



NOTE: This version of the Voter Information Pamphlet includes information about all contests to be voted on throughout the City and County of San Francisco. Not all voters are eligible to vote on all contests. Your sample ballot includes the contests for which you are eligible to vote.

For more information, see your sample ballot, which can be accessed, along with the address of your polling place, at the following address:

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

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



DEPARTMENT OF ELECTIONS
City and County of San Francisco
www.sfelections.org



JOHN ARNTZ
Director

Dear San Francisco Voter:

April 9, 2010

In the June 8, 2010 Consolidated Statewide Direct Primary Election, voters will vote according to their party registration. Voters who have registered with a particular political party may receive only that party's ballot, and cannot vote using another party's ballot.

However, the Democratic Party and Republican Party will allow voters who have not registered with a qualified political party to vote on their party ballots. These unaffiliated voters may instead vote a purely nonpartisan ballot, which includes state and local measures and the contests for State Superintendent of Public Instruction and Judge of the Superior Court.

Unaffiliated voters who are also permanent vote-by-mail voters have been mailed a postcard on which they can request a ballot from the Democratic or Republican Party. Unaffiliated voters who vote at polling places on Election Day must tell the pollworker if they want either of these party ballots. If no request is made, the voter will receive a nonpartisan ballot.

Please review this pamphlet for more information about voting in primary elections. The last day for people to register to vote in this election or to change their party affiliation is May 24.

VOTING IN CITY HALL

29 days before nearly every election, outside our City Hall office, the Department opens a polling place that is available for all voters, regardless of where they live in the City. Before the May 24 deadline to register to vote, people can change their registration information – such as their party affiliation – and then vote the same day. The City Hall polling place is open during the week from 8 a.m. until 5 p.m. and during the two weekends prior to Election Day – May 29 and May 30; and June 5 and June 6 – from 10 a.m. until 4 p.m.

TO CONTACT US

If you have questions or need more information on any issue related to the election, please contact the Department at 554-4375, 554-4367 (Chinese), or 554-4366 (Spanish). Also, our website – www.sfelections.org – is an excellent source of information and provides materials in English, Chinese, and Spanish.

Respectfully,
John Arntz, Director

Purpose of the Voter Information Pamphlet

Before each election, the Department of Elections prepares the Voter Information Pamphlet, which is mailed to every registered voter as required by law. The pamphlet provides voters with information about local candidates and ballot measures, as well as how, when and where to vote.

In this pamphlet, you will find:

- your sample ballot,
- candidates' statements of their qualifications for local office,
- information about each local ballot measure, including:
 - o an impartial summary of the measure, prepared by San Francisco's Ballot Simplification Committee,
 - o a financial analysis, prepared by San Francisco's Controller,

- o an explanation of how it qualified for the ballot,
- o arguments supporting and opposing the measure, and
- o the legal text of the measure.

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

The Ballot Simplification Committee

The Ballot Simplification Committee works in public meetings to prepare an impartial summary of each local ballot measure in simple language. The Committee also writes or reviews other information in this pamphlet, including the glossary of "Words You Need to Know" and the "Frequently Asked Questions" (FAQs). The Committee members have backgrounds in journalism, education and written communication, and they volunteer their time to prepare these informational materials for voters.

The Committee members are:

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

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

Ann Jorgensen
Nominated by the San Francisco Unified School District

Adele Fasick
Nominated by the League of Women Voters

Christine Unruh
Nominated by the California Media Workers Guild

Mollie Lee, *ex officio*
Deputy City Attorney

Andrew Shen, *ex officio*
Deputy City Attorney

Jon Givner, *ex officio*
Deputy City Attorney



Primary Election Information

The June 8, 2010 election is a statewide direct primary election. In a direct primary election, voters from each political party nominate candidates to run in the November general election.

California has a modified closed primary system. This means that voters who have registered with a qualified political party may vote *only* for candidates from that party in partisan contests. Voters who have not registered with a qualified political party may vote in partisan contests if a party allows unaffiliated voters to participate.

All voters, regardless of party affiliation, may vote in nonpartisan contests and for or against ballot measures.

Check Your Party Registration on the Back Cover of This Pamphlet

Look at the back cover of this pamphlet. Your party registration is printed near the center of the page.

If your party registration shows one of the following political parties, you will be given that party's ballot:

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

To find the sample ballot for your party, refer to the Table of Contents.

If Your Party Registration Says "No Party Affiliation"

Our records indicate that you did not choose a political party affiliation on your most recent voter registration, or you selected a party that is not qualified to participate in this primary election.

Two parties will permit voters who are not affiliated with a qualified political party to vote their ballot in this primary election. You may request one of the following:

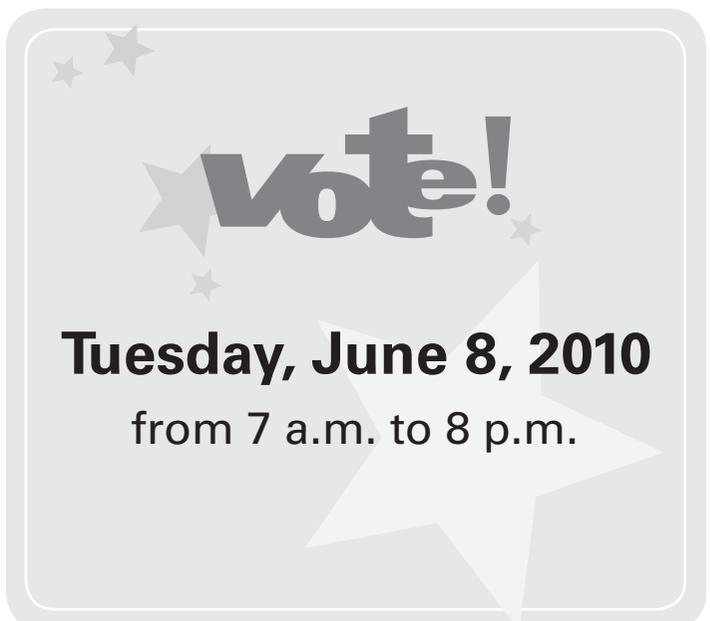
- a Democratic Party ballot, with all contests except County Central Committee.
- a Republican Party ballot, with all contests except County Central Committee.
- a nonpartisan ballot, with nonpartisan contests and ballot measures only.

If you vote on Election Day, you must request the ballot of your choice from a pollworker when you sign the roster. If you vote by mail, you may indicate your choice on the Vote-by-Mail Application on the back cover of this pamphlet. If you do not request a specific party ballot, you will be given a nonpartisan ballot, with nonpartisan contests and ballot measures only.

To find the sample ballot options for voters with no party affiliation, refer to the Table of Contents.

To Change Your Party Registration

To change your registration in time for this election, you must complete and submit a voter registration card by May 24. You may download a registration card online at the California Secretary of State's website, www.sos.ca.gov. To request that a voter registration card be mailed to you, contact the Department of Elections through our website, www.sfelections.org, or call 415-554-4375. You may also fill out a voter registration card in person at the Department of Elections in City Hall.



Early Voting in Person or by Mail

Voting in Person

You can vote on or before Election Day at City Hall, Room 48. Office hours for early voting are as follows:

- May 10 – June 7, Monday through Friday (except holidays), 8 a.m. to 5 p.m.;
- May 29 – 30, June 5 – 6, Saturday and Sunday, 10 a.m. to 4 p.m. (enter on Grove Street); and
- Election Day, Tuesday, June 8, 7 a.m. to 8 p.m.

Voting by Mail for This Election Only

Any voter may request a vote-by-mail ballot, in the following ways:

- Apply online at www.sfelections.org.
- Complete the application on the back cover of this pamphlet, and mail it to the Department of Elections. You may also send a written request to the Department of Elections. Remember to include your home address, the address to which you want the ballot mailed, your birth date, your name and your signature. Mail your request to the address on the back cover of this pamphlet, or fax it to 415-554-4372. **All mailed or faxed requests must include your signature!**

The Department of Elections must receive your request before 5 p.m. on June 1. Your ballot will be mailed as soon as possible after your application has been processed.

When you receive your ballot, carefully read and follow the instructions that will be provided with it. You may mail your voted ballot to the Department of Elections or drop it off at any San Francisco polling place on Election Day; remember to **sign and seal** the envelope. The Department of Elections **must** receive your ballot by 8 p.m. on Election Day, Tuesday, June 8.



Check the Status of Your Vote-by-Mail Ballot

Vote-by-mail voters can check when their ballot was mailed or received by the Department of Elections. Visit our website, www.sfelections.org, or call the Department of Elections at 415-554-4375.

Voting By Mail for All Elections

Any voter may request to be a permanent vote-by-mail voter. Once you become a permanent vote-by-mail voter, the Department of Elections will mail you a ballot automatically for every election.

To become a permanent vote-by-mail voter, complete the Vote-by-Mail Application on the back cover of this pamphlet, print an application from www.sfelections.org, or call for an application at 415-554-4375. Before you return your completed application, **be sure to check the box that says “Permanent Vote-by-Mail Voter” and sign the application.**



Ballots will be mailed to permanent vote-by-mail voters starting May 10. To find out if you are registered as a permanent vote-by-mail voter, use the Voter Registration Status Lookup tool on www.sfelections.org, or call the Department of Elections at 415-554-4375. If you have not received your ballot by May 24, please call.

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



Accessible Voting and Services for Voters with Disabilities

Accessible Formats of the Voter Information Pamphlet: The Department of Elections offers the Voter Information Pamphlet in audio-cassette, audio CD and large-print formats. An accessible version is also available online at www.sfelections.org. To request a copy of this pamphlet in an accessible format, you may contact us through the website above or call 415-554-4375.

Audiocassette copies of the Voter Information Pamphlet are also available from the San Francisco Library for the Blind and Print Disabled at 100 Larkin Street, or call 415-557-4253.

Voting by Mail: Prior to each election, vote-by-mail voters are mailed an official ballot with a postage-paid return envelope. Any voter may request to vote by mail in any election. A Vote-by-Mail Application can be found on the back cover of this pamphlet, or completed online at www.sfelections.org. For more information, see page 5.

Early Voting in City Hall: Beginning 29 days prior to each election, any voter may vote at the Department of Elections on the ground floor of City Hall. City Hall is accessible from any of its four entrances. The polling place at City Hall has all of the assistance tools provided at polling places on Election Day. For more information, see page 5.

Access to the Polling Place: A "YES" or "NO" printed below the accessibility symbol on the back cover of this pamphlet indicates whether your polling place is functionally accessible. If your polling place is not accessible and you would like the location of the nearest accessible polling place within your district, you may contact us through www.sfelections.org or call 415-554-4375.

Accessible Voting Machine: Voters have the option to use an accessible voting machine, available at every polling place. This machine allows voters with sight or mobility impairments or other specific needs to vote independently and privately. Voters may vote using a touchscreen or audio ballot. If you would like to vote using the accessible voting machine, please tell a pollworker.

Touchscreen Ballot: Voters may make ballot selections using a touchscreen and review their selections on a paper record before casting their vote. Large-print text is provided on the screen, and voters can further increase text size.

The machine has a feature for voters to connect a personal assistive device such as a sip/puff device. The Department of Elections can also provide multi-user sip/puff switches or headpointers at the polling place in City Hall, or dispatch them to a polling place for Election Day. To request that one of these devices be sent to your polling place, you may contact us through www.sfelections.org or call 415-554-4375, preferably 72 hours prior to Election Day to help ensure availability and assist in scheduling.

Audio Ballot and Hand-held Keypad: For audio voting, the accessible voting machine is equipped with headphones and a Braille-embossed hand-held keypad with keys coded by color and shape. The voting machine provides audio instructions to guide you through the ballot. The keypad is used to move through the ballot and make selections. If you would like to use the audio ballot feature, please tell a pollworker.

Other Forms of Assistance at the Polling Place:

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

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

Reading Tools: Every polling place has large-print instructions on how to mark a ballot and optical sheets to magnify the print on the paper ballot. The accessible voting machine provides large-print text on the screen, and voters can further increase text size.

Seated Voting: Every polling place has at least one voting booth that allows voting while seated.

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

Accessible Website: The Department of Elections website, www.sfelections.org, has audio, text-only and large print options and is an excellent source of election information.

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



Multilingual Voter Services

多種語言選民服務

Servicios Multilingües para los Electores

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

- Translated election materials: ballots, voter registration forms, voter notices, vote-by-mail ballot applications and instructions, and Voter Information Pamphlets.
- Telephone assistance in English, Chinese and Spanish, available Monday through Friday, 8 a.m. to 5 p.m., and from 7 a.m. to 8 p.m. on Election Day.
- English: 415-554-4375
- Chinese: 415-554-4367
- Spanish: 415-554-4366
- Instructional signs in English, Chinese and Spanish at all polling places on Election Day.
- Chinese and Spanish bilingual pollworker assistance at designated polling places on Election Day.
- Voter information in English, Chinese and Spanish on our website: www.sfelections.org.

中文選民服務

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

- 已翻譯的選舉資料：選票、選民登記表、選舉預告、郵寄投票申請表和指南以及選民資料手冊。
- 於星期一至星期五上午8時至下午5時及選舉日上午7時至下午8時提供的中文電話協助：415-554-4367。
- 於選舉日在每個投票站提供中文的說明標牌。

- 於選舉日在指定的投票站有雙語工作人員提供中文語言協助。
- 在選務處網站(www.sfelections.org)提供中文選舉資料。

中文版的選民資料手冊

除了英文版選民資料手冊之外，選務處還提供中文版的選民資料手冊。如果您想要選務處郵寄給您一本中文版的選民資料手冊，請致電：415-554-4367。

Asistencia para los Electores en Español

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

Servicios para los electores en español incluyen:

- Materiales electorales traducidos incluyendo: la boleta electoral, el formulario de inscripción para votar, avisos a los electores, solicitudes e instrucciones para votar por correo y el Folleto de Información para los Electores.
- Asistencia telefónica en español disponible de lunes a viernes de 8 a.m. a 5 p.m. y el Día de las Elecciones de 7 a.m. a 8 p.m. llamando al 415-554-4366.

- Rótulos con instrucciones en español en los lugares de votación el Día de las Elecciones.
- Trabajadores electorales bilingües en los lugares de votación designados el Día de las Elecciones.
- Información electoral en nuestro sitio web en español: www.sfelections.org.

El Folleto de Información para los Electores en Español

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

Always Confirm the Location of Your Polling Place

**Many polling places have changed for the upcoming election!
Check the back cover of this pamphlet for your polling place address.**

On the back cover, you will find:

- **Your polling place address.** Please make a note of it. If you request a vote-by-mail ballot, you may turn in your voted ballot at your polling place on Election Day.
- **Your precinct number.**
- An indication of whether your polling place is **accessible for people with disabilities.**
- A **physical description** of your polling place entryway, such as slope or ramped access.

Your polling place address is also available at the Department of Elections website:
www.sfelections.org.

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

Late Polling Place Changes

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

- **“Change of Polling Place” Notification Cards** to all registered voters in the precinct.
- **“Change of Polling Place” Signs** at the previous location. For any voters who are unaware of the polling place change, the Department of

Elections posts “Change of Polling Place” signs at the address of the old location on Election Day. Voters can tear off a sheet of paper with the address and cross-streets of their new polling place from a pad attached to the sign.

Some Precincts Do Not Have a Polling Place

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

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



vote!

For more election information, visit
www.sfelections.org



Instructions for Voting at Your Polling Place

Marking Your Ballot

Mark your paper ballot with the pen provided by the pollworkers. Connect the head and tail of the arrow pointing to your choice for each contest, as shown in the picture. The ballot may be printed on both sides of the page — be sure to review both sides.

Beware of the Overvote

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

Qualified Write-in Candidates

In addition to the candidates listed on the ballot, there may be other people running as qualified write-in candidates. For a list of qualified write-in candidates, please ask a pollworker. The list is posted on the Department of Elections website, www.sfelections.org, within two weeks prior to Election Day.

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

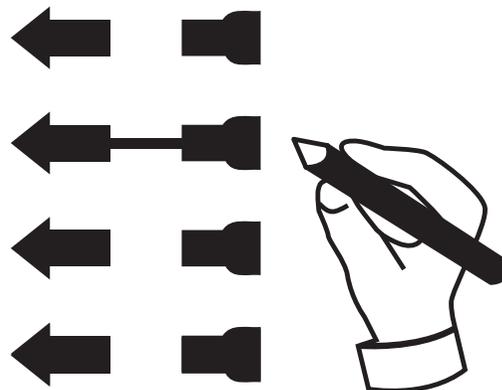
If You Make a Mistake

Ask a pollworker for another ballot. Voters may request up to two replacement ballots.

To Record Your Vote

Insert your ballot, one card at a time, into the slot in the front of the “Insight” optical-scan voting machine. The ballot can be inserted into the voting machine in any direction. The voting machine counts the votes electronically as the ballot is inserted and then deposits the ballot in a locked compartment under the machine.

How to mark your choice: Vote for one



How to vote for a qualified write-in candidate:

PRESIDENT

Vote For One



Frequently Asked Questions (FAQs)

by the Ballot Simplification Committee

Q: Who can vote?

A: U.S. citizens, 18 years or older, who are registered to vote in San Francisco on or before the registration deadline.

Q: What is the deadline to register to vote or to update my registration information?

A: The registration deadline is May 24, fifteen days prior to Election Day.

Q: When and where can I vote on Election Day?

A: You may vote at your polling place or at the Department of Elections on Election Day from 7 a.m. to 8 p.m. Your polling place address is shown on the back cover of your Voter Information Pamphlet. You can also find it at www.sfelections.org or call 415-554-4375. The Department of Elections is located in City Hall, Room 48.

Q: Is there any way to vote before Election Day?

A: Yes. You have the following options:

- **Vote by mail.** Fill out and mail the Vote-by-Mail Application printed on the back cover of this pamphlet or complete one online at www.sfelections.org. 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 June 1, or
- **Vote in person** at the Department of Elections in City Hall, Room 48, during early voting hours (see inside back cover for dates and times).

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

A: Yes. You can send a written request to the Department of Elections. This request **must** include: your printed home address, the address where you want the ballot mailed, your birth date, your printed name and your **signature**. Mail your request to the Department of Elections at the address on the back cover of this pamphlet or fax it to 415-554-4372. Your request must be **received** no later than 5 p.m. on June 1.

Q: My 18th birthday is after the registration deadline but on or before Election Day. Can I vote in this election?

A: Yes. You can register to vote on or before the registration deadline and vote in this election — even though you are not 18 when you register.

Q: If I was convicted of a crime, can I still vote?

A: If you have been convicted of a crime, California law allows you to register and vote if you:

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

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

After completing your prison term for a felony conviction, including any period of parole or supervised release, you

must complete and return a voter registration form to restore your right to vote. No other documentation is required.

Q: I have just become a U.S. citizen. Can I vote in this election?

A: Yes.

- If you became a U.S. citizen on or before the registration deadline (May 24), you can vote in this election, but you must register by the deadline;
- If you became a U.S. citizen *after* the registration deadline but on or before June 1, you may register **and** vote at the Department of Elections by June 1 with proof of citizenship.

Q: I have moved within San Francisco but have not updated my registration prior to the registration deadline. Can I vote in this election?

A: Yes. You have the following options:

- Come to the Department of Elections in City Hall, Room 48, on or before Election Day, complete a new voter registration form **and** vote at the Department of Elections; or
- Go to your new polling place on Election Day and cast a provisional ballot. You can look up the address of your new polling place by entering your new home address on the Department of Elections website (www.sfelections.org), or call 415-554-4375.

Q: I am a U.S. citizen living outside the country. How can I vote?

A: You can register to vote and be sent a vote-by-mail ballot by completing the Federal Post Card Application. The application can be downloaded from www.fvap.gov or obtained from embassies, consulates or military voting assistance officers. Non-military U.S. citizens living abroad indefinitely can vote only in federal elections.

Q: What do I do if my polling place is not open on Election Day?

A: Call the Department of Elections immediately at 415-554-4375 for assistance.

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. Pollworkers at the polling place will help you, or you may visit www.sfelections.org or call the Department of Elections at 415-554-4375 for assistance on or before Election Day. (See page 10 for information about voting at your polling place.)

Q: Can I take my Sample Ballot or my own list into the voting booth?

A: Yes. Deciding your votes before you get to the polls is helpful. You may use either a Sample Ballot or the Ballot Worksheet in this pamphlet for this purpose.

Q: Do I have to vote on every contest and measure on the ballot?

A: No. The votes you cast will be counted even if you have not voted on every contest and measure.



Voter Bill of Rights

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



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

California Secretary of State **Debra Bowen**

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

Confidentiality and Voter Records

Permissible Uses of Voter Registration Information

Information on your voter registration form will be used by election officials to send you official information on the voting process, such as the location of your polling place and the issues and candidates that will appear on the ballot. Commercial use of voter registration information is prohibited by law and is a misdemeanor. Voter information may be provided to a candidate for office, a ballot measure committee, or other person for election, scholarly, journalistic, political, or governmental purposes, as determined by the

Secretary of State. Driver's license, state identification and Social Security numbers, or your signature as shown on your voter registration form cannot be released for these purposes. If you have any questions about the use of voter information or wish to report suspected misuse of such information, please call the Secretary of State's Voter Hotline: 1-800-345-VOTE (8683).

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 toll-free at 1-877-322-5227, or visit the Secretary of State's website at www.sos.ca.gov.

OFFICES *(continued)*

NONPARTISAN OFFICES: ▼ *Vote for one*

Judge of the Superior Court, Seat #6 _____

Judge of the Superior Court, Seat #15 _____

State Superintendent of Public Instruction _____

PROPOSITIONS

TITLE:	YES	NO
13: Limits on Property Tax Assessment. Seismic Retrofitting of Existing Buildings. Legislative Constitutional Amendment.		
14: Elections. Increases Right to Participate in Primary Elections.		
15: California Fair Elections Act.		
16: Imposes New Two-Thirds Voter Approval Requirement for Local Public Electricity Providers. Initiative Constitutional Amendment.		
17: Allows Auto Insurance Companies to Base their Prices in Part on a Driver's History of Insurance Coverage. Initiative Statute.		
A: School Facilities Special Tax		
B: Earthquake Safety and Emergency Response Bond		
C: Film Commission		
D: Retirement Benefit Costs		
E: Budget Line Item for Police Department Security for City Officials and Dignitaries		
F: Renters' Financial Hardship Applications		
G: Transbay Transit Center		

NOTES: _____



Candidate Information

Notice about Candidates' Statements of Qualifications

Not all candidates submit a statement of qualifications. A complete list of candidates appears on the sample ballots in this pamphlet. To find the sample ballot for each qualified political party, or the sample ballot options for voters with no party affiliation, refer to the Table of Contents.

Each candidate's statement of qualifications, if any, is volunteered by the candidate and printed at the expense of the candidate.



Statements are printed as submitted by the candidates, including any typographical, spelling or grammatical errors. The statements are not checked for accuracy by the Director of Elections nor any other City agency, official or employee.

New for This Election:

Recent law changes affect some candidate statements of qualifications in this pamphlet:

- Candidates running for the United States House of Representatives may now buy space for a statement in county voter information pamphlets.
- Indication of whether local candidates have accepted voluntary expenditure ceilings is no longer required in the Voter Information Pamphlet. The information is available on the San Francisco Ethics Commission website, www.sfethics.org.

Voluntary Spending Limits and State Legislative Candidates' Campaign Statements

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

The legislative candidates who have accepted the voluntary spending limits and are therefore eligible to submit a candidate statement for the June 8, 2010 Consolidated Statewide Direct Primary Election are listed below:

State Senator, District 8

Doo Sup Park—Republican Party

Leland Yee—Democratic Party

Member, State Assembly, District 12

Alfonso Faustino, Jr.—Republican Party

Member, State Assembly, District 13

Tom Ammiano—Democratic Party

Eve Del Castello—Republican Party

Laura A. Peter—Republican Party

vote!

Tuesday, June 8, 2010

from 7 a.m. to 8 p.m.



Candidates for United States Representative, District 8

JOHN DENNIS

Republican Party Candidate

My occupation is Independent Businessman.

My qualifications are:

Independent Businessman, Entrepreneur

Founder of the San Francisco Republican Liberty Caucus

Board member of the Republican Liberty Caucus California

Graduate of Fordham University - Business Administration

Life-long Republican and actual resident of the 8th Congressional District

As a defender of the United States Constitution and a parent, I'm deeply concerned about America's future. The federal government has grown too large, is burying us deeper in debt and is blocking the path to job growth and economic recovery.

I believe in a strong national defense, protecting our borders and reforming immigration, protecting our right to choose our own health care providers and preserving the American heritage of personal responsibility and individual liberty.

Members of the San Francisco Republican Central Committee who have endorsed my candidacy include:

Jim Anderer, Vice-Chair of Finance

Bill Campbell, Secretary

Brooke Chappell, Vice-Chair of Events

Sarah Vallette, Vice-Chair of Political Affairs

Richard Worner, Treasurer

I have also been endorsed by Tony Ribera, former San Francisco Chief of Police and former President of the San Francisco Republican Assembly.

John Dennis

DANA WALSH

Republican Party Candidate

My occupation is Business Woman.

My qualifications are:

As a San Francisco business owner and 25-year resident of Noe Valley, I am deeply rooted in this community. I'm a small business owner, community volunteer, and Republican leader.

For 10 years I owned a retail business in the Richmond District and served as president of the Greater Clement Street Merchants Association. Since 1992 I've operated a design firm at the San Francisco Design Center in the South of Market Neighborhood.

Our next Congresswoman must understand the challenges of the small business community that creates 3 of every 4 new jobs. I will put my experience to work to create a business-friendly climate that will revitalize our economy.

Since 1994 I've had the honor of being elected seven times to the San Francisco Republican Central Committee. My other credentials include:

- 2008 Republican nominee for CD 8, challenging both Nancy Pelosi and Cindy Sheehan, the anti-war activist
- Past President, Nob Hill Republican Women, Federated
- Member, National Federation of Republican Women
- Member, San Francisco Republican Assembly

Community volunteer:

- (SFCASA) Court Appointed Special Advocate for the San Francisco Juvenile Court
- Tutor for the San Francisco Unified School System
- Community Service Award

I have a strong work ethic which I will use to make a difference:

- Fighting for a strong national defense
- Controlling government spending that's jeopardizing fiscal stability
- Cutting taxes
- Opposing a government takeover of health care but supporting reforms making health insurance affordable

For information on issues and endorsements, visit www.danawalshforcongress.com

Dana Walsh

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Candidate for United States Representative, District 12

JACKIE SPEIER

Democratic Party Candidate

My occupation is Member of Congress.

My qualifications are:

I am honored to serve as your Congresswoman. Our district demands representation that fights for jobs, health, our environment and accountability from government.

The nonpartisan Congressional Budget Office recently estimated that the stimulus created 1 million - 2.1 million jobs by the end of 2009. America is gradually coming out of a steep recession caused by reckless deregulation, greed and criminal behavior. However, times remain tough for millions.

I supported extensions of unemployment payments, subsidies for struggling families to buy health insurance despite unemployment, and suspension of mandatory withdrawals to give retirees time for retirement accounts to recover their value.

My legislation would:

Eliminate excessive leverage by banks and prevent future banking disasters;

Establish a cap on interest rates and credit card fees so that consumers can get a fair deal;

Allow small business owners to borrow penalty-free from their SEP- IRAs for a period of up to 24 months;

Require hospitals to reduce hospital-acquired infections that annually claim the lives of 18,000 Americans.

I voted to strengthen the VA to meet the special medical needs of veterans, to enact an expanded GI bill, and to bring our troops home from two wars that cannot serve our nation's interests.

My district office has helped thousands who need jobs and mortgage assistance, and others hoping that government works on behalf of everyone. It must. I humbly ask for your vote so that we may continue our fight for an America that will always make us proud.

Jackie Speier

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Candidates for State Senator, District 8

DOO SUP PARK

Republican Party Candidate

My occupation is Republican Committeeman / Real Estate Investor.

My qualifications are:

Kun Kook University, B.A. degree (1962). Post graduate accounting, San Francisco's Golden Gate College (1971-1972). Many other classes.

As a Republican County Central Committee voting alternate delegate for four years, I am running for State Senator from District 8 (San Mateo County and San Francisco).

I'm thankful for support by Republican friends:

Comments past State Secretary of the California Republican County Chairmen's Association Dr. Terence Faulkner:

"Doo Sup Park, married with two kids, is an intelligent candidate with the legislative skills to be an effective State Senator. He wants to beef up our building codes in face of the statistically predictable earthquakes likely to hit the San Andreas and Hayward Faultlines within the next thirty years. The recent earthquakes in Haiti (over 220,000 killed) and Chile (over 700 deaths) are warnings."

Observes San Francisco Bay Area Republican Alliance President Gail Neira:

"Doo Sup Park is a real estate investor who for many years ran a small retail business in San Mateo County. He favors firm but fair criminal law enforcement, strong moves to protect our Bay Region's beautiful environment, and major needed tort law and educational reforms."

Past San Francisco Republican Party Secretary Denis Norrington says:

"Doo Sup Park gets my vote for State Senator! He has good accounting skills and will halt waste of taxpayer's money. He'll work to preserve neighborhood quality and to safety engineer local freeways"

I ask for your support for State Senator to further California's economic recovery. Thank you.

Doo Sup Park

Republican Central Committee Alternate Delegate

LELAND YEE

Democratic Party Candidate

My occupation is State Senator / Child Psychologist.

My qualifications are:

It has been an honor to stand up for the priorities of San Francisco and San Mateo County during these difficult economic times.

As an educator and parent who put four children through public schools, I stood with working families and voted this year against all cuts to education, health care and local government.

I will continue to fight against balancing the budget on the backs of seniors, students, the poor and the disabled.

My accomplishments as your State Senator include:

COMBATED DOMESTIC VIOLENCE by restoring \$16.3 million for 94 domestic violence shelters and centers throughout California.

PROTECTED CHILDREN FROM SEXUAL PREDATORS by strengthening criminal background checks at youth organizations.

CHAMPIONED REFORMS AT UC AND CSU, fighting excessive executive pay, exorbitant fee hikes and increasing governing transparency.

INCREASED GOVERNMENT SUNSHINE by protecting ordinary citizens who act to enforce open government laws.

RECOGNIZED FILIPINO-AMERICANS by making California the first to declare October as Filipino American History Month.

STRENGTHENED FREE SPEECH, making California the first state to prohibit censorship of college student press.

ESTABLISHED A DOUBLE FINE ZONE on 19th and Van Ness Avenues to protect pedestrians.

ENCOURAGED RENEWABLE ENERGY production by allowing water and wastewater agencies to sell environmentally-friendly energy.

ENHANCED ENVIRONMENTAL PROTECTIONS to prevent another "Cosco Busan" oil spill

ADDED SEXUAL ORIENTATION to the list of protections in the Code of Fair Campaign Practices.

I am proud to have the support of the following organizations:

California Teachers Association

California Nurses Association

CDF Firefighters

California Association of Highway Patrolmen

AFSCME

Equality California

Leland Yee

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Candidate for State Assembly, District 12

ALFONSO FAUSTINO, JR.

Republican Party Candidate

My occupation is Independent Film Producer & Philanthropist.

My qualifications are:

California has been confronted with many difficult challenges due to the recent fiscal and economic meltdown. We have seen increased pressure on housing, employment, medical care, mortgage lending, and new construction. These challenges increased the financial and personnel pressures in our District's existing economic and social infrastructures -- particularly, small businesses, which are the back-bone of our economy, small to medium capital corporations, and, most importantly, our education system.

We have an opportunity to address these challenges and reform California's state government, so we can prevent future meltdowns to our District.

We must pull together as Republicans, Democrats, and Independents with vigor and sustained effort.

My family and I are long-time San Franciscans; and, I attended grade school and high school in the City. I graduated from the University of San Francisco and worked over 20 years in Corporate America. I provided my technical and financial expertise, along with my leadership skills, to manage multi-million dollar budgets and generated revenue to many high-profile companies including Union 76, Pacific Gas & Electric Company, MCI Telecommunications, California State Automobile Association, Oracle Corporation, and Avaya, Incorporated.

I'm running to be your new Member of the Assembly.

Together, we will tackle today's issues and future challenges with intelligence, common sense, and the pioneer spirit that made California great.

For more information about my campaign to improve our District, please go to my website:
www.AlfonsoFaustino.com.

I look forward to hearing from you and earning your vote on June 8, 2010.

Alfonso Faustino

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Candidates for State Assembly, District 13

TOM AMMIANO

Democratic Party Candidate

My occupation is Member, California State Assembly.

My qualifications are:

It's been an honor to serve in the State Assembly and fight for Californians during the worst economic crisis in decades.

My priority has been to save funding for schools, health-care, child care and local services. Despite economic hardship, we rejected deep cuts in our social safety net and support for HIV/AIDS patients, domestic violence shelters and in-home care for the elderly and disabled.

As Public Safety Chair, I fought for civilian oversight over BART police and championed sensible drug policy by winning the first public hearing regarding marijuana legalization.

I am proud to receive a 100% score from the Consumer Federation of California and the California League of Conservation Voters.

Next term, I will continue my work for the environment, for consumers and for protecting our schools, healthcare and social services from drastic budget cuts.

Please join my supporters:

Sierra Club
 United Educators of San Francisco
 California Nurses Association
 California Teachers Association
 San Francisco Firefighters
 California Professional Firefighters
 San Francisco Building and Construction Trades Council
 Harvey Milk LGBT Democratic Club
 State Senator Mark Leno
 State Senator Leland Yee
 Assemblymember Fiona Ma
 Board of Equalization Member Betty Yee
 District Attorney Kamala Harris
 City Attorney Dennis Herrera
 Sheriff Mike Hennessey
 Public Defender Jeff Adachi
 Board of Supervisors President David Chiu
 Assessor Phil Ting
 Treasurer Jose Cisneros
 School Board Member Kim-Shree Maufas
 Aaron Peskin, President San Francisco Democratic Party
 John Burton, Chair CA Democratic Party
 Tim Paulson, Executive Director San Francisco Labor Council
 Conny Ford, VP Political Activities San Francisco Labor Council

Tom Ammiano

LAURA A. PETER

Republican Party Candidate

My occupation is Business Attorney.

My qualifications are:

I grew up with the positive, forward-looking attitude: "It's not who you are, or where you came from – it's what you can do!"

Californians need to allow our creative citizens to "do" just that – to dream, create jobs, and build a better future for our children. If elected, I pledge to forge an alliance to encourage the entrepreneurial spirit for which California is so famous.

For the past decade, California has been in a worsening financial crisis, with increased taxes and cuts in services. The stale politicians in Sacramento have failed to address problems fundamental to California's future. The discourse has completely broken down in Sacramento, with short-term fixes and back door deals taking precedence over reason, common sense, and long-term investment.

I am not a career politician, but I bring with me a wealth of experience from the private sector, as well as a calm demeanor and skills to reach across the aisle and work effectively with others.

I have been an attorney since 1992, and owned and managed a commercial vineyard. My career experiences give me a first hand understanding of economic issues, including – small business, labor unions, water rights, and a healthy respect for Mother Nature. My educational background includes an engineering degree from Cornell University, a master's in public policy from the University of Chicago, and a Law degree from Santa Clara University.

If you want forward-looking and positive leadership in Sacramento, please vote for me in the Republican primary.

Laura A. Peter
 (www.LauraPeter.com)

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Candidates for Judge of the Superior Court, Seat #6

LINDA COLFAX

My occupation is Civil Rights Attorney.

My qualifications are:

- San Francisco Deputy Public Defender
- University of Michigan Law School and Harvard University
- 13 Years of Trial Experience

I began my legal career helping domestic violence victims and defending tenants' rights. My experience as a Public Defender handling thousands of cases not only has prepared me to be a judge, but also reflects my commitment to protecting individuals' constitutional rights. My ACLU, BALIF, and Municipal Attorneys' Association board memberships demonstrate my passion to provide justice for all communities. In addition I was a founding Member of the Michigan Journal of Race and Law.

As a working mother whose family illustrates the importance of marriage equality, my wife and I are proud to call San Francisco home. I know we need to do more to provide everyone access to justice and I will be a judge who treats everyone with dignity, humanity, and respect.

Endorsements
(Partial List)

City Attorney Dennis Herrera
Public Defender Jeff Adachi
State Senator Mark Leno
Assembly Members Fiona Ma and Tom Ammiano
Kim-Shree Maufas, San Francisco School Board
Commissioner
Aaron Peskin, Chair of San Francisco Democratic Party
Peter Keane, Dean Emeritus Golden Gate Law School

15 San Francisco Superior Court Judges

www.colfaxforjudge.com

Thank You,

Linda Colfax

HARRY DORFMAN

My occupation is Assistant District Attorney.

My qualifications are:

For 25 years, I have fought for justice for crime victims, their families, and the San Francisco community. The last 10 years, I have prosecuted the City's most violent and dangerous criminals, rapists and murderers, including the murderer of Officer Isaac Espinoza.

A leader in the District Attorney's office, I trained capable, ethical lawyers. I participated in progressive legal reform in Bolivia, El Salvador, Egypt, India and Turkey; was a Fulbright Scholar to Portugal, an Alaska Supreme Court law clerk, and Chief Counsel to the California Assembly Public Safety Committee.

2008 Professor of the Year at San Francisco Law School, I provide opportunities for minority and disadvantaged men and women at the city's oldest night law school.

SUPPORTERS:

APPELLATE JUSTICES:

Timothy Reardon
Laurence Kay (ret.)

JUDGES:

Jerome Benson	Susan Breall
Bruce Chan	Wallace Douglass
Kathleen Kelly	Richard Kramer
Cynthia Ming-mei Lee	Donna Little
Donald Mitchell	John Stewart
Garrett Wong	Charlotte Woolard
Carol Yaggy	
Retired:	
Paul Alvarado	Alfred Chiantelli
George Choppelas	David Garcia
Ina Gyemant	

DISTRICT ATTORNEYS:

Kamala Harris	Terence Hallinan
Arlo Smith	

SUPERVISORS:

David Chiu, President
Carmen Chu
Sean Elsbernd

SHERIFF Michael Hennessey

DEANS:

Jane Gamp, San Francisco Law School
Delos Putz, USF Law School (ret.)

Carpenters Local 22
San Francisco Police Officers Association

Harry Dorfman

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Candidates for Judge of the Superior Court, Seat #6

RODERICK A. MCLEOD

My occupation is Trial Attorney.

My qualifications are:

Visit www.mcleodforjudge.com for a complete list of my qualifications and community involvement.

San Francisco needs judges who are experienced, impartial, compassionate and committed to our community. These qualities define me.

- 28 years of handling complex litigation with many trials and court appearances
- Extensive arbitration and mediation experience
- UC Berkeley School of Law graduate and Law Review member
- Former Governor, State Bar of California
- Former Board member, Bar Association of San Francisco
- Peace Corps Volunteer in Nepal
- Former Captain, U.S. Army, search and rescue helicopter pilot

I know this City and its residents well, having resided here since 1958 when my family immigrated from the Philippines, graduated from St. Ignatius High School in 1966, and having served with distinction on many community organizations, including:

- Member, San Francisco School Board
- Commissioner, Bay Conservation and Development Commission (BCDC)
- Chair and current Board member, USF Center for the Pacific Rim
- Chair and President, Asian Business League

Endorsements (Partial List)

Barbara Kaufman, former President, San Francisco Board of Supervisors
 Judge Ronald Quidachay, S.F. Superior Court
 Judge Lillian Sing, S.F. Superior Court
 Judge Julie Tang, S.F. Superior Court
 Asian American Bar Association
 Filipino Bar Association

www.mcleodforjudge.com

Roderick A. McLeod

ROBERT RETANA

My occupation is Litigation Attorney.

My qualifications are:

I was fortunate to grow up with the very best this country had to offer—communities with strong neighborhoods, quality public schools and opportunity through hard work and dedication.

It is deeply frustrating to see our government struggling. I am running for Judge because things can be different, by returning to the values that make our community great—family, service, community, hard work, and a strong justice system.

In the General Counsel's Office for the Administrative Office of the Courts, I give legal advice to judges and court staff. I am a former Assistant District Attorney for San Francisco and represented both plaintiffs and defendants as a civil litigator. I have also served as a Judge Pro Tem since 2001.

My 20 years as a lawyer includes both civil and criminal trial experience and community involvement, serving on the boards of organizations that provide legal services to the poor.

I am honored to have the support of Senator Leland Yee; Supervisors David Campos and Eric Mar, Judges Bolanos, Breall, Dekreon, Giorgi, Haines, Jackson, Sandoval and the La Raza Lawyers Association and Asian American Bar Association.

Please visit www.robertretana.com.

I would be honored to serve you on the Superior Court.

Robert Retana

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Candidates for Judge of the Superior Court, Seat #15

DANIEL DEAN

My occupation is Attorney.

My qualifications are:

I am a proud fourth-generation San Franciscan and one of eight children born to Irish-American parents. My father, a member of Local 38 for 56 years, and my entire family have instilled in me the value of service, justice and civic duty.

I have been a litigator for 17 years and have always worked at small civil litigation firms, allowing me to practice nearly every type of case.

If elected to represent you on the bench, I will be committed to giving back to the city in which I was raised, and I will provide a fresh perspective to interpret the law and ensure all individuals are treated with respect and dignity.

I have been a volunteer Judge Pro Tem at San Francisco Superior Court since 2007 and have the experience and background necessary to represent the people of this great city.

I have a strong commitment to community service, volunteering on a weekly basis since the early 1990s in the fields of health, civil rights, and higher education.

My experience, upbringing and record of service has prepared me for this job and I would be honored to represent you on the bench.

I respectfully ask for your vote.

Daniel Dean

MICHAEL NAVA

My occupation is Supreme Court Attorney.

My qualifications are:

San Franciscans deserve a superbly qualified judge who shares their values of inclusiveness, community and fairness for all.

A third-generation Californian of Mexican descent, I am the first in my family to attend college and enter the law. A Stanford Law graduate, most of my 28-year career has been in public service as an attorney for judges on the California courts.

As a Supreme Court attorney, I handle complex legal issues in cases of statewide importance in every major area of the law, criminal and civil, for Justice Carlos Moreno.

I've served on the state bar's Council on Access and Fairness, taught at Berkeley Law School and mentored young people aspiring to legal careers. An award-winning writer, I've published seven novels on legal themes.

My work as a judicial attorney has uniquely prepared me to become a judge and as a gay Latino, I would bring diversity to the court that reflects San Francisco's rich diversity.

My supporters include:

- Senator Mark Leno
 - Assemblymembers Fiona Ma and Tom Ammiano
 - Supervisor David Chiu, President, Board of Supervisors
 - Supervisors John Avalos, David Campos, Bevan Dufty
 - Community College Board Trustee Steve Ngo
 - School Board Member Norman Yee
- www.navaforjudge.com

Michael Nava

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Candidates for Judge of the Superior Court, Seat #15

RICHARD ULMER

My occupation is Superior Court Judge.

My qualifications are:

San Francisco deserves a proven and experienced judge: someone who has extensive and diverse legal experience, and has stood up for the disadvantaged. I am that judge.

A Stanford Law honors graduate, I worked at two of San Francisco's best law firms, McCutchen and Latham & Watkins. In 23 years as a trial lawyer, I won important cases for innovative hi-tech and biotech clients. I argued appeals that made new law.

In a lawsuit brought with the Prison Law Office and Disability Rights Advocates, I litigated pro bono to change horrendous conditions in the California Youth Authority and juvenile halls. Unafraid to sue the State of California, I spent thousands of hours fighting for the rights of the voiceless and vulnerable. I was honored with the "California Lawyer Attorney of the Year" award.

I live in and love San Francisco. My daughter is a St. Ignatius sophomore. I'm a founding member of the San Francisco Road Runners, and I've completed five marathons.

A diverse group of 50 San Francisco Superior Court judges all endorse me, as well as City Attorney Dennis Herrera and Supervisor Sean Elsbernd. In 2008, the Bar Association rated me "Well-Qualified." Please vote to retain me. See my website, www.JudgeRichardUlmer2010.com.

Richard Ulmer

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Local Ballot Measure Information, Rules for Ballot Arguments

Digest and Argument Pages

The Ballot Simplification Committee has prepared a digest for each local ballot measure. Also included are a statement by the City Controller about the fiscal impact or cost of each measure and a statement of how the measure qualified to be on the ballot. Arguments for and against each measure follow the digest page.

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") are printed in the Voter Information Pamphlet free of charge.

The designations "proponent's argument" and "opponent's argument" indicate only that the arguments were selected in accordance with criteria in Section 540 of the San Francisco Municipal Elections Code and printed free of charge.

Selection of Proponent's and Opponent's Arguments

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

Proponent's Argument	Opponent's Argument
1. The official proponent of an initiative petition; or the Mayor, the Board of Supervisors, or four or more members of the Board, if the measure was submitted by same.	1. In the case of a referendum, the person who files the referendum petition with the Board of Supervisors.
2. The Board of Supervisors, or any member or members designated by the Board.	2. The Board of Supervisors, or any member or members designated by the Board.
3. The Mayor.	3. The Mayor.
4. Any association of citizens, combination of voters and association of citizens, or any individual voter.	4. Any association of citizens, combination of voters and association of citizens, or 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, to be printed free of charge. Rebuttal arguments are printed below the corresponding proponent's argument and opponent's argument.

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

Paid Arguments

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



All arguments are strictly the opinions of their authors. Arguments and rebuttals are printed as submitted, including any typographical, spelling or grammatical errors.

They are not checked for accuracy by the Director of Elections nor any other City agency, official or employee.



AN OVERVIEW OF SAN FRANCISCO'S DEBT

WHAT IS BOND FINANCING?

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

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

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

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

WHAT DOES IT COST TO BORROW?

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

THE CITY'S CURRENT DEBT SITUATION

Debt Payments. During fiscal year 2009-2010 property tax payers in the City will pay approximately \$269 million of principal and interest on outstanding bonds of the City and the other issuers of general obligation debt (San Francisco Community College District, San Francisco Unified School District and Bay Area Rapid Transit District). The property tax rate for the year to provide for debt and special funds requirements will be 15.9 cents per \$100 of assessed valuation or \$625 on a home assessed at \$400,000.

Legal Debt Limit. The City Charter imposes a limit on the amount of general obligation bonds the City can have outstanding at any given time. That limit is 3% of the assessed value of taxable property in the City – or currently about \$4.6 billion. Voters give the City *authorization* to issue bonds. Those bonds that have been issued and not yet repaid are considered to be *outstanding*. As of April 15, 2010, there were \$1.51 billion in general obligation bonds issued by the City outstanding, which is equal to 0.995% of the assessed value of taxable property. There were an additional \$847 million in bonds that are *authorized but unissued*. If all of these bonds were issued and outstanding, the total debt burden would be 1.55% of the assessed value of taxable property. Bonds issued by the School District and Community College District and Bay Area Rapid Transit District (BART) do not increase the City's debt burden for the purposes of the Charter limit, however they are repaid by property taxes (see Prudent Debt Management below). Part of the City's current debt management policy is to issue new general obligation bonds as old ones are retired, keeping the property tax rate from City general obligation bonds approximately the same over time.

Prudent Debt Management. Even though the City is well within its legal debt limit in issuing general obligation bonds, there are other debt comparisons used by bond rating agencies when they view the City's financial health. These agencies look at many types of local and regional debt that are dependent on the City's tax base – our general obligation bonds, lease revenue bonds, certificates of participation, special assessment bonds, and school and community college

(continued on next page)

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district bonds. San Francisco's total debt of these types is equal to 1.7% of the assessed value of taxable property in the City. This "direct debt ratio" is considered to be a "moderate" debt burden relative to the size of San Francisco's property tax base. **While this ratio is within the comparable norms, the City needs to continue to set priorities for future debt to continue to maintain good credit ratings that, in turn, are a sign of good financial health.**

CITIZEN OVERSIGHT OF GENERAL OBLIGATION BONDS

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

For general obligation bonds issued by the City of San Francisco, the Citizens' General Obligation Bond Oversight Committee reviews and reports on how bond money is spent. The nine members of the Committee are appointed by the Mayor, Board of Supervisors, Controller, and Civil Grand Jury. If the Committee finds that bond money has been spent for purposes not approved by the voters, the Committee can require corrective action and prohibit the sale of any authorized but unissued bonds until such action is taken. The Board of Supervisors can reverse the decisions of the committee by a two-thirds vote. The Controller may audit any of the City's bond expenditures.

Prepared by *Ben Rosenfield*, Controller



Words You Need to Know

by the Ballot Simplification Committee

Administrative Law Judge (ALJ) (Proposition F): A hearing officer who presides over hearings and appeals involving government agencies.

Amend (Propositions C, D and F): To change.

Assets (Proposition F): Anything owned, such as property or a bank account, that has monetary value.

Audit (Proposition B): A formal examination of financial or management accounts and information.

Bond (Propositions A, B and G): A bond is a promise by the City to pay back money borrowed, plus interest, by a specific date. If the City needs to raise a large amount of money to pay for a library, sewer line, school, hospital or other project or program, it may borrow the money by selling bonds. (See also "General Obligation Bond")

CalPERS (Proposition D): The California Public Employees Retirement System, which manages retirement benefits for more than 1.6 million California public employees. Some San Francisco City employees participate in CalPERS retirement plans.

Cause (as in "removed for cause") (Proposition C): Official misconduct. Commissioners who may be "removed for cause" can be removed from office only for official misconduct.

Charter Amendment (Propositions C and D): 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.

Compensation (Proposition D): Salary and certain other payments to an employee. For the purpose of calculating retirement benefits for City employees, compensation generally excludes overtime pay. For some San Francisco employees hired before November 1976, compensation includes overtime.

Declaration of Policy (Proposition G): A statement or expression of the will of the voters.

Early Voting: Voting in person at City Hall before Election Day or mailing a vote-by-mail ballot before Election Day. See page 5 for more information.

Emergency Operations Center: The citywide emergency operations center at 1011 Turk St. Some city agencies have their own departmental emergency operations centers.

Exemption (Proposition A): Freedom from an obligation or requirement that others must follow.

Facilities (Propositions A and B): Buildings or rooms used for particular purposes.

Fiscal Year (Proposition D): The City's 12-month budget period, starting July 1st and ending June 30th of the following calendar year.

General Fund: 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.

General Obligation Bond (Proposition B): A promise issued by the City to pay back money borrowed, plus interest, by a certain date. When the City wants to raise money to pay for a large public project, it can borrow money by issuing General Obligation Bonds. The City then repays the money plus interest over a period of years with property taxes. General obligation bonds must be approved by the voters.

Infrastructure (Proposition B): The basic facilities and services needed for the functioning of a community, such as transportation and communications systems, and water and power lines.

Ordinance (Propositions C, E and F): A local law passed by the Board of Supervisors or by the voters.

Oversight (Proposition B): Watchful care or management; supervision.

Parcel Tax (Proposition A): A tax that is based on a flat fee for each unit of real property that receives a separate tax bill.

Pass-through (Proposition B): To recover an increase in property taxes by passing on a portion of the cost to tenants.

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Police Command Center (Proposition B): Police Department headquarters, which houses command staff, departmental emergency operations center, and administrative and planning functions.

Proposition (Propositions A–G): Any measure that is submitted to the voters for approval or disapproval.

Provisional Ballot: A ballot cast at a polling place that will not be counted until the Department of Elections verifies the voter's eligibility to cast that ballot.

Qualified Write-In Candidate (Frequently Asked Questions): A person who has completed the required paperwork and signatures for inclusion as a write-in candidate. Although the name of this person will not appear on the ballot, voters can vote for this person by writing the name of the person in the space on the ballot provided for write-in votes and following the specific ballot instructions. The Department of Elections counts write-in votes only for qualified write-in candidates.

Seismic (Propositions A and B): Relating to earthquakes.

SFERS (Proposition D): The San Francisco Employee Retirement System, which manages retirement and deferred compensation plans for City employees.

Transbay Joint Powers Authority (TJPA) (Proposition G): A local government agency created to design, build, and operate the Transbay Transit Center. The TJPA was established by state law and includes San Francisco and Bay Area representatives.

Vote-by-Mail Ballots (Frequently Asked Questions): Ballots mailed to voters or given to voters in person at the Department of Elections. Vote-by-mail ballots can be mailed to the Department of Elections, turned in at the Department of Elections office in City Hall, or turned in at any San Francisco polling place on Election Day. Also known as absentee ballots. See page 5 for more information.



Read the Fine Print— in Large Print

The Department of Elections offers the Voter Information Pamphlet in large print. Sign up to receive one by calling 415-554-4375.

The large-print Voter Information Pamphlet is also available in Chinese and Spanish.



vote!





A

School Facilities Special Tax

To improve earthquake and fire safety and implement critical capital maintenance of its schools and facilities, shall the San Francisco Unified School District be authorized to renew the levy of an annual special tax not to exceed \$32.20 per parcel for single family residential and nonresidential parcels and \$16.10 per dwelling unit for mixed use and multifamily residential parcels, adjusted for inflation, in its Community Facilities District No. 90-1, and establish its annual appropriations limit at \$16,000,000?

YES  
NO  

Digest by the Ballot Simplification Committee

The Way It Is Now: The San Francisco Unified School District (the District) operates the City's public schools and some child care centers. The District builds, repairs and upgrades its buildings using money from various sources, including voter-approved bond measures and a special property tax. State law allows local government agencies such as the District to form a special community facilities district and collect a special tax if the tax is approved by two-thirds of the voters in the district.

In June 1990, the voters adopted a special tax on property to pay for repairs and other improvements to school and child care center buildings damaged by the 1989 Loma Prieta earthquake and to ensure that buildings were maintained in the future. That tax will expire this year. The current annual special tax on single-family residential and non-residential parcels is \$32.20, and the annual special tax on multi-family residential parcels is \$16.10 for each dwelling unit. The tax has not been adjusted for inflation. The 1990 measure authorized the District to spend up to \$12 million of the special tax proceeds each year.

The Proposal: Proposition A would authorize a special property tax that extends and modifies the special tax adopted in 1990. The District could use the tax for:

- Seismic upgrading and structural strengthening of the District's school and child care center buildings;
- Repairing or replacing fire and other safety systems;
- Upgrading and repairing buildings, including paying salaries and benefits for employees working on these upgrades; and
- Expenses such as the cost of planning and design and the collection of taxes.

The tax would last for 20 years and the maximum tax rates would be adjusted each year for inflation. For the first year, the tax on single-family residential and non-residential parcels would be up to \$32.20 per year, and the tax on multi-family residential parcels would be up to \$16.10 per year for each dwelling unit. The measure would authorize the District to spend up to \$16 million per year.

Dwelling units with residents 65 years old and older would be eligible for an exemption from the tax.

A "YES" Vote Means: If you vote "yes," you want to renew the special tax to pay for seismic upgrades and other safety improvements to School District facilities. The maximum tax rate would be adjusted for inflation.

A "NO" Vote Means: If you vote "no," you do not want to renew this special tax.

This measure requires 66²/₃% +1 affirmative votes to pass.

Arguments for and against this measure immediately follow the facing page. The full text begins on page 145. Some of the words used in the ballot digest are explained on page 100.

Controller's Statement on "A"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition A:

Should the proposed measure be approved by the voters, in my opinion, it would result in an estimated \$6.8 million annually in property tax revenues for the San Francisco Unified School District at current rates and valuations.

The measure renews a special property tax approved previously by the voters in June 1990 which placed a tax of \$32.20 annually on non-residential parcels and single family residential parcels and \$16.10 per dwelling unit on multi-family residential parcels. Under the measure, the tax would be renewed for a new 20 year period. The tax would be set at the current amounts for the first year and would be adjusted each year thereafter by the amount of the consumer price index, provided however that the adjustment could not exceed 2% annually. The amount of revenue that would be generated is projected to grow as the assessed value and the number of taxable parcels and units increases in San Francisco. By the end of the 20 year period, the revenue amount is estimated at between \$11 million and \$16 million annually depending on growth rates in the City.

Funds generated by the proposed tax can be used by the San Francisco Unified School District for capital improvements including seismic work, fire and life safety improvements, and other maintenance and repair purposes, but may not be used for debt service.

How "A" Got on the Ballot

On March 9, 2010, the San Francisco Board of Education voted 7 to 0 to place Proposition A on the ballot. The members of the Board of Education voted as follows:

Yes: Members Fewer, Kim, Maufas, Mendoza, Norton, Wynns and Yee.

State law allows a school district to place a measure on the ballot in this manner.

This measure requires 66 $\frac{2}{3}$ % +1 affirmative votes to pass.

Arguments for and against this measure immediately follow this page. The full text begins on page 145. Some of the words used in the ballot digest are explained on page 100.



Proponent's Argument in Favor of Proposition A

We can all agree that in order for our kids to achieve educational success we must provide them with safe learning environments. In 1990, San Franciscans passed a measure to ensure earthquake, fire, and life safety in San Francisco's 150 public school buildings. Today, the original measure is up for renewal and in these challenging economic times, we need to be sure our schools stay earthquake and fire safe. Prop A makes sure our children and teachers don't suffer even greater cuts at the expense of mandatory earthquake and fire safety work.

Prop A is not a tax increase. The Mello-Roos tax generates \$6.9 million a year towards necessary school safety, maintenance and repairs to our city's public school classrooms.

These funds help with seismic strengthening, fire and life-safety, including fire alarm systems, fire sprinklers, and paths of exiting. The measure also funds the salaries of employees who work directly on repairing and keeping schools safe for students and teachers.

Since the Loma Prieta Earthquake of 1989, the San Francisco Unified School District has worked hard to make sure our schools are ready to withstand future earthquakes and are well protected from fires. We have kept our promise to the voters of San Francisco to manage these monies wisely, effectively, and efficiently in order to upgrade our schools seismic and life-safety conditions. Annual audits have found that we have met all requirements and are in excellent financial standing with all facilities programs.

Voting Yes on Prop A is a critical step in ensuring that our schools, our teachers and our children are safe.

Please join us in supporting Proposition A.

*Mayor Gavin Newsom
Joanne Hayes-White, San Francisco Fire Chief*
San Francisco Board of Education
San Francisco Chamber of Commerce
Parents for Public Schools*

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

Rebuttal to Proponent's Argument in Favor of Proposition A

SEND A MESSAGE: "IMPROVE SAN FRANCISCO EDUCATION!":

America's place in the world ahead will depend upon giving our children top quality educations.

Our trade partners China and India are seriously outrunning the United States in minting engineers, scientists, businessmen, and computer programmers.

They and several other countries are also catching up with America in producing physicians, physicists, mathematicians, and scholars.

The San Francisco Unified School District ("SFUSD") has "dumbed down" education.

Reading and math test results are inadequate.

The civics, history, and geography taught in "social studies" are a joke.

We're iconoclasts: SFUSD teachers should be paid on merit and student educational test results... Heresy to the teachers' unions – but good for students and the American economy.

6th to 8th grade students should be learning civics and history reading. *The Federalists Papers*, the *United States Constitution*, Winston Churchill's *History of World War II*, Edward Gibbon's *Decline and Fall of the Roman Empire*, Plutarch's *Lives*, Julius Caesar's *Commentaries*, Herodotus' *Histories*, etc.

Younger students should be taught science, be able to read stock and bond tables, know the world map (in detail), learn the Earth's nations (populations, cities, etc.), and list the United States' Presidents (with years they served).

Until SFUSD schools are improved, vote **"NO"** on Proposition A.

*Dr. Terence Faulkner, J.D.
Past County Chairman*
San Francisco Republican Party
(Founded: January of 1856)*

*Doo Sup Park
Republican State Senate Nominee, 8th District
(San Francisco and San Mateo Counties)**

*Stephanie Jeong
Republican County Central Committee, 12th District**

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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Opponent's Argument Against Proposition A

TOO MUCH BOARD OF EDUCATION STAFF AND TOO FEW TEACHERS ARE THE STORY OF THE BLOATED SAN FRANCISCO SCHOOL BOARD:

Over-paid Board of Education political appointees and Board executives who do little work of any value are the hallmarks of San Francisco's wasteful educational establishment.

In part the plaything of the local Green Party, the San Francisco Board of Education is good at staging so-called "peace" teach-ins.

The Board of Education also staged a year long political dispute over proposals to get rid of the City's junior ROTC program – Popular with the kids, but not "politically correct" by the standards of the Green Party and other local militants.

San Francisco needs better educational test results, far less Board of Education staff and political appointees, and better teaching programs: Show a globe of the Earth to a San Francisco Board of Education student. Ask him to find China, India, Italy, Egypt, Canada, or even San Francisco on that globe. You will not like the results.

Vote "**NO**" on this wasteful tax measure.

Dr. Terence Faulkner, J.D.

Chairman of Citizens Against Tax Waste

Rebuttal to Opponent's Argument Against Proposition A

Proposition A is NOT a tax increase. Everyone's tax bill will remain the same and seniors over 65 can apply for an exemption. With the original Mello-Roos measure up for renewal this year, we need to be sure our schools stay earthquake and fire safe. Yearly audit reports have found the School District to be in excellent financial standing with all facilities programs.

Proposition A will continue to keep San Francisco's 150 public school buildings safe from fires and earthquakes. Our children's safety comes first, and in these challenging economic times we need to be sure our schools are earthquake and fire safe. Proposition A does this by providing seismic strengthening, fire and life-safety, including fire alarm systems, fire sprinklers, and paths of exiting.

Proposition A makes sure our children and teachers don't suffer even greater cuts at the expense of mandatory earthquake and fire safety work.

The Mello-Ross Parcel Tax is money well spent. Since 1990, the Mello-Roos Parcel Tax has generated approximately \$6.9 million dollars a year towards earthquake, fire and life safety in San Francisco's public school facilities and funds the salaries of employees who keep our schools safe. SFUSD spends less than most districts and other government entities on central administration (less than 4%).

Help our schools, teachers and children by keeping our schools safe.

Vote YES on PROP A.

Mayor Gavin Newsom

San Francisco Board of Education

San Francisco Chamber of Commerce

Parents for Public Schools

San Francisco Fire Chief Joanne Hayes-White*

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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B

Earthquake Safety and Emergency Response Bond

SAN FRANCISCO EARTHQUAKE SAFETY AND EMERGENCY RESPONSE BOND, 2010. To improve fire, earthquake and emergency response and ensure firefighters a reliable water supply for fires and disasters, through projects including: improving deteriorating pipes, hydrants, reservoirs, water cisterns and pumps built after the 1906 earthquake; improving neighborhood fire stations; replacing the seismically-unsafe emergency command center with an earthquake-safe building; and to pay related costs, shall the City and County of San Francisco issue \$412,300,000 in general obligation bonds, subject to citizen oversight and regular audits?

YES ←  
NO ←  

Digest by the Ballot Simplification Committee

The Way It Is Now: In the event of an earthquake or major disaster, the City relies on its fire and police departments to provide emergency response. These departments depend on facilities and infrastructure, which include:

- The Citywide Auxiliary Water Supply System (AWSS), which provides a dedicated high-pressure water system for fighting fires. It includes a reservoir, pipes, cisterns, pump stations and high-pressure fire hydrants. This system was built in response to the 1906 earthquake;
- Neighborhood fire stations;
- Neighborhood police stations; and
- The Police Command Center.

Both the Southern District Police Station and the Police Command Center are housed in the Hall of Justice at 850 Bryant St. Studies commissioned by the City indicate that the AWSS, several fire stations and the Hall of Justice are deteriorating and probably could not be used after a major earthquake.

The City's 10-year Capital Plan identifies the repairs and relocation of public safety facilities and infrastructure as a high priority.

With the approval of the voters, the City may issue general obligation bonds to pay for capital projects such as building or renovating fire and police stations and the AWSS. Property tax revenues pay for the principal and interest on general obligation bonds.

The Proposal: Proposition B is a bond measure that would authorize the City to borrow up to \$412,300,000 by issuing general obligation bonds for capital projects to improve the City's fire, earthquake and emergency response.

Specific projects could include:

- Upgrades to the City's Auxiliary Water Supply System (AWSS), including renovations and seismic retrofitting.
- Construction, renovation and seismic retrofitting of fire stations.
- Construction of a new Public Safety Building in Mission Bay. This building would house the Police Command Center, the Southern District Police Station, and a neighborhood fire station.

The Mayor and the Board of Supervisors would approve the final list of projects.

Proposition B would require the Citizen's General Obligation Bond Oversight Committee to provide independent oversight of the spending of bond funds. One-tenth of one percent (0.1%) of these funds would pay for the Committee's audit and oversight.

Proposition B would allow an increase in the property tax to pay for the bonds. It would permit landlords to pass 50% of the resulting property tax increase to tenants.

Two-thirds of the voters would have to approve this measure for it to pass.

This measure requires 66²/₃% +1 affirmative votes to pass.

Arguments for and against this measure immediately follow the facing page. The full text begins on page 147. Some of the words used in the ballot digest are explained on page 100.

A “YES” Vote Means: If you vote “yes,” you want the City to issue up to \$412,300,000 in general obligation bonds, subject to independent oversight and regular audits, for construction, renovation, and seismic retrofitting of fire and police department buildings and infrastructure. Landlords would be allowed to pass 50% of the increase in property taxes to tenants.

A “NO” Vote Means: If you vote “no,” you do not want the City to issue these general obligation bonds for construction, renovation, and seismic retrofitting of fire and police department buildings and infrastructure.

Controller’s Statement on “B”

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition B:

Should the proposed \$412.3 million in bonds be authorized and sold under current assumptions, the approximate costs will be as follows:

- In fiscal year 2010-2011, following issuance of the first series of bonds, and the year with the lowest tax rate, the estimated annual costs of debt service would be \$3.6 million and result in a property tax rate of \$0.0026 per \$100 (\$2.60 per \$100,000) of assessed valuation.
- In fiscal year 2016-2017, following issuance of the last series of bonds, and the year with the highest tax rate, the estimated annual costs of debt service would be \$32.66 million and result in a property tax rate of \$0.018 per \$100 (\$18.00 per \$100,000) of assessed valuation.
- The best estimate of the average tax rate for these bonds from fiscal year 2010-2011 through 2039-2040 is \$0.0106 per \$100 (\$10.60 per \$100,000) of assessed valuation.
- Based on these estimates, the highest estimated annual property tax cost for the owner of a home with an assessed value of \$400,000 would be approximately \$70.74.
- Landlords would be allowed to pass through 50% of the annual property tax cost of the proposed bond to tenants as permitted in the City Administrative Code. Based on these estimates, the highest estimated annual cost for a tenant in a unit with an assessed value of approximately \$131,000 would be \$11.79.

These estimates are based on projections only, which are not binding upon the City. Projections and estimates may vary due to the timing of bond sales, the amount of bonds sold at each sale, and actual assessed valuation over the term of repayment of the

bonds. Hence, the actual tax rate and the years in which such rates are applicable may vary from those estimated above. The City’s current debt management policy is to issue new general obligation bonds only as old ones are retired, keeping the property tax impact from general obligation bonds approximately the same over time.

How “B” Got on the Ballot

On February 23, 2010, the Board of Supervisors voted 9 to 1 to place Proposition B on the ballot. The Supervisors voted as follows:

Yes: Supervisors Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi.

No: Supervisor Daly.

Excused: Supervisor Alioto-Pier.

This measure requires 66²/₃% +1 affirmative votes to pass.

Arguments for and against this measure immediately follow this page. The full text begins on page 147. Some of the words used in the ballot digest are explained on page 100.



This disclaimer applies to the proponent's argument and the rebuttal to the proponent's argument on this page and the opponent's argument and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi; oppose the measure: Supervisor Daly.*

Proponent's Argument in Favor of Proposition B

YES ON B – EARTHQUAKE AND FIRE SAFETY FOR SAN FRANCISCO

Proposition B rebuilds and restores our aging emergency fire-fighting water system and prepares San Francisco for a major disaster.

After the great 1906 quake, San Francisco burned for 96 hours -- the sixth time our city had burned to the ground. To prevent San Francisco from burning down again, citizens constructed the world's best emergency fire system.

Today, the 100 year-old system's reservoirs, pump stations, cisterns and pipes are deteriorating. This led to major failures during the 1989 Loma Prieta earthquake.

Equally troubling, our police command center – vital for disaster response and coordination – is housed in a seismically unsafe building that will be unusable after a major earthquake.

Proposition B:

- Ensures a steady supply of high-pressure water following an earthquake, giving firefighters the tools to fight major fires;
- Replaces deteriorating pipes, reservoirs and pump stations, and builds new cisterns throughout the city;
- Improves seismically deficient and unsafe neighborhood fire stations;

- Constructs a new public safety building for emergency command operations that can withstand a major earthquake.

Proposition B has been carefully drafted so that, in these tough economic times, it will NOT increase property tax rates. There will be independent citizen oversight of spending and regular financial audits. Specific legal requirements encourage the use of local construction businesses, which could provide up to 2,900 jobs for San Franciscans during the worst recession in decades.

Earthquake scientists say the odds are two in three that a disastrous earthquake will strike San Francisco before 2040. That's why your support is critical. Please help us improve earthquake and fire safety by voting YES on B.

*Mayor Gavin Newsom
Board of Supervisors President David Chiu
Police Chief George Gascón*
Fire Chief Joanne Hayes-White*
Fire Commissioner Victor Makras*
San Francisco Firefighters Union Local 798 Vice-President Joe Moriarty*

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

Rebuttal to Proponent's Argument in Favor of Proposition B

Vote No on Proposition B!

San Franciscans know that there's a good chance that a disastrous earthquake will strike here in the next few decades. So why are the proponents of Prop B sounding the alarm to sink addition monies into fire houses and a new "public safety building," while leaving our jails and courts to fend for themselves in the seismically unsafe 850 Bryant?

The answer is politics.

The proponents of Prop B don't think that San Francisco voters are willing to fund the construction of a new jail, and they don't want to touch the controversial topic of our City's outdated and mismanaged crime lab. Meanwhile, behind closed doors, the politicians are charting a political strategy with the top bosses from the firefighter union to move forward their political agenda.

Unfortunately, their agenda means that there will be political losers. And it won't just be the people that we have locked up fighting for their lives in a major earthquake. It will also be the Deputy Sheriffs, District Attorneys, Judges and jurors, and members of the public who are unlucky enough to be there when the next big one hits.

Presented with the facts and the complete picture, San Francisco voters would opt to do the right thing and make sure that every component of our public safety system was safe.

Don't let the politicians sell you short. Send this one back for a rewrite. Vote No on Prop B!

Chris Daly

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Opponent's Argument Against Proposition B

Make sure that everyone at the Hall of Justice is safe.
Vote No on B!

The proponents of Proposition B say they are concerned about seismic safety issues in our public safety system – especially at the Hall of Justice. The City knows that a major earthquake could turn 850 Bryant into a deathtrap. But Prop B doesn't fix this problem. Instead, it would only move police functions out of the Hall of Justice – leaving the Courts and jails, and over 1000 people there, at risk.

The proponents of Prop B claim that they have a plan to rebuild the rest of the Hall of Justice. Their idea is to issue debt to pay for the rebuild, asking the next generation of San Franciscans to pay for it. But that plan is not included in this measure, and they have known about the seismic problems there since 1992. The truth is that there is no live plan to rebuild the Hall, and the best opportunity to fix the whole problem, this measure, has willfully omitted the complete fix to accommodate "political realities."

These "political realities" include a belief that San Franciscans don't want to spend money to build jails. As one of the leading advocates for community-based alternatives for non-violent offenders, nothing would please me more than to be able to close jails and help people reenter society. But the real-life realities are that over 750, mostly black and Latino, lower-level offenders are locked up on the top floors of 850 Bryant. In the event of a major earthquake, they are the most at-risk. In San Francisco, I'd like to think that we'd do better.

Vote No on B.

Supervisor Chris Daly

Rebuttal to Opponent's Argument Against Proposition B

PROTECT ALL SAN FRANCISCANS FROM EARTHQUAKE AND FIRE. VOTE YES ON B.

Proposition B isn't about the safety of 1,000 people – it's about ensuring that EVERYONE who lives, works and visits San Francisco is safe in the event of a major earthquake.

That's why Proposition B is supported by our fire, public safety and emergency response leaders, including the San Francisco Firefighters, Fire Chief, Fire Commissioners, Police Chief and Police Commissioners.

Because Proposition B protects residents throughout the city, it is also supported by the broadest San Francisco coalition: the Democratic and Republican Parties; the Labor Council and the Chamber of Commerce; the Mayor and the Board of Supervisors.

Proposition B is critical to San Francisco because it strengthens our 100 year-old emergency water supply system, ensuring that firefighters have the high-pressure water supply they need to put out a major fire, even after an earthquake.

Prop B also moves the seismically unsafe police command headquarters to a new public safety building, ensuring that emergency response and public safety are maintained after a major disaster.

Supervisor Daly would have us put off these safety measures until there is a proposition more to his liking. The fact is, we cannot do everything at once, and we cannot afford to wait. Please join us in protecting San Francisco and vote YES on B.

Mayor Gavin Newsom

Board of Supervisors President David Chiu

Supervisor Carmen Chu

*Police Chief George Gascón**

*Fire Chief Joanne Hayes-White**

*Fire Commissioner Victor Makras**

San Francisco Firefighters Union Local 798 Vice-President Joe Moriarty

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Paid Argument IN FAVOR of Proposition B

If our firehouses and police stations collapse in the next big earthquake, tens of thousands of people will lose their businesses, their homes and their lives. As part of the City's Ten Year Capital Plan, this measure will not add to your current level of property taxes, but will help protect you and your property.

Vote Yes on B

San Francisco Chamber of Commerce

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

Paid Argument IN FAVOR of Proposition B

Our fire, earthquake and emergency-response systems need an upgrade! With many systems nearly 100 years old, we are woefully unprepared for a catastrophic event. While wary of bond measures, we are proud to support this Bond as our second in 13 years.

Visit www.sfgop.org

San Francisco Republican Party

Executive Committee

Howard Epstein, Chairman

Bill Campbell, Secretary

Richard A. Worner, Treasurer

Brooke Chappell, VC Special Events

Sarah Vallette, VC Political Affairs

Assembly District 12 Members

Michael Antonini

Walter Armer

Terence Faulkner

David Kiachko

Barbara Kiley

Rita O'Hara

Assembly District 13 Members

Guy Vaillancourt

Dana Walsh

Alternates

John Dennis

Rodney Leong

Doo Sup Park

The true sources of funds for the printing fee of this argument are the Signatories and the San Francisco Republican Party.

The three largest contributors to the true source recipient committee are: 1. Estate of Gary L. Gray, 2. Howard Epstein, 3. Richard Worner.

Paid Argument IN FAVOR of Proposition B

AFFORDABLE HOUSING ALLIANCE SUPPORTS PROPOSITION B

Tenants living in large apartment buildings are especially vulnerable in the event of a major fire. Proposition B ensures that a supply of high-pressure water is available throughout the city, even after an earthquake. The Affordable Housing Alliance supports Proposition B because it is critical to the safety and well-being of renters. Please join us and vote YES on B.

Affordable Housing Alliance

The true source of funds for the printing fee of this argument is SF Earthquake + Disaster Response Plan – Yes on B.

The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

Paid Argument IN FAVOR of Proposition B

PROPOSITION B ENSURES PUBLIC SAFETY LEADERSHIP AFTER A MAJOR DISASTER

In the event of a major disaster or catastrophe, we rely on the ability of the police leadership to promptly and properly coordinate public safety services. But today, both the Police Command Center and a major District Police station are located in a seismically unsafe building. In the event of a major earthquake, it is likely that this building will collapse or be completely unusable.

Proposition B builds a new public safety building on city-owned property in Mission Bay. This building is critical to our ability to respond to a major disaster. It will house the police command, the Southern District Police station, and a neighborhood fire station. It includes not just those responsible to ensure a coordinated and rapid disaster response, but personnel on the front line who are the first to arrive on the scene, maintain peace after a disaster, and provide support to other first responders including fire fighters, paramedics, and search and rescue crews.

We have all seen the need for public order following a serious disaster from the aftermath of Hurricane Katrina in New Orleans or recent earthquakes in Haiti, and Chile. That is why we urge you to support us in voting YES on Proposition B.

*Police Chief George Gascón**

*Police Commissioner James T. Hammer**

*Police Commissioner Thomas Mazzucco**

*Police Commissioner David Onek**

San Francisco Police Officers Association

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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The true source of funds for the printing fee of this argument is SF Earthquake + Disaster Response Plan –Yes on B.

The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

Paid Argument IN FAVOR of Proposition B

PROPOSITION B PROTECTS TENANTS, ELDERLY AND THOSE LIVING ON FIXED INCOMES

Recent events in Chile and Haiti are reminders of what can happen when major disaster strikes. It is often the poorest and most vulnerable residents who are hurt the most. That is one reason the San Francisco Democratic Party urges you to vote YES on Proposition B.

Prop B expands and strengthens our network of cisterns and pipes to ensure that residents throughout the city have an emergency water supply for fire protection. Tenants in large apartment buildings are especially vulnerable in a fire; Proposition B will ensure that a high-pressure water supply is available to fight fires and save lives in large buildings.

In tough economic times, Prop B will create much-needed jobs and it has been crafted to NOT increase property tax rates, helping hard-hit homeowners and those living on fixed incomes.

Please join the San Francisco Democratic Party and vote YES on B.

San Francisco Democratic Party

The true source of funds for the printing fee of this argument is SF Earthquake + Disaster Response Plan –Yes on B.

The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

Paid Argument IN FAVOR of Proposition B

PROPOSITION B IMPROVES SAN FRANCISCO EMERGENCY RESPONSE TO EARTHQUAKE AND DISASTER

On October 17, 1989, the Loma Prieta earthquake struck San Francisco with a magnitude of 6.9 on the Richter scale. The large fires which caused structures to collapse in the aftermath of the earthquake led San Francisco residents and the fire department to form the Neighborhood Emergency Response Team Training Program. Since 1990, the NERT program has trained more than 17,000 San Franciscans and continues to recruit and train more residents to be self-reliant in a major disaster.

We all know that another major earthquake could hit San Francisco any day. Earthquake scientists say that the odds are two in three that at least one disastrous

quake will strike in the next thirty years, and that many of San Francisco's buildings and homes would not withstand such a disaster.

As leaders of NERT, we are dedicated to the principle that San Francisco must be prepared. Proposition B is a critical part of being ready. Please join us in voting YES on B.

*Dick Morten, Neighborhood Emergency Response Team (NERT) member**

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The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

Paid Argument IN FAVOR of Proposition B

PROPOSITION B CREATES NEW JOBS WHEN WE NEED THEM MOST

Working people in San Francisco strongly support Proposition B not just because it ensures earthquake and fire safety, but because it creates new jobs when our city needs them the most.

Unemployment in some construction trades is as high as 40%. Thousands of San Francisco workers are out of work or lack full-time employment. Proposition B will create hundreds of construction jobs over a number of years. Specific legal requirements in the measure encourage the use of San Francisco construction businesses, which could boost local small business.

Please join the San Francisco Labor Council, the San Francisco Building and Construction Trades, and working men and women throughout San Francisco and vote YES on B.

Tim Paulson, Executive Director, San Francisco Labor Council

Michael Theriault, Secretary-Treasurer, SF Building and Construction Trades Council

Mike Casey, President, San Francisco Labor Council

Larry Mazzola, President, SF Building and Construction Trades Council

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The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

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Paid Argument IN FAVOR of Proposition B

FRONT-LINE FIREFIGHTERS ASK YOU TO VOTE YES ON B

Fighting major fires requires a steady supply of high-pressure water throughout the city. Proposition B allows us to replace a century-old system of deteriorating pipes, pumps, tanks and hydrants, so that firefighters will have the tools we need to fight major fires.

Proposition B also upgrades seismically unsafe neighborhood fire stations. These stations are San Francisco's front-line defense. The majority of them have structural, seismic, and other deficiencies and some may not be operational after a large earthquake.

Front line firefighters know the cost of not being prepared for fire. It's a price San Francisco cannot afford. Please vote YES on B.

San Francisco Firefighters:

*John Cheung, Station #2, Chinatown**

*Keith Baraka, Station #6, Castro**

*John Caba, Station #6, Castro**

*Justin D. Brown, Station #7, Mission**

*Thomas Jaquysh, Station #7, Mission**

*Audry Lee, Station #7, Mission**

*Stanley H. Lee, Station #7, Mission**

*Eli Payton, Station #7, Mission**

*Michael Rustia, Station #7, Mission**

*Aaron C. Stevenson, Assistant Chief, Station #7, Mission**

*Adam Wood, Station #7, Mission**

*Derio Dito, Station #8, South of Market**

*Dan Dunnigan, Station #8, South of Market**

*Stephen Maguire, Station #8, South of Market**

*Glenn Ortiz Schuldt, Captain, Station #8, South of Market**

*Lenette Thompson, Station #8, South of Market**

*Douglas Manguiat, Station #11, Noe Valley**

*Anita D. Paratley, Station #11, Noe Valley**

*Geoffrey Clayton, Station #13, Jackson Square**

*Marc Evans, Station #13, Jackson Square**

*Willa Honiko Ortega, Station #13, Jackson Square**

*Brendan Cormack, Station #14, Richmond**

*Michael Hoelsken, Station #14, Richmond**

*David Aymerich, Station #16, Marina**

*Frank Hsieh, Lieutenant, Station #16, Marina**

*Patric Steele, Station #16, Marina**

*David Sweeney, Station #16, Marina**

*Michael Shanley, Station #18, Sunset**

*Katherine Alba Swanson, Station #18, Sunset**

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The true source of funds for the printing fee of this argument is SF Earthquake + Disaster Response Plan –Yes on B.

The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

Paid Argument IN FAVOR of Proposition B

PROP B WILL NOT INCREASE PROPERTY TAX RATES AND HAS STRONG CITIZEN OVERSIGHT

Many San Francisco families are having a tough time making ends meet in the current economy. We believe Proposition B is critical to San Francisco's earthquake and fire safety. It is equally important that taxpayers are also protected.

We support Proposition B because it has been carefully drafted in compliance with the city's ten-year capital plan which ensures that new bonds are NOT issued until the city retires existing debt from previous bonds.

That means that property tax rates WILL NOT INCREASE if Proposition B passes.

Proposition B also includes critical public oversight and financial accountability measures:

- A publicly available web site that will allow citizens to access bond program status reports, updated monthly;
- Financial audits, including public hearings and progress reports on the bond. Auditors will be empowered to deny issuance of bond funds if they determine that money was spent against the express will of the voters;
- Bond accountability reports, issued 60 days prior to the issuance of any portion of the bond authority;
- Annual public reviews of projects and activities before the Citizen's General Obligation Bond Oversight Committee, Capital Planning Committee and Board of Supervisors.

Please join us in voting YES on Proposition B.

State Assemblywoman Fiona Ma

Board of Supervisors President David Chiu

Supervisor Carmen Chu

The true source of funds for the printing fee of this argument is SF Earthquake + Disaster Response Plan –Yes on B.

The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

Paid Argument IN FAVOR of Proposition B

Prop. B will provide the funding needed to revamp the City's deteriorating auxiliary water supply system and help ensure that San Francisco's first responders are effective in saving lives, fighting fires, and restoring order after a devastating earthquake. The cost of this measure will be shared by homeowners and renters.

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Please join us and our slate of exceptional candidates for the State Assembly and the San Francisco Republican County Central Committee in voting **YES on B**. For more information, please visit: www.CBSF.net

*Edward Poole, Chair
Citizens for a Better San Francisco
Republican Nomination, 12th AD, Alfonso Faustino, Jr.*

Candidates for the San Francisco Republican County Central Committee:

*12th Assembly District
Chris Baker
Rodney Leong
Michael Joseph Antonini
Rudy Asercion
Walter D. Armer
Regina Growney
Bill Campbell
Chris Miller
David Robert Kiachko
Howard Epstein*

*13th Assembly District
Ed Sheppard
Dana Walsh
Sean Pritchard
Sarah M. Vallette
Jay Rubin
John Dennis
Brian Coleman
Brooke Chappell
Johnny Knadler*

The true sources of funds for the printing fee of this argument are the Signatories – Citizens for a Better San Francisco.

The three largest contributors to the true source recipient committee are: 1. Michael Antonini, 2. Edward G. Poole, 3. Mark Norrell.

Paid Argument IN FAVOR of Proposition B

LGBT COMMUNITY LEADERS ARE UNITED BEHIND PROPOSITION B

As community leaders and elected officials who represent District 8 and District 9 neighborhoods, including the Mission, Noe Valley and the Castro, we strongly support Proposition B because it strengthens earthquake and fire safety in our neighborhoods and throughout the city.

As we all know, it is often the fire – not just the shaking – from an earthquake that can do the most damage. In 1906, the fire which came after the great earthquake burned for four days. Not until it reached the area which is now Dolores Park, was the fire finally controlled.

It is hard to imagine that in 1906, practically every building between the park and downtown was destroyed by fire. We ask you to support Proposition B to ensure that it never happens again. Please vote YES on B.

*State Senator Mark Leno
State Assemblyman Tom Ammiano
Supervisor Bevan Dufty
Rafael Mandelman, Past President, Harvey Milk LGBT Democratic Club
Rebecca Prozan, Former Co-chair, Alice B. Toklas LGBT Democratic Club
Scott Wiener, Former Co-chair, Alice B. Toklas LGBT Democratic Club*

The true source of funds for the printing fee of this argument is SF Earthquake + Disaster Response Plan – Yes on B.

The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

Paid Argument IN FAVOR of Proposition B

PROPOSITION B REPAIRS SAN FRANCISCO'S EMERGENCY FIREFIGHTING WATER SUPPLY

The great San Francisco earthquake struck on April 18, 1906. Yet it was the resulting fire, not the earthquake, which destroyed the city. The fire burned for four days. Water breaks made it impossible for firefighters to get the water they needed. 25,000 buildings burned. It was the sixth time San Francisco had burned to the ground.

In 1908, city engineers and firefighters studied 250 cities throughout the world to develop the best emergency water system possible. The result was the Auxiliary Water Supply System (AWSS) - a separate high pressure water supply system for fire protection use only.

The AWSS is dedicated to the principle that the city will never again be destroyed by fire.

The components of the AWSS include the Twin Peaks Reservoir, a 10.5 million gallon storage reservoir; the Ashbury Tank; the Jones Street Tank; two emergency saltwater pumping stations; two fireboats; over 150 miles of pipe; special hydrants; and water cisterns located throughout the city.

Unfortunately, the system, now over 100 years old, has deteriorated. Parts of it broke during the 1989 Loma Prieta quake, making it more difficult to fight fires in the Marina.

Proposition B identifies the most vulnerable components of the AWSS pipe for repair or replacement, constructs additional firefighting cisterns that provide an emergency source of water for firefighting, and upgrades seismically unsafe neighborhood fire stations.

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San Francisco's firefighters, fire department, and Fire Commissioners unanimously support Proposition B. However, we need your vote to pass this critical measure. Please vote YES on Proposition B.

*Fire Chief Joanne Hayes-White**
*Fire Commissioner Victor Makras**
*Fire Commissioner Andrea Evans**
*Fire Commissioner Stephen Nakajo**
*Fire Commissioner George Lau**
San Francisco Firefighters Union Local 798 Vice-President Joe Moriarty

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

The true source of funds for the printing fee of this argument is SF Earthquake + Disaster Response Plan – Yes on B.

The contributor to the true source recipient committee is the San Francisco Fire Fighters P.A.C.

No Paid Arguments AGAINST Proposition B were Submitted

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C

Film Commission

Shall the Charter be amended to require the City to have a Film Commission, consisting of five members appointed by the Board of Supervisors and six members appointed by the Mayor, with final authority to issue permits to film in San Francisco?

YES  
NO  

Digest by the Ballot Simplification Committee

The Way It Is Now: The San Francisco Film Commission (Commission) was created by ordinance to develop, recognize, and promote film activities in San Francisco. The Commission has 11 members (Commissioners), all appointed by the Mayor for four-year terms. Currently Commissioners are not required to have specific professional qualifications or represent particular groups. The Mayor may remove Commissioners for any reason.

The Commission has an Executive Director appointed by the Mayor. The Film Commission may remove the Executive Director either on its own or following the Mayor's recommendation.

The Commission's Executive Director issues permits that authorize filming in the City. Another City agency, the Board of Appeals, considers appeals regarding permits.

The Proposal: Proposition C is a Charter Amendment that would require the City to have a Film Commission, whose main purpose would be to develop, recognize, and promote film activities in San Francisco. The Commission would have 11 members: six nominated by the Mayor, five nominated by the Board of Supervisors' Rules Committee. Each nominee would be subject to confirmation by the full Board. Once confirmed, Commissioners could only be removed for cause.

Most nominees would be required to have specific professional qualifications or represent particular groups:

	Mayor's nominees	Board's nominees
Have professional experience in the film industry or related field	2	1
Represent neighborhoods affected by filming	2	2
Represent film industry workers	1	1
Teach film studies or related field	1	0
Represent general public	0	1

The powers of the Commission would include the authority to:

- appoint or remove an Executive Director;
- issue film permits or delegate this power to the Executive Director; and
- hear appeals when the Executive Director denies a film permit application.

For filming taking place on City property, the Commission would need the consent of affected department heads before granting a permit. The Executive Director or Commission's decision would be the City's final action on film permits.

Changes to the Commission's membership requirements or powers would have to be submitted to the voters as a Charter Amendment.

A "YES" Vote Means: If you vote "yes," you want to amend the Charter to require the City to have a Film Commission, consisting of five members appointed by the Board and six members appointed by the Mayor, with final authority to issue permits to film in San Francisco.

A "NO" Vote Means: If you vote "no," you do not want to make these changes to the Charter.

This measure requires 50% +1 affirmative votes to pass.

Arguments for and against this measure immediately follow the facing page. The full text begins on page 150. Some of the words used in the ballot digest are explained on page 100.

Controller's Statement on "C"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition C:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be a minimal impact on the cost of government.

The Film Commission currently consists of 11 members appointed by the Mayor. The amendment would provide instead that six members of the Commission be appointed by the Mayor and five by the Board of Supervisors, with all members subject to certain qualification requirements and to confirmation by the Board of Supervisors.

The proposed amendment would also specify that the Film Commission oversee all City activities and funding related to public access and governmental channels and that film permit decisions of the Executive Director would be appealable to the Commission instead of to the City's Permit Appeals Board. The Film Commission currently employs a Director and two permit staff. The Film Commission's budget and staffing would continue to be subject to the normal budgetary and fiscal provisions of the Charter.

How "C" Got on the Ballot

On February 9, 2010, the Board of Supervisors voted 9 to 0 to place Proposition C on the ballot. The Supervisors voted as follows:

Yes: Supervisors Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi.

Excused: Supervisors Alioto-Pier and Avalos.

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 150. Some of the words used in the ballot digest are explained on page 100.



This disclaimer applies to the proponent's argument on this page and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi; take no position on the measure: Supervisor Chu.*

Proponent's Argument in Favor of Proposition C

LIGHTS! CAMERA! ACTION! YES ON C!

San Francisco has an important history of making feature films, documentaries and television series that showcase the beauty and diversity of our City. When these productions were leaving the City and moving to Canada, San Francisco's bureaucracy was slow to respond, losing important jobs.

The Board of Supervisors passed film rebate legislation to attract productions and in 2009, San Francisco turned the corner on improving our economy. Sean Penn won a Best Actor Oscar for the film that memorialized the life of Harvey Milk. Our first responders were shown at their best during the 20 episodes of the television show "Trauma." Hundreds of people were put to work with these two efforts alone.

We learned important lessons from these projects about how to improve our City's Film Commission.

Proposition C makes five critical improvements:

1. Creates needed jobs.
2. Makes City permitting for film projects more efficient.
3. Puts qualified leaders at the helm of the Film Commission and requires they hire an Executive Director with significant film industry experience.
4. Adds neighborhood voices to the Film Commission.
5. Requires the Commission to establish long-term goals for promoting film making as a major component of the City's economic and cultural base.

Please join me in supporting film making in San Francisco, by voting Yes on Proposition C.

Supervisor Michela Alioto-Pier

Rebuttal to Proponent's Argument in Favor of Proposition C

IF THE FILM COMMISSION ISN'T BROKE – DON'T "FIX" IT!:

San Francisco's Mayor-appointed eleven (11) member Film Commission has worked fairly well, has collected fees for services to visiting movie companies, and has encouraged positive media images for San Francisco's hotel and restaurant – oriented tourist trade (our largest industry).

WHY THE SUPERVISORS' POWER PLAY?:

Free cocktail parties and dinners are important City Hall perks. The Film Commission leads to entertainment events.

Publicity-seeking Supervisors like to be photographed with well known actors and actresses... who might even get popular support for a piece of a Supervisor's proposed legislation.

The move by the Supervisors to influence the Film Commission is understandable – but it's not in the public interest.

THE PROBLEM:

Mayors get blamed for local economic problems.

Mayors have "vested interests" in pushing Film

Commissioners to aid with San Francisco's media, tourist, and job needs.

Supervisors fly below much of the political news radar. The people are not watching. Supervisors get away with a lot.

Nobody will blame the Supervisors if their Film Commission appointees are inexperienced political campaign contributors.

THE ANSWER:

While the Supervisors are visiting their free cocktail parties and dinners, vote "NO!" on Proposition C. The Film Commission doesn't need "fixing".

Terence Faulkner

*Past State Secretary of California Republican County Chairmen's Association**
*Republican Central Committeeman**

Doo Sup Park

Republican State Senate Nominee 8th District
(San Francisco and San Mateo Counties)*

Stephanie Jeong

Republican County Central Committee, 12th District*

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Opponent's Argument Against Proposition C

DON'T CHANGE THE FILM COMMISSION'S APPOINTMENT METHOD:

This proposed Charter amendment would remove the Mayor's City Charter power to appoint the eleven (11) members of the Film Commission.

Under this new Charter requirement, five (5) members of the Film Commission would be appointed by the Board of Supervisors. The remaining six (6) members of the Film Commission would be appointed by the Mayor, but only with the approval of the Board of Supervisors.

I don't think that the Film Commission's method of appointment should be changed. The Commission should remain under the influence of the Mayor's Office.

The Film Commission needs to deal with major movie companies, to charge fees for services provided to those firms, and to encourage more positive media coverage of San Francisco that will tend to promote our City's vital tourist trade (our largest local industry). Our hotels and restaurants are a major part of San Francisco's economy.

Should the influence of the Board of Supervisors increase on the Film Commission, it is likely that the business interests of the City and County will be neglected in favor of more lunches, dinners, and cocktail parties. Free meals and parties are major City Hall perks.

Vote **"NO"** on Proposition C.

This Charter amendment is not needed.

*Dr. Terence Faulkner, J.D.
Past County Chairman*
San Francisco Republican Party
(Founded: January of 1856)*

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

Rebuttal to Opponent's Argument Against Proposition C

LET'S CREATE NEEDED JOBS BY WORKING TOGETHER. YES ON C!

It's no secret this Mayor and this Board of Supervisors don't always work together. Improving San Francisco's film economy is one area where the Mayor and Board of Supervisors have acted in concert by passing film rebate legislation to bring jobs to our City.

The opponent focuses on who makes appointments. I'm focused on how to improve film making in our City.

Proposition C adds permit authority for the Film Commission to make it easier to create jobs.

Proposition C requires the City include filmmaking in its economic development planning.

Proposition C mandates qualifications for commissioners, to ensure they have the background to get the job done.

As a Port Commissioner and now as a Supervisor, I've fought to create jobs, improve the business climate, and make certain San Francisco is the City that knows how. Proposition C continues this work, and I respectfully ask for your support.

Supervisor Michela Alioto-Pier

No Paid Arguments IN FAVOR of or AGAINST Proposition C were Submitted

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D

Retirement Benefit Costs

Shall the City: calculate retirement benefits for new City employees using average monthly compensation over two years instead of over one year; increase the retirement benefit employee contribution for new safety employees and new employees in positions covered by the State retirement system; and require that savings from reduced employer contributions to the City's retirement system be deposited in the Retiree Health Care Trust Fund?

YES  
NO  

Digest by the Ballot Simplification Committee

The Way It Is Now: The San Francisco Employees' Retirement System (SFERS) provides retirement benefits for most City employees. The California Public Employees' Retirement System (CalPERS) provides retirement benefits for City employees in certain job classifications.

Retirement benefits for City employees are calculated using a formula that includes the employee's "final compensation," which is the employee's highest average monthly compensation for any one year of earnings.

The Charter requires employees to pay a percentage of their compensation to SFERS or CalPERS to help pay for retirement benefits they will receive.

- Most city employees pay 7.5%.
- Safety employees such as police officers and firefighters pay 7.5%, even though the retirement benefits they receive cost more than the benefits paid to most City employees.
- Some CalPERS members pay 7.5%, even though the required employee contribution is 9.0%. Because of contractual agreements or Charter requirements, the City pays the difference.

The Charter requires the City to contribute to SFERS following a set formula. Under this formula, the employer contribution to SFERS depends partly on the investment earnings of the pension fund.

The City has a Retiree Health Care Trust Fund to help pay for costs related to retiree health care. The San Francisco Unified School District and the Community College District are participating employers in this Fund.

The Proposal: Proposition D is a Charter Amendment that would change the retirement benefits formula, change the employee contribution for certain employees, and require that savings from reduced employer contributions be deposited in the Retiree Health Care Trust Fund.

For employees hired on and after July 1, 2010, "final compensation" would be calculated using a two-year formula. An employee's final compensation would be determined by averaging monthly compensation during:

- any two consecutive fiscal years of earnings, or
- the 24 months immediately before retirement.

The final basis for retirement benefits would be the higher of the two figures.

For safety employees and CalPERS members hired on and after July 1, 2010, the employee contribution to SFERS or CalPERS would increase to 9.0% of compensation.

In years when the City's contribution to SFERS is less than expected because of large investment earnings, the amount saved would be deposited into the Retiree Health Care Trust Fund. The participating employers could choose to have this rule apply to them.

Proposition D would permit the San Francisco Superior Court to choose to become a participating employer in the Retiree Health Care Trust Fund.

A "YES" Vote Means: If you vote "yes," you want to amend the Charter:

- to calculate retirement benefits for new employees using average monthly compensation over two years instead of average monthly compensation over one year,
- to increase the employee contribution for new safety employees and new CalPERS members, and
- to require that savings from reduced employer contributions to SFERS be deposited in the Retiree Health Care Trust Fund.

A "NO" Vote Means: If you vote "no," you do not want to make these changes to the Charter.

This measure requires 50% +1 affirmative votes to pass.

Arguments for and against this measure immediately follow the facing page. The full text begins on page 150. Some of the words used in the ballot digest are explained on page 100.

Controller's Statement on "D"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition D:

Should the proposed charter amendment be approved by the voters, in my opinion, the City will have reduced costs in the medium and long term for the cost of employee pensions, with those costs largely being shifted from the employer to employees.

Employer and Employee Pension Contribution Rates:

Each year, based on actuarial analysis, the San Francisco Employees' Retirement System (SFERS) board sets the required contribution rates for the City and its employees to fund the cost of current and projected future pension benefits. In FY2009-2010, the City's required contribution was 9.49% of payroll. In FY2010-11, the City's required contribution will increase to 13.56% of payroll, due in part to losses in SFERS' assets related to the economic downturn.

Currently, most employees pay 7.5% of salary to the retirement system as their share of pension costs. This employee contribution rate is fixed in the Charter. For employees in public safety classifications, whose pension cost is higher, the City also pays the difference between 9.0% and the employee contribution rate of 7.5%. Similarly, for city employees who are members of the California Public Employees Retirement System (CalPERS), the City pays the difference between 7.5% and CalPERS' mandated employee contribution, which was 9.0% in the most recent year. The amendment would specify that SFERS public safety employees and CalPERS members hired after July 1, 2010 would have to contribute 9.0% of salary as the mandated employee contribution for their pensions.

Final Pension Compensation Calculation:

Currently, employee pension payments are calculated using a formula that, among other factors, is based upon an employee's highest year of compensation. The Charter amendment would change this part of the formula to specify that final compensation will instead be based upon average monthly compensation earned during the highest two years.

Under the Charter and Federal laws, this change would not affect any current employees—only those hired after July 1, 2010. Effectively, the changes will require the creation of a new "tier" of employees whose final compensation calculation is different than most current employees. By approximately 2032, most city employees would be under this arrangement.

City Savings Estimate:

Taken together, the change in the SFERS safety and CalPERS employee contribution rates from 7.5% to 9.0%, and the two year final compensation calculation, are expected to reduce the employer long-term cost (called the 'normal' cost) of pension funding by approximately 0.7% over the 25 year period between fiscal year 2011-2012 and fiscal year 2035-2036. Cumulatively, the savings for that same 25 year period is estimated to range between \$300 and \$500 million depending on future wage and benefit rates for employees, and other factors.

Maintaining City Benefit Contributions at the 'Normal' Cost:

The Charter amendment would specify that for any year in which the City's actuarially-required contribution rate to SFERS fell below the 'normal' funding cost, the city would deposit the difference into the retiree health trust fund to pay for future benefit costs. Historically there have been periods in which the City's pension contribution rate was very low or zero due largely to strong investment performance in the SFERS trust. When and if such conditions occur again, this change would effectively require the city to nonetheless continue paying for pension and/or post-employment benefit liabilities at the estimated long-term cost of pension funding which typically ranges around 9% to 10% of payroll over time.

Note that the City currently pays the cost of retirees' health benefits each year as that year's expense is due. As a result, there is a substantial unfunded liability, estimated to be approximately \$4 billion in total, for the future cost of retiree health benefits that current employees have already earned. That liability has been somewhat reduced by the passage of Proposition B in June 2008 which required employees hired beginning in 2009 to pay a portion of post-employment health benefit costs, but the bulk of the cost, estimated at between \$250 and \$300 million annually at current rates, will have to be otherwise addressed by the City. The contributions that would be mandated by this amendment would address a portion of this liability.

How "D" Got on the Ballot

On March 2, 2010, the Board of Supervisors voted 9 to 1 to place Proposition D on the ballot. The Supervisors voted as follows:

Yes: Supervisors Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi.

No: Supervisor Daly.

Excused: Supervisor Alioto-Pier.

This measure requires 50%+1 affirmative votes to pass.

Arguments for and against this measure immediately follow this page. The full text begins on page 150. Some of the words used in the ballot digest are explained on page 100.



This disclaimer applies to the proponent's argument on this page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi; take no position on the measure: Supervisor Daly.*

Proponent's Argument in Favor of Proposition D

The costs of providing retirement benefits to City employees are increasing at an unsustainable rate.

This year, the City will pay less than \$300 million to provide retirement benefits to City employees. By 2014, that number will increase to over \$800 million dollars—more than the operating budget of General Hospital and five times the Recreation and Park Department's budget.

Prop D is real pension reform with real cost-savings

Prop D is a critical step toward reform of our City's pension system. While it will not solve the pension problem, it is a step in the right direction and an indication that the City is willing to address the problem.

Prop D will save the City between \$400 and \$600 million over 25 years - funds that can and should be used for critical programs and core services.

Prop D better manages retirement costs and retiree health

Prop D will address the escalating costs of retirement by requiring increased contributions from **new** public safety employees. It will require that employees who receive a more generous retirement benefit pay a higher rate, increasing the contribution required of **new** Police, Fire and Sheriff employees from 7.5 percent to 9.0 percent.

Prop D will also reduce pensions for all **new** City employees by calculating final compensation based on the average salary for the past 24 months of service, not the last 12 months.

Finally, Prop D will address the City's \$4 billion unfunded liability to retiree health by requiring contributions to the health trust fund when the economy is good.

Please join us and vote YES on Prop D

*Mayor Gavin Newsom
Public Defender Jeff Adachi*
Supervisor David Campos*
Supervisor Carmen Chu*
Supervisor Sean Elsbernd*
Supervisor Eric Mar*

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

No Rebuttal or Opponent's Argument Against Proposition D was submitted

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**Paid Argument IN FAVOR of Proposition D**

Business, labor and the Board of Supervisors agree, we need pension reform.

Every dollar that goes to pension costs is a dollar the city cannot spend on vital services.

Unless we act, costs will balloon by tens of millions of dollars a year undermining our ability to pay police officers or operate recreation centers.

Your Yes vote on Proposition D will help to control pension costs, guaranteeing that both employees and the city pay their fair share.

Vote Yes on D

San Francisco Chamber of Commerce

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

Paid Argument IN FAVOR of Proposition D

This proposition could have decreased the city's unsustainable pension liability more, but it is still a major step in the right direction. Furthermore, the pensions new city hires will still be entitled to -- not to mention the job security they enjoy -- are far more generous than anything that young professionals working in the private sector could ever expect.

San Francisco Young Republicans
www.sfyf.org

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

Paid Argument IN FAVOR of Proposition D**Help prevent retirement costs from eroding our City's financial health**

Together, the City's pension system and health care system for retired employees face long-term deficits in the billions. While the pension system is far better funded, its projected costs surpass the amount invested.

Prop. D will help San Francisco take important and necessary steps to ensure that our pension and health systems don't bankrupt the City.

The measure creates greater equity across city workers by asking new public safety employees with more generous pensions to contribute a higher share of their paycheck towards retirement.

It will save on pension costs over time by using the average of the final two years of work to determine pensions.

It also provides a mechanism to begin funding some of the \$4 billion in unfunded health care costs for retired workers.

We all know that Prop. D does not solve the entire problem. But it is a necessary step to get our retirement house back in order.

SPUR, the San Francisco Planning and Urban Research Association, strongly encourages a "Yes" vote on Prop. D.

San Francisco Planning and Urban Research Association

For more information or to read our full analysis of all the ballot measures, go to www.spur.org.

The true source of funds for the printing fee of this argument is SPUR.

Paid Argument IN FAVOR of Proposition D

San Francisco's spending continues to skyrocket. The future of our City depends on fiscal restraint. This change reflects an enviable retirement package for future City employees while saving hundreds of millions of dollars over a generation.

Visit www.sfgop.org

San Francisco Republican Party

Executive Committee
Howard Epstein, Chairman
Bill Campbell, Secretary
Richard A. Worner, Treasurer
Brooke Chappell, VC Special Events
Sarah Vallette, VC Political Affairs

Assembly District 12 Members
Michael Antonini
Walter Armer
Terence Faulkner
Stephanie Jeong
David Kiachko
Barbara Kiley
Rita O'Hara

Assembly District 13 Members
Alisa Farenzena
Guy Vaillancourt
Dana Walsh

Alternates
John Dennis
Rodney Leong

The true sources of funds for the printing fee of this argument are the Signatories and the San Francisco Republican Party.

The three largest contributors to the true source recipient committee are: 1. Estate of Gary L. Gray, 2. Howard Epstein, 3. Richard Worner.

No Paid Arguments AGAINST Proposition D were Submitted

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency. Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.

E

Budget Line Item for Police Department Security for City Officials and Dignitaries

Shall the City require that the Police Department's annual budget include a line item for the cost of security provided to City officials and visiting dignitaries?

YES



NO



Digest by the Ballot Simplification Committee

The Way It Is Now: The Police Department provides security to City officials and visiting dignitaries when the Chief of Police determines that they need police protection. The Chief of Police decides the level of protection and uses funds in the Police Department's budget to pay this cost.

The Police Commission approves the Police Department's proposed annual budget and submits it to the Mayor. The Mayor prepares the annual budget for the City, including budgets for each department, and submits it to the Board of Supervisors for approval. The budget contains line items that specify how much money the City will allocate for particular purposes. The Police Department's budget does not include a separate line item for the cost of providing security to City officials and visiting dignitaries.

The Proposal: Proposition E would require the annual budget proposed by the Police Commission, submitted by the Mayor, and approved by the Board of Supervisors, to include a line item with the cost of security provided by the Police Department to City officials and visiting dignitaries.

A "YES" Vote Means: If you vote "yes," you want to require that the Police Department's annual budget include a line item for the cost of security provided to City officials and visiting dignitaries.

A "NO" Vote Means: If you vote "no," you do not want to require that the Police Department's annual budget include a line item for the cost of security provided to City officials and visiting dignitaries.

Controller's Statement on "E"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition E:

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

How "E" Got on the Ballot

On March 2, 2010, the Board of Supervisors voted 7 to 3 to place Proposition E on the ballot. The Supervisors voted as follows:

Yes: Supervisors Avalos, Campos, Chiu, Daly, Mar, Maxwell and Mirkarimi.

No: Supervisors Chu, Dufty and Elsbernd.

Excused: Supervisor Alioto-Pier.

This measure requires 50% + 1 affirmative votes to pass.

Arguments for and against this measure immediately follow this page. The full text begins on page 164. Some of the words used in the ballot digest are explained on page 100.



This disclaimer applies to the proponent's argument and the rebuttal to the proponent's argument on this page and the opponent's argument and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Avalos, Campos, Chiu, Daly, Mar, Maxwell and Mirkarimi; oppose the measure: Supervisors Alioto-Pier, Chu, Dufty and Elsbernd.*

Proponent's Argument in Favor of Proposition E

No secret budgets. The decades-long habit of not disclosing the City's dignitary security budget is out of step with Federal and State practices. The Secret Service publishes its budget for presidential security. The California Highway Patrol discloses the costs for protecting state officials.

Proposition E is a simple, good-government measure that will provide transparency on how the City spends your money. It requires a single line item in the City's budget disclosing the San Francisco Police Department's annual costs for providing security to elected officials and visiting dignitaries.

San Francisco is experiencing unprecedented budget crises. Every taxpayer penny should be accounted for in good and bad economic times. Granting the Police Department a waiver on sharing budget details doesn't make us any safer.

During these times of chronic budget deficits, we cannot afford to place any City expenditure above the scrutiny of the annual budget process.

Proposition E simply brings much needed budget transparency to an otherwise undisclosed expenditure of taxpayer's money without limiting or changing how the Police Department deploys or provides security.

*San Francisco Democratic Party
Board of Supervisors President David Chiu
Supervisor Ross Mirkarimi
Supervisor David Campos
Supervisor John Avalos
Supervisor Eric Mar
Richard Knee, Chair, Sunshine Ordinance Task Force**

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

Rebuttal to Proponent's Argument in Favor of Proposition E

Prop E is a bad policy that will not make our City safer or save the City money

Prop E was placed on the ballot by politicians looking to score political points, not by law enforcement professionals looking to make our City safer. It is bad for public safety, not good for government.

Prop E will not make us safer

Prop E politicizes the protection of our elected officials and visiting dignitaries by taking budgeting responsibilities away from law enforcement professionals and turning them over to career politicians.

Prop E will discourage public officials who need protection from seeking it if the costs are made public and subject to the regular political process.

Prop E will not save the City money

Prop E singles out the Police Department for scrutiny despite the fact that several other San Francisco law enforcement are also responsible for dignitary protection.

Prop E will not result in cost-savings for the City as the true costs for dignitary protection remain elsewhere in the budget.

Vote NO on Prop E

George Gascón, Chief of Police
Supervisor Sean R. Elsbernd*
Supervisor Carmen Chu**

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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Opponent's Argument Against Proposition E

Providing security to City officials is a responsibility that is shared by several San Francisco law enforcement agencies. This proposition ignores this fact and naively singles out the San Francisco Police Department.

In addition, Prop E attempts to solve a problem that does not exist.

The City spends only what is appropriate to ensure the safety and security of City officials and visiting dignitaries. Prop E will neither enhance the safety of City officials nor will it save the City money.

Prop E puts politics before public safety

Prop E will shift the safety of our elected officials from experienced law enforcement officials to politicians looking to score political points.

Currently, the S.F.P.D. provides protection for the mayor, other City officials, and visiting dignitaries; and already publicly discloses to the Board of Supervisors the annual cost of this protection.

Providing security for City officials and visiting dignitaries is a necessary expense, but politicizing the costs of this service is unnecessary and unwise.

Prop E will not increase safety or save the City money

Prop E will subject the security provided to City officials and visiting dignitaries to "politics as usual" in San Francisco.

Prop E will reduce the police department's control and increase the influence of politicians with little or no security expertise.

Prop E may place public officials at greater risk

Prop E's disclosure requirements may also deter some City officials from requesting legitimate law enforcement, when it would be clearly be justified, due to potential political fallout.

The public's safety will not be served if those who need protection do not seek it.

Please join us and vote NO on Prop E

*George Gascón, Chief of Police**
Supervisor Sean R. Elsbernd
*Supervisor Carmen Chu**

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

Rebuttal to Opponent's Argument Against Proposition E

Proposition E requires transparency where there is none. No other facet in San Francisco's \$6.6 billion budget is held secret or unverifiable, except for dignitary security. Arguments for keeping the budget secret are without merit.

Proposition E requires the Police Department to provide accountable data consistent with the city's budget process and Charter so that the City may exercise its fiduciary responsibility to you, the taxpayer.

Opponents want it both ways: they claim that disclosing the cost of dignitary security endangers public safety while admitting they disclosed to the media a budget of \$2.1 million for dignitary security. No one, including the Controller has verified this.

Proposition E shouldn't be necessary -- but whether in good economic times or bad, there is no reason to hide budgetary data. The federal and state governments account for and disclose their dignitary security budget. The City should too.

Just like on the federal and the state levels, Proposition E neither prevents nor reduces the Department's ability to provide personal security nor does it compromise their protection service.

It is your money. You have the right to know how it is being spent.

Vote **Yes** on Proposition E.

San Francisco Democratic Party
Supervisor Ross Mirkarimi
Board of Supervisors President David Chiu
Supervisor David Campos
Supervisor John Avalos
Supervisor Eric Mar
*Richard Knee, Chair, Sunshine Ordinance Task Force**

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

No Paid Arguments IN FAVOR of or AGAINST Proposition C were Submitted

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F

Renters' Financial Hardship Applications

Shall the City amend its Residential Rent Ordinance to add provisions for tenants to apply to the Rent Board to postpone most rent increases if they become unemployed, their wages decrease by 20% or more, or they do not receive a cost of living increase in their government benefits and those benefits are their sole income?

YES  
NO  

Digest by the Ballot Simplification Committee

The Way It Is Now: The City's Residential Rent Ordinance (Ordinance) applies to most rental housing built before June 1979. The Ordinance limits when and by how much a landlord may increase a tenant's rent. For example, landlords may increase rent once a year by a percentage set by the Residential Rent Stabilization and Arbitration Board (Rent Board).

In addition, landlords may increase rents to pay for certain property improvements and some increases in the property tax. A tenant may file a hardship application with the Rent Board to seek to limit some of these increases.

The Proposal: Proposition F would amend the Ordinance to add provisions for hardship applications. In response to most rent increases, a tenant may submit a financial hardship application if one of the following conditions applies:

- the tenant has become unemployed;
- the tenant's wages have been reduced by 20% or more compared to the previous 12 months; or
- the tenant's sole income consists of government benefits, such as Social Security or disability, and the tenant has not received a cost of living increase in the previous 12 months.

After the tenant submits a financial hardship application to the Rent Board, an Administrative Law Judge (ALJ) holds a hearing on the application.

The ALJ would base a final decision on:

- whether the tenant satisfies one of the above conditions;
- whether the rent, with the increase, totals more than 33% of the tenant's income; and
- consideration of the tenant's assets.

If the ALJ finds that the tenant has a financial hardship, the landlord may not increase the tenant's rent for a specified period based on the tenant's circumstances. The rent increase may take effect later if the tenant's financial circumstances change. Either the tenant or the landlord may appeal the ALJ's decision to the Rent Board.

A "YES" Vote Means: If you vote "yes," you want to amend the Ordinance to allow tenants to apply to the Rent Board to postpone most rent increases if they become unemployed, their wages decrease by 20% or more, or they do not receive a cost of living increase in their government benefits and this is their sole income.

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

Controller's Statement on "F"

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition F:

Should the proposed ordinance be approved by the voters, in my opinion, it would have a minimal impact on the cost of government.

How "F" Got on the Ballot

On January 19, 2010, the Department of Elections received a proposed ordinance signed by Supervisors Avalos, Campos, Chiu, Daly 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 164. Some of the words used in the ballot digest are explained on page 100.



This disclaimer applies to the proponent's argument and on this page and the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Avalos, Campos, Chiu, Daly, Mar and Mirkarimi; oppose the measure: Supervisors Alioto-Pier, Chu, Dufty and Elsbernd; take no position on the measure: Supervisor Maxwell.*

Proponent's Argument in Favor of Proposition F

Proposition F is a modest change to our current rent laws that allows tenants to temporarily postpone new rent increases during tough economic times.

San Francisco rents, already the highest in the country, soared during the speculative frenzy of the real estate bubble. Apartment buildings were bought and sold at record rates by real estate investors funded with Wall Street money. With each sale, the new landlord would significantly increase rents on vacant units and then try to force out tenants in rent-controlled units. From 2005 to 2010, rents on 2 bedroom apartments soared by over 50%, from just under \$2,000 to nearly \$3,000.

When the real estate bubble burst, rents did not come down but incomes did. When the excesses of real estate speculation forced the economy into a tailspin, San Francisco found itself with an unemployment rate of over 10% and tens of thousands more renters were forced into part-time work. And, many senior renters living on Social Security found out they would not get a cost of living increase on their already-meager benefits. Thus, renters were left trying to pay extraordinarily high rents while seeing their income disappear or get slashed.

Much attention has been focused on keeping homeowners in their homes. We need to pay the same attention to the plight of renters who can barely pay their rents and who would lose their homes if their rents increase further. Proposition F will let renters who have lost their job or had their pay cut significantly to temporarily postpone any new rent increases.

Vote YES on Prop F.

Board of Supervisors President David Chiu

Sup. John Avalos

Sup. David Campos

Sup. Chris Daly

Sup. Eric Mar

Sup. Ross Mirkarimi

Rebuttal to Proponent's Argument in Favor of Proposition F

No Rebuttal to Proponent's Argument in Favor of Proposition F was Submitted

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Opponent's Argument Against Proposition F

Prop F is a bad policy that is poorly drafted. It poses risks to those it seeks to protect while providing benefits to those who do not need them.

The unintended, but very real, consequences of Prop F outweigh the good intentions of the proposal. Prop F will prove to be a burden for renters and landlords alike.

Prop F Poses Risks for Low Income Renters

Prop F will undermine existing hardship policies and will hurt those who most need financial relief.

Prop F will increase the requirements for those applying for hardship relief, and will put some tenants at higher risk for eviction

Prop F Will Result in Higher Rents

Prop F will lead landlords to increase rents on vacant units in order to recoup losses on other units protected from rent increases.

Prop F will lead landlords to pass on these increased costs to new tenants. The risk is greatest for unemployed workers who will need to find lower cost housing because of their lost income.

Prop F imposes new restrictions on landlords at the same time the City is instituting costly environmental programs, including energy efficiency requirements and mandatory recycling.

Prop F Will Protect Higher Income Renters

Prop F is a poorly written proposal that creates loopholes in the existing law.

Prop F will protect renters whose income has dropped twenty percent, including those whose income has declined from \$200,000 to \$150,000.

Voters should be aware of the unintended consequences of this proposal.

Please join us and vote NO on Prop F

Supervisor Sean R. Elsbernd
Supervisor Carmen Chu

Rebuttal to Opponent's Argument Against Proposition F

Prop F is a measured response to a real crisis caused by the deepest recession since the Great Depression. Tenants who have lost their jobs or seen their wages cut simply cannot afford to pay an increase in their already high rent. Prop F does what any decent landlord would do anyway: give a tenant who's struggling financially a break. Any good landlord would --on their own --hold off on giving a rent increase to someone who's just lost their job.

Rent Control currently has some provisions to let tenants postpone some --but not all --rent increases due to financial hardship. But these are inadequate to deal with the crisis we face today. Prop F adds a new provision for hardship --on top of the others --specifically designed for renters who have been hardest hit by the recession. It applies to all rent increases and ensures that tenants facing financial hardship due to the recession will get rent increases postponed.

Sups. Chu and Elsbernd --who always vote against rent control --would have you believe that this measure will hurt tenants. But why are they and the landlords so vehemently fighting it? Do not believe their false and misleading claims.

Prop F is fair and simple: If you lost your job, had wages cut or did not see government benefits increase and are paying more than 33% of your income to rent, you can get rent increases postponed.

See www.sftu.org for more on Prop F

YES on F.

San Francisco Tenants Union

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Paid Argument IN FAVOR of Proposition F

Working renters have been hit hard by layoffs and wage cuts. YES on F for renters economic relief.

Tim Paulson, Director SF Labor Council
Mike Casey, President UNITE HERE Local 2
Robert Haaland, Executive Board, SF Pride At Work

The true source of funds for the printing fee of this argument is Robert Haaland.

Paid Argument IN FAVOR of Proposition F

Vote YES on F to give renters hurt by the recession relief from ever higher rents.

San Francisco Democratic Party

The true source of funds for the printing fee of this argument is the SFTenants Union.

Paid Argument IN FAVOR of Proposition F

Senior renters on Social Security saw no increase in their benefits this year. How can they afford a rent increase now? Vote YES on F to help seniors stay in their homes.

Senior Action Network
Senior Housing Action Collaborative (SHAC)

The true source of funds for the printing fee of this argument is the SFTenants Union.

Paid Argument IN FAVOR of Proposition F

Low income tenants who have lost their job or had their pay severely cut cannot afford any new rent increases now. YES on F to help those renters hit hardest by the recession.

Rent Board Commissioner David Crow
Rent Board Commissioner Polly Marshall

The true source of funds for the printing fee of this argument is the SFTenants Union.

Paid Argument IN FAVOR of Proposition F

With the highest rents in the country, low income renters who have lost their jobs or seen their jobs shrink to part time are in desperate straits trying to keep a roof over their heads. Prop F will help people stay housed while they look for new work or better pay. Vote YES on F on June 8.

San Francisco Tenants Union
Causa Justa:Just Cause (formerly St. Peter's Housing Committee)
Eviction Defense Collaborative
Community Tenants Association

AIDS Housing Alliance SF
Affordable Housing Alliance

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

Paid Argument IN FAVOR of Proposition F

Join leading San Francisco Democrats in support of economic relief for tenants. Vote YES on Proposition F!

Aaron Peskin – Chair, San Francisco Democratic Party
*Eric Mar – Member, SF Board of Supervisors**
Jake McGoldrick – Former Member, SF Board of Supervisors
Sandra Lee Fewer – Commissioner, San Francisco Board of Education
Debra Walker – Treasurer, San Francisco Democratic Party
Rafael Mandelman – Second Vice Chair, San Francisco Democratic Party
Michael Goldstein – Fourth Vice Chair, San Francisco Democratic Party
Robert Haaland – Incumbent, DCCC 13th-AD
Joe Julian – Incumbent, DCCC 13th-AD
Jane Morrison – Incumbent, DCCC 13th-AD
Hene Kelly – Incumbent, DCCC 12th-AD
Alix Amelia Rosenthal – Candidate for DCCC, AD-13
Chris Gembinski – Candidate for DCCC, AD-12
Milton Marks – President, Community College Board

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

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

Paid Argument IN FAVOR of Proposition F

Prop F allows tenants to ask for the postponement of rent increases if they experience financial hardship. Prop F simply permits a tenant to make the request to the Rent Board. Given the current economic recession, San Francisco should do everything it can to keep tenants from becoming homeless. By allowing tenants to postpone rent increases due to financial hardship, Prop F will protect families and individuals from eviction and homelessness. The Harvey Milk LGBT Democratic Club asks you to vote YES on F!

Harvey Milk LGBT Democratic Club

The true source of funds for the printing fee of this argument is the Harvey Milk LGBT Democratic Club PAC.

The contributor to the true source recipient committee is the California Nurses Association.

End of Paid Arguments IN FAVOR of Proposition F

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Paid Argument AGAINST Proposition F

There is already a mechanism in place at the Rent Board to handle “financial hardship”. According to the Rent Board, **“this measure may inadvertently put the Board’s existing hardship policy at risk”**. It may make it more difficult for renters to get relief from financial hardship. Because of this measure, *other renters may find their rents increased to cover the cost of the losses to the landlord*. The allowable rent increase for the current year is only 0.1%, on a \$1,000 month rent, a \$1 increase in rent. Also there is no income limit to this measure, someone who’s income dropped from \$250,000 to \$200,000 could take advantage of this provision. This measure would continue to prohibit increases in good economic times. This is a poorly written and unnecessary law.

Plan C

The true source of funds for the printing fee of this argument is Robert Gain.

Paid Argument AGAINST Proposition F

This is another unnecessary proposal from the Board of Supervisors:

1. A Rent Board procedure for claiming tenant financial hardship already exists, and, according to the Rent Board “the Board’s hardship policy is in many respects more liberal than the provisions in the proposed measure.”
2. This will be an invasion of a tenant’s privacy. Tenants will have to prove income, provide bank account and financial information, as they “shall be considered in making a determination.”
3. Rents for new tenants will increase to cover the losses from this subsidy by the property owner.
4. There is no income limit to this ordinance. Someone making \$200,000 will be able to claim a benefit, the same as someone making \$20,000.
5. There is no sunset provision for when the economy turns around.
6. The allowable rent increase for the current year is only 0.1%. Savings will be \$1 on \$1,000 monthly rent!
7. If income is near 33% of the asking rent, renters will have a difficult time finding an apartment, because the property owner will look for someone making more money and not take the chance of being subject to this limit.
8. The program will be an administrative nightmare.
9. This will be subject to a lawsuit and cost the city money to defend it, using precious diminishing resources.

Small Property Owners of SF Institute

The true sources of funds for the printing fee of this argument are Organization dues from SPOFI.

Paid Argument AGAINST Proposition F

Shouldn’t Laws Be Even-Handed?

Equal pay for equal work. That’s a notion we can all embrace.

Treating one group of citizens differently than another is fundamentally unfair. That’s why, whenever it happens, we express outrage.

So, what about a proposition that gives an advantage to one group of citizens at the expense of another? Does that seem fair?

Well, that’s exactly what Proposition F would do.

Proposition F would allow renters to claim hardship and possibly avoid paying rent increases allowed under the city’s rent control law when they suffer a specified diminution in income.

Nobody would support a proposition that provides a benefit to rental property owners at the expense of renters? So, why would you support Proposition F?

Laws should be even-handed. Vote NO on Proposition F.

San Francisco Association of REALTORS®

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

Paid Argument AGAINST Proposition F

Be Careful What You Wish for

Proposition F would encourage rental property owners to increase rents on vacant units to recoup losses resulting from frozen rents. And, to avoid being impacted by Proposition F, they could opt not to rent to low-income families for fear that those families would claim financial hardship.

Proposition F will drive up rents and end up hurting the very persons it purports to help.

Vote NO on Proposition F.

San Francisco Association of REALTORS®

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

Paid Argument AGAINST Proposition F

There is no doubt that the economic down turn has caused some tenants to lose their jobs or suffer reductions in their income. Equally true is that some property owners find themselves struggling to pay their mortgages and the other expenses of owning rental property. Our struggling economy has created challenges for all of us.

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So why does Proposition F only provide economic relief to tenants? And why does Proposition F not if an economic hardship will be suffered by the property owner?

Proposition F is unfair. But more importantly, it wrongly tries to legislate a solution that **solves nothing**. Currently, the Rent Ordinance provides for a 0.1% annual rent increase. For a tenant paying \$1,000 per month rent, that's \$1 per month increase. If a tenant is having a real economic hardship, doesn't the real solution require the tenant and property owner to work together?

Proposition F is a cynical attempt to further **polarize our City** without providing any real economic relief to tenants. It's a political show with no substance. **Vote NO on Proposition F.**

Chinese Real Estate Association of America

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

Paid Argument AGAINST Proposition F

The Professional Property Management Association of San Francisco agrees with the San Francisco Residential Rent Stabilization and Arbitration Board Executive Director and the Mayor - Proposition F is bad for tenants, bad for landlords, and is just plain bad policy for the City.

Do you as a Tenant want higher rents?

Should Tenants who rented their units knowing that is was more than 33% of their gross income as a lifestyle issue receive the benefit of being able to file for hardship?

Should San Francisco be protecting Tenants who make \$150,000 per year?

Should we be giving economic relief to wealthy Tenants?

Do Tenant's in Fairfield, CA get to file for hardship from the landlord too?

Thank you District 6 Supervisor for wasting more of San Francisco's valuable resources by putting a measure on the ballot that clearly is illegal - AGAIN!

Vote NO on F

Professional Property Management Association of San Francisco

The true source of funds for the printing fee of this argument is the Professional Property Management Association of San Francisco.

Paid Argument AGAINST Proposition F

San Francisco has always been a magnet for the young and disenfranchised. People come here often with nothing, find a job and rent an apartment. Prop. F if adopted would dash that opportunity for new San Franciscans and the low income people it purports to help.

Here's how:

Fearing that a tenant will ask for a rent reduction if they lose or leave their jobs, landlords will begin renting only to prospective tenants who have what they consider highly stable jobs that pay extremely well. In doing this tenants who have entry-level or newer jobs will not be considered for rentals.

Landlords will begin looking for tenants who have assets beyond that of their jobs because those assets will be considered when a hardship is applied for. People without handsome bank accounts or stock portfolios need not apply.

It is wrong to tie the hands of landlords who want to rent to lower income and newly hired tenants. It will do the exact opposite of what Prop. F says it wants to achieve - leaving our most needy San Franciscans out in the cold.

Vote No on Prop. F

Coalition for Better Housing

The true source of funds for the printing fee of this argument is the Coalition for Better Housing.

Paid Argument AGAINST Proposition F

The San Francisco Apartment Association couldn't say it any better than the head of the San Francisco Residential Rent Stabilization and Arbitration Board already did in a letter to the Mayor:

- The measure provides that an increase deferred for hardship becomes effective "as of the date the tenant's income or assets changed to permit the increase." The measure therefore authorizes retroactive increases without any real notice to the tenants, which may put them at risk of eviction for non-payment if they did not realize the increase became effective and pay the increased rent due.
- The measure does not impose any income limits on tenants claiming financial hardship. Thus, a tenant currently grossing \$150,000 can claim financial hardship if the tenant grossed \$200,000 the prior year as long as the rent comprises 33% or more of gross income.

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- **The Rent Board’s existing hardship provisions are a long-term policy of the Board that are not codified in the Ordinance or Regulations. Thus, the measure may inadvertently put the Boards’ existing hardship policy at risk. Moreover, the Boards’ existing hardship policy is in many respects more liberal than the provisions in the proposed measure, and has operated very well for tenants for decades.**

VOTE NO ON F

San Francisco Apartment Association

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

Paid Argument AGAINST Proposition F

The laws of supply and demand are suppressed in San Francisco. The forgotten person is the small property owner who is also struggling to get by. A slew of foreclosures in San Francisco will not benefit anyone - especially not the renters.

Visit www.sfgop.org

San Francisco Republican Party

Executive Committee

Howard Epstein, Chairman

Bill Campbell, Secretary

Richard A. Worner, Treasurer

Brooke Chappell, VC Special Events

Sarah Vallette, VC Political Affairs

Assembly District 12 Members

Michael Antonini

Walter Armer

Stephanie Jeong

David Kiachko

Barbara Kiley

Rita O’Hara

Assembly District 13 Members

Alisa Farenzena

Guy Vaillancourt

Dana Walsh

Alternates

John Dennis

Rodney Leong

The true sources of funds for the printing fee of this argument are the Signatories and the San Francisco Republican Party.

The three largest contributors to the true source recipient committee are: 1. Estate of Gary L. Gray, 2. Howard Epstein, 3. Richard Worner.

Paid Argument AGAINST Proposition F

Bad measure for landlords and WORSE for renters

SAN FRANCISCO ALREADY HAS A HARDSHIP POLICY IN PLACE AT THE RENTER’S ARBITRATION BOARD THAT WORKS!

Too many unintended consequences:

- New tenants will face higher rental rates and stiffer requirements.
- Undermines existing hardship policy which is working.
- Low income and recently unemployed risk being shut out of lower cost apartments.
- Will discourage landlords from negotiating lowering rents during economic downturns.

VOTE NO ON THIS PROBLEMATIC, UNNECESSARY MEASURE

Coalition for San Francisco Neighborhoods

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

Paid Argument AGAINST Proposition F

Prop. F is unfair. It assumes only tenants are suffering hardships in the current economic crisis. Many landlords are already paying huge mortgages and some are “under water” financially, owing more than their property is worth. Additionally, there’s nothing in the legislation to prevent renters whose income has dropped from \$200,000 to \$160,000 from having their rents frozen indefinitely. For all these reasons Prop. F flunks.

Please join us and our slate of exceptional candidates for the State Assembly and the San Francisco Republican County Central Committee in Voting **NO on F**. For more information, please visit: www.CBSF.net.

Edward Poole, Chair

Citizens for a Better San Francisco

Republican Nomination, 12th AD, Alfonso Faustino, Jr.

Republican Nomination, 13th AD, Laura Peter

Candidates for the San Francisco Republican County Central Committee:

12th Assembly District

Chris Baker

Richard A. Worner

Rodney Leong

Michael Joseph Antonini

Rudy Asercion

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*Walter D. Armer
Regina Growney
Bill Campbell
Chris Miller
David Robert Kiachko
Howard Epstein*

*13th Assembly District
Alisa Farenzena
Ed Sheppard
Dana Walsh
Sean Pritchard
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Sarah M. Vallette
Jay Rubin
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Brian Coleman
Brooke Chappell
Johnny Knadler*

The true sources of funds for the printing fee of this argument are the Signatories – Citizens for a Better San Francisco.

The three largest contributors to the true source recipient committee are: 1. Michael Antonini, 2. Edward G. Poole, 3. Mark Norrell.

G

Transbay Transit Center

Shall it be City policy that the northern end of the planned San Francisco-to-Los Angeles high-speed rail line be located at the Transbay Transit Center at First and Mission streets?

YES  
NO  

Digest by the Ballot Simplification Committee

The Way It Is Now: In November 2008, California voters approved a state ballot measure to issue bonds to build a high-speed rail line between San Francisco and Los Angeles. That measure stated that the Transbay Terminal would be the San Francisco station.

The Transbay Joint Powers Authority (TJPA), a local government agency, is replacing the Transbay Terminal with a new Transbay Transit Center at First and Mission streets. The new Transbay Transit Center would be used by AC Transit, Caltrain, Golden Gate Transit, Muni, and SamTrans. The TJPA also plans that the Transbay Transit Center would be the northern end of the high-speed rail line running between San Francisco and Los Angeles.

The California High-Speed Rail Authority (CHSRA) is a state agency overseeing the construction of the high-speed rail line. The CHSRA is considering an alternative to locate the San Francisco station for the high-speed rail line on a site between Beale, Main, Mission, and Harrison streets, not at First and Mission streets.

In November 1999 and November 2003, San Francisco voters approved measures that provided that the City pursue and use sales tax proceeds to pay for an extension of Caltrain to a new or rebuilt Transbay Transit Center at First and Mission streets.

The Proposal: Proposition G would make it City policy that the Transbay Transit Center, located at First and Mission streets, serve as the northern end of the San Francisco to Los Angeles high-speed rail line.

A “YES” Vote Means: If you vote “yes,” you want to make it City policy that the Transbay Transit Center at First and Mission streets be the northern end of the San Francisco to Los Angeles high-speed rail line.

A “NO” Vote Means: If you vote “no,” you do not want to adopt this City policy.

Controller’s Statement on “G”

City Controller Ben Rosenfield has issued the following statement on the fiscal impact of Proposition G:

Should the proposed declaration of policy be approved by the voters, in my opinion, it would not affect the cost of government.

How “G” Got on the Ballot

On January 19, 2010, the Department of Elections received a proposed declaration of policy signed by Supervisors Avalos, Campos, Daly, Mar and Mirkarimi.

The City Elections Code allows four or more Supervisors to place a declaration of policy on the ballot in this manner.

This measure requires 50%+1 affirmative votes to pass.

Arguments for and against this measure immediately follow this page. The full text begins on page 168. Some of the words used in the ballot digest are explained on page 100.



This disclaimer applies to the proponent's argument on this page and the rebuttal to the opponent's argument on the facing page. *The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure:* Supervisors Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi.

Proponent's Argument in Favor of Proposition G

Vote Yes on Prop. G!

The new Transbay Transit Center, under construction at First and Mission Streets, should be the Northern California terminus for California High Speed Rail.

The California High Speed Rail Authority should abandon consideration of an alternate site for High Speed Rail at Main and Beale Streets and focus on bringing High Speed Rail to the Transbay Transit Center. A train station at Main and Beale would result in unnecessary duplication and delay and cause undue disruption to the residents of San Francisco, especially in the South of Market neighborhood, where 1800 existing and planned units of housing would be lost.

Planning for a new Transbay Terminal with an extension of Caltrain to downtown San Francisco began more than 2 decades ago. A full public process to receive community input and develop a locally preferred site for the new Transbay Terminal resulted in the selection of First and Mission Streets. During this process and after much study, the Main and Beale Streets site was rejected as infeasible and technically inferior to the Transbay Terminal site.

San Francisco residents voted in favor of Proposition H in November 1999 to bring rail to downtown San Francisco and for Proposition K in November 2003 to provide funding for the Transbay Project. Both measures specified that the Transbay Terminal be built on its current site at First and Mission. Considerable time and resources have been put into the First and Mission site, which will bring together rail, MUNI, BART, AC Transit and other public transit options in a convenient downtown location for San Francisco and regional travelers. In addition, the voters of California approved Proposition 1A in 2008 to provide funding for High Speed Rail with the specific condition that the northern terminus be located at the Transbay Terminal in San Francisco.

Supervisor Chris Daly

Rebuttal to Proponent's Argument in Favor of Proposition G

As a **native** San Franciscan, former **Congressional** candidate, **3rd Senate** appointed official who held offices in the former **Pacific Heights Republican** Women Federated, I drove by our "East Bay Terminal" or so-called Transbay Transit Center and fortunately - It was **not** under construction.

Though part of my focus recently has been on the **loss** of our rights to **due process** starting with a case I won in the **lower court** – my interest in **reliable, affordable** transportation continues – the **California** high speed rail **?Authority?** is **not** concerned about **safe** and **affordable** transportation or a comfortable, already remodeled **bus station**. The conflict regarding Main/Beale or our 1st and Mission locations seems to be between **Democrats** in Sacramento and those here at City Hall who are the **majority** party in the state legislature **with** a few **disloyal** Republicans including the Governor of the **minority** party here in S.F. and California. **Currently**, representing our forum, I started,

2002 – I am thoroughly against rail **that ruins** the tracks, that's **not** faster and certainly **not** safe and affordable – **we** remain against Prop G.

(415) 282-0894 Eve Del Castello – Chair, Rep. Forum of S.F.

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Opponent's Argument Against Proposition G

Regardless of the press and precious ballot propositions, we are against **ruining** our **landmark**, the **Transbay Terminal**. And, furthermore with the state currently in a huge deficit – the **unsafe** high speed rail construction is **not** a priority. I-5 is fun and we would **not** sell our cars because we could be **late** taking a faded BART – **never** engineered properly or wait 2 hours in the rain for a street car here. If anything, we still enjoy a bus trip – Greyhound and ACTransit are **very** efficient and would not profit as well without **our** Transbay Terminal.

Eve Del Castello
 Chair, Republican Forum of San Francisco
 (415) 282-0894

Rebuttal to Opponent's Argument Against Proposition G

Vote Yes on Prop. G!

The Transbay Transit Center is an approved project, endorsed by the voters, currently under construction.

We should be proud of our visionary project that will transform downtown San Francisco and the region's transportation system by creating a multi-modal station in the heart of a new transit-friendly neighborhood. The Transbay Transit Center will connect Caltrain, BART, and MUNI metro with buses from ACTransit, SamTrans, Golden Gate Transit, MUNI, and Greyhound. The Center is also designed to be the northern terminus of High Speed Rail from Los Angeles/Anaheim.

High Speed Rail is incredibly important to the future of our state. With capacity issues on our freeways and airports, along with the looming issue of climate change, we simply cannot responsibly build our state with the existing infrastructure. High Speed Rail is essential to the future of California. That's why we passed Proposition 1A to bring High Speed Rail to California.

And that is also why the California High Speed Rail Authority should immediately abandon consideration of an alternate site for High Speed Rail at Main and Beale Streets --so they can focus on bringing High Speed Rail to the Transbay Transit Center. A train station at Main and Beale would result in unnecessary duplication and delay and cause undue disruption to the residents of San Francisco, especially in the South of Market neighborhood, where 1800 existing and planned units of housing would be lost.

Let's keep San Francisco and California moving.
 Vote Yes on Prop G!

Chris Daly

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Paid Argument IN FAVOR of Proposition G

For high speed rail to succeed, it must connect all of the Bay Area's major transit systems with the population centers of Los Angeles, Orange County and San Diego. The new Transbay Terminal is the only location in San Francisco that will have the intermodal transit connections with BART, MUNI and Caltrains.

Vote Yes on G

San Francisco Chamber of Commerce

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

Paid Argument IN FAVOR of Proposition G

Support the Transbay Transit Center!

The Transbay Transit Center is the Northern California terminus for California High Speed Rail and San Francisco's "Grand Central Station". The question of where the Transbay Transit Center will be located was decided many years ago. Development of the Transbay Transit Center at First and Mission has already been environmentally cleared and significantly funded through a combination of federal, state and local funds. Millions have been spent on design and the project is ready to start this year.

This measure seeks to end further discussion of other alternatives which have already been studied and rejected for technical problems and financial infeasibility.

Further discussion of other alternatives could significantly delay the development process of the Transbay Transit Center, which has already constructed a temporary terminal and is ready to begin demolition of the old Transbay Terminal. It could also substantially impact the receipt of federal and stimulus funds committed and designated for the development and construction of the Transbay Transit Center at First and Mission.

The Transbay project promises to create thousands of jobs this year and get our economy moving. Continued discussion of the alternative terminal locations only jeopardizes these jobs.

We don't need to study further alternatives. The location for the Transbay Transit Center has already been decided.

Support the Transbay Transit Center. Vote yes on G!

San Francisco Planning and Urban Research Association

For the full analysis of all local ballot measures, visit www.spur.org

The true source of funds for the printing fee of this argument is SPUR.

End of Paid Arguments IN FAVOR of Proposition G

Paid Argument AGAINST Proposition G

VOTE NO ON PROPOSITION G – It's Bad Government

Proposition G is yet another example of trying to commit San Francisco and taxpayer money to an unsupportable extravagance.

San Francisco has been poking at this so-called Transbay Terminal project for about 20 years.

It is a pig in a poke. It almost has an odor to it.

Let's keep it in perspective – it's a white elephant.

It was never designed for high-speed trains in the first place. There is no room for all the Peninsula commuter rail trains, which system requires a platform able to handle 10 trains per hour in rush hours, plus California high-speed rail trains which also need a platform to handle 10 trains per hour in peak times (7-10 am, 4-7 pm).

It's not a transit project. It's a high-rise condominium/office development project for which there is no market.

Although it's a "Declaration of Policy," with no legal effect, **let's vote NO to poking the pig again.**

George Wooding

The true source of funds for the printing fee of this argument is John A. Gasser.

Proposition A

SAN FRANCISCO UNIFIED SCHOOL DISTRICT
San Francisco, California

Regular Board Meeting of March 9, 2010

SUBJECT: PROTEST HEARING AND RESOLUTION OF THE BOARD OF EDUCATION OF THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT ORDERING CHANGES, PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT, CALLING AN ELECTION FOR THE PURPOSE OF SUBMITTING THE CHANGES AND THE ESTABLISHMENT OF THE APPROPRIATIONS LIMIT TO THE QUALIFIED ELECTORS OF COMMUNITY FACILITIES DISTRICT NO. 90-1, ADOPTING GOALS AND POLICIES, AND ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER (No. 103-9501)

REQUESTED ACTION:

WHEREAS, on January 9, 1990, the Board of Education (the “Board”) of the San Francisco Unified School District (the “District”) adopted its Resolution of Intention to establish its Community Facilities District No. 90-1 (“CFD No. 90-1”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), to finance certain facilities and to levy a special tax therein to pay for the facilities and the expenses incidental thereto; and

WHEREAS, following a duly noticed public hearing held pursuant to the Act, the Board, on February 13, 1990, adopted its Resolution of Formation pursuant to which CFD No. 90-1 was formed and an election was called for the purpose of submitting the levy of the special tax and the establishment of an appropriations limit to the qualified electors of CFD No. 90-1; and

WHEREAS, on June 5, 1990, the election was held within the District at which the electors approved the levy of the special tax and the appropriations limit by more than the two-thirds vote required by the Act; and

WHEREAS, the Board, on July 5, 1990, caused to be recorded a Notice of Special Tax, and on July 11, 1990, a supplement thereto, in the Office of the County Recorder of the City and County of San Francisco, in conformance with the requirements of the Act, and thereafter adopted an ordinance levying the special tax; and

WHEREAS, the special tax has been annually levied to pay for the facilities; not all of the facilities have been completed, however, the term of the special tax has expired; and

WHEREAS, on February 4, 2010, the Board adopted its Resolution of Consideration No. 102-4S01 (the “Resolution of Consideration”), pursuant to Section 53334 of the Act, wherein the Board (1) determined the need to complete the facilities previously approved for CFD No. 90-1, as therein proposed to be updated and, in order to pay for them, to extend and levy the previously approved special tax, as therein proposed to be modified, (2) proposed to provide for the reauthorization of the previously authorized facilities, as therein updated, and the extension and levy of the previously approved special tax, as therein modified, and (3) fixed a time and place for a hearing on the proposed changes; and

WHEREAS, the Resolution of Consideration (1) stating the name of the community facilities district, (2) generally describing the boundaries of CFD No. 90-1, (3) specifying the facilities to be financed, as

proposed to be updated, (4) specifying the special tax to pay the costs thereof, as proposed to be modified, and (5) fixing the time and place for the hearing on the consideration of the proposed changes, is incorporated herein by this reference; and

WHEREAS, notice of the hearing on the consideration of the proposed changes was duly published as required by law, as evidenced by the certificate of publication on file with the Clerk of the Board (the “Clerk”); and

WHEREAS, at the time and date set for the hearing, March 9, 2010, this Board held the public hearing as required by law relative to the proposed changes described in the Resolution of Consideration; and

WHEREAS, prior to the hearing a report (the “Report”) containing (1) a description of the facilities required to adequately meet the needs of CFD No. 90-1, as updated, and (2) an estimate of (a) the cost of providing the facilities; (b) the fair and reasonable costs of any of the facilities to be purchased; and (c) the fair and reasonable cost of incidental expenses related thereto, was filed with this Board as a part of the record of the hearing and duly considered by this Board; the Report also incorporates clarifying changes recommended by staff that do not change the types of facilities proposed to be financed; and

WHEREAS, at the hearing all interested persons for or against the proposed changes were heard and considered, and a full and fair hearing was held thereon; and

WHEREAS, at the hearing evidence was presented to this Board on the matters before it, and this Board, at the conclusion of the hearing, was fully advised as to all matters relating to the proposed changes; and

WHEREAS, written protests against the proposed changes have not been filed with the Clerk by fifty percent (50%) or more of the registered voters residing within CFD No. 90-1, or the owners of one half (1/2) or more of the area of the land proposed to be included in CFD No. 90-1 and not exempt from the special tax; and

WHEREAS, there has been submitted to this Board proposed goals and policies concerning the use of the Act; and

WHEREAS, in the judgment of the Board, it is advisable to order an election for the purpose of submitting the changes and the establishment of the appropriations limit to the qualified electors of CFD No. 90-1 and to request that the Superintendent of Schools of the District (the “Superintendent”) call the election and that the City and County of San Francisco Director of Elections (the “Director of Elections”) take all steps required to conduct the election.

NOW THEREFORE, the Board of Education of the San Francisco Unified School District DOES HEREBY RESOLVE, DETERMINE and ORDER, as follows:

1. The foregoing recitals are true and correct.
2. The proposed changes described in the Resolution of Consideration have not been precluded by majority protest pursuant to Section 53337 of the Act. The proposed changes are to provide for the reauthorization of the facilities, as therein updated, and the extension and levy of the previously approved special tax, as therein modified. Any protests related to the proposed changes are hereby overruled.
3. (a) The facilities to be financed by CFD No. 90-1, being the previously authorized facilities for CFD No. 90-1 as updated, and as clarified in the Report (the “Facilities”) are set forth in EXHIBIT A. They are public facilities authorized to be acquired or constructed under the Act that have a useful life of five years or longer. The Facilities are governmental facilities which this Board is authorized by law to contribute revenue to, or construct, own or operate.



(b) The Report related to the Facilities shall be a part of the record in these proceedings. For purposes hereof, the Report shall refer and apply to the Report as modified, amended, revised or corrected pursuant to and in accordance with this Resolution as well as any other resolution or order heretofore adopted or made by this Board.

4. (a) As stated in the Resolution of Consideration, except where funds are otherwise available, it is the intention of this Board to annually levy a special tax sufficient to pay for the Facilities, including incidental expenses related thereto, secured by recordation of a continuing lien against all nonexempt real property in CFD No. 90-1.

(b) The rate, method of apportionment, and manner of collection of the special tax, in sufficient detail to allow each landowner or resident within CFD No. 90-1 to estimate the maximum amount such person will have to pay for the Facilities, being the previously approved special tax for CFD No. 90-1 as extended and updated, and as clarified in the Report, is described in EXHIBIT B. EXHIBIT B incorporates clarifying changes recommended by staff that do not increase the proposed maximum special tax or the probable special tax.

(c) The special tax, as apportioned to each parcel pursuant to EXHIBIT B, is based on the cost of making the Facilities available to each parcel, or other reasonable basis, and is not based on or upon the ownership of real property.

(d) No ad valorem property tax is, or will be, levied on property within CFD No. 90-1 for the exclusive purpose of making lease payments on an existing lease or paying principal or interest on outstanding bonds or other existing indebtedness, including State school building loans, incurred to finance the construction of capital facilities which are the same as are to be provided by the Facilities.

5. The Office of the Chief Financial Officer is hereby designated as the office, department or bureau that will be responsible for annually preparing the current roll of special tax levy obligations by assessor's parcel number on nonexempt property within CFD No. 90-1, and that will be responsible for estimating future special tax levies pursuant to Section 53340.2 of the Act. The current name, address, and telephone number of the Office of the Chief Financial Officer, and the person responsible for administering the District, is as follows:

Joseph Grazioli, Chief Financial Officer
San Francisco Unified School District
135 Van Ness Ave. – Room 300
San Francisco, California 94102
Telephone: (415)241-6542

Such officer is hereby directed to establish procedures to promptly respond to inquiries concerning current and future estimated tax liability pursuant to Section 53340.2 of the Act.

6. All prior proceedings taken with respect to the establishment of CFD No. 90-1 were valid and in conformity with the requirements of the Act. All prior proceedings taken with respect to the proposed changes described in the Resolution of Consideration were valid and in conformity with the requirements of the Act.

7. In accordance with Section 53325.7 of the Act, the annual appropriations limit of CFD No. 90-1, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, is hereby preliminarily established at \$16,000,000, and this annual appropriations limit shall be submitted to the voters of CFD No. 90-1 as hereafter provided. The proposition establishing this appropriations limit shall become effective if approved by the qualified electors voting thereon, and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Act.

8. (a) This Board hereby orders an election to submit the questions of making the changes proposed in the Resolution of Consideration, as herein clarified, and establishing the annual appropriations limit for CFD No. 90-1 in connection therewith, to the qualified electors within the CFD No. 90-1. Pursuant to Section 53353.5 of the Act, the questions of making such changes and establishing an appropriations limit shall be combined in a single ballot measure, substantially in the form set forth in EXHIBIT C (the "Ballot Measure"). The election shall be held on Tuesday, June 8, 2010.

(b) More than twelve (12) persons have been registered to vote within CFD No. 90-1 for each of the ninety (90) days preceding the close of the hearing referenced herein. Accordingly, the qualified electors shall be the registered voters within CFD No. 90-1, with each registered voter having one vote. The voting procedure herein described is also described in the Resolution of Consideration.

9. The authority for ordering the election is contained in Section 53326 of the Government Code and Section 5304 of the Education Code.

10. The authority for the specifications of this election order is contained in Section 5322 of the Education Code.

11. This Resolution shall stand as the order to the Superintendent to call an election within the boundaries of the District on June 8, 2010 pursuant to the specifications contained herein and as the request to the Director of Elections to take all steps required to conduct the election ordered pursuant to this Resolution.

12. The Clerk is hereby directed to send a certified copy of this Resolution to the Director of Elections to be received no later than 5 p.m. on March 12, 2010.

13. The Board hereby requests that the Director of Elections shall transmit a copy of the Ballot Measure to the Ballot Simplification Committee, which shall prepare an impartial analysis of the measure, showing the effect of the Ballot Measure on existing law and the operation of the Ballot Measure.

14. Pursuant to Section 9502 of the Elections Code, the Director of Elections is requested to fix and determine a reasonable date prior to the election after which no arguments for or against the Ballot Measure may be submitted to the Director of Elections so as to provide a reasonable time in which to prepare and print the arguments, and to permit a 10-calendar-day public examination and to publish notice (the "Notice") of such date once in a newspaper of general circulation published in the District. The Board requests that a copy of that published Notice be delivered to the Clerk, pursuant to Section 12113 of the Elections Code.

15. The Clerk shall post the Notice received from the Director of Elections in the District office pursuant to Section 12113 of the Elections Code.

16. Pursuant to Sections 5302, 5303, 5320, 5322 and 5325 of the Education Code, the Superintendent and the Director of Elections of the City and County are hereby requested to take all steps to call and conduct the election in accordance with law and these specifications.

17. The Board of Supervisors of the City and County of San Francisco is authorized to canvass the returns of the election pursuant to Section 10411 of the Elections Code.

18. Pursuant to Section 5303 of the Education Code and Section 10002 of the Elections Code, the Board of Supervisors of the City and County of San Francisco is requested to permit the Director of Elections to render all services necessary, including those services spec-



ified in Section 12105 of the Elections Code relating to the election, such services to include the mailing of the sample ballot.

19. The Board requests the Board of Supervisors of the City and County of San Francisco, or any officer otherwise authorized by law, to partially or completely consolidate the election with the regularly scheduled local election of the City and County of San Francisco or the general election held on June 8, 2010; and to further provide that the canvass be made by any body or official authorized by law to canvass the returns of the election and that the Board consents to such consolidation.

20. Within three business days after the adoption of this Resolution, the Clerk shall accept and file a certified copy of this Resolution along with a copy of the Boundary Map and a sufficient description of the boundaries of CFD No. 90-1. The Clerk shall also accept and file the assessor’s parcel numbers for the land within CFD No. 90-1, if necessary.

21. If two thirds (2/3) of the votes cast upon the question of making the proposed changes are cast in favor thereof, as determined by this Board after the canvass of the returns of the consolidated election, this Board may thereafter proceed with the financing of the Facilities and the levy the special tax within CFD No. 90-1 in the amount and for the purposes specified in this Resolution. The special tax may be levied only at the rate and may be apportioned only in the manner specified in this Resolution, subject to the Act, except that the special tax may be levied at a lower rate.

22. Upon a determination by this Board, after the canvass of the returns of the election contemplated in Sections 19 and 21 hereof, that two thirds (2/3) of the votes cast upon the question of making the proposed changes are in favor thereof, it will adopt a resolution determining the proposed changes are authorized, and the Clerk will record a notice of the changes as provided for in Section 3117.5 of the California Streets and Highways Code. Upon such recordation, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in CFD No. 90-1, and this lien shall continue in force and effect until the collection of the special tax ceases to be levied.

23. The goals and policies related to the use of the Act, set forth in EXHIBIT D, are hereby adopted.

24. The Clerk, the District’s General Counsel, and the other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things, and to execute, deliver, and perform any and all agreements and documents, that they deem necessary or advisable in order to effectuate the purposes of this Resolution, including, without limitation, to prepare and submit for inclusion in the voter information materials an argument in favor of passage of the ballot measure. All actions heretofore taken by the officers of the District that are in conformity with the purposes and intent of this Resolution are hereby ratified, conformed and approved.

25. This Resolution shall take effect from and after its adoption.

ADOPTED, SIGNED AND APPROVED this 9th day of March, 2010

EXHIBIT A

FACILITIES TO BE FINANCED

The following school sites and structures, consistent with the building area and cost standards established by the State Allocation Board.

1. Seismic upgrading, structural strengthening and related improvements of the San Francisco Unified School District facilities and Child Care Centers to repair, replace, improve,

or rehabilitate identified structural deficiencies and improve the seismic performance due to revisions to the California building codes.

2. Repair, replace, improve or rehabilitate fire and life-safety building systems, and related improvements, including paths of exiting, ADA access paths of travel, building code upgrades, fire alarm systems, fire sprinkler and fire suppression systems, and correction of identified fire safety violations of San Francisco Unified School District facilities and Child Care Centers.
3. Deferred capital maintenance of San Francisco Unified School District facilities and Child Care Centers, including the salaries and benefits of those District employees directly working on the reparation, replacement, improvement or rehabilitation of fire, life-safety and exiting systems, and other incidental expenses related to the foregoing or to building code upgrades and/or replacement of San Francisco Unified School District facilities and Child Care Centers as needed.
4. Incidental expenses, including the cost of planning, design, engineering, testing and environmental evaluations for each individual project; all costs associated with the determination of the amount of and collection of taxes, the payment of taxes, and costs otherwise incurred in order to carry out the authorized purposes of CFD No. 90-1; and any other expenses incidental to the reparation, replacement, improvement, or rehabilitation of the facilities permitted under the Act.

EXHIBIT B

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

The annual and special tax shall be levied on each separate parcel within Community Facilities District No. 90-1, San Francisco Unified School District, San Francisco County, California (“CFD No. 90-1”) as shown on the San Francisco County Assessor’s records, subject to the maximum rates specified below, as established by the Board of Education (“Board”) of the San Francisco Unified School District (“District”)

DETERMINATION OF PARCELS SUBJECT TO SPECIAL TAX

The records of the County Assessor of San Francisco County shall be used to determine the parcels subject to the special tax. The basis for determining the parcels will be the Secured Property Tax Roll. The land use code contained with records maintained by the Assessor of the number of dwelling units on each residential parcel in CFD 90-1, will be the basis for assigning the appropriate tax rate to each parcel. If the District determines that the records maintained by the Assessor are incorrect with respect to one or more parcels, the District will assign the appropriate land use code and dwelling unit count based on its review of the property. All special taxes shall be based on parcels established in the County Assessor’s records as of March 1 of each year and all land use categories shall be based on building permits and other relevant development approvals granted by the City and County of San Francisco or any successor jurisdiction as of June 1 of each year.

Using the records of the County Assessor, the District shall prepare a list of the parcels subject to the tax. The District shall establish the parcels subject to the tax using the procedure described below:

1. Exclude all parcels which, as of March 1 of the prior fiscal year, meet one of the following conditions: (1) are vacant, (2) are owned by the federal, state, or local government or a public agency or utility and are used for public purpose(s),



- or (3) are a publicly owned or non-profit hospital, or cemetery, or building(s) used exclusively for religious worship, provided that leasehold / possessory interests shall be taxed.
2. From the parcels remaining, identify the following groups of parcels based upon assessor's data, and the District's review of building permits issued, and other changes in development status:
 - a. Single Family Residential Parcels: Parcels containing one dwelling unit and no other uses;
 - b. Mixed Use Parcels: Parcels with one or more residential units in addition to one or more commercial uses;
 - c. Multi-Family Residential Parcels: Parcels with two or more residential units and no other uses;
 - d. Non-Residential Parcels: Parcels with no residential units, including transient residential units such as hotels.

Parcels which have been granted a building permit for one or more residential units in addition to or in place of the uses presently existing on that parcel will be classified based on the uses that will exist after the permit has been exercised.

The District shall make every effort to correctly determine the parcels subject to the tax. It shall be the burden of the taxpayer to correct any errors in the determination of the parcels subject to the tax and their classifications.

MAXIMUM ANNUAL SPECIAL TAX

The maximum annual special tax on parcels in CFD No. 90-1 shall be the rates below, for the first year, and then adjusted for inflation each year thereafter by the San Francisco All Items Consumer Price Index for all Urban Consumers (CPI-U) as reported by the US Department of Labor's Bureau of Labor Statistics, provided however that, for a parcel used for private residential purposes, the adjustment for inflation shall not exceed 2% per year:

1. Single Family Residential Parcels and Non-Residential Parcels shall pay \$32.20 per parcel.
2. For Mixed Use Parcels and Multi-Family Residential Parcels, the District shall calculate the annual special tax for each such parcel by multiplying the mixed use and multi-family residential tax rate of \$16.10 times the number of dwelling units thereon to determine the special tax for such parcel. The District shall notify the appropriate county official of the annual special tax for each parcel.

The special tax shall be collected in CFD No. 90-1 for twenty years.

The District shall make every effort to correctly assign the tax rate and calculate the annual special tax liability for each parcel. It shall be the burden of the taxpayer to correct any errors in the determination of the parcels subject to the tax and their special tax assignments.

SENIOR CITIZEN EXEMPTION

A property owner may apply for a Senior Citizen Exemption which would provide an exemption from the special tax on dwelling units occupied by senior citizens, if the following conditions are met:

1. The applicant must show evidence that the dwelling unit is owned or rented by a citizen who is at least 65 years of age.
2. The applicant must show evidence of ownership of the property subject to the Exemption.
3. If the applicant is a landlord, then he or she must certify that the entire tax exemption will be reflected only in the rent for the exempted dwelling unit(s).

EXHIBIT C

FORM OF BALLOT MEASURE

“To improve earthquake and fire safety and implement critical capital maintenance of its schools and facilities, shall the San Francisco Unified School District be authorized to renew the levy of an annual special tax not to exceed \$32.20 per parcel for single family residential and non-residential parcels and \$16.10 per dwelling unit for mixed use and multi-family residential parcels, adjusted for inflation, in its Community Facilities District No. 90-1, and establish its annual appropriations limit at \$16,000,000?”

EXHIBIT D

GOALS AND POLICIES CONCERNING THE USE OF THE MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982

Pursuant to California Government Code Section 53312.7, the San Francisco Unified School District (the “District”) states the following as its goals and policies concerning the use of the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”).

I. PRIORITIES AMONG KINDS OF PUBLIC FACILITIES

When special tax revenues are limited within a community facility district (“CFD”), first priority for the use of available revenues shall be given to the upgrading, repair, replacement or rehabilitation of school and child care facilities, second priority shall be given to school site support facilities (for example, multipurpose rooms and playground equipment), and third priority shall be given to administrative facilities.

The District does not currently contemplate the use of the Act to finance services.

II. CREDIT QUALITY REQUIREMENTS FOR BOND ISSUES

The District does not currently intend to issue bonds for a CFD. In the event it should at some future date determine to do so, these goals and policies will need to be amended in order to address credit quality requirements related thereto.

III. DISCLOSURE TO PROSPECTIVE PROPERTY PURCHASERS

The District will comply with Section 53340.2 of the Act with respect to the designation of an office, department, or bureau of the District to be responsible for annually preparing the special tax roll, responding to inquiries, and furnishing notice upon request of a seller of property within the CFD.

IV. EQUITY OF SPECIAL TAX FORMULAS AND MAXIMUM SPECIAL TAXES

A. Equity. Any special tax formula approved by the District shall be reasonable and equitable in allocating public facilities costs to parcels within the CFD. Exemptions from the special tax may be given to parcels such as, but not limited to, publicly owned parcels (that would otherwise be subject to the tax), parcels owned by public utilities, parcels used for religious worship, and parcels used for a public purpose such as open space or wetlands or are affected by easements making impractical their utilization for other than the purposes set forth in the easements.

B. Maximum Tax Rate. It is the intent of the District that the total projected property tax levels for any private residential parcel within a CFD should not exceed two percent of the projected initial sales price of a fully developed parcel (*i.e.*, with a completed structure). Calculation of the total projected property tax level shall take into account *ad valorem* property taxes, *non ad valorem* special taxes, special assessments, and other charges levied by a public agency that are a lien against the property.

The Act provides that the maximum special tax for any parcel used for private residential purpose shall not increase over time at a rate greater than two percent annually. The special tax formula should be structured such that special taxes levied on developed private residential parcels are consistent year to year, subject to the annual increase of not more than two percent. The Act further provides that under no circumstances shall the special tax levied on any private residential parcel be increased by more than ten percent as a consequence of delinquency or default by the owner of any other parcel.

V. APPRAISAL REQUIREMENTS

The District does not currently intend to issue bonds for a CFD. In the event it should at some future date determine to do so, these goals and policies may need to be amended in order to establish appraisal standards related thereto.

VI. PRIORITY ATTENDANCE ACCESS

A. Priority to Residents of CFD. Pursuant to the requirement of California Government Code Section 53312.7, the District shall give priority attendance access to students residing in a CFD whose residents have paid special taxes that have, in whole or in part, financed the construction of school district facilities. The degree of priority shall reflect the proportion of each school's financing provided through the CFD.

B. Exceptions. The attendance priority described above is subject to the District's other attendance policies that include criteria for student assignment such as goals to achieve ethnic, racial, or socioeconomic diversity; federal, state, or court mandates; transportation needs, safe pedestrian routes; grade levels for which facilities were designed; and ensuring that students have continuity of schooling within any single school year.

ty tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act ("CEQA") and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with the restrictions on the use of bond proceeds specified in Section 53410 of the California Government Code; incorporating the provisions of the San Francisco Administrative Code, Sections 5.30 – 5.36; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

Note: The Board of Supervisors adopted this ordinance, which submits to San Francisco voters a proposed bond measure, on February 23, 2010.

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

Section 1. Findings.

A. This Board of Supervisors (this "Board") recognizes the need to safeguard and enhance the City's earthquake and emergency response and recovery by rehabilitating critical facilities that support the City's first responders.

B. The Earthquake Safety and Emergency Response Bond (the "Bond") will provide funding to construct, improve and rehabilitate earthquake safety and emergency responsiveness facilities and infrastructure (as described below in Section 3).

C. This Board now wishes to describe the terms of a ballot measure seeking approval for the issuance of general obligation bonds to finance all or a portion of the City's earthquake safety and response needs as described below.

Section 2. A special election is called and ordered to be held in the City on Tuesday, the 8th day of June, 2010, for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness of the City for the project described in the amount and for the purposes stated:

"SAN FRANCISCO EARTHQUAKE SAFETY AND EMERGENCY RESPONSE BOND, 2010. \$412,300,000 of bonded indebtedness to improve fire, earthquake and emergency response and ensure firefighters a reliable water supply for fires and disasters, through projects including: improving deteriorating pipes, hydrants, reservoirs, water cisterns and pumps built after the 1906 earthquake; improving neighborhood fire stations; replacing the seismically-unsafe emergency command center with an earthquake-safe building; and to pay related costs, subject to independent citizen oversight and regular audits; and authorizing landlords to pass-through to residential tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the "Residential Stabilization and Arbitration Ordinance") 50% of the increase in the real property taxes attributable to the cost of the repayment of the bonds."

The special election called and ordered shall be referred to in this ordinance as the "Bond Special Election."

Proposition B

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 8, 2010, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: \$412,300,000 to finance the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Auxiliary Water Supply System, a Public Safety Building, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting proper-



Section 3. PROPOSED PROGRAM. All contracts that are funded with the proceeds of bonds authorized hereby shall be subject to the provisions of Chapter 83 of the City's Administrative Code (the "First Source Hiring Program"), which fosters construction and permanent employment opportunities for qualified economically disadvantaged individuals. In addition, all contracts that are funded with the proceeds of bonds authorized hereby also shall be subject to the provisions of Chapter 14B of the City's Administrative Code (the "Local Business Enterprise and Non-Discrimination in Contracting Ordinance"), which assists small and micro local businesses to increase their ability to compete effectively for the award of City contracts. The proposed program can be summarized as follows:

A. AUXILIARY WATER SUPPLY SYSTEM. A portion of the Bond shall be allocated to the renovation and seismic upgrading of Auxiliary Water Supply System (the "AWSS") core facilities consisting of a reservoir, two storage tanks and two pump stations (collectively, the "AWSS Project").

B. CRITICAL FIREFIGHTING FACILITIES AND INFRASTRUCTURE. A portion of the Bond shall be allocated to the construction, acquisition, improvement, retrofitting and completion of critical firefighting facilities and infrastructure for earthquake safety and emergency response not otherwise specifically enumerated in this ordinance, including without limitation, neighborhood fire stations, and such facilities as cisterns, pipes and tunnels for the water system for firefighting (collectively, the "Critical Firefighting Facilities and Infrastructure").

C. PUBLIC SAFETY BUILDING. A portion of the Bond shall be allocated to construct in Mission Bay a Public Safety Building consisting of a new police department command center, a southern district police station, and a neighborhood fire station in a seismically secure facility to serve Mission Bay to accommodate safety needs in a growing community (the "Public Safety Building").

D. CITIZEN'S OVERSIGHT COMMITTEE. A portion of the Bond shall be used to perform audits of the Bond, as further described in Section 15.

The proposed uses and amounts described in this Section 3 are estimates only and, with the exception of Section 3D above, are subject, without limitation, to review and revision by the Mayor and the Board.

Section 4. BOND ACCOUNTABILITY MEASURES

The Bond shall include the following administrative rules and principles:

A. OVERSIGHT. The proposed bond funds shall be subjected to approval processes and rules described in the San Francisco Charter and Administrative Code. Pursuant to S.F. Administrative Code 5.31, the Citizen's General Obligation Bond Oversight Committee shall conduct an annual review of bond spending, and shall provide an annual report of the bond program to the Mayor and the Board of Supervisors.

B. TRANSPARENCY. The City shall create and maintain a Web page outlining and describing the bond program, progress, and activity updates. The City shall also hold an annual public hearing and reviews on the bond program and its implementation before the Capital Planning Committee, the Police and Fire Commissions, and the Citizen's General Obligation Bond Oversight Committee.

Section 5. The estimated cost of the bond financed portion of the project described in Section 2 above was fixed by the Board by the following resolution and in the amount specified below:

Resolution No. 091457, \$412,300,000.

Such resolution was passed by two-thirds or more of the Board and approved by the Mayor of the City (the "Mayor"). In such resolution it was recited and found by the Board that the sum of money specified is too great to be paid out of the ordinary annual income and revenue of the City in addition to the other annual expenses or other funds derived from taxes levied for those purposes and will require expenditures greater than the amount allowed by the annual tax levy.

The method and manner of payment of the estimated costs described in this ordinance are by the issuance of bonds of the City not exceeding the principal amount specified.

Such estimate of costs as set forth in such resolution is adopted and determined to be the estimated cost of such bond financed improvements and financing, as designed to date.

Section 6. The Bond Special Election shall be held and conducted and the votes received and canvassed, and the returns made and the results ascertained, determined and declared as provided in this ordinance and in all particulars not recited in this ordinance such election shall be held according to the laws of the State of California (the "State") and the Charter of the City (the "Charter") and any regulations adopted under State law or the Charter, providing for and governing elections in the City, and the polls for such election shall be and remain open during the time required by such laws and regulations.

Section 7. The Bond Special Election is consolidated with the General Election scheduled to be held in the City on Tuesday, June 8, 2010. The voting precincts, polling places and officers of election for the June 8, 2010 General Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of election for the Bond Special Election called, and reference is made to the notice of election setting forth the voting precincts, polling places and officers of election for the June 8, 2010 General Election by the Director of Elections to be published in the official newspaper of the City on the date required under the laws of the State of California.

Section 8. The ballots to be used at the Bond Special Election shall be the ballots to be used at the June 8, 2010 General Election. The word limit for ballot propositions imposed by San Francisco Municipal Elections Code Section 510 is waived. On the ballots to be used at the Bond Special Election, in addition to any other matter required by law to be printed thereon, shall appear the following as a separate proposition:

"SAN FRANCISCO EARTHQUAKE SAFETY AND EMERGENCY RESPONSE BOND, 2010. To improve fire, earthquake and emergency response and ensure firefighters a reliable water supply for fires and disasters, through projects including: improving deteriorating pipes, hydrants, reservoirs, water cisterns and pumps built after the 1906 earthquake; improving neighborhood fire stations; replacing the seismically-unsafe emergency command center with an earthquake-safe building; and to pay related costs, shall the City and County of San Francisco issue \$412,300,000 in general obligation bonds, subject to citizen oversight and regular audits?"

Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark the ballot in the location corresponding to a "YES" vote for the proposition, and to vote against the proposition shall mark the ballot in the location corresponding to a "NO" vote for the proposition.

Section 9. If at the Bond Special Election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and authorized the incurring of bonded indebtedness for the purposes set forth in such proposition, then such proposition shall have been accepted by the electors, and bonds authorized shall be issued upon the order of the Board. Such bonds shall bear interest at a rate not exceeding applicable legal limits.

The votes cast for and against the proposition shall be counted separately and when two-thirds of the qualified electors, voting on the proposition, vote in favor, the proposition shall be deemed adopted.

Section 10. For the purpose of paying the principal and interest on the bonds, the Board shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of said City, or other account held on behalf of the Treasurer of said City, set apart for that purpose to meet all sums coming due for the principal and interest on the bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal.

Section 11. This ordinance shall be published in accordance with any State law requirements, and such publication shall constitute notice of the Bond Special Election and no other notice of the Bond Special Election hereby called need be given.

Section 12. The Board, having reviewed the proposed legislation, makes the following findings in compliance with the California Environmental Quality Act ("CEQA"), California Public Resources Code Sections 21000 et seq., the CEQA Guidelines, 15 Cal. Administrative Code Sections 15000 et seq., ("CEQA Guidelines"), and

San Francisco Administrative Code Chapter 31 (“Chapter 31”):

(i) Critical Firefighting Facilities and Infrastructure. For the reasons set forth in the letter from the Planning Department, dated 1/7/10, a copy of which is on file with the Clerk of the Board in File No. 091458 and incorporated by reference, the Board finds that the bond proposal as it relates to funds for Critical Firefighting Facilities and Infrastructure is not subject to CEQA because as the establishment of a government financing mechanism that does not identify individual specific projects to be constructed with the funds, it is not a project as defined by CEQA and the CEQA Guidelines. The use of bond proceeds to finance any project or portion of any project with funds for the Critical Firefighting Facilities and Infrastructure portion of the Bond will be subject to approval of the Board upon completion of planning and any further required environmental review under CEQA for the individual Critical Firefighting Facilities and Infrastructure projects.

(ii) AWSS Project. On December 10, 2009, the Planning Department issued a Final Mitigated Negative Declaration (“FMND”) for the AWSS Project, San Francisco Planning Department Case No. 2009.0568E, which is on file with the Clerk of the Board in File No. 091458 and which is incorporated into this ordinance by this reference. In issuing the FMND the Planning Department determined that the AWSS Project could not have a significant effect on the environment.

(a) The Board hereby adopts as its own the CEQA findings for the AWSS Project made by the Planning Department in the FMND.

(b) The Board has reviewed and considered the information contained in the FMND and all information pertaining to the AWSS Project in the Department’s case file and all documents referenced in this ordinance are either on file with the Clerk of the Board in File No. 091458 or may be found in the files of the Planning Department, as the custodian of records, at 1660 Mission Street in San Francisco.

(c) The AWSS Project as reflected in this ordinance is consistent with the project described in the FMND and would not result in any significant impacts not identified in the FMND nor cause significant effects identified in the FMND to be substantially more severe.

(d) In accordance with CEQA, the Board has considered the mitigation measures described in the FMND and hereby requires the mitigation measures and the mitigation monitoring and reporting program (“MMRP”) denoted as Exhibit A to this ordinance and on file with the Clerk of the Board in File No. 091458 to be imposed as conditions on the implementation of the AWSS Project approved by this ordinance.

(e) With the implementation of the mitigation measures required in Exhibit A to this ordinance, the environmental impacts resulting from AWSS Project on cultural resources, biological resources and from releases of hazardous materials or creation of hazards would be reduced to a less than significant level as described in the FMND.

(f) Based upon the whole record for the FMND, including all written materials and any oral testimony received by the Board, the Board hereby finds that the FMND reflects the independent judgment and analysis of the Planning Department and the Board, is adequate and complete and there is no substantial evidence that the proposed AWSS Project, given the implementation of the mitigation measures as stated in the FMND and the adoption of the MMRP, could have a significant effect on the environment as shown in the analysis of the FMND. The Board hereby adopts the FMND and the MMRP on file with the Clerk of the Board as Exhibit A to this ordinance.

(iii) Public Safety Building. The Public Safety Building is proposed to be constructed within Mission Bay. On September 17, 1998, the Redevelopment Agency Commission by Resolution No. 190-98 and the San Francisco Planning Commission by Resolution No. 14696 certified the Final Subsequent Environmental Impact Report for the Mission Bay North and South Redevelopment Plans (“FSEIR”). On October 19, 1998, the Board of Supervisors, by Motion No. 98-132 affirmed certification of the FSEIR and by Resolution No. 854-98, adopted CEQA findings, including a statement of overriding considerations and a Mission Bay mitigation monitoring and reporting program (“Mission Bay MMRP”) in support of various approval actions taken by the Board to implement the Mission Bay Redevelopment Plans. Resolution No. 854-98 is on file with the Clerk of the Board in File No. 091458 and incorporated in this ordinance by this reference.

(a) The Public Safety Building is proposed at Parcel 8 in the

Mission Bay South Redevelopment Plan Area, bounded by Mission Rock, China Basin and Third Streets. The Redevelopment Agency has issued several addenda to the FSEIR to address various issues and most recently issued Addendum No. 7 to address the location of the Public Safety Building at Parcel 8; Addendum No. 7 concludes that the proposed Public Safety Building is within the scope of the project analyzed in the FSEIR and will not result in any new significant impacts or a substantial increase in the severity of previously identified significant effects that alter the conclusions reached in the Mission Bay FSEIR. The Addendum No. 7 and any supporting documents have been made available to the Board and the public, are on file with the Clerk of the Board in File No. 091458 and Addendum No. 7 is incorporated in this ordinance by this reference. Hereafter in this ordinance, the reference to the FSEIR include any addenda to the FSEIR.

(b) The Board has reviewed and considered the CEQA Findings and statement of overriding considerations that it previously adopted, and reviewed and considered the above- referenced CEQA Findings of the Redevelopment Agency Commission and the CEQA Findings contained in Addendum No. 7 and hereby adopts these additional CEQA Findings as its own. The Board additionally finds that implementation of the Public Safety Building in Mission Bay (1) does not require major revisions in the FSEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, (2) no substantial changes have occurred with respect to the circumstances under which the project analyzed in the FSEIR will be undertaken that would require major revisions to the FSEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FSEIR, and (3) no new information of substantial importance to the project analyzed in the FSEIR has become available which would indicate that (i) the Public Safety Building will have significant effects not discussed in the FSEIR; (ii) significant environmental effects will be substantially more severe; (iii) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible; or (iv) mitigation measures or alternatives which are considerably different from those in the FSEIR will substantially reduce one or more significant effects on the environment.

Section 13. The Board finds and declares that the proposed Bond is (i) in conformity with the priority policies of Section 101.1(b) of the San Francisco Planning Code, (ii) in accordance with Section 4.105 of the San Francisco Charter and Section 2A.53(f) of the San Francisco Administrative Code, and (iii) consistent with the City’s General Plan, and adopts the findings of the Planning Department, as set forth in the General Plan Referral Report dated January 7, 2010, a copy of which is on file with the Clerk of the Board in File No. 091458 and incorporates such findings by reference.

Section 14. Under Section 53410 of the California Government Code, the bonds shall be for the specific purpose authorized in this ordinance and the proceeds of such bonds will be applied only for such specific purpose. The City will comply with the requirements of Sections 53410(c) and 53410(d) of the California Government Code.

Section 15. The Bonds are subject to, and incorporate by reference, the applicable provisions of San Francisco Administrative Code Sections 5.30 – 5.36 (the “Citizens’ General Obligation Bond Oversight Committee”). Under Section 5.31 of the Citizens’ General Obligation Bond Oversight Committee, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Bonds shall be deposited in a fund established by the Controller’s Office and appropriated by the Board of Supervisors at the direction of the Citizens’ General Obligation Bond Oversight Committee to cover the costs of such committee.

Section 16. The time requirements specified in Section 2.34 of the San Francisco Administrative Code are waived.

Section 17. The appropriate officers, employees, representatives and agents of the City are hereby authorized and directed to do everything necessary or desirable to accomplish the calling and holding of the Bond Special Election, and to otherwise carry out the provisions of this ordinance.

Section 18. Documents referenced in this ordinance are on file with the Clerk of the Board of Supervisors in File No. 091458, which is hereby declared to be a part of this ordinance as if set forth fully herein.



Proposition C

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 5.107 to establish a Film Commission, establish its membership and qualifications, establish duties, and provide for the issuance of film permits.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 8, 2010, a proposal to amend the Charter of the City and County by adding Section 5.107 as follows:

NOTE: Additions are single-underline italics Times New Roman; deletions are ~~strike-through italics Times New Roman~~.

Section 1. The San Francisco Charter is hereby amended by adding Section 5.107 to read as follows:

SEC. 5.107. FILM COMMISSION.

(a) **Composition.** The Film Commission shall consist of eleven members, who shall each serve a four-year term. The Mayor shall nominate six members and the Rules Committee of the Board of Supervisors shall nominate five members. Members may be removed by the appointing authority pursuant to Section 15.105.

The Mayor shall nominate two members with professional experience in the film industry or a related field, two members from organizations that represent neighborhoods or districts that the issuance of film permits impacts, one member nominated by an organization that represents film industry workers, and one member from an organization or institution that teaches film studies or a related field.

The Rules Committee of the Board of Supervisors shall nominate two members from organizations that represent neighborhoods or districts that the issuance of film permits impacts, one member with professional experience in the film industry or a related field, one member nominated by an organization that represents film industry workers, and one member who represents the general public.

For purposes of this section, “film industry” or “related field” shall include, but is not limited to, areas such as: performing and creative arts; film production, film or sound technology services and facilities; film-related education; presentation and production; and interactive multimedia.

All nominees are subject to confirmation by the Board of Supervisors. If the Board neither confirms nor rejects a nominee within 45 days of the date that the Mayor transmits the nomination to the Clerk of the Board or the Rules Committee nominates a candidate for the Board’s approval, the nominee shall be deemed approved. To stagger the terms of the members, the initial appointments to the Commission shall be as follows: the Mayor shall nominate three members to serve terms of four years, two members to serve a term of three years, and one member to serve a term of two years. The Rules Committee of the Board of Supervisors shall nominate three members to serve terms of four years, and two members to serve terms of three years. Thereafter, all commissioners shall serve for four-year terms. Vacancies shall be filled by the nominating authority. Vacancies occurring during a term shall be filled for the unexpired term.

The President of the Arts Commission shall serve as a non-voting, ex officio member.

(b) **Commission Purpose and Duties.**

The Commission shall develop, recognize, and promote film activities in the City. The members shall work together to explore and promote long-term goals for film making as a major emphasis of the City’s economic and cultural base, and encourage the recognition of film arts as an art form with widespread economic components.

In addition to the powers set forth in Section 4.102, and subsection (c), below, the Film Commission’s powers shall include, but are not limited to:

(1) **Appointing an Executive Director, who shall have significant professional experience in film production or the film industry. The Executive Director shall serve at the Film Commission’s pleasure. The**

Executive Director shall act as the department head and appointing officer of the Commission under Charter Section 4.126. The Executive Director shall supervise the Commission’s staff, and shall have other duties and responsibilities as provided in this Section or by ordinance of the Board of Supervisors; and

(2) **Any other powers or duties specified by Ordinance.**

(c) **Issuance of Film Permits; Appeal.** Except for departments in which the Charter vests exclusive jurisdiction over property under their control, the Film Commission shall have the authority to issue permits for film production on City property or in public rights-of-way within the City and County of San Francisco, and may delegate this responsibility to the Executive Director. Where film production is to take place on City property under the jurisdiction of City departments, neither the Film Commission nor the Executive Director may grant a permit to use such property without the prior consent of the department head or his or her designee. The Commission may issue a permit that involves a street closure provided that the Commission must obtain all prior approvals as required by the City law and procedures governing street closure permits generally.

Where the Executive Director denies an application for a film permit the applicant may, within 10 calendar days of the denial, appeal the denial to the Commission or to a committee that the Commission designates to hear such appeals. The permit decisions of the Executive Director, the Commission, or its designated committee shall be the City’s final action on film permits.

Proposition D

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to: (1) define “Participating Employers” for the Retiree Health Care Trust Fund to include the Superior Court of California, City and County of San Francisco, to the extent it participates in the City and County’s Health Service System and upon resolution by its governing board; (2) require the difference between the City and County’s contribution to the San Francisco Employees’ Retirement System (SFERS) set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund; (3) require the difference between the “Participating Employers” contribution to SFERS set by the Retirement Board each year and the employer normal cost rate to be deposited into the Retiree Health Care Trust Fund only upon resolution by the governing boards of the respective “Participating Employers” approving said deposits; (4) establish an employee contribution rate of nine percent for all employees hired on and after July 1, 2010, who become members of the California Public Employees’ Retirement System (CalPERS); (5) require all contracts with CalPERS for persons hired on and after July 1, 2010, to include a two-year formula for the calculation of final compensation to the fullest extent possible; (6) require all contracts and contract amendments on and after July 1, 2010, for personnel of the sheriff’s department and housing authority police who are members of CalPERS to be cost-neutral to the City and County; (7) create a new retirement plan for miscellaneous officers and employees hired on and after July 1, 2010, that modifies the average final compensation calculation from a one-year formula to a two-year formula; and (8) create new retirement plans for safety members hired on and after July 1, 2010, that increase required employee retirement contributions to nine percent and modify the average final compensation calculation from a one-year formula to a two-year formula.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on June 8, 2010, a proposal to amend the Charter of the City and County by amending Sections A8.432, A8.506, A8.506-2, A8.506-3, and A8.510, and by adding Sections A8.432-1, A8.600 to A8.600-14, A8.601 to A8.601-16 and A8.602 to A8.602-16, to read as follows:

NOTE: Additions are *single-underline italics Times New Roman*; deletions are *strike-through italics Times New Roman*.

Section 1. The San Francisco Charter is hereby amended, by amending Sections A8.432 and A8.510 and by adding Section A8.432-1 to read as follows:

SEC. A8.432 RETIREE HEALTH CARE TRUST FUND

There is hereby created a Retiree Health Care Trust Fund (RHCTF) for the purpose described in Section 12.204. The Retiree Health Trust Fund Board (Board) described in Section 12.204 shall have exclusive authority and control over the administration of the RHCTF, investments of trust assets, and disbursements from, the trust in accordance with the provisions of this Charter.

Active officers and employees of the City and County and Participating Employers, who commenced employment with the City and County, or the Participating Employers, on or after January 10, 2009, shall contribute their respective Employer's "Normal Cost" to the RHCTF. The annual active employee contribution rate shall be the Employers' "Normal Cost" as determined by the Employers' respective General Accounting Standards Board (GASB) Actuaries computed as a percentage of compensation not to exceed 2% of pre-tax compensation to the RHCTF. The Employers' GASB actuaries shall determine the Employers' respective "Normal Cost" on an annual basis.

The City and County and Participating Employers shall each contribute 1% of compensation for officers and employees hired on or after January 10, 2009. Once an Employer has no Unfunded Actuarial Accrued Liability and the Retiree Health Trust Fund is Fully Funded, then the Employer and its active officers and employees hired on or after January 10, 2009, shall instead each contribute 50% of the "Normal Cost" as determined by the Employers' respective GASB actuaries, not to exceed 2% of pre-tax compensation, and the 1% Employer contribution shall no longer be required.

Contributions to the RHCTF from the City and County, and its officers and employees, and each Participating Employer, and their officers and employees, shall be segregated from each other and only used as a funding source to defray each Employers' obligations to pay for retiree health care under Section A8.428 and each Employers' share of administrative expenses. The funds may be pooled for investment purposes only.

No disbursements, other than to defray reasonable expenses of administering the RHCTF, may be made from the trust prior to January 1, 2015. Commencing January 7, 2015, trust assets may be used to defray the cost of the City's, and other Participating Employers', obligations to pay for health coverage for the retired persons and their survivors entitled to health care coverage under Section A8.428. The amount and frequency of such disbursements shall be determined by the Board in consultation with the Employers' respective GASB Actuaries.

(a) Definitions.

"Actuarial Accrued Liability" as used in this section, means "Actuarial Accrued Liability" as that term is defined under GASB No. 45.

"Employers" as used in this section means the City and County and the Participating Employers.

"Fully Funded" as used in this section means that an Employer's GASB Actuary has determined that the market value of assets in the Retiree Health Care Trust Fund equals or exceeds the Actuarial Accrued Liability.

"GASB Actuary" and "GASB Actuaries" as used in this section means the actuarial firms hired by the Employers to provide estimates of each Employers' respective total liability and annual required contribution for post retirement health benefits under GASB No. 45.

"GASB No. 45" as used in this section means Statement No. 45 of the Governmental Accounting Standards Board, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions.

"Health coverage" as used in this section, means the health benefits or health insurance provided by the health service system for retirees, survivors and dependents under Section A8.428.

"Normal Cost" as used in this section, means the Employers' normal cost under GASB No. 45 as determined by the Employers' respective GASB Actuaries.

"Retiree" as used in this section, means a former employee who is retired and is entitled to health coverage under Section A8.428, and the qualified survivors or dependents of such retirees who are entitled to health coverage under Section A8.428.

"Participating Employers" as used in this section and Sections A8.432-1, A8.510 and 12.204, shall include the Superior Court of California, County of San Francisco, San Francisco Unified School District and the San Francisco Community College District, following a resolution by these employers' respective governing boards to participate in the Retiree Health Care Trust Fund.

Notwithstanding Charter Section A8.433, the Board of Supervisors shall adopt, by a majority vote before January 1, 2009, such ordinances as are necessary to create and administer the Retiree Health Care Trust Fund, and all such other matters as may be necessary to establish and maintain the purpose described in this section and Section 12.204.

SEC. A8.432-1 ADDITIONAL CONTRIBUTIONS TO RETIREE HEALTH CARE TRUST FUND

Beginning on July 1, 2011, in each year when the contribution to the Retirement System required under Section A8.510 is less than the Retirement System employer normal cost rate: (1) the City and County shall deposit the difference into the Retiree Health Care Trust Fund; and (2) the Participating Employers shall deposit the difference into the Retiree Health Care Trust Fund only upon resolution by their respective governing boards.

SEC. A8.510 ACTUARIAL TABLES, RATES AND VALUATIONS

The mortality, service and other tables, and the rates of contributions for members as recommended by the actuary and the valuations determined by him and approved by the retirement board, shall be conclusive and final, and the Retirement System shall be based thereon. The total amount, as determined by the actuary and approved by the board, of the contributions required during any fiscal year of the City and County under the Retirement System, shall be paid into the Retirement System by the City and County during such year. Liabilities accruing under the Retirement System because of service rendered to the City and County by persons prior to the date their respective classes become eligible for membership in the system, and administrative costs under the system, shall be met by contributions to the Retirement System by the City and County, in addition to any amounts contributed to meet liabilities accruing because of service rendered by such persons after becoming members of the system, provided that such prior service liabilities may be met by annual appropriations instead of by one appropriation for the total amount of the liabilities; and provided further, that such appropriation for any one year shall not be less than the amount disbursed during that year on account of prior service. All expenses in connection with the investment of such fund or funds as may be established, including but not limited to travel and transportation costs, investment seminar expenses, postage, insurance, telephone, and subscriptions to investment publications, shall be paid from the accumulated contributions of the City and County.

Notwithstanding the provisions of Section A8.509(h)(5), said actuarial valuation and said investigation into the experience under the system shall be made as determined by the retirement board; provided, however, that said actuarial valuation shall be made not less than once every two years. All expenses in connection with said actuarial valuation and said investigation into the experience under the system; all expenses incurred by financial audits and accounting systems and procedures; and, all expenses of administration of plan benefits, including legal expenses thereof, shall be paid from the accumulated contributions of the City and County.

Contributions to the Retirement System required of the City and County shall be charged by the controller against the general fund or the school, utility, bond or other special fund under which the service was rendered, on account of which the contribution is required; provided that contributions required on account of service rendered by any person prior to becoming a member of the system, under a temporary fund, such as bond or County roads funds, or a fund then no longer existing, may



be charged against the general fund, and provided further, that any contributions required on account of persons receiving benefits under subdivision (c) of Section 48.507, shall be charged against the general fund.

Beginning on July 1, 2011, in each year when the contribution to the Retirement System required under Section 48.510 is less than the Retirement System employer normal cost rate; (1) the City and County shall deposit the difference into the Retiree Health Care Trust Fund; and (2) the Participating Employers, as defined in Section 48.432, shall deposit the difference into the Retiree Health Care Trust Fund only upon resolution by their respective governing boards.

Section 2. The San Francisco Charter is hereby amended, by amending Sections 48.506, 48.506-2 and 48.506-3 to read as follows:
SEC. 48.506 SHERIFF'S DEPARTMENT

Notwithstanding any other provisions of this Charter, the Board of Supervisors shall have the power to contract with the Board of Administration of the Public Employees' Retirement System of the State of California to provide that the sheriff, undersheriff and all deputized personnel of the sheriff's department shall be members of the Public Employees' Retirement System, and the Board of Supervisors and the Retirement Board shall have the power to perform all acts necessary to carry out the terms and purposes of such contract. The maximum employee contribution for sheriff, undersheriff and deputized personnel of the sheriff's department shall be seven and one-half percent (7½%). Required contributions exceeding seven and one-half percent (7½%) shall be made by the City and County.

However, the employee contribution for persons who become employed as sheriff, undersheriff and deputized personnel of the sheriff's department on and after July 1, 2010, shall be nine percent (9%). The nine percent (9%) employee contribution rate shall take effect immediately upon expiration of the agreement that is operative on June 30, 2010, between the City and County and the recognized bargaining organization representing said employees.

All contracts and contract amendments with the Board of Administration of the Public Employees' Retirement System of the State of California for persons hired on and after July 1, 2010, shall provide, to the maximum extent permitted, that final compensation will be calculated based on a two-year formula.

Except as provided in this Section 48.506, on and after July 1, 2010, contracts and contract amendments with the Board of Administration of the Public Employees' Retirement System of the State of California shall be cost-neutral and employee bargaining units shall be permitted to trade salary or other employee paid benefits to achieve cost-neutrality.

Any person who shall become a member of the Public Employees' Retirement System pursuant to such contract shall have the right to be a member of the health service system and the Health Service Board shall make provisions for participation in the benefits of the health service system by such persons.

SEC. 48.506-2 MISCELLANEOUS SAFETY EMPLOYEES

Notwithstanding any other provisions of this Charter, the Board of Supervisors or the Community College Board shall have the power to contract with the Board of Administration of the Public Employees' Retirement System of the State of California to provide that the probation officers, airport police officers, district attorney and public defender investigators, medical examiner investigators, juvenile court counselors, institutional police, fire safety inspectors and fire protection engineers who are not members of the Section 48.588 plans, shall be members of the Public Employees' Retirement System, and the Board of Supervisors, the Community College Board and the Retirement Board shall have the power to perform all acts necessary to carry out the terms and purposes of such contract.

The Board of Supervisors shall have the power to amend such a contract to terminate the participation of certain airport police officers in the Public Employees' Retirement System and to transfer to the San Francisco Employees' Retirement System the accumulated assets and liabilities relating to the airport police officers that make such an election, and to exempt such a contract amendment from the cost-neutrality requirements of this Section 48.506-2, provided that the present value of any additional costs associated with said transfer and the related benefits under the San Francisco Employees' Retirement System does not

exceed \$670,000 in the aggregate. All additional costs in the form of actuarial liability associated with said transfer and said benefits that exceed \$670,000 in the aggregate shall be paid by the airport police officers that elect to terminate their participation in the Public Employees' Retirement System and transfer the accumulated assets and liabilities relating to their service to the San Francisco Employees' Retirement System. The Board of Supervisors and the Retirement Board shall have the power to perform all acts necessary to carry out the amendment of such contract.

Except as provided in this Section 48.506-2, contracts and contract amendments shall be cost-neutral and employee bargaining units shall be permitted to trade salary or other employee paid benefits to achieve cost-neutrality. However, the employee contribution for persons who become employed by the City and County on and after July 1, 2010, and who become eligible for membership pursuant to this Section 48.506-2, shall be nine percent (9%). The nine percent (9%) employee contribution rate shall take effect immediately upon expiration of the agreement that is operative on June 30, 2010, between the City and County and the recognized bargaining organization representing said employees.

All contracts and contract amendments with the Board of Administration of the Public Employees' Retirement System of the State of California for persons hired on and after July 1, 2010, shall provide, to the maximum extent permitted, that final compensation will be calculated based on a two-year formula.

The Board of Supervisors or the Community College Board is empowered to determine compliance under this Section. As provided in Section 48.409-5 of the City Charter, disputes under this paragraph shall not be subject to the dispute resolution procedures contained in Charter Section 48.409-4.

Any person who shall become a member of the Public Employees' Retirement System pursuant to such contract shall have the right to be a member of the health service system and the Health Service Board shall make provision for the participation in the benefits of the health service system by such persons.

SEC. 48.506-3 HOUSING AUTHORITY POLICE

All Housing Police Officers of the Housing Authority who, on July 1, 1984, are members of the Public Employees' Retirement System of the State of California shall continue to be members of said Public Employees' Retirement System, and they shall not be members of the San Francisco City and County Employees' Retirement System. Notwithstanding any other provisions of this Charter, the City and County shall perform all acts necessary to continue the membership of such employees in said Public Employees' Retirement System.

Notwithstanding any other provisions of this Charter, the Board of Supervisors shall have the power to contract with the Board of Administration of the Public Employees' Retirement System of the State of California to provide that Housing Authority Police hired after July 1, 1984, shall be members of the Public Employees' Retirement System, and the Board of Supervisors and the retirement board shall have the power to perform all acts necessary to carry out the terms and purposes of such contract. However, the employee contributions to the Public Employees' Retirement System for persons hired on and after July 1, 2010, and who become eligible for membership pursuant to this Section 48.506-3 shall be nine percent (9%). The nine percent (9%) employee contribution rate shall take effect immediately upon expiration of the agreement that is operative on June 30, 2010, between the City and County and the recognized bargaining organization representing said employees.

All contracts and contract amendments with the Board of Administration of the Public Employees' Retirement System of the State of California for persons hired on and after July 1, 2010, shall provide, to the maximum extent permitted, that final compensation will be calculated based on a two-year formula.

Except as provided in this Section 48.506-3, on and after July 1, 2010, contracts and contract amendments with the Board of Administration of the Public Employees' Retirement System of the State of California shall be cost-neutral and employee bargaining units shall be permitted to trade salary or other employee paid benefits to achieve cost-neutrality.

Any person who shall become a member of the Public Employees' Retirement System pursuant to such contract shall have the right to be a member of the health service system and the Health Service Board shall make provision for participation in the benefits of the health service system by such persons.

Section 3. The San Francisco Charter is hereby amended, by adding Sections A8.600 through A8.600-14 to read as follows:

SEC. A8.600 MISCELLANEOUS OFFICERS AND EMPLOYEES ON AND AFTER JULY 1, 2010

Miscellaneous officers and employees who become employed on and after July 1, 2010, shall be eligible to become members of the Retirement System subject to the provisions of Sections A8.600 through A8.600-14, in addition to such other applicable provisions including, but not limited to, A8.500 of this Charter; provided that persons who become members under the Public Employees' Retirement System of the State of California or members of the State Teachers' Retirement System of the State of California shall not be members of the San Francisco City and County Employees' Retirement System and provided, further, that the Retirement System shall be applied to persons employed on a part-time or temporary basis only as the Board of Supervisors shall determine by ordinance enacted by three-fourths vote of all members of the board.

SEC. A8.600-1 DEFINITIONS

The following words and phrases as used in this section, unless a different meaning is plainly required by the context, shall have the following meaning:

"Retirement allowance," or "allowance," shall mean equal monthly payments, beginning to accrue upon the date of retirement, and continuing for life unless a different term of payment is definitely provided by the context.

"Compensation," as distinguished from benefits under the workers' compensation laws of the State of California shall mean all remuneration whether in cash or by other allowances made by the City and County, for service qualifying for credit under this section, but excluding remuneration for overtime and such other forms of compensation excluded by the Board of Supervisors pursuant to Section A8.500 of the Charter.

"Compensation earnable" shall mean the compensation as determined by the Retirement Board, which would have been earned by the member had he or she worked, throughout the period under consideration, the average number of days ordinarily worked by persons in the same grade or class of positions as the positions held by him or her during such period and at the rate of pay attached to such positions, it being assumed that during any absence, he or she was in the position held by him or her at the beginning of the absence, and that prior to entering City service, he or she was in the position first held by him or her in City service.

"Benefit" shall include "allowance," "retirement allowance," and "death benefit."

"Average final compensation" shall mean the average monthly compensation earned by a member during the higher of any two consecutive fiscal years of earnings or the twenty-four months of earnings immediately prior to retirement.

For the purposes of the Retirement System and of this section, Section A8.600 and Sections A8.600-2 through A8.600-14, the terms "miscellaneous officer or employee," or "member," shall mean any officer or employee employed on and after July 1, 2010, who is not a member of the police or fire departments as defined in the Charter for the purposes of the Retirement System. Said terms shall not include those persons who become members under the Public Employees' Retirement System or members of the State Teachers' Retirement System.

"Retirement System" or "system" shall mean San Francisco City and County Employees' Retirement System as created in Sections 12.100 and A8.500 of the Charter.

"Retirement Board" shall mean "Retirement Board" as created in Section 12.100 of the Charter.

"Charter" shall mean the Charter of the City and County of San Francisco.

Words used in the masculine gender shall include the feminine and neuter genders, and singular numbers shall include the plural and the plural the singular.

"Interest" shall mean interest at the rate adopted by the Retirement Board.

SEC. A8.600-2 SERVICE RETIREMENT

Any member who completes at least 20 years of service in the aggregate credited in the Retirement System and attains the age of 50 years, or at least 10 years of service in the aggregate credited in the Retirement System, and attains the age of 60 years, said service to be computed under Section A8.600-7 may retire for service at his or her option. Members may retire under this section or under the provisions of A8.600-6, on the first day of the month next following the attainment by them of the age of 65 years. A member retired after reaching the age of 62 years shall receive a service retirement allowance at the rate of 2.3 percent of said average final compensation for each year of service. The service retirement allowance of any member retiring prior to a) attaining the age of 60 years, and after rendering 20 years or more of such service, computed under Section A8.600-7, and having attained the age of 50 years, b) attaining the age of 60 years, and after rendering 10 years or more of such service, computed under Section A8.600-7, shall be an allowance equal to the percentage of said average final compensation set forth opposite his or her age at retirement, taken to the preceding completed quarter year, for each year of service, computed under Section A8.600-7:

<u>Age at Retirement</u>	<u>Percent for Each Year of Credited Service</u>
<u>50</u>	<u>1.000</u>
<u>50¼</u>	<u>1.0250</u>
<u>50½</u>	<u>1.0500</u>
<u>50¾</u>	<u>1.0750</u>
<u>51</u>	<u>1.1000</u>
<u>51¼</u>	<u>1.1250</u>
<u>51½</u>	<u>1.1500</u>
<u>51¾</u>	<u>1.1750</u>
<u>52</u>	<u>1.2000</u>
<u>52¼</u>	<u>1.2250</u>
<u>52½</u>	<u>1.2500</u>
<u>52¾</u>	<u>1.2750</u>
<u>53</u>	<u>1.3000</u>
<u>53¼</u>	<u>1.3250</u>
<u>53½</u>	<u>1.3500</u>
<u>53¾</u>	<u>1.3750</u>
<u>54</u>	<u>1.4000</u>
<u>54¼</u>	<u>1.4250</u>
<u>54½</u>	<u>1.4500</u>
<u>54¾</u>	<u>1.4750</u>
<u>55</u>	<u>1.5000</u>
<u>55¼</u>	<u>1.5250</u>
<u>55½</u>	<u>1.5500</u>
<u>55¾</u>	<u>1.5750</u>
<u>56</u>	<u>1.6000</u>
<u>56¼</u>	<u>1.6250</u>
<u>56½</u>	<u>1.6500</u>
<u>56¾</u>	<u>1.6750</u>
<u>57</u>	<u>1.7000</u>
<u>57¼</u>	<u>1.7250</u>



<u>57½</u>	<u>1.7500</u>
<u>57¾</u>	<u>1.7750</u>
<u>58</u>	<u>1.8000</u>
<u>58¼</u>	<u>1.8250</u>
<u>58½</u>	<u>1.8500</u>
<u>58¾</u>	<u>1.8750</u>
<u>59</u>	<u>1.9000</u>
<u>59¼</u>	<u>1.9250</u>
<u>59½</u>	<u>1.9500</u>
<u>59¾</u>	<u>1.9750</u>
<u>60</u>	<u>2.1000</u>
<u>60¼</u>	<u>2.1250</u>
<u>60½</u>	<u>2.1500</u>
<u>60¾</u>	<u>2.1750</u>
<u>61</u>	<u>2.2000</u>
<u>61¼</u>	<u>2.2250</u>
<u>61½</u>	<u>2.2500</u>
<u>61¾</u>	<u>2.2750</u>
<u>62</u>	<u>2.3000</u>

In no event shall a member's retirement allowance exceed seven-fifths percent of his or her average final compensation.

Before the first payment of a retirement allowance is made, a member, retired under this section or Section A8.600-3, may elect to receive the actuarial equivalent of his or her allowance, partly in an allowance to be received by him or her throughout his or her life, and partly in other benefits payable after his or her death to another person or persons, provided that such election shall be subject to all the conditions prescribed by the Board of Supervisors to govern similar elections by other members of the Retirement System, including the character and amount, of such other benefits. In the calculations under this section of the retirement allowance of a member having credit for service in a position in the evening schools and service in any other position, separate retirement allowances shall be calculated, in the manner prescribed for each class of service, the average final compensation in each case being that for the respective class of service, provided that the aggregate retirement allowance shall be taken into account in applying the provisions of this section providing for a minimum retirement allowance. Part-time service and compensation shall be converted to full-time service and compensation in the manner prescribed by the Board of Supervisors, and when so converted shall be applied on full-time service and compensation in the calculation of retirement allowances.

SEC. A8.600-3 RETIREMENT FOR INCAPACITY

Any member who becomes incapacitated for performance of duty because of disability determined by a qualified hearing officer to be of extended and uncertain duration, and who shall have completed at least 10 years of service credited in the Retirement System in the aggregate, computed as provided in Section A8.600-7, shall be retired upon an allowance of 1.8% (one and eight-tenths percent) of the average final compensation of said member, as defined in Section A8.600-1 for each year of credited service, if such retirement allowance exceeds 40 percent of his or her average final compensation; otherwise 1.8% (one and eight-tenths percent) of his or her average final compensation multiplied by the number of years of City service which would be credited to him or her were such City service to continue until attainment by him or her of age 60, but such retirement allowance shall not exceed 40 percent of such average final compensation. In the calculation under this section of the retirement allowance of a member having credit for service in a position in the evening schools and service in any other position, separate retirement allowances shall be calculated, in the manner prescribed, for each class of service, the average final compensation in

each case being that for the respective class of service; provided that the average final compensation upon which the retirement allowance is calculated in such case shall be based on the compensation earned by the member in the classes of service rendered by him or her during the two years immediately preceding his or her retirement. The question of retiring members under this section may be brought before the Retirement Board on said Board's own motion, by the Retirement Board's Executive Director on its behalf, by said member, by his or her department head or by his or her guardian. If his or her disability shall cease, his or her retirement allowance shall cease, and he or she shall be restored to service in the position or classification he or she occupied at the time of his or her retirement.

SEC. A8.600-4 NO ADJUSTMENT FOR COMPENSATION PAYMENTS

No modification of benefits provided in this section shall be made because of any amounts payable to or on account of any member under workers' compensation laws of the State of California.

SEC. A8.600-5 DEATH BENEFIT

If a member shall die, before retirement:

(a) If no benefit is payable under subsection (b) of this section:

(1) Regardless of cause, a death benefit shall be paid to the member's designated beneficiary or estate consisting of the compensation earnable by the member during the six months immediately preceding death, plus the member's contributions and interest credited thereon.

(2) If a member sustains a traumatic bodily injury through external and violent means in the course and scope of employment and death results within 180 days of such injury, an additional insurance benefit of 12 months of compensation earnable shall be paid to the member's designated beneficiary or estate.

(b) If, at the date of his or her death, he or she was qualified for service retirement by reason of service and age under the provisions of Section A8.600-2, and he or she has designated as beneficiary his or her surviving spouse, who was married to him or her for at least one full year immediately prior to the date of his or her death, one-half of the retirement allowance to which the member would have been entitled if he or she had retired for service on the date of his or her death shall be paid to such surviving spouse who was his or her designated beneficiary at the date of his or her death, until such spouse's death or remarriage, or if there be no surviving spouse, to the unmarried child or children of such member under the age of 18 years, collectively, until every such child dies, marries or attains the age of 18 years, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. If, at the death of such surviving spouse, who was receiving an allowance under this Subsection (b), there be one or more unmarried children of such member under the age of 18 years, such allowance shall continue to such child or children, collectively, until every such child dies, marries or attains the age of 18 years, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. If the total of the payments of allowance made pursuant to this Subsection (b) is less than the benefit which was otherwise payable under Subsection (a) of this section, the amount of said benefit payable under Subsection (a) less an amount equal to the total of the payments of allowance made pursuant to this Subsection (b) shall be paid in a lump sum as follows:

(1) If the person last entitled to said allowance is the remarried surviving spouse of such member, to such spouse.

(2) Otherwise, to the surviving children of the member, share and share alike, or if there are no such children, to the estate of the person last entitled to said allowance.

The surviving spouse may elect, on a form provided by the Retirement System and filed in the office of the Retirement System before the first payment of the allowance provided herein, to receive the benefit provided in Subsection (a) of this section in lieu of the allowance which otherwise would be payable under the provisions of this subdivision. If a surviving spouse, who was entitled to make the election herein provided, shall die before or after making such election but before receiving any payment pursuant to such election, then the legally appointed guardian of the unmarried children of the member under the age of 18 years may make the election herein provided before any benefit has been paid under this section, for and on behalf of such children if

in his or her judgment it appears to be in their interest and advantage, and the election so made shall be binding and conclusive upon all parties in interest.

If any person other than such surviving spouse shall have and be paid a community property interest in any portion of any benefit provided under this section, any allowance payable under this Subsection (b) shall be reduced by the actuarial equivalent, at the date of the member's death, of the amount of benefits payable to such other person.

Upon the death of a member after retirement and regardless of the cause of death, a death benefit shall be paid to his or her designated beneficiary or estate in the manner and subject to the conditions prescribed by the Board of Supervisors for the payment of a similar death benefit upon the death of other retired members.

Upon the death of a member after retirement, an allowance, in addition to the death benefit provided in the immediately preceding paragraph, shall be paid to his or her surviving spouse, until such surviving spouse's death or remarriage, equal to one-half of his or her retirement allowance as it was prior to optional modification and prior to reduction as provided in Subsection (a) of Section A8.514 of this Charter, but exclusive of the part of such allowance which was provided by additional contributions. No allowance, however, shall be paid under this paragraph to a surviving spouse unless such surviving spouse was married to said member at least one year immediately prior to his or her retirement. If such retired person leaves no such surviving spouse, or if such surviving spouse should die or remarry before every child of such deceased retired person attains the age of 18 years, the allowance which such surviving spouse would have received had he or she lived and not remarried shall be paid to retired person's child or children under said age, collectively, to continue until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years.

SEC. A8.600-6 BENEFITS UPON TERMINATION OF MEMBERSHIP

Should any miscellaneous member cease to be employed as such a member, through any cause other than death or retirement, all of his or her contributions, with interest credited thereon, shall be refunded to him or her subject to the conditions prescribed by the Board of Supervisors to cover similar terminations of employment and re-employment with and without redeposit of withdrawn accumulated contributions of other members of the Retirement System, provided that, if such member is entitled to be credited with at least five years of service, he or she shall have the right to elect, without right of revocation and within 90 days after said termination of service, or if the termination was by lay-off, 90 days after the Retirement Board determines the termination to be permanent, whether to allow his or her accumulated contributions to remain in the retirement fund and to receive benefits only as provided in this paragraph. Failure to make such election shall be deemed an irrevocable election to withdraw his or her accumulated contributions. At or after 50 years of age, he or she shall be entitled to receive a retirement allowance which shall be the actuarial equivalent of his or her accumulated contributions and an equal amount of the contributions of the City and County, plus 1.667% (one and two-thirds percent) of his or her average final compensation for each year of service credited to him or her as rendered prior to his or her first membership in the Retirement System. Upon the death of such member prior to retirement, his or her contributions with interest credited thereon shall be paid to his or her estate or designated beneficiary.

SEC. A8.600-7 COMPUTATION OF SERVICE

The following time and service shall be included in the computation of the service to be credited to a member for the purpose of determining whether such member qualifies for retirement and calculating benefits:

(a) Time during which said member is a member of the Retirement System under Section A8.600, and for which said member is entitled to receive compensation because of services as a miscellaneous officer or employee.

(b) Service in the fire and police departments which is not credited as service as a member under Section A8.600 shall count under this section upon transfer of a member of either of such departments to employment entitling him or her to membership in the Retirement

System under Section A8.600, provided that the accumulated contributions standing to the credit of such member shall be adjusted by refund to the member or by payment by the member to bring the account at the time of such transfer to the amount which would have been credited to it had the member been a miscellaneous member throughout the period of his or her service in either of such departments at the compensation he or she received in such departments.

(c) Prior service, during which said member was entitled to receive compensation while a miscellaneous member under any other section of the Charter, provided that accumulated contributions on account of such service previously refunded are redeposited with interest from the date of refund to the date of redeposit, at times and in the manner fixed by the Retirement Board.

(d) Prior service determined and credited as prescribed by the Board of Supervisors.

(e) The Board of Supervisors, by ordinance enacted by a three-fourths vote of its members, may provide for the crediting as service in the Retirement System, service rendered as an employee of the federal government and service rendered as an employee of the State of California or any public entity or public agency in the State of California. Said ordinance shall provide that all contributions required as the result of the crediting of such service shall be made by the member and that no contributions therefore shall be required of the City and County.

(f) Time during which said member is absent from a status included in Subsections (a) or (b) and for which such member is entitled to receive credit as service for the City and County by virtue of contributions made in accordance with the provisions of Section A8.520 or Section A8.521 of the Charter.

(g) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

SEC. A8.600-8 SOURCES OF FUNDS

All payments provided for members under Section A8.600 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.600 a sum equal to seven percent of such payment of compensation. The sum so deducted shall be paid forthwith to the Retirement System. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the Board of Supervisors for crediting interest to contributions of other members of the Retirement System, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member under Section A8.600, or shall be paid to said member or his or her estate or beneficiary as provided in Sections A8.600-5 and A8.600-6. The individual accounts of members who purchased service credit for Unpaid Parental Leave shall also include the amount paid by the member for said purchase, plus interest.

(b) The City and County shall contribute to the Retirement System such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.600-8, to provide the benefits payable to members under Section A8.600. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section A8.600, said percentage to be the ratio of the value as of the latest periodical actuarial valuation of the benefits thereafter to be paid to or on account of members under Section A8.600 from contributions of the City and County, less the amount of such contributions, plus accumulated interest thereon, then held by said system to provide said benefits on account of service rendered by respective members after said date, to the value at said respective dates of salaries thereafter payable to said members. Said values shall be determined by the actuary, who shall take into account the interest which shall be earned on said contributions, the compensation experience of members, and the probabilities of separation by all causes, of members from ser-

vice before retirement and of death after retirement. Said percentage shall be changed only on the basis of said periodical actuarial valuation and investigation into the experience under the system. Said actuarial valuations and investigations shall be made at least every two years.

(c) To promote the stability of the Retirement System through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section A8.600 shall be a part of the fund in which all other assets of said system are included.

SEC. A8.600-9 RIGHT TO RETIRE

Upon the completion of the years of service set forth in Section A8.600-2 as requisite to retirement, a member shall be entitled to retire at any time thereafter in accordance with the provisions of said Section A8.600-2, and, except as provided in Section A8.600-14, nothing shall deprive said member of said right.

SEC. A8.600-10 LIMITATION ON EMPLOYMENT DURING RETIREMENT

(a) Except as provided in Section A8.511 of this Charter and Subsection (b) of this section, no person retired as a member under Section A8.600 for service or disability and entitled to receive a retirement allowance under the Retirement System shall be employed in any capacity by the City and County, nor shall such person receive any payment for services rendered to the City and County after retirement.

(b) (1) Service as an election officer or juror, or in the preparation for or giving testimony as an expert witness for or on behalf of the City and County before any court or legislative body shall not be affected by the provisions of Subsection (a) of this section.

(2) The provisions of Subsection (a) shall not prevent such retired person from serving on any board or commission of the City and County and receiving the compensation for such office, provided said service does not exceed 120 working days or 960 hours per fiscal year.

(3) If such retired person is elected or appointed to a position or office which subjects him or her to membership in the Retirement System under Section A8.600, he or she shall re-enter membership under Section A8.600 and his or her retirement allowance shall be cancelled immediately upon such re-entry. The provisions of Subsection (a) of this section shall not prevent such person from receiving the compensation for such position or office. The rate of contribution of such member shall be the same as that for other members under Section A8.600. Such member's individual account shall be credited with an amount which is the actuarial equivalent of his or her annuity at the time of his or her re-entry, but the amount thereof shall not exceed the amount of his or her accumulated contributions at the time of his or her retirement. Such member shall also receive credit for his or her service as it was at the time of his or her retirement.

(4) The provisions of Subsection (a) shall not prevent such retired persons from employment which requires coverage under the Public Employees' Retirement System or the State Teachers' Retirement System.

SEC. A8.600-11 ADJUSTMENT OF ALLOWANCES

Every retirement or death allowance payable to or on account of any member under Section A8.600 shall be adjusted for cost of living allowances and supplemental cost of living benefits as provided in this Charter.

SEC. A8.600-12 CONFLICTING CHARTER PROVISIONS

Any section or part of any section in this Charter, insofar as it should conflict with the provisions of Sections A8.600 through A8.600-14 or with any part thereof, shall be superseded by the contents of said sections. In the event that any word, phrase, clause or section of sections shall be adjudged unconstitutional, the remainder thereof shall remain in full force and effect.

SEC. A8.600-13 APPLICATION OF PLAN

For members of the Retirement System under Sections A8.584 or A8.587 who retired before July 1, 2010, and are later elected or appointed to a position or office which subjects him or her to membership in the Retirement System under Section A8.600, all service on and after July 1, 2010, shall be subject to the provisions of Sections A8.600, et seq.

SEC. A8.600-14 FORFEITURE FOR CRIMES INVOLVING MORAL TURPITUDE

Any member convicted of a crime involving moral turpitude committed in connection with his or her duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, City and County of San Francisco, shall forfeit all rights to any benefits under the Retirement System except refund of his or her accumulated contributions: provided, however, that if such member is qualified for service retirement by reason of service and age under the provisions of Section A8.600-2, he or she shall have the right to elect, without right of revocation and within 90 days after his or her removal from office or employment to receive as his or her sole benefit under the Retirement System an annuity which shall be the actuarial equivalent of his or her accumulated, contributions at the time of such removal from office or employment.

Any member, after retirement for service or disability or while receiving a vesting allowance, who is convicted of a crime involving moral turpitude in connection with his or her duties as an officer or employee of the City and County, the school district, the college district, or the Superior Court of California, City and County of San Francisco, shall forfeit all rights to any further benefit from the Retirement System and the Retirement System shall immediately cease all future payments to such member; provided however, that if at the time of the conviction, said member has remaining accumulated contributions, then such member shall have the right to elect, without right of revocation and within 30 days after his or her conviction, to receive as his or her sole benefit under the Retirement System an annuity which shall be the actuarial equivalent of his or her accumulated contributions remaining at the time of the conviction.

Section 4. The San Francisco Charter is hereby amended, by adding Sections A8.601 through A8.601-16 to read as follows:

SEC. A8.601 MEMBERS OF THE FIRE DEPARTMENT ON AND AFTER JULY 1, 2010

Persons who become members of the fire department, as defined in Section A8.601-1, on and after July 1, 2010, shall be members of the Retirement System subject to the provisions of Sections A8.601 through A8.601-16 (which shall apply only to members under Section A8.601) in addition to the provisions contained in Sections 12.100 to 12.103 and Sections A8.500, A8.510, A8.520, A8.526-2 and A8.526-3 of this Charter, notwithstanding the provisions of any other section of this Charter, and shall not be subject to any of the provisions of Sections A8.598 of this Charter.

The provisions of Section A8.601 shall not apply to any member of the Retirement System before July 1, 2010, or any member who separated from service, retired or died before July 1, 2010, or to his or her continuant.

SEC. A8.601-1 DEFINITIONS

The following words and phrases as used in this section, Section A8.601 and Section A8.601-2 through A8.601-16, unless a different meaning is plainly required by the context, shall have the following meanings:

"Retirement allowance," "death allowance" or "allowance," shall mean equal monthly payments, beginning to accrue upon the date of retirement, or upon the day following the date of death, as the case may be, and continuing for life unless a different term of payment is definitely provided by the context.

"Compensation," as distinguished from benefits under the Workers' Compensation Insurance and Safety Act of the State of California, shall mean the remuneration payable in cash, by the City and County, without deduction except for absence from duty, for time during which the individual receiving such remuneration is a member of the fire department, but excluding remuneration paid for overtime. Subject to the requirement that it be payable in cash and that overtime be excluded, "compensation" for pension purposes may be defined in a collective bargaining agreement.

"Compensation earnable" shall mean the compensation which would have been earned had the member received compensation without interruption throughout the period under consideration and at the rates of remuneration attached at that time to the ranks or positions held by him or her during such period, it being assumed that during any

absence, he or she was in the rank or position held by him or her at the beginning of the absence, and that prior to becoming a member of the fire department, he or she was in the rank or position first held by him or her in such department.

“Benefit” shall include “allowance,” “retirement allowance,” “death allowance” and “death benefit.”

“Final compensation” shall mean the average monthly compensation earned by a member during the higher of any two consecutive fiscal years of earnings or the twenty-four months of earnings immediately prior to retirement.

For the purpose of Sections A8.601 through A8.601-16, the terms “member of the fire department,” “member of the department,” or “member” shall mean any officer or employee of the fire department employed on and after July 1, 2010, who was or shall be subject to the Charter provisions governing entrance requirements of members of the uniformed force of said department and said terms shall further mean persons employed on and after July 1, 2010, at an age not greater than the maximum age then prescribed for entrance into employment in said uniformed force, to perform duties now performed under the titles of pilot of fireboats, or marine engineer of fireboats; provided, however, that said terms shall not include any person who has not satisfactorily completed such course of training as may be required by the fire department prior to assignment to active duty with said department.

“Retirement System” or “system” shall mean San Francisco City and County Employees’ Retirement System as created in Sections 12.100 and A8.500 of the Charter.

“Retirement Board” shall mean “Retirement Board” as created in Section 12.100 of the Charter.

“Charter” shall mean the Charter of the City and County of San Francisco.

Words used in the masculine gender shall include the feminine and neuter gender, words used in the feminine gender shall include the masculine and neuter gender, and singular numbers shall include the plural and the plural the singular.

“Interest” shall mean interest at the rate adopted by the Retirement Board.

SEC. A8.601-2 SERVICE RETIREMENT

Any member of the fire department who completes at least five years of service in the aggregate and attains the age of fifty (50) years, said service to be computed under Section A8.601-10, may retire for service at his or her option. A member retired after meeting the service and age requirements in the preceding sentence, shall receive a retirement allowance equal to the percent of final compensation (as defined in Section A8.601-1) set forth below opposite his or her age at retirement, taken to the preceding completed quarter year, for each year of service, as computed under Section A8.601-10:

Retirement Age	Percent for Each Year of Credited Service
<u>50</u>	<u>2.400</u>
<u>50.25</u>	<u>2.430</u>
<u>50.5</u>	<u>2.460</u>
<u>50.75</u>	<u>2.490</u>
<u>51</u>	<u>2.520</u>
<u>51.25</u>	<u>2.550</u>
<u>51.5</u>	<u>2.580</u>
<u>51.75</u>	<u>2.610</u>
<u>52</u>	<u>2.640</u>
<u>52.25</u>	<u>2.670</u>
<u>52.5</u>	<u>2.700</u>
<u>52.75</u>	<u>2.730</u>
<u>53</u>	<u>2.760</u>

<u>53.25</u>	<u>2.790</u>
<u>53.5</u>	<u>2.820</u>
<u>53.75</u>	<u>2.850</u>
<u>54</u>	<u>2.880</u>
<u>54.25</u>	<u>2.910</u>
<u>54.5</u>	<u>2.940</u>
<u>54.75</u>	<u>2.970</u>
<u>55+</u>	<u>3.000</u>

In no event, however, shall such a retirement allowance exceed ninety (90) percent of a member’s final compensation.

SEC. A8.601-3 RETIREMENT FOR INCAPACITY

Any member of the fire department who becomes incapacitated for the performance of his or her duty by reason of any bodily injury received in, or illness caused by the performance of his or her duty, shall be retired. If he or she is not qualified for service retirement, he or she shall receive a retirement allowance in an amount which shall be equal to the same percentage of the final compensation of said member, as defined in Section A8.601-1, as his or her percentage of disability is determined to be. The percentage of disability shall be as determined by the Workers’ Compensation Appeals Board of the State of California upon referral from the Retirement Board for that purpose; provided that the Retirement Board may, by five affirmative votes, adjust the percentage of disability as determined by said appeals board; and provided, further, that such retirement allowance shall be in an amount not less than 50 percent nor more than 90 percent of the final compensation of said member, as defined in Section A8.601-1. Said allowance shall be paid to him or her until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years had he or she lived and rendered service without interruption in the rank held by him or her at retirement, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date based on the final compensation, as defined in Section A8.601-1, he or she would have received immediately prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation.

If, at the time of retirement because of disability, he or she is qualified as to age and service for retirement under Section A8.601-2, he or she shall receive an allowance equal to the retirement allowance which he or she would receive if retired under Section A8.601-2, but not less than 50 percent of said final compensation. Any member of the fire department who becomes incapacitated for performance of his or her duty by reason of a cause not included under the provisions of the immediately preceding sentences, and who shall have completed at least 10 years of service in the aggregate, computed as provided in Section A8.601-10, shall be retired upon an allowance of 1½ percent of the final compensation of said member as defined in Section A8.601-1 for each year of service, provided that said allowance shall not be less than 33½ percent of said final compensation. The question of retiring a member under this section may be brought before the Retirement Board on said board’s own motion, by recommendation of the fire commission or by said member or his or her guardian. If his or her disability shall cease, his or her retirement allowance shall cease and he or she shall be restored to the service in the rank he or she occupied at the time of his or her retirement.

SEC. A8.601-4 DEATH ALLOWANCE

If a member of the fire department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance, payable under any other section of the Charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but he or she had not



retired, the allowance payable shall be equal to the retirement allowance which the member would have received if he or she had been retired for service on the date of death, but such allowance shall not be less than 50 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the compensation of said member at the date of death, until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, had he or she lived and rendered service without interruption in the rank held by him or her at death, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to the retirement allowance of the member, except that if he or she was a member under Section A8.601 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be adjusted upon the date at which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died.

If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving spouse and no children under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving spouse following the death of a member unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

SEC. A8.601-5 PAYMENT TO SURVIVING DEPENDENTS

Upon the death of a member of the fire department resulting from any cause other than an injury received in, or illness caused by performance of duty,

(a) if the death occurred after qualification for service retirement under Section A8.601-2, or after retirement service or because of disability which result from any cause other than an injury received in, or illness caused by performance of duty one-half of the retirement allowance to which the member would have been entitled if he or she had retired for service at the date of death or one-half of the retirement allowance as it was at his or her death, as the case may be, shall be continued throughout his or her life or until remarriage to his or her surviving spouse, or

(b) if his or her death occurred after the completion of at least 25 years of service in the aggregate but prior to the attainment of the age of 50 years, one-half of the retirement allowance to which he or she would have been entitled under Section A8.601-2 if he or she had attained the age of 50 years on the date of his or her death shall be continued throughout life or until remarriage to his or her surviving spouse, or

(c) if his or her death occurred after retirement for disability by reason of injury received in or illness caused by performance of duty, three-fourths of his or her retirement allowance as it was at his or her death shall be continued throughout life or until remarriage to his or her surviving spouse, except that, if death occurred prior to qualification for service retirement allowance, the allowance continued shall be

adjusted upon the date on which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died, or

(d) if his or her death occurred after completion of at least 10 years of service in the aggregate, computed as provided in Section A8.601-10, an allowance in an amount equal to the retirement allowance to which the member would have been entitled pursuant to Section A8.601-3 if he or she had retired on the date of death because of incapacity for performance of duty shall be paid throughout life or until remarriage to his or her surviving spouse. If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, to continue until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving spouse and no children, under age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however shall be paid under this section to a surviving spouse unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death if he or she had not retired, or unless he or she was married to the member at least one year prior to his or her retirement if he or she had retired.

As used in this section and Section A8.601-4 "surviving spouse" shall mean and include a surviving spouse, and shall also mean and include a spouse who has remarried since the death of the member, but whose remarriage has been terminated by death, divorce or annulment within five years after the date of such remarriage and who has not thereafter again remarried.

The surviving spouse, in the event of death of the member after qualification for, but before service retirement, may elect before the first payment of the allowance, to receive the benefit provided in Section A8.601-8, in lieu of the allowance which otherwise would be continued to him or her under this section. If there is no surviving spouse, the guardian of the eligible child or children may make such election, and if there are no such children, the dependent parent or parents may make such election. "Qualified for service retirement," "qualification for service retirement" or "qualified as to age and service for retirement," as used in this section and other sections to which persons who are members under Section A8.601 are subject, shall mean completion of 25 years of service and attainment of age 50, said service to be computed under Section A8.601-10.

SEC. A8.601-6 ADJUSTMENT OF ALLOWANCES

Every retirement or death allowance payable to or on account of any member under Section A8.601 shall be adjusted for cost of living allowances and supplemental cost of living benefits as provided in this Charter.

SEC. A8.601-7 ADJUSTMENT FOR COMPENSATION PAYMENTS

That portion of any allowance payable because of the death or retirement of any member of the fire department which is provided by contributions of the City and County, shall be reduced, by the amount of any benefits other than medical benefits, payable by the City and County to or on account of such person, under any workers' compensation law or any other general law and because of the injury or illness resulting in said death or retirement. Such portion which is paid because of death or retirement which resulted from injury received in, or illness caused by performance of duty, shall be considered as in lieu of all benefits, other than medical benefits, payable to or on account of such person under such law and shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits.

SEC. A8.601-8 DEATH BENEFIT

If a member of the fire department shall die, before retirement from causes other than an injury received in, or illness caused by the

performance of duty, or regardless of cause if no allowance shall be payable under Section A8.601-4 or A8.601-5 preceding, a death benefit shall be paid to his or her designated beneficiary or estate, the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the Board of Supervisors for the death benefit of other members of the Retirement System. Upon the death of a member after retirement and regardless of the cause of death, a death benefit shall be paid to his or her designated beneficiary or estate, the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the Board of Supervisors for the death benefit of other members of the Retirement System.

SEC. A8.601-9 REFUNDS AND REDEPOSITS

Should any member of the fire department cease to be employed as such a member, through any cause other than death or retirement or transfer to another office or department, all of his or her contributions, with interest credited thereon, shall be refunded to him or her subject to the conditions prescribed by the Board of Supervisors to govern similar terminations of employment of other members of the Retirement System. If he or she shall again become a member of the department, he or she shall redeposit in the retirement fund the amount refunded to him or her. Should a member of the fire department become an employee of any other office or department, his or her accumulated contribution account shall be adjusted by payments to or from him or her as the case may be to make the accumulated contributions credited to him or her at the time of change equal to the amount which would have been credited to him or her if he or she had been employed in said other office or department at the rate of compensation received by him or her in the fire department and he or she shall receive credit for service for which said contributions were made, according to the Charter section under which his or her membership in the Retirement System continues.

SEC. A8.601-10 COMPUTATION OF SERVICE

The following time shall be included in the computation of the service to be credited to a member of the fire department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other Charter section, and not redeposited upon re-entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department.

(b) Time prior to July 1, 2010, during which said member was entitled to receive compensation while a member of the police or fire department under any other section of the Charter, provided that accumulated contributions on account of such service previously refunded are redeposited with interest from the date of refund to the date of re-deposit, at times and in the manner fixed by the Retirement Board; and solely for the purpose of determining qualification for retirement under Section A8.601-3 for disability not resulting from injury received in or illness caused by performance of duty, time during which said member serves and receives compensation because of services rendered in other offices and departments.

(c) Time during which said member earned compensation as a paramedic with the fire department or department of public health, provided that the accumulated contributions on account of such service are transferred to his or her Section A8.601 account or, if previously refunded, are redeposited with interest from the date of refund to the date of re-deposit, at times and in the manner fixed by the Retirement Board. The Retirement Board shall require said member to execute a waiver at any time prior to retirement so that any paramedic service covered by Section A8.601 is not also covered by other pension provisions in this Charter.

(d) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the Charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the Retirement System or for which the City and County

contributed or contributes on his or her account.

(e) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

SEC. A8.601-11 SOURCES OF FUNDS

All payments provided for members under Section A8.601 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.601 a sum equal to eight and one-half percent of such payment of compensation. The sum so deducted shall be paid forthwith to the Retirement System. The eight and one-half percent member contribution rate shall take effect immediately upon expiration of the agreement that is operative on June 30, 2010, between the City and County and the recognized bargaining organization representing said members. Prior to that time, there shall be deducted from each payment of compensation made to a member under Section A8.601 a sum equal to seven percent of such payment of compensation. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the Board of Supervisors for crediting interest to contributions of other members of the Retirement System, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his or her beneficiary or estate as provided in Section A8.601-8, A8.601-9 and A8.601-10.

(b) The City and County shall contribute to the Retirement System such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.601-11, to provide the benefits payable to members under Section A8.601. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section A8.601 in accordance with the provisions of Section A8.510.

(c) To promote the stability of the Retirement System through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section A8.601, shall be a part of the fund in which all other assets of said system are included.

(d) Any year in which, based upon the Retirement System's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with City representatives to implement a cost sharing arrangement between the City and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the City's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the Retirement System of improving the police and fire safety retirement plans to the 3% @ 55 benefit level or the total employer contribution required by the Retirement System, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this Charter.

The meet and confer process, including all impasse procedures under Section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The Retirement Board's authority under Charter Section 12.100 and in Section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under Section A8.590-1 et seq.

SEC. A8.601-12 RIGHT TO RETIRE

Upon the completion of the years of service set forth in Section A8.601-2 as requisite to retirement, a member of the fire department shall be entitled to retire at any time thereafter in accordance with the



provisions of said Section A8.601-2, and except as provided in Section A8.601-16, nothing shall deprive said member of said right.

SEC. A8.601-13 LIMITATION ON EMPLOYMENT DURING RETIREMENT

(a) Except as provided in Section A8.511 of this Charter and in Subsection (b) of this section, no person retired as a member under Section A8.601 for service or disability and entitled to receive a retirement allowance under the Retirement System shall be employed in any capacity by the City and County, nor shall such person receive any payment for services rendered to the City and County after retirement.

(b) (1) Service as an election officer or juror, or in the preparation for, or giving testimony as an expert witness for or on behalf of the City and County before any court or legislative body shall be affected by the provisions of Subsection (a) of this section.

(2) The provisions of Subsection (a) shall not prevent such retired person from serving on any board or commission of the City and County and receiving the compensation for such office, provided said compensation does not exceed \$100 per month.

(3) If such retired person is elected or appointed to a position or office which subjects him or her to membership in the Retirement System under Section A8.601, he or she shall re-enter membership under Section A8.601 and his or her retirement allowance shall be cancelled immediately upon his or her re-entry. The provisions of Subsection (a) of this section shall not prevent such person from receiving the compensation for such position or office. The rate of contributions of such member shall be the same as that for other members under Section A8.601. Such member's individual account shall be credited with an amount which is the actuarial equivalent of his or her annuity at the time of his or her re-entry, but the amount thereof shall not exceed the amount of his or her accumulated contributions at the time of his or her retirement. Such member shall also receive credit for his or her service as it was at the time of his or her retirement.

(c) Notwithstanding any provision of this Charter to the contrary, should any person retired for disability engage in a gainful occupation prior to attaining the age of 55 years, the Retirement Board shall reduce that part of his or her monthly retirement allowance which is provided by contributions of the City and County to an amount which, when added to the amount of the compensation earnable, at the time he or she engages in the gainful occupation, by such person if he or she held the position which he or she held at the time of his or her retirement, or, if that position has been abolished, the compensation earnable by the member if he or she held the position from which he or she was retired immediately prior to its abolishment.

SEC. A8.601-14 CONFLICTING CHARTER PROVISIONS

Any section or part of any section in this Charter, insofar as it should conflict with the provisions of Section A8.601 through A8.601-16 or with any part thereof, shall be superseded by the contents of said sections. In the event that any word, phrase, clause or section of said sections shall be adjudged unconstitutional, the remainder thereof shall remain in full force and effect.

SEC. A8.601-15 VESTING

Notwithstanding any provisions of this Charter to the contrary, should any member of the fire department who is a member of the Retirement System under Charter Section A8.601 with five years of credited service, cease to be so employed, through any cause other than death or retirement, he or she shall have the right to elect, without right of revocation and within 90 days after termination of said service, to allow his or her accumulated contributions including interest to remain in the retirement fund and to receive a retirement allowance equal to the percent set forth in Section A8.601-2 opposite his or her age at retirement, for each year of service multiplied against the final compensation of said member, calculated at termination, payable beginning no earlier than age 50. No vesting retirement allowance under this section shall exceed ninety (90) percent of the member's final compensation.

SEC. A8.601-16 FORFEITURE FOR CRIMES INVOLVING MORAL TURPITUDE

Any member convicted of a crime involving moral turpitude committed in connection with his or her duties as an officer or employee of the City and County shall forfeit all rights to any benefits under the Retirement System except refund of his or her accumulated contribu-

tions; provided, however, that if such member is qualified for service retirement by reason of service and age under the provisions of Section A8.601-2, he or she shall have the right to elect, without right of revocation and within 90 days after his or her removal from office or employment to receive as his or her sole benefit under the Retirement System an annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of such removal from office or employment.

Any member, after retirement for service or disability or while receiving a vesting allowance, who is convicted of a crime involving moral turpitude in connection with his or her duties as an officer or employee of the City and County shall forfeit all rights to any further benefit from the Retirement System and the Retirement System shall immediately cease all future payments to such member; provided however, that if at the time of the conviction, said member has remaining accumulated contributions, then such member shall have the right to elect, without right of revocation and within 30 days after his or her conviction, to receive as his or her sole benefit under the Retirement System, an annuity which shall be the actuarial equivalent of his or her accumulated contributions remaining at the time of the conviction.

Section 5. The San Francisco Charter is hereby amended, by adding Sections A8.602 through A8.602-16 to read as follows:

SEC. A8.602 MEMBERS OF THE POLICE DEPARTMENT ON AND AFTER JULY 1, 2010

Those persons who become members of the police department, as defined in Section A8.602-1, on and after July 1, 2010, shall be members of the Retirement System subject to the provisions of Sections A8.602 through A8.602-16 (which shall apply only to members under Section A8.602) in addition to the provisions contained in Sections 12.100 to 12.103 and Sections A8.500, A8.510, A8.520, A8.526-2 and A8.526-3 of this Charter, notwithstanding the provisions of any other section of this Charter, and shall not be subject to any of the provisions of Section A8.597 of this Charter.

The provisions of Section A8.602 shall not apply to any member of the Retirement System before July 1, 2010, or to any member of the Retirement System who separated from service, retired or died before July 1, 2010, or to his or her continuant.

SEC. A8.602-1 DEFINITIONS

The following words and phrases as used in this Section, Section A8.602 and Sections A8.602-2 through A8.602-16, unless a different meaning is plainly required by the context, shall have the following meanings:

"Retirement allowance," "death allowance" or "allowance," shall mean equal monthly payments, beginning to accrue upon the date of retirement, or upon the day following the date of death, as the case may be, and continuing for life unless a different term of payment is definitely provided by the context.

"Compensation," as distinguished from benefits under the Workers' Compensation Insurance and Safety Act of the State of California, shall mean the remuneration payable in cash, by the City and County, without deduction except for absence from duty, for time during which the individual receiving such remuneration is a member of the police department, but excluding remuneration paid for overtime.

Subject to the requirement that it be payable in cash and that overtime be excluded, "compensation" for pension purposes may be defined in a collective bargaining agreement. Provided, however, that for retirement purposes, any increase in compensation attached to a rank which is based solely upon the possession of a POST certificate, compared to the equivalent rank without a POST certificate, shall be subject to the following limitations:

(a) for possession of the intermediate POST certificate, no more than 4% shall be included in compensation,

(b) for possession of the advanced POST certificate, no more than an additional 2% over the maximum provided in Subsection (a), above, shall be included in compensation. These limits shall apply to any pay increments which are solely attributable to the possession of a POST certificate, including but not limited to premiums or special ranks which may be established in the future and which are solely attributable to the possession of a POST certificate.

“Compensation earnable” shall mean the compensation which would have been earned had the member received compensation without interruption throughout the period under consideration and at the rates of remuneration attached at that time to the ranks or positions held by him or her during such period, it being assumed that during any absence, he or she was in the rank or position held by him or her at the beginning of the absence, and that prior to becoming a member of the police department, he or she was in the rank or position first held by him or her in such department.

“Benefit” shall include “allowance,” “retirement allowance,” “death allowance” and “death benefit.”

“Final compensation” shall mean the average monthly compensation earned by a member during the higher of any two consecutive fiscal years of earnings or the twenty-four months of earnings immediately prior to retirement.

For purposes of calculation of final compensation, any increase in pay solely attributable to possession of a POST certificate shall be included only if the member possesses the qualifying POST certificate for a period of not less than four (4) years prior to his or her retirement date; provided, however, that should a member possess the qualifying POST certificate for a period of time less than four (4) years prior to retirement, final compensation shall be calculated based upon the monthly compensation in the next lower rank not requiring possession of the qualifying POST certificate.

For the purpose of Sections A8.602 through A8.602-16, the terms “member of the police department,” “member of the department,” or “member” shall mean any officer or employee of the police department employed on and after July 1, 2010, who was or shall be subject to the Charter provisions governing entrance requirements of members of the uniformed force of said department and said terms shall further mean persons employed on and after July 1, 2010, at an age not greater than the maximum age then prescribed for entrance into employment in said uniformed force, to perform duties now performed under the titles of criminologist, photographer, police woman or jail matron; provided, however, that said terms shall not include any person who has not satisfactorily completed such course of training as may be required by the police department prior to assignment to active duty with said department.

“Retirement System” or “system” shall mean San Francisco City and County Employees’ Retirement System as created in Sections 12.100 and A8.500 of the Charter.

“Retirement Board” shall mean “Retirement Board” as created in Section 12.100 of the Charter.

“Charter” shall mean the Charter of the City and County of San Francisco.

Words used in the masculine gender shall include the feminine and neuter gender, words used in the feminine gender shall include the masculine and neuter gender, and singular numbers shall include the plural and the plural the singular.

“Interest” shall mean interest at the rate adopted by the Retirement Board.

SEC. A8.602-2 SERVICE RETIREMENT

Any member of the police department who completes at least five years of service in the aggregate and attains the age of fifty (50) years, said service to be computed under Section A8.602-10, may retire for service at his or her option. A member retired after meeting the service and age requirements in the preceding sentence, shall receive a retirement allowance equal to the percent of final compensation (as defined in Section A8.602-1) set forth below opposite his or her age at retirement, taken to the preceding completed quarter year, for each year of service, as computed under Section A8.602-10:

<u>Retirement Age</u>	<u>Percent for Each Year of Credited Service</u>
<u>50</u>	<u>2.400</u>
<u>50.25</u>	<u>2.430</u>
<u>50.5</u>	<u>2.460</u>

<u>50.75</u>	<u>2.490</u>
<u>51</u>	<u>2.520</u>
<u>51.25</u>	<u>2.550</u>
<u>51.5</u>	<u>2.580</u>
<u>51.75</u>	<u>2.610</u>
<u>52</u>	<u>2.640</u>
<u>52.25</u>	<u>2.670</u>
<u>52.5</u>	<u>2.700</u>
<u>52.75</u>	<u>2.730</u>
<u>53</u>	<u>2.760</u>
<u>53.25</u>	<u>2.790</u>
<u>53.5</u>	<u>2.820</u>
<u>53.75</u>	<u>2.850</u>
<u>54</u>	<u>2.880</u>
<u>54.25</u>	<u>2.910</u>
<u>54.5</u>	<u>2.940</u>
<u>54.75</u>	<u>2.970</u>
<u>55+</u>	<u>3.000</u>

In no event, however, shall such a retirement allowance exceed ninety (90) percent of a member’s final compensation.

SEC. A8.602-3 RETIREMENT FOR INCAPACITY

Any member of the police department who becomes incapacitated for the performance of his or her duty by reason of any bodily injury received in, or illness caused by the performance of his or her duty, shall be retired. If he or she is not qualified for service retirement, he or she shall receive a retirement allowance in an amount which shall be equal to the same percentage of the final compensation of said member, as defined in Section A8.602-1, as his or her percentage of disability is determined to be. The percentage of disability shall be as determined by the Workers’ Compensation Appeals Board of the State of California upon referral from the Retirement Board for that purpose; provided that the Retirement Board may, by five affirmative votes, adjust the percentage of disability as determined by said appeals board; and provided, further, that such retirement allowance shall be in an amount not less than 50 percent nor more than 90 percent of the final compensation of said member, as defined in Section A8.602-1. Said allowance shall be paid to him or her until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years had he or she lived and rendered service without interruption in the rank held by him or her at retirement, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date based on the final compensation, as defined in Section A8.602-1, he or she would have received immediately prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation.

If, at the time of retirement because of disability, he or she is qualified as to age and service for retirement under Section A8.602-2, he or she shall receive an allowance equal to the retirement allowance which he or she would receive if retired under Section A8.602-2, but not less than 50 percent of said final compensation. Any member of the police department who becomes incapacitated for performance of his or her duty by reason of a cause not included under the provisions of the immediately preceding sentences, and who shall have completed at least 10 years of service in the aggregate, computed as provided in Section A8.602-10, shall be retired upon an allowance of 1½ percent of the final compensation of said member as defined in Section A8.602-1 for each year of service, provided that said allowance shall not be less than 33½ percent of said final compensation. The question of retiring a member under this section may be brought before the Retirement Board on said



board's own motion, by recommendation of the police commission or by said member or his or her guardian. If his or her disability shall cease, his or her retirement allowance shall cease and he or she shall be restored to the service in the rank he or she occupied at the time of his or her retirement.

SEC. A8.602-4 DEATH ALLOWANCE

If a member of the police department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance, payable under any other section of the Charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but he or she had not retired, the allowance payable shall be equal to the retirement allowance which the member would have received if he or she had been retired for service on the date of death, but such allowance shall not be less than 50 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the compensation of said member at the date of death, until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, had he or she lived and rendered service without interruption in the rank held by him or her at death, and after said date the allowance payable shall be equal to the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to the retirement allowance of the member, except that if he or she was a member under Section A8.602 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be adjusted upon the date at which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died.

If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving spouse and no children under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving spouse following the death of a member unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

SEC. A8.602-5 PAYMENT TO SURVIVING DEPENDENTS

Upon the death of a member of the police department resulting from any cause other than an injury received in, or illness caused by performance of duty,

(a) if the death occurred after qualification for service retirement under Section A8.602-2, or after retirement service or because of disability which result from any cause other than an injury received in, or illness caused by performance of duty one-half of the retirement allowance to which the member would have been entitled if he or she had retired for service at the date of death or one-half of the retirement allowance as it was at his or her death, as the case may be, shall be

continued throughout his or her life or until remarriage to his or her surviving spouse, or

(b) if his or her death occurred after the completion of at least 25 years of service in the aggregate but prior to the attainment of the age of 50 years, one-half of the retirement allowance to which he or she would have been entitled under Section A8.602-2 if he or she had attained the age of 50 years on the date of his or her death shall be continued throughout life or until remarriage to his or her surviving spouse, or

(c) if his or her death occurred after retirement for disability by reason of injury received in or illness caused by performance of duty, three-fourths of his or her retirement allowance as it was at his or her death shall be continued throughout life or until remarriage to his or her surviving spouse, except that, if death occurred prior to qualification for service retirement allowance, the allowance continued shall be adjusted upon the date on which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died, or

(d) if his or her death occurred after completion of at least 10 years of service in the aggregate, computed as provided in Section A8.602-10, an allowance in an amount equal to the retirement allowance to which the member would have been entitled pursuant to Section A8.602-3 if he or she had retired on the date of death because of incapacity for performance of duty shall be paid throughout life or until remarriage to his or her surviving spouse. If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, to continue until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving spouse and no children, under age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however shall be paid under this section to a surviving spouse unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death if he or she had not retired, or unless he or she was married to the member at least one year prior to his or her retirement if he or she had retired.

As used in this section and Section A8.602-4 "surviving spouse" shall mean and include a surviving spouse, and shall also mean and include a spouse who has remarried since the death of the member, but whose remarriage has been terminated by death, divorce or annulment within five years after the date of such remarriage and who has not thereafter again remarried.

The surviving spouse, in the event of death of the member after qualification for, but before service retirement, may elect before the first payment of the allowance, to receive the benefit provided in Section A8.602-8, in lieu of the allowance which otherwise would be continued to him or her under this section. If there is no surviving spouse, the guardian of the eligible child or children may make such election, and if there are no such children, the dependent parent or parents may make such election. "Qualified for service retirement," "qualification for service retirement" or "qualified as to age and service for retirement," as used in this section and other sections to which persons who are members under Section A8.602 are subject, shall mean completion of 25 years of service and attainment of age 50, said service to be computed under Section A8.602-10.

SEC. A8.602-6 ADJUSTMENT OF ALLOWANCES

Every retirement or death allowance payable to or on account of any member under Section A8.602 shall be adjusted for cost of living allowances and supplemental cost of living benefits as provided in this Charter.

SEC. A8.602-7 ADJUSTMENT FOR COMPENSATION PAYMENTS

That portion of any allowance payable because of the death or retirement of any member of the police department which is provided by contributions of the City and County, shall be reduced, by the amount of any benefits other than medical benefits, payable by the City and County to or on account of such person, under any workers' compensation law or any other general law and because of the injury or illness resulting in said death or retirement. Such portion which is paid because of death or retirement which resulted from injury received in, or illness caused by performance of duty, shall be considered as in lieu of all benefits, other than medical benefits, payable to or on account of such person under such law and shall be in satisfaction and discharge of the obligation of the City and County to pay such benefits.

SEC. A8.602-8 DEATH BENEFIT

If a member of the police department shall die, before retirement from causes other than an injury received in, or illness caused by the performance of duty, or regardless of cause if no allowance shall be payable under Section A8.602-4 or A8.602-5 preceding, a death benefit shall be paid to his or her estate or designated beneficiary, the amount of which and the conditions for the payment of which shall be determined in the manner prescribed by the Board of Supervisors for the death benefit of other members of the Retirement System. Upon the death of a member after retirement and regardless of the cause of death, a death benefit shall be paid to his or her designated beneficiary or estate, the amount of which and the conditions for the payment of which, shall be determined in the manner prescribed by the Board of Supervisors for the death benefit of other members of the Retirement System.

SEC. A8.602-9 REFUNDS AND REDEPOSITS

Should any member of the police department cease to be employed as such a member, through any cause other than death or retirement or transfer to another office or department, all of his or her contributions, with interest credited thereon, shall be refunded to him or her subject to the conditions prescribed by the Board of Supervisors to govern similar terminations of employment of other members of the Retirement System. If he or she shall again become a member of the department, he or she shall redeposit in the retirement fund the amount refunded to him or her. Should a member of the police department become an employee of any other office or department, his or her accumulated contribution account shall be adjusted by payments to or from him or her as the case may be to make the accumulated contributions credited to him or her at the time of change equal to the amount which would have been credited to him or her if he or she had been employed in said other office or department at the rate of compensation received by him or her in the police department and he or she shall receive credit for service for which said contributions were made, according to the Charter section under which his or her membership in the Retirement System continues.

SEC. A8.602-10 COMPUTATION OF SERVICE

The following time shall be included in the computation of the service to be credited to a member of the police department for the purposes of determining whether such member qualified for retirement and calculating benefits, excluding, however, any time, the contributions for which were withdrawn by said member upon termination of his or her service while he or she was a member under any other Charter section, and not redeposited upon re-entry into service:

(a) Time during and for which said member is entitled to receive compensation because of services as a member of the police or fire department on and after July 1, 2010.

(b) Time during which said member was on Unpaid Parental Leave pursuant to Charter Section A8.523, and for which said member has purchased service credit in the Retirement System.

(c) Time during which said member is absent from a status included in Subsection (a) next preceding, by reason of service in the armed forces of the United States of America, or by reason of any other service included in Sections A8.520 and A8.521 of the Charter, during any war in which the United States was or shall be engaged or during other national emergency, and for which said member contributed or contributes to the Retirement System or for which the City and County contributed or contributes on his or her account.

SEC. A8.602-11 SOURCES OF FUNDS

All payments provided for members under Section A8.602 shall be made from funds derived from the following sources, plus interest earned on said funds:

(a) There shall be deducted from each payment of compensation made to a member under Section A8.602 a sum equal to eight and one-half percent of such payment of compensation. The sum so deducted shall be paid forthwith to the Retirement System. The eight and one-half percent member contribution rate shall take effect immediately upon expiration of the agreement that is operative on June 30, 2010, between the City and County and the recognized bargaining organization representing said members. Prior to that time, there shall be deducted from each payment of compensation made to a member under Section A8.602 a sum equal to seven percent of such payment of compensation. Said contribution shall be credited to the individual account of the member from whose salary it was deducted, and the total of said contributions, together with interest credited thereon in the same manner as is prescribed by the Board of Supervisors for crediting interest to contributions of other members of the Retirement System, shall be applied to provide part of the retirement allowance granted to, or allowance granted on account of said member, or shall be paid to said member or his or her beneficiary or as provided in Sections A8.602-8, A8.602-9 and A8.602-10.

(b) The City and County shall contribute to the Retirement System such amounts as may be necessary, when added to the contributions referred to in Subsection (a) of this Section A8.602-11, to provide the benefits payable to members under Section A8.602. Such contributions of the City and County to provide the portion of the benefits hereunder shall be made in annual installments, and the installment to be paid in any year shall be determined by the application of a percentage to the total compensation paid during said year to persons who are members under Section A8.602 in accordance with the provisions of Section A8.510.

(c) To promote the stability of the Retirement System through a joint participation in the result of variations in the experience under mortality, investment and other contingencies, the contributions of both members and the City and County held by the system to provide benefits for members under Section A8.602, shall be a part of the fund in which all other assets of said system are included.

(d) Any year in which, based upon the Retirement System's annual actuarial valuation, the employer contribution rate exceeds 0%, the employee organizations representing safety members shall jointly meet and confer with City representatives to implement a cost sharing arrangement between the City and employee organizations. Such arrangement will effect a material reduction of the cost impact of employer contributions on the City's general fund.

The dollar value of the cost sharing arrangement shall not exceed the total annual cost to the Retirement System of improving the police and fire safety retirement plans to the 3% @ 55 benefit level or the total employer contribution required by the Retirement System, whichever is lesser. Such cost sharing arrangement shall not require an employee contribution in excess of the limits set elsewhere in this Charter.

The meet and confer process, including all impasse procedures under Section A8.590-1 et seq., shall be concluded not later than April 1st except by mutual agreement of the parties. The cost sharing arrangement must be finalized to permit implementation effective July 1.

The Retirement Board's authority under Charter Section 12.100 and in Section A8.510 concerning the annual setting of the rates of contribution are not subject to the meet and confer process, including all impasse procedures under Section A8.590-1 et seq.

SEC. A8.602-12 RIGHT TO RETIRE

Upon the completion of the years of service set forth in Section A8.602-2 as requisite to retirement, a member of the police department shall be entitled to retire at any time thereafter in accordance with the provisions of said Section A8.602-2, and except as provided in Section A8.602-16, nothing shall deprive said member of said right.



SEC. A8.602-13 LIMITATION ON EMPLOYMENT DURING RETIREMENT

(a) Except as provided in Section A8.511 of this Charter and in Subsection (b) of this section, no person retired as a member under Section A8.602 for service or disability and entitled to receive a retirement allowance under the Retirement System shall be employed in any capacity by the City and County, nor shall such person receive any payment for services rendered to the City and County after retirement.

(b) (1) Service as an election officer or juror, or in the preparation for, or giving testimony as an expert witness for or on behalf of the City and County before any court or legislative body shall be affected by the provisions of Subsection (a) of this section.

(2) The provisions of Subsection (a) shall not prevent such retired person from serving on any board or commission of the City and County and receiving the compensation for such office, provided said compensation does not exceed \$100 per month.

(3) If such retired person is elected or appointed to a position or office which subjects him or her to membership in the Retirement System under Section A8.602, he or she shall re-enter membership under Section A8.602 and his or her retirement allowance shall be cancelled immediately upon his or her re-entry. The provisions of Subsection (a) of this section shall not prevent such person from receiving the compensation for such position or office. The rate of contributions of such member shall be the same as that for other members under Section A8.602. Such member's individual account shall be credited with an amount which is the actuarial equivalent of his or her annuity at the time of his or her re-entry, but the amount thereof shall not exceed the amount of his or her accumulated contributions at the time of his or her retirement. Such member shall also receive credit for his or her service as it was at the time of his or her retirement.

(c) Notwithstanding any provision of this Charter to the contrary, should any person retired for disability engage in a gainful occupation prior to attaining the age of 55 years, the Retirement Board shall reduce that part of his or her monthly retirement allowance which is provided by contributions of the City and County to an amount which, when added to the amount of the compensation earnable, at the time he or she engages in the gainful occupation, by such person if he or she held the position which he or she held at the time of his or her retirement, or, if that position has been abolished, the compensation earnable by the member if he or she held the position from which he or she was retired immediately prior to its abolishment.

SEC. A8.602-14 CONFLICTING CHARTER PROVISIONS

Any section or part of any section in this Charter, insofar as it should conflict with the provisions of Sections A8.602 through A8.602-16 or with any part thereof, shall be superseded by the contents of said sections. In the event that any word, phrase, clause or section of said sections shall be adjudged unconstitutional, the remainder thereof shall remain in full force and effect.

SEC. A8.602-15 VESTING

Notwithstanding any provisions of this Charter to the contrary, should any member of the police department who is a member of the Retirement System under Charter Section A8.602 with five years of credited service, cease to be so employed, through any cause other than death or retirement, he or she shall have the right to elect, without right of revocation and within 90 days after termination of said service, to allow his or her accumulated contributions including interest to remain in the retirement fund and to receive a retirement allowance equal to the percent set forth in Section A8.602-2 opposite his or her age at retirement, for each year of service multiplied against the final compensation of said member, calculated at termination, payable beginning no earlier than age 50. No vesting retirement allowance under this section shall exceed ninety (90%) percent of the member's final compensation.

SEC. A8.602-16 FORFEITURE FOR CRIMES INVOLVING MORAL TURPITUDE

Any member convicted of a crime involving moral turpitude committed in connection with his or her duties as an officer or employee of the City and County shall forfeit all rights to any benefits under the Retirement System except refund of his or her accumulated contributions; provided, however, that if such member is qualified for service retirement by reason of service and age under the provisions of Section

A8.602-2, he or she shall have the right to elect, without right of revocation and within 90 days after his or her removal from office or employment to receive as his or her sole benefit under the Retirement System an annuity which shall be the actuarial equivalent of his or her accumulated contributions at the time of such removal from office or employment.

Any member after retirement for service or disability or while receiving a vesting allowance, who is convicted of a crime involving moral turpitude in connection with his or her duties as an officer or employee of the City and County shall forfeit all rights to any further benefit from the Retirement System and the Retirement System shall immediately cease all future payments to such member; provided however, that if at the time of the conviction, said member has remaining accumulated contributions, then such member shall have the right to elect, without right of revocation and within 30 days after his or her conviction, to receive as his or her sole benefit under the Retirement System an annuity which shall be the actuarial equivalent of his or her accumulated contributions remaining at the time of the conviction.

Proposition E

Ordinance amending the San Francisco Administrative Code by adding Section 3.22, to require the City's annual budget to include an appropriation for the Police Department's expenditures on security for City officials and dignitaries.

NOTE: Additions are single-underline italics Times New Roman; deletions are ~~strike-through italics Times New Roman~~.

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

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 3.22, to read as follows:

SEC. 3.22. POLICE DEPARTMENT DIGNITARY SECURITY BUDGET.

The annual proposed budget for the Police Department prepared and submitted under Charter Section 4.102, and the annual budget for the City proposed and approved under Article IX of the Charter shall include a line-item appropriation for the Police Department's expenditure of funds to provide security services to City officials and visiting dignitaries.

Proposition F

NOTE: Additions are single-underline italics Times New Roman; deletions are ~~strike-through italics Times New Roman~~.

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

Section 1. San Francisco Administrative Chapter 37.3 is amended by adding Section 37.3(f) "Tenant Financial Hardship Applications"

SEC. 37.3. RENT LIMITATIONS.

(a) Rent Increase Limitations for Tenants in Occupancy. Landlords may impose rent increases upon tenants in occupancy only as provided below and as provided by Subsection 37.3(d):

(1) Annual Rent Increase. On March 1st of each year, the Board shall publish the increase in the CPI for the preceding 12 months, as made available by the U.S. Department of Labor. A landlord may impose annually a rent increase which does not exceed a tenant's base rent by more than 60 percent of said published increase. In no event, however, shall the allowable annual increase be greater than seven percent.

(2) **Banking.** A landlord who refrains from imposing an annual rent increase or any portion thereof may accumulate said increase and impose that amount on the tenant's subsequent rent increase anniversary dates. A landlord who, between April 1, 1982, and February 29, 1984, has banked an annual seven percent rent increase (or rent increases) or any portion thereof may impose the accumulated increase on the tenant's subsequent rent increase anniversary dates.

(3) **Capital Improvements, Rehabilitation, and Energy Conservation Improvements, and Renewable Energy Improvements.** A landlord may impose rent increases based upon the cost of capital improvements, rehabilitation, energy conservation improvements, or renewable energy improvements, provided that such costs are certified pursuant to Sections 37.7 and 37.8B below; provided further that where a landlord has performed seismic strengthening in accordance with Building Code Chapters 16B and 16C, no increase for capital improvements (including but not limited to seismic strengthening) shall exceed, in any 12 month period, 10 percent of the tenant's base rent, subject to rules adopted by the Board to prevent landlord hardship and to permit landlords to continue to maintain their buildings in a decent, safe and sanitary condition. A landlord may accumulate any certified increase which exceeds this amount and impose the increase in subsequent years, subject to the 10 percent limitation. Nothing in this subsection shall be construed to supersede any Board rules or regulations with respect to limitations on increases based upon capital improvements whether performed separately or in conjunction with seismic strengthening improvements pursuant to Building Code Chapters 16B and 16C.

(4) **Utilities.** A landlord may impose increases based upon the cost of utilities as provided in Section 37.2(q) above.

(5) **Water: Charges Related to Excess Water Use, and 50% Passthrough of Water Bill Charges Attributable to Water Rate Increases Resulting From Issuance of Water System Improvement Revenue Bonds Authorized at the November 2002 Election.**

(A) **Charges Related to Excess Water Use.** A landlord may impose increases not to exceed 50 percent of the excess use charges (penalties) levied by the San Francisco Water Department on a building for use of water in excess of Water Department allocations under the following conditions:

(i) The landlord provides tenants with written certification that the following have been installed in all units: (1) permanently installed retrofit devices designed to reduce the amount of water used per flush or low-flow toilets (1.6 gallons per flush); (2) low-flow showerheads which allow a flow of no more than 2.5 gallons per minute; and (3) faucet aerators (where installation on current faucets is physically feasible); and

(ii) The landlord provides the tenants with written certification that no known plumbing leaks currently exist in the building and that any leaks reported by tenants in the future will be promptly repaired; and

(iii) The landlord provides the tenants with a copy of the water bill for the period in which the penalty was charged. Only penalties billed for a service period which begins after the effective date of the ordinance [April 20, 1991] may be passed through to tenants. Where penalties result from an allocation which does not reflect documented changes in occupancy which occurred after March 1, 1991, a landlord must, if requested in writing by a tenant, make a good-faith effort to appeal the allotment. Increases based upon penalties shall be prorated on a per-room basis provided that the tenancy existed during the time the penalty charges accrued. Such charges shall not become part of a tenant's base rent. Where a penalty in any given billing period reflects a 25 percent or more increase in consumption over the prior billing period, and where that increase does not appear to result from increased occupancy or any other known use, a landlord may not impose any increase based upon such penalty unless inspection by a licensed plumber or Water Department inspector fails to reveal a plumbing or other leak. If the inspection does reveal a leak, no increase based upon penalties may be imposed at any time for the period of the unrepaired leak.

(B) **Fifty Percent (50%) Passthrough of Water Bill Charges Attributable to Water Rate Increases Resulting From Issuance of Water System Improvement Revenue Bonds Authorized at the November 2002 Election.** A landlord may pass through fifty percent (50%) of the water bill charges attributable to water rate increases resulting from issuance of Water System Improvement Revenue Bonds authorized at the November

2002 election (Proposition A), to any unit that is in compliance with any applicable laws requiring water conservation devices. The landlord is not required to file a petition with the Board for approval of such a cost passthrough. Such cost passthroughs are subject to the following:

(i) Affected tenants shall be given notice of any such passthrough as provided by applicable notice of rent increase provisions of this Chapter 37, including but not limited to Section 37.3(b)(3).

(ii) A tenant may file a hardship application with the Board, and be granted relief from all or part of such a cost passthrough.

(iii) If a tenant's hardship application is granted, the tenant's landlord may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction, based on that tenant's hardship status.

(iv) A landlord shall not impose a passthrough pursuant to Section 37.3(a)(5)(B) if the landlord has filed for or received Board approval for a rent increase under Section 37.8(e)(4) for increased operating and maintenance expenses in which the same increase in water bill charges attributable to water rate increases resulting from issuance of any water revenue bonds authorized at the November 5, 2002 election was included in the comparison year cost totals.

(v) Where a tenant alleges that a landlord has imposed a water revenue bond passthrough that is not in compliance with Section 37.3(a)(5)(B), the tenant may petition for a hearing under the procedures provided by Section 37.8. In such a hearing the landlord shall have the burden of proving the accuracy of the calculation that is the basis for the increase. Any tenant petition challenging such a passthrough must be filed within one year of the effective date of the passthrough.

(vi) A tenant who has received a notice of passthrough or a passthrough under this Section 37.3(a)(5)(B) shall be entitled to receive a copy of the applicable water bill from the landlord upon request.

(vii) The amount of permissible passthrough per unit under this Section 37.3(a)(5)(B) shall be determined as follows:

(1) The San Francisco Public Utilities Commission will determine the charge per unit of water, if any, that is attributable to water rate increases resulting from issuance of water system improvement revenue bonds authorized at the November 5, 2002 election.

(2) The charge identified in Section 37.3(a)(5)(B)(vii)(1) shall be multiplied by the total units of water used by each customer, for each water bill. The result is the total dollar amount of the water bill that is attributable to water rate increases resulting from issuance of water system improvement revenue bonds authorized at the November 5, 2002 election. That charge shall be a separate line item on each customer's water bill.

(3) The dollar amount calculated under Section 37.3(a)(5)(B)(vii)(2) shall be divided by two (since a 50% passthrough is permitted), and then divided by the total number of units covered by the water bill, including commercial units. The resulting dollar figure shall be divided by the number of months covered by the water bill cycle (most are two-month bill cycles), to determine the amount of that water bill that may be passed through to each residential unit for each month covered by that bill.

(4) These passthroughs may be imposed on a monthly basis. These passthroughs shall not become part of a tenant's base rent. The amount of each passthrough may vary from month to month, depending on the amount calculated under Sections 37.3(a)(5)(B)(vii)(1) through (3).

(viii) The Board may amend its rules and regulations as necessary to implement this Section 37.3(a)(5)(B).

(6) **Property Tax.** A landlord may impose increases based upon a 100% passthrough of the change in the landlord's property tax resulting from the repayment of general obligation bonds of the City and County of San Francisco approved by the voters between November 1, 1996, and November 30, 1998 as provided in Section 37.2(q) above.

A landlord may impose increases based upon a 50% passthrough of the change in the landlord's property tax resulting from the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006, as provided in Section 37.2(q) above.

The amount of such increases shall be determined for each tax year as follows:



(A) For general obligation bonds of the City and County of San Francisco approved by the voters between November 1, 1996 and November 30, 1998:

(i) The Controller and the Board of Supervisors will determine the percentage of the property tax rate, if any, in each tax year attributable to general obligation bonds approved by the voters between November 1, 1996, and November 30, 1998, and repayable within such tax year.

(ii) This percentage shall be multiplied by the total amount of the net taxable value for the applicable tax year. The result is the dollar amount of property taxes for that tax year for a particular property attributable to the repayment of general obligation bonds approved by the voters between November 1, 1996, and November 30, 1998.

(iii) The dollar amount calculated under Subsection (ii) shall be divided by the total number of all units in each property, including commercial units. That figure shall be divided by 12 months, to determine the monthly per unit costs for that tax year of the repayment of general obligation bonds approved by the voters between November 1, 1996, and November 30, 1998.

(B) For general obligation bonds of the City and County of San Francisco approved by the voters after November 14, 2002 where any rent increase has been disclosed and approved by the voters:

(i) The Controller and the Board of Supervisors will determine the percentage of the property tax rate, if any, in each tax year attributable to general obligation bonds approved by the voters after November 14, 2002 and repayable within such tax year.

(ii) This percentage shall be multiplied by the total amount of the net taxable value for the applicable tax year. The result is the dollar amount of property taxes for that tax year for a particular property attributable to the repayment of general obligation bonds approved by the voters after November 14, 2002.

(iii) The dollar amount calculated under Subsection (ii) shall be divided by two, and then by the total number of all units in each property, including commercial units. That figure shall be divided by 12 months, to determine the monthly per unit costs for that tax year of the repayment of general obligation bonds approved by the voters after November 14, 2002.

(C) For general obligation bonds of the San Francisco Unified School District or San Francisco Community College District approved by the voters after November 1, 2006:

(i) The Controller and the Board of Supervisors will determine the percentage of the property tax rate, if any, in each tax year attributable to San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006 and repayable within such tax year.

(ii) This percentage shall be multiplied by the total amount of the net taxable value for the applicable tax year. The result is the dollar amount of property taxes for that tax year for a particular property attributable to the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

(iii) The dollar amount calculated under Subsection (ii) shall be divided by two, and then by the total number of all units in each property, including commercial units. That figure shall be divided by 12 months, to determine the monthly per unit costs for that tax year of the repayment of San Francisco Unified School District or San Francisco Community College District general obligation bonds approved by the voters after November 1, 2006.

(D) Landlords may pass through to each unit in a particular property the dollar amount calculated under these Subsections 37.3(a)(6)(A) and (B) and (C). These passthroughs may be imposed only on the anniversary date of each tenant's occupancy of the property. These passthroughs shall not become a part of a tenant's base rent. The amount of each annual passthrough imposed pursuant to this Subsection (6) may vary from year-to-year, depending on the amount calculated under Subsections (A) and (B) and (C). Each annual passthrough shall apply only for the 12 month period after it is imposed. A landlord may impose the passthroughs described in this Subsection (6) for a particular tax year only with respect to those tenants who were residents of a particular property on November 1st of the applicable tax year. A landlord

shall not impose a passthrough pursuant to this Subsection (6) if the landlord has filed for or received Board approval for a rent increase under Section 37.8(e)(4) for increased operating and maintenance expenses in which the same increase in property taxes due to the repayment of general obligation bonds was included in the comparison year cost totals.

(E) The Board will have available a form which explains how to calculate the passthrough.

(F) Landlords must provide to tenants, on or before the date that notice is served on the tenant of a passthrough permitted under this Subsection (6), a copy of the completed form described in Subsection (E). This completed form shall be provided in addition to the Notice of Rent Increase required under Section 37.3(b)(5). Where a tenant alleges that a landlord has imposed a charge which exceeds the limitations set forth in this Subsection (6), the tenant may petition for a hearing under the procedures provided by Section 37.8. In such a hearing, the landlord shall have the burden of proving the accuracy of the calculation that is the basis for the increase. Any tenant petitions challenging such a passthrough must be filed within one year of the effective date of the passthrough.

(G) The Board may amend its rules and regulations as necessary to implement this Subsection (6).

(7) RAP Loans. A landlord may impose rent increases attributable to the City Administrator's amortization of the RAP loan in an area designated on or after July 1, 1977, pursuant to Chapter 32 of the San Francisco Administrative Code.

(8) Additional Increases. A landlord who seeks to impose any rent increase which exceeds those permitted above shall petition for a rental arbitration hearing pursuant to Section 37.8 of this Chapter.

(9) A landlord may impose a rent increase to recover costs incurred for the remediation of lead hazards, as defined in San Francisco Health Code Article 11 or 26. Such increases may be based on changes in operating and maintenance expenses or for capital improvement expenditures as long as the costs which are the basis of the rent increase are a substantial portion of the work which abates or remediates a lead hazard, as defined in San Francisco Health Code Article 11 or 26, and provided further that such costs are approved for operating and maintenance expense increases pursuant to Section 37.8(e)(4)(A) and certified as capital improvements pursuant to Section 37.7 below.

When rent increases are authorized by this Subsection 37.3(a)(9), the total rent increase for both operating and maintenance expenses and capital improvements shall not exceed 10 percent in any 12 month period. If allowable rent increases due to the costs of lead remediation and abatement work exceed 10 percent in any 12 month period, an Administrative Law Judge shall apply a portion of such excess to approved operating and maintenance expenses for lead remediation work, and the balance, if any, to certified capital improvements, provided, however, that such increase shall not exceed 10 percent. A landlord may accumulate any approved or certified increase which exceeds this amount, subject to the 10 percent limit.

(10) With respect to units occupied by recipients of tenant-based rental assistance:

(A) If the tenant's share of the base rent is not calculated as a fixed percentage of the tenant's income, such as in the Section 8 voucher program and the Over-FMR Tenancy Program, then:

(i) If the base rent is equal to or greater than the payment standard, the rent increase limitations in Sections 37.3(a)(1) and (2) shall apply to the entire base rent, and the arbitration procedures for those increases set forth in Section 37.8 and 37.8A shall apply.

(ii) If the base rent is less than the payment standard, the rent increase limitations of this Chapter shall not apply; provided, however, that any rent increase which would result in the base rent being equal to or greater than the payment standard shall not result in a new base rent that exceeds the payment standard plus the increase allowable under Section 37.3(a)(1).

(B) If the tenant's share of the base rent is calculated as a fixed percentage of the tenant's income, such as in the Section 8 certificate program and the rental subsidy program for the HOPWA program, the rent increase limitations in Section 37.3(a)(1) and (2) shall not apply. In

such circumstances, adjustments in rent shall be made solely according to the requirements of the tenant-based rental assistance program.

(b) Notice of Rent Increase for Tenants in Occupancy. On or before the date upon which a landlord gives a tenant legal notice of a rent increase, the landlord shall inform the tenant, in writing, of the following:

(1) Which portion of the rent increase reflects the annual increase, and/or a banked amount, if any;

(2) Which portion of the rent increase reflects costs for increased operating and maintenance expenses, rents for comparable units, and/or capital improvements, rehabilitation, energy conservation measures improvements, or renewable energy improvements certified pursuant to Section 37.7. Any rent increase certified due to increases in operating and maintenance costs shall not exceed seven percent;

(3) Which portion of the rent increase reflects the passthrough of charges for: gas and electricity; or the passthrough of increased water bill charges attributable to water rate increases resulting from issuance of water revenue bonds authorized at the November 2002 election as provided by Section 37.3(a)(5)(B), which charges and calculations of charges shall be explained in writing on a form provided by the Board; or the passthrough of general obligation bond measure costs as provided by Section 37.3(a)(6), which charges shall be explained in writing on a form provided by the Board as described in Section 37.3(a)(6)(E);

(4) Which portion of the rent increase reflects the amortization of the RAP loan, as described in Section 37.3(a)(7) above.

(5) Nonconforming Rent Increases. Any rent increase which does not conform with the provisions of this Section shall be null and void.

(6) With respect to rental units occupied by recipients of tenant-based rental assistance, the notice requirements of this Subsection (b) shall be required in addition to any notice required as part of the tenant-based rental assistance program.

(c) Initial Rent Limitation for Subtenants. A tenant who subleases his or her rental unit may charge no more rent upon initial occupancy of the subtenant or subtenants than that rent which the tenant is currently paying to the landlord.

(d) Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50. et seq.) Consistent with the Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50. et seq.) and regardless of whether otherwise provided under Chapter 37:

(1) Property Owner Rights to Establish Initial and All Subsequent Rental Rates for Separately Alienable Parcels.

(A) An owner or residential real property may establish the initial and all subsequent rental rates for a dwelling or a unit which is alienable separate from the title to any other dwelling unit or is a subdivided interest in a subdivision as specified in subdivision (b), (d), or (f) of Section 11004.5 of the California Business and Professions Code. The owner's right to establish subsequent rental rates under this paragraph shall not apply to a dwelling or unit where the preceding tenancy has been terminated by the owner by notice pursuant to California Civil Code Section 1946 or has been terminated upon a change in the terms of the tenancy noticed pursuant to California Civil Code Section 827; in such instances, the rent increase limitation provisions of Chapter 37 shall continue to apply for the duration of the new tenancy in that dwelling or unit.

(B) Where the initial or subsequent rental rates of a Subsection 37.3(d)(1)(A) dwelling or unit were controlled by the provisions of Chapter 37 on January 1, 1995, the following shall apply:

(i) A tenancy that was in effect on December 31, 1995, remains subject to the rent control provisions of this Chapter 37, and the owner may not otherwise establish the subsequent rental rates for that tenancy.

(ii) On or after January 1, 1999, an owner may establish the initial and all subsequent rental rates for any tenancy created on or after January 1, 1996.

(C) An owner's right to establish subsequent rental rates under Subsection 37.3(d)(1) shall not apply to a dwelling or unit which contains serious health, safety, fire or building code violations, excluding those caused by disasters, for which a citation has been issued by the appropriate governmental agency and which has remained unabated for six months or longer preceding the vacancy.

(2) Conditions for Establishing the Initial Rental Rate Upon Sublet or Assignment. Except as identified in this Subsection 37.3(d)(2), nothing in this Subsection or any other provision of law of the City and County of San Francisco shall be construed to preclude express establishment in a lease or rental agreement of the rental rates to be applicable in the event the rental unit subject thereto is sublet, and nothing in this Subsection shall be construed to impair the obligations of contracts entered into prior to January 1, 1996, subject to the following:

(A) Where the original occupant or occupants who took possession of the dwelling or unit pursuant to the rental agreement with the owner no longer permanently reside there, an owner may increase the rent by any amount allowed by this Subsection to a lawful sublessee or assignee who did not reside at the dwelling or unit prior to January 1, 1996. However, such a rent increase shall not be permitted while:

(i) The dwelling or unit has been cited in an inspection report by the appropriate governmental agency as containing serious health, safety, fire, or building code violations, as defined by Section 17920.3 of the California Health and Safety Code, excluding any violation caused by a disaster; and,

(ii) The citation was issued at least 60 days prior to the date of the vacancy; and,

(iii) The cited violation had not been abated when the prior tenant vacated and had remained unabated for 60 days or for a longer period of time. However, the 60-day time period may be extended by the appropriate governmental agency that issued the citation.

(B) This Subsection 37.3(d)(2) shall not apply to partial changes in occupancy of a dwelling or unit where one or more of the occupants of the premises, pursuant to the agreement with the owner provided for above (37.3(d)(2)), remains an occupant in lawful possession of the dwellings or unit, or where a lawful sublessee or assignee who resided at the dwelling or unit prior to January 1, 1996, remains in possession of the dwelling or unit. Nothing contained in this Subsection 37.3(d)(2) shall be construed to enlarge or diminish an owner's right to withhold consent to a sublease or assignment.

(C) Acceptance of rent by the owner shall not operate as a waiver or otherwise prevent enforcement of a covenant prohibiting sublease or assignment or as a waiver of an owner's rights to establish the initial rental rate unless the owner has received written notice from the tenant that is party to the agreement and thereafter accepted rent.

(3) Termination or Nonrenewal of a Contract or Recorded Agreement with a Government Agency Limiting Rent. An owner who terminates or fails to renew a contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant, shall be subject to the following:

(A) The tenant(s) who were beneficiaries of the contract or recorded agreement shall be given at least 90 days' written notice of the effective date of the termination and shall not be obligated to pay more than the tenant's portion of the rent, as calculated under that contract or recorded agreement, for 90 days following receipt of the notice of termination or nonrenewal.

(B) The owner shall not be eligible to set an initial rent for three years following the date of the termination or nonrenewal of the contract or agreement.

(C) The rental rate for any new tenancy established during the three-year period in that vacated dwelling or unit shall be at the same rate as the rent under the terminated or nonrenewed contract or recorded agreement, plus any increases authorized under this Chapter 37 after the date of termination/non renewal.

(D) The provisions of Subsections 37.3(d)(3)(B) and (C) shall not apply to any new tenancy of 12 months or more duration established after January 1, 2000, pursuant to the owner's contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant unless the prior vacancy in that dwelling or unit was pursuant to a nonrenewed or canceled contract or recorded agreement with a governmental agency that provides for a rent limitation to a qualified tenant.

(4) Subsection 37.3(d) does not affect the authority of the City and County of San Francisco to regulate or monitor the basis or grounds for eviction.



Proposition G

NOTE: Additions are single-underline italics Times New Roman; deletions are ~~strike-through italics Times New Roman~~.

It shall be the policy of the people of the City and County of San Francisco that:

The new Transbay Transit Center, under construction at First and Mission Streets, be the Northern California terminus for California High Speed Rail.

We call on the California High Speed Rail Authority to abandon consideration of an alternate site for High Speed Rail at Main and Beale Streets and focus on bringing High Speed Rail to the Transbay Transit Center. A train station at Main and Beale would result in unnecessary duplication and delay and cause undue disruption to the residents of San Francisco, especially in the South of Market neighborhood, where 1800 existing and planned units of housing would be lost.

Planning for a new Transbay Terminal with an extension of Caltrain to downtown San Francisco began more than 2 decades ago. A full public process to receive community input and develop a locally preferred site for the new Transbay Terminal resulted in the selection of First and Mission Streets. During this process and after much study, the Main and Beale Streets site was rejected as infeasible and technically inferior to the Transbay Terminal site.

San Francisco residents voted in favor of Proposition H in November 1999 to bring rail to downtown San Francisco and for Proposition K in November 2003 to provide funding for the Transbay Project. Both measures specified that the Transbay Terminal be built on its current site at First and Mission. Considerable time and resources have been put into the First and Mission site, which will bring together rail, Muni, BART, AC Transit and other public transit options in a convenient downtown location for San Francisco and regional travelers. In addition, the voters of California approved Proposition 1A in 2008 to provide funding for High Speed Rail with the specific condition that the northern terminus be located at the Transbay Terminal in San Francisco.

The Transbay Joint Powers Authority (TJPA) was created in 2001 to design, build, and operate the new Transbay Transit Center. Since that time, the TJPA has cleared environmental review, selected the design and development team, completed initial project design, secured over \$2 billion to fully fund the first phase of the project, and completed construction of the temporary terminal. The TJPA Board and its capable staff are on schedule to complete the new Transbay Transit Center building by 2015 and the downtown extension by 2018. The Transbay Transit Center is designed to accommodate California High Speed Rail.

Because of the overwhelming support for the Transbay Transit Center at First and Mission Streets, the people of the City and County of San Francisco support this location as the Northern California terminus for High Speed Rail between downtown San Francisco and downtown Los Angeles, and declare as a matter of policy to call on the California High Speed Rail Authority to abandon consideration of an alternate terminus of High Speed Rail at Main and Beale Streets.

(5) This Subsection 37.3(d) is intended to be and shall be construed to be consistent with the Costa-Hawkins Rental Housing Act (Civil Code Sections 1954.50, et seq.).

(e) Effect of Deferred Maintenance on Passthroughs for Lead Remediation Techniques.

(1) When lead hazards are remediated or abated pursuant to San Francisco Health Code Articles 11 or 26, are violations of State or local housing health and safety laws, there shall be a rebuttable presumption that the lead hazards are caused or created by deferred maintenance as defined herein of the current or previous landlord. If the landlord fails to rebut the presumption, the costs of such work shall not be passed through to tenants as either a capital improvement or an operating and maintenance expense. If the landlord rebuts the presumption, he or she shall be entitled to a rent increase if otherwise justified by the standards set forth in this Chapter.

(2) For purposes of the evaluation of petitions for rent increases for lead remediation work, maintenance is deferred if a reasonable landlord under the circumstances would have performed, on a regular basis, the maintenance work required to keep the premises from being in violation of housing safety and habitability standards set forth in California Civil Code Section 1941 and the San Francisco Municipal Code. In order to prevail on a deferred maintenance defense, a tenant must show that the level of repair or remediation currently required would have been lessened had maintenance been performed in a more timely manner.

Administrative Code Section 37.3(f).

(f) Tenant Financial Hardship Applications. In addition to any existing hardship provisions in the Rent Stabilization and Arbitration Ordinance or Rules and Regulations at the time this Section 37.3 becomes effective:

(1) A tenant in a household who is either unemployed, or whose wages have been reduced by 20% or more compared to 12 months prior, or whose sole income consists of government benefits such as Social Security, Supplemental Security Income (SSI), State Disability Insurance (SDI), or similar benefits and who has not received a cost of living increase in the past 12 months, may file a petition claiming hardship at any time on grounds of financial hardship with respect to any rent increase pursuant to Section 37.3. Payment of such rent increase(s) set forth in the hardship application shall be stayed for a period of 60 days from the date of filing, or until the hearing is held and the decision of the Administrative Law Judge is issued, whichever date comes later.

(2) In determining whether the tenant's claim of financial hardship shall be granted, the Rent Board and Administrative Law Judge shall base their determination on:

(A) Whether or not a tenant in the household (i) is either unemployed or has had wages reduced by 20% or more compared to 12 months prior, or (ii) whose sole income consists of government benefits such as Social Security, SSI, SDI or similar benefits has not received a cost of living increase in the past 12 months; and

(B) Whether the rent including the increase comprises or will comprise 33% or more of the tenant's gross income.

(C) The tenant's assets shall also be considered in making this determination.

(3) Upon finding that the tenant has financial hardship, the Administrative Law Judge shall order that the rent increase will not be in effect prospectively for a specific period of time based on the tenant's circumstances, and schedule a review at the end of that period. If that rent increase is later allowed, it will be effective as of the date the tenant's income or assets changed to permit the increase.

Section 2. Severability

If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions of the this ordinance, and clauses of this ordinance are declared to be severable.