this page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin and Sandoval; take no position on the measure: Supervisor Alioto-Pier.*

### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION Q

**CLOSE THE TAX LOOPHOLE; HELP SMALL BUSINESS.  
VOTE YES ON Q**

San Francisco's small businesses are the backbone of our neighborhoods and local economy. They create jobs, provide services and contribute to the vibrant, diverse city we love. Voting YES on Proposition Q helps small business by increasing the small business payroll tax exemption – and at the same time closing a loophole for large downtown firms that aren't paying their fair share.

**YES ON Q HELPS SMALL BUSINESS**

Proposition Q significantly increases the number of small businesses who will be exempt from our local payroll tax. Currently, a business is exempt if its total payroll is under \$166,000 per year. Proposition Q increases the threshold to \$250,000 – helping more than 1,600 borderline and at-risk businesses who need a boost.

This will enable our small businesses to hire more employees, expand benefits, and provide additional services to our communities.

**YES ON Q CLOSES A TAX LOOPHOLE**

While local small businesses pay their fair share, many large partnerships – such as downtown law firms – have found a way to avoid paying their share of the payroll tax. Tax experts estimate that the city loses up to \$19 million each year because of this loophole.

**SAN FRANCISCO IS UNITED FOR PROPOSITION Q**

Democrats and Republicans, labor and business, and neighborhood advocates from every corner of San Francisco are uniting to close the loopholes and help small business. Please join us and vote YES on Proposition Q.

*San Francisco Democratic Party  
San Francisco Small Business Advocates  
San Francisco Firefighters Local 798  
Board of Supervisors President Aaron Peskin*

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION Q

**NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION Q WAS SUBMITTED**

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.



# Modifying the Payroll Expense Tax

**Q**

OPPONENT'S ARGUMENT AGAINST PROPOSITION Q

NO OPPONENT'S ARGUMENT AGAINST PROPOSITION Q WAS SUBMITTED

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION Q

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION Q WAS SUBMITTED

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# Modifying the Payroll Expense Tax

## PAID ARGUMENTS IN FAVOR OF PROPOSITION Q

*These difficult economic times are plunging more and more San Franciscans into poverty and homelessness. Increased revenue is imperative for the protection of these most vulnerable members of our community. Therefore, Religious Witness strongly supports Proposition Q.*

*- The Steering Committee of Religious Witness with Homeless People*

The true source of funds for the printing fee of this argument is Religious Witness with Homeless People.

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### SUPPORT OUR KIDS! VOTE YES ON Q!

By closing a corporate tax loophole Proposition Q will provide vital revenue the City needs to support essential services like quality child care, violence prevention programs and housing for families. Stop the corporate giveaway and support SF kids by voting YES on Q!

*Coleman Action Fund for Children*

The true source of funds for the printing fee of this argument is the Coleman Action Fund for Children.

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### SF LABOR SAYS CLOSE THE LAWYER LOOPHOLE AND SUPPORT SMALL BUSINESS -- VOTE YES ON Q!

Small businesses are a vital part of San Francisco's economy, employing thousands of workers and fueling economic growth. Vote YES on Q to close an unjust tax loophole and promote jobs and a stronger SF economy.

*San Francisco Labor Council*

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the San Francisco Democratic Party.

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### JOIN LGBT LEADERS IN VOTING YES ON Q - SUPPORT SMALL BUSINESSES!

San Francisco's LGBT leaders urge you to support small businesses by reforming our payroll tax and closing the unfair partnership loophole.

*State Senator Carole Migden  
Assemblyman Mark Leno  
Treasurer Jose Cisneros  
Supervisor Tom Ammiano  
Supervisor Bevan Dufty  
Harvey Milk LGBT Democratic Club*

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the San Francisco Democratic Party.

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Our small business owners pay more than their fair share of the tax burden. Vote Yes on Q to support San Francisco's many Asian American small businesses!

*Supervisor Carmen Chu  
David Chiu, Small Business Commissioner\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the San Francisco Democratic Party.

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Small businesses are the cornerstone of our community and the heart of the city's economic engine. Proposition Q closes an unfair loophole while helping to support our local small businesses.

*San Francisco Democratic Party*

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the San Francisco Democratic Party.

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### POLICE, FIREFIGHTERS, SHERIFFS, AND LAW ENFORCEMENT OFFICIALS SAY "YES on Q!"

Budget deficits have meant cuts to public safety programs in San Francisco this year. Proposition Q closes an unjust tax loophole and will provide additional funding for crucial local services. Join us by voting YES on Q!

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# Modifying the Payroll Expense Tax

## PAID ARGUMENTS IN FAVOR OF PROPOSITION Q

*San Francisco Police Officers Association*  
*San Francisco Firefighters Local 798*  
*Sheriff Michael Hennessey*  
*David Wong, SF Deputy Sheriffs' Association\**  
*District Attorney Kamala Harris*  
*Public Defender Jeff Adachi*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Close the Loopholes – Yes on N, Yes on Q.

The contributor to the true source recipient committee is the San Francisco Democratic Party.

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### **Prevent the closure of essential services – Vote YES on Propositions N & Q**

San Francisco community nonprofit health and human services agencies have experienced significant cuts this year. Next year, projections show that the deficit will be just as devastating to essential services.

It is time to address our budget issues with additional revenue.

Propositions N & Q will raise critically needed revenue to prevent the closure of programs serving the most vulnerable San Franciscans. These fair revenue measures provide resources to the City to prevent the loss of mental health and homeless services.

### **Support community services – Vote YES on Propositions N & Q**

*Progress Foundation*

The true source of funds for the printing fee of this argument is the Progress Foundation.

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# Modifying the Payroll Expense Tax

## PAID ARGUMENTS AGAINST PROPOSITION Q

While we applaud any tax reduction, especially for small business, this is a wolf in sheep's clothing. Instead of reducing taxes, Measure Q will increase net taxes by over \$10 million - a hit that San Francisco businesses can't afford. Send a message to our elected leaders: stop playing games and reduce taxes across the board.

No on Q

*San Francisco Republican Party*

### Endorsed Candidates

*Conchita Applegate*, Assembly District 12\*

*Harmeet Dhillon*, Assembly District 13

*Mike DeNunzio*, Supervisorial District 3

### Officers

*Howard Epstein*, Chairman

*Walter Armer*, VC Political Affairs

*Janet Campbell*, VC - Special Events

*Leo Lacayo*

*Christopher L. Bowman*, VC - Precinct Operations

### Members

12<sup>th</sup> Assembly District

*Michael Antonini*

*Stephanie Jeong*

*Barbara Kiley*

13<sup>th</sup> Assembly District

*John Brunello*

*Alisa Farenzena*

*Sue C. Woods*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the San Francisco Republican Party.

The three largest contributors to the true source recipient committee are: 1. DGF Y2K Special Purpose Trust, 2. PG&E, 3. CA. Republican Party.

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# Renaming the Oceanside Water Treatment Plant



## PROPOSITION R

Shall the City change the name of the Oceanside Water Pollution Control Plant to the George W Bush Sewage Plant?

YES ←    
NO ←  

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City Public Utilities Commission owns and operates the Oceanside Water Pollution Control Plant, located near the San Francisco Zoo. The plant treats sewage and storm water from the west side of San Francisco, discharging treated water into the Pacific Ocean.

**THE PROPOSAL:** Proposition R is an ordinance that would change the name of the Oceanside Water Pollution Control Plant to the George W Bush Sewage Plant.

The name change would become effective upon the inauguration of the next President of the United States. At that time, Proposition R would require the City to change the facility's outdoor signage and website. Proposition R would also require the City to update the stationery, business cards, city maps, and other public materials that the City orders or prints after the name change.

**A "YES" VOTE MEANS:** If you vote "yes," you want the City to change the name of the Oceanside Water Pollution Control Plant to the George W Bush Sewage Plant.

**A "NO" VOTE MEANS:** If you vote "no," you do not want the City to make this change.

## Controller's Statement on "R"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition R:

Should the proposed ordinance be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

## How "R" Got on the Ballot

On July 17, 2008 the Department of Elections certified that the initiative petition calling for Proposition R to be placed on the ballot had a sufficient number of valid signatures to qualify the measure for the ballot.

7,168 signatures were required to place an initiative ordinance on the ballot. This number is equal to 5% of the total number of people who voted for Mayor in 2007. A random check of the signatures submitted by the proponents of the initiative petition prior to the July 7, 2008 submission deadline showed that more than the required number of signatures were valid.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 264.

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# R

# Renaming the Oceanside Water Treatment Plant

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## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION R

Just as France presented the Statue of Liberty as its gift to the nation, the citizens of San Francisco may now bestow their own special gift to the country by renaming our award winning waste water treatment plant in honor of outgoing President George W Bush. We think this is a fitting memorial for a truly outstanding Commander-in-Chief. On matters ranging from diplomacy to fiscal and environmental stewardship, no other President has had such a dramatic impact on the country and the Constitution in such a short time. Most presidents wait years or decades to receive their memorial airport or highway. We think President Bush deserves immediate recognition for his eight years of public service.

Critics of this measure point out that the initiative unfairly maligns the talented and hard working staff at the award-winning plant or that it memorializes an administration best forgotten. To this we simply say that those who forget history are condemned to repeat it. President Bush has left us with a gigantic mess, and that this facility symbolizes the city's deft ability to clean up its share of the financial and diplomatic mess left in this administration's wake. It will also become the world's first presidential sewage plant, a potential tourist attraction, and therefore an opportunity for the dedicated plant workers to educate visitors about this essential and heretofore unknown public works. This measure will have a minimal fiscal impact and may increase tourist traffic to the plant, Zoo, and nearby attractions in southwest San Francisco, creating yet another quirky must-see destination along with our cable cars, Haight St, and Beach Blanket Babylon.

Fellow San Franciscans, we urge you to vote Oui! On November 4th.

*Brian McConnell*  
Chairman, *Presidential Memorial Commission of San Francisco*

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## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION R

While discussing the Russian incursion into South Ossetia on ABC's "This Week", conservative George Will referred to Russia as a "primitive" country. This reference is puzzling in light of Russia having produced geniuses like Tolstoy, Dostoevsky, Tchaikovsky and Prokofiev. To describe an entire nation in such terms seems an extreme statement. (Would the show's host, George Stefanopoulos, have remained silent had Will similarly impugned the Greek nation?) Yet this remark should be understood in light of Will's unspoken desire to ride up Brokeback Mountain with W.

Maybe Vladimir Putin attacked Georgia because he hates freedom. Or perhaps Putin invaded because he had to assist his homies who were under attack, just as the Israelis retaliate whenever their people are shot at or shelled. What is not in question is that Putin had exposed Bush as an impotent buffoon: even were John "we are all Georgians" McCain, Will's and ABC's preferred candidate, to win this year's election, Russia will not be expelled

from the G-8. No other country in NATO is going to send its troops to South Ossetia. Like other neoconservatives, Will and his employers at ABC are enraged that Putin has punk'd their beloved Bush. Rather than acknowledge that reality, they prefer to disparage the Russians as a bunch of primitives.

San Franciscans, take note: don't vote for this measure just because you're upset that Midland's half-wit won the last election. That's the kind of statement that Will and the neocons would make. Such name-calling is really...primitive.

*Colin V. Gallagher*

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# Renaming the Oceanside Water Treatment Plant



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## OPPONENT'S ARGUMENT AGAINST PROPOSITION R

As of this writing, 4139 servicemen and women have been killed since the invasion of Iraq in 2003. The number of Iraqis who have been killed as a result of the invasion and occupation of their country cannot be measured. The proponents of this measure may consider the Bush Administration to be a joke. However, the consequences of the decision to invade are not a laughing matter for families of those who have died during the past five years. This measure, whatever its intentions, disrespects them.

Besides, if we name the local sewage plant after Bush, then what's left to name after Jesse Helms?

*Colin V. Gallagher*

I agree that the invasion of Iraq is the worst foreign policy blunder in the history of the US. I also agree that Bush has been the most ignorant man to ever occupy the office of President. To call him the worst President since Warren Harding is to insult the memory of Harding, who at least did not enter this country into any unnecessary wars.

Moreover, the federal debt at the end of this Administration totals over \$9 trillion, not including the recent guarantees extended to Fannie Mae and Freddie Mac, whose liabilities may constitute an additional \$5 trillion to be paid by the U.S. taxpayer. Aside from Iraq, Bush's legacy will be the addition of a prescription drug benefit of at least \$1.2 trillion without any mechanism for funding the new Medicare entitlement. Bush's minions had specifically ordered the civil service from disclosing the true cost of the benefit from Congress before it had been voted upon. Maybe it would be more appropriate to name the local bankruptcy court or a consumer credit counseling center after Bush?

---

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION R

Fellow citizens, Mr. Gallagher's opposing argument does as good a job as any we've heard at highlighting why George W. Bush deserves this unique civic tribute. Since we can't say it better ourselves we'll share this haiku, submitted by one of the many supporters of this effort from San Francisco, around the country and abroad:

Need Bush memor'1?  
Sewage plant available  
How appropriate

*Brian McConnell, Chairman  
Presidential Memorial Commission of San Francisco*

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# R

# Renaming the Oceanside Water Treatment Plant

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION R

This vote might seem like a joke but it's not. For the past 8 years, Bush dragged the country into war, recession, scandals and bankruptcies through lies, deception, contempt and cronyism, undermining the very values this country is based upon. It will not disappear the day he leaves office; his legacy will resonate for the many years to come in America and throughout the world. The man will have his library, his expressway and his airport, but more than anything he deserves to go down in the history books with a sewage plant. **San Francisco will not forget, and neither will New Orleans.** Future generations across the nation and the world will be grateful. Please vote Yes.

*Pierre Saslawsky*  
Simple Citizen\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Pierre Saslawsky.

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## PAID ARGUMENTS AGAINST PROPOSITION R

NO PAID ARGUMENTS AGAINST PROPOSITION R WERE SUBMITTED

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# Policy Regarding Budget Set-Asides and Identification of Replacement Funds



## PROPOSITION S

Shall it be City policy that the voters will not approve any new set-aside of City revenue unless the set-aside identifies a new funding source, includes limits on annual increases, and automatically expires after 10 years?

YES ←   
NO ←

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** Various voter-approved Charter provisions require the City to set aside portions of the annual budget for particular purposes or programs. A "set-aside" requires that a specific amount of revenue be spent for a specific purpose each year. Only the voters have the power to change these set-asides. Various voter-approved ordinances also require the City to set aside funds, but these ordinances act only as policy measures and are not binding after the first fiscal year.

Generally, City revenue that comes from state or federal sources and user fees must be used for particular spending programs. Most revenue from other sources goes to the General Fund, which may be spent for any City purpose. For the 2007-2008 fiscal year, the City's total revenue was approximately \$6.07 billion. After subtracting restricted revenues, set-asides required by the Charter, and set-asides urged by ordinances and spending mandates, \$1.1 billion remained available for the Mayor and Board of Supervisors to spend for all other City purposes.

**THE PROPOSAL:** Proposition S is an ordinance that would make it City policy that voters will only approve measures authorizing new set-asides or spending mandates if the measure also identifies a new source of funding.

Proposition S would also make it City policy that the voters will not approve:

- A new set-aside with a cost-of-living adjustment or other annual increase of more than 2%; and
- Any new or extended set-aside that does not automatically expire 10 years after it goes into effect.

When a proposed set-aside appears on the ballot, the Voter Information Pamphlet would include a statement from the Controller that:

- informs voters of this set-aside policy;
- states whether the proposed set-aside measure identifies replacement funds; and
- analyzes the impact of the proposed set-aside, alone and in combination with existing set-asides, on the City budget.

**A "YES" VOTE MEANS:** If you vote "yes," you want to adopt an ordinance to make it City policy that the voters will not approve new set-asides without identifying replacement funds.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to adopt this ordinance.

## Controller's Statement on "S"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition S:

Should the proposed ordinance be approved by the voters, in my opinion, it would in and of itself have a minimal impact on the cost of government.

The proposed ordinance would establish a new City policy requiring new or expanded set-asides to identify specific and adequate new sources of funds prior to voter approval. Additionally, the policy would limit the annual growth of new set-asides to no more than 2% of the prior year's amount, and the duration of the approved set-asides to ten years after the effective date of their adoption.

The proposed ordinance would require the Controller to prepare a statement informing voters of the new policy, funding sources identified for the new or expanded set-asides, and the impact of the set-asides on the City's budget and finances during its term.

The Controller already prepares a financial analysis of each measure submitted to the voters, including the amount of any increase or decrease in the cost of City and County government and the effect of the measure on the tax rate. The proposed ordinance specifies additional detail that the Controller would provide for set-asides in these analyses.

Note that the ordinance would only establish a City policy on set-asides. The ordinance would not prevent members of the Board of Supervisors or the Mayor from submitting measures that did not conform to this policy. Nor would the ordinance prevent the voters from approving any such measure on the ballot.

## How "S" Got on the Ballot

On June 11, 2008 the Department of Elections received a proposed ordinance signed by Mayor Newsom.

The City Elections Code allows the Mayor to place an ordinance on the ballot in this manner.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 265.

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# S

## Policy Regarding Budget Set-Asides and Identification of Replacement Funds

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### PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION S

#### YES ON PROPOSITION S

As Mayor, I am working to make sure your hard-earned tax dollars are spent on your priorities.

That's why I have focused on the basics – public safety, better health care, more reliable public transportation, effective services to help the homeless, a partnership with our public schools, improving the conditions of our streets, parks, public spaces and other essential services. The numbers show we are making steady progress on all of these important priorities.

But finding the funds to support these essentials is an increasing challenge because so much of our budget is already earmarked for specific uses, many times through voter-approved set-asides on the ballot.

San Francisco is in a better financial situation than most cities because we have put money aside in our rainy day fund and attempted to “pay as we go” to the greatest extent possible. But we need continued fiscal restraint and reform to maintain financial stability.

Proposition S is a common-sense reform that will require that future set asides identify a funding source. It is a simple idea – make sure we have the money in hand before we commit to spending it.

I strongly support the right of voters to express their priorities on the ballot. This is an important power we must preserve to keep City Hall responsive.

With Proposition S voters will be provided all the information they need to make an informed choice. With this new reform, voters can express their budget priorities with full knowledge of how those decisions will affect other programs or increase their tax burden.

The best way to make sure we are making the right choices is to make sure voters have the best information.

That's why I ask you to join me in voting YES on S.

*Gavin Newsom*  
Mayor

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### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION S

**NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION S WAS SUBMITTED**

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# Policy Regarding Budget Set-Asides and Identification of Replacement Funds

**S**

OPPONENT'S ARGUMENT AGAINST PROPOSITION S

NO OPPONENT'S ARGUMENT AGAINST PROPOSITION S WAS SUBMITTED

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION S

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION S WAS SUBMITTED

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# S

## Policy Regarding Budget Set-Asides and Identification of Replacement Funds

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### PAID ARGUMENTS IN FAVOR OF PROPOSITION S

Our city government leaders should not ask voters to approve future budget set asides for various projects or causes unless a specific funding source has first been identified. This is simply prudent planning!

Let's promote more of that at City Hall. **Vote Yes on Prop S!**

*Building Owners & Managers Association of San Francisco*

The true source of funds for the printing fee of this argument is the BOMA SF IE PAC - ID#870449.

The three largest contributors to the true source recipient committee are: 1. Harsch Investment Properties, 2. Cushman & Wakefield of California, 3. Capital and Counties USA, Inc.

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### PAID ARGUMENTS AGAINST PROPOSITION S

**NO PAID ARGUMENTS AGAINST PROPOSITION S WERE SUBMITTED**

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# Free and Low-Cost Substance Abuse Treatment Programs



## PROPOSITION T

Shall the City be required to provide enough free and low-cost substance abuse treatment services to meet demand and to maintain funding for such services?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The San Francisco Department of Public Health (DPH) is the City agency primarily responsible for providing public health services, including substance abuse treatment. DPH provides substance abuse treatment services through its Community Substance Abuse Services (CSAS) program. Under CSAS, DPH assesses the scope of alcohol and drug abuse problems in the City and provides prevention, treatment and outreach services.

treatment and presenting a plan to meet such demand. The City's budget would include funding for this plan. Proposition T would also require DPH to maintain an adequate level of free and low-cost substance abuse treatment services and residential treatment capacity sufficient to meet existing demand. The City would be required to provide a variety of substance abuse treatment services.

The Local Homeless Coordinating Board (LHCB) is one of the City's policy bodies responsible for planning and coordinating homeless programs and services. Earlier this year, the LHCB completed a five-year strategic plan entitled "Toward Ending Homelessness in San Francisco." The strategic plan identified a number of policies to prevent and eliminate homelessness in San Francisco, including substance abuse treatment. On February 26, 2008, the Board of Supervisors (Board) adopted a resolution declaring that the five-year strategic plan is the City's official policy on homelessness.

As long as there is unmet demand, the City would also be required to prevent any reduction in funding and staffing for City substance abuse treatment programs, as well as residential treatment capacity.

**A "YES" VOTE MEANS:** If you vote "yes," you want to require DPH to provide enough free and low-cost medical substance abuse treatment services to meet demand and require the City to maintain funding for such services.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to make this change to City law.

**THE PROPOSAL:** Proposition T would require DPH to provide an annual report to the Board assessing demand for substance abuse

## Controller's Statement on "T"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition T:

Should the proposed ordinance be approved by the voters, in my opinion, it would increase the cost of government by between \$7 million and \$13 million annually in order to fund additional free and low cost medical substance abuse services.

The proposed ordinance would require the Department of Public Health to maintain an "adequate level of free and low cost medical substance abuse services" to meet the overall demand for these services. The City would be required to not reduce funding, staffing or the number of substance abuse treatment slots available for as long as slots are filled or sought. The proposed ordinance would establish a method for calculating overall demand for these services using the total number of filled substance abuse treatment slots plus the number of individuals seeking such slots. The proposed ordinance would require the Department of Public Health to provide an annual report to the Board of Supervisors of existing and unmet demand and a plan to meet the overall demand.

Approximately \$50 million is budgeted for Fiscal Year 2008-2009 to provide free and low cost medical substance abuse ser-

vices, approximately 60% of which comes from the City's General Fund. These services are primarily delivered through contracts with local nonprofit organizations and the Department of Public Health spends approximately \$3 million annually to administer the contracts. The Department of Public Health estimates that the cost of unmet demand for substance abuse services ranges from \$7 million to \$13 million above current spending levels.

The costs discussed above could increase or decrease depending on how the City implements the ordinance. Note that an ordinance cannot bind future Mayors and Boards of Supervisors to provide funding for this or any other purpose. Under the City Charter, the ultimate cost of this proposal depends on decisions made in the City's annual budget process.

## How "T" Got on the Ballot

On June 17, 2008 the Department of Elections received a proposed ordinance signed by Supervisors Daly, McGoldrick, Mirkarimi and Peskin.

The City Elections Code allows four or more Supervisors to place an ordinance on the ballot in this manner.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 266.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# Free and Low-Cost Substance Abuse Treatment Programs

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## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION T

VOTE YES ON PROPOSITION T!

On behalf of the *Treatment on Demand Planning Council*,

Since 1997, the Treatment on Demand Planning Council has been advising the citizens of San Francisco on ways to build a more effective, more cost-efficient, and a more equitable treatment system.

*Georgia Bates Creel & Richard E. Gee*  
Co-Chairs

The Planning Council continues to be the best representation of citizen advocacy and community-driven participation as part of our City's effort in addressing the needs of its citizens.

As long-time advocates of San Francisco's alcohol and drug related problems, we support the Treatment on Demand Act, as a life-saving and cost-saving measure. We all know that treatment saves lives and saves families.

University medical studies shows that every dollar spent on treatment saves \$7-\$13 in public costs.

San Francisco has a good community-based treatment system. We need to make sure that it is available to everyone who needs it as soon as they are ready.

We believe that the Treatment on Demand Act will make San Francisco a better place to live.

Please join us in voting YES on Proposition T!

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## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION T

**NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION T WAS SUBMITTED**

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# Free and Low-Cost Substance Abuse Treatment Programs



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OPPONENT'S ARGUMENT AGAINST PROPOSITION T

NO OPPONENT'S ARGUMENT AGAINST PROPOSITION T WAS SUBMITTED

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REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION T

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION T WAS SUBMITTED

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# Free and Low-Cost Substance Abuse Treatment Programs

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PAID ARGUMENTS IN FAVOR OF PROPOSITION T

**NO PAID ARGUMENTS IN FAVOR OF PROPOSITION T WERE SUBMITTED**

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PAID ARGUMENTS AGAINST PROPOSITION T

**NO PAID ARGUMENTS AGAINST PROPOSITION T WERE SUBMITTED**

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# Policy Against Funding the Deployment of Armed Forces in Iraq



## PROPOSITION U

Shall it be City policy that its elected representatives in the United States Senate and House of Representatives vote against any further funding for the deployment of United States Armed Forces in Iraq, except for funds to withdraw troops?

YES ←    
NO ←  

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** In November 2004, San Francisco voters adopted a policy urging the United States government to withdraw all troops from Iraq and bring all military personnel in Iraq back to the United States.

**THE PROPOSAL:** Proposition U is a declaration of policy that the City's elected representatives in the United States Senate and House of Representatives vote against any further funding for the deployment of United States Armed Forces in Iraq, except for funds specifically earmarked to provide for the safe and orderly withdrawal of troops from Iraq.

**A "YES" VOTE MEANS:** If you vote "yes," you want it to be City policy that its elected representatives in the United States Senate and House of Representatives vote against any further funding for the deployment of United States Armed Forces in Iraq, except for funds to withdraw troops.

**A "NO" VOTE MEANS:** If you vote "no," you do not want the City to adopt this policy.

## Controller's Statement on "U"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition U:

Should the proposed declaration of policy be approved by the voters, in my opinion, it would not increase the cost of government.

## How "U" Got on the Ballot

On June 17, 2008 the Department of Elections received a proposed ordinance signed by Supervisors Ammiano, Daly, McGoldrick and Mirkarimi. On June 23, 2008 Supervisor Peskin signed as a cosponsor of the ordinance.

The City Elections Code allows four or more Supervisors to place a declaration of policy on the ballot in this manner.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 266.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# Policy Against Funding the Deployment of Armed Forces in Iraq

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION U

In 2004, San Francisco voters declared it “City policy to urge the United States government to withdraw all troops from Iraq and bring all military personnel in Iraq back to the United States.” Four years later, the number of troops in Iraq has increased rather than decreased. San Francisco needs to speak out again, even more forcefully.

Proposition U sends a message from San Francisco to Washington, D.C. that no further funds should be appropriated for the Iraq war, except for the purpose of bringing our troops home safely.

While San Francisco has struggled to fund its schools, meet the health care needs of its citizens, and provide safety on its streets, over \$600 billion has been appropriated for the war and occupation of Iraq. It has cost the state of California \$68 billion, and the city of San Francisco alone \$1.8 billion.

And the cost in dollars is but the tip of the iceberg. More tragically, this war has also taken the lives of over 4,000 American soldiers, in addition to tens or even hundreds of thousands of Iraqis. More than 30,000 Americans have been wounded. America’s standing throughout the world has plummeted and our economy has gone into decline. We will be paying for this war for decades to come.

A majority of both the American and Iraqi people desire the withdrawal of American troops and San Francisco has the opportunity to lead the way in embodying that sentiment in a statement of policy.

There is no more time for excuses. There is no more time for delay. Let us not fund another casualty in Iraq.

**BRING THE TROOPS HOME NOW.**

**VOTE YES ON PROPOSITION U!**

*Chris Daly  
Tom Ammiano,  
Jake McGoldrick  
Ross Mirkarimi  
Aaron Peskin*

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## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION U

Vote No On Proposition U

Rather waste City money during tight budget times by creating a telephone book sized voter information pamphlet, these Supervisors should focus on issues that they can affect – crime, the homeless, crumbling streets and poorly maintained parks, to mention a few.

This non-binding Declaration of Policy is another symbolic and futile attempt by the most radical of the Board of Supervisors’ to affect national security. The result will be the same as their attempt in 2004 – NONE.

Speaker Nancy Pelosi along with her Congressional colleagues and the next President will make the decision on military funding. What is certain is that what happens in Washington will not be the cut and run policies advocated by the proponents of this measurer.

Vote No On Proposition U

*San Francisco Republican Party*

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# Policy Against Funding the Deployment of Armed Forces in Iraq



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## OPPONENT'S ARGUMENT AGAINST PROPOSITION U

This is another waste of City money and time. Radical San Francisco Supervisors will not decide on funding for the Iraq war. The President and Congress of the United States will make that decision. San Francisco Supervisors should concentrate on things within their control, such as quality of life and the out of control, bloated budget.

Vote No on U

*San Francisco Republican Party*

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION U

The invasion of Iraq, based upon groundless allegations of “weapons of mass destruction,” initiated without United Nations authorization, and illegal under international law, was initiated over six years ago. In the estimation of Nobel Prize winning economist Joseph Stiglitz, when all of the bills come due, this war and occupation will have cost the American people in excess of \$3 trillion. And yet, over all this time, the political structure in Washington, D.C. has proven unable to stop throwing money at it.

In a democracy, the people are sovereign. And when our government leads the nation down a disastrous course, we the people have no choice but to speak out and demand that it stop. The time has come for the voters of San Francisco – and every other part of the nation – to say, “Enough! This war will end on the day we stop paying for it.”

We know peace will not descend upon Iraq on the day the last American soldiers leave – this war has done far too much damage

for that. But we know equally well that peace will not come to that land until our troops have left, something that all factions in Iraq agree needs to happen. At that point we can also begin the process of restoring America's standing in the world.

*Tom Gallagher, Committee to End the War in Iraq*  
*Howard Wallace, Vice President for Community Affairs, San Francisco Labor Council*  
*Debra Walker, Treasurer, San Francisco Democratic County Central Committee*

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# Policy Against Funding the Deployment of Armed Forces in Iraq

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION U

### **Bring Our Troops Home Now**

Honor the memory of Francis of Assisi, for whom our great city was named.

Act for peace, love and justice.

End this war now!

**Vote YES on Prop U!**

*Harvey Milk LGBT Democratic Club*

The true source of funds for the printing fee of this argument is the Harvey Milk LGBT Democratic Club.

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## PAID ARGUMENTS AGAINST PROPOSITION U

**NO PAID ARGUMENTS AGAINST PROPOSITION U WERE SUBMITTED**

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# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools



## PROPOSITION V

Shall it be City policy to encourage the School Board to reverse its decision to terminate JROTC and to continue to offer JROTC in San Francisco public high schools?



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The Junior Reserve Officers' Training Corps (JROTC) is a program offered to high school students. Each branch of the military – the Army, Marines, Air Force, Navy and Coast Guard – allows local high schools to apply for and make available a JROTC program for their students. In San Francisco, JROTC instructors hold California Special Subject teaching credentials and are retired members of the Armed Forces. Students who participate in JROTC must attend school full-time and may enroll in the program at the ninth-grade level or above.

The San Francisco Unified School District (SFUSD) has participated in JROTC for 90 years, offering Army and Navy JROTC programs at seven public high schools.

On November 14, 2006, the San Francisco Board of Education (School Board) passed a resolution to phase-out all JROTC programs in San Francisco public schools by the end of the 2007-08 school year. The resolution also called for a task force to develop alternative, creative, and career driven programs. The resolution directed the task force to develop recommended alternatives that offer elements of the existing JROTC program that students have indicated are important to them.

The School Board later extended the JROTC programs through the 2008-09 school year to provide additional time to develop and implement alternative programs. JROTC programs are scheduled to end in June 2009.

**THE PROPOSAL:** Proposition V would make it City policy to encourage the Board of Education to reverse its action to terminate the JROTC program and to continue to offer the program in San Francisco public high schools.

**A "YES" VOTE MEANS:** If you vote "yes," you want to make it City policy to encourage the Board of Education to reverse its action to terminate the JROTC program and to continue to offer the program in San Francisco public high schools.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to adopt this declaration of City policy.

## Controller's Statement on "V"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition V:

Should the proposed declaration of policy be approved by the voters, in my opinion, it would not increase the cost of government.

## How "V" Got on the Ballot

On July 15, 2008 the Department of Elections certified that the initiative petition calling for Proposition V to be placed on the ballot had a sufficient number of valid signatures to qualify the measure for the ballot.

7,168 signatures were required to place an initiative declaration of policy on the ballot. This number is equal to 5% of the total number of people who voted for Mayor in 2007. A random check of the signatures submitted by the proponents of the initiative petition prior to the July 7, 2008 submission deadline showed that more than the required number of signatures were valid.

**THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 266.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 61.





# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION V

A vote for this ballot measure is a vote to give students and their families the choice to participate in JROTC, a high school leadership program that works.

The Junior Reserve Officers' Training Corps (JROTC) program is a 90-year old leadership program in 7 public high schools, that teaches student discipline, leadership skills and importance of civic responsibility, It is a during and after-school program that serves over 1600 students. The School Board voted narrowly to end the program as a political statement. A few key facts on the program:

- 90% of the participants are from minority groups, and over 50% are female. 88% of the student leaders were female in 2008, and in 2007 and 2008, the student leaders were female. Openly LGBT students are active among cadets and cadet leaders.
- The JROTC program is overwhelmingly supported by the school administrators, parents and students. All of the 7 school principals are active in supporting JROTC. All of the 7 school Parent Teacher Student Associations (PTSAs) are active in supporting JROTC. Over 85% of students polled (JROTC and non-JROTC) support continuing the JROTC program.

- Students and their instructors volunteer hundreds of community service hours to their schools as well as to the community at large. You have probably seen the cadets at volunteer efforts across the city.
- Over 90% of the JROTC participants go on to college.

San Francisco JROTC is a model program of inclusion and personal achievement. Help us save this program as a choice for those who benefit from it.

*Choice for Students - JROTC Co-Chairs:*

*Michael Bernick  
Douglas Chan  
Gwen Chan  
Nelson Lum  
Quincy Yu*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION V

**The proponents make the type of misleading statements that military recruiters always make.**

**The military is never mentioned.**

JROTC claims 1600 cadets but the District reports only 1050. They claim high college enrollment rates and minority participation, but their rates are the same as for all District graduates. They don't mention the many children enrolled involuntarily.

JROTC pretends there is no discrimination. But there are no openly gay JROTC instructors, and LGBT cadets are denied benefits that other students can receive.

The Pentagon reports nearly half of all JROTC cadets join the military, and the District says there is no local data to the contrary.

The Pentagon's contract with the District says that JROTC will provide "a course of military instruction." Period. It says nothing about a program promoting the well-being of children.

The School Board listened carefully to what students said. Nearly 75% of cadets said they were motivated by the desire to avoid physical education and about half said they would like a non-military marching program. 800 students signed a petition to remove JROTC. In response, the Board committed \$1 million for new leadership programs which begin this year.

**We don't need the military in our schools to provide programs for leadership and community service. Vote No on V.**

*Supervisor Ross Mirakirimi  
Tommi Avicelli Mecca  
Robert Haaland, Pride at Work\*  
Medea Benjamin, Global Exchange  
Siri Margarin, United for Peace and Justice  
Gloria LaRiva, ANSWER Coalition\*  
Nathalie Hrizi, Students and Teachers Against JROTC  
Jose Luis Pavon, Youth Organizer*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools



## OPPONENT'S ARGUMENT AGAINST PROPOSITION V

"JROTC IS ONE OF THE BEST RECRUITING DEVICES WE COULD HAVE" –Defense Secretary William Cohen.

*Supervisors Tom Ammiano, Bevan Dufty, Jake McGoldrick, Chris Daly*

The Pentagon aims much of its recruitment budget directly at teens, because they are impressionable. The Pentagon brags that nearly half of JROTC cadets eventually join the military.

*Mark Sanchez, School Board President*

*Dan Kelly, former School Board President*

San Francisco voted overwhelmingly in 2005 to prohibit military recruitment in our schools.

*L. Ling-Chi Wang, Professor Emeritus\**

*Michael Wong, Veterans for Peace\**

The School Board decided to phase out JROTC because San Franciscans do not want military recruiters in our schools and do not support a program that discriminates against the LGBT community with its "Don't Ask, Don't Tell" policies.

*Gordon Mar*

*Mary Ratcliff, San Francisco Bayview Newspaper*

The San Francisco Republican Party and military organizations around the country are leading the campaign to keep JROTC in our schools.

*Rafael Mandelman, Harvey Milk LGBT Democratic Club*

*Howard L. Wallace, Senior Action Network*

JROTC portrays military life as a series of adventures. JROTC units take field trips to military bases. Instructors are told to encourage student contact with recruiters. JROTC cadets bond to the military through drills and rote learning.

*Glenda Hope, Network Ministries\**

*Ted Gullicksen, San Francisco Tenants Union\**

The Pentagon's JROTC program costs San Francisco taxpayers nearly \$1 million per year. Instructors only need a high school diploma. Courses don't meet state curriculum standards.

*Stephen Funk, Iraq Veterans Against the War\**

*Alan Lessik, American Friends Service Committee*

On Election Day, after years of war in Iraq, the people of San Francisco will declare again that military recruitment targeting children as young as 14 in our schools is simply wrong. Vote no on V!

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION V

The opponents of JROTC try to confuse the main issue of this ballot measure, the right of students and their parents to have choice and the success of JROTC as a high school program. They try to link JROTC with a number of issues - the Iraq War, George Bush, Don't Ask Don't Tell, and the Pentagon - that they know are not popular with San Francisco voters, but have nothing to do with JROTC.

The opponents cannot contest that the overwhelming majority of non-JROTC teachers and students at the participating high schools support JROTC.

Regarding recruitment, the opponents' argument is patently false.

The opponents cannot contest that JROTC is supported by every school principals, parent-teacher student associations, and the vast majority of students of each of the seven high schools: Balboa, Burton, Galileo, Washington, Lowell, Mission and Lincoln.

FACT: JROTC Instructors are prohibited from recruiting by their own JROTC regulations and guidelines.

The opponents cannot contest that the vast majority of JROTC participants go to college, not the military.

SF School District only pays for 50% of JROTC Program and 100% of all other programs. If JROTC is taken away, the SFUSD must now fund 100% of the P.E. teacher salaries and benefits that will be needed to replace the JROTC program. San Francisco will have to pay double or more to replace JROTC.

The opponents cannot contest that JROTC cadets volunteer hundreds of hours in community service projects.

*Choice for Students - JROTC*

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# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools

## PAID ARGUMENTS IN FAVOR OF PROPOSITION V

Give Students a Choice! Send a message to the Board of Education - stop playing politics with our children. **Vote YES on V to save JROTC.**

For 90 years San Francisco high school students have had the choice to participate in the JROTC program. Every year over 1,500 students enroll in this voluntary, non-discriminatory leadership training and community service program. Now a few school board members want to prohibit students from taking JROTC.

Join thousands of families who placed Proposition V on the ballot and tell the School Board you support choice for students. Vote YES on V.

*San Francisco Chamber of Commerce*

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

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It was wrong for the School Board to put politics ahead of leadership training opportunities for our youth by voting to end the Junior Reserve Officers' Training Corps (JROTC) program.

This action should be immediately reversed.

The San Francisco School Board should remember that our kids are their **ONLY** priority. It's not their job to use them to make a statement against the U.S. military.

Vote YES on Proposition V!

*BOMA San Francisco*

The true source of funds for the printing fee of this argument is the BOMA SF IE PAC - ID#870449.

The three largest contributors to the true source recipient committee are: 1. Harsch Investment Properties, 2. Cushman & Wakefield of California, 3. Capital and Counties USA, Inc.

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Since 2001, ideologues on the School Board and have attempted to impose their views over the interests of the SFUSD, parents, and students. Case in point – their efforts to eliminate the JROTC program serving nearly 10% of the high school students of the City.

Prop V would tell the School Board to reverse its position and preserve a 90 year program for the benefit of future generations of students. Vote Yes on V.

*Citizens for a Better San Francisco*  
(For more information, please visit [www.CBSF.net](http://www.CBSF.net).)

*Edward Poole*  
*Michael Antonini*  
*Harmeet Dhillon*

The true source of funds for the printing fee of this argument is Citizens for a Better San Francisco.

The three largest contributors to the true source recipient committee are: 1. Charlie Munger Jr., 2. Edward Poole, 3. PG&E.

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### **Please Support JROTC as a Choice for Our Students**

The JROTC program in the San Francisco public high schools serves over 1600 students each year, and has a proven success record in teaching leadership skills, teamwork, and the importance of civic responsibility.

The program has developed strong role models for young women. Female cadets now make up over 40% of cadets and participate in the top leadership positions.

The program has developed a strong culture of inclusion for all students, particularly students from the Lesbian Gay Bisexual Transgender (LGBT) community. LGBT students have told me that they have found a “home” in JROTC, and a very supportive environment. A number of the citywide cadet leaders in recent years have been LGBT students.

Don't be fooled by the claims of the JROTC opponents. The current leadership of JROTC has made the San Francisco JROTC into a model of support for LGBT students, and all students. The Friends of JROTC, the group formed to support JROTC, has taken a leadership role in opposing the national Don't Ask Don't Tell policy, and in supporting the LGBT students.

This is an issue of choice for San Francisco students, and the continuation of a program that succeeds with youth.

*Mayor Gavin Newsom\**

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Choice for Students – JROTC.

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# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools



## PAID ARGUMENTS IN FAVOR OF PROPOSITION V

The three largest contributors to the true source recipient committee are: 1. SF Chamber of Commerce – 21st Century Committee, 2. Warren F Hellman, 3. SF Association of Realtors.

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JROTC is a youth leadership program in the San Francisco public high schools that has a long track record of success with San Francisco youth. The program fosters discipline, teamwork, commitment to goals, and community service.

The program is now threatened with elimination by the School Board, not based on the program's performance but based on politics and ideology.

I urge you to support this ballot measure, and continue this excellent program.

*Senator Dianne Feinstein*

The true source of funds for the printing fee of this argument is Choice for Students – JROTC.

The three largest contributors to the true source recipient committee are: 1. SF Chamber of Commerce – 21st Century Committee, 2. Warren F. Hellman, 3. SF Association of Realtors.

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I grew up in the Tenderloin, Sunnyside projects and then Bayview/Hunters Point. Growing up in these neighborhoods, I did many things I regret. I had no direction in life but JROTC gave me one. Sergeant Major Wellman - my teacher during my years in JROTC told me I was going to college. With Wellman's perseverance, I became the first male in my family to attend college. JROTC gave me direction, leadership, and discipline. I'm pretty sure I would be in jail had I not changed. I needed JROTC.

As a gay, African-American male, I have always felt accepted and nurtured in the JROTC program. It was one of the most inclusive places at school.

I learned the importance of taking ownership and giving back to my community. They never tried to recruit me to enter the military. I was pushed toward college.

There is a waiting list throughout the United States for the JROTC program. If we lose this program that's been in San Francisco for 90 years, it will be lost for a very long time. There is NO replacement program.

I urge you to preserve the JROTC for those of us who need it.

*Michael Thomas – JROTC Alumni*

The true source of funds for the printing fee of this argument is Choice for Students – JROTC.

The three largest contributors to the true source recipient committee are: 1. SF Chamber of Commerce – 21st Century Committee, 2. Warren F. Hellman, 3. SF Association of Realtors.

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San Francisco Firefighters Support the JROTC Program

The San Francisco Firefighters has seen over the years how JROTC has succeeded with San Francisco youth in helping them achieve discipline, direction, and purpose in high schools. We have worked with JROTC students volunteers in community projects, including volunteer projects with the libraries, park clean-ups, and ethnic festivals.

The Firefighters oppose the efforts of politicians to end this valuable youth program, and to take away student choice. The San Francisco JROTC is not a recruitment program. It is program that teaches leadership and civic responsibility.

We urge you to VOTE YES on Prop V.

*San Francisco Firefighters Local 798*

The true source of funds for the printing fee of this argument is Choice for Students – JROTC.

The three largest contributors to the true source recipient committee are: 1. SF Chamber of Commerce – 21st Century Committee, 2. Warren F Hellman, 3. SF Association of Realtors.

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Keep JROTC as a Choice – It's a Worthwhile Program.

Every day, police officers in San Francisco see young people who lack for positive after-school activities. The JROTC provides after-school and weekend activities that teach youth teamwork, self-esteem and community service.

The Police Officers Association (POA) strongly opposes the efforts of a small number of School Board members to end this program. JROTC is a program that is overwhelmingly supported by the school principals, school teachers, and the students.

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# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools

## PAID ARGUMENTS IN FAVOR OF PROPOSITION V

Help us Save the JROTC program.

*San Francisco Police Officers Association*

The true source of funds for the printing fee of this argument is Choice for Students – JROTC.

The three largest contributors to the true source recipient committee are: 1. SF Chamber of Commerce – 21st Century Committee, 2. Warren F. Hellman, 3. SF Association of Realtors.

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Yes on Proposition V!

Tell the School Board to retain JROTC.

Keep a program parents and students want.

Let's get politics out of our schools!

*Harold M. Hoogasian*

The true source of funds for the printing fee of this argument is Harold M. Hoogasian.

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Finally, a program that WORKS: with a 90-year track record, 98% of participants go on to college. What is the School Board thinking? Instead of seeking to cut this program, they should be expanding it and replicating it. Give our children more choices, not fewer.

Yes on V

*San Francisco Republican Party*

Endorsed Candidates

*Dana Walsh*, Congressional District 8

*Conchita Applegate*, Assembly District 12\*

*Harmeet Dhillon*, Assembly District 13

*Mike DeNunzio*, Supervisorial District 3

Officers

*Howard Epstein*, Chairman

*Walter Armer*, VC Political Affairs

*Janet Campbell*, VC - Special Events

*Leo Lacayo*

*Christopher L. Bowman*, VC - Precinct Operations

Members

12<sup>th</sup> Assembly District

*Michael Antonini*

*Terence Faulkner*

*Stephanie Jeong*

*Barbara Kiley*

13<sup>th</sup> Assembly District

*John Brunello*

*Alisa Farenzena*

*Sue C. Woods*

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The true source of funds for the printing fee of this argument is the San Francisco Republican Party.

The three largest contributors to the true source recipient committee are: 1. DGF Y2K Special Purpose Trust, 2. PG&E, 3. CA Republican Party.

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# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools



## PAID ARGUMENTS AGAINST PROPOSITION V

### VOTE NO ON PROPOSITION V!

We don't want the schools used to recruit our children for the wars in Iraq and Afghanistan.

1. JROTC doesn't teach students the realities of war:
  - a. They are likely to kill civilians.
  - b. They are more likely to die or return with devastating mental and physical disabilities than earn college degrees.
2. Proposition V argues that students should have a "choice" to take JROTC, but if they join the military they have no choice about killing or dying.
3. JROTC is a military recruitment program. Keep the military out of schools!
4. JROTC is NOT the way to keep kids away from gangs. There are peaceful ways to keep kids safe.
5. JROTC is NOT a leadership program. It teaches unquestioning obedience in preparation for military service.

The School Board's decision to end JROTC has set a precedent for communities nationwide. Don't allow it to be reversed.

Join parents everywhere trying to save their children from being sent to fight these unjust and illegal wars!

We want funding for education, healthcare, the environment, and jobs, not war! U.S. out of Iraq and Afghanistan now!

### BAY AREA UNITED AGAINST WAR

The true source of funds for the printing fee of this argument is Bay Area United Against War.

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As veterans, we oppose the JROTC military recruitment program in San Francisco schools. We know the true impact of war, and know that it must be taken seriously. The military is targeting youth as young as 14 because they are impressionable. The military has no place in our public schools.

Vote No on V.

Iraq Veterans Against the War, SF Chapter  
*Stephen Funk*, President\*  
*Eddie Falcon*, Vice-President\*  
*Ian Sharpe*, Treasurer\*

*Michael Wong*, Veterans for Peace\*  
*John Caldera*, San Francisco Veterans Affairs Commissioner\*  
*Forrest Schmidt*, ANSWER coalition\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is No Military Recruitment in our Schools.

The three largest contributors to the true source recipient committee are: 1. Alan Lessik, 2. Penny Sneed, 3. Peter Esmonde.

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As Asian Pacific Americans, we support the San Francisco School Board's decision to phase out JROTC. This program is part of the poverty draft, which targets poor and working class youth, especially youth of color. Vote No on V.

*Michael Wong*, Asian Americans for Peace and Justice\*  
*Gordon Mar*  
*Brian Chew*  
*Christopher Chow*  
*Stephen Funk*  
*Sonya Mehta*  
*Michael Tong*  
*Joyce Umamoto*  
*Cecilia Wong*  
*Jenny Yip*

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JROTC tracks working class youth into the military -- in particular Asian, Black and Latino youth.

JROTC helps assure a steady supply of cannon fodder for the military aggression that has characterized the Bush administration and, sadly, continues to be funded by Congress.

JROTC does not provide our youth with the skills needed to become productive and constructive members of society. But it does set them up to return in a body bag, or physically maimed and psychologically scarred.

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# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools

## PAID ARGUMENTS AGAINST PROPOSITION V

Those who truly care about our young people should support the San Francisco School Board decision to phase out JROTC.

Vote No on V.

For the *Bay Area Labor Committee for Peace & Justice*:  
*Allan Fisher*, Political Director, American Federation of Teachers Local 2121\*  
*Francesca Rosa*, Member, SEIU 1021\*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is No Military Recruitment in our Schools.

The three largest contributors to the true source recipient committee are: 1. Alan Lessik, 2. Penny Sneed, 3. Peter Esmonde.

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As leaders of the LGBT community, we oppose military recruitment in our schools. JROTC is a program of a homophobic military. We believe that the current School Board decision to phase out JROTC should stand. Please vote NO on this initiative.

*Tommi Avicolti Mecca*  
*Supervisor Bevan Dufty*  
*Mark Sanchez*, SF Board of Education  
*David Campos*  
*Tab Buckner*  
*Rick Hauptman*, *Progressive Democrats of San Francisco*  
*Maggi Rubenstein*  
*Howard Wallace*  
*Robert Haaland*, *Pride at Work*  
*Enrique Asis*  
*Barbara Lopez*  
*Michael Goldstein*, SFDCCC\*  
*Rafael Mandelman*, *Harvey Milk Democratic Club*  
*Debra Walker*  
*Catherine Cusic*, *Grandmothers Against ROTC*  
*Claire Bohman*, *San Francisco Pride at Work*  
*Victor Valdiviezo*  
*Peter Wong*

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is the American Friends Service Committ.

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**The goal of JROTC is “to create favorable attitudes and impressions towards the Services and careers in the Armed Forces.”** (Code of Federal Regulations)

In testimony before Congress, the military has extolled the value of JROTC as an effective recruiting device.

The American Friends Service Committee participated in the School Board’s Task Force to create alternatives. The Task Force, mostly JROTC supporters, surveyed students enrolled in JROTC. The students told us community service was important. About half said they would participate in non-military drill teams after school. Based on these responses, the Task Force devised an alternative program.

**The new program, “Leadership Pathway,” has already started in Lincoln and Balboa High Schools.** It begins with a course in Ethnic Studies and Leadership Development. Later years focus on service, internships, and independent leadership. Seven other schools have offered to pilot the program.

Students now have real choices without the military. **Vote No on V.**

*Roy Bateman*, Regional Clerk,  
*Alan Lessik*, Regional Director  
*American Friends Service Committee*

The true source of funds for the printing fee of this argument is the American Friends Service Committee.

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As teachers in San Francisco public schools, we believe the school board made the right decision to phase out JROTC. We should not hand over students as young as 14 to one of the Pentagon’s primary military recruitment programs. Our students need classes that teach real leadership and critical thinking, not military protocol. We can put the \$1 million per year that JROTC costs to much better use. Vote No on V.

*Derrlyn Tom*, Mission High\*  
*Kathleen Cecil*, Mission High\*  
*Andrew Libson*, Mission High\*  
*Susan Witka*, Washington High\*  
*Adrienne Sciutto* (retired), Lincoln High\*  
*Gail Dent* (retired), Lincoln High\*  
*Maria Dempsey Chew*  
*Marilyn Cornwell*  
*Cynthia Lasden*  
*Robert Roth*

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# Policy Against Terminating Junior Reserve Officers' Training Corps (JROTC) Programs in Public High Schools



## PAID ARGUMENTS AGAINST PROPOSITION V

\*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is Tom Edminster.

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We sell poor and minority students short by offering them military instruction rather than the classes in Arts, Science, Foreign Language, Civics, and Social Sciences that they need and deserve.

In clear violation of international law, every branch of our armed forces boasts about how many fourteen year-old JROTC cadets enlist when they get older.

Please support the school district's decision to spend our money on programs that benefit only students.

Vote no on Proposition V.

*Dr. Dan Kelly*  
*Barry Hermanson*

The true source of funds for the printing fee of this argument is Dr Dan Kelly.

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## PROPOSITION A

**Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 4<sup>th</sup> 2008, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$887,400,000 for the building and/or rebuilding and improving of the earthquake safety of the San Francisco General Hospital and Trauma Center and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; adopting findings under the California Environmental Quality Act, (“CEQA”), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.**

Note: Additions are *single-underline italics Times New Roman*; deletions are *strikethrough-italics Times New Roman*.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

A. In 1994 the California legislature approved Senate Bill 1953 (“SB 1953”), which required hospitals to meet progressively higher levels of seismic safety beginning in January 2002.

B. This Board of Supervisors (this “Board”) recognizes the need to build a new, seismically safe acute care hospital at the San Francisco General Hospital and Trauma Center (“SFGH”) to comply with the requirements of SB 1953 and to implement the San Francisco General Hospital Seismic Compliance Hospital Replacement Program (the “Project”), as more particularly described in the Final Environmental Impact Report (“FEIR”) for the Project.

C. The Project and its associated costs are identified as the top priority in the City’s 10-year capital plan, which reviews the safety and seismic needs of City-owned buildings and property in the City and is approved each year by the Mayor of the City and the Board.

D. This Board now wishes to describe the terms of a ballot measure seeking approval for the issuance of general obligation bonds (the “Bonds”) to finance all or a portion of the Project described above.

Section 2. A special election is called and ordered to be held in the City on Tuesday, the 4th day of November, 2008, for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness of the City for the Project described in the amount and for the purposes stated:

“SAN FRANCISCO GENERAL HOSPITAL AND TRAUMA CENTER EARTHQUAKE SAFETY BONDS, 2008. \$887,400,000 of bonded indebtedness to ensure the availability of San Francisco General Hospital and Trauma Center in the event of a natural disaster or emergency, by building and/or rebuilding and improving the earthquake safety of the hospital and to pay related costs necessary or convenient for the foregoing purposes, subject to independent oversight and regular audits; and authorizing landlords to pass-through to residential tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the “Residential Stabilization and Arbitration Ordinance”) 50% of the increase in the real property taxes attributable to the cost of the repayment of the bonds.

The special election called and ordered shall be referred to in this ordinance as the “Bond Special Election.”

Section 3. The estimated cost of the bond financed portion of the project described in Section 2 above was fixed by the Board by the following resolution and in the amount specified below:

Resolution No. 307-08, \$887,400,000.

Such resolution was passed by two-thirds or more of the Board and approved by the Mayor of the City (the “Mayor”). In such resolution it was recited and found by the Board that the sum of money specified is too great to be paid out of the ordinary annual income and revenue of the City in addition to the other annual expenses or other funds derived from taxes levied for those purposes and will require expenditures greater than the amount allowed by the annual tax levy.

The method and manner of payment of the estimated costs described in this ordinance are by the issuance of bonds of the City not exceeding the principal amount specified.

Such estimate of costs as set forth in such resolution is adopted and determined to be the estimated cost of such bond financed improvements and financing, as designed to date.

Section 4. The Bond Special Election shall be held and conducted and the votes received and canvassed, and the returns made and the results ascertained, determined and declared as provided in this ordinance and in all particulars not recited in this ordinance such election shall be held according to the laws of the State of California (the “State”) and the Charter of the City (the “Charter”) and any regulations adopted under State law or the Charter, providing for and governing elections in the City, and the polls for such election shall be and remain open during the time required by such laws and regulations.

Section 5. The Bond Special Election is consolidated with the General Election scheduled to be held in the City on Tuesday, November 4, 2008. The voting precincts, polling places and officers of election for the November 4, 2008 General Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of election for the Bond Special Election called, and reference is made to the notice of election setting forth the voting precincts, polling places and officers of election for the November 4, 2008 General Election by the Director of Elections to be published in the official newspaper of the City on the date required under the laws of the State of California.

Section 6. The ballots to be used at the Bond Special Election shall be the ballots to be used at the November 4, 2008 General Election. The word limit for ballot propositions imposed by San Francisco Municipal Elections Code Section 510 is waived. On the ballots to be used at the Bond Special Election, in addition to any other matter required by law to be printed thereon, shall appear the following as a separate proposition:

“SAN FRANCISCO GENERAL HOSPITAL AND TRAUMA CENTER EARTHQUAKE SAFETY BONDS, 2008. To ensure the availability of San Francisco General Hospital and Trauma Center in the event of a natural disaster or emergency, by building and/or rebuilding and improving the earthquake safety of the hospital and to pay related costs necessary or convenient for the foregoing purposes, shall the City and County of San Francisco issue \$887,400,000 in general obligation bonds subject to independent oversight and regular audits?”





## LEGAL TEXT OF PROPOSITIONS A AND B

Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark the ballot in the location corresponding to a "YES" vote for the proposition, and to vote against the proposition shall mark the ballot in the location corresponding to a "NO" vote for the proposition.

Section 7. If at the Bond Special Election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and authorized the incurring of bonded indebtedness for the purposes set forth in such proposition, then such proposition shall have been accepted by the electors, and bonds authorized shall be issued upon the order of the Board. Such bonds shall bear interest at a rate not exceeding applicable legal limits.

The votes cast for and against the proposition shall be counted separately and when two-thirds of the qualified electors, voting on the proposition, vote in favor, the proposition shall be deemed adopted.

Section 8. For the purpose of paying the principal and interest on the bonds, the Board shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of said City, or other account held on behalf of the Treasurer of said City, set apart for that purpose to meet all sums coming due for the principal and interest on the bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal.

Section 9. This ordinance shall be published in accordance with any State law requirements, and such publication shall constitute notice of the Bond Special Election and no other notice of the Bond Special Election hereby called need be given.

Section 10. The Board finds and declares that in accordance with the actions contemplated in this ordinance, this Board, in approving Resolution No. 307-08, including the Attachment A and Exhibit 1 to Attachment A, adopted findings for the Project pursuant to the California Environmental Quality Act, ("CEQA"), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, ("CEQA Findings"). The CEQA Findings for the Project are on file with the Clerk of the Board in File No. 080663 and are incorporated into this ordinance by this reference.

Section 11. The Board finds and declares that the proposed Project is (i) in conformity with the priority policies of Section 101.1(b) of the City Planning Code, (ii) in accordance with Section 4.105 of the San Francisco Charter and Section 2A.53(f) of the City Administrative Code, and (iii) consistent with the City's General Plan, and adopts the findings of the City Planning Department, as set forth in the General Plan Referral Report, dated July \_\_\_\_\_, 2008, a copy of which is on file with the Clerk of the Board in File No. 080663 and incorporates said findings by reference.

Section 12. Under Section 53410 of the California Government Code, the bonds shall be for the specific purpose authorized in this ordinance and the proceeds of such bonds will be applied only to the Project. The City will comply with the requirements of Sections 53410(c) and 53410(d) of the California Government Code.

Section 13. The Bonds are subject to, and incorporate by reference, the applicable provisions of San Francisco Administrative Code Sections 5.30 – 5.36 (the "Citizens' General Obligation Bond Oversight Committee"). Under Section 5.31 of the Citizens' General Obligation Bond Oversight Committee, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Bonds shall be deposited in a fund established by the Controller's Office and appropriated by the Board of Supervisors at the direction of the Citizens' General Obligation Bond Oversight Committee to cover the costs of such committee.

Section 14. The time requirements specified in Section 2.34 of the San Francisco Administrative Code are waived.

Section 15. The appropriate officers, employees, representatives

and agents of the City are hereby authorized and directed to do everything necessary or desirable to accomplish the calling and holding of the Bond Special Election, and to otherwise carry out the provisions of this ordinance.

Section 16. Documents referenced in this ordinance are on file with the Clerk of the Board of Supervisors in File No. 080663, which is hereby declared to be a part of this ordinance as if set forth fully herein.

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## PROPOSITION B

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 16.127 to: establish a baseline appropriation and set aside the equivalent of the available annual tax of two and one-half cents (\$0.025) on each one hundred dollars (\$100) of assessed property tax valuation for the next fifteen (15) years to support affordable housing programs; require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; affirm City policy urging the Redevelopment Agency to use at least fifty percent (50%) of its tax increment funds for low and moderate income housing; and set an expiration date of July 1, 2024.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by adding Section 16.127 to read as follows:

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

### SEC. 16.127. SAN FRANCISCO AFFORDABLE HOUSING FUND.

(a) Establishment of Fund. The City and County of San Francisco ("City") hereby establishes the San Francisco Affordable Housing Fund ("the Fund") to be administered by the Mayor's Office of Housing or its successor ("MOH"). The City shall expend monies in the Fund, subject to the budgetary and fiscal provisions of the Charter, to increase City support for affordable housing as provided in this Section.

(b) Eligible Expenditures. The City may expend monies in the Fund for the predevelopment, acquisition (including land acquisition), construction, maintenance, and rehabilitation of housing affordable, and to so remain for at least ninety-nine (99) years or the life of the building, to 60% SFMI households, 30% SFMI households, and 80% SFMI households. The City may also expend monies in the Fund to prevent evictions and subsidize rent. Eligible expenditures specifically include, but are not limited to:

(i) Predevelopment, acquisition (including land acquisition), construction, maintenance, and rehabilitation of housing units, including properties with twenty (20) or fewer units, units for families with dependents, units for households that include persons who are senior, disabled, or HIV positive or living with AIDS, and units for persons who were recently homeless or are at risk of becoming homeless, including transitional age youth leaving systems of care such as the foster care and juvenile justice systems;

(ii) Programs to promote home ownership, including ownership cooperatives such as limited equity partnerships and community land trusts that allow all existing tenants the opportunity to purchase a unit or rent from the cooperative under a lifetime lease at existing rent, adjusted by an amount not to exceed the annual allowable rent increase under the San Francisco Rent Stabilization Ordinance, and assistance to first-time homebuyers who are part of households earning no more than an 80% SFMI household;

(iii) Housing program administrative costs and rent subsidies (such as operating subsidies for non-profits and/or assistance to prevent



eviction), and housing-related services such as tenant counseling, eviction prevention services, and legal services; and

(iv) Repairs of existing properties under the jurisdiction of the San Francisco Housing Authority, limited to urgent repairs of conditions that endanger residents' health and safety as determined by residents, in a petition signed by at least ten percent (10%) of the residents, in consultation with the Department of Building Inspection and the Department of Public Health. The City may disburse monies in the Fund by loans, grants or other types of payments.

For purposes of this Section:

(1) "80% SFMI household," "60% SFMI household," and "30% SFMI household" mean, respectively, a household that earns no more than eighty percent (80%), sixty percent (60%), and thirty percent (30%) of the median household income, adjusted for family size, in the City and County of San Francisco, as calculated by MOH using data from the United States Department of Housing and Urban Development or, if those data are unavailable, from other comparable, publicly available and credible data.

(2) "Affordable" means a residential dwelling, offered for rent at a monthly price, including utilities, that does not exceed thirty percent (30%) of household monthly gross income, or offered for sale at a price with a payment for all housing costs that is consistent with MOH's underwriting guidelines. MOH shall develop guidelines that require a minimum household size for dwellings with a certain number of bedrooms or square feet.

(c) Excluded Expenditures. The City may not expend any monies in the Fund:

(i) For units affordable only to households earning more than an 80% SFMI household; or

(ii) For construction of new housing under the jurisdiction of the San Francisco Housing Authority.

(d) Spending Priorities and Limitations:

(i) At least fifty percent (50%) of all new units built must be two (2) or more bedroom units;

(ii) At least forty percent (40%) of all new units built must be affordable to households in the income range of 30% SFMI and below and at least an additional forty percent (40%) and sixty percent (60%) of all new units built must be affordable to households in the income range above 30% SFMI but not in excess of eighty percent (80%) 60% SFMI and below; and

(iii) At least seventy-five percent (75%) of the Annual Set-Aside (as defined below) shall be used for the predevelopment, acquisition (including land acquisition), construction, maintenance, and rehabilitation of housing units; and

(iii)(iv) All newly-constructed units must be constructed consistently with the principles of "Universal Design," must meet all current legal requirements for access by persons with disabilities, and at a minimum, must meet the access standard "adaptable." Multi-story buildings without elevators and live/work lofts do not meet these requirements.

(e) Annual Set-Aside for the Fund. The City shall set aside from the annual property tax levy, for a period of fifteen (15) years, starting with the fiscal year 2009-10, an amount equivalent to the available annual tax of two and one-half cents (\$0.025 ) for each one hundred dollars (\$100) of assessed valuation ("Annual Set-Aside").

The Controller shall set aside and maintain such an amount, together with any interest earned thereon, in the Fund. Revenues obtained from the Annual Set-Aside shall be in addition to, and not in place of, any General Fund monies appropriated to affordable housing pursuant to subsection (f).

(f) Baseline – Maintenance of Effort. The City shall use the Annual Set-Aside exclusively to increase the aggregate City appropriations and expenditures for the "eligible expenditures" described in subsection (b) above, subject to the limitations and requirements in subsections (c) and (d) above. To this end, in any of the fifteen (15) years during which the City must set aside funds under this Section, the City may not reduce the funding for affordable housing support, as described in subsection (b) above, and expenditures for shelters, drop-in centers,

emergency housing (such as domestic violence centers), and transitional housing and assistance to first-time homebuyers who are part of households earning no more than 100% of SFMI below the amount appropriated, including supplemental appropriations, for the fiscal year 2006-07 (the "Baseline"). The City shall not deposit the Baseline amounts in the Fund. Expenditures of the Baseline amounts are not subject to the spending exclusions, priorities, and limitations in subsections (c) and (d), above. The City may not spend any of the Baseline amounts on construction of new public housing under the jurisdiction of the San Francisco Housing Authority except to increase the affordability and/or number of affordable rental or homeownership units in addition to the 1 for 1 replacement public housing units on Housing Authority sites. The Controller shall adjust the Baseline for each year after fiscal year 2006-07, based on calculations consistent from year to year, by the percentage increase or decrease in aggregate City discretionary revenues. In determining aggregate City and County discretionary revenues, the Controller shall include only revenues received by the City that are unrestricted and that the City may use at the option of the Mayor and the Board of Supervisors for any lawful City purpose. For purposes of this subsection, the Baseline amount and the discretionary revenues the Controller uses to adjust the Baseline shall not include: (1) funds granted to the City by private agencies or appropriated by other public agencies and received by the City; (2) expenditures mandated by state or federal law; (3) appropriations to or expenditures of the San Francisco Redevelopment Agency or the San Francisco Housing Authority; or (4) expenditures of set-aside funds from the Fund. The Controller shall correct errors in his/her estimate of discretionary revenues for a fiscal year by adjustment in the next year's estimate. Within one hundred eighty (180) days following the end of each fiscal year this Section is in effect, the Controller shall calculate and publish the actual amount of City appropriations for affordable housing.

At the end of each fiscal year, any monies from the Annual Set-Aside that remain uncommitted in the Fund shall be carried forward to the next fiscal year and shall be appropriated then or thereafter for the purposes specified in this Section. The Controller shall adjust the Controller's estimate of the Baseline, including any Baseline changes required from increases or decreases to aggregate City discretionary revenues after budget adoption, along with adjustments to the Annual Set-Aside for a fiscal year by credits or adjustments to be carried forward and added to the annual City appropriation for the next fiscal year which funds, subject to the budgetary and fiscal limitations of this Charter, the City shall appropriate then or thereafter for the purposes specified in this Section.

(g) Budgeting and Planning: Administration.

(i) Affordable Housing Plan. No later than January 30, 2009 and at least every three (3) years afterwards MOH, in cooperation with the Department of Public Health ("DPH"), and the Department of Human Services ("DHS"), shall prepare a needs assessment and general plan for affordable housing that identifies priority populations and program expenditures for affordable housing.

(ii) Annual Budgeting. No later than January 30 of each year, MOH, in cooperation with DPH and DHS, shall prepare and present at a public hearing an affordable housing budget for the expenditure of the Annual Set-Aside and Baseline Amount during the upcoming fiscal year that is consistent with the affordable housing plan. All members of the public will have the opportunity to attend the hearing and make comments.—The proposed budget shall project anticipated revenues from Set-Aside Funds and the Baseline Amount, propose eligible expenditures, and report previous fiscal year expenditures. No later than February 15 of each year, MOH shall submit the proposed budget to the Board of Supervisors for review and approval.

(iii) Board of Supervisors Review and Approval. The proposed affordable housing plan, annual updates to the plan, annual budget, and rules and procedures are subject to approval of the Board of Supervisors. No later than March 30 of each year, the Board shall hold a public hearing on the proposed annual budget and, no later than May 15 of each year, the Board shall approve an affordable housing budget. The Board





## LEGAL TEXT OF PROPOSITIONS B, C AND D

may amend an affordable housing plan or budget by resolution at any time and may adopt procedural regulations not inconsistent with this Section.

(h) Rainy Day Reserve. The Controller shall not include Funds set aside based on property taxes under this Section in total General Fund revenues for the purpose of calculating the allocation to the Rainy Day Reserve under Charter Section 9.113.5(b).

(i) San Francisco Redevelopment Agency Plans. The City affirms the policy stated in Board of Supervisors Resolution No. 427-05 urging the Redevelopment Agency of the City and County of San Francisco (the "Agency") to establish a housing policy setting a clear intent to use over fifty (50%) of total tax increment funds allocated each year from all the redevelopment project areas for the provision of low and moderate income housing and to include a statement of such policy intent in all future redevelopment plans submitted to the Board of Supervisors for its approval.

(j) Expiration Date. This Section shall expire by operation of law on July 1, 2024 unless reauthorized by the voters and the City Attorney shall cause it to be deleted from future editions of the Charter published after that date.

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### PROPOSITION C

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 4.101, to prohibit City employees from serving as members of boards and commissions created in the Charter.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by amending Section 4.101 to read as follows:

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

#### SEC. 4.101. BOARDS AND COMMISSIONS--COMPOSITION.

(a) Unless otherwise provided in this Charter, the composition of each appointive board, commission or advisory body of any kind established by this Charter or legislative act of the United States of America, the State of California or the Board of Supervisors shall:

1. Be broadly representative of the communities of interest, neighborhoods, and the diversity in ethnicity, race, age, and sexual orientation of the City and County and have representation of both sexes; and

2. Consist of electors of the City and County at all times during the term of their respective offices, unless otherwise specifically provided in this Charter; or in the case of boards, commissions or advisory bodies established by legislative act the position is (a) designated by ordinance for a person under legal voting age, or (b) unless specifically exempt from the provisions, or waived by the appointing officer or entity upon a finding that an elector with specific experience, skills or qualifications willing to serve could not be located within the City and County.

(b) No person shall be eligible to serve on an appointive board or commission created in the Charter ("Charter Commission") while he or she is employed by the City.

This subsection (b) shall not apply to:

(1) Citizen advisory committees created in the Charter;

(2) The Law Library Board of Trustees; or,

(3) Boards or commissions created in Article V of the Charter (Arts and Culture Departments), Article XII (Employee Retirement and Health Service Systems), Article XIII (Elections), or Article XV (Ethics).

City officers may serve as ex officio members of a Charter Commission where required by the Charter.

(c) Vacancies on appointive boards, commissions or other units of government shall be filled for the balance of the unexpired term in the manner prescribed by this Charter or ordinance for initial appointments.

(d) Terms of office shall continue as they existed on the effective date of this Charter.

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### PROPOSITION D

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Sections B7.310 and B7.320 , and amending Section B6.406, to: authorize the Board of Supervisors to approve a Pier 70 financial and land use plan; authorize a mechanism for the City to appropriate General Fund revenues in an amount up to 75% of the projected hotel and payroll taxes attributable to new development at Pier 70 to finance waterfront improvements; waive Board approval of leases consistent with the approved Pier 70 plan; require the City to appropriate funds for certain Board-approved agreements between City departments and the Port Commission; and, updating the priorities for use of Port revenues.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by adding Sections B7.310 and B7.320, and by amending Section B6.406, to read as follows:

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

#### SEC. B6.406. HARBOR REVENUES AND EXPENDITURES.

The revenues of the harbor and of all properties and facilities incident thereto, or used in connection therewith, shall be deposited in a separate fund in the treasury of the City and County; and a harbor trust fund or trust funds shall be established by the City and County; and the City and County shall deposit in the fund or funds all monies received attributable to facilities on the transferred lands in the harbor.

Subject to the terms and conditions of Statute 1968, ch. 1333, appropriations from such funds shall be made for the following purposes and in the order named, viz:

(a) for the payment of maintenance and operating expenses, pension charges and proportionate payments to such compensation and other insurance and accident reserve funds as the commission may establish or the board of supervisors may require;

~~(b) for payment of the principal and interest of any obligations of the State of California and assumed or agreed to be paid by the City and County of San Francisco;~~

~~(b) (e) for the payment of principal, interest, reserve funds, sinking funds, and other funds established for the benefit of revenue bonds issued pursuant to the authority contained in Section 7.305 of any forms of indebtedness issued or undertaken by or on behalf of the commission for any purpose authorized under this charter, including, but not limited to, revenue bonds, general obligation bonds, infrastructure financing district bonds, certificates of participation, lease revenue bonds, commercial paper, variable rate demand notes, auction rate securities, bond anticipation notes and other evidences of indebtedness;~~

~~(c) (d) for capital improvements to, and reconstruction and replacement of, the properties, equipment and facilities of the harbor or used in connection with the operation thereof, and~~

~~(e) for the payment of the principal and interest on any general obligation bonds issued by the City and County of San Francisco for the acquisition, construction, repair or extension of said harbor or of any of the facilities used in connection therewith;~~



~~(f) an amount which shall be sufficient to meet the cost of reconstruction and replacement made necessary by the physical and functional depreciation of any of the properties or equipment of said harbor as the same shall occur;~~

~~(g) to pay for extension and betterments to said harbor or to the equipment and facilities thereof; and,~~

~~(d) (h) to establish a reserve, surplus or sinking fund for the improvement or extension of the harbor or any facility used in connection therewith harbor operations, capital improvements, reconstruction, and replacement of equipment or facilities used in connection thereto as the commission may establish.~~

~~In the event of a conflict between any trust indenture or other instrument securing or evidencing indebtedness outstanding as of January 1, 2009 and authorized in this charter and the priorities set forth in this Section B6.406, the priorities of the debt instrument will control.~~

**SEC. B7.310. PIER 70 WATERFRONT DISTRICT.**

(a) The Port of San Francisco's southern waterfront includes a site known as Pier 70. For over 150 years, some portion of this site has been in use for ship building and repair, or steel production, as well as for other heavy industrial uses. In 2001, the California State Office of Historic Preservation determined that Pier 70's approximately 40 historic buildings, structures, and features are eligible for the National Register collectively as contributors to a Pier 70 historic district. This Section B7.310 is intended to enable the City and County, through its Port Commission, to rehabilitate the Pier 70 area by establishing planning, financing and project approval mechanisms appropriate to the area. These mechanisms will serve a significant public purpose by preserving and restoring historic waterfront properties in need of repair, restoring waterfront land, and building new waterfront parks and maritime facilities.

(b) The Port Commission may submit to the Board of Supervisors for approval a financial and land use plan or plans for all or a portion of Pier 70 (each a "Pier 70 Plan") that includes a description of the boundaries of a Pier 70 planning area ("Pier 70 Waterfront District") and projections of the Port's need for financing, in addition to authorized property tax increment financing, to preserve and restore deteriorated Pier 70 historic waterfront properties, seismically strengthen Pier 70 piers and structures, remediate and restore contaminated waterfront land and structures, build new waterfront parks, and build maritime facilities ("Waterfront Improvements"). The financing plan may include, without limitation, issuance of debt to finance Waterfront Improvements or direct payments to a tenant for the Waterfront Improvements. As used in this Section B7.310, Waterfront Improvements include rehabilitation of an existing historic resource consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, seismic strengthening of existing structures, environmental remediation and/or mitigation consistent with applicable regulations and/or a plan approved by a regulatory agency with jurisdiction over the contaminated area, construction and landscaping of waterfront open space, including natural shoreline habitat, construction of utility infrastructure necessary to achieve compliance with environmental performance standards that exceed applicable building code requirements, and the construction or rehabilitation of maritime facilities.

(c) Before proposing to issue indebtedness to finance Waterfront Improvements or to assume the responsibility to pay for the improvements pursuant to this Section B7.310, the Port Commission, by resolution, must approve a capital budget for the proposed Waterfront Improvements and find that the new lease revenues from private investment in and development of the proposed Pier 70 Waterfront District for a period of twenty years, commencing with the Port's projected date of issuance of a certificate of occupancy for a lease identified by the Port for all or a portion of the Pier 70 Waterfront District, and property tax increment available under the Pier 70 Plan, are insufficient to finance the Waterfront Improvements.

(d) The Clerk of the Board of Supervisors shall refer the Pier 70 Plan to the Controller within thirty days after the Port Commission's submission to the Board of Supervisors. Within ninety days of the Clerk's referral, the Controller and the Tax Collector, in consultation with the Department of Real Estate and the Port Commission, shall report to the Board of Supervisors the following:

1. The total amount of taxes received by the City and County from (A) the City Payroll Expense Tax under Article 12-A of the Business and Tax Regulations Code, as amended from time to time (the "Payroll Tax"), from businesses located in the Pier 70 Waterfront District, and (B) Tax on Transient Occupancy of Hotel Rooms under Article 7 of the Business and Tax Regulations Code, as amended from time to time (the "Hotel Tax"), from any hotel rooms located in the Pier 70 Waterfront District (the "Base Year Tax Revenues") in the full fiscal year immediately preceding the submission of the proposed Pier 70 Plan to the Board of Supervisors; and

2. The projected annual increases in Payroll Tax and the Hotel Tax above the Base Year Tax Revenues that will accrue to the General Fund for each year ("Pier 70 Annual Payroll and Hotel Tax Increment") for a twenty year period following the issuance of a certificate of occupancy related to a Port lease identified by the Port for all or a portion of the Pier 70 Waterfront District, using assumptions about new lease and tax revenues from development of allowed uses in the Pier 70 Waterfront District.

The publication of the Controller's and Tax Collector's report will not be a violation of Business & Tax Regulations Code Section 6.22-1. The Controller and the Tax Collector shall be entitled to reimbursement of their costs to perform their responsibilities under this Section B7.310.

(e) The Board of Supervisors may approve the Pier 70 Plan, with or without the financing for Waterfront Improvements described by the plan. The Board of Supervisors may approve the financing for Waterfront Improvements described in the plan, if it finds that new lease revenues from private investment in and development of the proposed Pier 70 Waterfront District for a period of twenty years, commencing with the Port's projected date of issuance of a certificate of occupancy for a lease identified by the Port for all or a portion of the Pier 70 Waterfront District, and property tax increment available under the Pier 70 Plan, are insufficient to finance the Waterfront Improvements.

(f) If the Board of Supervisors approves the Pier 70 Plan and associated financing for Waterfront Improvements, then, for the purposes of this Section B7.310, the Base Year Tax Revenues for the Pier 70 Plan will be the total Payroll Tax from businesses located in the Pier 70 Waterfront District and any Hotel Tax from any hotel rooms in the Pier 70 Waterfront District in the fiscal year preceding Port Commission issuance of debt to finance Waterfront Improvements or obligation to first pay for Waterfront Improvements pursuant to this Section B7.310, and the Controller and the Tax Collector, in consultation with the Department of Real Estate and the Port Commission, shall revise their projections of Pier 70 Annual Payroll and Hotel Tax Increment for a twenty year period, commencing on the Port's projected date of its issuance of debt for, or obligation to pay for the construction of Waterfront Improvements pursuant to this Section B7.310, based on updated assumptions about new lease and tax revenues from development of allowed uses in the Pier 70 Waterfront District. These updated assumptions shall serve as the basis for appropriations pursuant to this Section B7.310 for the remainder of the term of the Pier 70 Plan.

(g) If the Board of Supervisors approves financing for Waterfront Improvements described in the Pier 70 Plan, then the City and County shall appropriate from discretionary General Fund revenues to the harbor trust fund the amount necessary to pay debt service on indebtedness issued by the Port Commission to finance Waterfront Improvements or to fund the Port's obligation to pay for Waterfront Improvements pursuant to this Section B7.310 in an amount up to seventy-five percent (75%) of the Pier 70 Annual Payroll and Hotel Tax Increment beginning in the fiscal year in which the Port Commission is obligated to A) begin paying for the Waterfront Improvements, or B) pay debt service on indebtedness



## LEGAL TEXT OF PROPOSITIONS D, E AND F

that it has issued to finance Waterfront Improvements and for each subsequent fiscal year until the earlier of (i) the date the Controller certifies that the Port Commission has retired all indebtedness issued or to finance the Waterfront Improvements or fully satisfied its obligation to pay for the Waterfront Improvements or (ii) twenty fiscal years commencing with the first fiscal year that the Port Commission is obligated to pay such debt service or payment on the Waterfront Improvements. The City and County shall appropriate the funds to the harbor trust fund notwithstanding the actual amount of the annual increase in Payroll Taxes and Hotel Taxes during any fiscal year, without any adjustment based on the actual amounts of such taxes paid or accruing to the City and County. In no event may the amount appropriated to the harbor trust fund in the aggregate be greater than seventy-five percent (75%) of the amount of Pier 70 Annual Payroll and Hotel Tax Increment estimated by the Controller for a 20-year period pursuant to subsection (f). The Port may use the funds appropriated solely to finance the construction of Waterfront Improvements described in its Pier 70 Plan and any amendments to the plan by the Port Commission and the Board of Supervisors.

(h) The Board of Supervisors' approval of the Pier 70 Plan, with or without approval of the financing for Waterfront Improvements, shall constitute approval by the Board of Supervisors of any lease for a project developed under the Pier 70 Plan under Article IX, Section 9.118 of this Charter upon approval by the Port Commission if all of the following conditions are met:

1. The Controller, in consultation with the Department of Real Estate, finds the lease consistent with the Pier 70 Plan;

2. If required for purposes of the receipt of federal historic tax credits, the lease binds the lessee to obtain from the National Park Service and/or State Historic Preservation Office a finding of consistency of the federally-subsidized historic rehabilitation project(s) contemplated by the lease with the Secretary of the Interior's Standards for the Treatment of Historic Properties;

3. If required, the lease binds the lessee to obtain a permit from the Bay Conservation and Development Commission for the improvement and maintenance of the 100 foot shoreline band along Pier 70 in the premises of the lease;

4. If required, the State of California has approved the consistency of the Pier 70 Plan, or portions thereof, with the Burton Act trust and the public trust for navigation, commerce and fisheries; and

5. If required, any applicable environmental regulatory agency has approved a site remediation or site management plan, or the equivalent, for the relevant portion of Pier 70, where the Port or a former owner, occupant, or operator is the primarily responsible party.

### **SEC. B7.320. AGREEMENTS WITH OTHER CITY DEPARTMENTS.**

(a) The Mayor may submit to the Board of Supervisors for approval a memorandum of understanding or other form of interagency agreement between the Port Commission and another department or departments of the City and County, approved by the Port Commission by resolution, that requires the department(s) to expend funds or to transfer funds to the Port Commission, or requires the Port Commission to transfer funds to the department(s).

(b) If the Board of Supervisors approves the interagency agreement by resolution, the City and County shall appropriate funds sufficient to fund the expenditure or transfer until such time as the agreement expires, or is terminated by the Port Commission and other departmental parties, subject to the approval of the Mayor and the Board of Supervisors by resolution.

(c) Any modification of the agreement affecting the amount to be expended or transferred shall be approved by the Mayor and the Board of Supervisors by resolution.

## PROPOSITION E

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 14.103, to adopt State law regarding the number of signatures required to qualify a recall petition for local officers.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by amending Section 14.103, to read as follows:

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

### **SEC. 14.103. RECALL.**

(a) An elected official of the City and County, the City Administrator, the Controller, or any member of the Airports Commission, the Board of Education, the governing board of the Community College District, the Ethics Commission or the Public Utilities Commission may be recalled by the voters as provided by this Charter and by the laws of the State of California, except that no recall petitions shall be initiated with respect to any officer who has held office for less than six months.

~~A recall petition shall include the signatures of voters in a number equal to at least ten percent of registered voters of the City and County at time of the filing of the notice of intention to circulate the recall petitions. A recall petition for a member of the Board of Supervisors shall include signatures of voters from the district from which the Supervisor was elected in a number equal to at least ten percent of the registered voters of the district at the time of the filing of the notice of intention to circulate the recall petition. A recall petition shall state the grounds on which the recall is based.~~

(b) Upon certifying the sufficiency of the recall petition's signatures, the Director of Elections shall immediately call a special municipal election on the recall, to be held not less than 105 nor more than 120 days from the date of its calling unless it is within 105 days of a general municipal or statewide election, in which event the recall shall be submitted at such general municipal or statewide election.

## PROPOSITION F

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Sections 2.101 and 13.101 and Article XVII to change the election cycle for the offices of Mayor, Sheriff, District Attorney, City Attorney and Treasurer so that these offices will be elected in even-numbered years; and to amend the definition of general municipal election so that such elections occur only in even-numbered years.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by amending Sections 2.101 and 13.101 and Article XVII to read as follows:

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

### **SEC. 2.101. TERM OF OFFICE.**

Each member of the Board of Supervisors shall be elected at a general election and shall serve a four-year term commencing on the eighth day in January following election and until a successor qualifies. The respective terms of office of the members of the Board of Supervisors in effect on the date this Charter is adopted shall continue.





No person elected or appointed as a Supervisor may serve as such for more than two successive four-year terms. Any person appointed, elected, or any combination thereof to the office of Supervisor to complete in excess of two years of a four-year term shall be deemed, for the purpose of this section, to have served one full term. No person having served two successive four-year terms may serve as a Supervisor, either by election or appointment, until at least four years after the expiration of the second successive term in office. Any Supervisor who resigns with less than two full years remaining until the expiration of the term shall be deemed, for the purposes of this section, to have served a full four-year term.

**SEC. 13.101. TERMS OF ELECTIVE OFFICE.**

(a) Except in the case of an appointment or election to fill a vacancy, the term of office of each elected officer shall commence at 12:00 noon on the eighth day of January following the date of the election.

(b) Subject to the applicable provisions of Section 13.102, the elected officers of the City and County shall be elected as follows:

(1) At the general municipal election in 1995 and every fourth year thereafter, a Mayor, a Sheriff and a District Attorney shall be elected at the general municipal election in 2011, at the general municipal election in 2016 and every fourth year thereafter.

(2) Four members of the Board of Education and four members of the Governing Board of the Community College District shall be elected At the statewide at the general municipal election in 1996 and every fourth year thereafter, four members of the Board of Education and four members of the Governing Board of the Community College District shall be elected.

(3) At the general municipal election in 1997 and every fourth year thereafter, a City Attorney and a Treasurer shall be elected at the general municipal election in 2009, at the general municipal election in 2014 and every fourth year thereafter.

(4) An Assessor-Recorder and Public Defender shall be elected at At the general municipal election in 2006 and every fourth year thereafter, an Assessor-Recorder and Public Defender shall be elected.

(5) Three members of the Board of Education and three members of the Governing Board of the Community College District shall be elected at At the statewide general municipal election in 1998 and every fourth year thereafter, three members of the Board of Education and three members of the Governing Board of the Community College District shall be elected.

(6) The election and terms of office of members of the Board of Supervisors shall be governed by Section 13.110.

(c) Notwithstanding any other provision of this Charter including sections 3.101 and 6.100, the term of office for the person elected Mayor, Sheriff or District Attorney at the general municipal election in 2011 and the term of office for the person elected City Attorney or Treasurer at the general municipal election in 2009 shall be five years. This five year term for the person elected to the office of Mayor in 2011 shall be deemed a single term for the purposes of term limits under section 3.101.

**ARTICLE XVII  
DEFINITIONS**

For all purposes of this Charter, the following terms shall have the meanings specified below:

“Business day” shall mean any day other than a Saturday, Sunday or holiday on which governmental agencies are authorized by law to close.

“Confirm” or “confirmation” shall mean the approval by a majority of the members of the Board of Supervisors.

“Discrimination” shall mean violations of civil rights on account of race, color, religion, creed, sex, national origin, ethnicity, age, disability or medical condition, political affiliation, sexual orientation, ancestry, marital or domestic partners status, gender identity, parental status, other non-merit factors, or any category provided for by ordinance.

“Domestic partners” shall mean persons who register their partnerships pursuant to the voter-approved Domestic Partnership Ordinance.

“Elector” shall mean a person registered to vote in the City and County.

“For cause” shall mean the issuance of a written public statement by the Mayor describing those actions taken by an individual as a member of a board or commission which are the reasons for removal, provided such reasons constitute official misconduct in office.

“General municipal election” shall mean the election to be held in the City and County on the Tuesday immediately following the first Monday in November in odd-numbered every years until and including 2011. Thereafter, “general municipal election” shall mean the election to be held in the City and County on the Tuesday immediately following the first Monday in November in even-numbered years.

“Initiative” shall mean (1) a proposal by the voters with respect to any ordinance, act or other measure which is within the powers conferred upon the Board of Supervisors to enact, any legislative act which is within the power conferred upon any other official, board, commission or other unit of government to adopt, or any declaration of policy; or (2) any measure submitted to the voters by the Mayor or by the Board of Supervisors, or four or more members of the Board.

“Notice” shall mean publication in an official newspaper (as defined by ordinance), and a contemporaneous filing with the Clerk of the Board of Supervisors or other appropriate office.

“One-third,” “a majority” or “two-thirds” of the Board of Supervisors or any other board or commission of the City and County shall mean one-third, a majority or two-thirds of all members of such board or commission.

“Published” shall mean published in an official newspaper of the City and County.

“Referendum” shall mean the power of the voters to nullify ordinances involving legislative matters except that the referendum power shall not extend to any portion of the annual budget or appropriations, annual salary ordinances, ordinances authorizing the City Attorney to compromise litigation, ordinances levying taxes, ordinances relative to purely administrative matters, ordinances necessary to enable the Mayor to carry out the Mayor’s emergency powers, or ordinances adopted pursuant to Section 9.106 of this Charter.

“Special municipal election” shall mean, in addition to special elections otherwise required by law, the election called by (1) the Director of Elections with respect to an initiative, referendum or recall, and (2) the Board of Supervisors with respect to bond issues, election of an official not required to be elected at the general municipal election, or an initiative or referendum.

“Statewide election” shall mean an election held throughout the state.

“Voter” shall mean an elector who is registered in accordance with the provisions of state law.

**PROPOSITION G**

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by:

- Adding Sections A8.523 through A8.523-7, to allow retirement system credit for eligible members who have taken unpaid parental leave while employed with the City and County;
- Amending Sections A8.509, A8.559-10, A8.585-10, A8.586-10, A8.587-7, A8.588-10, A8.595-10, A8.596-10, A8.597-10, and A8.598-10, relating to computation of service credit for a period of unpaid parental leave; and
- Amending Sections A8.509, A8.559-11, A8.585-11, A8.586-11, A8.587-8, A8.588-11, A8.595-11, A8.596-11, A8.597-11,



## LEGAL TEXT OF PROPOSITION G

and A8.598-11, relating to the source of funds for eligible members who elect to purchase service credit for a period of unpaid parental leave.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by adding Sections A8.523 through A8.523-7 and amending Sections A8.509, A8.559-10, A8.559-11, A8.585-10, A8.585-11, A8.586-10, A8.586-11, A8.587-7, A8.587-8, A8.588-10, A8.588-11, A8.595-10, A8.595-11, A8.596-10, A8.596-11, A8.597-10, A8.597-11, A8.598-10, and A8.598-11, to read as follows:

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

### **SEC. A8.523. RETIREMENT SYSTEM CREDIT FOR UNPAID PARENTAL LEAVE.**

Notwithstanding any other provision of this Charter, any member of the Retirement System under Sections A8.509, A8.559, A8.585, A8.586, A8.587, A8.588, A8.595, A8.596, A8.597 or A8.598 who has taken Unpaid Parental Leave as defined herein shall have the right to purchase service credit with the Retirement System for all or any part of the time he or she was on Unpaid Parental Leave prior to July 1, 2003, subject to the terms of this section, provided that he or she returned to work for the City for at least six months immediately after the expiration of his or her Unpaid Parental Leave.

The Board of Supervisors is hereby empowered to enact, by a three-fourths vote of its members, any and all ordinances necessary to carry into effect the provisions of this section.

Nothing in this section shall be construed to expand, reduce or otherwise affect the total amount of leave time available to members under federal, state, or local law, Civil Service Commission rules, or applicable memoranda of understanding between the City and County of San Francisco and employee organizations.

### **SEC. A8.523-1. DEFINITIONS.**

The following words and phrases as used in this section, unless a different meaning is plainly required by the context, shall have the following meaning:

"Paid Leave" shall have the same meaning as in Charter section A8.365-1.

"Parental Leave" shall have the same meaning as in Charter section A8.365-1.

"Unpaid Parental Leave" shall mean a period of Parental Leave taken prior to July 1, 2003, while the member was employed by the City and County, and during which time the member was not on Paid Leave.

### **SEC. A8.523-2. ELIGIBILITY.**

The Department of Human Resources shall certify to the Retirement System that a member is eligible to purchase service credit pursuant to eligibility criteria set forth in Charter Section A8.365-2. Provided, however, that the Department of Human Resources shall only certify a member as eligible to purchase service credit with the Retirement System if he or she took Unpaid Parental Leave prior to July 1, 2003, and if he or she returned to work for the City for at least six months immediately after the expiration of his or her Unpaid Parental Leave. The Retirement System shall rely on the certification from the Department of Human Resources to determine eligibility to purchase service credit for Unpaid Parental Leave.

### **SEC. A8.523-3. ELECTION TO PURCHASE SERVICE CREDIT FOR UNPAID PARENTAL LEAVE.**

A member electing to purchase service credit with the Retirement System for a period of Unpaid Parental Leave must so elect in writing on a form provided by the Retirement System. This election must be made before the date he or she files the application to retire or the effective date of his or her retirement, whichever is later.

This election must be for a minimum period of two months of Unpaid Parental Leave or all of his or her Unpaid Parental leave where such total period is less than two months. This election is limited to a maximum period of four months for each period of Unpaid Parental Leave.

A member may only elect to purchase service credit for a period of Unpaid Parental Leave taken prior to July 1, 2003.

### **SEC. A8.523-4. COST NEUTRALITY.**

All costs to purchase the service shall be paid by the member. There shall be no cost to the City and County. The Retirement System shall determine the cost to purchase the service. No service credit will be allowed unless and until all such costs are received by the Retirement System.

The retirement board shall have the authority to establish procedures to determine costs to purchase service credit for periods of Unpaid Parental Leave in accordance with this Section.

### **SEC. A8.523-5. CREDIT IN RETIREMENT SYSTEM FOR UNPAID PARENTAL LEAVE.**

Upon completion of the payment in the amount specified by the Retirement Board, the member shall be credited with City and County service for the period of Unpaid Parental Leave for which he or she has elected to receive credit as City and County service pursuant to this Section.

### **SEC. A8.523-6. NON-VESTED BENEFIT.**

This Charter section creates no vested benefits. The voters expressly reserve the right to review the benefits provided in this section and may alter or repeal such benefits for any or no reason.

### **SEC. A8.523-7. APPLICABILITY.**

This section shall not apply to Retirement System members or their successors in interest who retired or separated prior to the effective date of this section.

## **SEC. A8.509 RETIREMENT--MISCELLANEOUS OFFICERS AND EMPLOYEES ON AND AFTER JULY 1, 1947.**

Miscellaneous officers and employees, as defined in this section, who are members of the retirement system under this section of the charter on February 1, 1969, and persons who become miscellaneous officers and employees after February 1, 1969, shall be members of the retirement system, subject to the following provisions of this section, in addition to the provisions contained in Sections 3.670, 3.672, 8.500, 8.510 and 8.520 of this charter notwithstanding the provisions of any other section of the charter, provided that the retirement system shall be applied to persons employed on a part-time, temporary or substitute basis only as the board of supervisors shall determine by ordinance enacted by three-fourths vote of all members of the board. Miscellaneous officers and employees of the said departments who are members of the retirement system under Section 8.507 of the charter on February 1, 1969 shall continue to be members of the system under Section 8.507 and shall not be subject to any of the provisions of this section, except as specifically provided in this section.

(a) The following words and phrases as used in this section, unless a different meaning is plainly required by the context, shall have the following meaning:

"Retirement allowance," or "allowance," shall mean equal monthly payments, beginning to accrue upon the date of retirement, and continuing for life unless a different term of payments is definitely provided by the context.

"Compensation," as distinguished from benefits under the workers' compensation laws of the State of California, shall mean all remuneration whether in cash or by other allowances made by the City and County, for service qualifying for credit under this section.

"Compensation earnable" shall mean the compensation as determined by the retirement board, which would have been earned by the member had he worked, throughout the period under consideration, the



average number of days ordinarily worked by persons in the same grade or class of positions as the positions held by him during such period and at the rate of pay attached to such positions, it being assumed that during any absence, he was in the position held by him at the beginning of the absence, and that prior to entering City-service he was in the position first held by him in City-service.

“Benefit” shall include “allowance,” “retirement allowance,” and “death benefit.”

“Average final compensation” shall mean the average monthly compensation earned by a member during any five consecutive years of credited service in the retirement system in which his average final compensation is the highest, unless the board of supervisors shall otherwise provide by ordinance enacted by three-fourths vote of all members of the board.

For the purposes of the retirement system and of this section, the terms “miscellaneous officer or employee,” or “member,” as used in this section shall mean any officer or employee who is not a member of the fire or police department as defined in the charter for the purpose of the retirement system, under Section 8.507 of the charter.

“Retirement system” or “system” shall mean San Francisco City and County Employees' Retirement System as created in Section 8.500 of the charter.

“Retirement board” shall mean “retirement board” as created in Section 3.670 of the charter.

“Charter” shall mean the charter of the City and County of San Francisco.

Words used in the masculine gender shall include the feminine and neuter genders, and singular numbers shall include the plural; and the plural the singular.

“Interest” shall mean interest at the rate adopted by the retirement board.

(b) Any member who completes at least 20 years of service in the aggregate credited in the retirement system, and attains the age of 50 years, or at least 10 years of service in the aggregate credited in the retirement system, and attains the age of 60 years, said service to be computed under Subsection (g) hereof, may retire from service at his option. Members shall be retired on the first day of the month next following the attainment by them of the age of 65 years. A member retired after reaching the age of 60 years shall receive a service retirement allowance at the rate of two percent of said average final compensation for each year of service; provided, however, that upon the compulsory retirement of a member upon his attainment of the age of 65 years, if the allowance available to such member, pursuant to the provisions of Subsection (f) of this section, shall be greater in amount than the service retirement allowance otherwise payable to such member under this Subsection (b), then such member shall receive as his service retirement allowance, in lieu of the allowance otherwise payable under this Subsection (b), an allowance computed in accordance with the formula provided in said Subsection (f). The service retirement allowance of any member retiring prior to attaining the age of 60 years, after rendering 20 years or more of such service and having attained the age of 50 years, computed under Subsection (g), shall be an allowance equal to the percentage of said average final compensation set forth opposite his age at retirement, taken to the preceding completed quarter year, for each year of service, computed under Subsection (g):

TABLE INSET:

Age at Retirement	Percent for Each Year of Credited Service
50	1.0000
50 1/4	1.0250
50 1/2	1.0500
50 3/4	1.0750
51	1.1000

51 1/4	1.1250
51 1/2	1.1500
51 3/4	1.1750
52	1.2000
52 1/4	1.2250
52 1/2	1.2500
52 3/4	1.2750
53	1.3000
53 1/4	1.3250
53 1/2	1.3500
53 3/4	1.3750
54	1.4000
54 1/4	1.4250
54 1/2	1.4500
54 3/4	1.4750
55	1.5000
55 1/4	1.5250
55 1/2	1.5500
55 3/4	1.5750
56	1.6000
56 1/4	1.6250
56 1/2	1.6500
56 3/4	1.6750
57	1.7000
57 1/4	1.7250
57 1/2	1.7500
57 3/4	1.7750
58	1.8000
58 1/4	1.8250
58 1/2	1.8500
58 3/4	1.8750
59	1.9000
59 1/4	1.9250
59 1/2	1.9500
59 3/4	1.9750
60	2.000

In no event shall a member's retirement allowance exceed 75 percent of his average final compensation.

Before the first payment of a retirement allowance is made, a member retired under this subsection or Subsection (c) of this section, may elect to receive the actuarial equivalent of his allowance, partly in an allowance to be received by him throughout his life, and partly in other benefits payable after his death to another person or persons, provided that such election shall be subject to all the conditions prescribed by the board of supervisors to govern similar elections by other members of the retirement system, including the character and amount, of such other benefits; provided, however, that at any time within 30 days after the date on which his compulsory retirement would otherwise have





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become effective, a member who has attained the age of 65 years may elect, without right of revocation, to withdraw his accumulated contributions, said election to be exercised in writing on a form furnished by the retirement system and filed at the office of said system, and a member so electing shall be considered as having terminated his membership in said system on the date immediately preceding the date on which his compulsory retirement would otherwise have become effective, and he shall be paid forthwith his accumulated contributions, with interest credited thereon. Notwithstanding the provisions of Section 8.514 of this charter, the portion of service retirement allowance provided by the City and County's contributions shall be not less than \$100 per month upon retirement after 30 years of service and after attaining the age of 60 years, and provided further that as to any member with 15 years or more of service at the compulsory retirement age of 65, the portion of the service retirement allowance provided by the City and County's contribution shall be such that the total retirement allowance shall not be less than \$100 per month. In the calculations under this subsection of the retirement allowance of a member having credit for service in a position in the evening schools and service in any other position, separate retirement allowances shall be calculated in the manner prescribed for each class of service, the average final compensation in each case being that for the respective class of service; provided that the aggregate retirement allowance shall be taken into account in applying the provisions of this subsection providing for a minimum retirement allowance. Part-time service and compensation shall be reduced to full-time service and compensation in the manner prescribed by the board of supervisors, and when so reduced, shall be applied on full time service and compensation in the calculations of retirement allowances.

(c) Any member who becomes incapacitated for performance of duty because of disability determined by the retirement board to be of extended and uncertain duration, and who shall have completed at least 10 years of service credited in the retirement system in the aggregate, computed as provided in Subsection (g) hereof, shall be retired upon an allowance of one and eight-tenths percent of the average final compensation of said member, as defined in Subsection (a) hereof for each year of credited service, if such retirement allowance exceeds 40 percent of his average final compensation; otherwise one and eight-tenths percent of his average final compensation multiplied by the number of years of City-service which would be credited to him were such City-service to continue until attainment by him of age 60, but such retirement allowance shall not exceed 40 percent of such average final compensation. In the calculation under this subsection of the retirement allowance of a member having credit for service in a position in the evening schools and service in any other position, separate retirement allowances shall be calculated, in the manner prescribed, for each class of service, the average final compensation in each case being that for the respective class of service; provided that the average final compensation upon which the minimum total retirement allowance is calculated in such case shall be based on the compensation earnable by the member in the classes of service rendered by him during the one year immediately preceding his retirement. Part-time service and compensation shall be reduced to full-time service and compensation in the manner prescribed by the board of supervisors, and when so reduced, shall be applied as full-time service and compensation in the calculation of retirement allowances. The question of retiring a member under this subsection may be brought before the retirement board on said board's own motion, by recommendation of any commission or board, or by said member or his guardian. If his disability shall cease, his retirement allowance shall cease, and he shall be restored to service in the position or classification he occupied at the time of his retirement.

(d) No modification of benefits provided in this section shall be made because of any amounts payable to or on account of any member under workers' compensation laws of the State of California.

(e) If a member shall die, before retirement, (1) If no benefit is payable under subdivision (2) of this subsection (e):

(A) Regardless of cause, a death benefit shall be paid to the member's estate or designated beneficiary consisting of the compensation

earnable by the member during the six months immediately preceding death, plus the member's contributions and interest credited thereon.

(B) If a member sustains a traumatic bodily injury through external and violent means in the course and scope of employment and death results within 180 days of such injury, an additional insurance benefit of 12 months of compensation earnable shall be paid to the member's estate or designated beneficiary.

(2) If, at the date of his death, he was qualified for service retirement by reason of service and age under the provisions of Subsection (b) of this section, and he has designated as beneficiary his surviving spouse, who was married to him for at least one full year immediately prior to the date of his death, one-half of the retirement allowance to which the member would have been entitled if he had retired from service on the date of his death, shall be paid to such surviving spouse who was his designated-beneficiary at the date of his death, until such spouse's death or remarriage, or if there be no surviving spouse, to the unmarried child or children of such member under the age of 18 years, collectively, until every such child dies, marries or attains the age of 18 years, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. If, at the death of such surviving spouse, who was receiving an allowance under this Subdivision (2), there be one or more unmarried children of such member under the age of 18 years, such allowance shall continue to such child or children, collectively, until every such child dies, marries or attains the age of 18 years, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. If the total of the payments of allowance made pursuant to this Subdivision (2) is less than the benefit which was otherwise payable under Subdivision (1) of this subsection, the amount of said benefit payable under Subdivision (1) less an amount equal to the total of the payments of allowance made pursuant to this Subdivision (2) shall be paid in lump sum as follows:

(A) If the person last entitled to said allowance is the remarried surviving spouse of such member, to such spouse.

(B) Otherwise, to the surviving children of the member, share and share alike, or if there are no such children, to the estate of the person last entitled to said allowance.

The surviving spouse may elect, on a form provided by the retirement system and filed in the office of the retirement system before the first payment of the allowance provided herein, to receive the benefit provided in Subdivision (1) of this subsection in lieu of the allowance which otherwise would be payable under the provisions of this subdivision. If a surviving spouse, who was entitled to make the election herein provided, shall die before or after making such election, but before receiving any payment pursuant to such election, then the legally appointed guardian of the unmarried children of the member under the age of 18 years, may make the election herein provided before benefit has been paid under this Subsection (e), for and on behalf of such children if, in his judgment it appears to be in their interest and advantage, and the election so made shall be binding and conclusive upon all parties in interest.

If any person other than such surviving spouse shall have and be paid a community property interest in any portion of any benefit provided under this Subsection (e), any allowance payable under this Subdivision (2) shall be reduced by the actuarial equivalent, at the date of the member's death, of the amount of benefits paid to such other person.

Upon the death of a member after retirement and regardless of the cause of death, a death benefit shall be paid to his estate or designated beneficiary in the manner and subject to the conditions prescribed by the board of supervisors for the payment of a similar death benefit upon the death of other retired members.

(f) Should any miscellaneous member cease to be employed as such a member, through any cause other than death or retirement, all of his contributions, with interest credited thereon, shall be refunded to him subject to the conditions prescribed by the board of supervisors to cover similar terminations of employment and reemployment with and without redeposit of withdrawn accumulated contributions of other members of



the retirement system, provided that if such member is entitled to be credited with at least 10 years of service or if his accumulated contributions exceed \$1,000, he shall have the right to elect, without right of revocation and within 90 days after said termination of service, or if the termination was by lay-off, 90 days after the retirement board determines the termination to be permanent, whether to allow his accumulated contributions to remain in the retirement fund and to receive benefits only as provided in this paragraph. Failure to make such election shall be deemed an irrevocable election to withdraw his accumulated contributions. A person who elects to allow his accumulated contributions to remain in the retirement fund shall be subject to the same age requirements as apply to other members under this section for service retirement, but he shall not be subject to a minimum service requirement. Upon the qualification of such member for retirement by reason of age, he shall be entitled to receive a retirement allowance which shall be the actuarial equivalent of his accumulated contributions and an equal amount of the contributions of the City and County, plus 1 2/3 percent of his average final compensation for each year of service credited to him as rendered prior to his first membership in the retirement system. Upon the death of such member prior to retirement, his contributions with interest credited thereon shall be paid to his estate or designated beneficiary.

(g) The following time and service shall be included in the computation of the service to be credited to a member for the purpose of determining whether such member qualifies for retirement and calculating benefits:

(1) Time during which said member is a member of the retirement system and during and for which said member is entitled to receive compensation because of services as a miscellaneous officer or employee.

(2) Service in the fire and police departments which is not credited as service of a member under this section shall count under this section upon transfer of a member of either of such departments to employment entitling him to membership in the retirement system under this section, provided that the accumulated contribution standing to the credit of such member shall be adjusted by refund to the member or by payment of the member, to bring the account at the time of such transfer to the amount which would have been credited to it had the member been a miscellaneous employee throughout the period of his service in either such departments at the compensation he received in such departments.

(3) Time during which said member is absent from a status included in paragraphs (1) or (2) next preceding which is not deemed absence from service under the provisions of Section 8.520 of the charter and for which such member is entitled to receive credit as service for the City and County by virtue of contributions made in accordance with the provisions of such section.

(4) Prior service determined and credited as prescribed by the board of supervisors for persons who are members under Section 8.507.

(5) The board of supervisors, by ordinance enacted by a three-fourths vote of its members, may provide for the crediting as service under the retirement system of service, other than military service, rendered as an employee of the federal government and service rendered as an employee of the State of California or any public entity or public agency in the State of California. Said ordinance shall provide that all contributions required as the result of the crediting of such service shall be made by the member and that no contributions therefor shall be required of the City and County.

(6) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

(h) All payments provided under this section shall be made from funds derived from the following sources, plus interest earned on said funds:

(1) There shall be deducted from each payment of compensation paid to a member under Section 8.509 a sum equal to 7-1/2 percent of such payment of compensation. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to

the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member under Section 8.509, or shall be paid to said member or his estate or beneficiary as provided in Sections 8.509(e) and 8.509(f). The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(2) Contributions based on time included in paragraphs (1) and (3) of Subsection (g), and deducted prior to July 1, 1947, from compensation of persons who become members under this section, and standing with interest thereon, to the credit of such members on the records of the retirement system on said date, shall continue to be credited to the individual accounts of said members, and shall be combined with and administered in the same manner as the contributions deducted after said date.

(3) The total contributions, with interest thereon, made by or charged against the City and County and standing to its credit, on July 1, 1948, in the accounts of the retirement system, on account of persons who become members under this section, shall be applied to provide the benefits under this section.

(4) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in the preceding paragraphs of this Subsection (h), to provide the benefits payable under this section. Such contributions of the City and County to provide the portion of the benefits hereunder, which shall be based on service rendered by each member prior to the date upon which his rate of contribution is determined in paragraph (1), Subsection (h), shall not be less during any fiscal year than the amount of such benefits paid during said year. Such contributions of the City and County to provide the portion of the benefits hereunder, which shall be based on service rendered by respective members on and after the date stated in the next preceding sentence, shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total salaries paid during said year, to persons who are members under this section, said percentage to be the ratio of the value of the effective date hereof, or at the later date of a periodical actuarial valuation and investigation into the experience under the system, of the benefits thereafter to be paid under this section, from contributions of the City and County, less the amount of such contributions, and plus accumulated interest thereon, then held by said system to provide said benefits on account of service rendered by respective member after the date stated in the sentence next preceding, to the value at said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said contributions, the compensation experience of members, and the probabilities of separation by all causes, of members from service before retirement, and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system. Said actuarial valuation shall be made every even-numbered year, and said investigation into the experience under the system shall be made every odd-numbered year.

Notwithstanding the provisions of this Subdivision (4), any additional liabilities created by the amendments of this Section 8.509 contained in the proposition therefor submitted to the electorate on November 6, 1973, shall be amortized over a period of 30 years.

(5) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County, held by the system to provide the benefits under this section, shall be a part of the fund in which all other assets of said system are included. Nothing in the section shall affect the obligations of the City and County to pay to the retirement system any amounts which may or shall become due under the provisions of the



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charter prior to the effective date hereof, and which are represented on July 1, 1947, in the accounts of said system by debits against the City and County.

(i) Upon the completion of the years of service set forth in Subsection (b) of this section as requisite to retirement, a member shall be entitled to retire at any time thereafter in accordance with the provisions of said Subsection (b), and nothing shall deprive said member of said right.

(j) Except as otherwise provided in section 8.511 of this charter, no person retired under this section, for service or disability and entitled to receive a retirement allowance under the retirement system, shall serve in any elective or appointive position in the City and County service, including membership on boards and commissions, nor shall such persons receive any payment for service rendered to the City and County after retirement, provided that service as an election officer or juror shall not be affected by this section.

(k) Any section or part of any section in this charter, insofar as it should conflict with this section, or with any part thereof, shall be superseded by the contents of this section. In the event that any word, phrase, clause or subsection of this section shall be adjudged unconstitutional, the remainder thereof shall remain in full force and effect.

(l) Notwithstanding the provisions of Subsections (b), (c), (f), and (i) of this section, any member convicted of a crime involving moral turpitude, committed in connection with his duties as an officer or employee of the City and County of San Francisco, shall, upon his removal from office or employment pursuant to the provisions of this charter, forfeit all rights to any benefits under the retirement system except refund of his accumulated contributions; provided, however, that if such member is qualified for service retirement by reason of service and age under the provisions of Subsection (b) of this section, he shall have the right to elect, without right of revocation and within 90 days after his removal from office or employment, whether to withdraw all of his accumulated contributions or to receive as his sole benefit under the retirement system, an annuity which shall be the actuarial equivalent of his accumulated contributions at the time of such removal from office or employment.

(m) The amendments of this section contained in the proposition submitted to the electorate on November 6, 1984 are hereby declared to be prospective and shall not give any person a claim against the City and County relating to a death prior to ratification of this amendment by the State Legislature.

### SEC. A8.559-10. COMPUTATION OF SERVICE.

The following time shall be included in the computation of the service to be credited to a member of the police department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his service while he was a member under any other charter section, and not redeposited upon reentry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the fire or police department.

(b) Time during which said member served and received compensation as a jail matron in the office of the sheriff.

(c) Time during which said member is entitled to receive compensation while a member of the retirement system, because of service rendered in other offices and departments prior to July 1, 1949, provided that accumulated contributions on account of such service previously refunded, are redeposited, with interest from date of refund to date of redeposit, at times and in the manner fixed by the retirement board; and solely for purpose of determining qualification for retirement under Section 8.559-3 for disability not resulting from injury received in, or illness caused by performance of duty, time during which said member serves, after July 1, 1949, and receives compensation because of services rendered in other offices and departments.

(d) Time during which said member is absent from a status included in Subsections (a), (b), or (c) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Section 8.520 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his account.

*(e) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.*

### SEC. A8.559-11. SOURCES OF FUNDS.

All payments provided for members under Section 8.559 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) The normal rate of contribution for each member under Section 8.559 shall be based on his age taken to the next lower complete quarter year, (1) at the date he became a member under Section 8.544, in the case of persons who are members under that section, or (2) on his age at the date he becomes a member under Section 8.559 in the case of persons who become members on or after July 1, 1973, without credit for service counted under Section 8.559-10. The age of entrance into the police department shall be determined by deducting the member's service credited under Section 8.559-10 as rendered prior to the date upon which his age is based for determination of his rate of contribution according to the sentence next preceding, from said age. The normal rate of contribution of each such member, to be effective from the effective date of membership under Section 8.559, shall be such as, on the average for such member, will provide, assuming service without interruption, under Section 8.559-2, one-third of that portion of the service retirement allowance to which he would be entitled, without continuance to dependents, upon first qualifying as to age and service for retirement under that section, which is based on service rendered after the date upon which his age is based for determination of his rate of contribution according to the first sentence in this paragraph, and assuming the contribution to be made from that date. The normal rate of contribution, however, shall not exceed seven percent.

(b) The dependent contributions of each member under this section which shall be required of each member throughout his membership in addition to the normal contributions, and in the same manner as normal contributions, shall be such as, on the average for such member, will provide, assuming service without interruption under Section 8.559-2, and upon his first qualifying as to age and service for retirement under that section, one-third of the portion of his allowance, which is to be continued under Section 8.559-5 after his death and throughout the life of a surviving wife whose age at said death is three years less than the age of said member. If, at the date of retirement for service or retirement for disability resulting from injury received in performance of duty, said member has no wife who would qualify for the continuance of the allowance to her after the death of said member, or upon retirement for disability resulting from other causes, regardless of his marital conditions, the dependent contributions with accumulated interest thereon, shall be paid to him forthwith. The dependent rate of contribution, however, shall not exceed the difference between seven percent and the member's normal rate of contribution, and said dependent rate may be taken as a flat percentage of the member's normal rate, regardless of the age of qualification for service retirement.

(c) There shall be deducted from each payment of compensation made to a member under this section, a sum determined by applying the member's rates of contribution to such compensation payment. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other member of the retirement system, shall be applied to provide part of the





retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his estate or beneficiary as provided in Sections 8.559-8, 8.559-9 and 8.559-10. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(d) Contributions based on time included in Subsections (a), (b) and (c) of Section 8.559-10, and deducted prior to July 1, 1975, from compensation of persons who become members under Section 8.559, and standing with interest thereon, to the credit of such members on the records of the retirement system on said date, together with contributions made by such members pursuant to the provisions of Section 8.526 and standing with interest thereon to the credit of such members on the records of the retirement system on said date, shall continue to be credited to the individual accounts of said members and shall be combined with and administered in the same manner as the contributions deducted after said date.

(e) The total contributions, with interest thereon, made by or charged against the City and County and standing to its credit, in the accounts of the retirement system, on account of persons who become members under Section 8.559, shall be applied to provide the benefits under said Section 8.559.

(f) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in the preceding paragraphs of this Section 8.559-11 to provide the benefits payable to members under Section 8.559. Such contributions of the City and County to provide the portion of the benefits hereunder which shall be based on service rendered by each member prior to the date upon which his age is based for determination of his rate of contribution in Subsection (a) of this Section 8.559-11, shall not be less during any fiscal year than the amount of such benefits paid during said year. Such contributions of the City and County to provide the portion of the benefits hereunder which shall be based on service rendered by respective members on and after the date stated in the next preceding sentence, shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year, to persons who are members under Section 8.559, said percentage to be the ratio of the value on July 1, 1975, or at the later date of a periodical actuarial valuation and investigation into the experience under the system, of the benefits thereafter to be paid under this section, from contributions of the City and County, less the amount of such contributions, and plus accumulated interest thereon, then held by said systems to provide said benefits on account of service rendered by respective members after the date stated in the sentence next preceding, to the value of said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said contributions, the compensation experience of members, and the probabilities of separation by all causes, of members from service before retirement and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system. Said actuarial valuation shall be made every even-numbered year and said investigation into the experience under the system shall be every odd-numbered year.

(g) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies the contributions of both members and the City and County held by the system to provide the benefits under this section, shall be a part of the fund in which all other assets of said system are included. Nothing in this section shall affect the obligations of the City and County to pay to the retirement system any amounts which may or shall become due under the provisions of the charter prior to July 1, 1975, and which are represented on said effective date, in the accounts of said system by debits against the City and County.

**SEC. A8.585-10. COMPUTATION OF SERVICE.**

The following time shall be included in the computation of the

service to be credited to a member of the fire department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his service while he was a member under any other charter section, and not redeposited upon re- entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the fire or police department.

(b) Time during which said member is entitled to receive compensation while a member of the retirement system, because of service rendered in other offices and departments prior to July 1, 1949, provided that accumulated contributions on account of such service previously refunded, are redeposited, with interest from date of refund to date of re-deposit, at times and in the manner fixed by the retirement board; and solely for purpose of determining qualification for retirement under Section 8.585-3 for disability not resulting from injury received in, or illness caused by performance of duty, time during which said member serves, after July 1, 1949, and receives compensation because of services rendered in other offices and departments.

(c) Time during which said member is absent from a status included in Subsections (a) and (b) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Section 8.520 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his account.

(d) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

**SEC. A8.585-11. SOURCES OF FUNDS.**

All payments provided for members under Section 8.585 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) The normal rate of contribution for each member under Section 8.585 shall be based on his age taken to the next lower complete quarter year, (1) at the date he became a member under Section 8.568, in the case of persons who are members under that section, or (2) on his age at the date he becomes a member under Section 8.585 in the case of persons who become members on or after July 1, 1975, without credit for service counted under Section 8.585-10. The age of entrance into the fire department shall be determined by deducting the member's service credited under Section 8.585-10 as rendered prior to the date upon which his age is based for determination of his rate of contribution according to the sentence next preceding, from said age. The normal rate of contribution of each such member, to be effective from the effective date of membership under Section 8.585, shall be such as, on the average for such member, will provide, assuming service without interruption, under Section 8.585-2, one-third of that portion of the service retirement allowance to which he would be entitled, without continuance to dependents, upon first qualifying as to age and service for retirement under that section, which is based on service rendered after the date upon which his age is based for determination of his rate of contribution according to the first sentence in this paragraph, and assuming the contribution to be made from that date. The normal rate of contribution, however, shall not exceed seven percent.

(b) The dependent contributions for each member under this section which shall be required of each member throughout his membership in addition to the normal contributions, and in the same manner as normal contributions, shall be such as, on the average for such member, will provide, assuming service without interruption under Section 8.585-2, and upon his first qualifying as to age and service for retirement under that section, one-third of the portion of his allowance, which is to be continued under Section 8.585-5 after his death and throughout the life of a surviving wife whose age at said death is three years less than the



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age of said member. If, at the date of retirement for service or retirement for disability resulting from injury received in performance of duty, said member has no wife who would qualify for the continuance of the allowance to her after the death of said member, or upon retirement for disability resulting from other causes, regardless of his marital conditions, the dependent contributions with accumulated interest thereon, shall be paid to him forthwith. The dependent rate of contribution, however, shall not exceed the difference between seven percent and the member's normal rate of contribution, and said dependent rate may be taken as a flat percentage of the member's normal rate, regardless of the age of qualification for service retirement.

(c) There shall be deducted from each payment of compensation made to a member under this section, a sum determined by applying the member's rates of contribution to such compensation payment. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his estate or beneficiary as provided in Sections 8.585-8, 8.585-9 and 8.585-10. *The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.*

(d) Contributions based on time included in Subsections (a), (b) and (c) of Section 8.585-10, and deducted prior to July 1, 1975, from compensation of persons who become members under Section 8.585, and standing with interest thereon, to the credit of such members on the records of the retirement system on said date, together with contributions made by such members pursuant to the provisions of Section 8.526 and standing with interest thereon to the credit of such members on the records of the retirement system on said date, shall continue to be credited to the individual accounts of said members and shall be combined with and administered in the same manner as the contributions deducted after said date.

(e) The total contributions, with interest thereon, made by or charged against the City and County and standing to its credit, in the accounts of the retirement system, on account of persons who become members under Section 8.585, shall be applied to provide the benefits under said Section 8.585.

(f) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in the preceding paragraphs of this Section 8.585-11, to provide the benefits payable to members under Section 8.585. Such contributions of the City and County to provide the portion of the benefits hereunder which shall be based on service rendered by each member prior to the date upon which his age is based for determination of his rate of contribution in Subsection (a) of this Section 8.585-11, shall not be less during any fiscal year than the amount of such benefits paid during said year. Such contributions of the City and County to provide the portion of the benefits hereunder which shall be based on service rendered by respective members on and after the date stated in the preceding sentence, shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year, to persons who are members under Section 8.585, said percentage to be the ratio of the value on July 1, 1975, or at the later date of a periodical actuarial valuation and investigation into the experience under the system, of the benefits thereafter to be paid under this section, from contributions of the City and County, less the amount of such contributions, and plus accumulated interest thereon, then held by said systems to provide said benefits on account of service rendered by respective members after the date stated in the sentence next preceding, to the value of said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said

contributions, the compensation experience of members and the probabilities of separation by all causes, of members from service before retirement and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system. Said actuarial valuation shall be made every even-numbered year and said investigation into the experience under the system shall be every odd-numbered year.

(g) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies the contributions of both members of the City and County held by the system to provide the benefits under this section, shall be a part of the fund in which all other assets of said system are included. Nothing in this section shall affect the obligations of the City and County to pay to the retirement system any amounts which may or shall become due under the provisions of the charter prior to July 1, 1975, and which are represented on said effective date, in the accounts of said system by debits against the City and County.

### SEC. A8.586-10. COMPUTATION OF SERVICE.

The following time shall be included in the computation of the service to be credited to a member of the police department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon re-entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department under Section 8.586 or 8.588, respectively.

(b) Time prior to November 2, 1976, during which said member was entitled to receive compensation while a member of the police or fire department under any other section of the charter, provided that accumulated contributions on account of such service previously refunded are redeposited with interest from the date of refund to the date of redeposit, at times and in the manner fixed by the retirement board; and solely for the purpose of determining qualification for retirement under Section 8.586-3 for disability not resulting from injury received in or illness caused by performance of duty, time during which said member serves and receives compensation because of services rendered in other offices and departments.

(c) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Section 8.520 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

*(d) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.*

### SEC. A8.586-11. SOURCES OF FUNDS.

All payments provided for members under Section 8.586 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section 8.586 a sum equal to seven percent of such payment of compensation. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his or her estate or beneficiary as provided in Sections 8.586-



8, 8.586-9 and 8.586-10. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(b) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section 8.586-11, to provide the benefits payable to members under Section 8.586. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section 8.586, said percentage to the ratio of the value on November 2, 1976, or at the later date of a periodical actuarial valuation and investigation into the experience under the system, of the benefits thereafter to be paid to or on account of members under Section 8.586 from contributions of the City and County, less the amount of such contributions plus accumulated interest thereon, then held by said system to provide said benefits on account of service rendered by respective members after said date, to the value on said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said contributions, the compensation experience of members, and the probabilities of separation by all causes, of members from service before retirement and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system. Said actuarial valuation shall be made every even-numbered year and said investigation into the experience under the system shall be made every odd-numbered year.

(c) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section 8.586, shall be a part of the fund in which all other assets of said system are included.

**SEC. A8.587-7 COMPUTATION OF SERVICE.**

The following time and service shall be included in the computation of the service to be credited to a member for the purpose of determining whether such member qualifies for retirement and calculating benefits:

(a) For miscellaneous officers and employees on November 7, 2000 who were members of the retirement system under Section A8.584, time during which said officers and employees were members under Section A8.584.

(b) Time during which said member is a member of the retirement system under Section A8.587 and during and for which said member is entitled to receive compensation because of services as a miscellaneous officer or employee.

(c) Service in the fire and police departments which is not credited as service as a member under Section A8.587 shall count under this section upon transfer of a member of either of such departments to employment entitling him or her to membership in the retirement system under Section A8.587, provided that the accumulated contributions standing to the credit of such member shall be adjusted by refund to the member or by payment by the member to bring the account at the time of such transfer to the amount which would have been credited to it had the member been a miscellaneous member throughout the period of his or her service in either of such departments at the compensation he or she received in such departments.

(d) Prior service, during which said member was entitled to receive compensation while a miscellaneous member under any other section of the charter, provided that accumulated contributions on account of such service previously refunded are redeposited with interest from the date of refund to the date of redeposit, at times and in the manner fixed by the retirement board.

(e) Prior service determined and credited as prescribed by the board of supervisors.

(f) The board of supervisors, by ordinance enacted by a three-fourths vote of its members, may provide for the crediting as service, rendered as an employee of the federal government and service rendered as an employee of the State of California or any public entity or public agency in the State of California. Said ordinance shall provide that all contributions required as the result of the crediting of such service shall be made by the member and that no contributions therefor shall be required of the City and County.

(g) Time during which said member is absent from a status included in Subsections (a), (b) or (c) and for which such member is entitled to receive credit as service for the City and County by virtue of contributions made in accordance with the provisions of Section A8.520 or Section A8.521 of the charter.

(h) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

**SEC. A8.587-8 SOURCES OF FUNDS.**

All payments provided for members under Section A8.587 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.587 a sum equal to seven percent of such payment of compensation. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member under Section A8.587, or shall be paid to said member or his or her estate or beneficiary as provided in Sections A8.587-5 and A8.587-6. A member's individual account under Section A8.587 shall include all monies credited to the member's account under Section A8.584. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(b) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.587-8, to provide the benefits payable to members under Section A8.587. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section A8.587, said percentage to be the ratio of the value as of the latest periodical actuarial valuation of the benefits thereafter to be paid to or on account of members under Section A8.587 from contributions of the City and County, less the amount of such contributions, plus accumulated interest thereon, then held by said system to provide said benefits on account of service rendered by respective members after said date, to the value at said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said contributions, the compensation experience of members, and the probabilities of separation by all causes, of members from service before retirement and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system. Said actuarial valuations and investigations shall be made at least every two years.

(c) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section A8.587 shall be a part of the fund in which all other assets of said system are included.





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### SEC. A8.588-10. COMPUTATION OF SERVICE.

The following time shall be included in the computation of the service to be credited to a member of the fire department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon re-entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department under Section 8.586 or 8.588, respectively.

(b) Time prior to November 2, 1976, during which said member was entitled to receive compensation while a member of the police or fire department under any other section of the charter, provided that accumulated contributions on account of such service previously refunded are redeposited with interest from the date of refund to the date of redeposit, at times and in the manner fixed by the retirement board; and solely for the purpose of determining qualification for retirement under Section 8.588-3 for disability not resulting from injury received in or illness caused by performance of duty, time during which said member serves and receives compensation because of services rendered in other offices and departments.

(c) Time during which said member earned compensation as a paramedic with the department of public health, provided that the accumulated contributions on account of such service are transferred to his or her 8.588 account or, if previously refunded, are redeposited with interest from the date of refund to the date of redeposit, at times and in the manner fixed by the retirement board. The retirement board shall require that a waiver be executed by said member so that any paramedic service covered by Section 8.588 is not also covered by other pension provisions in this charter.

(d) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Section 8.520 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

(e) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

### SEC. A8.588-11. SOURCES OF FUNDS.

All payments provided for members under Section 8.588 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section 8.588 a sum equal to seven percent of such payment of compensation. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his or her estate or beneficiary as provided in Sections 8.588-8, 8.588-9 and 8.588-10. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(b) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section 8.588-11, to provide the benefits payable to members under Section 8.588. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year

shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section 8.588, said percentage to the ratio of the value on November 2, 1976, or at the later date of a periodical actuarial valuation and investigation into the experience under the system, of the benefits thereafter to be paid to or on account of members under Section 8.588 from contributions of the City and County, less the amount of such contributions plus accumulated interest thereon, then held by said system to provide said benefits on account of service rendered by respective members after said date, to the value on said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said contributions, the compensation experience of members, and the probabilities of separation by all causes, of members from service before retirement and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system. Said actuarial valuation shall be made every even-numbered year and said investigation into the experience under the system shall be made every odd-numbered year.

(c) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section 8.588, shall be a part of the fund in which all other assets of said system are included.

### SEC. A8.595-10. COMPUTATION OF SERVICE.

The following time shall be included in the computation of the service to be credited to a member of the police department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon reentry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the fire or police department.

(b) Time during which said member served and received compensation as a jail matron in the office of the sheriff.

(c) Time during which said member is absent from a status included in Subsections (a) or (b) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

(d) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

### SEC. A8.595-11. SOURCES OF FUNDS.

All payments provided for members under Section A8.595 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.595 a sum equal to seven percent of such payment of compensation. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his or her estate or beneficiary as provided in Section A8.595-8, A8.595-9 and A8.595-10. A member's individual account under



Section A8.595 shall include all monies previously credited to the member's account under Section A8.559. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(b) The dependent contributions of each member under this section which shall be required of each member throughout his or her membership in addition to the normal contributions, and in the same manner as normal contributions, shall be such as, on the average for such member, will provide, assuming service without interruption under Section A8.595-2, and upon he or she first qualifying as to age and service for retirement under that section, one-third of the portion of his or her allowance, which is to be continued under Section A8.595-5 after his or her death and throughout the life of a surviving spouse whose age at said death is three years less than the age of said member. If, at the date of retirement for service or retirement for disability resulting from injury received in the performance of duty, said member has no spouse who would qualify for the continuance of the allowance to him or her after the death of said member, or upon retirement for disability resulting from other causes, regardless of his or her marital conditions, the dependent contributions with accumulated interest thereon, shall be paid to him or her forthwith. The dependent rate of contribution, however, shall not exceed the difference between seven percent and the member's normal rate of contribution, and said dependent rate may be taken as a flat percentage of the member's normal rate, regardless of the age of qualification for service retirement.

(c) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.595-11, to provide the benefits payable to members under Section A8.595. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section A8.595 in accordance with the provisions of Section A8.510.

(d) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section A8.595, shall be a part of the fund in which all other assets of said system are included.

(e) Any year in which, based upon the retirement system's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with City representatives to implement a cost sharing arrangement between the City and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the City's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the retirement system of improving the police and fire safety retirement plans to the 3% @ 55 benefit level or the total employer contribution required by the retirement system, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this charter.

The meet and confer process, including all impasse procedures under section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The retirement board's authority under charter section 12.100 and in section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under section A8.590-1 et seq.

**SEC. A8.596-10. COMPUTATION OF SERVICE.**

The following time shall be included in the computation of the service to be credited to a member of the fire department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for

which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon reentry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department.

(b) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

(c) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

**SEC. A8.596-11. SOURCES OF FUNDS.**

All payments provided for members under Section A8.596 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.596 a sum equal to seven percent of such payment of compensation. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his or her estate or beneficiary as provided in Section A8.596-8, A8.596-9 and A8.596-10. A member's individual account under Section A8.596 shall include all monies previously credited to the member's account under Section A8.585. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(b) The dependent contributions of each member under this section which shall be required of each member throughout his or her membership in addition to the normal contributions, and in the same manner as normal contributions, shall be such as, on the average for such member, will provide, assuming service without interruption under Section A8.596-2, and upon he or she first qualifying as to age and service for retirement under that section, one-third of the portion of his or her allowance, which is to be continued under Section A8.596-5 after his or her death and throughout the life of a surviving spouse whose age at said death is three years less than the age of said member. If, at the date of retirement for service or retirement for disability resulting from injury received in the performance of duty, said member has no spouse who would qualify for the continuance of the allowance to him or her after the death of said member, or upon retirement for disability resulting from other causes, regardless of his or her marital conditions, the dependent contributions with accumulated interest thereon, shall be paid to him or her forthwith. The dependent rate of contribution, however, shall not exceed the difference between seven percent and the member's normal rate of contribution, and said dependent rate may be taken as a flat percentage of the member's normal rate, regardless of the age of qualification for service retirement.

(c) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.596-11, to provide the benefits payable to members under Section A8.596. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under



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Section A8.596 in accordance with the provisions of Section A8.510.

(d) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section A8.596, shall be a part of the fund in which all other assets of said system are included.

(e) Any year in which, based upon the retirement system's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with City representatives to implement a cost sharing arrangement between the City and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the City's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the retirement system of improving the police and fire safety retirement plans to the 3% @ 55 benefit level or the total employer contribution required by the retirement system, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this charter.

The meet and confer process, including all impasse procedures under section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The retirement board's authority under charter section 12.100 and in section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under section A8.590-1 et seq.

### SEC. A8.597-10. COMPUTATION OF SERVICE.

The following time shall be included in the computation of the service to be credited to a member of the police department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon re-entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department.

(b) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

### SEC. A8.597-11. SOURCES OF FUNDS.

All payments provided for members under Section A8.597 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.597 a sum equal to seven percent of such payment of compensation plus the member's allocable share, if any, of the costs required under Section A8.506-2. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his or her estate or beneficiary as provided in Sections A8.597-8, A8.597-9 and A8.597-10. A member's individual account under Section A8.597 shall include all monies previously credited to the member's account under Section A8.586. The individual accounts of members who were also airport police officers that terminated their participation in the Public Employees' Retirement System as provided in Section A8.506-2 shall also include that portion of the accumulated assets transferred to the San Francisco Employees'

Retirement System that represents their contributions to the Public Employees' Retirement System plus interest. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(b) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.597-11, to provide the benefits payable to members under Section A8.597. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section A8.597 in accordance with the provisions of Section A8.510.

(c) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section A8.597, shall be a part of the fund in which all other assets of said system are included.

(d) Any year in which, based upon the retirement system's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with City representatives to implement a cost sharing arrangement between the City and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the City's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the retirement system of improving the police and fire safety retirement plans to the 3% @ 55 benefit level or the total employer contribution required by the retirement system, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this charter.

The meet and confer process, including all impasse procedures under section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The retirement board's authority under charter section 12.100 and in section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under section A8.590-1 et seq.

### SEC. A8.598-10. COMPUTATION OF SERVICE.

The following time shall be included in the computation of the service to be credited to a member of the fire department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other charter section, and not redeposited upon re-entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department.

(b) Time prior to January 1, 2003, during which said member was entitled to receive compensation while a member of the police or fire department under any other section of the charter, provided that accumulated contributions on account of such service previously refunded are redeposited with interest from the date of refund to the date of redeposit, at times and in the manner fixed by the retirement board; and solely for the purpose of determining qualification for retirement under Section A8.598-3 for disability not resulting from injury received in or illness caused by performance of duty, time during which said member serves and receives compensation because of services rendered in other offices and departments.

(c) Time during which said member earned compensation as a paramedic with the fire department or department of public health, provided that the accumulated contributions on account of such service are





transferred to his or her Section A8.598 account or, if previously refunded, are redeposited with interest from the date of refund to the date of redeposit, at times and in the manner fixed by the retirement board. The retirement board shall require that said member execute a waiver so that any paramedic service covered by Section A8.598 is not also covered by other pension provisions in this charter. Members of the fire department on January 1, 2003, who are members of the retirement system under Section A8.598, shall execute and file said waiver on or before June 30, 2003. Persons who become members of the fire department, as defined in Section A8.598-1, after January 1, 2003, shall execute and file said waiver within 90 days after their effective date of membership. Failure to file a timely waiver shall bar any application to have such paramedic service treated as safety service under this subsection.

(d) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the retirement system or for which the City and County contributed or contributes on his or her account.

(e) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

**SEC. A8.598-11. SOURCES OF FUNDS.**

All payments provided for members under Section A8.598 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.598 a sum equal to seven percent of such payment of compensation. The sum so deducted shall be paid forthwith to the retirement system. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the board of supervisors for crediting interest to contributions of other members of the retirement system, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his or her estate or beneficiary as provided in Section A8.598-8, A8.598-9 and A8.598-10. A member's individual account under Section A8.598 shall include all monies previously credited to the member's account under Section A8.588. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(b) The City and County shall contribute to the retirement system such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.598-11, to provide the benefits payable to members under Section A8.598. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section A8.598 in accordance with the provisions of Section A8.510.

(c) To promote the stability of the retirement system through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section A8.598, shall be a part of the fund in which all other assets of said system are included.

(d) Any year in which, based upon the retirement system's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with City representatives to implement a cost sharing arrangement between the City and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the City's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the retirement system of improving the police and fire safety retirement plans to the 3% @ 55 benefit level or the total employer contribution required by the retirement system, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this charter.

The meet and confer process, including all impasse procedures under section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1. The retirement board's authority under charter section 12.100 and in section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under section A8.590-1 et seq.

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**PROPOSITION H**

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to: (i) address the crisis of global climate change by moving San Francisco from fossil fuels to clean, sustainable energy production, (ii) ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments, (iii) require the Public Utilities Commission to determine the most effective means of providing clean, sustainable, reliable and reasonably-priced electric service to San Francisco residents, businesses and City departments, and (iv) establish an Independent Ratepayer Advocate to represent the interests of San Franciscans that purchase utility services from the City by evaluating and making recommendations on utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125.

The Board of Supervisors hereby submits to the qualified voters of the City at an election to be held on November 4, 2008, a proposal to amend the Charter of the City by amending Sections 8B.120, 8B.123, and 9.107, and adding Sections 8B.128 through 8B.131, to read as follows:

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

**SEC. 8B.120. PREAMBLE.**

(a) The Public Utilities Commission operates the Water, Clean Water and Power Utilities of the City and County of San Francisco. Hetch Hetchy Water and Power System is an irreplaceable asset of the people of the City and County of San Francisco. The system is fundamental to the economic vitality of San Francisco and the Bay Area. The voters of the City and County of San Francisco are committed to preserving and protecting the system as well as safeguarding the extraordinary quality of the water from Yosemite and local watersheds. The voters find that the protection, maintenance and repair of the system are among their highest priorities.

San Francisco faces an unprecedented challenge: to restore its aging water system to ensure a reliable Bay Area water supply through the next century. Repairs must be accomplished as quickly as possible to avoid system outages, which could be caused by natural disasters such as earthquake. In planning for its future needs and those of its wholesale customers, the City must promote water conservation and responsible stewardship of its natural resources. The effectiveness of the City's Public Utilities Commission, which has jurisdiction over the system, is essential to achieving these goals.

In addition, San Francisco must upgrade and repair its clean water system to meet changes in state and federal water quality requirements, and to ensure reliability of the system, parts of which are outdated, aged or seismically vulnerable. The voters find that the operation of the clean



## LEGAL TEXT OF PROPOSITION H

water system should not unnecessarily place a disproportionate environmental burden on any community.

This measure is intended to enhance public confidence in the City's stewardship of public utilities by:

1. Clarifying that the Public Utilities Commission has exclusive control of water, clean water and power assets owned or maintained by the City and County of San Francisco;

2. Establishing rates sufficient to meet operation, maintenance and financial needs of the system based on costs and sound budgeting and auditing procedures to protect retail ratepayers and reduce interest paid on bonds and other indebtedness while ensuring public review;

3. Establishing the Public Utilities Commission as an independent revenue department not subject to undue financial pressures to contribute to the City's general fund;

4. Requiring the development of long term Capital, Financial and Strategic Plans to ensure that the utilities are operated efficiently in accordance with best public utility practice;

5. Authorizing the Public Utilities Commission to independently enter into certain contracts;

6. Giving the Public Utilities Commission the ability to finance needed capital improvements through revenue bonds or other financing methods consistent with the powers of other major public utilities in California; and

7. Promoting labor stability to ensure that the Capital Improvement Plan is completed expeditiously and efficiently.

8. Evaluating the benefits of local control over electric service, including cost savings and control over development of clean energy and energy efficiency.

9. Evaluating the benefits of a full-service 100% clean public power system in the City to sell power directly to consumers consistent with the U.S. Supreme Court's 1940 interpretation of the Raker Act.

(b) The City has recognized the imperative to change electricity use and production to ensure environmentally sustainable and affordable electric supplies for residents, businesses, and City departments. The voters find that it is a priority to reduce greenhouse gas emissions and invest in clean energy infrastructure and further find that a publicly-owned electric utility may be best suited to carry out that mandate. The Mayor, Board of Supervisors, Public Utilities Commission, and Department of the Environment have adopted various initiatives to promote energy conservation measures, greenhouse gas reduction, renewable energy and environmental justice. The City spends millions of dollars each year on these initiatives. These measures and programs would be more effective as part of a long-term integrated resource plan that sets forth in one document the City's requirements for transmission, distribution and electricity resources over the next ten years, and the most effective and economic plan to meet those requirements.

The electricity generated by the City's Hetch Hetchy project for City facilities pursuant to the Raker Act is clean and reasonably priced. The City pays millions of dollars each year to ensure delivery of this electricity to City facilities. The City faces substantial cost increases for delivery of Hetch Hetchy electricity in 2015 when the current transmission contract expires. It is imperative that the City commence now to explore alternatives to deliver the Hetch Hetchy electricity to the City after the contract expires.

Residents and businesses in San Francisco pay hundreds of millions of dollars in electricity costs each year. The rates for such customers are established by the state of California, and include costs related to energy efficiency, renewable energy, and greenhouse gas emission reduction. The City continues to investigate ways to improve electric service and reduce costs to these customers, including through measures such as Community Choice Aggregation.

The City has an aggressive goal to reduce its greenhouse gas emissions by 20% below 1990 levels by 2012 and to procure 51% of the City's energy needs through renewable energy and conservation by 2017. The City shall analyze, identify and pursue strategies that maximize greenhouse gas reductions from the electricity sector at the minimum cost.

### SEC. 8B.123. PLANNING AND REPORTING.

(A) Planning and Reporting

The Public Utilities Commission shall annually hold public hearings to review, update and adopt:

(1) A Long-Term Capital Improvement Program, covering projects during the next 10-year period; including cost estimates and schedules.

(2) A Long-Range Financial Plan, for a 10-year period, including estimates of operation and maintenance expenses, repair and replacement costs, debt costs and rate increase requirements.

(3) A Long-Term Strategic Plan, setting forth strategic goals and objectives and establishing performance standards as appropriate.

The Capital Improvement Program and Long-Range Financial Plan shall serve as a basis and supporting documentation for the Commission's capital budget, the issuance of revenue bonds, other forms of indebtedness and execution of governmental loans under this Charter.

(B) Citizens' Advisory Committee

The Board of Supervisors, in consultation with the General Manager of the Public Utilities Commission, shall establish by ordinance a Citizens' Advisory Committee to provide recommendations to the General Manager of the Public Utilities Commission, the Public Utilities Commission and the Board of Supervisors.

(C) Clean and Renewable Energy Resource Planning and Implementation.

(1) Within 180 days after the effective date of this measure, the Public Utilities Commission shall produce a draft comprehensive study of the options for providing clean, secure, cost effective electricity for City departments and residents and businesses of San Francisco. The study shall identify the most effective and economic means of implementing the goals of this measure over the short and long term. The study shall consider, without limitation, the following:

(a) Transmission needs to transport Hetch Hetchy generation and cost-effective clean resources into the City. Alternatives evaluated will include at a minimum, construction of City owned transmission lines, contracts or joint transmission projects with other municipalities and participation in the California Independent System Operator transmission markets.

(b) Transmission and distribution needs within the City to support reliability and facilitate distributed generation and renewables, including without limitation connections between substations and the 115 and 230 kV transmission systems within the City, and transmission and distribution needs to meet new City developments.

(c) Resources needed to meet municipal electric loads, Community Choice Aggregation loads, and other potential City loads, including options to maximize cost-effective energy efficiency and demand-reduction and local and remote renewable and clean resources. The analysis shall include without limitation alternatives for use of renewable fuels, clean and flexible resources, and storage alternatives as needed to meet the requirements of Section 8B.129 and meet the City's resource adequacy capacity obligations. The draft study shall include specific projections of electric demand, energy efficiency achievements, and clean and renewable resource development.

(d) Cost-effective options to reduce greenhouse gas emissions from the electricity sector and to offset greenhouse gas emissions from other sectors.

(e) Costs and benefits of municipalization of the electric system in San Francisco, including the acquisition, construction, or completion of any public utility pursuant to Charter Section 16.101.

(f) Options for integration of long-term measures such as municipalization, with shorter-term measures such as Community Choice Aggregation.

(2) The study shall include a workforce development component to train and place individuals in jobs related to the operation, acquisition, reconstruction, replacement, expansion, repair, or improvement of



energy facilities under the jurisdiction of the Public Utilities Commission.

(3) After publication of the draft study, the Commission shall do the following:

(a) Hold at least one public hearing on the draft study not sooner than 30 days or longer than 60 days after issuing it.

(b) Provide for peer review of the study by at least three independent experts and publish the expert reviews within 60 days after issuing the draft report. The independent experts shall have significant expertise in one or more of the following areas, and the Commission shall ensure that each of the following areas is represented by one or more of the experts: consumer advocacy, utility operations, environmental justice, renewable energy, public sector finance.

(c) Within 120 days after issuing the draft study, issue a revised version of the study, which shall document and consider the public review and the expert reviews of the draft study. With this revised study, the Commission shall set forth recommendations with respect to the options considered in the study and a schedule for the expeditious implementation of the selected options. The Commission shall identify those actions that it has taken or plans to take to implement its recommendations, and those measures that require action by the Board of Supervisors or other agencies or officials.

(d) Within 30 days after issuing the revised study with recommendations, conduct a hearing on the revised study and recommendations and then promptly transmit a final study and recommendations to the Board of Supervisors, which shall conduct a hearing on the matter within 30 days of receipt.

(4) Consistent with the language and intent of this measure and Charter Section 16.101, if the Board of Supervisors finds, after reviewing the Commission's report and recommendations of the independent experts, that the public interest or necessity demands, the Board of Supervisors shall direct the Commission to immediately prepare a plan to acquire, construct, or complete the electric facilities serving the City.

(5) Nothing in this measure shall alter the existing authority of the Board of Supervisors over decisions regarding Community Choice Aggregation.

**SEC. 8B.128. EMPLOYEES OF INCUMBENT UTILITY.**

(a) Employees of the incumbent utility who become City employees as a result of this measure shall not suffer any loss or reduction of compensation or seniority to which they were entitled as of the effective date of this measure.

(b) Employees of the incumbent utility who become City employees as a result of this measure shall be granted by the City the date of hire seniority they possessed with the incumbent utility on the date of the City's acquisition for purposes of calculating vacation and sick leave.

(c) Employees of the incumbent utility who become City employees as a result of this measure shall not involuntarily forfeit any rights or benefits under incumbent utility's defined benefit plan to which they are entitled on the date of the City's acquisition of incumbent utility facilities or commencement of service previously provided by incumbent utility.

**SEC. 8B.129. CLEAN AND RENEWABLE ENERGY MANDATES.**

(a) The Commission shall rely on energy efficiency, clean, and renewable energy resources to meet the City's electric needs. For purposes of this measure, (i) renewable and/or clean resources shall exclude nuclear power, and (ii) the "City's electric needs" shall mean the electricity demand of customers served electricity by the City.

(b) The Commission shall develop and implement aggressive energy efficiency measures to reduce the City's electric needs.

(c) The City hereby establishes the following requirements for reliance on energy efficiency, clean, and renewable energy resources to produce electricity:

(1) By the year 2012, the Commission shall ensure that at least 107 megawatts of the City's electricity needs are met through the use of clean resources;

(2) By the year 2017, the Commission shall ensure that at least 51% of the City's electricity needs are met through the use of clean resources;

(3) By the year 2030, the Commission shall ensure that at least 75% of the City's electricity needs are met through the use of clean energy resources; and

(4) By the year 2040, the Commission shall ensure that 100% or the greatest amount technologically feasible or practicable of the City's electricity needs are met through the use of clean energy resources.

(d) Every two years beginning in the year 2010, the Commission shall file a report with the Board of Supervisors setting forth all of its efforts to meet the requirements for using clean energy resources set forth in this Section. The report shall include projections of electricity demand, energy efficiency achievements, and renewable resource development.

(e) The Board of Supervisors by a two-thirds vote may modify the mandates established by this section of the Board finds that such modification is in the public interest.

**SEC. 8B.130. INDEPENDENT RATEPAYER ADVOCATE.**

(a) The Office of the Independent Ratepayer Advocate shall evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125, independent of the San Francisco Public Utilities Commission and from the ratepayers' perspective. The Office of the Independent Ratepayer Advocate may evaluate and comment on the efficiency, equity, and fiscal feasibility of the San Francisco Public Utilities Commission's contracts, investments, program expenditures and operations.

(b) Notwithstanding Charter section 3.104(6), the City Administrator shall appoint an Independent Ratepayer Advocate, who shall perform and manage the functions of the Office of Independent Ratepayer Advocate. The Independent Rate Payer Advocate shall have at least ten years of experience in utility rates methodology and analysis, and at least ten years of experience relevant to the operation of water, wastewater or power utilities. The City Administrator shall provide sufficient staff and resources to perform the functions defined in this Section.

(c) The Office of the Independent Ratepayer Advocate may, at its discretion, hold public meetings and provide timely recommendations to the Rate Fairness Board, the San Francisco Public Utilities Commission, and the Board of Supervisors regarding rate proposals, budgets, bond issuance, contracts, investments, program expenditures and operations.

(d) The Office of the Independent Ratepayer Advocate shall have the opportunity to comment on utility rates proposed by the San Francisco Public Utilities Commission at any meeting of Rate Fairness Board, San Francisco Public Utilities Commission and Board of Supervisors where the meeting agenda includes the discussion of utility rates proposed by the San Francisco Public Utilities Commission. The Office of the Independent Ratepayer Advocate shall have at least the same amount of time at such meetings to provide such comments as the Boards or Commission allocate to the San Francisco Public Utilities Commission staff representatives.

(e) The Office of the Independent Ratepayer Advocate may accept ratepayer inquiries, and provide appropriate explanations regarding proposed rates designed to enhance ratepayer understanding of rate-setting methodologies, requirements and procedures. The Office of the Independent Ratepayer Advocate may conduct ratepayer outreach activities.

(f) The San Francisco Public Utilities Commission shall fully cooperate with the Office of the Independent Ratepayer Advocate by providing prompt access to documents and other information reasonably related to proposed utilities rates.

(g) Failure to comply with any provision of this Section will not invalidate, or serve as grounds to challenge or invalidate any rates adopted pursuant to Charter Section 8B.125.





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*(h) The costs of providing the services of the Office of the Independent Rate Payer Advocate shall be paid from revenues of the utility rates that are the subject matter of those services, as adopted by the Public Utilities Commission under Section 8B.125, that have been appropriated for such services by the San Francisco Public Utilities Commission, the Mayor and the Board of Supervisors in accordance with the budget and fiscal provisions of the Charter.*

*(i) Notwithstanding any other provision of this Charter, the Ratepayer Advocate shall be subject to confirmation by the Board of Supervisors within 60 days of receiving notice of the appointment from the City Administrator. The Ratepayer Advocate appointment shall become effective unless the Board disapproves the appointment not later than 50 days from the date that the Clerk of the Board receives the notice of appointment. The City Administrator may remove the Ratepayer Advocate subject to approval by the Board of Supervisors.*

### **SEC. 8B.131. SEVERABILITY.**

*If any part or provision of the amendments to the Charter provided herein, or their application to any person or circumstance is held invalid, the remainder of the amendments, including their application to other persons or circumstances, shall not be affected by such a holding and shall continue in force and effect. To this end, these amendments are severable.*

### **SEC. 9.107. REVENUE BONDS.**

The Board of Supervisors is hereby authorized to provide for the issuance of revenue bonds. Revenue bonds shall be issued only with the assent of a majority of the voters upon any proposition for the issuance of revenue bonds, except that no voter approval shall be required with respect to revenue bonds:

1. Approved by three-fourths of all the Board of Supervisors if the bonds are to finance buildings, fixtures or equipment which are deemed necessary by the Board of Supervisors to comply with an order of a duly constituted state or federal authority having jurisdiction over the subject matter;
2. Approved by the Board of Supervisors prior to January 1, 1977;
3. Approved by the Board of Supervisors if the bonds are to establish a fund for the purpose of financing or refinancing for acquisition, construction or rehabilitation of housing in the City and County;
4. Authorized and issued by the Port Commission for any Port-related purpose and secured solely by Port revenues, or authorized and issued for any Airport-related purpose and secured solely by Airport revenues;
5. Issued for the proposes of assisting private parties and not-for-profit entities in the financing and refinancing of the acquisition, construction, reconstruction or equipping of any improvement for industrial, manufacturing, research and development, commercial and energy uses or other facilities and activities incidental thereto, provided the bonds are not secured or payable from any monies of the City and County or its commissions.
6. Issued for the purpose of the reconstruction or replacement of existing water facilities or electric power facilities or combinations of water and electric power facilities under the jurisdiction of the Public Utilities Commission, when authorized by resolution adopted by a three-fourths affirmative vote of all members of the Board of Supervisors.
7. Approved and authorized by the Board of Supervisors and secured solely by an assessment imposed by the City.
8. Issued to finance or refinance the acquisition, construction, installation, equipping, improvement or rehabilitation of equipment or facilities for renewable energy and energy con-

*servation, or other utility facilities pursuant to Section 16.101 of this Charter.*

Except as expressly provided in this Charter, all revenue bonds may be issued and sold in accordance with state law or any procedure provided for by ordinance.

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## PROPOSITION I

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 8B.128, to create an Office of the Independent Ratepayer Advocate to evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility, from the ratepayers' perspective, of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125; to require the City Administrator to appoint an Independent Ratepayer Advocate; and prescribing the duties and responsibilities of the Office of the Independent Ratepayer Advocate.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by adding Section 8B.128 to read as follows:

Note: Additions are *single-underline italics Times New Roman*.

Deletions are *strikethrough italics Times New Roman*.

### **SEC. 8B.128. INDEPENDENT RATEPAYER ADVOCATE**

*(a) The Office of the Independent Ratepayer Advocate shall evaluate, analyze, provide comments and make recommendations on the efficiency, equity, and fiscal feasibility of utility rate proposals prepared by the San Francisco Public Utilities Commission under Charter section 8B.125, independent of the San Francisco Public Utilities Commission and from the ratepayers' perspective. The Office of the Independent Ratepayer Advocate may evaluate and comment on the efficiency, equity, and fiscal feasibility of the San Francisco Public Utilities Commission's contracts, investments, program expenditures and operations.*

*(b) Notwithstanding Charter section 3.104(6), the City Administrator shall appoint an Independent Ratepayer Advocate, who shall perform and manage the functions of the Office of Independent Ratepayer Advocate and serve at the pleasure of the City Administrator. The Independent Rate Payer Advocate shall have at least ten years of experience in utility rates methodology and analysis, and at least ten years of experience relevant to the operation of water, wastewater or power utilities. The City Administrator shall provide sufficient staff and resources to perform the functions defined in this Section.*

*(c) The Office of the Independent Ratepayer Advocate may, at its discretion, hold public meetings and provide timely recommendations to the Rate Fairness Board, the San Francisco Public Utilities Commission, and the Board of Supervisors regarding rate proposals, budgets, bond issuance, contracts, investments, program expenditures and operations.*

*(d) The Office of the Independent Ratepayer Advocate shall have the opportunity to provide comment on utility rates proposed by the San Francisco Public Utilities Commission at any meeting of Rate Fairness Board, San Francisco Public Utilities Commission and Board of Supervisors where the meeting agenda includes the discussion of utility rates proposed by the San Francisco Public Utilities Commission. The Office of the Independent Ratepayer Advocate shall have at least the same amount of time at such meetings to provide such comments as the Boards or Commission allocate to the San Francisco Public Utilities Commission staff representatives.*



(e) The Office of the Independent Ratepayer Advocate may accept ratepayer inquiries, and provide appropriate explanations regarding proposed rates designed to enhance ratepayer understanding of rate-setting methodologies, requirements and procedures. The Office of the Independent Ratepayer Advocate may conduct ratepayer outreach activities.

(f) The San Francisco Public Utilities Commission shall fully cooperate with the Office of the Independent Ratepayer Advocate by providing prompt access to documents and other information reasonably related to proposed utilities rates.

(g) Failure to comply with any provision of this Section will not invalidate, or serve as grounds to challenge or invalidate any rates adopted pursuant to Charter Section 8B.125.

(h) The costs of providing the services of the Office of the Independent Rate Payer Advocate shall be paid from revenues of the utility rates that are the subject matter of those services, as adopted by the Public Utilities Commission under Section 8B.125, that have been appropriated for such services by the San Francisco Public Utilities Commission, the Mayor and the Board of Supervisors in accordance with the budget and fiscal provisions of the Charter.

## **PROPOSITION J**

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 4.105 and adding Section 4.135 to establish an independent Historic Preservation Commission, appointed by the Mayor, subject to the approval of the Board of Supervisors and meeting certain specified qualifications, with authority to: recommend approval, disapproval or modification to the Board of Supervisors of landmark and significant or contributory building designations under the Planning Code and historical property contracts under Chapter 71 of the Administrative Code without referral to the Planning Commission; recommend approval, disapproval or modification to the Board of Supervisors of historic district and conservation district designations under the Planning Code with comment by the Planning Commission; approve, disapprove, or modify certificates of appropriateness to landmarks buildings or historic districts; approve, disapprove, or modify permits for major and minor alterations to significant or contributory buildings or conservation districts; recommend a Preservation Element of the General Plan to the Planning Commission; and take such other actions on matters as may be prescribed by ordinance; and establishing appeal provisions; requiring referral of certain matters; and establishing budget, fees, and staffing provisions.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 4, 2008, a proposal to amend the Charter of the City and County by amending Section 4.105 and adding Section 4.135 to read as follows:

Note: Additions are *single-underline italics Times New Roman*.  
Deletions are *strikethrough italics Times New Roman*.

### **SEC. 4.105. PLANNING COMMISSION.**

**GENERAL.** The Planning Commission shall consist of seven members nominated and appointed pursuant to this section. Four of the members shall be nominated by the Mayor, and three of the members shall be nominated by the President of the Board of Supervisors. Charter Section 4.101 shall apply to these appointments, with particular emphasis on the geographic diversity of City neighborhoods. Vacancies shall be filled by the appointing officer.

Each nomination of the Mayor and the President of the Board of Supervisors is subject to approval by the Board of Supervisors, and shall be the subject of a public hearing and vote within 60 days. If the Board fails to act on the nomination within 60 days of the date the nomination

is transmitted to the Clerk of the Board of Supervisors, the nominee shall be deemed approved. The appointment shall become effective on the date the Board adopts a motion approving the nomination or after 60 days of the date the nomination is transmitted to the Clerk of the Board of Supervisors.

Members may be removed by the appointing officer only pursuant to Section 15.105.

In order to stagger the terms, three members shall initially serve two-year terms, and four members shall initially service four-year terms. The initial two and four-year terms of office shall be instituted as follows:

1. The respective terms of office of members of the Planning Commission who hold office on the first day of July, 2002, shall expire at 12 o'clock noon on that date, and the four members appointed by the Mayor and the three members appointed by the President of the Board of Supervisors shall succeed to said offices at that time.

2. The Clerk of the Board of Supervisors shall determine by lot which two of the four Mayoral appointees shall serve an initial two-year term, and which one of the three appointees of the President of the Board of Supervisors shall serve an initial two-year term. The remaining appointees shall serve four-year terms. All subsequent terms shall be four years.

The Commission shall provide the Mayor with at least three qualified candidates for Director of Planning, selected on the basis of administrative and technical qualifications, with special regard for experience, training and knowledge in the field of City planning.

The Commission may contract with consultants for such services as it may require subject to the fiscal provisions of this Charter.

**GENERAL PLAN.** The Commission shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan. If the Board of Supervisors fails to act within 90 days of receipt, the proposed General Plan or amendments shall be deemed approved. The General Plan which will initially consist of the Master Plan in effect immediately prior to the effective date of this Charter shall consist of goals, policies and programs for the future physical development of the City and County that take into consideration social, economic and environmental factors. In developing their recommendations, the Commission shall consult with commissions and elected officials, and shall hold public hearings as part of a comprehensive planning process. The Planning Department, in consultation with other departments and the City Administrator, shall periodically prepare special area, neighborhood and other plans designed to carry out the General Plan, and periodically prepare implementation programs and schedules which link the General Plan to the allocation of local, state and federal resources. The Planning Department may make such other reports and recommendations to the Mayor, Board of Supervisors and other offices and governmental units as it may deem necessary to secure understanding and a systematic effectuation of the General Plan.

In preparing any plans, the Planning Department may include plans for systems and areas within the Bay Region which have a planning relationship with the City and County.

**REFERRAL OF CERTAIN MATTERS.** The following matters shall, prior to passage by the Board of Supervisors, be submitted for written report by the Planning Department regarding conformity with the General Plan:

1. Proposed ordinances and resolutions concerning the acquisition or vacation of property by, or a change in the use or title of property owned by, the City and County;
2. Subdivisions of land within the City and County;
3. Projects for the construction or improvement of public buildings or structures within the City and County;
4. Project plans for public housing, or publicly assisted private housing in the City and County;
5. Redevelopment project plans within the City and County; and
6. Such other matters as may be prescribed by ordinance.

The Commission shall disapprove any proposed action referred to it upon a finding that such action does not conform to the General Plan.



## LEGAL TEXT OF PROPOSITION J

Such a finding may be reversed by a vote of two-thirds of the Board of Supervisors.

All such reports and recommendations shall be issued in a manner and within a time period to be determined by ordinance.

**PERMITS AND LICENSES.** All permits and licenses dependent on, or affected by, the City Planning Code administered by the Planning Department shall be approved by the Commission prior to issuance. The Commission may delegate this approval function to the Planning Department. Notwithstanding the foregoing, certificates of appropriateness for work to designated landmarks and historic districts and applications for alterations to significant or contributory buildings or properties in designated conservation districts that have been approved, disapproved, or modified by the Historic Preservation Commission shall not require approval by the Commission prior to issuance.

**ENFORCEMENT.** The Planning Department shall administer and enforce the City Planning Code.

**ZONING AMENDMENTS.** The Commission may propose for consideration by the Board of Supervisors ordinances regulating or controlling the height, area, bulk, set-back, location, use or related aspects of any building, structure or land. An ordinance proposed by the Board of Supervisors concerning zoning shall be reviewed by the Commission. Applications for the reclassification of property may be made by interested parties and must be reviewed by the Commission. Notwithstanding the foregoing, designation of a landmark, a significant or contributory building, an historic district, or a conservation district shall be reviewed by the Commission only as provided in Section 4.135.

Notwithstanding the Commission's disapproval of a proposal from the Board of Supervisors or the application of interested parties, the Board of Supervisors may adopt the proposed ordinance; however, in the case of any proposal made by the application of interested parties, any such adoption shall be by a vote of not less than two-thirds of the Board of Supervisors.

No application of interested parties proposing the same or substantially the same ordinance as that disapproved by the Commission or by the Board of Supervisors shall be resubmitted to or reconsidered by the Commission within a period of one year from the effective date of final action upon the earlier application.

**ZONING ADMINISTRATOR.** The director of planning shall appoint a Zoning Administrator from a list of qualified applicants provided pursuant to the Civil Service provisions of the Charter. The Zoning Administrator shall be responsible for the determination of all zoning variances. The administrator shall have the power to grant only those variances that are consistent with the general purpose and the intent of the zoning ordinance, and in accordance with the general and specific rules of the zoning ordinance, subject to such conditions and safeguards as the Zoning Administrator may impose. The power to grant variances shall be applied only when the plain and literal interpretation and enforcement of the zoning ordinance would result in practical difficulties, unnecessary hardships or where the results would be inconsistent with the general purpose of the zoning ordinance. Decisions of the Zoning Administrator regarding zoning variances may be appealed to the Board of Appeals.

Before any such variance may be granted, there shall appear, and the Zoning Administrator shall specify in his or her findings, the facts in each case which shall establish:

(a) That there are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same district or zone;

(b) That owing to such exceptional or extraordinary circumstances the literal enforcement of the zoning ordinance would result in practical difficulty or unnecessary hardship not created by or attributable to the applicant or the owner of the property;

(c) That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, possessed by other property in the same zone and vicinity;

(d) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or district in which the property is located; and

(e) That the granting of such variance will be in harmony with the general purpose and intent of the zoning ordinance and will not adversely affect the general plan.

The determination of the Zoning Administrator shall be final except that appeals therefrom may be taken, as hereinafter provided, to the Board of Appeals, exclusively and notwithstanding any other provisions of this Charter, by any person aggrieved or by any office, agency, or department of the City and County. An appeal from a determination of the Zoning Administrator shall be filed with the Board of Appeals within ten days from the date of such determination. Upon making a ruling or determination upon any matter under his or her jurisdiction, the Zoning Administrator shall thereupon furnish a copy thereof to the applicant and to the Director of Planning. No variance granted by the Zoning Administrator shall become effective until ten days thereafter. An appeal shall stay all proceedings in furtherance of the action appealed from.

**CONDITIONAL USE.** The Commission shall have the power to hear and decide conditional use applications. An appeal may be taken to the Board of Supervisors from a decision of the Commission to grant or deny a conditional use application. The Board of Supervisors may disapprove the decision of the Commission by a vote of not less than two-thirds of the members of the Board.

### SEC. 4.135. HISTORIC PRESERVATION COMMISSION.

**GENERAL.** There is hereby created a Historic Preservation Commission, which shall advise the City on historic preservation matters, participate in processes that involve historic or cultural resources, and take such other actions concerning historic preservation as may be prescribed by ordinance. The Historic Preservation Commission shall consist of seven members nominated by the Mayor and subject to approval by a majority of the Board of Supervisors.

The term and tenure of all members sitting on the Landmarks Preservation Advisory Board, created under Article 10 of the Planning Code, as of the effective date of this section shall terminate on December 31, 2008. Of the original appointments to the Historic Preservation Commission, four shall be for a four-year term and three for a two-year term as follows: the odd-numbered seats shall be for four-year terms and the even-numbered seats shall be for two-year terms. After the expiration of the original terms, all appointments shall be for four-year terms, provided however, that a member may holdover until a successor has been nominated by the Mayor and approved by the Board of Supervisors. There shall be no limit on the number of terms a member may serve.

The original nominations shall be made no later than 31 days after the date of the election creating this section. If the Mayor fails to nominate an original appointment within said period, the nomination for the original appointment may be made by the President of the Board of Supervisors, subject to the approval of a majority of the Board of Supervisors.

Within 60 days of the expiration of a term or other vacancy the Mayor shall nominate a qualified person to fill the vacant seat for the term, or the remainder of the term, subject to approval by a majority of the Board of Supervisors who shall hold a public hearing and vote on the nomination within 60 days of the Mayor's transmittal of the nomination to the Clerk of the Board of Supervisors. If the Mayor fails to make such nomination within 60 days, the nomination may be made by the President of the Board of Supervisors, subject to the approval of a majority of the Board of Supervisors. The appointment shall become effective on the date the Board of Supervisors adopts a motion approving the nomination or after 60 days from the date the Mayor transmits the nomination to the Clerk of the Board of Supervisors if the Board of Supervisors fails to act.

Members may be removed by the appointing officer only pursuant to Section 15.105.

**QUALIFICATIONS.** In addition to the specific requirements set forth below, members of the Historic Preservation Commission shall be





persons specially qualified by reason of interest, competence, knowledge, training and experience in the historic, architectural, aesthetic, and cultural traditions of the City, interested in the preservation of its historic structures, sites and areas, and residents of the City. Six of the members of the Historic Preservation Commission shall be specifically qualified in the following fields:

1. Seats 1 and 2: licensed architects meeting the Secretary of the Interior's Professional Qualifications Standards for historic architecture;

2. Seat 3: an architectural historian meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history with specialized training and/or demonstrable experience in North American or Bay Area architectural history;

3. Seat 4: an historian meeting the Secretary of the Interior's Professional Qualifications Standards for history with specialized training and/or demonstrable experience in North American or Bay Area history;

4. Seat 5: an historic preservation professional or professional in a field such as law, land use, community planning or urban design with specialized training and/or demonstrable experience in historic preservation or historic preservation planning.

5. Seat 6 shall be specially qualified in one of the following fields or in one of the fields set forth for Seats 1, 2, or 3:

a. A professional archeologist meeting the Secretary of the Interior's Professional Qualification Standards for Archeology;

b. A real estate professional or contractor who has demonstrated a special interest, competence, experience, and knowledge in historic preservation;

c. A licensed structural engineer with at least four years of experience in seismic and structural engineering principals applied to historic structures; or

d. A person with training and professional experience with materials conservation.

Seat 7 shall be an at large seat subject to the minimum qualifications set forth above.

LANDMARK AND HISTORIC DISTRICT DESIGNATIONS. The Historic Preservation Commission shall have the authority to recommend approval, disapproval, or modification of landmark designations and historic district designations under the Planning Code to the Board of Supervisors. The Historic Preservation Commission shall send recommendations regarding landmarks designations to the Board of Supervisors without referral or recommendation of the Planning Commission. The Historic Preservation Commission shall refer recommendations regarding historic district designations to the Planning Commission, which shall have 45 days to review and comment on the proposed designation, which comments, if any, shall be forwarded to the Board of Supervisors together with the Historic Preservation Commission's recommendation. Decisions of the Historic Preservation Commission to disapprove designation of a landmark or historic district shall be final unless appealed to the Board of Supervisors.

CERTIFICATES OF APPROPRIATENESS. The Historic Preservation Commission shall approve, disapprove, or modify certificates of appropriateness for work to designated landmarks or within historic districts. For minor alterations, the Historic Preservation Commission may delegate this function to staff, whose decision may be appealed to the Historic Preservation Commission.

For projects that require multiple planning approvals, the Historic Preservation Commission must review and act on any Certificate of Appropriateness before any other planning approval action. For projects that (1) require a conditional use permit or permit review under Section 309, et seq., of the Planning Code and (2) do not concern an individually landmarked property, the Planning Commission may modify any decision on a Certificate of Appropriateness by a 2/3 vote, provided that the Planning Commission shall apply all applicable historic resources provisions of the Planning Code.

For projects that are located on vacant lots, the Planning Commission may modify any decision on a Certificate of Appropriateness

by a two-thirds vote, provided that the Planning Commission shall apply all applicable historic resources provisions of the Planning Code.

The Historic Preservation Commission's or Planning Commission's decision on a Certificate of Appropriateness shall be final unless appealed to the Board of Appeals, which may modify the decision by a 4/5 vote; provided, however, that if the project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, the decision shall not be appealable to the Board of Appeals, but rather to the Board of Supervisors, which may modify the decision by a majority vote.

SIGNIFICANT OR CONTRIBUTORY BUILDING AND CONSERVATION DISTRICT DESIGNATIONS IN THE C-3 DISTRICTS. The Historic Preservation Commission shall have the authority to recommend approval, disapproval, or modification of Significant or Contributory building and Conservation District designations under the Planning Code to the Board of Supervisors. The Historic Preservation Commission shall send recommendations regarding Significant or Contributory Buildings to the Board of Supervisors without referral or recommendation of the Planning Commission. The Historic Preservation Commission shall refer recommendations regarding Conservation District designations to the Planning Commission, which shall have 45 days to review and comment on the proposed designation, which comments, if any, shall be forwarded to the Board of Supervisors together with the Historic Preservation Commission's recommendation. Decisions of the Historic Preservation Commission to disapprove designation of a Significant or Contributory building or Conservation District shall be final unless appealed to the Board of Supervisors.

ALTERATION OF SIGNIFICANT OR CONTRIBUTORY BUILDINGS OR BUILDINGS IN CONSERVATION DISTRICTS IN THE C-3 DISTRICTS. The Historic Preservation Commission shall have the authority to determine if a proposed alteration is a Major Alteration or a Minor Alteration. The Historic Preservation Commission shall have the authority to approve, disapprove, or modify applications for permits to alter or demolish designated Significant or Contributory buildings or buildings within Conservation Districts. For Minor Alterations, the Historic Preservation Commission may delegate this function to staff, whose decision may be appealed to the Historic Preservation Commission.

For projects that require multiple planning approvals, the Historic Preservation Commission must review and act on any permit to alter before any other planning approval action. For projects that (1) require a conditional use permit or permit review under Section 309, et seq., of the Planning Code and (2) do not concern a designated Significant (Categories I and II) or Contributory (Category III only) building, the Planning Commission may modify any decision on a permit to alter by a 2/3 vote, provided that the Planning Commission shall apply all applicable historic resources provisions of the Planning Code.

For projects that are located on vacant lots, the Planning Commission may modify any decision on a permit to alter by a two-thirds vote, provided that the Planning Commission shall apply all applicable historic resources provisions of the Planning Code.

The Historic Preservation Commission's or Planning Commission's decision on a permit to alter shall be final unless appealed to the Board of Appeals, which may modify the decision by a 4/5 vote; provided, however, that if the project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a conditional use, the decision shall not be appealable to the Board of Appeals, but rather to the Board of Supervisors, which may modify the decision by a majority vote.

MILLS ACT CONTRACTS. The Historic Preservation Commission shall have the authority to recommend approval, disapproval, or modification of historical property contracts to the Board of Supervisors, without referral or recommendation of the Planning Commission.

PRESERVATION ELEMENT OF THE GENERAL PLAN. The Historic Preservation Commission shall recommend to the Planning Commission a Preservation Element of the General Plan and shall periodically recommend to the Planning Commission proposed amendments to such Preservation Element of the General Plan. Other objectives,



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policies, and provisions of the General Plan and special area, neighborhood, and other plans designed to carry out the General Plan, and proposed amendments thereto, that are not contained within such Preservation Element but that concern historic preservation shall be referred to the Historic Preservation Commission for its comment and recommendations prior to action by the Planning Commission. When the Planning Commission recommends to the Board of Supervisors for approval or rejection proposed amendments to the General Plan that concern historic preservation, any recommendation or comments of the Historic Preservation Commission on such proposed amendments shall be forwarded to the Board of Supervisors for its information.

REFERRAL OF CERTAIN MATTERS. The following matters shall, prior to passage by the Board of Supervisors, be submitted for written report by the Historic Preservation Commission regarding effects upon historic or cultural resources: ordinances and resolutions concerning historic preservation issues and historic resources; redevelopment project plans; waterfront land use and project plans; and such other matters as may be prescribed by ordinance. If the Planning Commission is required to take action on the matter, the Historic Preservation Commission shall submit any report to the Planning Commission as well as to the Board of Supervisors; otherwise, the Historic Preservation Commission shall submit any report to the Board of Supervisors.

OTHER DUTIES. For proposed projects that may have an impact on historic or cultural resources, the Historic Preservation Commission shall have the authority to review and comment upon environmental documents under the California Environmental Quality Act and the National Environmental Policy Act. The Historic Preservation Commission shall act as the City's local historic preservation review commission for the purposes of the Certified Local Government Program, may recommend properties for inclusion in the National Register of Historic Places, and may review and comment on federal undertakings where authorized under the National Historic Preservation Act. The Historic Preservation Commission shall review and comment upon any agreements proposed under the National Historic Preservation Act where the City is a signatory prior to any approval action on such agreement. The Historic Preservation Commission shall have the authority to oversee and direct the survey and inventory of historic properties.

Once a quorum of members of the Historic Preservation Commission has been originally appointed and approved, the Historic Preservation Commission shall assume any powers and duties assigned to the Landmarks Preservation Advisory Board until the Municipal Code has been amended to reflect the creation of the Historic Preservation Commission.

BUDGET, FEES, DEPARTMENT HEAD, AND STAFF. The provisions of Charter subsections 4.102(3), 4.102(4), 4.102(5), and 4.102(6) shall not apply to the Historic Preservation Commission. The Historic Preservation Commission may review and make recommendations on the Planning Department budget and on any rates, fees, and similar charges with respect to appropriate items coming within the Historic Preservation Commission's jurisdiction to the department head of the Planning Department or the Planning Commission. The department head of the Planning Department shall assume the powers and duties that would otherwise be executed by an Historic Preservation Commission department head. The Planning Department shall render staff assistance to the Historic Preservation Commission.

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### PROPOSITION K

*Be it ordained by the people of the City and County of San Francisco:*

#### Section 1. Findings

The people of the City and County of San Francisco hereby find and declare:

The San Francisco Task Force on Prostitution was created by the Board of Supervisors in 1996.

According to 1996 statistics compiled by the San Francisco Task Force on Prostitution, the city allocated \$7.6 million annually to law enforcement officials to prosecute prostitution related cases. In 2007, the Budget Analyst's Office estimates that amount to be 11.4 million.

The police department has applied and received additional federal monies in the form of federal grants to racially profile prostitutes for investigation and/or arrest under the guise of rescuing trafficked victims.

The police department targets massage parlor workers and management in numerous sting operations, which result in the loss of economic independence for those workers.

The police department utilizes those same targeted businesses as a means of entertainment for its ranks, as demonstrated in the Bayview Station police videos, made public in December, 2005. This demonstrates a lack of respect for their human dignity, freedom of choice, and labor rights.

The San Francisco police department and the San Francisco District Attorneys office has completely ignored dancers in dance clubs who have made written and tape recorded statements on prostitution, sexual assault, rape, and extortion in the form of the 'pay everyday to work' program.

The San Francisco District Attorneys Office has demonstrated unequal prosecution of the laws regarding prostitution related activity, in that street-based, home-based, massage parlor and out call escort workers are prosecuted to the full extent of the law leading to either the issuance of citations or arrest, yet dance clubs workers and managers are not prosecuted within the full extent of the law when issued citations or arrested. This policy reflects the long standing "Cronyism" between dance club owner/operators and key decision makers.

Article XI of the California Constitution provides Charter created counties with "home rule" powers, allowing counties to enact laws that exclusively apply to residents within their borders, even when such a law conflicts with state law or when state law is silent. San Francisco adopted its most recent comprehensive Charter revision in 1996.

Section 2. Requiring the San Francisco Police Department and San Francisco County Office of the District Attorney to enforce existing laws regardless of the victim's sex worker status.

The San Francisco Police Department, the Office of the District Attorney, and associated law enforcement agencies shall be required to practice consistent and rigorous enforcement against coercion, extortion, battery, rape and other violent crimes, regardless of the victim's status as a sex worker.

The San Francisco Police Department and the Office of the District Attorney shall be required to practice full disclosure in the investigation and prosecution of charges of rape, extortion, sexual assault, and battery against sex workers, exotic dancers or erotic service providers.

Section 3. Requiring the San Francisco Police Department to not use public resources for the purpose of depriving another group of workers their right to negotiate for fair wages and work conditions, regardless of their status as sex workers.

Law enforcement agencies shall not allocate any resources for the investigation and prosecution of prostitutes for prostitution.

San Francisco's law enforcement agencies shall not apply, nor receive federal and state monies that institute racial profiling as a means of targeting alleged trafficked victims under the guise of enforcing the abate-



ment of prostitution laws. Those funds shall instead be reallocated toward the implementation of the recommendations of the San Francisco Board of Supervisors' 1996 San Francisco Task Force on Prostitution Report and Human Rights Commission, which address the issue, and recommend policies to reduce, institutional violence and discrimination against prostitutes.

**Section 4. Prostitution Shall Be Decriminalized.**

The San Francisco Police Department, San Francisco County Office of the District Attorney, the SAGE Project, Inc., nor any other agency of the City and County of San Francisco or their designates, shall not subject sex-workers to life long economic discrimination associated with having a criminal record. The City and County of San Francisco shall not support either economically or through legislation the "First Offenders" program or any similar intended program that forces sex workers into re-education programs. Furthermore, the City and County of San Francisco, its agencies, departments, representatives and their designates shall not profit from the criminalization of prostitution, or from anti-prostitution programs such as the "First Offender" program where costs are assessed and collected, then split by the participating agencies.

**Section 5. Effective Date.**

This ordinance shall become effective on January 1, 2009

**Section 6. Severability.**

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application. To this end, the provisions of this ordinance shall be deemed severable.

**Section 7. Amendment.**

By a two-thirds vote and upon making findings, the Board of Supervisors may amend this ordinance in the furtherance of reducing the criminalization and violence against sex-workers.

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**PROPOSITION L**

***NOTE:** At the direction of the Office of the City Attorney, the Department of Elections has corrected a typographical error in Proposition L. The text of Proposition L has been corrected to state that it would add Chapter 30A, Section 30A.1, instead of Chapter 30, Section 30.1, to the San Francisco Administrative Code.*

**Ordinance amending the San Francisco Administrative Code by adding Chapter 30A, Section 30A.1, to authorize the creation of the San Francisco Community Justice Center in collaboration with the Superior Court, to address crimes that negatively impact the quality of life of those living and working in the Tenderloin, South of Market, Civic Center, and Union Square neighborhoods. The Center is authorized to use proven tools to encourage misdemeanor and non-violent felony offenders to get judicial adjudication and social services in one location with the intent to improve the neighborhood. Following extensive review and community input, this ordinance authorizes the Director of Property to enter into a lease, sublease or other property-related agreement to house the City services provided in connection with the Center, authorizes various tenant improvements, appropriates funding for the Center for fiscal year 2008-2009, and authorizes additional actions consistent with this ordinance.**

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough italics Times New Roman~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 30A, Section 30A.1, to read as follows:

**SEC. 30A.1. COMMUNITY JUSTICE CENTER.**

**(a) Findings.**

(1) The Community Justice Center ("CJC"), a collaboration between the Superior Court of California, County of San Francisco ("Superior Court"), and the City and County of San Francisco ("City"), is a community-based effort to end the cycle of criminal conduct for defendants charged with misdemeanors and non-violent felonies who would benefit from social and health services. The CJC will house a courtroom in close proximity to City social and health services to provide immediate services and case management support to individuals brought before the CJC.

(2) The CJC will include a Superior Court courtroom, located at 575 Polk Street, dedicated to hearing misdemeanors, non-violent felonies, and other suitable criminal cases that arise in the Tenderloin, South of Market Area, Civic Center and Union Square neighborhoods of San Francisco. This area is the location of over one-quarter of all crimes in the City, a high percentage of crimes related to alcohol and drug use, and a high percentage of residents who are unemployed or live below the federal poverty level.

(3) In the CJC, a single judicial officer will preside and make decisions to help ensure that individuals appear in court, obtain services as needed to address underlying causes of criminal behavior, and, if guilty of illegal activity, serve a sentence that holds them accountable with proportional sentences, which could include making amends for damage to the community.

(4) The public entities involved in the creation of the CJC studied similar courts in other cities, met with members associated with more than 100 different community organizations in San Francisco, and in January 2008 issued a final evaluation that provides a compelling case for creating a community justice center in San Francisco.

(5) The goal of the CJC is to provide the criminal justice system a point of intervention that will allow it to better address the needs of its defendants by linking them to appropriate services. The CJC is a community-based court that aims to improve public trust and confidence in the judicial system. It seeks to strengthen the community by transforming individual lives and by bringing the criminal justice and social service systems and the community together to address neighborhood problems and public safety concerns. The CJC will have an Advisory Board that will include members of stakeholder agencies and members of the community.

**(b) Community Justice Center.**

(1) The City, through the Office of the Mayor, is authorized to collaborate with the Superior Court in the establishment of the CJC.

(2) The court in the CJC will hear criminal cases in which the defendant is charged with misdemeanors, non-violent felonies, and any other crimes deemed appropriate by the City and Superior Court.

(3) The court in the CJC will hear criminal cases within in the following areas of the City: the Tenderloin, South of Market, Civic Center, Union Square and any other areas of the City deemed appropriate by the City and the Superior Court.

(4) The CJC facilities will consist of: one or more Superior Court courtrooms in which CJC cases are adjudicated, and a secure area for holding defendants charged with a crime; space in close proximity to the court for the provision of administrative, social, health, and community services to both defendants charged with crimes and to community members at large; and any other facilities deemed appropriate by the City and the Superior Court.

(5) The City is authorized to provide, through City departments, non-profit agencies or City contractors, the following services through the CJC: security, transport of prisoners, personal counseling, sub-





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stance abuse treatment, mental health treatment, benefits counseling, housing, education, job training, community service supervision and any other services or programs deemed appropriate by the City and the Superior Court.

(6) The City, through the Office of the Mayor, is authorized to enter into memoranda of understanding with the Superior Court, on terms consistent with this ordinance, to establish the obligations of the City and of the Superior Court in the operation of the CJC.

(7) The Mayor or his or her designee is authorized to make all decisions and take all actions necessary to implement this ordinance, except for those decisions specifically given to the Director of Property. Whenever this ordinance provides that the CJC may include additional offenders, geographic areas, facilities, or programs "deemed appropriate by the City and the Superior Court," the Mayor or his or her designee is authorized to grant those approvals on behalf of the City.

### (c) Premises for Provision of City Services.

(1) The City is authorized to obtain space in close proximity to the CJC courtroom to provide administrative, social, health, and community services for the use of the CJC ("CJC space"). The provisions of Administrative Code Section 23 are waived, and the Director of Property is authorized, on behalf of the City, to enter into a lease, sublease or other property use agreement for the CJC space, and to take such additional actions as may be necessary to keep, improve, repair, and maintain the CJC space, so long as the City does not pay more than the fair market value of the CJC space as determined by the Director of Property in his or her reasonable discretion.

(2) The City is authorized to make and/or pay for all tenant improvements to the CJC space in order to accommodate the administrative, social, health, and community services to be provided at the CJC.

(3) The City is authorized to construct two holding cells near the CJC courtroom to hold a minimum of eight individuals.

(4) All actions and decisions relating to the CJC space on behalf of the City shall be made or taken by the City's Director of Property, in his or her reasonable discretion, without the need for approval by the City's Board of Supervisors.

(d) Funding. The Department of Public Health is authorized to apply for, accept, and expend a grant of up to \$984,000 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, under the Edward Byrne Memorial Discretionary Grants Program, for the CJC project, and the City and County waives the inclusion of indirect costs in the grant budget. The Director of Public Health is authorized to enter into the grant agreement on behalf of the City and County.

The City and County hereby appropriates from any legally available funds the amount of \$1,770,000 for fiscal year 2008-09 to fund the capital costs and the first year of operations of the CJC, and also appropriates any available federal dollars specifically granted for the community justice center project, including those grant funds referred to in the preceding paragraph.

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## PROPOSITION M

**Ordinance amending Administrative Code Chapter 37 Residential Rent Stabilization and Arbitration Ordinance by: amending Section 37.2 to define harassment by or on behalf of an owner; and by adding Section 37.10B "Tenant Harassment" to prohibit defined harassment by landlords and to provide for enforcement by reduction in rent on grounds of substantial and significant decrease in services, and to provide for enforcement by criminal and civil penalties including punitive damages.**

Note: Additions are *single-underline italics Times New Roman*.  
Deletions are *strikethrough italics Times New Roman*.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 37.2, to read as follows:

### SEC. 37.2. DEFINITIONS.

#### (a) Base Rent.

(1) That rent which is charged a tenant upon initial occupancy plus any rent increase allowable and imposed under this Chapter; provided, however, that base rent shall not include increases imposed pursuant to Section 37.7, and base rent shall not include utility passthroughs or water revenue bond passthroughs or general obligation bond passthroughs pursuant to Sections 37.2(q), 37.3(a)(5)(B), and 37.3(a)(6). Base rent for tenants of RAP rental units in areas designated on or after July 1, 1977, shall be that rent which was established pursuant to Section 32.73-1 of the San Francisco Administrative Code. Rent increases attributable to the City Administrator's amortization of an RAP loan in an area designated on or after July 1, 1977, shall not be included in the base rent.

(2) From and after the effective date of this ordinance, the base rent for tenants occupying rental units which have received certain tenant-based or project-based rental assistance shall be as follows:

#### (A) With respect to tenant-based rental assistance:

(i) For any tenant receiving tenant-based assistance as of the effective date of this ordinance (except where the rent payable by the tenant is a fixed percentage of the tenant's income, such as in the Section 8 certificate program and the rental subsidy program for the HOPWA program), and continuing to receive tenant-based rental assistance following the effective date of this ordinance, the base rent for each unit occupied by such tenant shall be the rent payable for that unit under the Housing Assistance Payments contract, as amended, between the San Francisco Housing Authority and the landlord (the "HAP contract") with respect to that unit immediately prior to the effective date of this ordinance (the "HAP" contract rent").

(ii) For any tenant receiving tenant-based rental assistance (except where the rent payable by the tenant is a fixed percentage of the tenant's income, such as in the Section 8 certificate program and the rental subsidy program for the HOPWA program), and commencing occupancy of a rental unit following the effective date of this ordinance, the base rent for each unit occupied by such a tenant shall be the HAP contract rent in effect as of the date the tenant commences occupancy of such unit.

(iii) For any tenant whose tenant-based rental assistance terminates or expires, for whatever reason, following the effective date of this ordinance, the base rent for each such unit following expiration or termination shall be the HAP contract rent in effect for that unit immediately prior to the expiration or termination of the tenant-based rental assistance.

(B) For any tenant occupying a unit upon the expiration or termination, for whatever reason, of a project-based HAP contract under Section 8 of the United States Housing Act of 1937 (42 USC Section 1437f, as amended), the base rent for each such unit following expiration or termination shall be the "contract rent" in effect for that unit immediately prior to the expiration or termination of the project-based HAP contract.

(C) For any tenant occupying a unit upon the prepayment or expiration of any mortgage insured by the United States Department of Housing and Urban Development ("HUD"), including but not limited to mortgages provided under Sections 221(d)(3), 221(d)(4) and 236 of the National Housing Act (12 USC Section 1715z-1), the base rent for each such unit shall be the "basic rental charge" (described in 12 USC 1715z-1(f), or successor legislation) in effect for that unit immediately prior to the prepayment of the mortgage, which charge excludes the "interest reduction payment" attributable to that unit prior to the mortgage prepayment or expiration.

(b) Board. The Residential Rent Stabilization and Arbitration Board.



(c) Capital Improvements. Those improvements which materially add to the value of the property, appreciably prolong its useful life, or adapt it to new uses, and which may be amortized over the useful life of the improvement of the building.

(d) CPI. Consumer Price Index for all Urban Consumers for the San Francisco-Oakland Metropolitan Area, U.S. Department of Labor.

(e) Energy Conservation Improvements. Work performed pursuant to the requirements of Chapter 12 of the San Francisco Housing Code.

(f) Administrative Law Judge. A person, designated by the Board, who arbitrates and mediates rental increase disputes, and performs other duties as required pursuant to this Chapter 37.

*(f.1.) Harassment. Any act or omission by or on behalf of an owner that causes or is intended to cause any person lawfully entitled to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy.*

(g) Housing Services. Services provided by the landlord connected with the use or occupancy of a rental unit including, but not limited to: quiet enjoyment of the premises, without harassment by the landlord as provided in Section 10B; repairs; replacement; maintenance; painting; light; heat; water; elevator service; laundry facilities and privileges; janitor service; refuse removal; furnishings; telephone; parking; rights permitted the tenant by agreement, including the right to have a specific number of occupants, whether express or implied, and whether or not the agreement prohibits subletting and/or assignment; and any other benefits, privileges or facilities.

(h) Landlord. An owner, lessor, sublessor, who receives or is entitled to receive rent for the use and occupancy of any residential rental unit or portion thereof in the City and County of San Francisco, and the agent, representative or successor of any of the foregoing.

(i) Member. A member of the Residential Rent Stabilization and Arbitration Board.

(j) Over FMR Tenancy Program. A regular certificate tenancy program whereby the base rent, together with a utility allowance in an amount determined by HUD, exceeds the fair market rent limitation for a particular unit size as determined by HUD.

(k) Payment Standard. An amount determined by the San Francisco Housing Authority that is used to determine the amount of assistance paid by the San Francisco Housing Authority on behalf of a tenant under the Section 8 Voucher Program (24 CFR Part 887).

(l) RAP. Residential Rehabilitation Loan Program (Chapter 32, San Francisco Administrative Code).

(m) RAP Rental Units. Residential dwelling units subject to RAP loans pursuant to Chapter 32, San Francisco Administrative Code.

(n) Real Estate Department. A city department in the City and County of San Francisco.

(o) Rehabilitation Work. Any rehabilitation or repair work done by the landlord with regard to a rental unit, or to the common areas of the structure containing the rental unit, which work was done in order to be in compliance with State or local law, or was done to repair damage resulting from fire, earthquake or other casualty or natural disaster.

(p) Rent. The consideration, including any bonus, benefits or gratuity, demanded or received by a landlord for or in connection with the use or occupancy of a rental unit, or the assignment of a lease for such a unit, including but not limited to monies demanded or paid for parking, furnishing, food service, housing services of any kind, or subletting.

(q) Rent Increases. Any additional monies demanded or paid for rent as defined in item (p) above, or any reduction in housing services without a corresponding reduction in the monies demanded or paid for rent; provided, however, that: (1) where the landlord has been paying the tenant's utilities and the cost of those utilities increases, the landlord's passing through to the tenant of such increased costs pursuant to this Chapter does not constitute a rent increase; (2) where there has been a change in the landlord's property tax attributable to a general obligation bond approved by the voters between November 1, 1996 and November 30, 1998, or after November 14, 2002, the landlord's passing through to the tenant of such increased costs in accordance with this Chapter (see

Section 37.3(a)(6)) does not constitute a rent increase; (3) where there has been a change in the landlord's property tax attributable to a San Francisco Unified School District or San Francisco Community College District general obligation bond approved by the voters after November 1, 2006, the landlord's passing through to the tenant of such increased costs in accordance with this Chapter (see Section 37.3(a)(6)) does not constitute a rent increase; and, (4) where water bill charges are attributable to water rate increases resulting from issuance of water revenue bonds authorized at the November 5, 2002 election, the landlord's passing through to the tenant of such increased costs in accordance with this Chapter (see Section 37.3(a)(5)(B)) does not constitute a rent increase.

(r) Rental Units. All residential dwelling units in the City and County of San Francisco together with the land and appurtenant buildings thereto, and all housing services, privileges, furnishings and facilities supplied in connection with the use or occupancy thereof, including garage and parking facilities.

Garage facilities, parking facilities, driveways, storage spaces, laundry rooms, decks, patios, or gardens on the same lot, or kitchen facilities or lobbies in single room occupancy (SRO) hotels, supplied in connection with the use or occupancy of a unit, may not be severed from the tenancy by the landlord without just cause as required by Section 37.9(a). Any severance, reduction or removal permitted under this Section 37.2(r) shall be offset by a corresponding reduction in rent. Either a landlord or a tenant may file a petition with the Rent Board to determine the amount of the rent reduction.

The term "rental units" shall not include:

(1) Housing accommodations in hotels, motels, inns, tourist houses, rooming and boarding houses, provided that at such time as an accommodation has been occupied by a tenant for 32 continuous days or more, such accommodation shall become a rental unit subject to the provisions of this Chapter; provided further, no landlord shall bring an action to recover possession of such unit in order to avoid having the unit come within the provisions of this Chapter. An eviction for a purpose not permitted under Section 37.9(a) shall be deemed to be an action to recover possession in order to avoid having a unit come within the provisions of this Chapter;

(2) Dwelling units in nonprofit cooperatives owned, occupied and controlled by a majority of the residents or dwelling units solely owned by a nonprofit public benefit corporation governed by a board of directors the majority of which are residents of the dwelling units and where it is required in the corporate by-laws that rent increases be approved by a majority of the residents;

(3) Housing accommodation in any hospital, convent, monastery, extended care facility, asylum, residential care or adult day health care facility for the elderly which must be operated pursuant to a license issued by the California Department of Social Services, as required by California Health and Safety Chapters 3.2 and 3.3; or in dormitories owned and operated by an institution of higher education, a high school, or an elementary school;

(4) Except as provided in Subsections (A), (B) and (C), dwelling units whose rents are controlled or regulated by any government unit, agency or authority, excepting those unsubsidized and/or unassisted units which are insured by the United States Department of Housing and Urban Development; provided, however, that units in unreinforced masonry buildings which have undergone seismic strengthening in accordance with Building Code Chapters 16B and 16C shall remain subject to the Rent Ordinances to the extent that the ordinance is not in conflict with the seismic strengthening bond program or with the program's loan agreements or with any regulations promulgated thereunder;

(A) For purposes of Sections 37.2, 37.3(a)(10)(A), 37.4, 37.5, 37.6, 37.9, 37.9A, 37.10A, 37.11A and 37.13, and the arbitration provisions of Sections 37.8 and 37.8A applicable only to the provisions of Sections 37.3(a)(10)(A), the term "rental units" shall include units occupied by recipients of tenant-based rental assistance where the tenant-based rental assistance program does not establish the tenant's share of base rent as a fixed percentage of a tenant's income, such as in the



## LEGAL TEXT OF PROPOSITION M

Section 8 voucher program and the “Over-FMR Tenancy” program defined in 24 CFR Section 982.4;

(B) For purposes of Sections 37.2, 37.3(a)(10)(B), 37.4, 37.5, 37.6, 37.9, 37.9A, 37.10A, 37.11A and 37.13, the term “rental units” shall include units occupied by recipients of tenant-based rental assistance where the rent payable by the tenant under the tenant-based rental assistance program is a fixed percentage of the tenant's income; such as in the Section 8 certificate program and the rental subsidy program for the Housing Opportunities for Persons with Aids (“HOPWA”) program (42 U.S.C. Section 12901 et seq., as amended);

(C) The term “rental units” shall include units in a building for which tax credits are reserved or obtained pursuant to the federal low income housing tax credit program (LIHTC, Section 42 of the Internal Revenue Code, 26 U.S.C. Section 42), that satisfy the following criteria:

(i) Where a tenant's occupancy of the unit began before the applicable LIHTC regulatory agreement was recorded; and,

(ii) Where the rent is not controlled or regulated by any use restrictions imposed by the City and County of San Francisco, the San Francisco Redevelopment Agency, the State of California Office of Housing and Community Development, or the United States Department of Housing and Urban Development.

Nothing in this Section 37.2(r)(4)(C) precludes a landlord from seeking an exemption on the basis of substantial rehabilitation under Section 37.2(r)(6).

This Section 37.2(r)(4)(C) definition of “rental unit” shall apply to any unit where the qualifying tenant (see Section 37.2(r)(4)(C)(i)) is in possession of the unit on or after the effective date of this ordinance (Ord. No. 281-06), including but not limited to any unit where the tenant has been served with a notice to quit but has not vacated the unit and there is no final judgment against the tenant for possession of the unit as of the effective date of this ordinance (Ord. No. 281-06).

(5) Rental units located in a structure for which a certificate of occupancy was first issued after the effective date of this ordinance; (A) except as provided for certain categories of units and dwellings by Section 37.3(d) and Section 37.9A(b) of this Chapter, and (B) except as provided in a development agreement entered into by the City under San Francisco Administrative Code Chapter 56.

(6) Dwelling units in a building which has undergone substantial rehabilitation after the effective date of this ordinance; provided, however, that RAP rental units are not subject to this exemption.

(7) Dwellings or units otherwise subject to this Chapter 37, to the extent such dwellings or units are partially or wholly exempted from rent increase limitations by the Costa-Hawkins Rental Housing Act (California Civil Code Sections 1954.50, et seq.) and/or San Francisco Administrative Code Section 37.3(d).

(s) Substantial Rehabilitation. The renovation, alteration or remodeling of residential units of 50 or more years of age which have been condemned or which do not qualify for certificates of occupancy or which require substantial renovation in order to conform the building to contemporary standards for decent, safe and sanitary housing. Substantial rehabilitation may vary in degree from gutting and extensive reconstruction to extensive improvements that cure substantial deferred maintenance. Cosmetic improvements alone such as painting, decorating and minor repairs, or other work which can be performed safely without having the unit vacated do not qualify as substantial rehabilitation.

(t) Tenant. A person entitled by written or oral agreement, subtenancy approved by the landlord, or by sufferance, to occupy a residential dwelling unit to the exclusion of others.

(u) Tenant-Based Rental Assistance. Rental assistance provided directly to a tenant or directly to a landlord on behalf of a particular tenant, which includes but shall not be limited to certificates and vouchers issued pursuant to Section 8 of the United States Housing Act of 1937, as amended (42 U.S.C. Section 1437f) and the HOPWA program.

(v) Utilities. The term “utilities” shall refer to gas and electricity exclusively.

Section 2. The San Francisco Administrative Code is hereby amended by adding Section 37.10B, to read as follows:

### Section 37.10B. Tenant Harassment.

(a) No landlord, and no agent, contractor, subcontractor or employee of the landlord, shall, with respect to property used as a rental housing unit under any rental housing agreement or other tenancy or estate at will, however created, do any of the following, with malice in bad faith or with ulterior motive or without honest intent:

(1) Interrupt, terminate or fail to provide housing services required by contract or by State, County or local housing, health or safety laws;

(2) Fail to perform repairs and maintenance required by contract or by State, County or local housing, health or safety laws;

(3) Fail to exercise due diligence in completing repairs and maintenance once undertaken; or fail to follow appropriate industry repair, containment or remediation protocols designed to minimize exposure to noise, dust, lead paint, mold, asbestos, or other building materials with potentially harmful health impacts;

(4) Abuse the landlord's right of access into a rental housing unit as that right is provided by law specified in California Civil Code Section 1954;

(5) Abuse the tenant with words which are offensive and inherently likely to provoke an immediate violent reaction;

(6) Influence or attempt to influence a tenant to vacate a rental housing unit through fraud, intimidation or coercion, including

(6) Attempts to coerce the tenant to vacate with offer(s) of payments to vacate which are accompanied with threats or intimidation;

(7) Continue to offer payments to vacate or which continue to be offered after the tenant(s) has told the landlord that such offers of payment are unwelcome after tenant has notified the landlord in writing that they no longer wish to receive further offers of payments to vacate;

(7-8) Threaten the tenant, by word or gesture, with physical harm;

(89) Violate any law which prohibits discrimination based on actual or perceived race, gender, sexual preference, sexual orientation, ethnic background, nationality, place of birth, immigration or citizenship status, religion, age, parenthood, marriage, pregnancy, disability, AIDS or occupancy by a minor child.

(910) Interfere with a tenants right to quiet use and enjoyment of a rental housing unit as that right is defined by California law;

(1011) Refuse to accept or acknowledge receipt of a tenant's lawful rent payment;

(12) Refuse to cash a rent check for over 30 days;

(113) Interfere with a tenant's right to privacy.

(12) Commencing repeated baseless or frivolous court proceedings against any person lawfully entitled to occupancy of such dwelling unit;

(14) Request information that violates a tenant's right to privacy, including but not limited to residence or citizenship status or social security number.

(125) Other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of such dwelling unit and that cause, are likely to cause, or are intended to cause any person lawfully entitled to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy.

(b) Nothing in this Chapter Section 37.10B shall be construed as to prevent the lawful eviction of a tenant by appropriate legal means nor shall anything in this Chapter apply to occupancies defined by subdivision (b) of Civil Code Section 1940.

(c) Enforcement and penalties.

(1) Rent Board. Violation of this Section 37.10B is a substantial and significant decrease in services as defined in Section 37.2(g) and tenants may file a petition with the Rent Board for a reduction in rent.

(2) Criminal Penalty. Any person who is convicted of violating this Chapter Section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not greater than one thousand dollars





or by imprisonment in the County Jail for not more than six months, or by both such fine and imprisonment.

(3) Civil Action. Any person, including the City, may enforce the provisions of this Chapter Section by means of a civil action. The burden of proof in such cases shall be preponderance of the evidence. A violation of this Chapter may be asserted as an affirmative defense in an unlawful detainer action.

(4) Injunction. Any person who commits an act, proposes to commit an act, or engages in any pattern and practice which violates this Section 37.10B may be enjoined therefrom by any court of competent jurisdiction. An action for injunction under this subsection may be brought by any aggrieved person, by the City Attorney, or by any person or entity who will fairly and adequately represent the interest of the protected class.

(5) Penalties and Other Monetary Awards. Any person who violates or aids or incites another person to violate the provisions of this Chapter Section is liable for each and every such offense for money damages of not less than three times actual damages suffered by an aggrieved party (including damages for mental or emotional distress), the actual damages suffered by any aggrieved party or for statutory damages in the sum of one thousand dollars, whichever is greater, and whatever other relief the court deems appropriate, and shall be liable for such attorney's fees and costs as may be determined by the court in addition thereto. In the case of an award of damages for mental or emotional distress, said award shall only be trebled if the trier of fact finds that the landlord acted in knowing violation of or in reckless disregard of Section 37.9, 37.10A, or 37.10B herein. In addition, a prevailing plaintiff shall be entitled to reasonable attorney's fees and costs pursuant to order of the court. The court trier of fact may also award punitive damages to any plaintiff, including the City, in a proper case as defined by Civil Code Section 3294. The remedies available under this Section shall be in addition to any other existing remedies which may be available to the tenant or the City.

(6) Defending Eviction Lawsuits. In any action to recover possession of a rental unit subject to the Chapter, unless the sole basis of the notice to quit is Section 37.9(b), the court shall award the tenant reasonable attorney fees and costs incurred in defending the action upon a finding that the tenant is the prevailing party under Code of Civil Procedure Section 1032(a)(4).

(d) Severability. If any provision or clause of this Section 37.10B, or Section 37.2(g), or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions of this Section 37.10B or Section 37.2(g) and all clauses of these Sections are declared to be severable.

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## PROPOSITION N

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) amending Section 1102 to increase the Real Property Transfer Tax rate from 0.75% to 1.5% if the consideration for or value of the transfer exceeds \$2 ~~\$5~~ million; (2) amending Section 1105 to reduce the tax on transfers of residential property by up to one third (1/3) if, after January 1, 2009, the transferor has installed an active solar system or made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies; (3) amending Section 1114 to clarify application of tax to transfers of ownership interests in legal entities that own real estate; and (4) amending Section 1108.3 to apply transfer tax to transfers of 35 year or longer leasehold interests.

Note: Additions are *single-underline italics Times New Roman*.  
Deletions are ~~strikethrough italics Times New Roman~~.

~~Be it ordained by the People of the City and County of San Francisco:~~

~~Section 1. ORDAINED that Pursuant to Article XIII C of the Constitution of the State of California, the Board of Supervisors hereby submits this ordinance shall be submitted to the qualified electors of the City and County of San Francisco; at the November 4, 2008 general municipal election and that this ordinance shall become operative only if approved by the qualified electors at such election.~~

~~Be it ordained by the People of the City and County of San Francisco:~~

Section 12. The San Francisco Business and Tax Regulations Code is hereby amended by amending Section 1102, to read as follows:  
SEC. 1102. TAX IMPOSED.

There is hereby imposed on each deed, instrument or writing by which any lands, tenements, or other realty sold within the City and County of San Francisco shall be granted, assigned, transferred or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons, by his or her or their direction, when the consideration or value of the interest or property conveyed (not excluding the value of any lien or encumbrances remaining thereon at the time of sale) (i) exceeds \$100 but is less than or equal to \$250,000, a tax at the rate of \$2.50 for each \$500 or fractional part thereof; or (ii) more than \$250,000 and less than \$1,000,000, a tax at the rate of \$3.40 for each \$500 or fractional part thereof for the entire value or consideration, including, but not limited to, any portion of such value or consideration that is less than \$250,000; or (iii) ~~more than~~ \$1,000,000 and ~~above less than~~ \$2,000,000-\$5,000,000, a tax at the rate of \$3.75 for each \$500 or fractional part thereof for the entire value or consideration, including, but not limited to, any portion of such value or consideration that is less than \$1,000,000; ~~or (iv) \$2,000,000-\$5,000,000 and above, a tax at the rate of \$7.50 for each \$500 or fractional part thereof for the entire value or consideration, including, but not limited to, any portion of such value or consideration that is less than \$2,000,000-\$5,000,000. The People of the City and County of San Francisco authorize the Board of Supervisors to enact ordinances, without further voter approval, that will exempt rent-restricted affordable housing, as the Board may define that term, from the increased tax rate in subsection (iv).~~

Section 2. This Ordinance will not change any of the current tax rates in Section 1108 (i)-(iii) for transfers with a value or consideration less than \$5,000,000.

Section 3. The San Francisco Business and Tax Regulations Code is hereby amended by amending Section 1105, to read as follows:

### SEC. 1105. EXEMPTIONS.

Any deed, instrument or writing to which the United States or any agency or instrumentality thereof, any state or territory, or political subdivision thereof, is a party shall be exempt from any tax imposed pursuant to this ordinance when the exempt agency is acquiring title.

*Any deed, instrument or writing shall be exempt from up to one third (1/3) of any tax imposed pursuant to this ordinance if: (1) it transfers an interest in real property used as a residence; and (2) after January 1, 2009, the transferor has installed an active solar system, as that term is defined in Revenue & Taxation Code §73(b), or has made seismic retrofitting improvements or improvements utilizing earthquake hazard mitigation technologies, as those terms are defined in Revenue & Taxation Code §74.5(b), and the transferor has claimed and the Assessor has approved an exclusion from reassessment for the value of that system or those improvements. This partial exemption shall only apply to the initial transfer by the person who installed the active solar system or made the seismic safety improvements. The amount of this partial exemption shall not exceed the transferor's cost of seismic retrofitting improvements or the active solar system. Multi-family residential properties are eligible for this partial exemption.*

Section 4. Article 12-C of the San Francisco Business and Tax Regulations Code is hereby amended by amending Section 1114 to read as follows:



## LEGAL TEXT OF PROPOSITIONS N AND O

### SEC. 1114. ADMINISTRATION AND INTERPRETATION.

In the administration of this ordinance the recorder shall interpret its provisions consistently with those Documentary Stamp Tax Regulations adopted by the Internal Revenue Service of the United States Treasury Department which relate to the Tax on Conveyances and are identified as Sections 47.4361-1, 47.4361-2 and 47.4362-1 of Part 47 of Title 26 of the Code of Federal Regulations, as the same existed on November 8, 1967, except that for the purposes of this ordinance, the determination of what constitutes "realty" shall be determined by the definition or scope of that term under state law. Notwithstanding the preceding sentence, "realty sold" includes any acquisition or transfer of ownership interests in a legal entity that would be a change of ownership of the entity's real property under California Revenue & Taxation Code §64.

Section 5. Article 12-C of the San Francisco Business and Tax Regulations Code is hereby amended by amending Section 1108.3 to read as follows:

#### SEC. 1108.3. APPLICATION TO LEASEHOLD INSTRUMENTS.

Any tax imposed pursuant to this ordinance shall not apply with respect to any deed, instrument or writing which creates, terminates, or transfers a leasehold interest having a remaining term (including renewal options) of 50 years or less than 35 years.

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## PROPOSITION O

Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by: (1) ~~repealing Article 10A, Sections 750-770, to eliminate the Emergency Response Fee;~~ (2) adding Article 10B, Sections 780-786, to ~~add an Access Line Tax~~ replace the current Emergency Response Fee with a general tax at the same rates and with the same exemptions; (2) repealing Article 10A, Sections 750-770, to eliminate the existing Emergency Response Fee; (3) amending Article 10 by adding Sections 721, 722, and 723, amending Sections 701, 703, 707.1, and 708, and repealing Sections 702 and 707.3, all to modernize and update the Telephone Users Tax without changing the tax rate or exemptions; and (4) amending Article 6, Section 6.1-1, to make conforming changes; and ratifying past collection of the Telephone Users Tax and the Emergency Response Fee.

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

Be it ordained that pursuant to Article XIII C of the Constitution of the State of California, the Board of Supervisors hereby submits this ordinance to the qualified electors of the City and County of San Francisco, at the November 4, 2008 general municipal election.

Be it ordained by the People of the City and County of San Francisco:

#### Section 1. Findings.

(a) ~~Repeal of Replacing the Existing Emergency Response Fee and Enactment of an Access Line with a General Tax.~~

(1) Since 1993, the City and County of San Francisco has imposed on telephone access lines an Emergency Response Fee ("ERF") to fund improvements to and operation of the City and County's 911 communication system.

(2) The ERF ordinance includes complex provisions to ensure that ERF revenues fund only "eligible project costs."

(3) To ease administration and provide budgetary flexibility, the City and County desires to replace the ERF with a general tax, the access line tax ("ALT"), that would supply general fund revenues that could support emergency services, as well as other essential City services.

(4) To minimize disruption and confusion, the City and County desires to apply the ALT in the same manner as the ERF was applied.

(5) The ALT will be imposed at the current ERF monthly rates: \$2.75 per access line, \$20.62 per trunk line, and \$371.15 per high capacity trunk line. Future increases should be limited to the inflation rate.

(6) As under the ERF, low-income telecommunications customers who receive discounted "Lifeline" telecommunications service are exempt from the ALT.

#### (b) ~~Update of Modernizing the Telephone Users Tax.~~

(1) Since 1970, the City and County of San Francisco has collected a Utility Users Tax on charges for telephone communications services (Telephone Users Tax or TUT).

(2) Telephone communications services have changed dramatically since 1970. Technology, carrier marketing plans, and federal and state regulation have changed significantly and continue to do so.

(3) The TUT should be modernized and clarified to include current technologies, accommodate future technologies, and reflect current marketing and regulatory realities. Updating the TUT will ensure that users of various telephone communications services are treated equitably, regardless of the technology used.

(4) Updating the TUT in this way requires voter approval.

(5) The TUT rate will remain at 7.5%.

(6) Under an ordinance approved by voters in 1987, residential use of wireline (but not cellular or other wireless) communications service is exempt from the TUT. The updated TUT continues this exemption.

(7) The other existing exemptions from the TUT will also continue.

(8) The updated TUT will not apply to video programming services; digital downloads, such as music, video, books, ringtones and games; and Internet access services that federal law excludes from tax.

Section 2. Article 10A of the San Francisco Business and Tax Regulations Code, Sections 750-770, imposing the Emergency Response Fee (ERF), is hereby repealed in its entirety.

Section 3. The San Francisco Business and Tax Regulations Code is hereby amended by adding Article 10B, Sections 780 through 786, to read as follows:

### ARTICLE 10B: ACCESS LINE TAX

#### SEC. 780. PURPOSE.

The tax imposed and levied by this Article is intended to provide revenue for such general fund services as may be determined by the Board of Supervisors including, without limitation, police, fire, and emergency services.

#### SEC. 781. DEFINITIONS.

When used in this Article, the following terms shall have the following meanings:

(a) Access Line. "Access line" means ~~any connection or channel, whether by wire or by wireless technology, that provides access to a from a customer location to a provider of telephone communications service network services offered to the public for compensation.~~ "Access line" includes the assignment of a 10-digit telephone number under the North American Numbering Plan for the purpose of providing telephone communications services, including without limitation voice over Internet protocol telephone communications services, using such telephone number.

(b) Billing Address. "Billing address" has the meaning given in Article 10 of this Code.

(c) High Capacity Trunk Line. "High capacity trunk line" shall mean a trunk line with a capacity of at least 24 channels over a high capacity service, such as a 1.544 Mb, T-1, or Integrated Services Digital Network (ISDN) Primary Rate Interface (PRI) line.



(d) Lifeline Service. “Lifeline service” means discounted telephone communications service available to eligible low income residential customers.

(e) Prepaid Calling Service. “Prepaid calling service” means the right to access telephone communications service, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount, without the provisioning of an access line.

(f) Post-paid Calling Service. “Post-paid calling service” means the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service without the provisioning of an access line.

(g) Service Address. “Service address” has the meaning given in Article 10 of this Code.

(h) Telephone Communications Service. “Telephone communications service” has the meaning given in Article 10 of this Code.

(i) Service Supplier. “Service supplier” means any person supplying an access line to any telephone communications service subscriber within the City and County of San Francisco or the billing agent of any such person.

(j) Telephone Communications Service Subscriber. “Telephone communications service subscriber” means any person required to pay a tax under this Article.

(k) Trunk Line. “Trunk line” means a line between a service supplier’s switching device and a private branch exchange or automatic call distributing system, or other similar device, at a telephone communications service subscriber location, provided however that “trunk line” shall not include any such line which is marketed to customers and configured by the service supplier to deliver only calls to the subscriber location and cannot be used by the subscriber to originate outgoing calls from the subscriber location (e.g., direct inward dial lines).

**SEC. 782. IMPOSITION OF ACCESS LINE TAX.**

(a) There is hereby imposed a tax as provided in this article on every person who subscribes to telephone communications services within the City and County of San Francisco, to the extent permitted by federal and state law. The tax shall apply to each access line within the city’s tax jurisdiction, including, without limitation, access lines billed to a telephone account having a situs in the city, as permitted by the Mobile Telecommunications Sourcing Act, 4 U.S.C. § 116 et seq. There is a rebuttable presumption that service billed to a billing address or provided to a service address in the city is used, in whole or in part, within the city’s boundaries and that such service is subject to taxation under this article. The tax shall not apply to a prepaid calling service or a post-paid calling service.

(b) The amount of the tax imposed by this section shall be paid, on a per-access-line basis, by the person paying for telephone communications service; however, no telephone communications service subscriber shall be required to pay more than \$55,000 in tax per account per service location in any calendar year. The cost of wireless telephone communications services shall not be considered for purposes of this subsection (b). The cap established by this subsection shall be adjusted annually in accordance with the increase in the Consumer Price Index: All Urban Consumers for the San Francisco / Oakland / San Jose Area for All Items as reported by the United States Bureau of Labor Statistics, or any successor to that index, as of December 31st of each year, beginning with December 31, 2009, and such increase shall take effect when 1) notice of the increase is given by the Controller in the manner generally used by the Controller for notification of fee or tax changes and 2) such increase is approved by the Mayor and Board of Supervisors by resolution.

(c) Only one payment of the tax shall be required for any access line, trunk line or high capacity trunk line, notwithstanding that access lines of more than one person are used in furnishing telephone communications service to a telephone communications service subscriber.

**SEC. 783. EXEMPTIONS.**

Nothing in this Article shall be construed as imposing a tax upon the access lines of:

(a) A customer receiving Lifeline service; or

(b) A service supplier; or

(c) Coin-operated telephones; or

(d) A nonprofit hospital which is exempt from federal income tax under Section 501(a) of the United States Code; or

(e) A nonprofit educational organization which is exempt from income tax under Section 501(a) of the United States Code; or

(f) Any person when imposition of such tax upon that person would violate the Constitution of the United States or that of the State of California or preemptive federal or State law.

**SEC. 784. TAX SCHEDULE.**

The amount of the tax shall be \$2.75 per month per access line, \$20.62 per month per trunk line and \$371.15 per month per high capacity line. These amounts shall be adjusted annually in accordance with the increase in the Consumer Price Index: All Urban Consumers for the San Francisco / Oakland / San Jose Area for All Items as reported by the United States Bureau of Labor Statistics, or any successor to that index, as of December 31st of each year, beginning with December 31, 2009, and such increase shall take effect 1) when notice of the increase is given by the Controller in the manner generally used by the Controller for notification of fee or tax changes and 2) such increase is approved by the Mayor and Board of Supervisors by resolution.

**SEC. 785. COLLECTION OF TAX.**

(a) The tax imposed by this Article shall be collected from the telephone communications service subscriber by the service supplier.

(b) The tax required to be collected by service suppliers under this ordinance shall be added to and stated separately as the “San Francisco Access Line Tax” in the service supplier’s billings to telephone communications service subscribers. The charge identified as the San Francisco Access Line Tax in such billings shall include only the amount authorized by this Article, and shall not include any additional charges or fees which may be imposed by the service supplier to recover the cost of collecting the tax.

(c) Nothing in this Article is intended to regulate the ability of a service supplier to recover any costs of collecting the tax imposed under this Article, to the extent such that recovery may be authorized by state or federal law.

(d) Except as otherwise stated in this Article, the tax imposed by this Article shall be collected and remitted at the same time as and in the same manner as the tax imposed by Section 703 of Article 10.

**SEC. 786. ADMINISTRATION OF TAX.**

Except as otherwise stated in this Article, the tax imposed by this Article shall be administered in the same manner as the tax imposed by Section 703 of Article 10.

Section 4. The San Francisco Business and Tax Regulations Code is hereby amended by adding Sections 721, 722, and 723, amending Sections 701, 703, 707.1, and 708, and repealing Sections 702 and 707.3, to read as follows:

**SEC. 701. ADDITIONAL DEFINITIONS.**

When used in this Article, the following terms shall mean or include:

(a) “Ancillary Telephone Communications Services” shall mean services associated with or incidental to the provision, use or enjoyment of telephone communications services, including but not limited to:

(1) Services that link two or more participants in an audio or





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video conference call and that may include the provision of a telephone number.

(2) Services that provide telephone number information, and/or address information, or any other information that may assist in contacting another party via a telephone communications service.

(3) Services offered in connection with one or more telephone communications services which offer advanced calling features that allow customers to identify callers and to manage multiple calls and call connections.

(4) Services that enable customers to store, send or receive recorded messages including, without limitation, voice mail services.

(5) Services related to listing telephone communications service customer information in, or excluding such information from, a directory or database.

(6) Services that provide customer billing information in a detailed or alternative format.

(b) "Billing Address" shall mean the mailing address to which a telephone communications service supplier submits invoices or bills for payment by a service user.

(c)(d) "Electrical corporation," "gas corporation," and "telephone corporation" shall have the same meanings as defined in Sections 218, 222 and 234, respectively, of the Public Utilities Code of the State of California.

(d) "Residential Telephone Communications Service" shall mean telephone communications service by a fixed line, wire or cable to a residential service address and includes voice over Internet Protocol (VoIP) service that cannot be used at locations other than the service user's residential service address. Residential telephone communications service excludes mobile telephone communications services including mobile VoIP service.

(e) "Paging Service" shall mean a telephone communications service that provides transmission of coded radio signals for the purpose of activating specific pagers; such transmissions may include messages and/or sounds.

(f) "Service Address" shall mean the street address of a service user's primary place of usage.

(f)(g)(a) "Service User" shall mean a person required to pay a tax imposed under the provisions of this Article.

(g)(h)(b) "Service Supplier" shall mean any person required to collect a tax imposed under the provisions of this Article.

(h)(i)(e) "Steam Corporation" shall mean and include every "heat corporation," as defined in Section 224 of the Public Utilities Code of the State of California, using steam to deliver heat.

(i)(j)(e) "Telephone Communications Services" shall mean access to a telephone system and the privilege of telephonic quality communications with substantially all persons having telephone or radio telephone stations which are part of such telephone system. "Telephone communication services" shall not include land mobile services or maritime mobile services as defined in Section 2.1 of Title 47 of the Code of Federal Regulations, as said Section existed on January 1, 1970. Notwithstanding this exclusion, "telephone communication services" shall include cellular telephone and enhanced specialized mobile radio communication services. the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, whatever the technology used, including without limitation wire, fiber optic, coaxial cable, power line transmission, light wave, laser, microwave, radio wave, satellite or any other form of wireless transmission, or any other technology now existing or developed after the adoption of this section, and whether or not such information is transmitted through interconnected service with the public switched network. Telephone communications service includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such service is referred to as voice over internet protocol (VoIP)

service or is classified by the Federal Communications Commission as enhanced or value added, and includes video and/or data services that are functionally integrated with telephone communications service. Telephone communications service includes without limitation the following services, regardless of the manner or basis on which such services are calculated or billed: ancillary telephone communications services; mobile telephone communications service; paging service; and toll-free service 800 service. Telephone communications service does not include: internet access services to the extent they are exempt from taxation under the Internet Tax Freedom Act, 47 U.S.C. 151 note; video programming services; and digital downloads, such as downloads of books, music, video, ringtones, games and similar digital products.

(j)(k) "Telephone communications service supplier" shall mean any person who provides telephone communications service to a user of such service within the City, including, without limitation, use outside the City which is within the City's tax jurisdiction under the Mobile Telecommunications Sourcing Act, 4 U.S.C. § 116 et seq. The term includes any person required to collect or remit the tax imposed by Section 703, including the billing agent of such person.

(k)(l)(f) "Water Corporation" shall mean and include every corporation or person including the City and County owning, controlling, operating or managing any water system for compensation within the State of California.

(m) "800 Service" shall mean a telephone communications service that allows a caller to dial a toll-free number without incurring a charge for the call. "800 service" includes without limitation services marketed as "800," "855," "866," "877," and "888" toll-free calling, and any subsequent numbers designated by the Federal Communications Commission.

### **SEC. 702. INTERPRETATION OF TELEPHONE USERS TAX.**

(a) Since 1970, the City and County of San Francisco has collected a Utility Users Tax ("UUT") on telephone communication services. The City levies the UUT under the City's inherent powers as a charter city. Since 1992, the tax rate has been 7.50 percent (7 1/2%).

(b) When first adopted, the UUT referenced the Federal Excise Tax, 26 United States Code § 4251 ("FET") as such Section existed on the effective date of the City's Ordinance. The FET applies, by its terms, to "local" and "toll" telephone services.

(c) The UUT referred to the FET for the purpose of identifying the types of telephone communication services that were subject to the UUT and the types of services that were exempt from the UUT. The reference to the FET also provided a convenience to telephone service providers, who were able to bill end use customers based on an existing tax base. The FET was not a basis or authority for the City's imposition of the UUT.

(d) In 1979, the IRS issued Revenue Ruling 79-404, which provided that toll telephone service that was billed based only on time was subject to the FET. Revenue Ruling 79-404 was consistent with the City's intent to apply the UUT to toll telephone service, regardless of how carriers elected to bill for such service. The IRS reaffirmed Revenue Ruling 79-404 in Notices issued in 2004 and 2005.

(e) On May 25, 2006, the United States Treasury Secretary issued Revenue Notice 2006-50, announcing that the Internal Revenue Service ("IRS") would no longer interpret the FET to apply to toll telephone service that was billed on the basis on time only, and not on the basis of both time and distance. Revenue Notice 2006-50 reversed 27 years of administrative interpretation and practice of the IRS as it related to toll telephone service. As a result of Revenue Notice 2006-50, the IRS no longer interprets the FET to apply to toll calls billed on the basis of time only, and to certain other "bundled" services.

(f) The City will continue to apply its UUT to all types of telephone communication services, including toll service, as it has historically and consistently done.

(g) The City will continue to recognize and retain the exemptions that existed in the FET prior to Revenue Notice 2006-50.



~~(h) The City will not apply the UUT to any telephone communication services that were not subject to the UUT prior to the issuance of Revenue Notice 2006-50.~~

~~(i) These amendments do not increase the tax or create a new tax on telephone communication services.~~

~~(j) The procedure to refund any tax, interest or penalty that has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the City is set out in Business and Tax Regulations Code, Article 6, Common Administrative Provisions, Section 6.15-1, Refunds. The amendment to Section 714 clarifies that the reference to "this Code" in Section 714(a) refers to this process. It insures that the process of presenting a UUT claim is consistent with the required claims process for tax refunds in Section 6.15-1.~~

**SEC. 703. TELEPHONE USERS TAX.**

~~(a) There is hereby imposed a tax upon every person, other than a telephone ~~corporation~~communications service supplier, using ~~intra-state telephone communication services in the City and County. The tax imposed by this Section shall be on the charges made for such services, including minimum charges for services. The tax imposed by this Section shall be paid by the person paying for such services. who uses telephone communications service in the city, including intrastate, interstate, and international telephone communications service, to the extent permitted by federal and state law. The telephone users tax shall apply to all charges for telephone communications service within the city's tax jurisdiction, such as charges billed to a telephone account having a situs in the city as permitted by the Mobile Telecommunications Sourcing Act of 2000, 4 U.S.C. § 116 et seq. There is a rebuttable presumption that telephone communications service billed to a billing address or provided to a service address in the city is used, in whole or in part, within the city's boundaries and that such service is subject to taxation under this article. There is also a rebuttable presumption that a telephone communications service sold within the city that is not billed to a billing address or provided to a primary physical location in the city is used, in whole or in part, within the city's boundaries and that such service is subject to taxation under this article.~~~~

~~(b) As used in this Section, the term "charges" shall ~~not include charges for services paid for by inserting coins in coin-operated telephones, except that where such coin-operated telephone service is furnished for a guaranteed amount, the amounts paid under such guarantee plus any fixed monthly or other periodic charge shall be included in the base for computing the amount of tax due; nor shall the term "charges" include charges for any type of service or equipment furnished by a service supplier subject to Public Utility regulation during any period in which the same or similar services or equipment are also available for sale or lease from persons other than a service supplier subject to Public Utility regulation. The Telephone User Tax is intended to, and does, apply to all charges billed to a telephone having a situs in the City and County, irrespective of whether a particular telephone call originates and/or terminates within the City and County. In addition, effective September 1, 1993, the Telephone Users Tax is intended to, and does, apply to charges for cellular telephone service or enhanced specialized mobile radio communication service, when the service user has a billing address in the City and County. include without limitation: charges for activation, connection, reconnection, termination, movement, or change of telephone communications service; late payment fees; access and line charges, whether or not imposition of such charges is mandated or authorized by a regulatory agency; universal service charges and any other charges designed to assist in expanding access to telephone communications service; and regulatory, administrative and other cost recovery charges. The term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for telephone communications service.~~~~

~~(c) The tax imposed by this Section shall be collected from the service user by the ~~person providing the communications services telephone communications service supplier. The amount of the tax collection~~~~

~~in one month shall be remitted to the Tax Collector on or before the last day of the following month.~~

~~(d) The following shall continue to be exempt from the tax imposed by this section:~~

- ~~(1) Residential telephone communications service;~~
- ~~(2) Any person or entity that is exempt from the tax imposed by this section under Article 6 or its successor;~~
- ~~(3) Service paid for by inserting coins in coin-operated telephones available to the public with respect to local telephone service, or with respect to long distance telephone service if the charge for such long distance telephone service is less than 25 cents; except that where such coin-operated telephone service is furnished for a guaranteed amount, the amounts paid under such guarantee plus any fixed monthly or other periodic charge shall be subject to the tax.~~
- ~~(4) News services. No tax shall be imposed under this section, except with respect to local telephone service, on any payment received from any person for services used in the collection of news for the public press, or a news ticker service furnishing a general news service similar to that of the public press, or radio broadcasting, or in the dissemination of news through the public press, or a news ticker service furnishing a general news service similar to that of the public press, or by means of radio broadcasting, if the charge for that service is billed in writing to that person.~~
- ~~(5) International, etc., organizations. No tax shall be imposed under this section on any payment received for services furnished to a public international organization in which the United States participates pursuant to treaty or Act of Congress, or to the American National Red Cross.~~
- ~~(6) Servicemen in combat zone. No tax shall be imposed under this section on any payment received for any toll telephone service, which originates within a combat zone, as defined in Section 112 of Title 26 of the United States Code, from a member of the Armed Forces of the United States performing service in the combat zone, as determined under Section 112 of Title 26 of the United States Code.~~
- ~~(7) Items otherwise taxed. Only one payment of tax under this section shall be required with respect to the tax on any service, provided, however, that a person claiming exemption under this section shall bear the burden to prove the city actually received the earlier payment of tax on that service.~~
- ~~(8) Common carriers and telecommunications companies. No tax shall be imposed under this section on the amount paid for any telephone communications service to the extent that the amount so paid is for use by a common carrier, telephone or telegraph company, or radio broadcasting station or network in the conduct of its business.~~
- ~~(9) Installation charges. No tax shall be imposed under this section on any amount paid for the installation of any instrument, wire, pole, switchboard, apparatus, or equipment as is properly attributable to the installation.~~
- ~~(10) Nonprofit hospitals. No tax shall be imposed under this section on any amount paid by a nonprofit hospital for services furnished to that organization. For purposes of this exemption, the term "nonprofit hospital" means a hospital referred to in Section 170(b)(1)(A)(iii) of Title 26 of the United States Code, which is exempt from federal income tax under Section 501(a) of Title 26 of the United States Code.~~
- ~~(11) State and local governments. No tax shall be imposed under this section upon any payment received for services or facilities furnished to the government of any State, or any of its political subdivisions, or the District of Columbia.~~
- ~~(12) Nonprofit educational organizations. No tax shall be imposed under this section on any amount paid by a nonprofit educational organization for services or facilities furnished to that organization. For purposes of this exemption,~~



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the term “nonprofit educational organization” means an educational organization described in Section 170(b)(1)(A)(ii) of Title 26 of the United States Code, which is exempt from federal income tax under Section 501(a) of Title 26 of the United States Code. The term also includes a school operated as an activity of an organization described in Section 501(c)(3) of Title 26 of the United States Code, which is exempt from federal income tax under Section 501(a) of Title 26 of the United States Code, if that school normally maintains a regular facility and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on.

Notwithstanding the provisions of Subsection (a), the tax imposed under this Section shall not be imposed upon any person for using intrastate telephone communication services to the extent that the amounts paid for such services are exempt from or not subject to the tax imposed under Section 4251 of Title 26 of the United States Code, the Federal Communications Excise Tax, as such section existed on August 28, 1970, and as such section was interpreted by the Internal Revenue Service prior to Revenue Notice 2006-50.

(e) To prevent actual, multiple taxation of any telephone communications service subject to tax under this section, any service user, upon proof that the service user owed and has paid a tax in another taxing jurisdiction on the telephone communications service, shall be allowed a credit against the tax imposed by this section to the extent of the tax properly due and paid in the other taxing jurisdiction. However, no credit may be allowed for any tax paid to another taxing jurisdiction to the extent that the telephone communications service may not legally be made the subject of taxation by the other taxing jurisdiction, nor shall the amount of credit exceed the tax owed to the City under this section.

(f) If a non-taxable service and a taxable service are billed together under a single charge, the entire charge shall be deemed taxable unless the telephone communications service supplier or taxpayer reasonably identifies actual charges for services not subject to the tax. The telephone communications service supplier or taxpayer seeking a reduction has the burden of proving the proper valuation and apportionment of taxable and non-taxable charges based upon books and records that are kept in the regular course of business and in a manner consistent with generally accepted accounting principles.

### SEC. 707.1. UTILITY USERS TAX EXEMPTION.

(a) No tax shall be levied upon residential telephone communications service or upon the use in the City and County of San Francisco by residential customers of telephone communication services, electrical energy or gas, water or steam which is delivered through mains or pipes or of any other utility service after June 30, 1988.

(b) For the purposes of this Section, “residential customer” shall mean any customer paying for the utility service at a residential or domestic rate consistent with the rate schedule set by the California Public Utilities Commission or any other rate-making authority.

(c) This Section was adopted by the voters of San Francisco at the November 3, 1987 election and may be amended only by the vote of the electorate.

### SEC. 707.3. INTERSTATE TELEPHONE USERS TAX.

Commencing August 1, 1992, the tax set forth in Section 703 (telephone users) and Section 707.2, in addition to being imposed upon persons using intrastate telephone communication services, shall also be imposed upon every person, other than a telephone corporation, using interstate or international telephone communication services in the City and County. The tax imposed on the interstate or international telephone communication services shall be collected from the service user by the person providing such services. The amount of the tax collection in one month shall be remitted to the Tax Collector on or before the last day of the following month.

### SEC. 708. COLLECTION OF TAX.

(a) Unless prohibited by the laws of the United States or the State of California, or exempted by the provisions of this Code, every person using telephone communications services, electrical, water gas or steam services in this City and County shall be required to pay the tax imposed in this Article and Article 10B ~~herein~~ to the service supplier along with the charges made for such services. This obligation is not satisfied until the tax has been paid to this City and County, except that a receipt indicating payment of the service charges from a service supplier maintaining a place of business in this City and County or from a supplier who is authorized by the Tax Collector to collect the tax shall be sufficient to relieve the service user from further liability for the tax to which the receipt refers.

(b) Every service supplier maintaining a place of business in this City and County, and providing telephone communications services, electrical, water gas or steam services to a service user, not exempted under this Code shall, at the time of collecting the charges made for such services from the service user, also collect the tax imposed by this Article and Article 10B from the service user and on demand shall give to the service user a receipt therefor. In all cases in which the tax is not collected by the service supplier, as aforesaid, the service supplier shall be liable to the Tax Collector of the City and County for the amount of the tax due on the amount of taxable ~~rent~~ service charges collected from the ~~occupant~~ service user under the provisions of this Article and Article 10B, the same as though the tax were paid by the service user. In all cases of transactions upon credit or deferred payment, the payment of tax to the Tax Collector may be deferred in accordance therewith, and the service supplier shall be liable therefor at the time and to the extent that such credits are paid or deferred payments are made in accordance with the rate of tax owing on the amount thereof.

The Tax Collector shall have the power to adopt rules and regulations prescribing methods and schedules for the collection and payment of the tax and such methods and schedules shall eliminate fractions of one cent.

(c) The taxes imposed by this Article and Article 10B shall be collected, insofar as practicable, at the same time as and along with the collection of charges made in accordance with the regular billing practice of the service supplier. If the amount paid by a service user is less than the full amount of the charges and tax which has accrued for the billing period, a proportionate share of both the charges and the tax shall be deemed to have been paid.

~~Where a person receives more than one billing, one or more being for different periods than another, +~~ The duty to collect shall arise separately for each billing period for which a service supplier bills a service user.

(d) The Tax Collector may issue administrative rulings identifying telephone communications services that are subject to the taxes imposed by section 703 of this article and article 10B. Such rulings shall be consistent with legal requirements and shall not impose a new tax, revise an existing tax methodology, or increase an existing tax, except as allowed by California Government Code section 53750(h)(2) and (3) or other law. To the extent that the Tax Collector determines that the taxes imposed under Section 703 or Article 10B shall not be collected in full for any period of time, such a determination falls within the Tax Collector’s prosecutorial discretion to settle disputes. The Tax Collector’s exercise of such forbearance under this section does not constitute a change in taxing methodology for purposes of Government Code section 53750(h), and the city does not waive or abrogate its ability to impose the taxes imposed by Section 703 or Article 10B in full as a result of such determinations and may suspend such determinations and recommence enforcement of the taxes without additional voter approval.

(e) A service supplier shall be obligated to collect and remit the tax imposed by Section 703 of this Article and Article 10B if it is “engaging in business within the City” as described in Article 6, Section 6.2-12.





**SEC. 721. EFFECT OF STATE AND FEDERAL AUTHORIZATION.**

*To the extent that the city's authorization to impose or collect any tax imposed under Section 703 of this Article or Article 10B is expanded or limited as a result of changes in state or federal law, no amendment or modification of Section 703 or Article 10B shall be required to conform the taxes to those changes, and the taxes shall be imposed and collected to the full extent of the city's authorization up to the full amount of the taxes imposed under Section 703 and Article 10B.*

**SEC. 722. AMENDMENT OF ORDINANCE.**

*Article 6, Article 10 and Article 10B of the Business and Tax Regulations Code may be repealed or amended by the Board of Supervisors without a vote of the people except as follows: as required by Article XIII C of the California Constitution ("Proposition 218"), any amendment that increases the amount or rate of tax beyond the levels authorized by this Ordinance may not take effect unless approved by a vote of the people. The Board of Supervisors may impose the taxes authorized by Section 703 and Article 10B in any amount or rate which does not exceed the amount or rate approved by the voters.*

**SEC. 723. SEVERABILITY.**

*If any section, sentence, clause, phrase, or portion of Article 6, Article 10 or Article 10B is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining sections, sentences, clauses, phrases, or portions of these Articles shall nonetheless remain in full force and effect. The people of the City and County of San Francisco hereby declare that they would have adopted each section, sentence, clause, phrase, or portion of these Articles, irrespective of the fact that any one or more sections, sentences, clauses, phrases, or portions of these Articles be declared invalid or unenforceable and, to that end, the provisions of these Articles are severable.*

Section 5. Section 6.1-1 of the San Francisco Business and Tax Regulations Code is hereby amended to read as follows:

**SEC. 6.1-1. COMMON ADMINISTRATIVE PROVISIONS.**

(a) Except where the specific language of the Business and Tax Regulations Code or context otherwise requires, these common administrative provisions shall apply to Articles 6, 7, 9, 10, ~~10A~~, 10B, 11, 12, 12-A and 12-B of such Code. *Any provision of this Article 6 that references or applies to Article 10 shall be deemed to reference or apply to Article 10B.*

(b) Unless expressly provided otherwise, all statutory references in this Article and the Articles set forth in Subsection (a) shall refer to such statutes as amended from time to time and shall include successor provisions. *For purposes of collecting the Emergency Response Fee under Article 10A, any reference to a "tax" in this Article shall include the Emergency Response Fee where appropriate; provided, however that nothing in the operation of this provision shall affect the underlying legal character of the Emergency Response Fee or suggest that the fee is a tax.*

(c) For purposes of this Article, a domestic partnership established pursuant to Chapter 62 of the San Francisco Administrative Code shall be treated the same as a married couple.

Section 6. This Ordinance does not change the existing rate of any tax imposed under the Business and Tax Regulations Code.

Section 7. The voters of the City and County of San Francisco hereby ratify and approve the past collection of the Telephone Users Tax under Article 10 of the San Francisco Business and Tax Regulations Code, as enacted by Ordinance 287-70 and as subsequently amended, including without limitation, the amendments effected by Ordinance 224-06. The voters of the City and County of San Francisco hereby ratify and approve the past collection of the Emergency Response Fee under Article 10A of the San Francisco Business and Tax Regulations Code, as enacted by Ordinance 419-93 and as subsequently amended.

Section 8.

*(a) Service suppliers obligated to collect and remit the taxes imposed by Section 703 of Article 10 or Article 10B of the San Francisco Business and Tax Regulations Code shall implement any changes required by this Ordinance in accordance with California Public Utilities Code Section 799. The Treasurer and Tax Collector may, in his or her sole discretion, reimburse service suppliers for any one-time costs they may incur to implement any changes required by this Ordinance, subject to the fiscal provisions of the San Francisco Charter.*

*(b) This Ordinance shall be effective only if approved by a majority of the voters voting thereon. This Ordinance, except Section 2, and shall go into effect ten (10) days after the official vote count is declared by the Board of Supervisors. Section 2 of this Ordinance, repealing Article 10A of the San Francisco Business and Tax Regulations Code, shall go into effect on the date that is 120 days after the official vote count is declared. The Treasurer and Tax Collector may, by administrative ruling, set an earlier date for Section 2 of this Ordinance to go into effect.*

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**PROPOSITION P**

**Ordinance amending the San Francisco Business and Tax Regulations Code by amending Section 1404 to change the composition of the San Francisco Transportation Authority, and to declare it City policy that the Authority: maximize efficiency by having staff functions for the Transportation Authority performed, to the extent practicable, by agencies and departments of the City and County; maximize fiscal accountability by obtaining expert financial review before adoption of Authority budgets; and, maximize public accountability by adopting the ethics and public records laws that apply to the City and County.**

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough-italics Times New Roman~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Business and Tax Regulations Code is hereby amended by amending Section 1404, to read as follows:

**SEC. 1404. CONTINUATION OF AUTHORITY.**

*(a) Beginning at noon on February 1, 2009, the governing body of the Transportation Authority shall consist of the Mayor, one elected official of the City and County of San Francisco designated by the Mayor, the president of the Board of Supervisors, one elected official of the City and County designated by the president of the Board, and the Treasurer. The Mayor, the President of the Board of Supervisors, and the Treasurer each may designate another elected City official to serve as her or his alternate on the governing body of the Transportation Authority.*

*The tenure of the members of the governing body of the Authority holding office on February 1, 2009 shall expire at noon of that day, and the members shall not hold over in office. The new members selected pursuant to subsection (a) shall take office at that time. Upon voter approval of this ordinance, the Authority shall continue in effect as currently constituted. The Authority shall have all of the powers set forth in Division 12.5 (commencing with Section 131100) of the Public Utilities Code, all of the powers set forth in the New Transportation Expenditure Plan, and all powers incidental or necessary to imposing and collecting the tax and administering the tax proceeds and the Plan, and causing and overseeing the delivery of the transportation improvements therein contained. The Authority may allocate and reallocate the tax proceeds to meet project cash flow needs consistent with all the provisions of the Plan. In the event a project is infeasible, the Authority shall reallocate the tax proceeds for that project to other projects in accordance with the provisions of the Plan.*



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*(b) The voters urge the Transportation Authority, as a matter of City policy, to maximize efficiency by having staff functions for the Transportation Authority performed, to the extent practicable, by agencies and departments of the City and County, to maximize fiscal accountability by obtaining expert financial review before adoption of Authority budgets, and to maximize public accountability by adopting the same ethics and public records laws that apply to the City and County.*

### PROPOSITION Q

**Ordinance submitting to the voters an ordinance amending the Business and Tax Regulations Code by (1) amending Section 902.1 and adding Section 902.2 to clarify the tax liability of “pass through entities” under the Payroll Expense Tax Ordinance, including partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities and specifying safe harbor measure of taxable payroll expense for owners of pass through entity (200% of compensation for its most highly paid quartile of employees, provided entity has at least 4 employees); and (2) amending Section 905-A to increase the Small Business Tax Exemption to include all taxpayers whose taxable payroll expense is \$250,000 or less.**

Note: Additions are single-underline italics Times New Roman.  
Deletions are ~~strikethrough italics Times New Roman~~.

*Be it ordained by the People of the City and County of San Francisco:*

*Section 1. ORDAINED that Pursuant to Article XIII C of the Constitution of the State of California, the Board of Supervisors hereby submits this ordinance shall be submitted to the qualified electors of the City and County of San Francisco; at the November 4, 2008 general municipal election and that this ordinance shall become operative only if approved by the qualified electors at such election.*

*Be it ordained by the People of the City and County of San Francisco:*

Section 12. The San Francisco Business and Tax Regulations Code is hereby amended by amending Section 902.1 and adding Section 902.2 to read as follows:

SEC. 902.1. PAYROLL EXPENSE. (a) The term “Payroll Expense” means the compensation paid to, on behalf of, or for the benefit of an individual, including shareholders of a professional corporation or a Limited Liability Company (“LLC”), including salaries, wages, bonuses, commissions, property issued or transferred in exchange for the performance of services (including but not limited to stock options), compensation for services to owners of pass-through entities, and any other form of compensation, who during any tax year, perform work or render services, in whole or in part in the City; and if more than one individual or shareholders of a professional corporation or members of an LLC, during any tax year performs work or renders services in whole or in part in the City, the term “Payroll Expense” means the total compensation paid including salaries, wages, bonuses, commissions, property issued or transferred in exchange for the performance of services (including but not limited to stock options), in addition to any compensation for services to owners of pass-through entities, and any other form of compensation for services, to all such individuals and shareholders of a professional corporation or members of an LLC.

(b) Any person that grants a service provider a right to acquire an ownership interest in such person in exchange for the performance of services shall include in its payroll expense for the tax year in which such right is exercised an amount equal to the excess of

(i) the fair market value of such ownership interest on the date such right is exercised over

(ii) the price paid for such interest.

(c) Any individual compensated in his or her capacity as a real estate salesperson or mortgage processor shall be deemed an employee of the real estate broker or mortgage broker for or under whom such individual performs services, and any compensation received by such individual, including compensation by way of commissions, shall be included in the payroll expense of such broker. For purposes of this Section, “real estate broker” and “mortgage broker” refer to any individual licensed as such under the laws of the State of California who engages the services of salespersons or a salesperson, or of mortgage processors or a mortgage processor, to perform services in the business which such broker conducts under the authority of his or her license; a “salesperson” is an individual who is engaged by a real estate broker to perform services, which may be continuous in nature, as a real estate salesperson under an agreement with a real estate broker, regardless of whether the individual is licensed as a real estate broker under the laws of the State of California; a “mortgage processor” is an individual who is engaged by a real estate broker or mortgage broker to perform services, which may be continuous in nature, as a mortgage processor under an agreement with such real estate broker or mortgage broker, regardless of whether the mortgage processor is also licensed as a mortgage broker under the laws of the State of California.

(d) All compensation, including all pass-through compensation for services paid to, on behalf of, or for the benefit of owners of a pass-through entity, shall be included in the calculation of such entity’s payroll expense tax base for purposes of determining such entity’s tax liability under this Article. For purposes of this section, the “pass-through compensation for services” of a pass-through entity shall be the aggregate compensation paid by such entity for personal services rendered by all such owners, and shall not include any return on capital investment. The taxpayer may calculate the amount of compensation to owners of the entity subject to the Payroll Expense Tax, or the taxpayer may presume that, in addition to amounts reported on a W-2 form, the amount subject to the payroll expense tax is, ~~90% of the amount of net earnings from self-employment derived from the entity for federal income tax purposes. for each owner, an amount that is two hundred percent (200%) of the average annual compensation paid to, on behalf of, or for the benefit of the employees of the pass-through entity whose compensation is in the top quartile (i.e., 25%) of the entity’s employees who are based in the City; provided, the total number of employees of the entity based in the City is not less than twenty-four.~~

SEC. 902.2. PASS-THROUGH ENTITY. The term “pass-through entity” includes a trust, partnership, corporation described in Subchapter S of the Internal Revenue Code of 1986, as amended, limited liability company, limited liability partnership, professional corporation, and any other person or entity (other than a disregarded entity for federal income tax purposes) which is not subject to the income tax imposed by Subtitle A, Chapter 1 of the Internal Revenue Code of 1986, as amended, or which is allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such person or entity. Any person exempt from payment of the Payroll Expense Tax under Section 905-A or 906 of this Article shall not be disqualified from or denied such exemption as a result of being a “pass-through entity” under this Section.

Section 2. The San Francisco Business and Tax Regulations Code is hereby amended by amending Section 905-A to read as follows:

SEC. 905-A. SMALL BUSINESS TAX EXEMPTION.

(a) Notwithstanding any other provisions of this Article, “small business enterprises” as hereinafter defined, shall be exempt from payment of the Payroll Expense Tax; provided, however, that small business enterprises shall pay the annual registration fee pursuant to Section 855 of Article 12.

(b) The term “small business enterprise” shall mean and include any taxpayer:

(1) Whose tax liability under this Article, but for this exemption provision, would not exceed \$2,500 and or, effective January 1, 2009, whose taxable payroll expense does not exceed \$250,000 and;





## LEGAL TEXT OF PROPOSITIONS Q, R AND S

(2) Who has filed a tax return by the last date of February for the preceding tax year. If the taxpayer fails to file a return by that date, the taxpayer shall be subject to a penalty as specified in subsection (d).

(c) For the 2011 tax year, and each second succeeding tax year, the Tax Collector shall increase the ceiling for the Small Business Tax Exemption (rounded to the nearest \$10,000 increment) to reflect increases in the United States Department of Labor's Bureau of Labor Statistics consumer price index for all urban customers for the San Francisco-Oakland-San Jose area for each of the preceding two tax years.

(d) In lieu of the penalty specified in Section 6.17-3 of this Article for failing to file a return, any person who otherwise qualifies for the small business exemption set forth in this Section who fails to file a return by the last date of February shall pay a penalty as follows:

(1) If the person's Payroll Expense Tax liability under this Article, but for the small business exemption under this section, would be less than \$1,000, the penalty shall be \$100 plus 10% of the amount of such liability, for each month, or fraction thereof, that the return is delinquent, up to a maximum amount equal to the person's liability for such tax but for the small business exemption;

(2) If the person's Payroll Expense Tax liability under this Article, but for the small business exemption under this section, would be \$1,000 or more, then the penalty shall be \$250 plus 10% of the amount of such liability, for each month, or fraction thereof, that the return is delinquent, up to a maximum amount equal to the person's liability for such tax but for the small business exemption.

(e) The Tax Collector may, in his or her discretion, reduce the penalty set forth in subsection (c) to not less than \$100 upon a showing that the late filing of the return was due to reasonable cause and not due to willful neglect.

Section 3. This ordinance does not change any of the Payroll Expense Tax rates in Section 903.1 and reaffirms the current rates.

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### PROPOSITION R

Be it ordained by the People of the City and County of San Francisco:

Section 1: The Oceanside Wastewater Treatment Facility, a public sewage and wastewater treatment facility serving the people of the City and County of San Francisco, shall be permanently renamed the George W Bush Sewage Plant.

Section 2: This name change shall take effect immediately upon the inauguration of the next US President.

Section 3: The facility's outdoor signage and website shall be updated when the name change takes effect.

Section 4: Stationary, business cards, city maps and other public references to the facility shall also be updated, but may be updated when old materials are replenished or reprinted.

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### PROPOSITION S

Ordinance amending the San Francisco Administrative Code by adding Section 3.26, to establish as official City policy that the voters will not approve new set-asides or other mandated levels of spending without identifying a new funding source for the program, and that the duration and any annual growth in the set-aside or mandated level of spending be limited, and amending the San Francisco Municipal Elections Code by adding Section 521, to require that the voter information pamphlet include a specific Controller's analysis of the fiscal impact of a proposed new set-aside.

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough italics Times New Roman~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 3.26, to read as follows:

**SEC. 3.26. BUDGET SET-ASIDES AND MANDATORY EXPENDITURES.**

**(a) Findings.**

1. Various voter-approved provisions of the Charter require the City to set aside portions of the property tax levy or the General Fund for particular purposes or otherwise mandate continuing annual appropriations for specific programs. In addition, voter approved ordinances, although not fiscally binding, also have the same practical effect. This initiative ordinance refers to all these measures, including increases to existing mandates, as "Set-Asides". Only the voters at another election have the authority to change the provisions of these Set-Asides.

2. The City's total revenue for fiscal year 2007-08 was approximately \$6.07 billion. But only \$2.83 billion of that revenue was General Fund money. And of the General Fund portion of the budget, only approximately \$1.11 billion or 18% of the total revenue remained available for discretionary spending for any lawful governmental purpose.

3. While these Set-Asides often individually promote laudable public purposes, collectively they impair the capacity of the Mayor and the Board of Supervisors to carry out one of the most important functions they are elected to perform under the Charter: allocating the City's limited resources to best serve the public interest. The impact of these Set-Asides also has limited the ability of the Mayor and Board of Supervisors to effectively respond to recurring budget deficits, and has led to reductions in important public services due to the declining portion of the budget available for discretionary spending.

**(b) Policy Regarding New Set-Asides and Mandatory Expenditures.** The voters adopt the following as official policy of the City and County of San Francisco:

1. The voters will not approve the addition to the City Charter of any Set-Aside or other measures that has the effect of limiting the spending discretion of the Mayor and the Board of Supervisors unless the measure adding the new Set-Aside also provides a specific, adequate new source of funds so that the implementation of the Set-Aside will not cause a net decrease in General Fund revenues that the Mayor and Board would otherwise have the discretion to allocate through the budget process. Growth in revenues from existing funding sources shall not be considered a new source of funding for the purpose of this measure.

2. The voters will not approve any annual cost-of-living adjustment or other escalation in the dollar amount of any new Set-Aside that exceeds the amount of the prior year's Set-Aside by more than 2%; and,

3. The voters will not approve any new Set-Aside or proposed extension of an existing Set-Aside unless it expires automatically no later than 10 years after the effective date of its adoption.

Section 2. The San Francisco Municipal Elections Code is hereby amended by adding Section 521, to read as follows:

**SEC. 521. CONTROLLER'S STATEMENT ON SET-ASIDES.**

**(a) Purpose.** The ordinance is adopted to promote the policy contained in Administrative Code Section 3.26.

**(b) Controller's Statement.** Whenever a proposal appears on the ballot that includes a Set-Aside, as that term is defined in Administrative Code Section 3.26, the Controller shall prepare and the Director of Elections shall caused to be printed in the voter information pamphlet a statement analyzing the impact of the measure on the City's budget and finances during the term of the measure, considered alone and in combination with existing Set-Asides. The Controller's statement shall inform the voters of both the policy that this section of the Charter adopts and whether the proposal identifies a specific, adequate new funding source for the proposed Set Aside so that the implementation of the Set-Aside



## LEGAL TEXT OF PROPOSITIONS S, T, U AND V

will not cause any anticipated reduction in discretionary funding that the Mayor and Board of Supervisors may allocate in the budgetary process. The Controller may include any other material in the statement that he or she deems useful and appropriate.

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### PROPOSITION T

#### Ordinance amending the San Francisco Administrative Code by adding Section 19A.23 create the Treatment on Demand Act.

Note: Additions are *single-underline italics Times New Roman*; deletions are *strikethrough italics Times New Roman*.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 19A.23, to read as follows:

Sec. 19.23 (A). [Treatment on Demand Act].

Be it ordained by the People of the City and County of San Francisco:

#### SECTION 1. Title.

This ordinance shall be known and may be cited as the "Treatment on Demand Act".

#### SECTION 2. Findings and Purpose.

a) Substance abuse treatment services are essential services that provide hope and dignity for individuals and a pathway out of addiction, which may lead to homelessness and criminal activity.

b) Substance abuse treatment services are a key component to San Francisco's Continuum of Care Plan, the official homeless policy of the City and County of San Francisco as approved by the Board of Supervisors on February 26, 2008 and by the Mayor on February 29, 2008.

c) Over the past several years, the City and County of San Francisco has inconsistently prioritized substance abuse treatment services.

d) As a result of these inconsistencies, many of the people in need of services are turned away for lack of available treatment slots.

e) This initiative requires that the City and County of San Francisco provide a level of treatment services commensurate with the demand for these services.

#### SECTION 3. New Administrative Code Section 19A.30 Treatment on Demand Act.

Section 19A.30 is added to Chapter 19A of the San Francisco Administrative Code, to read as follows:

#### SECTION 19A.30. TREATMENT ON DEMAND ACT

Notwithstanding any other provision of law, the Department of Public Health shall maintain an adequate level of free and low cost medical substance abuse services and residential treatment slots commensurate with the demand for these services.

Demand shall be measured by the total number of filled medical substance abuse slots plus the total number of individuals seeking such slots as well as the total number of filled residential treatment slots plus the number of individuals seeking such slots.

The City and County shall be flexible in providing various treatment modalities for both residential substance abuse treatment services and medical substance abuse treatment services.

The Department of Public Health shall report to the Board of Supervisors by February 1st of each year with an assessment of the demand for substance abuse treatment and present a plan to meet this demand. This plan should also be reflected in the City budget.

The City and County shall not reduce funding, staffing or the number of substance abuse treatment slots available for as long as slots are filled or there is any number of individuals seeking such slots.

Nothing in this section shall diminish, interfere with or otherwise alter the Mayor's authority under Article III, section 3.100(13) of the Charter.

#### SECTION 4. Effective Date.

The provisions of this ordinance shall take effect upon certification of the election.

#### SECTION 5. Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this charter amendment that can be given effect without the invalid or unconstitutional provision of application, and to this end the provisions of this ordinance are severable.

#### SECTION 6. Amendments.

The provisions of this initiative, once enacted, may not be amended except by a subsequent initiative ordinance.

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### PROPOSITION U

It is the Policy of the people of the City and County of San Francisco that:

**Its elected representatives in the United States Senate and House of Representatives should vote against any further funding for the deployment of United States Armed Forces in Iraq, with the exception of funds specifically earmarked to provide for their safe and orderly withdrawal.**

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### PROPOSITION V

#### Choice for Students--JROTC

It is hereby the policy of the City and County of San Francisco that students in San Francisco public high schools should continue to be able to choose to participate in the schools' Junior Reserve Officers' Training Corps (JROTC) program.

JROTC is a 90 year old leadership program in the San Francisco Unified School District that teaches students discipline, leadership skills and the importance of civic responsibility. It is a during and after-school program that serves over 1600 students, the great majority of whom are from racial minority groups. Students and their instructors voluntarily commit hundreds of community service hours to their schools as well as to the community at large.



In November 2006, a narrow majority of San Francisco school board members voted to phase out JROTC over a three year period. Recently, the board voted to delay this phase out for at least a year. However, without additional action, JROTC will end in the San Francisco schools in the near future.

High school students need more choice not less. High school deans and principals will attest to the need for students to make a “social” connection at school in order to avoid at-risk behavior. JROTC has been cited by program alumni, parents and teachers as saving at-risk students during high school. The program has the support 85% of the students polled (citywide), as well as all of the Parent Teacher Student Associations at the affected schools, and all of the principals at these schools.

JROTC does not discriminate in any way, shape or form, and does not abide by the “Don’t Ask Don’t Tell” policy. The steering committee of the Friends of JROTC, formed to support JROTC, has voted unanimously to oppose the Don’t Ask Don’t Tell policy, and sent a letter to Congress stating this opposition.

Because JROTC works, the people of the City and County of San Francisco hereby support the right of students to have academic and after-school program choices, and declare it policy to offer voluntary JROTC programs and to reverse the action by the Board of Education to terminate the program.

