



April 28, 2006

Dear San Francisco Voter:

There are several important issues related to the June 6, 2006 Consolidated Primary Election. First, nonpartisan voters will have several voting options and need to be aware of those options before requesting an absentee ballot or ballots from pollworkers on election day. Also, new federal and state laws require everyone who registers to vote to provide a driver's license number, or the last four digits of his or her Social Security number. Finally, San Francisco will introduce voting equipment that allows voters with disabilities to cast their ballots independently and privately in all of our polling places.

CALIFORNIA'S MODIFIED PRIMARY

People who declined to state a preference for a political party when registering to vote (or, nonpartisan voters) have the option of voting on ballots for American Independent, Democratic, or Republican candidates for every contest except the central committee contests. Absentee voters using the application on the back of their voter guides can mark the box indicating whether they want a ballot for American Independent, Democratic, or Republican candidates. If no box is checked, we will mail ballots that list nonpartisan contests and all ballot measures.

Nonpartisan voters who go to their polling places on election day and who want to vote a party ballot will need to request such ballots from the poll workers. Please note, however, that people who register as nonpartisans are not required to choose to vote a ballot from any party and can vote on ballots specifically for nonpartisan voters.

NEW IDENTIFICATION REQUIREMENTS

The federal Help America Vote Act requires that everybody who registers to vote for the first time or who reregisters and changes his or her voter record must provide a driver's license number or the last four digits of his or her Social Security number. Without this information, we cannot include people on the list of active voters for the June 6 election.

NEW ACCESSIBLE VOTING EQUIPMENT

The Help America Vote Act also requires that each polling place have voting equipment that is accessible to voters with disabilities, and that allows people to vote independently and privately. To provide accessible voting, the Department will have one new piece of equipment in each polling place. This new equipment is called the "AutoMARK" and it operates like a ballot-marking pen. Voters insert their ballot cards into the AutoMARK, make their selections, and the device will complete the "ovals" on the ballots indicating voters' selections. The AutoMARK, however, does not count votes so the Department of Elections will tally votes from these ballots at City Hall after election day.

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). Also, our website - www.sfgov.org/election - is an excellent source of information and provides most material in English, Chinese, and Spanish.

Respectfully,
John Arntz, Director



Purpose of the Voter Information Pamphlet

The purpose of this pamphlet is to provide voters with information about candidates and ballot measures in advance of each election. In addition to the sample ballot, this pamphlet contains: information about the qualifications of candidates for legislative and judicial offices; the legal text of each local ballot measure; 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; and arguments supporting and opposing local ballot measures. This pamphlet is also available in Chinese and Spanish.

The Department of Elections delivers the Voter Information Pamphlets to the Post Office for delivery to individual voters. If you do not receive your pamphlet by May 23, 2006, please contact your local Post Office and the Department of Elections.

這本手冊有中文版。要索取中文版，請致電 (415) 554-4367。

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

The Ballot Simplification Committee

The Ballot Simplification Committee prepares an impartial summary of each local ballot measure. 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 (FAQ's). The Committee members have backgrounds in journalism 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*

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

Suzanne Stassevitch
Nominated by the League of Women Voters

Miguel Márquez, *Ex officio*
Deputy City Attorney

John Arntz, *Ex officio*
Director of Elections

ELECTION DAY IS TUESDAY, JUNE 6, 2006

THE POLLS WILL BE OPEN FROM 7 A.M. TO 8 P.M.

FOR THE LOCATION OF YOUR POLLING PLACE,
CHECK THE BACK COVER OF THIS PAMPHLET, CALL THE DEPARTMENT OF ELECTIONS AT

415-554-4375, OR VISIT WWW.SFGOV.ORG/ELECTION



COMBINED PARTY VOTER INFORMATION PAMPHLET

CONSOLIDATED PRIMARY ELECTION

JUNE 6, 2006

The Department of Elections has provided this combined sample ballot booklet for the June 6, 2006 Consolidated Primary Election for the following qualified parties:

- American Independent Party
- Democratic Party
- Green Party
- Libertarian Party
- Natural Law Party
- Peace and Freedom Party
- Republican Party

The June 6, 2006 election is a “modified” closed primary. In this type of election, a voter who has registered with a particular political party may vote only for candidates from that party in partisan contests. Voters who declined to state an affiliation with a political party at the time of registration (DTS voters) may request a ballot from any of the three parties that allow unaffiliated voters to participate in this election. All registered voters, regardless of party affiliation, may vote in non-partisan contests and for or against ballot measures.

The three political parties that will allow unaffiliated voters to vote a party ballot in this election are:

- The American Independent Party, which allows unaffiliated voters to vote for candidates for all offices.
- The Democratic Party, which allows unaffiliated voters to vote for candidates for all offices except County Central Committee.
- The Republican Party, which allows unaffiliated voters to vote for candidates for all offices except County Central Committee.

Unaffiliated voters who wish to receive a ballot from one of the parties listed above must indicate their choice when requesting a ballot on Election Day. Voters requesting an absentee ballot can mark their choice on the Absentee Ballot Application located on the back cover of this Voter Information Pamphlet.

Unaffiliated voters who do not request a specific party ballot will be given a nonpartisan ballot containing only the nonpartisan offices and the measures to be voted on.

Please note that under state law, when an unaffiliated voter chooses an American Independent, Democratic or Republican Party ballot, this choice must be noted in the roster of voters and becomes part of the public record.

To determine your party registration, look at the box containing your polling place address on the back cover of this booklet. The party with which you are registered is identified by one of the codes listed below:

AIP-3	American Independent Party	NLP-6	Natural Law Party
DEM-1	Democratic Party	P&F-7	Peace and Freedom Party
GRN-4	Green Party	REP-2	Republican Party
LIB-5	Libertarian Party	NP-0	Decline to state a party affiliation (DTS) / Nonpartisan





Accessible Voting (AutoMARK)

Starting in 2006, the Help America Vote Act (HAVA, 2002) requires every polling place in the nation to provide at least one voting machine that is accessible to voters with specific needs. For the June primary, San Francisco voters will continue to vote on the same paper ballot system that the City began using in 2000. Voters with, but not limited to, sight and mobility impairments will now have the option to use a new ballot-marking machine. This machine is designed to help voters with specific needs to vote independently and privately.

This ballot-marking machine, or the “AutoMARK”, provides multiple ways for voters to mark their paper ballot, including:



A touch screen interface



A Braille touch pad



An option to use other assistive devices such as a sip/puff

The AutoMARK also assists voters by providing:



An audio function that allows voters to listen to instructions and ballot selections while marking their ballot



A zoom feature to increase screen and font size



Ballots and instructions in three languages: English, Chinese, and Spanish.



The AutoMARK will also be available for use during Early Voting at City Hall beginning on Monday, May 8, 2006 from 8 a.m. to 5 p.m. and through 8:00 p.m. on Election Day.

Additional Assistance for Voters with Disabilities

Before Election Day

Absentee voting— All voters may request that an absentee ballot be mailed to them, or they may vote in person at the Department of Elections, City Hall, at 1 Dr. Carlton B. Goodlett Place, Room 48, from May 8 through June 6.

The office hours are:

- 8 a.m. to 5 p.m., Monday through Friday (except holidays);
- 10 a.m. to 4 p.m., on Saturday and Sunday, June 3-4;
- 7 a.m. to 8 p.m. on Election Day, June 6.

In addition, all voters may apply to become Permanent Absentee Voters (see page 7). Ballots for all future elections will automatically be mailed to Permanent Absentee Voters.

Tape recordings— The San Francisco Library for the Blind and Print Disabled, at 100 Larkin Street, produces and distributes tape-recorded copies of the Voter Information Pamphlet for use by voters with visual impairments. Voters may request a tape-recorded copy by calling Martin Magid at the San Francisco Public Library for the Blind and Print Disabled, at 415-557-4253, or may obtain a copy at any branch of the San Francisco Public Library.

On Election Day

TTY (Telecommunications Device for the Deaf)— Voters with hearing or speech impairments who have a TTY may communicate with the San Francisco Department of Elections office by calling 415-554-4386.

Assistance— Persons unable to complete their ballot may bring one or two persons with them into the voting booth to assist them, or they may ask a pollworker to provide assistance.

Curb-side voting— If architectural barriers prevent a voter from entering the polling place, pollworkers will bring the necessary voting materials to the voter in front of the polling place.

Reading tools— Every polling place has large-print instructions on how to vote and special sheets to magnify the type on the ballot.

Seated voting— Every polling place has at least one voting booth which allows voters to vote while sitting in a chair or a wheelchair.

Voting tools— Every precinct has an easy-grip pen for signing the roster and an easy-grip special pen for marking the ballot.

If your polling place is not functionally accessible, you may call 415-554-4551 for information about the nearest accessible polling place.



Frequently Asked Questions (FAQ's)

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 May 22, 2006.

Q — My 18th birthday is after May 22, 2006 but on or before June 6. May I vote in the June 6 election?

A — Yes, if your 18th birthday is on or before June 6, but after May 22, you can register to vote on or before May 22 and vote June 6 — 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 re-register and vote as long as you are not in prison or on parole for a felony conviction. You must be registered to vote.

Q — I have just become a U.S. citizen. Can I vote in the June 6 election?

A — If you became a U.S. citizen on or before May 22, you may vote in the election, but you must register to vote by May 22;

OR

If you became a U.S. citizen after May 22, but on or before May 30, you may register and vote at the Department of Elections office by May 30 with proof of citizenship and proof of San Francisco residency.

Q — I have moved within the county 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 card 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/election).

Q — When do I vote?

A — Election Day is Tuesday, June 6, 2006. 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 — What do I do if my polling place is not open?

A — Check the label on the back 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 to let them know the polling place is not open.

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 will help. Your sample ballot is located inside this voter pamphlet.

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

A — Yes, you can vote before June 6 if you:

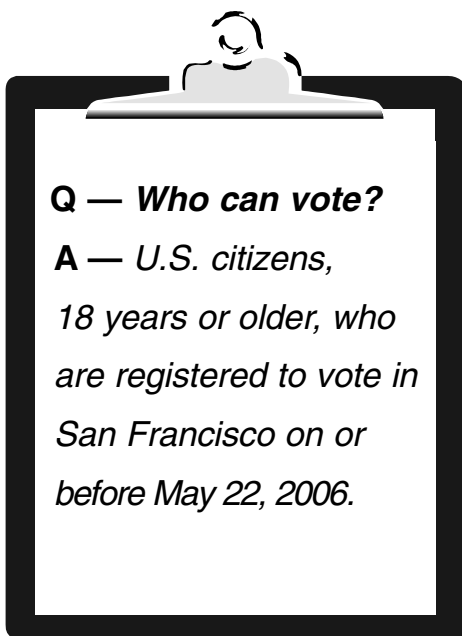
Fill out and mail the Absentee Ballot application printed on the back cover of this book. Within three days after we receive your request, a vote-by-mail ballot will be sent to you. Your request must be **received** by the Department of Elections no later than 5 p.m. on May 30, 2006;

OR

Go to the Department of Elections at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48, from May 8 through June 6. The office hours are: 8 a.m. to 5 p.m., Monday through Friday; 10 a.m. to 4 p.m. Saturday and Sunday on June 3-4; and 7 a.m. to 8 p.m. on Election Day, June 6.

Q — If I don't use an application form, can I get an Absentee 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 May 30, 2006.



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援助

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

The Department of Elections provides voter services and official written election materials in English, Chinese and Spanish.

Additionally, telephone assistance in Chinese and Spanish is available Monday through Friday from 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

Translated website at www.sfgov.org/election

多種語言選民服務

選務處提供選民服務及正式的英文、中文和西班牙文版的選舉資料。

為選民提供的多種語言服務包括：

- 已翻譯的選舉資料，包括選票、選民登記卡、選民通告、缺席選票申請表及說明與選民資料手冊；
- 由週一至週五上午8時至下午5時及選舉日上午7時至晚上8時提供的電話援助
中文援助電話：415-554-4367；
- 於選舉日在投票站提供已翻譯的說明標識和中文、英文、西班牙文語言援助；
- www.sfgov.org/election設有已翻譯的網站。

中文版選民資料手冊

除了英文版的選民資料手冊之外，選務處還為提出要求的選民提供中文版的選民資料手冊。若您想要一本中文版的選民資料手冊，請致電415-554-4367。

同時，也可透過 www.sfgov.org/election 線上申請中文版的選民資料手冊。

Servicios Multilingües para los Electores

El Departamento de Elecciones ofrece asistencia para los electores y materiales electorales en inglés, chino y español.

Ofrecemos los siguientes servicios multilingües:

- Materiales electorales traducidos incluyendo: balotas, formularios de registro, avisos a los electores, solicitudes e instrucciones para votar por correo, y el Folleto de Información para los Electores;
- Línea de asistencia telefónica multilingüe la cual está disponible de lunes a viernes de 8 a.m. a 5 p.m. y de 7 a.m. a 8 p.m. el Día de las Elecciones.
Línea telefónica de asistencia en español: 415-554-4366
- Rótulos con instrucciones y asistencia en inglés, chino y español en los lugares de votación el Día de las Elecciones;
- Traducción del sitio web en: www.sfgov.org/election.

Folleto de Información para los Electores en español

Además del Folleto de Información para los Electores en inglés, el Departamento de Elecciones pone a disposición de los electores que lo soliciten un Folleto de Información para los Electores en español. Si desea recibir un Folleto de Información para los Electores en español, llame al 415-554-4367.

También puede encontrar una solicitud en línea para adquirir el Folleto de Información para los Electores en español en www.sfgov.org/election.





Absentee Ballots and Early Voting

(in person or by mail)

You no longer need a reason such as illness or travel to qualify to cast your ballot prior to Election Day. Any voter may request an absentee ballot. You can request that a ballot be mailed to you, or you can come to the Department of Elections and vote an absentee ballot starting on May 8, 2006.

EARLY 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**, beginning May 8, 2006;
- **10 a.m. to 4 p.m., Saturday and Sunday, June 3-4;**
- **7 a.m. to 8 p.m. on Election Day, June 6, 2006.**

EARLY VOTING BY MAIL

To request an absentee ballot by mail, **complete the application card 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. Nonpartisan voters (or voters who declined to state a political party affiliation when registering) may request an absentee ballot for this election from a qualified party that allows unaffiliated voters to participate; please refer to page 3 for more information. 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 May 30, 2006. (By law, the Department of Elections cannot accept requests for absentee ballots received after 5 p.m. on May 30, 2006, *regardless of when these requests were postmarked!*). Within three days after we receive your request, an absentee ballot will be sent to you.

When you receive your absentee ballot, please read the instructions carefully. You can mark your absentee ballot using a pencil or black pen. (Do not use a felt-tip pen because these can bleed through to the reverse side of the ballot card.) 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 May 30, 2006, 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.

You can mail your absentee ballot back to the Department of Elections by inserting your absentee 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 absentee ballot at any polling place on Election Day, Tuesday, June 6, 2006. The Department of Elections **MUST** receive your absentee ballot by 8 p.m. on Tuesday, June 6, 2006.

Permanent Absentee Voter

(Permanent Vote-by-Mail)



Any registered voter may request to be a Permanent Absentee Voter. Permanent Absentee Voter status is no longer limited to voters with physical disabilities.

Once you are on our permanent absentee voter mailing list, we will mail you an absentee ballot automatically for every election until you move, re-register, or do not vote in a statewide general election. If you do not vote in a statewide general election, you will no longer be a permanent absentee voter; however, you will remain on the voter roll unless this office has been informed that you no longer live at the address at which you are registered.

To become a permanent absentee voter, complete the absentee ballot 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 Absentee Voter" and sign your name where it says, "Sign Here."**

If you move, re-register, or do not vote in a statewide general election, you will need to re-apply to be a permanent absentee voter. In all other cases, you do not need to re-apply.



IMPORTANT NOTICE TO PERMANENT ABSENTEE VOTERS

If you have already registered as a permanent absentee voter, your ballot will be mailed on or about May 8. To find out if you are registered as a permanent absentee voter, please call the Department of Elections at 415-554-4411. If you have not received your absentee ballot by May 22, please call 415-554-4375.

欲知詳情，請致電 415-554-4367。

Para más información, llame al 415-554-4366.



How to Locate Your Polling Place

Note: Your Polling Place May Have Changed!

Check the back cover of this pamphlet (upper right-hand side):

NOTE:

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

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

Back cover

DEPARTMENT OF ELECTIONS
City and County of San Francisco
1 St. Carlos & Geary Place, Room 40
San Francisco, CA 94108-4000
www.sfgov.org/election

CHANGE SERVICE REQUESTED

Check Your Polling Place Address Below
請在此處下載並填寫您的投票站地址
Vérifiez la direction de votre lieu de vote

Ballot Type

ATTENTION: Any voter may vote by mail.
• Complete and sign the application at the bottom of the page.
• Mail off the application, with a stamp and mail.
注意：任何選民都可以郵寄投票。
• 填寫表格，並簽署表格。
• 將表格寄出，附上郵票和郵票。
ATENCIÓN: Cualquier elector puede votar por correo.
• Complete y firme la solicitud al final de la página.
• Envíela por correo, con un sello postal y un sello postal.

5.1% Slope

Print Name
Address
City, State, Zip Code
County

San Francisco, CA 94111
City, State, Zip Code
County

Sign Here - 在此處簽名 - Please sign

Mailbox Address

Your polling place address is:

Eureka Valley Playground
100 Collingwood Street
Between Stevens and Broadway
PRECINCT 3623

Are
entryway &
voting area
accessible?



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/election. If your polling place is not accessible, you may call
415-554-4375 to find the nearest accessible poll.



Polling Places Change Every Election

EACH ELECTION an average of thirteen percent (13%) of San Francisco's polling places change due to cancellations. To confirm the location of your polling place, **always check the back cover of your Voter Information Pamphlet**. There you will find the accessibility status and location of your polling place, including cross-streets.

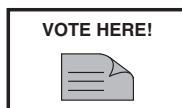


Always check the back cover of your Voter Information Pamphlet



Change of Polling Place Card

IF A POLLING PLACE becomes unavailable after the Voter Information Pamphlet has been mailed, the Department of Elections sends change notification postcards to all registered voters within the precinct to inform them of the new location.



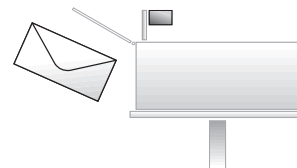
Change of Polling Place Signs

FOR THOSE VOTERS who are unaware that their poll site has changed, the Department of Elections posts "Change of Polling Place" signs at the address of the old polling place on Election Day. Voters can tear off a sheet of paper with the location name, address and cross-streets of their new polling place from a pad attached to the "Change of Polling Place" sign.

Some Voters Must Vote by Mail

VOTING PRECINCTS with fewer than 250 registered voters may be declared "Mailed Ballot Precincts". All voters in those precincts are automatically mailed an official ballot and a postage-paid return envelope four weeks before every election.

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





Telephoning the Department of Elections

The Department of Elections has telephone lines for specific purposes:

- For general information via telephone, call 415-554-4375;
- To register to vote, call 415-554-4375;
- To request an Absentee Ballot application, call 415-554-4375;
- For assistance in Chinese, call 415-554-4367;
- For assistance in Spanish, call 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;
- For election information, including Election Night results, visit the Department of Elections website at: <http://www.sfgov.org/election>.

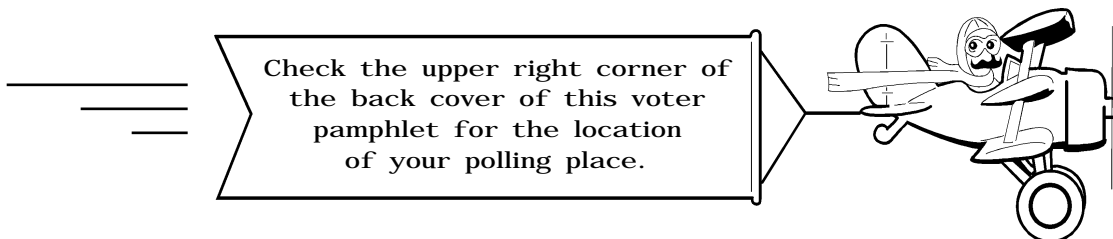
Our office hours are Mondays through Fridays (except holidays) from 8 a.m. until 5 p.m. For your convenience and because of the high call volume during the weeks leading up to the election, the Department of Elections uses automated information lines in addition to regular operators. If all operators are busy, callers may hear recorded messages which will direct them to leave their name, address and telephone number. Callers with touch-tone phones may be asked to press numbers to direct their calls to the right staff member. Callers with rotary phones may wait on the line for an operator or leave a message.



To Vote by Mail

1. Complete and detach the application on the back cover of this pamphlet.
2. Put sufficient postage where indicated.
3. Drop your completed application into a mailbox.

Applications must be received by the Department of Elections no later than 5 p.m. on Tuesday, May 30, 2006.



Your Polling Place May Have Changed

We urge you to double-check the location of your polling place printed on the back cover of this pamphlet.

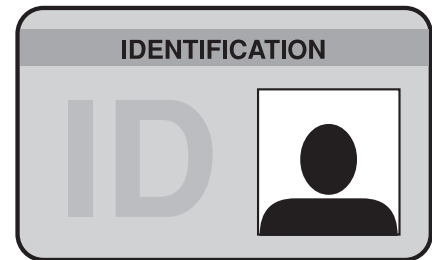


Changes Affecting Voter Registration

Identification Required When Registering to Vote

Federal and state law now both require any person registering to vote for the first time, or any voter reregistering to update their voter record, must provide identification at the time of completing the voter registration form. Any voter who does not provide the required information may put his or her voter registration in question. The identification required is as follows:

- In the case of any applicant who has been issued a current and valid driver's license, the applicant must provide that driver's license number.
- If the applicant had not been provided a current and valid driver's license, then the applicant must provide the last four digits of his or her social security number.
- If the applicant has not been issued either of the above identifications, then the state shall assign the applicant a number, which will serve to identify the applicant for voter registration purposes.



Confidential Voter Records

Changes to Permissible Uses of Voter Registration Information

Beginning in 2006, state law has changed the way personal information supplied by voters for the purpose of completing a voter registration affidavit can be used. To protect your privacy and the integrity of voting, new laws taking affect in 2006 create safeguards for voter records as follows:

Information on your voter registration affidavit will be used by elections 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 and social security numbers, or your signature as shown on your voter registration card, 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.

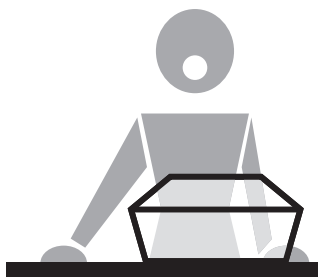
Additionally, any person obtaining information on your voter registration affidavit shall not send that information outside of the United States or make it available in any way electronically to persons outside the United States, including, but not limited to, access over the Internet.

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 or visit the Secretary of State's Web site at www.ss.ca.gov.



VOTING AT YOUR POLLING PLACE ON ELECTION DAY



Approach the table where pollworkers are issuing ballots and clearly 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.

The pollworker will give you your ballot and your ballot's stub receipt in a blue secrecy folder. Your ballot may consist of multiple cards. Take your ballot to one of the voting booths, where you may mark your ballot in privacy. There will be a special ballot-marking pen in each voting booth.

MARKING THE BALLOT

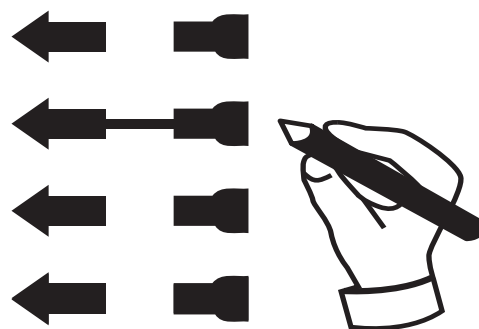
You will vote on paper ballots that may be printed on both sides of the page. Be sure to vote on both sides of the page! Using the ballot-marking pen provided at your polling place, mark your ballot by connecting the head and tail of the arrow pointing to your choice for each contest, as shown in the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

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.** Do not write in a vote for a candidate whose name is printed on the ballot. Only write-in votes for qualified write-in candidates will be counted. For a list of qualified write-in candidates, please ask a pollworker.

Please note: the number of candidates you should select for each contest or choice will be printed above the list of candidate names for each contest. If you vote for more than the allowed number of candidates for any contest or choice, your votes for that contest will not count!

If you make a mistake while voting, ask a pollworker for another ballot.


Voters may request up to two replacement sets of ballots.



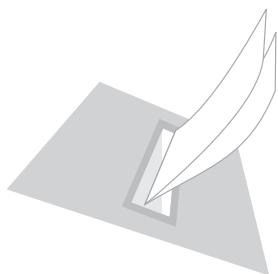
PRESIDENT

Vote For One

THOMAS A. EDISON	←	→
ALBERT EINSTEIN	←	→
FLORENCE NIGHTINGALE	←	→
BOOKER T. WASHINGTON	←	→
Write-In <i>John Hancock</i>	←	→



ONCE YOU HAVE MARKED YOUR BALLOT



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



MARKING YOUR BALLOT WITH THE ACCESSIBLE AUTOMARK MACHINE

The pollworker who issues ballots will tell you about our new assistive device--the AutoMARK--which marks a paper ballot for voters who would otherwise need assistance. Please let the pollworker know if you would prefer to use the AutoMARK. If so, the pollworker will give you your AutoMARK ballot and your ballot stub receipt with a yellow privacy envelope.

Take your ballot to the AutoMARK ballot marking machine. Insert your ballot, one card at a time, into the AutoMARK and follow the instructions provided by the machine.

After you have completed marking your ballot card(s), place the card(s) into the yellow privacy envelope and seal. Return to the pollworker station and insert the privacy envelope into the red ballot box, or ask for assistance if preferred.

For more information on accessible voting using the AutoMARK machine, please contact the Department of Elections:

Department of Elections
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48
San Francisco, CA 94102-4634
415-554-4375
www.sfgov.org/election

GUIDELINES FOR PROVISIONAL VOTING

If you are a registered voter, you have the right to cast a provisional vote at your polling place if:

- You were issued an absentee 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; or
- You wish to vote a ballot from a party different from the one listed beside your name in the roster of voters.

How to cast a provisional vote:

You will receive a ballot and the 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. 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.**

Once you have filled out the voter's section of the provisional envelope and marked your ballot, insert your ballot into the provisional 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/) no sooner than July 16 (40 days after the election) and provide the number printed on your provisional voter receipt.

YOUR SAMPLE BALLOT

Please refer to the table of contents for the location of your sample ballot. It is a 20% reduction in size of the ballot you will receive at your polling place 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 Voting Reference Chart, located on page 141 of this pamphlet, for the same purpose.)

MEASURES SUBMITTED TO THE VOTERS MEDIDAS SOMETIDAS A LOS ELECTORES 提交選民投票表決的提案	
STATE PROPOSITIONS / PROPOSICIONES DE ESTADO / 州提案	
79	<p>PREScription DRUG DISCOUNTS, STATE-NEGOTIATED REBATES, INITIATIVE STATUTE. Provides drug discounts to Californians with qualifying incomes. Funded by state-regulated drug manufacturer rebates. Prohibits Medi-Cal contracts with manufacturers not providing Medicaid best price. Fiscal Impact: State costs for administration and outreach in low tens of millions of dollars annually. State costs for advance funding for rebates. Unknown potentially significant: (1) net costs or savings for Medi-Cal and (2) savings for state and county health programs.</p> <p>DESCUENTOS PARA MEDICAMENTOS RECETADOS, REINTEGROS NEGOCIADOS POR EL ESTADO, INICIATIVA DE LEY PARA PROMULGAR UN ESTATUTO. Dispone descuentos en medicamentos para los californianos con ingresos que califiquen. Financiado mediante reintegros por parte de los fabricantes de medicamentos negociados por el estado. Prohíbe los contratos de Medi-Cal con fabricantes que no brinden el mejor precio pagado por Medicaid. Impacto fiscal: Costos para el estado en concepto de administración y servicio social de un poco más de decenas de millones de dólares por año. Costos para el estado en concepto de financiamiento previo de reintegros. (1) Ahorros o costos netos desconocidos y potencialmente significativos para Medi-Cal y (2) ahorros desconocidos y potencialmente significativos para los programas de salud del estado y del condado.</p> <p>處方藥折扣 - 州政府協議的商家退款 - 動議性法規。 提供藥品折扣給收入符合規定的加州民衆。由與州政府協議的藥品製造商提供商家退款以資助本計劃。禁止 Medi-Cal 與不為 Medicaid 提供最優惠價格的藥品製造商簽約。財政影響 - 州政府在行政管理和及宣傳上的支出每年可達數千萬美元。州政府提供預付商家退款資金的相關支出。以下項目的金額可能會很大但不確定：(1) Medi-Cal 方面的淨成本或支出節約額。(2) 州、郡健康計劃的支出節約額。</p>
	YES/是/贊成 NO/否/反對
80	<p>ELECTRIC SERVICE PROVIDERS, REGULATION, INITIATIVE STATUTE. Subjects electric service providers to regulation by California Public Utilities Commission. Restricts electricity customers' ability to switch from private utilities to other providers. Requires all retail electric sellers to increase renewable energy resource procurement by 2010. Fiscal Impact: Potential annual administrative costs ranging from negligible to \$4 million, paid by fees. Unknown net impact on state and local costs and revenues from uncertain impact on electricity rates.</p> <p>PROVEEDORES DE SERVICIO ELÉCTRICO, REGULACIÓN, INICIATIVA DE LEY PARA PROMULGAR UN ESTATUTO. Somete a los proveedores de servicio eléctrico a regulación por parte de la Comisión de Servicios Públicos de California. Restringe la capacidad de los consumidores de electricidad de cambiar de proveedores de energía eléctrica privados a otros proveedores. Requiere que todos los vendedores minoristas de electricidad aumenten la energía proveniente de recursos renovables para el año 2010. Impacto fiscal: Posibles costos administrativos anuales que varían entre insignificante y \$4 millones, pagados a través de aranceles. Impacto neto desconocido sobre los costos e ingresos estatales y locales debido al impacto incierto sobre las tarifas de electricidad.</p> <p>電力服務提供商 - 規定 - 動議性法規。 使電力服務提供商受加州公共事業委員會 (California Public Utilities Commission) 相關規定的管轄。限制電力客戶從私有業者轉向其他電力提供商。要求所有零售電力提供者在 2010 年前將可再生能源。財政影響：每年可能的管理費用少則幾千美元，多則達 400 萬，由收費費用支付。對電費的影響不明，因此對州、地方政府的成本及收益的淨影響也不確定。</p>
	YES/是/贊成 NO/否/反對



Important Registration and Voting Information

Registration Forms

To obtain a voter registration form:

- Fill out or download one at www.sfgov.org/election
- 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 in City Hall, the County Clerk's office, the Department of Motor Vehicles, or at public libraries and post offices throughout San Francisco.

New state and federal regulations require that anyone who registers after January 1, 2006 *must* provide a current and valid California driver's license or California identification number on his or her voter registration card. 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 one 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, June 6th, may have to vote a provisional ballot; if the identification cannot be confirmed, the provisional ballot may not be counted.

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

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 an 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 from military voting assistance officers.

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 May 22. Anyone who becomes a new citizen between May 23 and May 30 must, no later than May 30th:

- Provide proof of citizenship and residency in California to the Department of Elections;

- Complete a voter registration card and an Absentee Ballot Application; and
- Vote at the Department of Elections after registering.

In order to regain your right to vote, you only need to complete a voter registration form. No other documentation is needed.

Ex-Offenders' Right to Vote

California election law allows people who have completed their sentence or parole for the conviction of a felony to re-register and vote. An ex-offender is eligible to register to vote if he or she is also:

- A citizen of the United States;
- A resident of California; and
- 18 years of age on or before Election Day.

In order to regain the right to vote, a person **only** needs to complete a voter registration form. No other documentation is needed.

Have You Moved?

When voters move, they must inform the Department of Elections of the address change to update their voter registration records. Voters must inform the Department of address changes 15 days before an election to vote in that election. Voters may change their address by:

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

NOTE: Voters who moved within the county and were unable to change their address before the deadline 15 days before the election are encouraged to:

- Go to their new polling place on Election Day, complete a new voter registration card to update their registration information, and cast a provisional ballot; or
- Come to City Hall, Room 48, on or before Election Day, complete a new voter registration card to update their registration information, and cast an absentee ballot.

Not Yet 18?

Any person who will turn 18 years of age before the next election is eligible to register and vote at that election. To register:

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



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. Absentee 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 absentee 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 if you are aware of any elections 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 **BRUCE Mc PHERSON**





WORDS YOU NEED TO KNOW

by the Ballot Simplification Committee

LISTED BELOW ARE DEFINITIONS OF TERMS:

ABSENTEE BALLOTS (FREQUENTLY ASKED QUESTIONS)

— Ballots mailed to voters or given to voters in person at the Department of Elections. Absentee ballots can be mailed back 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.

ANNUAL BUDGET (PROPOSITION A) — The estimated cost of operating the City each year.

CHARTER AMENDMENT (PROPOSITION A) — 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.

FISCAL YEAR (PROPOSITION A) — The City's 12-month budget period, starting July 1st and ending June 30th of the following calendar year.

GENERAL FUND (PROPOSITION A) — 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 46% of the City's budget.

INITIATIVE (PROPOSITION D) — 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.

METROPOLITAN TRANSPORTATION COMMISSION (PROPOSITION C) — This commission is a 19-member regional board created to oversee planning, coordination and financing of transportation for the nine-county Bay Area.

MUNICIPAL TRANSPORTATION AGENCY (PROPOSITION C) — This public City agency is made up of seven directors appointed by the Mayor and approved by the Board of Supervisors. Their main task is to oversee MUNI and the Department of Parking and Traffic (DPT).

ORDINANCE (PROPOSITIONS B, C AND D) — A local law passed by the Board of Supervisors or by the voters.

PROPOSITION (PROPOSITIONS A THROUGH D) — Any measure that is submitted to the voters for approval or disapproval.

“PUBLIC” DISTRICT (PROPOSITION D) — Property generally used for governmental purposes, such as hospitals, parks, schools and government buildings.

QUALIFIED WRITE-IN CANDIDATE — A person who has turned in the required papers and signatures to the Department of Elections. 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. The Department of Elections counts write-in votes only for qualified write-in candidates.

TRANSBAY JOINT POWERS AUTHORITY (PROPOSITION C) — This Authority was formed to develop, design, construct and operate a new public transit center on and adjacent to the site of the Transbay Terminal. The Alameda-Contra Costa Transit (AC Transit) District and the Peninsula Corridor Joint Powers Board also are members of the Authority.

ZONING ADMINISTRATOR (PROPOSITION D) — An employee of the City who interprets and enforces the City's Planning Code.



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 ballot 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 this office or any other City official or agency. Arguments and rebuttals are reproduced as they are submitted, including typographical, spelling and 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 designation “Proponent’s Argument” and “Opponent’s Argument” indicates 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 the Director of Elections makes no claims as to the accuracy of statements in the arguments.

The “Proponent’s Argument” and the “Opponent’s Argument” are selected according to the following priorities:

“PROPONENT’S ARGUMENT”

1. The official proponent of an initiative petition; or the Mayor, the Board of Supervisors, or four members of the Board, if the measure was submitted by same.
2. The Board of Supervisors, or any member or members designated by the Board.
3. The Mayor.
4. Any bona fide association of citizens, or combination of voters and association of citizens, any individual voter.



“OPPONENT’S ARGUMENT”

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.
3. The Mayor.
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 “Proponent’s Arguments” and “Opponent’s Arguments” 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 proponent’s and opponent’s arguments and rebuttals. All of the arguments in favor of a measure are printed together, followed by the 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.



VOTING REFERENCE CHART

Fill in your choices — Clip out and take with you to the polls

Not all voters will be eligible to vote on all party contests.
Your sample ballot contains the contests for which you are eligible to vote.

OFFICES	
PARTISAN OFFICES	
Governor	
Lieutenant Governor	
Secretary of State	
Controller	
Treasurer	
Attorney General	
Insurance Commissioner	
Member, Board of Equalization, District 1	
United States Senator	
United States Representative	
State Senator	
Member, State Assembly	
Members, County Central Committee	
<p><i>The spaces to the right allow for the maximum number of County Central Committee candidates for which any voter may vote. Please refer to your sample ballot for the number of candidates for which you may vote.</i></p>	



VOTING REFERENCE CHART

NONPARTISAN OFFICES

Judge of the Superior Court, Seat #8

State Superintendent of Public Instruction

PROPOSITIONS

TITLE	YES	NO
81 : California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2006.		
82 : Preschool Education. Tax on Incomes Over \$400,000 for Individuals; \$800,000 for Couples. Initiative Constitutional Amendment and Statute.		
A : Additional Funding for Homicide Prevention Services		
B : Eviction Disclosure Ordinance		
C : Appointing Elected Officials to the Transbay Joint Powers Authority		
D : Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities		

Notes:



**The Department of Elections makes every effort to print
Candidate Statements 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 printing
and layout process. If we learn of any substantial
errors on our part after the pamphlet has been
printed and mailed out, 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 Examiner* and in *Sing Tao Daily* on May 23, 24 & 25, in *El Latino* on May 26 and in *El Mensajero* on May 28.



CANDIDATE INFORMATION

IMPORTANT NOTICE

A complete list of candidates appears on the sample ballots located in this pamphlet. Please refer to the table of contents for the location of the sample ballot for each qualified political party and for nonpartisan (decline-to-state) voters.

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.

LEGISLATIVE CANDIDATES' STATEMENTS

Pursuant to Proposition 34, which was approved by California voters on November 7, 2000, a candidate for State Senate or State Assembly who accepts the voluntary expenditure limits set forth in Section 85400 of said Proposition may purchase the space to place a candidate statement in the voter information portion of the sample ballot pamphlet.

The Legislative candidates who have accepted the voluntary spending limits and are therefore eligible to submit a candidate statement for the June 6, 2006 Consolidated Primary Election are listed below:

State Senator, District 8

Lou Papan - Democratic
Oscar Alejandro Braun - Republican
Michael Skipakevich - Republican

Member, State Assembly, District 12

Barry Hermanson - Green
Howard Epstein - Republican

Member, State Assembly, District 13

Mark Leno - Democratic
Ramiro Maldonado, Jr. - Republican
Gail E. Neira - Republican



Candidates for Superior Court Judge, Seat 8

ERIC M. SAFIRE

My occupation is practicing trial lawyer.

My qualifications are:

My occupation is a practicing trial lawyer. I am admitted to practice in all federal courts in California. I have practiced both civil and criminal law specializing in representation of members of San Francisco's diverse ethnic community including African American, Latinos, Asian Americans to name a few. In addition, I have been active in Temple Sherith Israel serving as a Board member for the past several years.

I have tried more than 200 cases and have participated in excess of 2500 civil and criminal matters. I have helped real people with real problems for 25 years.

I am firmly committed to equality of justice for all and a practicing belief that all people are, in fact, equal before justice's bar. As a judge I will see justice fairly administered ensuring that individual rights are protected while faithfully carrying out society's laws. A free fair and functioning courtroom will be available to all.

I have been endorsed by:

Aaron Peskin, President of the Board of Supervisors
Chris Daly, Board of Supervisors
Jeff Adachi, San Francisco Public Defender
Teresa Caffese, San Francisco Public Defender
Ruth A. Dewson, Dewson Hats
G. Whitney Leigh, Attorney at Law
Matt Gonzalez, Attorney at Law
Ross Mirkarimi

Eric M. Safire

LILLIAN K. SING

My occupation is Judge.

My qualifications are:

As a San Francisco Judge for more than twenty years, I served as Municipal Court Presiding Judge, Assistant Presiding Judge, presided in civil and criminal trials, Law and Motion, and preliminary hearings. I served as Superior Court Judge in felony trials, complex civil litigations, Juvenile, Family, Domestic Violence Court, and the Appellate Division of San Francisco Superior Court. I was a founder of San Francisco Drug Court.

I was named Trial Judge of the Year by the San Francisco Trial Lawyers Association and Outstanding Jurist by the San Francisco Women Lawyers Alliance.

My record demonstrates leadership and good judgment. My non judicial experience includes serving as San Francisco Community College Board President, Civil Service Commission Vice-Chair, and Human Rights Commissioner.

I retired from the bench in March, 2004 and presently serve as an Assigned Judge. I am seeking to return as a sitting judge with valuable experience and knowledge.

My endorsements include San Francisco Superior Court Presiding Judge Robert Dondero, Assistant Presiding Judge David Ballati, and Judges John Dearman, Herbert Donaldson, Katherine Feinstein, Donna Hitchens, Teri Jackson, Richard Kramer, Kevin McCarthy, Donald Mitchell, Mary Morgan, Julie Tang, James Warren, and Criminal Division Presiding Judge James McBride.

Please vote to re-elect me as a Superior Court judge.

Lillian K. Sing



Candidates for State Assembly, District 13

RAMIRO MALDONADO, JR.

My occupation is Office Administrator for a San Francisco-based social service agency.

My qualifications are:

I have a Masters in Public Administration. I will represent the interests of the taxpayers of San Francisco, not the tax and spend special interests of Sacramento. I will represent our diverse City with professional competence, dignity, and respect for all.

My grandparents came to the United States to pursue the American Dream and thanks to their inspiration and the hard work of my parents, I understand the importance of individual responsibility and also the need for public responsibility by government.

As your member of the Assembly I will:

- Work for Government to live within its means and not raise our taxes.
- Work for better health care and educational and social services.
- Work for a "pay as we go" financing program to improve our infrastructure
- Work to create a business climate that creates jobs.
- Work for improved public safety and protection from criminals

If you are a registered Republican, or a Decline-to-State voter (Independent) you can vote for me in the June 6th Republican primary.

I ask for your vote. Together we can make San Francisco and California a better place.

Vote for competence and integrity.

Vote for Ramiro Maldonado, Jr. for State Assembly, District 13.

(415) 412-8307
ramiro@electramiro.com
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Ramiro Maldonado, Jr.

GAIL E. NEIRA

My occupation is Businessowner/Central Committee-woman.

My qualifications are:

Throughout my incumbent status on the Republican Central Committee; incumbent Nominee for Assembly, my achievements include unprecedented communication vehicles for Republican outreach and sponsoring events for influential State Capitol Republicans. I am president of the only diverse volunteer leadership/think tank Republican club, San Francisco Republican Alliance, also, Bay Area Lincoln League P.A.C., established to restore integrity and ethics as leadership requirements.

Outdated attitudes, bloated egos and leadership incompetence are reasons why Republican Central Committee's (SFGOP) resources are skimpy, why voter registration is plummeting, why Republican agendas are compromised by some Republican cronies to win favor with some City Hall Democrats. Women are confined to brain-timid political housekeeping. I am the strongest proponent of fostering enlightened 21st Century political roles for women and young Republicans by elevating leadership standards and accountability worthy of a diverse spectrum of Republican voters. Decades ago, distinctive business and community prominent men and women helped lead. Their influence is needed again. Help me pave a receptive path toward savvy and sophisticated leaderships while reinforcing effective legislation.

S. F. native, Hispanic heritage, former immigrant Republican parents, WWII valiant soldier father; my expertise include international diplomacy as past Asian embassy administrator, news/magazine publisher and marketing. I serve on community/charity executive boards, appointee under three governors; plus drug rehabilitation, disadvantaged children, senior services, music and visual arts fundraising and much more.

Even Independent and declined-to-state-voters advocating a more stable, safe and child-healthy metropolis should vote for me, a citywide-active caring San Franciscan.

Gail E. Neira



Additional Funding for Homicide Prevention Services



PROPOSITION A

Shall the City allocate an additional \$10 million primarily from the City's General Fund for each of the next three fiscal years for violence prevention and intervention services, establish a Homicide Prevention Planning Council to develop and annually revise a Homicide Prevention Plan, and create a Survivors' Advocate and a Survivors' Fund in the Office of the District Attorney?

YES
NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: The City Charter through various departments provides for the City to preserve and promote the health and safety of its residents. The Charter does not provide funding targeted specifically to homicide prevention.

Services are provided by departments such as the Department of Human Services and the Department of Children, Youth and their Families. The Police Department is responsible for protecting the public from criminal activity and ensuring public safety. The District Attorney is responsible for investigating and prosecuting violations of criminal law.

THE PROPOSAL: Proposition A is a Charter amendment that would budget an additional \$10 million primarily from the City's General Fund for each of the next three fiscal years to fund violence prevention and intervention services to populations at high risk of violence, including people in the probation systems; families in neighborhoods with a high incidence of homicide; families living in public housing; and members of communities with high unemployment rates. These services would include, but would not be limited to, job creation and workforce training, public education, community building, conflict resolution and mediation, substance abuse treatment, mental health services, ex-offender and probation services, and family and witness relocation services.

Proposition A would also establish a Homicide Prevention Planning Council. Voting members of the Council would include eleven members of the public selected from communities affected by high homicide rates. Various City officials would serve as non-voting members. The Council would develop and annually revise a Homicide Prevention Plan for submission to the Board of Supervisors.

Proposition A would also create a Survivors' Advocate in the Office of the District Attorney and a Survivors' Fund to assist survivors of homicide victims.

A "YES" VOTE MEANS: If you vote "yes," you want to budget an additional \$10 million primarily from the City's General Fund for each of the next three fiscal years for violence prevention and intervention services, establish a Homicide Prevention Planning Council, and create a Survivors' Advocate and a Survivors' Fund.

A "NO" VOTE MEANS: If you vote "no," you do not want to amend the City Charter to include these provisions.

Controller's Statement on "A"

City Controller Edward Harrington has issued the following statement on the fiscal impact of Proposition A:

Should the proposed charter amendment be approved by the voters, in my opinion, it would increase the cost of government by \$10 million annually for three years beginning on July 1, 2007 in order to fund new violence prevention programs. To the extent that funds are shifted to these programs, other City spending would have to be reduced or new revenues identified.

The amendment also requires that the City not reduce the amount that it is currently spending on violence prevention programs (the baseline) during the three-year period. Based on an initial review of programs, that amount is approximately \$35 million. While many economic and social programs help prevent violence, this amount includes only those that have violence prevention as the primary purpose.

The amendment would also increase other City costs by an estimated \$200,000 annually for planning and administration.

Finally, the amendment establishes a Survivors' Advocate and Survivors' Fund in the District Attorney's Office to assist with needs such as case tracking, burial expenses and counseling, however no budget amount is specified.

How "A" Got on the Ballot

On February 28, 2006 the Board of Supervisors voted 6 to 5 to place Proposition A on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval

No: Supervisors Alioto-Pier, Dufty, Elsbernd, Ma, McGoldrick

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 98.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 89.



A

Additional Funding for Homicide Prevention Services

This disclaimer applies to the following argument on this page and the two arguments 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 Daly, Maxwell and Peskin; oppose the measure: Supervisors Alioto-Pier, Elsbernd and McGoldrick; take no position on the measure: Supervisors Ammiano, Dufty, Mirkarimi, Ma and Sandoval.*

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

PLEASE VOTE YES ON PROPOSITION A.

Last year was one of the most devastating years of violence in San Francisco. As grieving parents and family members who have lost children and siblings to senseless killings, we know that it is absolutely vital for San Francisco to commit to neglected communities hit the hardest by homicides. Our young people and families need real opportunities and positive things to do with their lives. Our neighborhoods need resources to bring people together and give families vision and hope for the future.

Proposition A offers real hope to our bullet-ridden communities. It will establish an office to focus on survivors, a citizen's council to plan the City's response to homicides and a \$10 million fund to enhance the community-based programs and services that have been proven to work. Prop A will provide jobs and training programs, community outreach services, reentry programs for people exiting the justice system, and relocation services for witnesses

and family members. The fund would even assure that families do not have to wait weeks to bury a dead child nor sort through their trauma, grief and suffering alone and unaided. As parents and families members we feel such opportunities will save many young lives and lift our young people up from despair and encourage them to give back to their communities.

Most importantly, please Vote Yes on Proposition A to prevent future mothers from the heartache, stress, burden and constant pain that homicide survivors like us struggle with every day.

Mattie Scott, mother of a homicide victim
Betty Cooper, mother of 2 homicide victims
Maggie Agnew, mother of 4 homicide victims
Kechette Walls Powell, sister of a homicide victim

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

NO REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A WAS SUBMITTED

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency.



Additional Funding for Homicide Prevention Services



OPPONENT'S ARGUMENT AGAINST PROPOSITION A

Everyone agrees that we must stop the violence now. Our homicide rate has risen to unacceptable levels. This is no longer a neighborhood issue, but a City wide issue that we must all come together and address.

Unfortunately, Proposition A does not fulfill this goal. Proposition A locks in our current level of spending on "violence prevention" and adds an additional \$10 million a year in the City's budget over the next three years on as yet to be determined new "violence prevention" programs. Any observer can see that our current spending practices are not working. Why would we want to lock into place for the next three years spending priorities and spending levels when they have clearly failed us? Moreover, this measure does nothing to address the lack of coordination between various City departments responsible for stemming this unacceptable tide of violence.

Before we tie ourselves down to specific spending levels, we should audit our current programs and determine which ones are working and which ones are not. From there, we can determine where our spending gaps are, determine what priorities need to be addressed, and then proceed through the annual budget process and appropriate the requisite amount of money.

Proposition A, while extremely well intentioned, mistakenly binds the hands of the Mayor and the Board of Supervisors, and prevents us from effectively responding to the needs of the City.

Please join Mayor Gavin Newsom, Supervisor Michela Alioto-Pier and me and Vote No on Proposition A!

Supervisor Sean R. Elsbernd
District 7

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION A

YES ON A - ACTION, NOT JUST TALK

While there's been a lot of talk at City Hall about stopping violence, there's been far too little action.

That's why we need Proposition A.

PROTECT OUR INVESTMENT IN VIOLENCE PREVENTION

Proposition A follows the best practice of the Children's Fund by enhancing the City's violence prevention efforts in the neighborhoods most impacted by violence. By protecting the City's existing commitment, Proposition A ensures that new violence prevention efforts aren't subverted by tricky budget maneuvering.

CITIZEN PLANNING AND ACCOUNTABILITY

Proposition A empowers an 11 member Homicide Prevention Planning Council to create a realistic plan to address our homicide epidemic. This citizen council will direct new resources created by Proposition A and review existing violence prevention efforts to ensure the City's current investments are being made in the most effective way.

REAL GOVERNMENT, COMMUNITY COLLABORATION

Proposition A demands better coordination across City Departments who are involved in violence prevention efforts. Department representatives will report to the Homicide Prevention Planning Council to facilitate communication, share information, and to strategize together to stop senseless violence in San Francisco.

FROM THE PEOPLE

While we would love to take credit for Proposition A, this is a measure crafted by the people who've been affected the most. Mothers of murder victims have asked for this comprehensive response to homicides in San Francisco, and we owe them nothing less.

Supervisor Tom Ammiano
Supervisor Chris Daly
Supervisor Sophie Maxwell
Supervisor Ross Mirkarimi
Supervisor Aaron Peskin
Supervisor Gerardo Sandoval



A

Additional Funding for Homicide Prevention Services

PAID ARGUMENTS IN FAVOR OF PROPOSITION A

We all share responsibility for protecting the lives of young San Franciscans. The loss of over 300 young adult's lives to gun violence in recent years is unacceptable, and requires bold action. To build the safe communities we all deserve, residents of the city's poorest neighborhoods need real opportunities, like good jobs and services to support life change. But resources from the state and feds have dwindled. Prop A will require a minimum local investment, for a maximum public return: the health, vitality and safety of our great city. Let's not turn our back on the future leaders of San Francisco. Yes on A.

Coleman Advocates for Children + Youth

The true source of funds used for the printing fee of this argument is Coleman Advocates for Children + Youth.

Senior residents and **persons with disabilities** need Proposition A. Vote YES if you want to walk in our neighborhoods safely. Vote YES to help the families of victims prevent further violence in our communities.

Homicide prevention is **everyone's concern**.

Senior Action Network

The true source of funds used for the printing fee of this argument is Senior Action Network.

Stop Homicides Now!

Since 2004, we have lost over 188 people to homicides, many of them youth. Prop A establishes critical funding and community involvement to stop the rising violence in our city. Vote YES to *give relief to surviving families*. Vote YES to provide communities the voice and resources they need to address the root causes of violence that affect us all.

Vote Yes on Prop A to:

Support families and children survivors;
Create a homicide prevention plan;
Increase job development, community organizing and trauma services;

Guarantee transparency to the community through oversight and fiscal accountability.

Help make San Francisco a safer place!

San Francisco Peoples' Organization (SFPO)
www.SFPeople.org

The true source of funds used for the printing fee of this argument is San Francisco Peoples' Organization.

Proposition A will make homicide prevention and violence alternatives a priority for the governance of San Francisco. It will commit additional resources and require the processes necessary to make San Francisco's promise a reality – strong, healthy communities for all San Francisco families. The Community Response Network is a Mission District advocacy wrap around services, street outreach program and a network of community agencies. We are serving and empowering children and families living in high-risk violence environments. When a child dies in San Francisco, a part of the community dies. The day your child graduates from kindergarten or high school, the whole City becomes a loving family. We are a caring City, and our hopes, dreams and aspirations for our children are the same.

Si Se Puede!

Ray Balberan
Community Response Network

The true source of funds used for the printing fee of this argument is Proposition A – Stop Homicides Now!

The three largest contributors to the true source recipient committee are: 1. Steve Phillips 2. David Looman 3. Mattie Scott.

Violence affects all of us. Proposition A provides much needed funding and focus to help our communities create options to decrease violence. A YES vote now provides immediate support for those directly affected by violence and lays the groundwork to make real systemic change. Vote Yes On A.

Michael Goldstein

Debra Walker

Past Presidents, Harvey Milk Lesbian, Gay Bisexual, Transgender Democratic Club*

* For identification purposes only

The true source of funds used for the printing fee of this argument is Proposition A – Stop Homicide Now!

The three largest contributors to the true source recipient committee are: 1. Steve Phillips 2. David Looman 3. Mattie Scott.



Additional Funding for Homicide Prevention Services

A

PAID ARGUMENTS IN FAVOR OF PROPOSITION A

PowerPAC.org calls on all members of the San Francisco family to join together to seek real solutions to stop the homicides that have plagued our communities over recent years. Proposition A will get smart on crime by creating a sharp, three-year focus on strategic planning, connecting community ideas with agency experts, and filling in service gaps. PowerPAC.org recognizes the need to balance love with power, and calls on all San Francisco voters to vote YES on Proposition A to provide the necessary resources to tip the trends of violence towards healthy family outcomes.

Steve Phillips

President, PowerPAC.org

The true source of funds used for the printing fee of this argument is PowerPAC.org.

Proposition A adopts decentralized, inclusive, and bottom-up neighborhood processes. It ensures that public funds are expended efficiently by creating a citizen Homicide Prevention Council to determine the most effective allocation of resources rather than governmental bureaucracies.

Inner City Youth Foundation

Michael Brown

The true source of funds used for the printing fee of this argument is Michael Brown.



A

Additional Funding for Homicide Prevention Services

PAID ARGUMENTS AGAINST PROPOSITION A

VOTE NO ON PROPOSITION A

We all agree that more needs to be done to fight the rising tide of violent crime. Unfortunately, Proposition A is not a long term solution. It won't put more police on the street. It takes further budgetary authority from the Mayor and Police Commission and gives it to an appointed panel.

Violent crime won't end with this misguided political effort.

Vote NO on A.

San Francisco Chamber of Commerce.

The true source of funds used for the printing fee of this argument is the SF Chamber of Commerce 21st Century Committee.

The three largest contributors to the true source recipient committee are: 1. GreenLeaf 2. Norcal Waste Systems 3. Charles Schwab.

Don't spend \$30 million Without a Plan. Vote No on Prop A.

Proposition A sets up yet another "council" with over thirty people spending \$30 million over three years to prevent homicides. This set aside of funds can't be used for police, fire or probation services. It is another general fund raid that will reduce other services provided by the City. Government can't quantify the tens of millions it already spends on job creation, training, substance abuse treatment, family support. This "plan" will just spend more with no measurable objectives.

Plan First. Please Vote No on Prop A

Committee on Jobs

The true source of funds used for the printing fee of this argument is the Committee on Jobs.

No on Proposition A! No on Homicide Prevention Plan!

This is a \$10 million dollar slush fund which provides not one penny to the police. The lack of accountability is simply breathtaking – enough said!

*Candidates for the SF Republican County Central Committee,
12th Assembly District
Jim Anderer
Mike Gleim*

*Candidates for the SF Republican County Central Committee,
13th Assembly District*

Bill Campbell

Ramiro Maldonado, Jr.

Jim Soderberg

Sarah Vallette

The true sources of funds used for the printing fee of this argument are Bill Campbell, James Anderer and Sarah Vallette.

Proposition A will do nothing to prevent violence.

What Proposition A will do is take away more than \$30 million from already-strained city departments to fund a feel-good measure that will do more for the politicians who created it than for the people it will supposedly help.

If it passes, either city services will suffer further budget cuts or new taxes will be created. Realistically, this proposition will undoubtedly force us all to pay more taxes.

Proposition A will do nothing to relieve the SFPD's manpower shortage, even though the police are the first responders to any violent incident. All Proposition A does is deplete the city budget and create yet another commission that will be spending about \$200,000 per year on itself, not on the community. If anything, this initiative will make it even more difficult to hire additional police officers because of the massive sum of money that the new bureaucracy and programs will absorb.

What the measure's proponents don't tell us is that the city would already be spending about \$35 million on programs for violence prevention during the three-year time period in question. Why are new programs needed that will benefit politicians and political cronies when the effectiveness of existing programs has not been examined?

Violence in our city is a grave concern, but this proposition will do nothing to stop it. All it does is establish a costly new bureaucracy. There are better and more direct ways to combat violence that don't involve City Hall appointments and \$30 million. Vote NO on Proposition A.

*San Francisco Young Republicans
info@sfy.org*

The true source of funds used for the printing fee of this argument is San Francisco Young Republicans.



Additional Funding for Homicide Prevention Services

A

PAID ARGUMENTS AGAINST PROPOSITION A

NO ON A.

The San Francisco Republican Party supports a comprehensive approach to combat homicides and serious crimes.

San Francisco needs more cops on the street, not more political appointees.

Proposition A would waste up to \$10,000,000 a year of the taxpayers' money on costly pork for the friends of Supervisor Chris Daly. None of these funds can be used for more cops on the street!
VOTE NO ON A.

San Francisco Republican Party

Mike DeNunzio, Chairman

Howard Epstein, VC – Communications

Christopher L. Bowman, VC – Political Affairs

Jennifer DePalma, Esq., Treasurer

Barbara Kiley, VC – Finance

Sue C. Woods, VC – Special Events

Ronald Konopaski, DDS, VC – Precinct Operations

Mike Antonini, DDS

Mike Garza

Harold M. Hoogasian

Leo Lacayo

Stephanie Jeong

Roger Schulke

John Brunello

Jim Fuller

Steven Lee

Gail E. Neira

Bradley Rotter

Dana Walsh

The true source of funds used 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. Pharmaceutical Research Manufacturers of America 2. San Franciscans to Protect Neighborhood Fire houses 3. Calvin Louie for Treasurer.

The Coalition for San Francisco Neighborhoods opposes this proposed budget set-aside and urges you to VOTE NO on A.

Pumping \$30 million tax dollars into social programs with no pre-established accountability for funding or services will do nothing to stop the rising murder rate. To keep our neighborhoods safe, we think it makes more sense to properly staff the Police Department and implement real community policing strategies.

Join your neighbors in voting **NO on A**.

Coalition for San Francisco Neighborhoods

The true source of funds used for the printing fee of this argument is the Coalition for San Francisco Neighborhoods.

The San Francisco Taxpayers Union opposes budget set-asides on principle, and Prop A is no exception.

Throwing tax money at crime doesn't work, and San Francisco can't afford any more failed social experiments.

We support spending tax money to keep San Francisco safe, not to enrich the politically-connected individuals and organizations who stand to profit from this proposal.

Vote NO on A.

San Francisco Taxpayers Union

The true source of funds used for the printing fee of this argument is the San Francisco Taxpayers Union.



LEGAL TEXT OF PROPOSITION A

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 16.126 to: establish a San Francisco Homicide Prevention Plan and Homicide Prevention Planning Council; create a Survivors' Advocate and a City fund to help pay specified expenses for survivors of homicide victims; establish a Violence Prevention Fund and appropriate an additional \$10 million per year for the next three years to fund violence prevention programs identified in the Plan; and, set an expiration date.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 6, 2006, a proposal to amend the Charter of the City and County by adding Section 16.126 to read as follows:

Note: Additions are single-underline italics Times New Roman font.

Deletions are ~~strikethrough italics Times New Roman font~~.

SEC. 16.126. HOMICIDE PREVENTION PLAN, SURVIVOR ASSISTANCE AND VIOLENCE PREVENTION.

The City and County of San Francisco recognizes the high homicide rate as a symptom of economic disparities and social inequities and acknowledges and wishes to remedy the tremendous loss to families, friends and loved ones caused by homicide, attempted homicide and other violent crimes. The City and County of San Francisco also recognizes the need for violence prevention programs that are culturally competent in their design, effective in their implementation, and targeted to communities with limited access to opportunity and institutional power where violent crimes most often occurs. Accordingly, the City and County of San Francisco will take the following actions to create employment opportunities, invest in violence prevention programs, and assist survivors of homicide victims, their families, and their communities:

(a) Homicide Prevention Plan.

(1) Homicide Prevention Planning Council. There is hereby established a Homicide Prevention Planning Council.

(A) Public Members. The Planning Council shall include eleven voting members selected from the public and communities affected by the homicide epidemic, including youth, people of color, and members of the lesbian/gay/bisexual/transgender community. The Mayor shall appoint five public members to the Council and the Board of Supervisors shall appoint six members. Public members must be residents of San Francisco. Public members shall have five-year terms and shall serve at the pleasure of the appointing authorities, who shall fill any subsequent vacancies in the seats they originally appointed.

(B) City Official Members. The following officials, or their designees, shall serve as non-voting members of the Planning Council: the Mayor; the President of the Board of Supervisors or another Supervisor designated by the President of the Board; the City Attorney; the District Attorney; the Public Defender; the Sheriff; the President of the Police Commission; the Chief of Police; the Chief of Adult Probation; the President of the Juvenile Probation Commission; the Chief of Juvenile Probation; the Director of Public Health; the Director of Human Services; the Director of the Department of Children, Youth, and Their Families; the Director of the Department of Economic and Workforce Development; a representative from the Youth Commission; a representative from the Mayor's Office of Community Development; and a representative from the Mayor's Office of Criminal Justice. The Presiding Judge of the San Francisco Trial Court, the Superintendent of Schools of the San Francisco Unified School District, and the Executive Director of the San Francisco Housing Authority shall each be invited to send a representative to sit as an official member of the Council.

(2) Homicide Prevention Plan. By November 1, 2006, the Homicide Prevention Planning Council shall develop a draft Homicide Prevention Plan. Components shall include, but not be limited to: job creation and workforce training; public education efforts; community capacity building and community response; conflict resolution and mediation between disputing parties; substance abuse treatment; mental health services and family support programs; ex-offender and probation services; and family and witness relocation services. The plan shall be based on: data on homicides in San Francisco; an evaluation of existing efforts to investigate, prosecute and prevent homicides and attempted homicides; evaluation of witness protection programs; an assessment and evaluation of violence prevention and job creation programs targeted at those at highest risk; and, reports from individual City departments and agencies, as needed.

Public agencies shall not be required to disclose information to the Planning Council that would compromise investigations, investigative methods, or the safety of persons. The Plan shall also be based on input gathered from communities affected by the homicide epidemic. The Mayor's Office shall provide staffing and assistance to the Planning Council.

It shall be City policy to favor the delivery of services under the Plan through competent, culturally-relevant community-based organizations to the greatest degree possible where feasible and appropriate. The Plan shall include recommendations for evaluating the performance of such organizations and of public agencies funded under the Plan on an ongoing basis and for holding such organizations and agencies accountable for the results they achieve.

(3) Public Hearings. By February 1, 2007, the Police Commission, Youth Commission, Health Commission, and Juvenile Probation Commission shall hold hearings on the draft Plan and offer recommendations. The Board of Supervisors shall consider those recommendations, and any other changes to the draft Plan that it deems appropriate, as part of its own review of the Plan.

(4) Adoption of Plan. By April 1, 2007, the Board of Supervisors shall adopt an ordinance establishing a final Homicide Prevention Plan for the 2007-2008 fiscal year. The activities outlined in the Plan and approved by the Mayor and Board of Supervisors shall be funded using existing resources and new resources as provided in this Section. As part of the Mayor's budget submission required by Article IX of this Charter, the Controller shall certify that funding has been provided for these activities, that the activities included in the Mayor's budget are eligible for funding from the Plan under subsection (d), and shall provide the amount per activity. The Mayor's budget must fund all the activities identified in the Plan, but the Mayor shall have discretion over the amount of funding proposed for each activity. The Board of Supervisors may adjust or increase this funding as part of the budget process, but may not reduce it.

(5) Annual Updates. The Plan shall be updated annually, following the process set out above, for the Fiscal Years 2008-2009 through 2009-2010. The Plan shall include a specific evaluation of the performance of public agencies and private organizations funded under the prior year's Plan.

(b) Survivors' Advocate; Survivors' Fund. There is hereby established a Survivors' Advocate in the Office of the District Attorney. The Advocate shall provide assistance to survivors of homicide victims, including referrals to appropriate agencies and departments, advocacy and information gathering, tracking of the progress of individual cases, and such additional assistance as determined by the Homicide Prevention Plan.

There is hereby established a Survivors' Fund to help defray the cost of expenses incurred by survivors, including but not limited to, burial and expenses, counseling for family, co-workers, schoolmates and friends, and other costs as may be specified in the Homicide Prevention Plan. The Survivors' Fund may include contributions from private individuals and organizations as well as public funds, and shall be audited regularly by the Controller.

(c) Violence Prevention Fund. Pursuant to the Homicide Prevention Plan, the City Budget for Fiscal Years 2007-2008 through 2009-2010 shall include an additional \$10 million per year, beyond amounts appropriated for such purposes in the City Budget for

(Continued on next page)



LEGAL TEXT OF PROPOSITION A (CONTINUED)

Fiscal Year 2004-2005, to be expended solely for violence prevention programs.

(d) **Eligible Services.** Programs and services funded from the Violence Prevention Fund shall target populations at high risk of violence, including: youth and adults in the juvenile and adult probation systems; low income families in neighborhoods with a high incidence of homicide and attempted homicide; families living in public housing; and members of communities with high unemployment rates. The Violence Prevention Fund shall be used to provide violence prevention and intervention services, including, but not limited to, job creation and workforce training, public education, community capacity building and community response, conflict resolution and mediation between disputing parties, substance abuse treatment, mental health services, ex-offender and probation services, and family and witness relocation services.

(e) **Excluded Services.** Notwithstanding their possible consideration or inclusion as part of the Homicide Prevention Plan under subsection (a)(2), the following categories of expenditures shall not be funded from the Violence Prevention Fund:

(1) Services provided by the Police Department or the Fire Department, or detention or probation services mandated by state or federal law;

(2) Any service for which a fixed or minimum level of expenditure is mandated by state or federal law, to the extent of the fixed or minimum level of expenditure;

(3) Acquisition of any capital item not for primary and direct use for violence prevention efforts;

(4) Acquisition (other than by lease for a term of ten years or less) of any real property; or

(5) Maintenance, utilities or any similar operating costs of any facility not used primarily for violence prevention efforts.

(f) **Baseline.** The additional \$10 million appropriated to the Violence Prevention Fund each year shall be used exclusively to increase the aggregate City appropriations and expenditures for violence prevention programs (exclusive of expenditures mandated by state or federal law). To this end, the City shall not reduce the amount of such City appropriations for such programs (not including appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in any of the three years during which funds are required to be set aside under this Section below the amount so appropriated for the fiscal year 2004-2005 ("the base year") as set forth in the Controller's baseline budget, as adjusted ("the base amount"). The base amount shall be adjusted for each year after the base year by the Controller based on calculations consistent from year to year by the percentage increase or decrease in aggregate City and County discretionary revenues. In determining aggregate City and County discretionary revenue, the

Controller shall only include revenues received by the City and County that are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose.

The method used by the Controller to determine discretionary revenues shall be consistent with method used by the Controller to determine the Library and Children's Baseline Calculations dated June 20, 2000, which the Controller shall place on file with the Clerk of the Board in File No. 000952. Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's estimate. Within 90 days following the end of each fiscal year through 2009-2010, the Controller shall calculate and publish the actual amount of City appropriations for services for violence prevention efforts that would have been eligible to be paid from the Fund but are paid from other sources, separately identifying expenditures mandated by state or federal law.

(g) **Expiration Date.** This Section shall expire by operation of law on June 30, 2010, and the City Attorney shall cause its provisions to be removed from future editions of the Charter.



Eviction Disclosure Ordinance

B

PROPOSITION B

Shall the City change its laws to require landlords who offer to sell buildings of two or more residential units to disclose to all potential buyers the specific legal grounds for any evictions that result in vacant units at the time of sale and whether the evicted tenants were elderly or disabled?

YES  
NO  

Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: The law prohibits landlords from evicting their tenants from residential units in the City unless there exists a specific legal ground for the eviction. There are fourteen specific legal grounds for eviction.

City law requires that, before entering into a contract for the sale of a building containing two or more residential units, the owner must disclose to the buyer the specific legal ground for evicting tenants of each unit that is vacant at the close of sale. The landlord is not required to disclose whether the evicted tenants are elderly or disabled.

THE PROPOSAL: Proposition B is an ordinance that would add a requirement that landlords who offer to sell buildings of two or more residential units disclose in writing to all potential buyers the

specific legal grounds for evictions and whether evicted tenants are elderly or disabled.

A "YES" VOTE MEANS: If you vote "yes," you want to change City law to require landlords who offer to sell buildings of two or more residential units to disclose in writing to all potential buyers the specific legal grounds for evictions and whether the evicted tenants are elderly or disabled.

A "NO" VOTE MEANS: If you vote "no," you do not want to change the City's disclosure requirements.

Controller's Statement on "B"

City Controller Edward Harrington has issued the following statement on the fiscal impact of Proposition B:

Should the proposed ordinance be approved by the voters, in my opinion, it would not increase the cost of government.

How "B" Got on the Ballot

On March 8, 2006 the Department of Elections received a proposed ordinance with supporting signatures from Supervisors Ammiano, Daly, Maxwell, 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 110.
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 89.



B

Eviction Disclosure Ordinance

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION B

Eviction disclosure is good for buyers and tenants.

Buyers will be told of legal restrictions and can choose to avoid units with evictions. Tenants will see fewer evictions as socially responsible buyers avoid buildings with evictions.

Buyers must know about evictions for legal reasons. Evictions bring restrictions which, if violated, could bring lawsuits. After an Ellis Act eviction, for example, apartments can not be re-rented for years. A buyer, unaware of the evictions, could be held liable for innocently re-renting a unit following a job relocation. Additionally, units where tenants were evicted are more difficult, or impossible, to convert to condominiums.

Many San Francisco home buyers are uniquely socially responsible.

Buyers do not want to purchase an apartment if they know that the apartment is for sale because tenants were evicted, especially if it was the longtime home of senior or disabled tenants. San Franciscans don't want to buy homes created through the misery and pain of eviction anymore than we would want clothing produced through child labor or retirement accounts backed by military investments.

Tenants—facing the worst eviction epidemic since the dot-com years—benefit from disclosure too. When informed of evictions and given a choice, buyers choose units that have had no evictions. The San Francisco real estate industry understands this and prominently discloses when tenants have **not** been evicted. In the classifieds you will see “no evictions” highlighted as a bigger selling point than ocean views or off-street parking.

Disclosing evictions means that the demand for units created through evictions will diminish. When it becomes difficult to sell units created through evictions then the motivation and profit to do evictions will decline.

Eviction disclosure means informed buyers and fewer evictions.

Sup. Chris Daly
Sup. Ross Mirkarimi
Sup. Aaron Peskin

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION B

More Paperwork & Higher Fines Solve Nothing!

“Eviction disclosure” is deliberately convoluted, oppressive, vindictive and economically stifling. Those screaming for civil rights are more likely to steal our personal rights. Excessive bureaucracy plunged New York City in the 1970's into civic bankruptcy as residential neighborhoods were forcefully deteriorating. Artificially depressed properties trigger economic consequences especially for tenants and medium to small property owners. Forced unwise cost cutting leads to elevator, stairway and other hazards.

Profusion of laws even favors irresponsible, criminally dangerous or socially at-risk tenants, while presuming all landlords are guilty. 70% of San Francisco's populations are renters – far from being a minority. State Senate candidate Michael Skipakevich foresees serious economic repercussions.

There are reasonable solutions to deal with ruthless landlords without harassing responsible landlords. Legislating investment and profit out of the marketplace will backfire. Selling privately owned property is one of the final privileges of individual freedom left. It's wiser to refine existing laws, not increase them. A fragile

economy cannot afford unwieldy legislation and incompetent bureaucratic meddling.

San Francisco Republican Central Committee candidates who are property owners or tenants:

Gail E. Neira, State Assembly candidate & Central Committeewoman
Dr. Ron Konopaski, Central Committee Vice Chairman
Roger Schulke, incumbent
The Hon. Steven Lee, Appointed incumbent
Stephanie Jeong, Appointed incumbent
Dean Book
David Harra
Emile Lawrence
Richard Van Loon
Doo Sup Park
Felino Silverio
Terence Faulkner, past Central Committee chairman*
Eve Del Castello, Congressional candidate
Mike Garza, Congressional candidate

*For identification purposes only

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Eviction Disclosure Ordinance

B

OPPONENT'S ARGUMENT AGAINST PROPOSITION B

Real Estate Ownership Run by City Hall Gestapo

If limousine liberal Democrats and handout subsidized Democratic bureaucrats practiced more efficient fiscal policies with other people's monies, government would have a surplus of tax funds to build and operate domiciles for those who are an economic risk for private property owners whose rights are crumbling in defiance of "free enterprise and economic self-determination,

Nowadays, a liberal Democrat is nothing more than a contemporary rendition of Gestapo.

Gail E Neira, Republican State Assembly Candidate

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION B

Buyers **always** benefit from free and open disclosure. Disclosure is only opposed by sellers with something to hide. In this case, sellers are trying to hide the fact that they have evicted senior and disabled tenants. These evictions are San Francisco's shameful secret. If forced to disclose these evictions, sellers want to make sure they bury that disclosure amidst a mountain of other paperwork and at the last possible moment, hoping no one will notice.

Why do sellers want to hide the fact that senior and disabled tenants have been evicted? Maybe because they're ashamed of it. But more likely because they know they'll make less money. Sellers know that properties encumbered by evictions are worth less. Units with evictions have legal restrictions limiting the options of buyers, denying options to re-rent or convert the units to condominiums. Given a choice, San Francisco's socially conscious buyers would prefer to buy an apartment free of evictions, rather than knowing that their good fortune to buy was at the expense of someone's grandmother.

Eviction disclosure is good for buyers and it's good for tenants. For buyers, it means basic consumer protection and the ability to make free and informed choices. For tenants, it means that evictions will no longer be a shameful secret and that will mean fewer evictions.

Please join us, the San Francisco Democratic Party and the Senior Action Network in voting YES on B.

Supervisor Tom Ammiano
Supervisor Chris Daly
Supervisor Sophie Maxwell
Supervisor Ross Mirkarimi
Supervisor Aaron Peskin



B

Eviction Disclosure Ordinance

PAID ARGUMENTS IN FAVOR OF PROPOSITION B

DEMOCRATIC PARTY SAYS VOTE YES

The San Francisco Democratic Party says vote YES on B. We believe that sellers of empty apartments should disclose whenever senior or disabled tenants have been evicted. Disclosure means buyers can make socially responsible decisions. Socially responsible decisions means less demand for units with evictions and that means fewer evictions.

San Francisco Democratic Party

The true source of funds used for the printing fee of this argument is the San Francisco Tenants Union.

BUYERS SHOULD KNOW: SENIORS MOST IMPACTED BY EVICTIONS

Over 80% of the Ellis evictions are affecting senior and disabled tenants. For seniors, eviction means losing the home and community you have had for decades. Seniors on a fixed income are too often unable to find affordable housing and are too often forced to lose their independence or even become homeless. Buyers need to know when senior and disabled tenants have been evicted. Vote YES.

Senior Action Network

SHAC, Senior Housing Action Collaborative

The true source of funds used for the printing fee of this argument is the San Francisco Tenants Union.

LGBT and HIV Community Supports Eviction Disclosure

The LGBT Community and the Castro have become Ground Zero for displacement where vulnerable populations - namely people with AIDS - suffer more evictions than in any other neighborhood. Unfortunately, this makes the Castro the AIDS eviction capital of the world.

According to the National AIDS Housing Coalition, the death rate for people with HIV/AIDS who lose their housing is **5 times** that of those who remain stably housed.

Prop B will help slow this trend by disclosing bad evictions to prospective home buyers. Given an informed choice, good people will not purchase homes on the backs of evicted tenants.

Stop AIDS evictions in the Castro. Vote YES on B !

Brian Basinger, Director, AIDS Housing Alliance/SF
Rick Galbreath, Chair, District 8 Tenants Association
*Christopher Daley, Director, Transgender Law Center**
*Debra Walker, Vice-chair, LGBT Caucus- California Democratic Party**
*Greg Shaw, President, Harvey Milk LGBT Democratic Club**
*Rafael Mandelman, Alice B. Toklas Democratic Club Executive Board**
*Cecilia Chung, Deputy Director, Transgender Law Center**
*Gordon C. Gregg Jr., Treasurer Castro Street Fair**
*Robert Haaland, Past President, Harvey Milk LGBT Democratic Club**
*Christina Olague, Planning Commission**
*Gary Virginia, Mr. San Francisco Leather 1996**
*Dean Goodwin, Former Co-Chair, Alice B. Toklas LGBT Democratic Club**
*Michael Goldstein, Past President, Harvey Milk LGBT Democratic Club**
Tommi Avicelli Mecca, longtime Queer Activist

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Rick Galbreath, Rafael Mandelman and Robert Haaland.

MORE AFFORDABLE HOUSING, FEWER EVICTIONS

If we want to maintain our cultural and economic diversity, we must end evictions and create more affordable housing. Proposition B is a first step towards ending evictions. Affordable Housing groups and housing activists say vote YES.

Council of Community Housing Organizations
Housing Justice Coalition
Rene Cazenave
Calvin Welch

The true source of funds used for the printing fee of this argument is the San Francisco Tenants Union.

EVICTIONS SAN FRANCISCO'S SHAMEFUL SECRET

Evictions have become San Francisco's shameful secret. Those opposed to disclosure want to keep it that way. They want to continue to evict senior and disabled tenants and they know their behavior will not be tolerated if people know what they are doing.

Tenants are facing more evictions now than ever. Most are evictions of senior and disabled tenants for the purpose of condominium conversion. When buyers learn of the evictions, most refuse to buy. Thus the realtors must keep the evictions secret.

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Eviction Disclosure Ordinance

B

PAID ARGUMENTS IN FAVOR OF PROPOSITION B

A YES vote means buyers will be told of the evictions. That means fewer buyers and if there's no buyers, then there's no evictions.

San Francisco Tenants Union
Housing Rights Committee
St. Peter's Housing Committee
Eviction Defense Collaborative
Tenderloin Housing Clinic
Affordable Housing Alliance

The true source of funds used for the printing fee of this argument is the San Francisco Tenants Union.

RELIGIOUS WITNESS SAYS GIVE BUYERS A CHOICE

Informing buyers whether or not tenants have been evicted is the fair and moral thing to do.

Many San Francisco buyers do not want to participate in evictions, especially evictions of our most vulnerable tenants: seniors and tenants with disabilities. If buyers are informed of evictions, then buyers can make informed and responsible decisions. Vote YES.

Sister Bernie Galvin, Religious Witness With Homeless People

The true source of funds used for the printing fee of this argument is the San Francisco Tenants Union.

LABOR LEADERS SAY YES ON B

San Francisco workers know what it's like living in fear of eviction as a renter. If able to buy a home, we would rather not buy homes where tenants have been evicted. YES on B will let us know when tenants have been evicted. This protects us as buyers and means we can make informed choices when buying.

Mike Casey, President, UNITE-HERE
Howard Wallace, Vice-President, SF Labor Council
Tim Paulson, Executive Director, SF Labor Council

The true source of funds used for the printing fee of this argument is the San Francisco Tenants Union.

RENT BOARD COMMISSIONERS SAY YES ON B

San Francisco tenants are being evicted so their apartments can be sold as condos. Many buyers do not want to buy units emptied by evictions, especially when senior and disabled tenants have lost their homes. Eviction disclosure lets buyers choose eviction free units and sends an economic message to speculators that San Francisco does not support evictions. YES on B.

Larry Beach Becker, Rent Board Commissioner
Polly Marshall, Rent Board Commissioner
Cathy Mosbrucker, Rent Board Commissioner
Jake McGoldrick, Former Rent Board Commissioner
San Francisco Supervisor

The true source of funds used for the printing fee of this argument is the San Francisco Tenants Union.

DISCLOSURE IS CONSUMER PROTECTION

Open and early disclosure protects buyers. Units where senior and disabled tenants have been evicted have legal restrictions placed on them. These restrictions limit the buyer's ability to re-rent those units or convert the units to condominiums. Unknowing buyers could find that their property is worth less than they thought because of these restrictions. Vote YES on B.

Assemblymember Mark Leno
Assemblymember Leland Yee
State Senator Carole Migden

The true source of funds used for the printing fee of this argument is the San Francisco Tenants Union.

When we were buying our homes and TICs, we wouldn't buy a building with evictions. We wanted to know whether tenants had been evicted to ease the sale, but sometimes the realtors wouldn't say.

Proposition B would have helped.

Vote yes.

Sheila Sexton
Charles Denefeld

The true source of funds used for the printing fee of this argument is Sheila Sexton.



B

Eviction Disclosure Ordinance

PAID ARGUMENTS AGAINST PROPOSITION B

No on B

There is no need for proposition *B*.

The San Francisco Rent Board reports that evictions in San Francisco for owners to occupy their properties are at a 9-year low. There have only been 82 Ellis Act eviction petitions filed with the San Francisco Rent Board in the last six months. This is out of more than 220,000 rental units in San Francisco.

Sellers are already required to disclose all Ellis Act evictions. There are multiple disclosure forms required by San Francisco law that are available to potential buyers. The Ellis eviction is also recorded on the Deed of Trust for the property. Buyers are fully informed of any Ellis Act eviction on their property. There are no requirements for other disclosures at the time of an open house. This is why the mayor and four supervisors voted against this proposal.

This is Supervisor Daly's attempt to stop home ownership and create obstacles to homebuyers and sellers. Proposition B will not decrease Ellis evictions nor increase affordable or low-income housing. Ellis Act eviction disclosures do not dissuade buyers because of the demand for home ownership. There is a shortage of entry level housing in San Francisco; Proposition B does nothing to address that demand. Vote NO on B.

Small Property Owners of San Francisco

The true source of funds used for the printing fee of this argument is Small Property Owners of San Francisco.

Proposition B is Anti-Home Ownership

Prop B is a waste of tax payer money because it makes sellers of property disclose to buyers what they are already required to do. Prop B's real aim is to create fear in the TIC market by requiring disclosures to anyone who expresses interested in the property, whether they intend on buying it or not. In so doing, Prop B hopes to negatively affect the only viable entry-level market for first time home buyers in San Francisco.

Vote No on B and preserve San Francisco's last affordable market for entry level home ownership.

Chinese Real Estate Association of America, Inc.

The true source of funds used for the printing fee of this argument is the Chinese Real Estate Association of America.

Vote No on B

Disclosure is important. But so are laws that are clear and do not violate existing law.

Proposition B is a well intentioned but misguided attempt to advance a worthy goal. It's too bad the drafters did not spend the time to draw it up so it works in real life and complies with existing State law.

Proposition B would make it unlawful for a property owner selling two or more residential units to fail to disclose "when offering" the property for sale important facts to "a prospective purchaser." That sounds good until you think about it. When is the time that you "offer" the property for sale? Is that before you list it for sale on the local Multiple Listing Service? What if you do not list it and somebody makes you an unsolicited offer? And putting aside the questions regarding the time of an "offer," how do you know who is a "prospective purchaser"? Is that a person who is "just looking" at an open house? The proposed new law doesn't say. It just creates questions, not solutions.

Worse yet, Proposition B violates existing State law. Existing State law requires disclosure in writing of all "material facts" regarding a property "as soon as practicable before transfer of title." And it further provides that if the disclosure is after the parties enter into a contract, the buyer has 3 days to terminate the deal. It does not allow for any "when offering" disclosure as would be required by Proposition B, whenever that is. Thus, all that will happen if this new law goes into effect is another legal challenge and more City money down the drain defending a losing proposition.

Vote No on Proposition B.

San Francisco Association of REALTORS®

The true source of funds used for the printing fee of this argument is the San Francisco Association of Realtors.

Vote No on Proposition B

Everyone agrees that the conditions surrounding a tenant eviction are critical knowledge for a real estate purchaser in San Francisco. In the same fashion, many other disclosures -- permitted renovations, hazardous conditions, easements, proximity of sexual offenders -- are equally essential for a potential buyer's "informed" decision.



Eviction Disclosure Ordinance

B

PAID ARGUMENTS AGAINST PROPOSITION B

Carefully established legal procedures are currently in place to insure the proper dissemination of material information among parties in a real estate transaction.

Interested parties must be given COMPLETE and ACCURATE information and be legally accountable for acknowledging it.

Prop B mandates that a property's eviction disclosures be made in "marketing materials" like flyers and newspapers advertisements. These randomly distributed sales tools, unfortunately, are sadly inadequate for "legal" disclosure requirements. And, there's no mechanism for "sign off" demonstrating proof of receipt and thoughtful review.

Gavin Newsom recently vetoed the same proposal on legal grounds. As a workable alternative Supervisor Dufty has recommended requiring delivery of eviction disclosures within three days of an offer's acceptance. This "best practice" scenario allows a prospective buyer time to properly and reasonably determine the significance of a disclosure's impact on the purchase decision and contains a signature mechanism to insure compliance.

Tenants need protection. Buyers and sellers need protection. The law must be respected.

California and San Francisco have a comprehensive and efficient system for disclosure distribution review and acknowledgment. We should use it.

Alert your supervisor of your support for Bevin Duffy's proposal, and . . .

Vote NO on B.

It's good business for buyers and sellers and our community.

J. Jay Lampus

The true source of funds used for the printing fee of this argument is the San Francisco Association of Realtors.

Vote NO on B

Why is Proposition B needed? San Francisco already has a law that requires the seller to disclose the legal grounds for eviction for any unit delivered vacant at the close of escrow. Proposition B does not add any additional tenant protections and only confuses the disclosure process already in place.

Everybody supports the disclosure of relevant facts relating to the purchase of real estate. But it is contrary to State law to require disclosures before a business relationship is established between the seller and the buyer.

We believe alternative disclosure legislation supported by Mayor Newsom and four supervisors makes sense and should become law. Vote No on Proposition B and support the legally viable legislative alternative.

San Francisco Association of Realtors

The true source of funds used for the printing fee of this argument is the San Francisco Association of Realtors.

VOTE NO ON PROPOSITION B

Buying and selling a home is complicated enough without more rules by the Board of Supervisors. The Mayor vetoed this ordinance because it would place unnecessary burdens on how homes are offered for sale.

Uphold the Mayor's veto.
Vote NO on B

San Francisco Chamber of Commerce

The true source of funds used for the printing fee of this argument is the SF Chamber of Commerce 21st Century Committee.

The three largest contributors to the true source recipient committee are: 1. GreenLeaf 2. Norcal Waste Systems 3. Charles Schwab.

Proposition B Creates Needless Bureaucracy. Vote NO on B

Why is Proposition B needed? San Francisco already has a law that requires the seller to disclose the legal grounds for eviction for any unit delivered vacant at the close of escrow. If Proposition B passes it will just complicate an effective disclosure process already in place.

Please Vote NO on B. It's another needless regulation.

Committee on Jobs

The true source of funds used for the printing fee of this argument is the Committee on Jobs.



B

Eviction Disclosure Ordinance

PAID ARGUMENTS AGAINST PROPOSITION B

PROPOSITION B IS NOT REAL DISCLOSURE!

Everybody supports the disclosure of important facts relating to the purchase of residential real estate. It is both ethically and legally proper.

But, it is inappropriate and contrary to State law to suggest that important and relevant facts such as the eviction history of a property be disclosed in mere marketing materials like "For Sale" flyers and leaflets.

Significant issues like evictions should be disclosed to a buyer when they are serious about buying and focused on the transaction, not when they are shopping around and collecting flyers!

State law already requires sellers to disclose important facts about the property in a form called the Transfer Disclosure Statement, and gives a buyer the right to walk away if any disclosed fact is unacceptable. And, of course, a buyer who is concerned about the eviction history of a property can simply ask the seller about it prior to making an offer. Under State law the seller has a duty to tell the truth when asked such a question.

It makes no sense to enact laws that would put important disclosures in flyers for people who are "just looking around". Proposition B is not real disclosure.

Vote No on Proposition B!

J. Timothy Falvey

The true source of funds used for the printing fee of this argument is the San Francisco Association of Realtors.

No on Proposition B! No on Eviction Disclosure Ordinance!

Great idea, but poor execution! This disclosure should be made at the same time as all other disclosures, when a buyer enters into escrow. It is unworkable and unenforceable as it is written.

*Candidates for the SF Republican County Central Committee,
12th Assembly District*

Jim Anderer

Mike Gleim

*Candidates for the SF Republican County Central Committee,
13th Assembly District*

Bill Campbell

Ramiro Maldonado, Jr.

Jim Soderberg

Sarah Vallette

The true sources of funds used for the printing fee of this argument are Bill Campbell, James Anderer and Sarah Vallette.

NO ON B.

Proposition B would create needless additional red-tape for residential property and home owners.

Current law already requires that eviction information be disclosed before the close of escrow.

Mayor Newsom vetoed legislation identical to Proposition B. Proposition B is a mean-spirited effort by Supervisor Chris Daly and his allies on the Board of Supervisors to "get" the Mayor and pander to a special interest group.

VOTE NO ON B.

San Francisco Republican Party

Mike DeNunzio, Chairman

Howard Epstein, VC – Communications

Christopher L. Bowman, VC – Political Affairs

Jennifer DePalma, Esq., Treasurer

Barbara Kiley, VC – Finance

Sue C. Woods, VC – Special Events

Mike Antonini, DDS

Mike Garza

Harold M. Hoogasian

Leo Lacayo

Stephanie Jeong

Roger Schulke

John Brunello

Jim Fuller

Steven Lee

Bradley Rotter

Dana Walsh

The true source of funds used 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. Pharmaceutical Research Manufacturers of America 2. San Franciscans to Protect Neighborhood Fire houses 3. Calvin Louie for Treasurer.



Eviction Disclosure Ordinance

B

PAID ARGUMENTS AGAINST PROPOSITION B

Vote NO on B

Everybody supports the disclosure of relevant facts relating to the purchase of property being sold. But it is inappropriate and contrary to State law to compel disclosures to be made in marketing materials prior to the time a formal relationship is created between the seller and the buyer.

The appropriate time for a disclosure to be made is when a formal relationship is created between the seller and the buyer. **Alternative legislation has been proposed that would require the disclosure in question to be made to the buyer within three days of the acceptance of an offer to purchase.**

We believe this alternative proposal makes more sense. Vote No on Proposition B and support the legally viable legislative alternative.

Coalition for Better Housing

The true source of funds used for the printing fee of this argument is the SFAA PAC.

Vote NO on B

Proposition B makes a mountain out of a molehill.

If a prospective buyer is concerned about the eviction history of a property he or she is interested in purchasing, all the person has to do is ask the seller to disclose the eviction history before deciding to submit an offer to purchase. If the history is not to the prospective buyer's liking, the person can simply walk away. If it meets with the perspective buyer's approval, the person can submit an offer to purchase. Isn't this the common sense approach to handling the concern some buyers might have about the eviction history of a property?

Proposition B is another needless regulation. Vote NO on B.

San Francisco Apartment Association

The true source of funds used for the printing fee of this argument is the SFAA PAC.

Vote NO on B

Prop B isn't really about disclosures. It's about making it harder and riskier to sell a small building.

Prop B is an attack on owner-occupied small properties. The minority of Supervisors who put this legislation on the ballot don't want working San Franciscans to own their own homes.

Professional Property Management Association of San Francisco

The true source of funds used for the printing fee of this argument is the San Francisco Apartment Association PAC.

The San Francisco Taxpayers Union urges you to reject Prop B as an end-run around the legislative process.

Erecting roadblocks to owning property is not productive, particularly in a city with one of the lowest rates of homeownership in the country. When property is sold, new revenues are generated, decreasing the burden on all taxpayers.

Vote NO on B.

San Francisco Taxpayers Union

The true source of funds used for the printing fee of this argument is the San Francisco Taxpayers Union.



LEGAL TEXT OF PROPOSITION B

Ordinance amending Administrative Code Section 37.10A(i) to require property owners to disclose to prospective buyers of residential property consisting of two or more units, the legal ground(s) for the termination of a tenancy and whether any units were occupied by elderly and or disabled tenants at the time of termination of tenancy.

Note: Additions are single-underline italics Times New Roman font; deletions are ~~strikethrough italics Times New Roman font~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. *Findings. It shall be official policy of the City and County of San Francisco to protect potential purchasers of residential property from purchasing residential property without knowing that a tenancy was terminated by the landlord or owner, in that certain terminations of tenancy, such as an owner move in eviction or the eviction of an elderly or disabled tenant, create restrictions on the residential property that may impact a buyer.*

Section 2. The San Francisco Administrative Code is hereby amended by amending Section 37.10A, to read as follows:

SEC. 37.10A. MISDEMEANORS, AND OTHER ENFORCEMENT PROVISIONS.

(a) It shall be unlawful for a landlord to increase rent or rents in violation of the decision of an Administrative Law Judge or the decision of the Board on appeal pursuant to the hearing and appeal procedures set forth in Section 37.8 of this Chapter. It shall further be unlawful for a landlord to charge any rent which exceeds the limitations of this Chapter. Any person who increases rents in violation of such decisions or who charges excessive rents shall be guilty of a misdemeanor.

(b) It shall be unlawful for a landlord to refuse to rent or lease or otherwise deny to or withhold from any person any rental unit because the age of a prospective tenant would result in the tenant acquiring rights under this Chapter. Any person who refuses to rent in violation of this subsection shall, in addition to any other penalties provide by State or federal law, be guilty of a misdemeanor.

(c) It shall be unlawful for a landlord or for any person who willfully assists a landlord to request that a tenant move from a rental unit or to threaten to recover possession of a rental unit, either verbally or in writing, unless:

(1) The landlord in good faith intends to recover said unit under one of the grounds enumerated in Section 37.9(a) or (b); and

(2) Within five days of any such request or threat the landlord serves the tenant with a written notice stating the particular ground under Section 37.9(a) or (b) that is the

basis for the landlord's intended recovery of possession of the unit.

(d) It shall be unlawful for a landlord or for any person who willfully assists a landlord to recover possession of a rental unit unless, prior to recovery of possession of the unit:

(1) The landlord files a copy of the written notice required under Section 37.10A(c) with the Board together with any preceding warning or threat to recover possession, unless the particular ground for recovery is non-payment of rent; and

(2) The landlord satisfies all requirements for recovery of the unit under Section 37.9(a) or (b).

(e) In any criminal or civil proceeding based on a violation of Section 37.10A(c) or 37.10A(d), the landlord's failure to use a recovered unit for the Section 37.9(a) or (b) ground stated verbally or in writing to the tenant from whom the unit was recovered shall give rise to a presumption that the landlord did not have a good faith intention to recover the unit for the stated ground.

(f) If possession of a rental unit is recovered as the result of any written or verbal statement to the tenant that the landlord intends to recover the unit under one of the grounds enumerated in Section 37.9(a) or (b), the unit shall be subject to all restrictions set forth under this Chapter on units recovered for such stated purpose regardless of any agreement made between the landlord or the landlord's agent and the tenant who vacated the recovered unit. Any unit vacated by a tenant within 120 days after receiving any written or verbal statement from the landlord stating that the landlord intends to recover the unit under Section 37.9(a) or (b), shall be rebuttably presumed to have been recovered by the landlord pursuant to the grounds identified in that written or verbal statement.

(g) Except as provided in this subsection, it shall be unlawful for a landlord, or for any person who willfully assists a landlord, including the landlord's attorney or legal representative, to seek or obtain a tenant's agreement not to cooperate with any investigation or proceeding by any administrative or law enforcement or other governmental agency under this Chapter, or to otherwise seek or obtain a tenant's waiver of rights under this Chapter. Any waiver of rights by a tenant under this Chapter shall be void as contrary to public policy unless the tenant is represented by independent counsel and the waiver is approved in a Court-supervised settlement agreement, or by a retired judge of the California Superior Court sitting as a mediator or arbitrator by mutual agreement of the tenant represented by independent counsel and the landlord. Any settlement agreement shall identify the judge, mediator, or arbitrator reviewing the settlement, all counsel representing the parties, and any other information as required by the Board. The landlord shall file a signed copy of the settlement agreement with

the Board within ten days of execution. Unless otherwise required by the Board, the copy of the agreement filed with the Board shall redact the amount of payments to be made to tenants.

(h) It shall be unlawful for a landlord to knowingly fail to disclose in writing to the buyer, prior to entering into a contract for the sale of any property consisting of two or more residential units, the specific legal ground(s) for the termination of the tenancy of each residential unit to be delivered vacant at the close of escrow.

(i) It shall be unlawful for a landlord/owner, when offering a property for sale in the City and County of San Francisco that includes two or more residential units, to knowingly fail to disclose in writing to any prospective purchaser:

(1) The specific legal ground(s) for the termination of the tenancy of each residential unit to be delivered vacant at the close of escrow; and,

(2) Whether the unit was occupied by an elderly or disabled tenant at the time the tenancy was terminated. For purposes of this section 37.10A(i), "elderly" means a tenant defined as elderly by San Francisco Administrative Code section 37.9(i)(1)(A), 37.9A(e)(1)(C), 37.9A(e)(2)(D), or 37.9A(e)(3)(C), or a tenant defined as "senior" by San Francisco Subdivision Code section 1359(d). For purposes of this section 37.10A(i), "disabled" means a tenant defined as disabled by San Francisco Administrative Code section 37.9(i)(1)(B)(i), 37.9A(e)(1)(C), 37.9A(e)(2)(D), or 37.9A(e)(3)(C), or by San Francisco Subdivision Code section 1359(d).

Any disclosure required by this Subsection (i) that is made on a flier or other document describing the property which is made available to prospective purchasers at each open house and at any tour through the property will constitute compliance with the disclosure requirements of this Subsection (i).

(j) Any person who violates Section 37.10A(a), (b), (c), (d), (g) or (h) is guilty of a misdemeanor and shall be punished by a mandatory fine of one thousand dollars (\$1,000), and in addition to such fine may be punished by imprisonment in the County Jail for a period of not more than six months. Each violation shall constitute a separate offense.



Appointing Elected Officials to the Transbay Joint Powers Authority



PROPOSITION C

Shall the City change the appointment process for the City's three representatives to the Transbay Joint Powers Authority by specifically designating the Mayor and two members of the Board of Supervisors to represent the City?

YES
NO

Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: In 2001, the City joined with AC Transit and the Peninsula Corridor Joint Powers Board to form the Transbay Joint Powers Authority. The Authority's primary purpose is to build and operate a new public transit center at the site of the current Transbay Terminal. A five-member Board of Directors governs the Authority. San Francisco's Mayor, the Board of Supervisors, and the Board of Directors of the Municipal Transportation Agency each appoints one person to the Transbay Joint Powers Authority.

THE PROPOSAL: Proposition C is an ordinance that would change the process by which the City appoints members to the Transbay Joint Powers Authority. The proposition would designate these specific elected officials to represent the City:

- the Mayor;
- the member of the Board of Supervisors who represents the district in which the new public transit center will be located; and
- the member of the Board of Supervisors who has been appointed to the Metropolitan Transportation Commission.

This proposition does not provide for these officials to delegate their duties to other individuals.

If the Supervisor appointed to the Metropolitan Transportation Commission also represents the district in which the new public transit center is located, the Board of Supervisors would appoint the third member of the Transbay Joint Powers Authority.

If the City no longer elects supervisors by district, the Board of Supervisors would be authorized to amend this ordinance to modify the appointment process to the Transbay Joint Powers Authority.

A "YES" VOTE MEANS: If you vote "yes," you want to change the City's appointments to the Transbay Joint Powers Authority by designating the Mayor and two members of the Board of Supervisors to represent the City.

A "NO" VOTE MEANS: If you vote "no," you do not want to make these changes.

Controller's Statement on "C"

City Controller Edward Harrington has issued the following statement on the fiscal impact of Proposition C:

Should the proposed ordinance be approved by the voters, in my opinion, it would not increase the cost of government.

How "C" Got on the Ballot

On March 8, 2006 the Department of Elections received a proposed ordinance with supporting signatures from Supervisors Ammiano, Daly, Ma and Mirkarimi.

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 118.
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 89.





Appointing Elected Officials to the Transbay Joint Powers Authority

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION C

Give Voters A Say! Yes on C!

YES on C ensures that the Mayor and the Board of Supervisors work together on the delivery of the region's most significant public transportation project.

The Transbay Transit Center needs our Mayor's leadership so that we can transform the outdated and seismically unsafe Transbay Terminal into the West's Grand Central Station— serving bus and rail with connections to BART and High-Speed Rail from San Francisco to Los Angeles.

YES on C to make the Mayor and BOS work together on common solutions while preserving local control over San Francisco's Transit Center.

The Transit Center has been plagued with bureaucratic infighting and needs the attention and leadership of our elected officials. **YES on C** will replace unaccountable bureaucrats with the direct elected leadership of the Mayor, the district supervisor and San Francisco's representative to the Metropolitan Transportation Commission— an important regional funding agency. Working together, they will ensure local control of this vital project.

YES on C for affordable housing for working families.

Without direct involvement and cooperation from elected leaders, Governor Arnold Schwarzenegger could jeopardize new housing with the stroke of a pen in the new Transit Center neighborhood— 3,400 new homes, 35% of which will be affordable to working families.

YES on C to ensure the economic vitality of our region.

The Center will unite our fractured transportation system, infuse billions of dollars into our economy, create thousands of new jobs and new homes and will provide the San Francisco hub for High-Speed Rail. This is too important a project to delegate to City Employees. We need the accountability and leadership of elected representatives to ensure that we secure our transit future.

Sierra Club

Regional Alliance for Transit

San Francisco Tomorrow

Transportation Solutions Defense and Education Fund

*Jane Morrison, Past Chair (2003-2004), San Francisco Democratic Party**

*For identification purposes only

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION C

Prop C is about politics, not progress.

The Transbay Board already has representation from the Mayor, the Board of Supervisors and the head of the city's transportation agency. Prop C removes this balanced leadership by throwing off San Francisco's transportation director for another politician. This project clearly requires professional oversight from the city's transportation director. We need to professionalize—not politicize—the Transbay project.

San Francisco leaders must stay united on the Transbay Terminal

San Francisco voters have already spoken: The Transbay terminal should serve as 21st Century transportation hub that unites BART and regional bus lines with CalTrain, and eventually high-speed rail. Recently, policy disagreements have arisen about phasing and funding for the project. Prop C was placed on the ballot to silence Transbay board members who are ensuring that we don't spend a billion dollars of precious transportation funding and sim-

ply end up with a bus terminal. We must stay focused on the grand vision of the Transbay terminal: we can't let politics get in the way of important transportation goals.

Prop C will set back the Transbay project.

Injecting politics into the project lessens broad support for the project and threatens state and federal funding that is necessary to complete the terminal. Political leaders should settle policy disagreements outside of the ballot box so that we can stay united to complete the Transbay terminal.

Please join me in voting No on C.

Mayor Gavin Newsom



Appointing Elected Officials to the Transbay Joint Powers Authority



OPPONENT'S ARGUMENT AGAINST PROPOSITION C

Save Our Transbay Terminal for all San Franciscans!
Vote No on C

Prop C is a political power grab that removes San Francisco's top transportation official from the Transbay board and replaces him with a politician.

Transbay Terminal needs professional — not political — management.

The Transbay terminal is a huge, complex project that requires professional management and public oversight. The current Transbay board has created a world-class vision for high-speed rail and secured tens of millions of dollars in funding. But Prop C replaces professionalism with politics by decreasing professional expertise on this board.

San Francisco Loses with Prop C.

Prop C removes San Francisco's top transportation professional from the Transbay board while the East Bay and South Bay counties will have strong representatives on the board. We need a San Francisco professional on the board to ensure that San Franciscan's transit needs are met by the project.

Prop C Abuses the Ballot Process.

Prop C was placed on the ballot to silence transportation experts who are working to ensure that the Transbay terminal has necessary funding to connect to other regional transit systems. Prop C changes the current Board to advance a political agenda that funds bus service to the East Bay at the expense of transit service in San Francisco. Prop C means fewer transit options for San Franciscans.

We Need Better Transportation, Not More Politics

The Transbay Terminal is a vital part of an overall plan to create regional transportation network that is fast, safe and reliable. Don't let politics get in the way of these important transportation goals.

That's why local groups like the San Francisco Planning and Urban Research Association oppose Prop C. Join us on June 6 and vote No on Prop C.

Mayor Gavin Newsom

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION C

Yes on C. Regional Transit Solutions without Excuses.

Regional Cooperation, Not Finger-pointing

The Opponent's across-the-Bay finger-pointing is reminiscent of similar accusations that led to the Bay Bridge fiasco, with huge cost overruns, needless delays and constant bickering in Sacramento. Isn't it time we ended name-calling and embraced regional solutions that unclog congested roadways and reduce dependence on fossil fuels?

The Mayor is the City's top transportation official.

Under Proposition E, written by then-Supervisor Gavin Newsom, the Mayor appoints every Metropolitan Transportation Agency commissioner and selects the MTA director. In this spirit, Proposition C empowers the Mayor to make direct decisions about Transbay.

Regional transit service is essential to our regional economy.

Transbay is a multi-modal facility providing direct access to Caltrain, MUNI, regional bus networks, and BART and will

ensure that the region keeps moving forward. Transbay will infuse billions of dollars into our economy, create thousands of new jobs and new homes and will provide the San Francisco hub for High Speed Rail to Los Angeles.

The Metropolitan Transportation Commission is vital to project delivery.

The MTC is the region's main transportation planning, coordinating and financing agency. Prop. C will help ensure that the MTC shares in the responsibility of delivering this most important regional project.

Sierra Club

San Francisco Tomorrow

Transportation Solutions Defense and Education Fund

*Jane Morrison, Past Chair (2003-2004) San Francisco Democratic Party**

*For identification purposes only





Appointing Elected Officials to the Transbay Joint Powers Authority

PAID ARGUMENTS IN FAVOR OF PROPOSITION C

In 1999 voters overwhelmingly demanded a downtown terminal for Caltrain and High Speed Rail.

Proposition C ensures the full attention of our elected officials. There have been too many costly delays!

The Transbay Terminal project will create a major economic boom for San Francisco, with 3,400 new housing units, thousands of construction jobs, and an influx of visitors who bring cash but leave their cars at home.

Proposition C guarantees the Mayor and Supervisors are fully responsible for fulfilling the voters' mandate.

Vote YES on C.

San Francisco Tomorrow, Jennifer Clary, President
Sierra Club, John Rizzo, Chair, SF Bay Chapter
Sierra Club, Becky Evans, Chair, SF Group
League of Conservation Voters, Amandeep Jawa, President
Tom Radulovich, BART Director
*Jane Morrison, Former Chair, San Francisco Democratic Party**
*Norman Rolfe, Member, Transbay Citizens Advisory Committee**
*Bruce Balshone, Former Chair, Caltrain Citizens Advisory Committee**
*Joe Julian, President, Filipino-American Democratic Club**
*Robert Haaland, Former President, Harvey Milk LGBT Democratic Club**
*Susan Hall, Treasurer, Richmond District Democratic Club**
*Richard Hansen, Past President, Richmond District Democratic Club**

*For identification purposes only

The true source of funds used for the printing fee of this argument is San Francisco Tomorrow.

BayRail Alliance says **YES on C**. It's time to deliver on this \$1.5 billion package voters approved with Prop H in 1999, Prop K in November 2003, and RM2 in March 2004. Sadly, bureaucratic infighting threatens the completion of this regional transit project.

Our whole region urgently seeks San Francisco's leadership -- leadership best provided by elected officials we can hold accountable, such as the Mayor, rather than non-elected staff. That's why environmental and transit groups urge **YES on C**.

The Transbay Project at 1st and Mission will connect new high-speed trains from San Jose and Los Angeles with buses from

throughout our city and region, making transit speedier and more convenient for residents and commuters alike. It creates new housing and commercial development, jobs and a vibrant downtown.

All the other regional representatives to the Transbay board are elected officials. San Francisco deserves the same. This project is too important to our city's future to delegate to non-elected appointees.

Improve oversight and accountability for the Transbay Project. Vote YES on C.

*Dave Massen, Member, BayRail Alliance**

*For identification purposes only

The true source of funds used for the printing fee of this argument is BayRail Alliance.

Transbay Terminal is the region's most important transportation project.

San Francisco needs the Mayor's leadership.

Proposition C is endorsed by an array of environmental organizations. Environmentalism is a core Democratic value.

Join these Democratic County Central Committee members in Yes on C:

Bill Barnes
David Campos
Gerry Crowley
*Michael Goldstein**
*Robert Haaland**
Susan Hall
*Joe Julian**
*Jane Morrison**

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Bill Barnes, Gerry Crowley, David Campos, Robert Haaland, Susan Hall, Jane Morrison, Joe Julian and Michael Goldstein.



Appointing Elected Officials to the Transbay Joint Powers Authority



PAID ARGUMENTS AGAINST PROPOSITION C

VOTE NO ON PROPOSITION C

San Francisco has the chance to build a world class transit center at the TransBay Terminal. Proposition C threatens this important project by substituting politicians for transit experts.

Keep the Mayor's staff and the MUNI general manager working on this project – don't hand control to the Board of Supervisors.

Vote NO on C

San Francisco Chamber of Commerce

The true source of funds used for the printing fee of this argument is the SF Chamber of Commerce 21st Century Committee.

The three largest contributors to the true source recipient committee are: 1. GreenLeaf 2. Norcal Waste Systems 3. Charles Schwab.

San Francisco Businesses Urges You to Vote No on Prop C

Prop C was placed on the ballot to silence critics of the Transbay Terminal Project. It substitutes politics for transportation expertise in decisions about a billion dollar transit hub. Prop C weakens San Francisco's voice in regional transit decisions. San Francisco deserves to have its own experts at the table to make decisions about how billions in transit funds are spent.

Please Vote No on Prop C.

Committee on Jobs

The true source of funds used for the printing fee of this argument is the Committee on Jobs.

No on Proposition C! No on Appointing Members to the Transbay Joint Powers Authority!

This ordinance strips the authority from the Mayor to have a designee attend meetings. The Mayor is a busy person, working on many areas of grave importance. It is unreasonable not to allow the Mayor to have someone attend a meeting in his stead.

*Candidates for the SF Republican County Central Committee,
12th Assembly District*

*Jim Anderer
Mike Gleim*

*Candidates for the SF Republican County Central Committee,
13th Assembly District*

Bill Campbell

Ramiro Maldonado, Jr.

Jim Soderberg

Sarah Vallette

The true sources of funds used for the printing fee of this argument are Bill Campbell, James Anderer, and Sarah Vallette.

Don't Derail the Transbay Terminal

The Transbay Terminal is being designed as San Francisco's version of a "grand central station"—a landmark building that celebrates public transit and brings together the region's major bus and rail lines in one place, in downtown San Francisco. The Transbay Joint Powers Authority is responsible for planning, funding, and building this project, which will someday be home to high-speed rail from Southern California.

Proposition C is a side issue—a power struggle—that would transfer control over the project from the Mayor to the Board of Supervisors. Today, the Mayor has two seats (one direct appointee, plus the head of Muni), while the Supervisors have one seat. If this measure passes, the Mayor would retain one seat but the other two seats would go to Supervisors. It's that simple.

There seems to be a power grab like this in every election. We think it's a bad idea. Institutional changes of this type should be made based on sound long-term public policy, not on the personalities of the people currently in office, or short-term politics. The executive branch of government is responsible for both the day-to-day management of the transportation system and planning for its future, and should be closely involved with the Transbay project.

We can't allow short-term politics to get in the way of a project this important!

Vote No on Proposition C.

*San Francisco Planning and Urban Research Association
(SPUR)*

For the full analysis, visit www.spur.org.

The true source of funds used for the printing fee of this argument is the SPUR Urban Issues Committee.

The three largest contributors to the true source recipient committee are: 1. George Giles 2. Paul Sack 3. Steven Swig.





Appointing Elected Officials to the Transbay Joint Powers Authority

PAID ARGUMENTS AGAINST PROPOSITION C

NO ON C.

The continued representation of transportation professionals on Transbay Joint Powers Authority is essential to building the new Transbay Terminal on time and under budget.

Proposition C would replace these professionals with tax-and-spend members of the Board of Supervisors . It's a bold-faced attempt by Supervisor Chris Daly to stack the Authority in his favor.

VOTE NO ON C.

San Francisco Republican Party

- Mike DeNunzio, Chairman*
- Howard Epstein, VC – Communications*
- Christopher L. Bowman, VC – Political Affairs*
- Jennifer DePalma, Esq., Treasurer*
- Barbara Kiley, VC – Finance*
- Sue C. Woods, VC – Special Events*
- Ronald Konopaski, DDS, VC – Precinct Operations*
- Mike Antonini, DDS*
- Mike Garza*
- Harold M. Hoogasian*
- Leo Lacayo*
- Stephanie Jeong*
- Roger Schulke*
- Steven Lee*
- Bradley Rotter*
- Dana Walsh*

The true source of funds used 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. Pharmaceutical Research Manufacturers of America 2. San Franciscans to Protect Neighborhood Fire houses 3. Calvin Louie for Treasurer.

Please join me in voting No on C!

We need a professional, non-political Transbay Authority to ensure that this environmentally-friendly, world-class transportation terminal is built.

As Chair of the city's Transportation Authority, I know that Prop C threatens progress on this important project.

Jake McGoldrick

Chair, San Francisco Transportation Authority
San Francisco Supervisor

The true source of funds used for the printing fee of this argument is Jake McGoldrick.

The San Francisco Taxpayers Union opposes Proposition C.

We have a lot of questions about the Transbay project, but Prop C is not the answer. Rearranging the deck chairs won't stop the ship from sinking.

Vote NO on C.

San Francisco Taxpayers Union

The true source of funds used for the printing fee of this argument is the San Francisco Taxpayers Union.

VOTER ALERT!

The San Francisco Democratic Party voted by over a two-thirds majority to OPPOSE Prop C.

The majority of Democratic Party members believe that our transit system should be run by professionals not politicians.

We Officers and Members of the San Francisco Democratic Party leadership urge you to VOTE NO on Prop. C

Leslie Katz, Chair
San Francisco Democratic Party

- Mary Jung, 1st Vice Chairwoman**
- Catherine Dodd, RN, 3rd Vice Chairwoman,**
- Tom A. Hsieh, Corresponding Secretary**
- Malik Looper, Recording Secretary**
- Arlo Hale Smith**
- Matt Tuchow**

*For identification purposes only

The true source of funds used for the printing fee of this argument is the San Francisco Democratic Party Executive Committee.



Appointing Elected Officials to the Transbay Joint Powers Authority



PAID ARGUMENTS AGAINST PROPOSITION C

The San Francisco Democratic Party Urges you to Vote NO on Prop C.

Prop. C politicizes the management of the Transbay Joint Powers Authority, the body responsible for bringing high speed rail to our City. Prop. C alters the Transbay board-- adding a politician and removing the current Muni representative on the Board.

The San Francisco Party's official position is
No on C

Leslie Katz, Chair
San Francisco Democratic Party

The true source of funds used for the printing fee of this argument is the San Francisco Democratic Party.

The three largest contributors to the true source recipient committee are: 1. Victor Makras 2. Robert McCarthy 3. Celeste Woo.



LEGAL TEXT OF PROPOSITION C

Submission to the voters of an ordinance amending Chapter 5 of the Administrative Code to add Article XXVII to designate and establish a procedure for appointing City's appointed members on the Board of Directors of the Transbay Joint Powers Authority.

Note: Additions are single-underline italics Times New Roman; deletions are ~~striketrough italics Times New Roman~~. Board amendment additions are double underlined. Board amendment deletions are ~~striketrough normal~~.

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 Article XXVII to Chapter 5, to read as follows:

ARTICLE XXVII: TRANSBAY JOINT POWERS AUTHORITY

Sec. 5.271. Findings and Purpose.

(a) In November, 1999, the voters of the City adopted Proposition H which, among other things, called for the extension of the Caltrain commuter rail line to a new multi-modal regional transit station to be constructed on the present site of the Transbay Transit Terminal.

(b) On February 12, 2001, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 104-01 authorizing the City and County of San Francisco (the "City") to form a joint powers agency for the purpose of developing, designing, constructing and operating a new inter-modal transit facility on and adjacent to the site of the existing Transbay Terminal.

(c) On April 4, 2001, the City entered into that certain Joint Powers Agreement creating the Transbay Joint Powers Authority with the Alameda-Contra Costa Transit District and the Peninsula Corridor Joint Powers Board. Under the Joint Powers Agreement, the Transbay Joint Powers Authority is governed by a five (5) member board of directors, of which the City appoints three.

(d) The People wish to designate certain City officials to be among the City's appointees to the Board of Directors of the Transbay Joint Powers Authority and to establish a procedure for appointing one of the members in event of duplication.

Section 5.272. Designating City Members to the Board of Directors.

The City's three appointments to the Board of Directors of the Transbay Joint Powers Authority shall be the following officials:

- (a) The Mayor;
- (b) The member of the Board of Supervisors who represents the district in which the existing or new Transbay Terminal is located; and

(c) The representative of the City and County of San Francisco appointed by the Board of Supervisors to the Metropolitan Transportation Commission or subsequent regional transportation planning, coordinating, and financing agency, and, if such City representative is also the member of the Board of Supervisors representing the district in which the existing or new Transbay Terminal is located, then a person nominated by the Rules Committee of the Board of Supervisors and approved by the Board of Supervisors.

Section 5.273. Amendments to Appointment Process.

In the event that the members of the City's Board of Supervisors are no longer elected by district, the Board of Supervisors shall have the authority to amend this ordinance to modify the means of City's appointments to the Board of Directors of the Transbay Joint Powers Authority.



Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

D

PROPOSITION D

Shall the City amend the Planning Code to create the "Laguna Honda Hospital Special Use District" that includes the site of Laguna Honda Hospital, limit the patients who can receive services at Laguna Honda Hospital and certain other residential health care facilities, and allow both publicly and privately-owned residential health care facilities in "public" districts throughout San Francisco?

YES
NO



Digest

by Ballot Simplification Committee

THE WAY IT IS NOW: The City owns and the Department of Public Health operates Laguna Honda Hospital, which provides skilled nursing care and rehabilitation services. State law regulates who may be admitted, treated and discharged from the hospital. Laguna Honda provides services to adults of all ages and with all kinds of illnesses, and a patient's length of stay at the hospital depends upon the needs of the patient.

Laguna Honda is located in a "public" district rather than a residential, special use, commercial, or industrial zoned district. According to the City Planning Code, "public" districts generally allow for publicly-owned residential health care facilities, but not for privately-owned residential health care facilities.

THE PROPOSAL: Proposition D is an ordinance that would amend the City's Planning Code to create the "Laguna Honda Hospital Special Use District" and would change zoning laws that govern "public" districts throughout the City.

The only new facilities permitted in this special use district, which includes the current site of Laguna Honda Hospital, would be:

- residential health care facilities that provide long-term skilled nursing care, and
- certain assisted living facilities.

Proposition D would amend the Planning Code to allow both publicly and privately-owned residential health care facilities in "public" districts. It would also allow the City's Zoning Administrator to

enforce the following limitations on Laguna Honda Hospital and on certain other residential health care facilities located in this special use district or in any "public" district in San Francisco:

- Persons who pose a danger to themselves or others or who pose a threat to safety at the facility could not be admitted or retained;
- Persons whose diagnosis is primarily psychiatric or behavioral could not be admitted;
- Persons who need short-term care could not be admitted if beds are needed for long-term care, except to specialty programs serving the elderly, frail and physically disabled; and
- Persons who are not residents of San Francisco could not be admitted ahead of San Francisco residents.

Existing facilities that do not meet these requirements could continue to operate, but would not be allowed to expand services limited by this zoning change.

A "YES" VOTE MEANS: If you vote "yes," you want to amend the Planning Code to create a special use district that includes Laguna Honda Hospital, allow both publicly and privately-owned residential health care facilities in "public" districts, and limit those who can receive services at certain residential health care facilities in these districts.

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 '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 137.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 89.



D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

Controller's Statement on "D"

City Controller Edward Harrington has issued the following statement on the fiscal impact of Proposition D:

Should the proposed ordinance be approved by the voters, in my opinion, it would increase the cost of local government by approximately \$27 million per year.

The ordinance amends the Planning Code to create a new "special use district" at Laguna Honda Hospital and limits who may be a patient there. While the ordinance excludes patients for several reasons, the cost increase is primarily due to excluding patients who pose a danger to themselves or others or to the safety of the environment. The Department of Public Health estimates that approximately 300 of the 1,021 current patients at Laguna Honda would be excluded. The largest group of such patients have dementia due to a variety of causes such as Alzheimer's disease, Parkinson's disease, and other conditions.

In effect, the ordinance would mean that these and other public health patients could not be treated at Laguna Honda. Instead, those patients needing skilled nursing care would typically be treated either at a facility outside of San Francisco or at San Francisco General Hospital. The general fund cost of these alternatives ranges from \$213 to \$643 per day per person.

The \$27 million estimate above assumes that Laguna Honda Hospital continues to house approximately 1,021 patients who do meet the limitations of the ordinance. To the extent that fewer patients meet the limitations and portions of the Hospital could be closed, the City's costs to operate Laguna Honda could decrease.

How "D" Got on the Ballot

On February 23, 2006 the Department of Elections certified that the initiative petition, calling for Proposition D to be placed on the ballot, had qualified for the ballot.

10,486 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 2003. A random check of the signatures submitted by the proponents of the initiative petition prior to the February 6, 2006 submission deadline showed that more than the required number of signatures was valid.

THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.



D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D

This Special Use District initiative will correct a major flaw in the 1999 bond measure and guarantee that frail, elderly, and long-term physically disabled San Franciscans will be able to live out their lives in safety and dignity, free from dangerous, greedy, and self-serving political interests.

The Laguna Honda Hospital bond measure was sold to the voters in a campaign that promised to rebuild the hospital for our seniors, so that aging San Franciscans who lacked money for private health care would always have a caring place to go.

Two years ago, patients, families, healthcare professionals, neighborhood advocates and taxpayers learned that those bond monies were being used to rebuild the hospital for a different patient population. Seniors and those with long-term medical conditions were being turned away, sent to nursing homes out of county, away from families and friends. The Health Department began admitting younger, dangerous patients with psychiatric and behavioral diagnoses, for which the hospital was not licensed and lacked essential security. State inspectors found that the rights of vulnerable patients were frequently violated; physical abuse was cited in numerous, well-documented, appalling reports.

This initiative will guarantee that the \$299 million in bonds will be used for the purposes intended.

Opponents have a well-financed campaign, and have begun circulating false information that resident Alzheimer and dementia patients are dangerous to others, and will be discharged if this proposition passes, despite overwhelming expert medical evidence to the contrary.

Proposition D will cost you nothing but your vote.

KEEP THE PROMISE OF LAGUNA HONDA FOR OUR SENIORS.

Join us in voting **YES on D**.

*San Franciscans for Laguna Honda
Coalition for San Francisco Neighborhoods
Former Mayor Frank Jordan
Former Supervisor Matt Gonzalez
Former Supervisor Tony Hall*

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D

Regardless of the intent of the sponsors of Prop D, this ballot measure contains drafting errors that will cause it to hurt some of the same people it claims to help.

The City Zoning Administrator says Prop D will allow private developers to build for-profit facilities on public land. The Zoning Administrator also says Prop D takes patient admission decisions away from health care professionals and forces the Planning Department to determine which patients should be admitted to Laguna Honda.

The Director of Public Health says Prop D will cause 300 mostly elderly patients to be discharged from the hospital. Because of a drafting error, the measure prohibits patients with Alzheimer's Disease, Parkinson's Disease, AIDS-related dementia and other diseases from remaining in Laguna Honda.

The City Controller says Prop D will require the City to spend \$27 million it doesn't have to care for these patients at other facilities.

Please reject this poorly drafted measure. Please vote No on D.

*Mayor Gavin Newsom
Supervisor Tom Ammiano
Former City Attorney Louise Renne, Co-Chair, Save Laguna Honda
Public Health Director Mitch Katz, Co-Chair, Save Laguna Honda*



Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

D

OPPONENT'S ARGUMENT AGAINST PROPOSITION D

Save Laguna Honda: Vote No on Prop D

Prop D will result in the forced discharge of up to 300 of Laguna Honda's most vulnerable Alzheimer's and Parkinson's patients. The City has no other facilities to accommodate these patients and may have to spend up to \$27 million per year to arrange for their care.

For 140 years, Laguna Honda Hospital has cared for San Francisco's elderly, disabled and terminally ill. In 1999, San Franciscans voted overwhelmingly to save the crumbling, quake-damaged hospital and preserve its mission.

Now Laguna Honda is in trouble again, this time because of Prop D perhaps the most poorly drafted measure ever placed on the San Francisco ballot.

Prop D was written to allow privately owned health care facilities to be built on public lands. But Prop D is so poorly drafted, it jeopardizes the health care of hundreds of Laguna Honda's most vulnerable patients.

The unintended consequences of Prop D are dire:

The City's Public Health Director says that Prop D will require the City to discharge up to 300 patients suffering from Parkinson's, Alzheimer's and other diseases.

Prop D puts the City's Zoning Administrator in charge of patient admissions. In a recent letter, the Zoning Administrator said his department is completely unprepared to perform psychological evaluations on patients if the measure passes.

The City Controller estimates Prop D will cost the City \$27 million per year to arrange outside care for existing patients discharged by the measure.

Please join me and the co-chairs of the original campaign to Save Laguna Honda, former City Attorney Louise Renne and Public Health Director Dr. Mitch Katz, and Vote NO on D.

Mayor Gavin Newsom

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION D

Opponents claiming that Alzheimer's, Parkinson's and dementia patients will be ousted from Laguna Honda Hospital make a number of hysterical assertions, none of which are based on fact.

Objective experts agree that Alzheimer's and other dementia patients are NOT dangerous and would continue to receive care at Laguna Honda as always. To infer that such patients are dangerous and need to be excluded unmasks the true intent of the Health Director - who cannot be so ignorant about geriatric medicine - making Proposition D all the more necessary.

Prop D will not change the traditional Laguna Honda admissions rules - it will create a new Special Use District to protect vulnerable patients from the admission experiments of the Health Director.

Opponents' assertion that this measure will put the Zoning Administrator in charge of admissions is more than laughable, unless we are to believe that the Zoning Administrator currently performs similar duties in the Kaiser Hospital Special Use District, also created by voter signatures and approved by election in 1992. (Prop D was modeled after that successful initiative.)

The Controller's cost estimates are based in whole upon the Health Director's fabrications and are not even remotely reliable - "garbage in - garbage out."

Proposition D was written by two experienced land use attorneys in consultation with health care professionals, many with decades of experience at Laguna Honda.

Vote YES on D.

*San Franciscans for Laguna Honda
Coalition for San Francisco Neighborhoods
Former Mayor Frank Jordan
Former Supervisor Matt Gonzalez
Former Supervisor Tony Hall*



D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

Families Urge Yes on Proposition D

A close, elderly relative is a longtime Laguna Honda resident. Last year, for the first time, assaults occurred in her ward. The dangerous, able-bodied, younger perpetrator had been inappropriately admitted and placed in a ward of frail elderly ladies. We complained; she was removed after State regulatory pressure. We've seen how the inappropriate admissions policies created danger, including a major arson fire, leading to serious State citations.

These admissions policies also caused a large reduction in elderly people and women, making it almost impossible for San Franciscans living at home to be admitted to Laguna for long-term care, as our relative had been.

Without Proposition D, Laguna will be taken over by General Hospital, as hired gun consultants recommend, and dangerous admissions will continue. Proposition D will preserve long-term skilled nursing spaces at Laguna, while also permitting new and current short- and long-term medical specialty programs including AIDS, dementia, respite, hospice and physical therapy, and permitting assisted living units.

Laguna is one of the only San Francisco nursing homes that accepts MediCal patients and people with severe medical conditions. Proposition D ensures priority for San Franciscans; if Laguna becomes part of General, non-San Franciscan patients from General will be admitted to Laguna, taking precious spaces and forcing San Francisco seniors, especially those on MediCal, to move away for long-term skilled nursing care.

DPH wouldn't listen to families, Laguna residents, nurses, doctors, regulators and others, so Proposition D became necessary.

www.SF4LagunaHonda.org has the truth about Proposition D.

Family members **Denise DeSha-Soberanis and Steven Soberanis** agree and support Proposition D.

*Michele DeSha
Howard Chabner, J.D.
Teresa Gutierrez
Dale Gutierrez*

The true sources of funds used for the printing fee of this argument are Michele DeSha, Denise DeSha-Soberanis and Teresa Gutierrez.

I volunteered at Laguna Honda helping Alzheimer's patients produce beautiful artwork. But I saw their safety and well-being compromised by a change in LHH's admission policies. I heard of numerous frightening altercations among newly admitted violent residents with severe disorders that LHH is not licensed nor equipped to treat.

Laguna Honda must be restored to its historical purpose, as a long-term care health facility for the elderly and physically disabled needing institutional care.

Vote Yes on PROP D.

Bonnie Matza

The true source of funds used for the printing fee of this argument is Bonnie Matza.

My mother had Alzheimer's for twenty years. As her primary caregiver, I saw every stage of the disease first hand. San Franciscans are being deceived by the Mayor and the Health Department's allegations that Alzheimer's patients are dangerous and will be discharged from Laguna Honda if Prop D passes. Experts in the field, including UCSF's Neurology Department, agree that these claims are not only inaccurate, they do not represent current research findings or evidence based clinical experience.

We need more – not fewer – long-term beds for Alzheimer's and other frail elderly patients.

Prop D will allow just that.

Sherrie Matza

The true source of funds used for the printing fee of this argument is Sherrie Matza.

People with Disabilities Urge Yes on Proposition D

Robert is an artist (a talent developed at Laguna Honda) and 16-year Laguna resident. We are disability rights activists and long-time wheelchair users. (Google Chabner United.)

Some claim Proposition D unlawfully discriminates against people with psychiatric disabilities. **Proposition D doesn't discriminate!** Currently, Laguna admits people with psychiatric diagnoses if they also have a primary medical diagnosis requiring



Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

D

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

skilled nursing care; Proposition D permits this to continue. Laguna currently provides some psychiatric treatment; Proposition D permits this to continue if the person doesn't threaten safety and can be adequately cared for. But Laguna doesn't have a psychiatric license, and can't accept patients whose only or primary diagnosis is psychiatric. Under Proposition D, elderly, frail and physically disabled people who also have psychiatric disabilities would be eligible for long-term care, assisted living and short-term programs, subject to the above.

If Proposition D unlawfully discriminates, so does every mental health facility that treats only mental health problems and doesn't treat people with disabilities whose only or main need is for medical care. Likewise for drug treatment centers.

We applaud the moral obligation and legal requirement for the City to provide psychiatric services, but common sense, safety, medical specialization, geriatrics and quality care require that people with incompatible needs not be mixed together. We urge DPH to better manage mental health resources and to increase resources for independent living for people with all types of disabilities.

Proposition D is about safety and appropriateness. Regulations require skilled nursing facilities to provide a safe, homelike environment. Proposition D honors that.

Robert Neil, President, Laguna Honda Residents Council (Clarendon) and Member, Mayor's Disability Council*

Howard Chabner, J.D.

Allen Pross, Consultant

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Howard Chabner, Robert Neil and Allen Pross.

Preserve Laguna Honda – YES on D

“To protect San Franciscans from acute psychiatric hospitalization and to bring them home from out of county facilities”, the Mental Health Rehabilitation Facility (MHRF) was designed to provide psychosocial rehabilitation and skilled nursing care for San Franciscans with severe mental illness.

In 2002, administrators implementing the FLOW PROJECT pressured psychiatrists to admit patients from SFGH too dangerous to safely manage. We resisted. They intimidated and harassed us. Assaults skyrocketed. Management promised to address the problem, but once State inspectors left, they did nothing and moved to close the MHRF.

They discharged large numbers of patients without proper assessment or notifying families. Patients were released to the streets and Tenderloin hotels. Some were transferred to facilities far from San Francisco. One of my patients, after being told he would be sent out of county, left AWOL and was found dead on a park bench a few weeks later. In four months, the census dropped by 2/3rds and the MHRF became little more than a pit stop to and from SFGH.

The State cited violations and required a plan of correction, but they failed to monitor compliance. By the time community pressure forced the Health Department to halt its closure, it was too late. The County had made a deal with the Unions, establishing a Blue Ribbon Committee that unanimously approved Health Director Katz's plan to convert one floor to a Board and Care and to eliminate 22 staff, 100 beds for more severely ill patients, and the entire psychosocial rehabilitation program.

Don't Let This Happen to Laguna Honda. Vote YES on Prop D.

Bring Back the MHRF AND Support Non-institutional Community Alternatives.

Janice E. Cohen, M.D., Psychiatrist

Former Chair, Mental Health Section, American Public Health Association*

Former Attending Psychiatrist, Mental Health Rehabilitation Facility*

*For identification purposes only

The true source of funds used for the printing fee of this argument is Janice Cohen, M.D.

Former Health Commissioner Supports Prop D

As a former San Francisco Health Commissioner, I know there's a severe shortage of safe, skilled nursing beds for elderly and disabled San Franciscans. That's why I fully support Prop D.

Director of Public Health Mitch Katz's assertion Alzheimer's patients would be discharged from LHH is a red-herring. Title 42 §483.12(a)(1)-(7) provides due-process protections against involuntary transfers. California's Department of Health Services would never permit the involuntary transfer of elderly persons with Alzheimer or Parkinson-related dementia's.

Mayor Newsom should have known this before writing the Opponent argument. Ignore both men's propaganda!

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency.



D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

Vote "Yes" on Prop D

Naomi Gray

Former San Francisco Health Commissioner

The true source of funds used for the printing fee of this argument is San Franciscans for Laguna Honda.

The three largest contributors to the true source recipient committee are: 1. Residential Builders Assn. of SF. 2. Dr. Derek Kerr 3. Dr. Maria Rivero.

SAFETY FIRST

Safe and adequate care, along with freedom from abuse, is a basic right of nursing home residents.

As our safety-net institution, Laguna Honda must be safe. However, some patients are simply too violent or dangerous to receive proper care at Laguna Honda. The safety and welfare of vulnerable patients is protected by experienced professionals who admit and care for them using Admission Policies based on State and Federal laws.

Heavy-handed, poorly planned and money-driven interference with expert admissions decisions, psychological evaluations, violence screening, and quality control of safety measures is unwise. Such pressure compromises patient and staff safety. Scare tactics and false claims about future "forced discharges" of elderly patients cannot hide public and professional outrage over frightening conditions caused by admitting violent patients. Since 2004, the flood of serious citations by State and Federal inspectors shows that something must be done.

By creating a Special Use District, Prop D will:

- Protect the rights and safety of our most vulnerable patients
- Provide additional government oversight to ensure patient safety
- Affirm and reinforce existing admission policies and laws
- Allow experienced medical experts to make safe admission decisions

Vote YES on D to make Laguna Honda a safe place where anyone would be willing to bring a friend or family member when they are too old or disabled to care for themselves.

Maria V. Rivero, M.D. Internist, Geriatrician

Paid for by: Derek Kerr, M.D., C.N.A.
U.A.P.D. Steward

The true source of funds used for the printing fee of this argument is Derek Kerr, M.D., C.N.A.

How's this for chutzpah?

Mitch Katz and Louise Rene, the folks who brought us the fatally flawed \$299 million + \$230 million in interest Laguna Honda rebuild bond (that we will be paying for the next 20 years); the folks who forgot to tell us that their ballot language would allow downsizing from 1200 to 600 beds; the folks who forgot to tell us that it really wasn't for seniors and disabled, but for a planned "social rehab" center; these same folks are pointing the finger at the doctors, nurses and patient rights activists, claiming the carefully drafted initiative, Prop D, is "badly written." They want us to trust their math and backroom dealing again!

That's Chutzpah! Butter wouldn't melt in their mouths.

Doug Comstock

The true source of funds used for the printing fee of this argument is Doug Comstock.

Honor Promises Made to Voters in 1999!

As Laguna Honda's former Director of Nursing for 44 years, I support Prop D.

Remember when we voted in 1999 to rebuild LHH at its current capacity for frail elderly, younger physically disabled, AIDS, and Alzheimer's patients needing twenty-four hour care? Remember the promise to use tobacco settlement revenues to reduce taxpayer's burden paying down bonded debt? Were any of these voter mandates respected? No!

Tobacco settlement funds increase each year and are now estimated to be over \$821 million by 2037, enough to build *all* 1,200 beds.

Remember when the Health Department admitted patients with primary psychiatric diagnoses to LHH in 2004, who traumatized our seniors? Don't let this continue!

Although the Controller claims Prop D will cost \$27 million annually, it shouldn't increase costs because his estimates accepted the Dr. Katz' claim:



Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

D

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

"We estimate that this provision would require 300 current residents of LHH would need to be discharged. The single largest group affected would be residents with advanced Alzheimer's disease. Other patients who need to be discharged include those with AIDS, etc."

Katz's assertions are untrue. LHH has cared for thousands of Alzheimer's patients. In my memory, none were discharged for aggressive behaviors, as wrongly alleged. Neither Alzheimer's nor AIDS-dementia patients will be excluded from admission to LHH.

Please vote Yes on Prop D!

Virginia Leishman, RN

The true source of funds used for the printing fee of this argument is Virginia Leishman, R.N.

Prop D—Dignity for LGBT Elders and AIDS patients

The comfort and peace of Laguna Honda has been a safe haven and welcoming environment for older LGBT San Franciscans and people with AIDS for many years regardless of the funds they possess for end-of-life care. Since the epidemic began, more people with HIV/AIDS have found healthcare services and support at and LHH's AIDS wards and Hospice than anywhere in SF.

Unfortunately, that peace and safety has been interrupted. Younger, able-bodied patients who are violent, uncontrollable and dangerous—patients LHH is not licensed to accept—find easy prey among the weaker elders, Alzheimers' and frail AIDS residents. There are numerous incidents, but sadly, many are too timid or humiliated to admit the assaults, robberies and abuse they endure.

Though few, these dangerous patients—who belong in a secure environment—should not be allowed to wreak havoc among our most vulnerable at a very critical time in their lives. These incidents are jeopardizing the certification of the hospital for both short and long term care, we need to act swiftly and decisively to preserve Laguna Honda.

That's why AIDS specialist Lisa Capaldini, MD, MPH, joins the legion of current and former doctors and staff at LHH—many have been driven out or resigned in protest of the dangerous admissions policy—to urge you to return DIGNITY to Laguna Honda by voting Yes on D!

Lesbian, Gay, Bisexual Voters Project

The true source of funds used for the printing fee of this argument is San Franciscans for Laguna Honda.

The three largest contributors to the true source recipient committee are: 1. Residential Builders Assn. of SF. 2. Dr. Derek Kerr 3. Dr. Maria Rivero.

LHH Residents and Family Members Support Prop D

As residents of LHH, and family members of current and former LHH residents, we are concerned about patient safety. There is no certainty Laguna will be a safe environment. Prop D will ensure our safety.

Vote "Yes"; Help Protect San Francisco Families!

Robert Camacho

Martha Hughes

Janice Petras

Patricia Sancinito

Marie Shirley

Maria Torres

The true source of funds used for the printing fee of this argument is Martha Hughes.

Rank-and-File Labor Support Prop D

Rank-and-file members of a prominent San Francisco union have advocated for resident and staff safety at LHH since 2004. Concerned by "outsourcing" of San Franciscans to out-of-county facilities and the influx of younger, behaviorally aggressive patients, we're alarmed by assaults on residents and staff contributing to State substandard care citations against LHH and an initial \$500,000 fine.

We support alternate facilities to prevent intermixing different patient populations where they may not receive appropriate healthcare. Just as this Union ignores members' rights to basic representation, it ignores safety issues facing LHH's elderly and disabled residents, and did little to ensure LHH's full rebuild. A motion passed by a Union healthcare advisory body supported preserving LHH's current patient population; Union officials later edited it, changing its intent. This meddling is one symptom, among others, prompting our search for new, democratic representation.

Historically, LHH provided a safe nursing home and workplace for rank-and-file members. Please join labor leaders Lynda



D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

McPhee, Rodney Blalock, Kathy McCallum, Robert English, Lois Black, and the *Public Employees for a Democratic Union* Committee:

Vote "Yes" for Safety!

Sylvia Alvarez-Lynch
Ronald Brown
Maria Carmody
Alexander Reyes
Patrick Monette-Shaw

The true sources of funds used for the printing fee of this argument are Patrick Monette-Shaw and Sylvia Alvarez-Lynch.

Prop D Enhances Existing Law!

Prop D seeks to enhance existing laws violated by the City resulting in repeated State citations and costly fines against LHH.

- California's Title 22, §72515, permits LHH to admit only patients it can provide adequate care.
- 42 CFR §483.15(h) provides skilled nursing facilities must provide a safe, homelike environment.
- LHH's 2/22/05 admissions policy states LHH "cannot adequately care for" people "with mental illness ... requiring active psychiatric interventions," or people "with primary psychiatric diagnoses without coexisting dementia or other medical diagnosis requiring SNF care."
(www.sfdph.org/chn/LagunaHondaHosp/docs/AdmissionPolicy02222005.pdf)
- LHH's pre-March 2004 admissions policy contained inclusionary and exclusionary admission criteria similar to language in Prop D's ordinance.
- Current LHH placement guidelines exclude, as does Prop D, behaviorally aggressive or assaultive patients posing risks to other residents.

The Examiner reported (3/21/06) Prop D Opponents — including Mayor Newsom; Mitch Katz, MD; and Louise Renne — assert LHH's Alzheimer's and AIDS "victims" face forced discharge. Despicably, these hysterical claims are designed to alarm LHH residents and staff, and incite San Francisco voters. They falsely assert the City's Zoning Administrator will be required to perform psychological evaluations, deliberately suppressing information licensing regulations already require pre-admission PASARR psychological screening, prohibiting LHH admission to people having mental illnesses.

All healthcare facilities have eligibility restrictions; many community-based agencies having City contracts exclude people with behavioral problems requiring intensive psychiatric interventions, including LHH. Psychiatric facilities exclude those having only medical illness without psychological problems. Nobody asserts those programs are discriminatory.

Prop D continues LHH's current medical specialty programs. To learn more about Prop D — and read a prominent San Francisco university's rebuttal of LHH Administrator John Kanaley's claim dementia patients "could be categorized as a threat to safety" — visit www.sf4LagunaHonda.org.

Vote "Yes"; Enhance Existing Law!

Patrick Monette-Shaw
Immediate Past President, LHH Chapter of Prominent Union

The true source of funds used for the printing fee of this argument is Patrick Monette-Shaw.

Yes on Proposition D! Yes on Ordinance for Laguna Honda!

Let's preserve the purpose of Laguna Honda: to provide care for the elderly, frail, and physically disabled. It is important for the City to care for dangerous persons, but not at Laguna Honda - it is simply unsafe to do so!

*Candidates for the SF Republican County Central Committee,
12th Assembly District*
Jim Anderer
Mike Gleim

*Candidates for the SF Republican County Central Committee,
13th Assembly District*
Bill Campbell
Ramiro Maldonado, Jr
Jim Soderberg
Sarah Vallette

The true sources of funds used for the printing fee of this argument are Bill Campbell, James Anderer and Sarah Vallette.



Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

D

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

YES ON D.

This Initiative is necessary to protect elderly and severely disabled patients at Laguna Honda Hospital (LHH). It will prohibit the City from continuing to transfer patients to LHH from the overcrowded San Francisco General Hospital (SFGH). Many of these patients from SFGH have dangerous behavioral disorders and have repeatedly victimized LHH's frailest of patients.

Proposition D will also strengthen Laguna Honda's primary focus to care for elderly and severely disabled San Franciscans in need of long-term skilled nursing, and specialty care for hospice, AIDS, and physical rehabilitation.

Do not be misled by shameless politicians and medical bureaucrats who compare harmless Alzheimer patients at LHH with the dangerous patients from SF General.

VOTE YES ON D.

San Francisco Republican Party

Mike DeNunzio, Chairman

Howard Epstein, VC – Communications

Christopher L. Bowman, VC – Political Affairs

Jennifer DePalma, Esq., Treasurer

Barbara Kiley, VC – Finance

Sue C. Woods, VC – Special Events

Ronald Konopaski, DDS, VC – Precinct Operations

Mike Antonini, DDS

Mike Garza

Harold M. Hoogasian

Leo Lacayo

Stephanie Jeong

Rita O'Hara

Roger Schulke

Jim Fuller

Christine Hughes

Steven Lee

Gail E. Neira

Bradley Rotter

Dana Walsh

The true source of funds used 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. Pharmaceutical Research Manufacturers of America 2. San Franciscans to Protect Neighborhood Fire houses 3. Calvin Louie for Treasurer.

On December 20, 2003 my grandfather- George W. Porter – was memorialized in the Chapel at Laguna Honda Hospital.

A sports writer and newspaper columnist, real estate agent and Business major at the University of San Francisco, my grandfather competed in the Golden Gloves Boxing Championship in 1936 and trained famed boxer Archie Moore.

In 1850 he suffered a massive stroke and required the constant attention of a skilled nursing facility. My grandfather died at Laguna Honda Hospital after 15 years of nurturing service. He outlived his children and most of his friends. Save LLH for seniors and the severely disabled in our city.

Ahimsa Porter Sumchai, M.O., NSCA –CPT
Physician and Personal Trainer

The true source of funds used for the printing fee of this argument is Ahimsa Porter Sumchai.

I grew up in a world where people mattered - especially the elderly and the children.

This world was a caring place, of parents, grandparents, uncles and aunts.

It was also a world of unconditional reciprocity, where people helped each other, involving relatives, neighbors and even strangers.

And today a segment of that world, the frail and the elderly and their professional attendants, need our help. Some of their reasons are stated in this ballot handbook; other reasons will be narrated in other venues.

I hope you will listen, as did we, and once again, give generously of your time or by whatever means you can.

For this reason, and this reason alone, we are voting Yes on D. We have heard the appeals and the cries. It's that simple.

Joe O'Donoghue

The true source of funds used for the printing fee of this argument is Joe O'Donoghue.



D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

Care of the Elderly

Laguna Honda (LHH) has always opened itself to crises that arose in San Francisco. The silent crisis of our era is the avalanche of elderly San Franciscans unable to live independently in the community, unable to afford help they require. I believe we have a moral obligation to care for our elders.

In 1999 73% of voters approved rebuilding LHH to safely care for poor, elderly, and physically disabled San Franciscans. By 2000 the Health Department changed its priority to using LHH to cut costs and reduce crowding at San Francisco General Hospital (SFGH). In 2004 LHH was flooded by young, homeless, able-bodied and disruptive patients from SFGH, bringing unprecedented turmoil to LHH. Meanwhile, senior San Franciscans were shipped to out-of-county nursing facilities away from their home communities, creating social displacement in the name of "social rehabilitation." That wasn't what voters were promised in 1999.

Homelessness can be fixed with social support. But infirmities and ailments of old age are often serious and chronic, requiring skilled long-term care. By mixing younger, restless patients with elderly, disabled patients, neither receives the care they deserve. City leaders must meet both needs, but in different facilities. We must not abandon senior and disabled San Franciscans. Selling us LHH as a safety-net for "Old Friends," then changing LHH's mission is a double injustice — to voters and our vulnerable elders.

Prop D provides safety for frail elderly and disabled San Franciscans, honoring promises made in 1999. **Vote "Yes" on Prop D.**

Sister Miriam Walsh, Mission Helpers of the Sacred Heart
Pastoral Care Director Laguna Honda for 25 years

The true source of funds used for the printing fee of this argument is Sister Miriam Walsh.

Laguna Honda Hospital has been serving needy San Francisco seniors since before I was born. That's why my community wholeheartedly endorsed the 1999 bond measure to rebuild it.

And that's why we are outraged that this Mayor's Health Director, Mitch Katz, decided to start admitting younger patients discharged from SF General who could not be safely cared for at Laguna Honda, and who attacked the senior patients, staff and volunteers.

Katz must think seniors are a waste of money - what he did was immoral, if not illegal, and helpless people have been hurt because of it.

Proposition D will stop this nonsense.

Vote YES on D.

Espanola Jackson

The true source of funds used for the printing fee of this argument is Espanola Jackson.

The Coalition for San Francisco Neighborhoods, comprising 40 neighborhood organizations from every corner of San Francisco, voted unanimously to endorse Proposition D.

We supported the 1999 bond measure to rebuild the seismically unsafe facility for our seniors and long-term physically disabled neighbors who lack their own resources for health care. We are indignant that our property tax dollars are once again being redirected without our permission, an all too common practice of City Hall in recent years.

This Special Use District will prevent the Health Director from changing Laguna Honda's patient population without voter approval, and from admitting patients for which Laguna Honda is not licensed, endangering both patients and the surrounding neighborhoods.

Join your neighbors in voting **YES on D.**

Coalition for San Francisco Neighborhoods

The true source of funds used for the printing fee of this argument is the Coalition for San Francisco Neighborhoods.

Elderly Chinese Patients Deserve a Safe Environment

Caring for seniors in a family setting is a primary responsibility in Asian culture. But when that fails, Laguna Honda has always been a safety net. Sadly, that safety net disappeared when Mitch Katz changed the admissions policy, allowing violent and dangerous patients to threaten the peaceful setting at Laguna Honda. Not only were our vulnerable elders victimized, Chinese admissions were cut by 50% to make room for them, and our elders were sent out of town, far away from families.

Katz told the Chronicle admitting dangerous patients saved \$1.7 million a year. A year later, he says it would cost \$27 million to return Laguna Honda to traditional patients. Both cannot be true, yet the Controller supports Katz's exaggerated estimates.



Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

D

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

Now Katz wants us to trust him with the future of our seniors. Trust must be earned.

**Honor the promise to the voters and taxpayers.
Honor our seniors and disabled people!**

Yes on D!

Ed Jew, VP Chinese American Democratic Club
Jak Min Yee, President, Chinese Six Companies, and Hop Wo Family Association
Thomas Ng, Past President, Chinese Six Companies
David Y.J. Wong, Past President, Chinese Six Companies and Wong Family Association
Sherman Tang, Past President, Chinese Six Companies
James Y. Chin, Past President, Chinese Six Companies
Albert Chin, Past President, Chinese Six Companies
Edward S. Seid, Past President, Chinese Six Companies
Ted Wong, VP, Wong Family Association
Willie Wong, Past President, Wong Family Association
Wing S. Wong, Past President/Senior Elder, Wong Family Association
Johnnie K. Tsui, President, Asian Service Center
Connie Au, Senior Care Taker
Ying Heng Ho, Chinese Herbalist
May Jong, Senior
Calvin Chan, Past Director, Chin Kuo San Association

The true source of funds used for the printing fee of this argument is Dr. Rene Thomas, Psychiatrist.

San Franciscans approved \$299 million in bonds, paid for with our property taxes, to rebuild Laguna Honda Hospital for its traditional patients. We remember the campaign being all about seniors. We remember Mitch Katz and Louise Renne telling urging in the *Chronicle* “**San Franciscans think about Laguna Honda the way they would think about their own retirement.**” If they meant it at the time, they don't now.

Without asking the taxpayers who are footing the bill, Katz began filling Laguna Honda's beds with younger people discharged from SF General in order to save money, causing seniors to be sent out of town. When the state cited Laguna Honda for the results, Katz quickly changed it back, at least on paper.

The San Francisco Taxpayers Union normally supports anything City Hall does to save money, but not when it means hurting our seniors. We're also tired of City Hall selling us a bill of goods, and delivering something else altogether.

The Laguna Honda Special Use District will cost nothing since the proposed admissions restrictions will merely make traditional restrictions permanent.

Vote YES on D.

San Francisco Taxpayers Union

The true source of funds used for the printing fee of this argument is the San Francisco Taxpayers Union.

Katz: You Can't Fool All the People All the Time.

Katz' attempt to frame the Laguna Honda issue as an eviction of 300 Alzheimer's patients indicates the cavalier attitude this administration has toward the serious health risks involved in the eviction of seniors. The administration's red herring tactic backfires, because it is not only patently false—it draws attention to the elder abuse at LHH that has been cited by the State inspectors

The lives of 300 seniors with severe medical problems are not a political football to divert attention from the issue: will we provide a safe place for seniors and disabled persons? We voted for it. We're paying for it. We demand it.

Renters' Alert!

The true source of funds used for the printing fee of this argument is San Franciscans for Laguna Honda.

The three largest contributors to the true source recipient committee are: 1. Residential Builders Assn. of SF. 2. Dr. Derek Kerr 3. Dr. Maria Rivero.

The West of Twin Peaks Central Council, established in 1936 and representing 16 neighborhood organizations and 90,000 residents on San Francisco's west side strongly and unanimously urge a **YES VOTE on PROP D**. In 1999 San Francisco voters overwhelmingly approved a very generous 299 million dollar bond to rebuild Laguna Honda Hospital so that it can continue to serve San Francisco's most vulnerable and especially our seniors. A **YES VOTE on PROP D** will insure that Laguna Honda's mission will continue.

*West of Twin Peaks Central Council
David Bisho*, President

The true source of funds used for the printing fee of this argument is the West of Twin Peaks Central Council.



D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

VIOLATION OF RIGHTS

Over the past two years the Department of Public Health placed patients at Laguna Honda Hospital who did not belong there. Patients with dangerous or assaultive behaviors and unstable psychiatric conditions were put there without adequate safety precautions. State and Federal laws are clear about this. Our seniors and physically disabled residents were placed at risk.

This violated the rights of elderly and disabled residents, not to mention our Laguna Honda staff, to have a safe environment. Also, the rights of unstable patients who were "dumped" into Laguna Honda were violated. They deserve the special care they need in settings with appropriate staffing and programming. Laguna Honda is not licensed for this, and was never intended for this purpose.

We voted in 1999 for Laguna Honda Hospital to be a long-term, skilled nursing care facility for our Seniors and Physically Disabled. Prop D insures this will happen!

KEEP THE PROMISE. VOTE YES ON D.

*John Farrell, Chairman
San Franciscans For Laguna Honda*

The true source of funds used for the printing fee of this argument is John Farrell.

OUR SENIORS, OURSELVES

As Geriatric physicians, with a combined 33 years of service at Laguna Honda Hospital (LHH), we believe that elder and severely disabled San Franciscans have a right to safe harbor in their community. We support Prop D to protect and preserve skilled nursing beds for low-income, elderly and physically disabled San Franciscans who can no longer care for themselves.

Our elderly population is growing rapidly; many will need nursing home care. Nursing home beds for the poor in San Francisco are dwindling. Prop D assures that LHH will remain a sanctuary for seniors who need long-term-care, while providing short-term care for those who need Rehabilitation, AIDS, Hospice and Respite Care. Since General Hospital (SFGH) and other acute hospitals already provide short-term skilled nursing care, giving priority to **long-term** patients at LHH is the best use of public health resources.

Prop D will prevent the kind of policy change that occurred in 2004 when the Health Department gave priority to younger, able-bodied, short-term patients from SFGH thus hindering disabled

seniors from getting the help they needed at LHH and displacing them to lesser nursing homes far away.

Contrary to what has been stated by the opposition, medical experts agree that over 97% of dementia patients, even those with aggressive tendencies, are NOT dangerous and will continue to be safely managed at LHH. Therefore, Prop D will be cost neutral. Prop D will also keep LHH compliant with Federal and State Laws and preserve existing policies and practices, not change them. Vote YES on D!

*Teresa Palmer, M.D., Family Medicine and Geriatrics
Maria V. Rivero, M.D., FACGS, Internal Medicine and Geriatrics*

The true sources of funds used for the printing fee of this argument are Teresa Palmer, MD, and Maria V. Rivero, MD.

The \$27 million that the Controller states Prop D will cost the City is false. It is based on manipulated, unsubstantiated rationalizations provided by Health Director Katz that have been refuted by the Alzheimer's Association, CCSF, Laguna Honda medical professionals, and federal and state laws regulating skilled nursing facilities.

Health Director Katz is once again misrepresenting the truth to cover up for this administration's failed policies, only this time the victims are our seniors, frail, and those diagnosed with serious long-term illnesses.

Is this what you voted for?

VOTE FOR TRUTH and ACCOUNTABILITY
VOTE YES ON D

Tony Hall

The true source of funds used for the printing fee of this argument is Tony Hall.



Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

D

PAID ARGUMENTS AGAINST PROPOSITION D

Proposition D is an example of how a badly written law can lead to unintended consequences.

Because of a drafting error, Prop D will compel the City to discharge 300 patients suffering from Alzheimer's, Parkinson's and AIDS-related dementia.

Prop D makes the City's Zoning Administrator responsible for admissions decisions at Laguna Honda. This is like making the Director of Public Health responsible for where to build office buildings and houses.

The City Controller says that Prop D will cost the City \$27 million a year to house patients discharged from Laguna Honda at other facilities.

Supervisor Sean Elsbernd
Supervisor Aaron Peskin
Supervisor Michela Alioto-Pier
Supervisor Chris Daly
Supervisor Bevan Dufty
Supervisor Sophie Maxwell
Supervisor Jake McGoldrick
Supervisor Ross Mirkarimi
Supervisor Tom Ammiano

The true sources of funds used for the printing fee of this argument are Louise Renne, Mitch Katz, and Lee Ann Monfredini.

LGBT Community Opposes Prop D

The undersigned members of the lesbian, gay, bisexual and transgender community oppose Prop D.

Laguna Honda Hospital is often the only facility with the expertise, experience and sensitivity to care for the most vulnerable patients from the LGBT community.

Proposition D places hospital admissions decisions for those living with AIDS and other ailments under the jurisdiction of the Zoning Administrator. This makes no sense and is another example of ballot box legislating gone awry. Vote No on Prop D

Supervisor Tom Ammiano
Supervisor Bevan Dufty
*Scott Wiener, Co-chair, Alice B. Toklas LGBT Democratic Club**
*Michael Smith, Executive Director, AIDS Emergency Fund**
*Kevin Burns, Executive Director, Shanti**
*Tom Nolan, Executive Director, Project Open Hand**

Leslie Katz, Former Supervisor
*Rebecca Prozan, Co-chair, Alice B. Toklas LGBT Democratic Club**
*Greg Shaw, President, Harvey Milk Democratic Club**
Assemblyman, Mark Leno

*For identification purposes only

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DOCTORS AND NURSES AND HEALTHCARE PROFESSIONALS URGE YOU TO OPPOSE PROP D.

Prop. D would require that Laguna Honda Hospital discharge over 300 current patients, including many Alzheimer's and Parkinson's patients, deemed to be a danger to themselves or to others.

San Francisco has no other public facility that can accommodate these patients. Laguna Honda is the facility designated, staffed and funded to care for them. The City Controller says the City will spend \$27 million to purchase care for these patients at other facilities.

As health professionals we oppose the zoning administrator having oversight over who can come and stay at Laguna Honda Hospital. These decisions should be made by Doctors and Nurses and health care professionals. Please join us. Vote No on Prop D.

Mitchell Katz
*Edward Chow, M.D., Medical Director, Chinese Community Health Plan**
*Mary Foley, R.N., Immediate Past President of American Nurses Association**
*Catherine J. Dodd, R.N., 3rd Vice-chair, San Francisco Democratic Party**
*James M. Illig, Board Chair, St. Mary's Medical Center**
*David J. Sanchez, Jr., Professor Emeritus, U.C.S.F.**

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D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

PAID ARGUMENTS AGAINST PROPOSITION D

Disability Advocates Oppose Prop D

Prop D is a poorly drafted ballot measure that seriously violates the rights of San Franciscans with disabilities. Because of a drafting error, Prop D may require Laguna Honda to discharge several hundred disabled patients. It also puts a Planning Department official in charge of making health care and admissions decisions. Protection and Advocacy, Inc., one of California's leading non-profit advocates for disability rights, says that Prop D violates nine federal and state fair housing and disability rights laws and should be rejected. Please vote NO on Prop D.

Susan Mizner

*Jack Fagan, Co-chair, Mayor's Disability Council**

*Anita Aaron, Executive Director, Lighthouse for the Blind**

*Jul Lynn Parsons, Co-Chair, Mayor's Disability Council**

*Steven Crabiel, Executive Director, Toolworks**

*For identification purposes only

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PROP D THREATENS HEALTH SERVICES FOR SENIORS

If Prop D passes, some of San Francisco's most vulnerable seniors will be discharged from Laguna Honda Hospital.

The population of San Francisco is aging rapidly, with the proportion of citizens 65 and older increasing up to 23% in the next 10 years. Prop D puts patient admission decisions in the hands of the City Zoning Administrator. By his own admission, the Zoning Administrator has none of the necessary expertise, experience or staff to decide which patients belong in City's long-term care facility.

Because of drafting errors Prop D also will force 300 current Laguna Honda patients out of the facility because of a drafting mistake that prohibits patients who may pose a danger to themselves, such as people suffering from Alzheimer's or Parkinson's.

Please vote no on Prop D.

*Anni Yuet-Kuen Chung, President of Self Help for the Elderly**

*Raymond del Portillo, Member, Commission on Aging**

*Valorie Villela, Director, On Lok's**

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Louise Renne, Mitch Katz, and Lee Ann Monfredini.

THIS IS A "WOLF IN SHEEP'S CLOTHING" development scheme that does not protect seniors.

It permits private facilities on public lands and skilled nursing facilities in ALL residential neighborhoods. The Zoning Administrator would make health care decisions, resulting in the discharge of Alzheimer, AIDS and others. This does not protect seniors.

Vote No on Proposition D

Louise Renne

The true sources of funds used for the printing fee of this argument are Louise Renne, Mitch Katz, and Lee Ann Monfredini.

VOTE NO ON PROPOSITION D

Patient admissions to Laguna Honda Hospital decided by the staff of the Planning Department? Possible private development of public open space around the hospital?

Need we say more – Vote NO on D.

San Francisco Chamber of Commerce

The true source of funds used for the printing fee of this argument is the SF Chamber of Commerce 21st Century Committee.

The three largest contributors to the true source recipient committee are: 1. GreenLeaf 2. Norcal Waste Systems 3. Charles Schwab.

Let medical professionals make medical decisions!

While Proposition D's supporters might mean well, this measure is a classic case of bad public policy that would have unintended legal consequences for years to come.

Prop. D attempts to regulate admissions to the hospital by rezoning the land underneath Laguna Honda. Because of this bizarre approach, the Department of City Planning—not medical professionals—would ultimately decide who can be admitted to the hospital.

Moreover, because Proposition D is so vaguely worded, it could force hundreds of current patients with Alzheimer's disease, traumatic brain injuries, and other conditions out of the hospital.



Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

D

PAID ARGUMENTS AGAINST PROPOSITION D

Even worse, if voters approve this proposition, it would stay in place *permanently* unless it is reversed by another ballot measure. Medical knowledge and practices change rapidly, and it is a terrible mistake to pass a law that will prevent medical professionals from adapting to these changes over time.

These are not just minor problems—they will have real, negative impacts on our city health care system for years to come.

The technical details of how our health care system operates should be decided by professionals—not at the ballot box, and not by city planners.

Vote No on Proposition D.

San Francisco Planning and Urban Research Association (SPUR)

For the full analysis, visit www.spur.org.

The true source of funds used for the printing fee of this argument is the SPUR Urban Issues Committee.

The three largest contributors to the true source recipient committee are: 1. George Giles 2. Paul Sack 3. Steven Swig.

San Francisco Peoples' Organization, a broad city-wide progressive coalition, urges a NO vote on Proposition D. This proposition started with good intentions—however in the drafting of Proposition D an underhanded provision to **allow the private for-profit development of Laguna Honda** and other public land was included. This would have disastrous impact on city land use.

Vote No on Prop. D because it:

- Targets people with mental health conditions such as dementia, Alzheimer's and schizophrenia to be removed from Laguna Honda
- Risks \$27 million in costs to transfer patients out
- Violates ADA law by discriminating against people with mental or cognitive disabilities
- Prevents Laguna Honda from adding new HIV/AIDS or other treatment programs to its campus
- Uses this legislation to allow for privatized for-profit use of public land.

Prop. D won't do what its proponents want. Vote NO on Proposition D.

*San Francisco Peoples' Organization
www.SFPeoples.org*

The true source of funds used for the printing fee of this argument is the San Francisco Peoples' Organization.

Mental Health Caregivers and Advocates Oppose Prop D

Prop D changes the City Planning Code to create a special use district at Laguna Honda and limit who can be a patient at the facility.

Perhaps by accident, the initiative will force out 300 patients who aren't a danger to others but might be a danger to themselves. These are Alzheimer's patients, Parkinson's patients and people suffering from AIDS-related dementia. Laguna Honda is staffed to care for exactly the type of patients who might be forced to leave under Prop D.

A patient advocacy has determined that Prop D violates 9 federal and state housing and anti-discrimination laws. Please vote no on D and preserve care for our most vulnerable patients.

*Dr. Donald E. Tarver, III, Psychiatrist**
Donald Frazier
*Joseph Flanagan, President, People First**

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Louise Renne, Mitch Katz, and Lee Ann Monfredini.

Prop. D is ballot box planning gone wrong.

Prop D takes patient admission decisions at Laguna Honda Hospital away from health care professionals and gives them to the City Zoning Administrator, a Planning Department official.

The Zoning Administrator's job is to interpret the Planning Code and zoning regulations, not make health care decisions. The Zoning Administrator recently wrote that Prop D is a "mis-application of the Planning Code" and his office is completely unprepared to implement it.

Prop D also will allow private developers to build for-profit facilities on public land in hundreds of parcels designated as "public use districts" under the Planning Code. If you vote for Prop D, you may be giving up control over city land in your neighborhood and handing it to private developers for their projects.



D

Zoning Changes to Limit Services at Laguna Honda Hospital and Other Residential Health Care Facilities

PAID ARGUMENTS AGAINST PROPOSITION D

Please vote No on Prop. D

Debra Walker, Building Inspection Commissioner*
Sue Hester, Attorney
Calvin Welch,

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Louise Renne, Mitch Katz, and Lee Ann Monfredini.

Healthcare Workers Against Proposition D

Proposition D will hurt the most vulnerable San Franciscans suffering from Alzheimer's disease, Parkinson's disease, and AIDS-related dementia by restricting their access to quality care. Laguna Honda is for all San Franciscans in need and admissions decisions belong in the hands of caregivers, not zoning administrators. Vote no on Proposition D.

Ed Kinchley, Medical Social Worker
David H. Williams, Social Worker
Bryan Uyeno, LHH Employee

The true source of funds used for the printing fee of this argument is Edward Kinchley.

San Francisco's Business Community Opposes Prop D

Prop D will increase the cost of patient care while reducing health care services. At a time when the Laguna Honda project already is substantially over-budget, the Director of Public Health says Prop D contains a drafting error that will force the discharge of 300 mostly elderly Alzheimer's and Parkinson's patients. This will cost taxpayers another \$27 million per year to house and care for these patients at other public and private facilities.

Prop D provides decreased care at a higher cost. Please vote no on D.

Committee on Jobs

The true source of funds used for the printing fee of this argument is the Committee on Jobs.



LEGAL TEXT OF PROPOSITION D

AMENDING ARTICLE 2 OF THE SAN FRANCISCO PLANNING CODE BY ADDING SECTION 249.27 THERETO ESTABLISHING THE LAGUNA HONDA HOSPITAL SPECIAL USE DISTRICT, DECLARING THE PURPOSES THEREOF, LIMITING THE HEALTH CARE SERVICES AUTHORIZED THEREIN AND AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO TO DECLARE THE BOUNDARIES OF THE SPECIAL USE DISTRICT CONSISTING OF A PORTION OF LOT 7 OF ASSESSOR'S BLOCK 2842, BY ADDING SUBSECTION (k) TO SECTION 209.3 THEREOF AUTHORIZING LICENSED SKILLED NURSING FACILITIES AS A DISTINCT AND SEPARATE USE FROM RESIDENTIAL CARE FACILITIES AND BY AMENDING SECTION 234.1 THEREOF AUTHORIZING ADDITIONAL USES WITHIN A P DISTRICT.

Note: Additions are single-underline italics.
Deletions are ~~strikethrough italics~~.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The People of the City and County Find that:

(a) Since being founded in 1866, Laguna Honda Hospital and Rehabilitation Center ("Laguna Honda") has become an important part of the health care delivery system of the city and county, providing long-term skilled nursing care, as well as specialized dementia, hospice, AIDS, physical rehabilitation and respite care services, to elderly, frail and physically disabled residents of San Francisco.

(b) The importance of Laguna Honda's health care services was both recognized and affirmed by the passage in 1999 of Proposition A on the municipal ballot which, among other things, authorized bonded indebtedness of \$299 million to construct, reconstruct and repair the hospital's buildings and related facilities.

(c) Given the increasing number of elderly, frail and physically disabled San Francisco residents who need long-term skilled nursing care, dementia, hospice, AIDS, physical rehabilitation and respite care services, it is critical that Laguna Honda's staff and facilities remain committed to providing care for this patient population which the hospital has served, and continues to serve, so well.

(d) Accordingly, the establishment of a special use district as herein provided will protect, preserve and advance the mission of Laguna Honda while, at the same time, promoting the priority policies set forth in Section 101.1(b) of the Planning Code.

(e) The uses authorized in this special use district, together with the express and implied limitations thereon, will also serve to conserve valuable and irreplaceable health care facilities needed by and for the elderly, frail and physically disabled residents of the city and county who require long-term skilled nursing care. In this fashion, the will of the electors in approving the issuance of general obligation bonds for the purposes specified in 1999's Proposition A will be more nearly realized and the public interest goals and objectives expressed in that proposition more likely achieved.

Section 2. The San Francisco Planning Code is hereby amended by adding Section 249.27 thereto and amending Sections 209.3 and 234.1 thereof to read as follows:

Sec. 249.27. Laguna Honda Hospital Special Use District.

(a) **General.** A special use district entitled the "Laguna Honda Hospital Special Use District" (the "District"), the boundaries of which are shown on Sectional Map No. 6 SU of the Zoning Map, is hereby established for the purposes set forth below.

(b) **Purposes.** In order to protect and enhance Laguna Honda's continued ability to provide adequate levels of quality long-term skilled nursing care, dementia, hospice, AIDS, physical rehabilitation and respite care services to elderly, frail and physically disabled residents of San Francisco, and to ensure the accomplishment of the goals and objectives of the electors in approving 1999's Proposition A on the municipal ballot, including without limitation the construction and operation of assisted living units for such residents, the following controls are imposed on the District:

(c) Controls.

(1) The permitted uses in this District are those uses permitted under Section 209.3(k) and subject further to the following limitations:

(A) Persons who pose a danger to themselves or to others, or who pose a threat to the maintenance of a safe environment at Laguna Honda, shall not be admitted or retained;

(B) Only persons whose need for skilled nursing care is based on a medical diagnosis that is not primarily psychiatric or behavioral shall be admitted;

(C) So long as there are qualified San Francisco residents in need of long-term skilled nursing care who are waiting for Laguna Honda beds, patients whose projected treatment is short-term shall not be admitted, except to specialty programs serving the elderly, frail and physically disabled residents of San Francisco;

(D) So long as there are qualified San Francisco residents who are waiting for Laguna Honda beds or admission to assisted living units, non-residents of San Francisco

shall not be admitted; and

(E) Nothing shall prohibit construction and operation of assisted living units for elderly, frail and physically disabled persons who meet the applicable criteria for admission set forth herein.

(d) Definitions. As used in this section:

(1) "Long-term" means projected care or treatment that, on the date of admission, is expected to continue for at least six months continuous duration;

(2) "Physical rehabilitation" means physical therapy, occupational therapy, speech therapy and related disciplines;

(3) "Respite care" means admission, for a period not to exceed the time specified by applicable state law or regulation, of an elderly person or dependent adult who is being cared for at home, to allow caregivers temporary relief from their care-giving obligations;

(4) "Short-term" means projected care or treatment that, on the date of admission, is expected to continue for more than six days but less than six months continuous duration;

(5) "Skilled nursing care" means daily nursing and rehabilitative care that can be performed only by or under the supervision of skilled medical personnel as provided in applicable regulations of the United States Department of Health and Human Services and Title 22 of the California Code of Regulations; and

(6) "Assisted living" means personal care and services, including homemaker, chore, attendant care, medication oversight, transportation and therapeutic social programs furnished to clients residing in their own living units in a licensed community care facility providing 24-hour on-site response staff, as defined by the California Department of Health Services.

(e) **Residence.** San Francisco residence, as herein provided, shall be determined in accordance with the provisions of Sections 17100 through 17105 of the Welfare and Institutions Code.

(Continued on next page)



LEGAL TEXT OF PROPOSITION D (CONTINUED)

Section 3. ZONING MAP

Sectional Map No. 6 SU of the Zoning Map of the City and County of San Francisco is hereby amended to declare, with the exception of any portion thereof not devoted to hospital and rehabilitation use, the boundaries of the Laguna Honda Hospital Special Use District to be coterminous with Lot 7, Assessor's Block No. 2842.

Section 209.3. Institutions.

	C	P	C							RH-1(D)
	C	P	C							RH-1
	C	P	C							RH-1(S)
	C	P	C							RH-2
	C	P	C							RH-3
	C	P	C							RM-1
	C	P	C							RM-2
	C	P	C							RM-3
	C	P	C							RM-4
	C	P	C							RC-1
	C	P	C					C		RC-2
	C	P	C					C		RC-3
	C	P	C					C		RC-4

(a) Hospital, medical center or other medical institution which includes facilities for inpatient care and may also include medical offices, clinics, laboratories, and employee or student dormitories and other housing, operated by and affiliated with the institution, which institution has met the applicable provisions of Section 304.5 of this Code concerning institutional master plans.

(b) Residential care facility providing lodging, board and care for a period of 24 hours or more to six or fewer persons in need of specialized aid by personnel licensed by the State of California. Such facility shall display nothing on or near the facility which gives an outward indication of the nature of the occupancy except for a sign as permitted by Article 6 of this Code, shall not provide outpatient services and shall be located in a structure which remains residential in character. Such facilities shall include but not necessarily be limited to a board and care home, family care home, long-term nursery, orphanage, rest home or home for the treatment of addictive, contagious or other diseases or psychological disorders.

(c) Residential care facility meeting all applicable requirements of Subsection 209.3(b) above but providing lodging, board and care as specified therein to seven or more persons.

(d) Social service or philanthropic facility providing assistance of a charitable or public service nature and not of a profitmaking or commercial nature. (With respect to RC Districts, see also Section 209.9(d).)

(e) Child-care facility providing less than 24-hour care for 12 or fewer children by licensed personnel and meeting the open-space and other requirements of the State of California and other authorities.

(f) Child-care facility providing less than 24-hour care for 13 or more children by licensed personnel and meeting the open-space and other requirements of the State of California and other authorities. (With respect to RC Districts, see also Section 209.9(d).)

(g) Elementary school, either public or private. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. (With respect to RC Districts, see also Section 209.9(d).)

(h) Secondary school, either public or private, other than a school having industrial arts as its primary course of study. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. (With respect to RC Districts, see also Section 209.9(d).)

(i) Post secondary educational institution for the purposes of academic, professional, business or fine arts education, which institution has met the applicable provisions of Section 304.5 of this Code concerning institutional master plans. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. Such institution shall not have industrial arts as its primary course of study.

(j) Church or other religious institution which has a tax-exempt status as a religious institution granted by the United States Government, and which institution is used primarily for collective worship or ritual or observance of common religious beliefs. Such institution may include, on the same lot, the housing of persons who engage in supportive activity for the institution. (With respect to RC Districts, see also Section 209.9(d).)

(k) A facility licensed by the State of California to provide skilled nursing care to long-term patients as provided in applicable regulations of the United States Department of Health and Human Services and Title 22 of the California Code of Regulations.

(Continued on next page)



LEGAL TEXT OF PROPOSITION D (CONTINUED)

Section 234.1. Principal Uses Permitted, P Districts.

(a) Structures and uses of governmental agencies not subject to regulation by this Code.

(b) Public structures and uses of the City and County of San Francisco, and of other governmental agencies that are subject to regulation by this Code, including accessory nonpublic uses, when in conformity with the Master Plan and the provisions of other applicable codes, laws, ordinances and regulations; provided, however, that on any lot in a P District, which lot is within $\frac{1}{4}$ mile of the nearest NC-1 or Individual Area Neighborhood Commercial District or Restricted Use Subdistrict described in Article 7 of this Code, no accessory nonpublic use shall be permitted, unless such use or feature complies with the controls which are applicable in any NC-1 or Individual Area Neighborhood Commercial District located within $\frac{1}{4}$ mile of the lot, excluding the provisions of zoning category .82, as defined in Section 790.80 of this Code.

(c) The uses and controls provided for in Section 249.27.

Section 4. Severability.

If any section, subsection, subdivision, paragraph, clause or phrase of this ordinance or any part thereof is, for any reason, held unconstitutional, invalid or ineffective by a court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of the ordinance, or any part thereof. It is hereby declared that this ordinance, and each section, subsection, subdivision, paragraph, clause or phrase thereof, would have been passed irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, clauses or phrases has been declared unconstitutional, invalid or ineffective.

