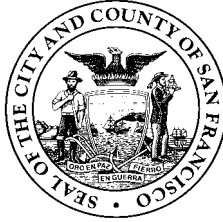


DEPARTMENT OF ELECTIONS
City and County of San Francisco



JOHN ARNTZ
Director

January 9, 2004

Dear San Francisco Voter:

For the March 2, 2004 Consolidated Primary Election, the Department of Elections is providing all voters with a voter information pamphlet that contains sample ballots for each of the qualified political parties: American Independent, Democrat, Green, Libertarian, Natural Law, Peace and Freedom, and Republican. In the past, each voter received a pamphlet that contained the sample ballot of the voter's political party only.

If, when you registered to vote, you stated an affiliation with a political party, you must vote the ballot of that party. If, instead, you declined to state a party affiliation, you may vote the ballot of any of the three political parties -- American Independent, Democrat, and Republican -- that allow unaffiliated voters to participate in their primaries. **Please check the back cover of this voter information pamphlet to confirm your party registration.**

If you declined to state a party affiliation and you wish to request an absentee ballot, you can indicate which party ballot you would like to receive on the absentee ballot application located on the back cover of this voter information pamphlet. If you are a voter who declined to state a party affiliation and you intend to vote at the polls on election day, you can indicate your party choice to a poll worker.

All voters, regardless of party affiliation, may vote for or against the ballot measures.

In addition to a sample ballot for each qualified political party, your voter information pamphlet contains:

- The address for your polling place (located on the back cover);
- The complete text of the 10 ballot measures, along with the Ballot Simplification Committee's summary of each measure and the Controller's financial analysis of each measure;
- Arguments in favor of and against each measure;
- An absentee ballot application.

The polls will be open on election day, Tuesday, March 2, from 7:00 a.m. until 8:00 p.m. The Department of Elections encourages you to review the back cover of this pamphlet for the correct address of your polling place. The address of your polling place can also be found on the Department's website at www.sfgov.org/elections, under "polling place lookup."

If you have any questions about the election or voting, you can call the Department's voter information phone bank at (415) 554-4375.

Respectfully,

John Arntz
Director of Elections

1 Dr. Carlton B. Goodlett Place – Room 48, San Francisco, CA 94102-4634
Voice (415) 554-4375; Fax (415) 554-7344; Absentee Fax (415) 554-4372; TDD (415) 554-4386

Elections Commission

Alix Rosenthal, President
appointed by the Public Defender
Michael Mendelson, Vice President
appointed by the District Attorney
Robert Kenealey
appointed by the City Attorney
Thomas Schulz
appointed by the Board of Supervisors
Richard Shadoian
appointed by the Board of Education
Brenda Stowers
appointed by the City Treasurer
Arnold Townsend
appointed by the Mayor

The **Elections Commission** assumes policy-making authority and oversight of all public federal, state, district and municipal elections in the City and County of San Francisco. The Commission is charged with setting general policies for the Department of Elections and is responsible for the proper administration of the Department subject to budgetary and fiscal Charter provisions.

Ballot Simplification Committee

Betty J. Packard, Committee Chair
Northern California Broadcasters Association
Diane Ollis
Northern California Newspaper Guild
Phyl Smith
League of Women Voters
Julia Moll, *Ex officio*
Deputy City Attorney
John Arntz, *Ex officio*
Director of Elections

The **Ballot Simplification Committee** prepares summaries ("The Way It Is Now," "The Proposal," "A Yes Vote Means," and "A No Vote Means") of measures placed on the ballot each election. The Committee also prepares a table of contents, an index of candidates and measures, a brief explanation of the ballot pamphlet, definitions of terms in the pamphlet, a summary of voters' basic rights, and a statement as to the term, compensation and duties of each local elective office.



PURPOSE OF THE VOTER INFORMATION PAMPHLET

This Voter Information Pamphlet provides voters with information about the March 2, 2004 Consolidated Primary Election. The pamphlet includes:

1. The location of **your polling place**
 2. An application for an **Absentee (Vote-by-Mail) Ballot** and for **permanent absentee voter status**
 3. **Frequently Asked Questions**
 4. Information for **disabled voters**
 5. Definitions of the **words you need to know**
 6. Information about each **ballot measure**; each local measure includes a summary, how the proposition got on the ballot, the Controller's Statement, arguments for and against the measure, and the legal text
-



Mail Delivery of Voter Pamphlets

The San Francisco Voter Information Pamphlet and Sample Ballot is scheduled to be mailed at the beginning of February. If you registered to vote on or before December 30, 2003 you should receive your Voter Information Pamphlet by the middle of February.

If you registered to vote or changed your registration after December 30, and before February 3, your Voter Information Pamphlet will be mailed after February 10.

If you do not receive your Voter Information Pamphlet in a timely manner, please notify your local Post Office.

NEW COMBINED PARTY VOTER INFORMATION PAMPHLET FOR THE MARCH 2, 2004 CONSOLIDATED PRIMARY ELECTION

The Department of Elections is providing a combined sample ballot booklet for the March 2, 2004 Consolidated Primary election for the following parties:

American Independent Party
Democratic Party
Green Party
Libertarian Party
Natural Law Party
Peace & Freedom Party
Republican Party

Because the March 2, 2004 election is a "modified" primary, a voter who has registered with a particular political party may only vote for candidates from that party. Voters who have declined to state an affiliation with a political party may request a ballot from any of the three political parties that allow unaffiliated voters to participate. All registered voters, regardless of party affiliation, may vote for or against the ballot measures.

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

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

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

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

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

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

AIP – American Independent Party
DEM – Democratic Party
GRN – Green Party
LIB – Libertarian Party
NLAW – Natural Law Party
PF – Peace & Freedom Party
REP – Republican Party
DTS- Decline to State a Party Affiliation

NEW ELECTION LAWS

VOTERS WHO HAVE DECLINED TO STATE A PARTY AFFILIATION

Voters who have declined to state an affiliation with a political party may request a ballot from any of the three political parties that allow unaffiliated voters to participate. The three political parties that will allow unaffiliated voters to vote a party ballot at this election are: the American Independent Party (which allows unaffiliated voters to vote for candidates for all offices), the Democratic Party (which allows unaffiliated voters to vote for candidates for all offices except County Central Committee), and the Republican Party (which allows unaffiliated voters to vote for candidates for all offices except President and County Central Committee). However, under the new law, when an unaffiliated voter chooses to vote a ballot from one of these parties, this choice must be noted in the roster of voters and becomes part of the public record.

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

PROVISIONAL VOTING

Any voter whose registration cannot be immediately verified may cast a provisional vote. This right also applies to voters who vote outside of their assigned precinct on election day. Under the new law, votes for all candidates and measures for which the voter is entitled to vote will be counted.

Any voter who has moved from one address to another within San Francisco, and has not yet re-registered to vote using his or her new address, may nevertheless cast a provisional vote at a polling place based on his or her new address. However, the voter must complete a voter registration card at the polling place in order to update his or her registration information.

HELP AMERICA VOTE ACT

The Help America Vote Act (HAVA) is a new federal law that requires individuals registering to vote for the first time, or voters who registered to vote by mail any time after January 1, 2003 and are voting at the polls for the first time since registering to present identification information.

Specifically, HAVA requires that:

Individuals who register to vote in a federal election must include with their voter registration application EITHER:

- (1) a current and valid California driver's license number or California ID card number; OR
- (2) the last four digits of their social security number.

Voters who registered to vote by mail after January 1, 2003, and did not include a California driver's license number, California ID card number or the last four digits of their social security number, and have not voted in an election since registering must produce at the polls EITHER:

- (1) a current, valid photo ID; OR
- (2) a copy of a current utility bill, bank statement, government check, paycheck, or other government document displaying the name and address of the voter.

Voter Bill of Rights

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

If you believe you have been denied any of these rights, or if you are aware of any elections fraud or misconduct, please call the Secretary of State's confidential toll-free

Voter Protection Hotline at 1-800-345-VOTE [8683]

CALIFORNIA SECRETARY OF STATE KEVIN SHELLEY

Frequently Asked Questions

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 February 17, 2004.

Q — My 18th birthday is after February 17, 2004 but on or before March 2. May I vote in the March 2 election?

A — Yes, if your 18th birthday is on or before March 2, but after February 17, you can register to vote on or before February 17 and vote March 2 — even though you were not 18 at the time you registered to vote.

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

A — You can vote as long as you are not in prison or on parole for a felony conviction. You must be registered to vote.

Q — I have just become a U.S. citizen. Can I vote in the March 2 election?

A — If you became a U.S. citizen on or before February 17, you may vote in the election, but you must register to vote by February 17.

OR

If you became a U.S. citizen after February 17, but on or before February 24, you may register and vote at the Department of Elections office with proof of citizenship and proof of San Francisco residency.

Q — I have moved within the county but have not re-registered. Can I vote in this election?

A — Yes, but you must go to your new polling place and complete a voter registration card to update your registration information.

Q — When do I vote?

A — Election Day is Tuesday, March 2, 2004. Your polling place will be open from 7 a.m. to 8 p.m.

Q — Where do I go to vote?

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

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

A — Check the label on the back of this book to make sure you have gone to the right place. Polling places often change. If you **are** at the right place, call the Department of Elections at 554-4375 to let them know the polling place is not open.

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

A — Yes, the poll workers at the polling place will help you.

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

A — Yes. Deciding your votes before you get to the polls will help. You can locate your sample ballot inside this voter pamphlet.

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

A — Yes, you can vote before March 2 if you:

Fill out and mail the Absentee Ballot application printed on the back cover of this book. Within three days after we receive your request, a vote-by-mail ballot will be sent to you. Your request must be **received** by the Department of Elections no later than 5 p.m. on February 24, 2004;

OR

Go to the Office of the Department of Elections at City Hall, One Dr. Carlton B. Goodlett Place, Room 48, from February 2 through March 2. The office hours are: from 8 a.m. to 5 p.m., Monday through Friday; from 10 a.m. to 4 p.m. Saturday and Sunday starting February 21-22 and February 28-29; and from 7 a.m. to 8 p.m. on Election Day, March 2.

Q — If I don't use an application form, can I get an Absentee Ballot some other way?

A — You can send a note, preferably on a postcard, to the Department of Elections asking for a ballot. This note must include: your printed home address, the address where you want the ballot mailed, your birthdate, your printed name and your **signature**. Mail your request or fax it to (415) 554-4372. Your request must be received by the Department of Elections no later than 5 p.m. on February 24, 2004.

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.



Early Voting

(In person or by mail)

EARLY VOTING IN PERSON

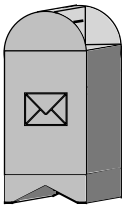
Office hours for early voting are as follows:

- **8 a.m. to 5 p.m., Monday through Friday**, beginning February 2 at *City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48*;
- **10 a.m. to 4 p.m., Saturday and Sunday starting February 21-22 and February 28-29**;
- **7 a.m. to 8 p.m. on Election Day, March 2** at *City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48*.

EARLY VOTING BY MAIL

Any voter may request an absentee ballot. You can request a ballot by mail, using the application form provided on the back of this pamphlet. You may also request a ballot by sending a short note or postcard to the Department of Elections. When making such a request, remember to include your home address, the address to which you want the ballot mailed, your birthdate, name and **signature**. **Your signature must be included!** Mail your request or fax it to (415) 554-4372. This must be received by the Department of Elections before 5 p.m. on February 24, 2004.

NOTE: You no longer need a reason such as illness or travel to qualify to cast your ballot prior to Election Day. Any registered voter may vote early.



HERE'S HOW TO GET YOUR BALLOT BY MAIL:

To request an absentee ballot by mail, **complete the application card on the back cover of this pamphlet**, or a signed written request, and return it to the Department of Elections so that it is received no later than 5 p.m. on February 24, 2004. Within three days after we receive your request, a vote-by-mail ballot will be sent to you.



Access for the Disabled Voter

by the Ballot Simplification Committee

BEFORE ELECTION DAY

ABSENTEE VOTING — All voters may request that an absentee ballot be mailed to them, or they may vote in person at the Department of Elections, City Hall, One Dr. Carlton B. Goodlett Place, Room 48, from February 2 through March 2.

The office hours are:

- 8 a.m. to 5 p.m., Monday through Friday;
- 10 a.m. to 4 p.m., Saturday and Sunday, starting February 21-22 and February 28-29;
- 7 a.m. to 8 p.m. on Election Day, March 2.

In addition, all voters may apply to become Permanent Absentee Voters (see page 9). Ballots for all future elections will automatically be mailed to Permanent Absentee Voters.

TAPE RECORDINGS — The San Francisco Public Library for the Blind and Print Handicapped, 100 Larkin Street, produces and distributes tape-recorded copies of the Voter Information Pamphlet for use by visually impaired voters.

TDD (TELECOMMUNICATIONS DEVICE FOR THE DEAF) — Hearing-impaired or speech-impaired voters who have a TDD may communicate with the San Francisco Department of Elections office by calling 554-4386.

ON ELECTION DAY

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

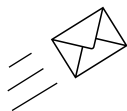
CURBSIDE VOTING — If architectural barriers prevent an elderly or disabled voter from entering the polling place, poll workers will bring the necessary voting materials to the voter in front of the polling place.

PARKING — If a polling place is situated in a residential garage, elderly and disabled voters may park in the driveway while voting, provided they do not block traffic.

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

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

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



Permanent Absentee Voter

(Permanent Vote-by-Mail)

As of January 1, 2002 any registered voter may request to be a Permanent Absentee Voter. Permanent Absentee Voter status is no longer limited to those voters with physical disabilities. Any voter may request to become a Permanent Absentee Voter, and an Absentee Ballot will be mailed to you automatically for every election.

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

To become a permanent absentee voter, complete the absentee ballot application on the back cover and return it to the Department of Elections or call for an application at (415) 554-4375. **Be sure to check the box that says, "Permanent Absentee Voter" and sign your name where it says, "Sign Here."**

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

IMPORTANT NOTICE TO PERMANENT ABSENTEE VOTERS

If you have already registered as a permanent absentee voter, your ballot will be mailed on or about February 2. To find out if you are registered as a permanent absentee voter, please call the Department of Elections at 554-4411. If you have not received your absentee ballot by February 14, please call 554-4375.

How to Locate Your Polling Place

Your Polling Place May Have Changed

Back cover of this pamphlet (upper right-hand side):

NOTE:

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


Check here for whether your polling place is handicapped accessible.

Your Polling Place Address Is:

Eureka Valley Playground
100 Collingwood Street
PRECINCT 3623

5.1% Slope

Polling Place Handicapped Accessible:



Your precinct number

The slope of the entrance to your polling place

CANDIDATE INFORMATION

IMPORTANT NOTICE

This pamphlet does not contain a complete list of candidates. A complete list of candidates appears on the sample ballots located in this pamphlet.

Statements of qualifications submitted by candidates for State Senate or Assembly appear on the pages following the Sample Ballots. Each candidate's statement, if any, in this pamphlet is volunteered by the candidate and is printed at the expense of the candidate, unless otherwise determined by the jurisdiction. The statements, if any, have been printed as submitted by the candidates and have not been checked for accuracy by any City official or agency. Spelling and grammatical errors have not been corrected.

LEGISLATIVE CANDIDATES' STATEMENTS

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

The Legislative candidates who have accepted the voluntary spending limits and, therefore, are eligible to submit a candidate statement for the March 2, 2004 Consolidated Primary Election are listed below:

State Senator District 3

Davy Jones – Democrat
Ian J. Grimes – Peace and Freedom
Andrew D. Felder – Republican

Member of the State Assembly District 12

Howard Epstein – Republican

District 13

Jonathan Scott Marvin – Libertarian
Gail E. Neira – Republican

Candidate for State Assembly District 13

GAIL E. NEIRA

My occupation is Businesswoman/Central Committee-woman

My qualifications are:

Republicans have a genuine crusader working diligently to improve our credibility through more sophisticated, trustworthy and responsible leadership performance. Neira has overcome obstacles, few have the stamina to withstand, promoting pride and integrity she passionately believes as indispensable.

Gail exemplifies positive values through her culturally diverse civic and charitable decades-long volunteerism. Native born San Franciscan with Hispanic heritage and fiscal conservative, Gail won nearly 15,300 votes (over 2% above Republican registration) as State Assembly candidate last year. Given current voter registration, Gail got one of the highest local Republican votes in years. She's a grassroots-savvy incumbent of San Francisco Republican Central Committee.

She organized major Republican dinner events featuring President Bush's top California advisor and confidante, Gerald Parsky; state president of Howard Jarvis Taxpayers' Association, Jon Coupal; Assemblyman Tim Leslie; State Equalization's Claude Parrish; and more. She's the only Republican leader who published newsletters featuring activities, profiles and perspectives.

Gail serves on a foundation for drug rehab programs; St. Patrick's Parade Day Executive Committee; a community agency providing after-school programs; and other organizations. Her charities included leukemia, AIDS, senior services and others. Only Gail holds San Francisco record for winning local (Reagan era) Republican victories for Ivy Baker Priest for State Treasurer and Houston Flournoy for State Controller.

Neira's other achievements include publisher of global trade and other publications, also marketing development; recipient of U.S. Business Administration Award; chairman of past San Francisco Advisory Commission on Adult Detention; appointee under three governors; proud daughter of a WWII valiant combat soldier.

Gail E. Neira

Statements are volunteered by the candidates and have not been checked for accuracy by any official agency.
Statements are printed as submitted. Spelling and grammatical errors have not been corrected.



Candidate for State Senate District 3

DAVY JONES

My occupation is Housing Coordinator/Businessman.

My qualifications are:

I am a non-politician, outsider with proven plans to address the homeless crisis, expand and improve health care for all.

I represent new leadership, change, inclusion and the public interest not special interests. I have 12 years business experience, Founder and CEO, Prostate Cancer Resource Corporation, President, Housing Rights Association, North of Market Planning Coalition Board Member, former co-chair, Alliance For A Better District Six, public power advocate. I am independent of the democratic machine. As senator, I will:

SUPPORT

- Supportive housing to address homelessness and participation of Faith-Based organizations.
- Funds for Senior Escort Program, Social Day Care, Alzheimer's Day Care.
- Women's Rights, pay equity, pre-natal care, education
- Municipalization of Energy Production and distribution.
- Closure of Mirant Potrero Power plant.
- Funding study on cancer cluster in Marin county.
- After school and health programs for children. Repeal increase fees for community colleges.
- Tenant's rights, affordable housing, jobs, improve business climate, increase AIDS funds.

OPPOSE.

- Eviction of elderly tenants for profit.
- Strongly oppose increase bridge toll fees.
- Against the war on Iraq.

I am proud to be endorsed by neighborhood groups such as; Marlton Manor Tenant Association, San Francisco International Alliance, Housing Rights Association, Senior's Support Group, Sixth Street Safety Coalition.

I respectfully ask for your vote and pledge to you effective representation in the State Senate.

"Davy Jones is the People's candidate. He has vision, courage, experience, credentials and he will represent us not special interests."

Roy Bouse, Senior Activist.

www.votedavyjones.org

Davy Jones

**Statements are volunteered by the candidates and have not been checked for accuracy by any official agency.
Statements are printed as submitted. Spelling and grammatical errors have not been corrected.**





WORDS YOU NEED TO KNOW

by the Ballot Simplification Committee

LISTED BELOW ARE DEFINITIONS OF TERMS:

ABSENTEE BALLOTS (FREQUENTLY ASKED QUESTIONS) — Absentee Ballots are ballots that are mailed to voters, or given to voters in person at the Department of Elections. Absentee Ballots can be mailed back to the Department of Elections, deposited at the Department of Elections Office, or turned in at any San Francisco polling place.

BELOW-MARKET RATE (PROPOSITION J) — A price lower than the current price most people pay for goods or services, including housing.

BAY AREA MEDIAN INCOME (PROPOSITION J) — Half of Bay Area households have incomes higher than this amount, and half have incomes lower than this amount. In 2000, the median income for households in the nine-county Bay Area was \$93,800.

CHARTER AMENDMENT (PROPOSITIONS A THROUGH H) — The Charter is the City's constitution. The Charter cannot be changed without a vote of the people.

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

INITIATIVE (PROPOSITION J) — This is a way for voters to put a proposition on the ballot. It is placed on the ballot by having a certain number of voters sign a petition. Propositions passed by initiative can be changed only by another vote of the people.

ORDINANCE (PROPOSITIONS I, J) — A law of the City and County, which is passed by the Board of Supervisors, or passed by the voters in an election. Ordinances approved by the voters can only be changed by the voters.

PROPOSITION (PROPOSITIONS A THROUGH J) — A Proposition is any Measure that has been submitted to voters for approval or disapproval.

QUALIFIED WRITE-IN CANDIDATES (VOTING IN SAN FRANCISCO) — A Qualified Write-in Candidate is a person who has turned in the required papers and signatures to the Department of Elections. Although the name of this person

will not appear on the ballot, voters can vote for this person by writing the name of the person in the space on the ballot provided for write-in votes. The Department of Elections counts write-in votes only for qualified write-in candidates.

RECLASSIFY (PROPOSITION F) — To assign an employee to a different group or set of rules.

RETROACTIVE PAY (PROPOSITION G) — Taking effect as of a specified date in the past.

TAX DEFERMENT (PROPOSITION A) — Postponing or delaying payment of taxes to a later date.

TRANSPORTATION AUTHORITY (PROPOSITION I) — The Transportation Authority is a public agency that is separate from the City, although members of the San Francisco Board of Supervisors serve as the Authority's governing board. The Authority uses a portion of sales tax money to pay for transportation projects that are approved by the voters.

Rules for Arguments For and Against Ballot Measures

DIGEST AND ARGUMENT PAGES

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

Following the ballot digest page, you will find arguments for and against each measure.


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

“PROPONENT’S” AND “OPPONENT’S” ARGUMENTS

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

The designation, “Proponent’s Argument” and “Opponent’s Argument” indicates only that the arguments were selected in accordance with criteria in Section 540 of the San Francisco Municipal Elections Code and were printed free of charge. The Director of Elections does not edit the arguments, and the Director of Elections makes no claims as to the accuracy of statements in the arguments.

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

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

REBUTTAL ARGUMENTS

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

PAID ARGUMENTS

In addition to the “Proponent’s Arguments” and “Opponent’s Arguments” which are printed without charge, any eligible voter, group of voters, or association may submit paid arguments.

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

Arguments and rebuttals are solely the opinions of their authors. Arguments and rebuttals are not checked for accuracy by the Director of Elections, or by any other City official or agency.

Regional Measure 2

2

REGIONAL MEASURE 2

Shall voters authorize a Regional Traffic Relief Plan that does the following:

YES  
NO  

1. Directs revenues generated through the collection of bridge tolls to provide the following projects:
 - a. Expand and extend BART.
 - b. New transbay commuter rail crossing south of the San Francisco-Oakland Bay Bridge.
 - c. Comprehensive Regional Express bus network.
 - d. New expanded ferry service.
 - e. Better connections between BART, buses, ferries, and rail.
2. Approves a one dollar (\$1) toll increase effective July 1, 2004, on all toll bridges in the bay area, except the Golden Gate Bridge?

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

2

Regional Measure 2

PROPONENT'S ARGUMENT IN FAVOR OF REGIONAL MEASURE 2

Bay Area traffic congestion is projected to increase by 250% over the next 20 years, threatening our quality of life, economy and environment.

That's why a coalition of transportation planners, commuters and local officials devised Regional Measure 2.

Measure 2 creates seamless and convenient connections between transit providers.

Measure 2 requires all transit operators to coordinate schedules for timed, seamless and convenient connections with the use of one TransLink® universal ticket. Measure 2 funds new terminals, infrastructure and routes to make it more convenient to connect to BART, commuter rail, bus and ferry services.

Measure 2 provides commuters with more alternatives to driving.

Measure 2 expands the regional express bus network, expands ferry service, opens new BART stations and expands commuter rail service.

Measure 2 extends BART and connects commuter rail services all the way around the bay.

Measure 2 adds seats on BART trains, provides more frequent BART service during the busiest commute hours and connects BART to the Oakland Airport. New commuter rail service will connect the South Bay to BART, providing BART and commuter rail service all the way around the bay.

Measure 2 funds projects that will relieve traffic congestion in San Francisco:

- Improves Muni services
- Improves connections between Muni, BART, buses, ferries and rail, and helps create a new TransLink® universal monthly ticket for transit riders to access all major transit systems
- Strengthens the BART transbay tube to make it earthquake safe
- A new Transbay Terminal in San Francisco connecting BART, Muni, CalTrain, express buses and future high-speed rail
- Funds bicycle and pedestrian safety projects

On March 2, Vote Yes on Measure 2. For more, visit www.Measure2.org.

*Mayor Willie L. Brown, Jr.
Mayor-elect Gavin Newsom
Assemblymember Mark Leno
Sierra Club
League of Women Voters*

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF REGIONAL MEASURE 2

RM2 is highway robbery! 20-year projections of "250% traffic-congestion growth by RM2's transit-agency promoters are preposterous and self-serving. In December, MTC itself documented 17% less freeway congestion in 2000-2002—and 7% fewer BART passengers during 2001-2002.

- **Despite billions more in transit subsidies, transit ridership will rise only from 5.6% of Bay Area daily trips to 6.2% by 2025 [MTC, 1990 & 2001].**
- **Providing little real "traffic relief," State Senator Don Perata's RM2 is "packed with legislators' pork projects,"** including \$630 Million for ferry purchases and operations—even for San Francisco to South San Francisco ferries! Since 1989, a developer and ferry operator-promoter "has given more than \$89,000 to Perata" [*San Francisco Chronicle*, 09/09/03].
- **Ferries provide only 13,000 passenger trips daily—versus Muni's 800,000.** Yet RM2 subsidizes ferries with five times the money allocated for Muni.
- **BART's \$389 Million RM2 cut includes the \$143 Million Transbay Tube project.** But during 1989's Loma Prieta

quake, BART engineers reported, Transbay Tube passengers "didn't even sense there had been a major earthquake," since BART facilities were constructed "to a higher level of seismic resistance than prevalent practice."

- **One RM2 section exempts Willie Brown's Treasure Island Development Authority appointees from San Francisco's civil service regulations.**

The League of Women Voters, its "impartial" *Bay Area Monitor* subsidized by several transit-agency RM2 beneficiaries, now endorses RM2. We anticipate similarly cozy special-interest RM2 campaign funding.

NO on RM2!

More information: www.ACCTaxpayers.com, (800) 947-ACCT

*San Francisco Neighbors Association
Julie Lee, President*

*Alliance of Contra Costa Taxpayers
Kenneth Hambrick, Chairman*

Regional Measure 2

2

OPPONENT'S ARGUMENT AGAINST REGIONAL MEASURE 2

Taxes are high enough now to accommodate reasonable needs, including transportation projects. Each year, as is, "Americans spend more money per capita on taxes (\$10,447) than on food (\$2,713), clothing (\$1,436), and shelter (\$5,913) combined" ["Tax Facts," *San Francisco Chronicle*, 03/27/02].

Continuing bridge-toll increases represent another broken promise by politicians. "When state officials opened the San Francisco-Oakland Bay Bridge in 1936, they promised drivers a free crossing after 20 years, when construction bonds were paid off." ["Bridge Tolls to Double... Free Passage Promise Now Long Forgotten," *Alameda Newspaper Group*, 12/26/97].

"[A reckless, last-minute] measure to hike Bay Area bridge tolls by \$1... throws around enough pork to stir up the region's most notorious shark-infested waters...." For example, an Alameda developer and ferry operator who's "contributed hundreds of thousands of dollars to Bay Area politicians" promoted RM2's ferry subsidies.... 1998's Bay Area bridge-toll increase from \$1 to \$2 was supposed to be temporary; this new measure would further escalate tolls, and spend the take irresponsibly. ["Bridge Toll Hike Extends Saga of Fishy Funding," *Oakland Tribune*, 09/14/03].

RM2 plays other tricks:

- RM2's promoters deviously framed this 50% toll hike as a "fee" increase, so that passage would require only a simple majority. But "fees" should pay for directly-related services — not political favors.
- Most of any bridge-toll increase should be spent directly on bridge upkeep and the Bay Area's worst traffic bottlenecks. Instead, RM2 is largely an expensive piñata of special-interest sugarplums — for example, "new environmentally friendly ferries."
- For unreimbursed daily bridge commuters, RM2 represents a tax increase of \$200 or more annually. Despite "social equity" claims by RM2 promoters, RM2 hits low-wage bridge commuters especially hard.

Please vote **NO** on RM2!

San Francisco Neighbors Association
Julie Lee, President

Alliance of Contra Costa Taxpayers
Kenneth Hambrick, Chairman

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST REGIONAL MEASURE 2

If the opponents to Regional Measure 2 (RM2) had their way *nothing* would ever get done—we would have no bridges, no BART, no money for maintenance and certainly no money to invest in traffic congestion relief.

Don't be fooled by their rhetoric! Look at the facts:

A **YES** vote on RM2 will address the Bay Area's worst traffic bottlenecks and improve the quality of the Bay Area's transit systems. That's why commuters support RM2 because it improves *alternatives* to driving alone.

A **YES** vote on RM2 raises funds *locally* for *local* projects. It was designed by a coalition of commuters, environmentalists, transportation and planning agencies and it is being voted on by the people, not the politicians. The money can **ONLY** be spent on the projects in the Congestion Relief Plan.

A **YES** vote on RM2 will finally address one of the greatest frustrations in the Bay Area by making all of our transportation and transit systems work better together and improving connections between BART, buses, ferries, and rail. RM2 also funds the

new Translink® monthly pass for transit riders to access all major transit systems.

A **YES** vote on RM2 means:

- Development of the new Translink® monthly pass
- Seismic strengthening of the BART tube
- Expanded BART
- Additional Caltrain service between San Jose and San Francisco

Read the plan at: www.Measure2.org

Vote **YES** for real transportation solutions in the Bay Area!

Vote **YES ON Measure 2!**

Congresswoman Nancy Pelosi, House Democratic Leader
Senator John Burton, President Pro Tempore
Supervisor Chris Daly
San Francisco Chamber of Commerce
City Car Share

2

Regional Measure 2

THE FULL TEXT OF THIS MEASURE BEGINS ON THE NEXT PAGE

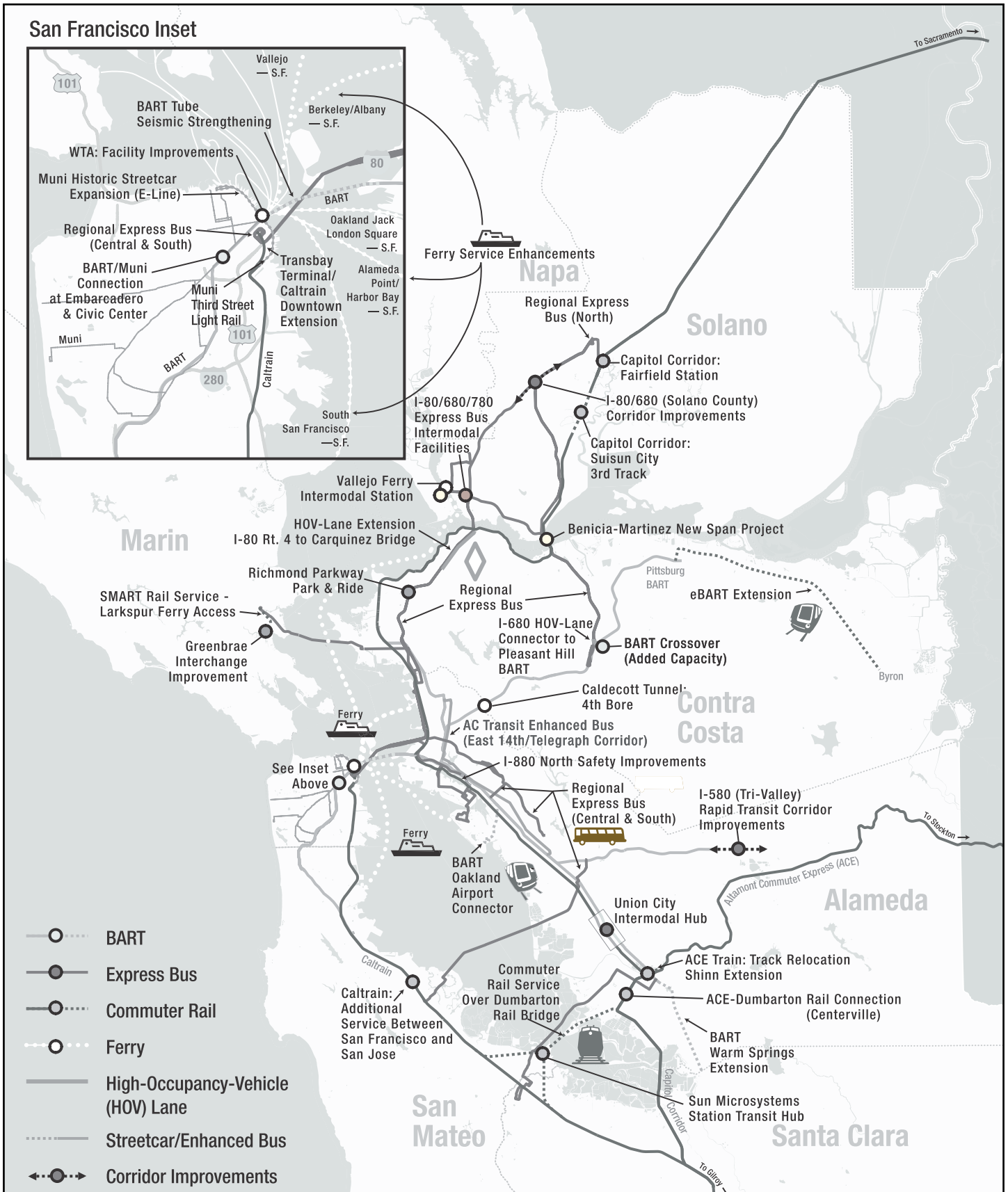
THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.

Regional Measure 2

Regional Traffic Relief Plan

Subject to approval on March 2, 2004, by the voters of Alameda, Contra Costa, Marin, San Mateo, Santa Clara and Solano counties and the city and county of San Francisco

Regional Traffic Relief Plan



Selected Highlights of the Plan

	Amount (in 2002 \$)
New Mass Transit Options	
BART extension to Warm Springs and to the Oakland International Airport	\$125 million
BART connection to East Contra Costa County	\$96 million
Dumbarton bridge rail service connecting Union City and Millbrae BART stations	\$135 million
Sonoma-Marín commuter rail extension to Larkspur/San Quentin	\$35 million
Comprehensive regional express bus network, including expanded service, new buses, and new park-and-ride facilities	\$171 million
Ferry service direct to San Francisco from multiple East Bay, North Bay and Peninsula locations	\$84 million
Traffic Bottleneck Relief	
Improvements to the Interstate 80/Interstate 680 (Cordelia) interchange in Solano County	\$100 million
A new fourth bore to relieve congestion at the Caldecott Tunnel	\$51 million
Eastbound Interstate 80 carpool-lane gap closure at Carquinez Bridge	\$50 million
U.S. 101 interchange improvements at Greenbrae	\$65 million
Seamless and Safe Transit Connections	
BART transbay tube seismic strengthening	\$143 million
New Transbay Terminal in San Francisco, linking regional bus service with BART, Muni and future Caltrain and high-speed rail	\$150 million
Implement a universal transit fare payment card (TransLink®)	\$42 million
Real-time transit information	\$20 million
Better access to mass transit for pedestrians and bicyclists	\$22 million
Vallejo intermodal terminal, linking express bus and high-speed ferry service	\$28 million

RM 2 invests in mass transit options that have a demonstrated ability to attract new riders

RM 2 addresses some of the region's most critical highway bottlenecks

RM 2 makes mass transit more convenient

Person trips across Bay Area toll bridge corridors are projected to rise 49 percent by 2025

RM 2 has three primary goals:

- New transit options
- Traffic bottleneck relief
- Seamless and safe transit connections

Executive Summary

The Bay Area's population is expected to grow by approximately 1.5 million residents between now and 2025. To help meet the mobility needs of this burgeoning population, Regional Measure 2 (RM 2) invests in new travel options and increased capacity in the Bay Area's seven state-owned bridge corridors, where trips are projected to rise by almost 50 percent.

If approved on March 2, 2004, by the voters of Alameda, Contra Costa, Marin, San Mateo, Santa Clara and Solano counties and the city and county of San Francisco, RM 2 will implement the Regional Traffic Relief Plan (the Plan) — a balanced set of transportation projects in the bridge corridors that include new mass transit choices and critical highway improvements at key regional bottlenecks. The Plan is designed to meld the region's bus, rail and ferry systems into one seamless regional mass transit network.

The Regional Traffic Relief Plan

- Invests substantially in commuter rail, including new BART service in Contra Costa and Alameda counties and BART seismic improvements, as well as new rail service over a rehabilitated Dumbarton rail bridge — connecting the BART, Caltrain, Capitol Corridor (Amtrak) and Altamont Commuter Express (ACE) rail networks — and new commuter rail in Sonoma and Marin counties.
- Funds several important highway projects, including improvements to the Interstate 80/Interstate 680 interchange —also known as the Cordelia junction — and a fourth bore for the Caldecott Tunnel, allowing for four lanes of traffic in each direction at all times of the day.
- Funds new express bus and ferry service. This includes new and more frequent bus service across the bridges, new park-and-ride lots, and carpool-lane gap closures. The ferry system envisioned by the Plan includes new service to San Francisco from several East Bay locations, more frequent service from Vallejo, as well as service connecting downtown San Francisco to South San Francisco.
- Makes mass transit more convenient by underwriting a “universal” fare card called TransLink®, which allows riders to use a single “smart” card to pay their fare on all Bay Area transit systems. The Plan improves access to transit by expanding parking at key transit stations and investing in real-time information technology at select transit hubs to tell riders when the next bus or train will arrive. It also will build safe bicycle and pedestrian routes to regional transit facilities.
- Provides an infusion of funds to operate commuter rail and express bus and ferry services, recognizing that operating moneys are critical to improving and sustaining transit service. Up to 38 percent of annual revenues produced by RM 2 are dedicated to operating funds.
- Is financed by a \$1 increase in tolls on all Bay Area bridges except the Golden Gate Bridge. The new toll funds will only be spent on transportation improvements in the bridge corridors and may not be used for any other purpose. Annual audits and oversight by the Metropolitan Transportation Commission (MTC) — the nine-county region's transportation planning, financing and coordinating agency — will ensure efficient use and timely expenditure of bridge toll funds.

RM 2 will generate over \$125 million a year for new Bay Area transportation improvements. This investment will leverage additional local, state and federal funds to complete several of the larger capital projects.

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Introduction

History of Bridge Tolls

Because of the San Francisco Bay Area's unique topography, bridges serve as essential links in the region's transportation network. They sustain the flow of people and goods and the overall economic health of the region. The tolls charged on the seven state-owned toll bridges — the Antioch, Benicia-Martinez, Carquinez, Dumbarton, Richmond-San Rafael, San Mateo-Hayward and San Francisco-Oakland Bay bridges — are used not only to help keep the bridges in working order but also to make sure that transportation facilities and services in the vicinity of the bridges can accommodate future traffic and population growth.

Of course, bridge tolls have been used to build the bridges themselves — the construction of the San Mateo-Hayward Bridge in 1967 and the Dumbarton Bridge in 1984, for example, was paid for out of tolls collected on the Bay Bridge. Tolls also fund transportation improvements that help reduce congestion in the bridge corridors. Thus, toll revenues helped build the original Bay Area Rapid Transit (BART) transbay tube, and funded BART extensions in the bridge corridors.

Regional Measure 1: First Dollar

In 1988, Bay Area residents voted by a margin of almost 70 percent to standardize all tolls on the region's state-owned bridges at \$1, and to use the new revenues to fund a list of bridge and public transit improvements. (Previously, tolls were set at different rates on each bridge.) The projects listed in the ballot measure — Regional Measure 1 — included a replacement span for the Carquinez Bridge and widening of the San Mateo-Hayward Bridge (both now completed) and construction of the new Benicia-Martinez Bridge and rehabilitation of the Richmond-San Rafael Bridge (both under way). Regional Measure 1 (RM 1) funds are administered by the Bay Area Toll Authority and the Metropolitan Transportation Commission.

RM 1 also provided substantial funding for mass transit expansion, including BART extensions to Pittsburg/Bay Point, Dublin/Pleasanton, and San Francisco International Airport, as well as improvements to Caltrain and the San Francisco Municipal Railway (Muni). All of these transit extensions are now in revenue service.

Seismic Safety: Second Dollar

Bridge tolls also are vital in ensuring the safety of Bay Area bridges in the event of earthquakes. In 1997, the California Legislature added the second dollar to the region's bridge tolls to fund needed seismic retrofit work on five of the Bay Area's seven state-owned toll bridges — the Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco-Oakland Bay, and San Mateo-Hayward bridges — with revenues from the second dollar administered by Caltrans. Three of these projects have already been completed, and work is ongoing on the remaining two. The total cost of the toll bridge seismic retrofit program is estimated to be \$5 billion, about half of which is paid for by federal and state funds, with the remainder out of the second dollar of the bridge tolls.

(The Golden Gate Bridge — not owned by the state but operated by a separate entity — has a \$5 toll and is not part of the March 2004 Regional Measure 2 ballot measure. See appendix for a map showing the use of toll funds for each state-owned bridge.)

Bay Area voters raised bridge tolls in 1988 to fund a variety of transportation improvements to both highways and transit

Bridge tolls also are used to fund seismic retrofit improvements to the toll bridges

Current Travel Patterns and Forecast Growth

The Bay Area’s roughly 7 million residents crisscross the region in an intricate pattern of more than 20 million trips a day that includes driving alone, carpooling, walking, bicycling, and riding buses, trains, ferries and cable cars. By the year 2025, the population of the nine Bay Area counties is expected to increase to 8.5 million, with the number of daily trips surging by 30 percent to about 26 million. The growing number of daily trips and the magnitude of regional population and job growth will generate a need for additional transportation capacity across bridge corridors, best served by expanding the regional transit system.

One useful way to assess future travel patterns is to look at the number of trips made in either direction past a particular geographic location, such as a bridge. As part of the *2001 Regional Transportation Plan*, MTC projected dramatic growth in person trips across such boundaries, as shown in the chart below.

Bridge/Approach	Daily Trips 1998	Daily Trips 2025	Percent Increase
Bay Bridge Corridor (includes bridge traffic, BART and ferries)	540,000	769,000	+42.5%
Benicia-Martinez Bridge	92,000	152,000	+64.6%
Caldecott Tunnel (between Alameda and Contra Costa counties)	303,000	433,000	+42.7%
Carquinez Bridge	115,000	182,000	+57.5%
Richmond-San Rafael Bridge	48,000	86,000	+79.1%
San Mateo-Hayward and Dumbarton bridges	177,000	262,000	+47.8%

In 2002, MTC conducted the *Bay Crossings Study* with a focus on the San Francisco-Oakland Bay, San Mateo-Hayward and Dumbarton bridge corridors. The study found that 75 percent of transbay person trips across the Bay will be in the San Francisco-Oakland corridor. This corridor exhibits the largest growth in terms of sheer number of daily trips.

New transit options and highway expansion projects are needed to reduce the projected time during which the various bridges will be congested beyond current levels. Analysis done for the toll plaza delay on the three bridges in the *Bay Crossings Study* found that the hours of a.m. peak congestion for the three bridges will increase by 19 percent for the Bay Bridge, 35 percent for the Dumbarton Bridge and 50 percent for the San Mateo-Hayward Bridge absent new infrastructure improvements.

Toll Plaza Hours of Congestion A.M. Peak			
Toll Plaza	1998 Base	2025 Base	Percent Change
Bay Bridge	4 hours	4 hours 45 minutes	+19%
Dumbarton Bridge	2 hours 50 minutes	3 hours 50 minutes	+35%
San Mateo-Hayward Bridge	2 hours 40 minutes	4 hours	+50%

Between now and 2025 the number of daily trips will grow by 30 percent in the Bay Area as a whole and 49 percent across toll bridge corridors

Today 37 percent of people commuting across the San Francisco-Oakland Bay Bridge corridor do so by transit

New transit options are needed in the bridge corridors to minimize the increase in congestion that will result from population growth

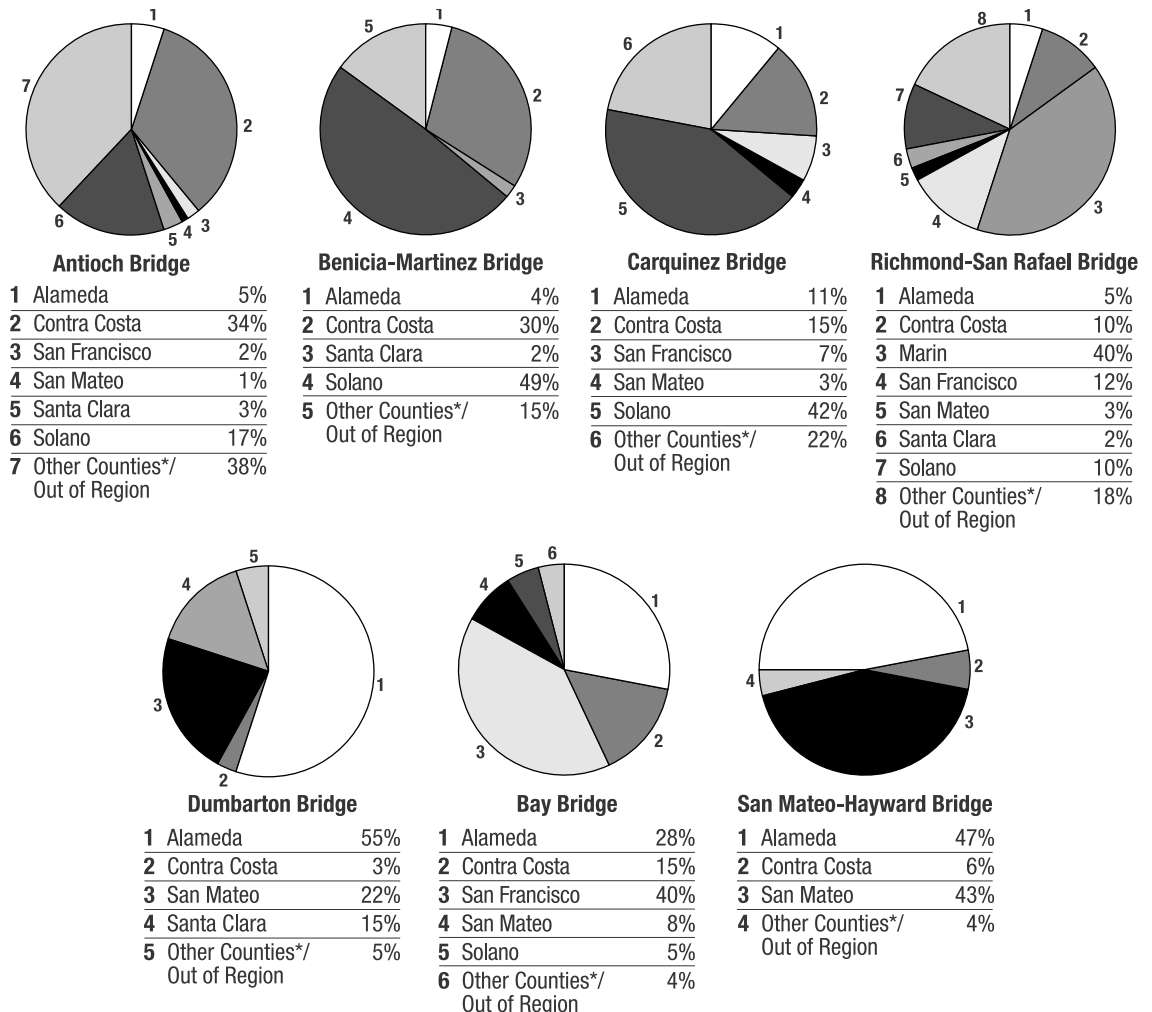
Regional Measure 2

Delay at the San Francisco-Oakland Bay Bridge toll plaza is projected to grow by 19 percent by 2025

Future travel patterns can be determined by examining the origin of trips across transbay bridges or other regional boundaries. Because they are concentrated within a relatively short period of time, work trips exert the greatest pressure on regional transportation facilities and services. Looking at the origin of trips across the Bay Area's seven state-owned toll bridges during a typical peak morning commute period, we find that Alameda, Contra Costa and Solano county residents are the most frequent bridge users.

The RM 2 expenditure plan was developed with all of these trends in mind, to ensure that the funds generated by the additional dollar go toward improvements in the seven bridge corridors that will benefit the greatest number of travelers. If RM 2 is approved by the voters, revenues from the additional dollar will be administered by the Bay Area Toll Authority and the Metropolitan Transportation Commission.

Bridge Users by County of Origin (morning commute in both directions)



Source: 1998 estimates prepared by the Metropolitan Transportation Commission

* Other counties includes Napa and Sonoma counties and counties who constitute less than 1 percent of the total.

Delay at the San Mateo-Hayward Bridge toll plaza is projected to grow by 50 percent by 2025

Development and Oversight of the Regional Traffic Relief Plan/
Regional Measure 2

In 2002, the California Legislature initiated hearings on the subject of Bay Area traffic congestion. The Senate Select Committee on Bay Area Transportation reviewed traffic forecasts, and determined that new investment in the bridge corridors, particularly new mass transit options, was needed, along with a new revenue source. The Committee concluded that a toll increase was the most appropriate funding mechanism and formed a public advisory committee to develop an expenditure plan.

The advisory committee consisted of representatives of transportation agencies from throughout the Bay Area as well as business, environmental and social equity organizations. The committee thoroughly investigated the issue and met on 15 occasions to hear project sponsors present ideas for providing new transit options and congestion relief in the bridge corridors. Individual projects were discussed and evaluated by the group based on performance measures, including:

- Proximity to bridge corridor
- Impact on congestion
- Number of new transit riders
- Cost effectiveness
- Transit connectivity
- Project readiness
- Sustainability
- Environmental impacts
- Land-use opportunities
- Safety and social equity

An initial plan was developed, based on the above criteria, and led to the expenditure plan that is before you as Regional Measure 2. The set of projects included in the Plan was adopted by the Legislature in September 2003 and signed by the governor as Senate Bill 916 (Perata).

Fiscal Management: Ongoing Review and Oversight

The implementation of the Regional Traffic Relief Plan — Regional Measure 2 — will be overseen by MTC, in its role as the Bay Area Toll Authority (BATA), which currently administers, programs and allocates revenues from the base toll levied on the seven state-owned toll bridges.

Performance Measures and Annual Audits

The Plan requires that projects meet performance measures related to transit ridership and cost-effectiveness prior to receiving funds for transit operations. When applying for operating funds, a project sponsor must submit a plan that conforms to the adopted performance measures, including an independent audit verifying that the project is in compliance. This will ensure that only well performing, cost-effective transit will be funded by the measure.

Process for Amending the Plan

While the Plan lays out the specific uses for the new toll revenues over the next 35 years, it does allow for changes if a project encounters serious problems. Specifically, the law provides that MTC may amend the level of funding for a project or reassign the funds to another regional transit project within the same corridor, but only after the project sponsor is consulted and a public hearing is held.

The RM 2 expenditure plan was developed in an open, public process

RM 2 ensures that funds are spent wisely by requiring annual audits and adherence to strict performance measures

RM 2 will not fund poorly performing projects

Regional Traffic Relief Plan Projects

Details on the projects included in the Plan are organized into four sections: regionwide improvements, and improvements in three major bridge groupings: Central Bay (the San Francisco-Oakland Bay Bridge), North Bay (the Antioch, Benicia-Martinez, Carquinez and Richmond-San Rafael bridges), and South Bay (the Dumbarton and San Mateo-Hayward bridges). The majority of funds in the Plan are dedicated to new transit options in the bridge corridors.

1. Regionwide Improvements

New Transbay Terminal/Downtown Caltrain Extension in San Francisco: \$150 million

- A new Transbay Terminal in San Francisco, connecting AC Transit transbay buses and a Caltrain downtown San Francisco extension with BART, Muni, SamTrans, Greyhound, paratransit and Golden Gate Transit buses, as well as future high-speed rail

BART Transbay Tube Seismic Strengthening: \$143 million

- Provides a substantial down payment on a comprehensive seismic retrofit program for the BART transbay tube, based on recommendations made by a panel of expert seismic engineers in 2002

TransLink® Smart Card Integration: \$42 million

- Update the region's fare collection systems with TransLink® technology, to enable customers to carry one transit fare card instead of exact change or operator-specific tickets or passes
- \$22 million of the total to assist transit operators in integrating TransLink® technology with existing fare collection equipment and in expanding TransLink® to new transit services
- \$20 million of the total for TransLink® customer service and technology improvements

Regional Transit Connectivity Plan: \$0.5 million

- RM 2 requires that MTC develop a regional transit connectivity plan in consultation with transit operators by December 1, 2005.
- The plan shall identify (1) a network of key transit hubs to operate as a timed transfer network; (2) infrastructure improvements to improve system reliability and connections; and (3) regional standards and procedures to minimize transfer times between transit lines at key transit hubs.

Integrated Fare Program: \$1.5 million

- Funds to develop a plan for a zonal monthly transit pass covering all regional rapid transit trips
- Encourage greater use of the public transit network by making it easier and less costly for transit riders to use multiple transit systems

RM 2 provides substantial funding for seismic improvements to the BART transbay tube

RM 2 makes transit more convenient by investing in new technology, like real-time transit information at transit stops, and TransLink®, the universal transit fare payment card

Safe Routes to Transit (Pedestrian and Bicycle Access): \$22.5 million

- Improvements in bicycle and pedestrian access to regional transit stations, including sidewalks, bike paths, traffic signal improvements, clearer signage, and secure bicycle parking
- Up to \$2.5 million of the total for City Carshare, a car-sharing organization, to reduce car trips across bridges by providing “shared” cars at convenient transit hubs

Regional Rail Master Plan: \$6.5 million

- A plan to integrate passenger rail systems, improve connections at intermodal hubs, expand the regional rapid transit network and coordinate investments with transit-supportive land uses
- Up to \$2.5 million of the total may be used to study Bay Area access to a high-speed rail system.
- Up to \$500,000 of the total may be used by the Metropolitan Transportation Commission to develop the regional transit connectivity plan by December 1, 2005, as described on prior page.
- Up to \$500,000 of the total may be used to study the feasibility of creating an intermodal transfer hub at Niles Junction in Fremont.

Real-Time Transit Information: \$20 million

- A competitive grant program to assist transit operators with implementation of high-technology systems to provide real-time transit information to riders at transit stops or via telephone, wireless or Internet communication
- Priority shall be given to projects identified in the Metropolitan Transportation Commission’s 2005 transit connectivity plan.

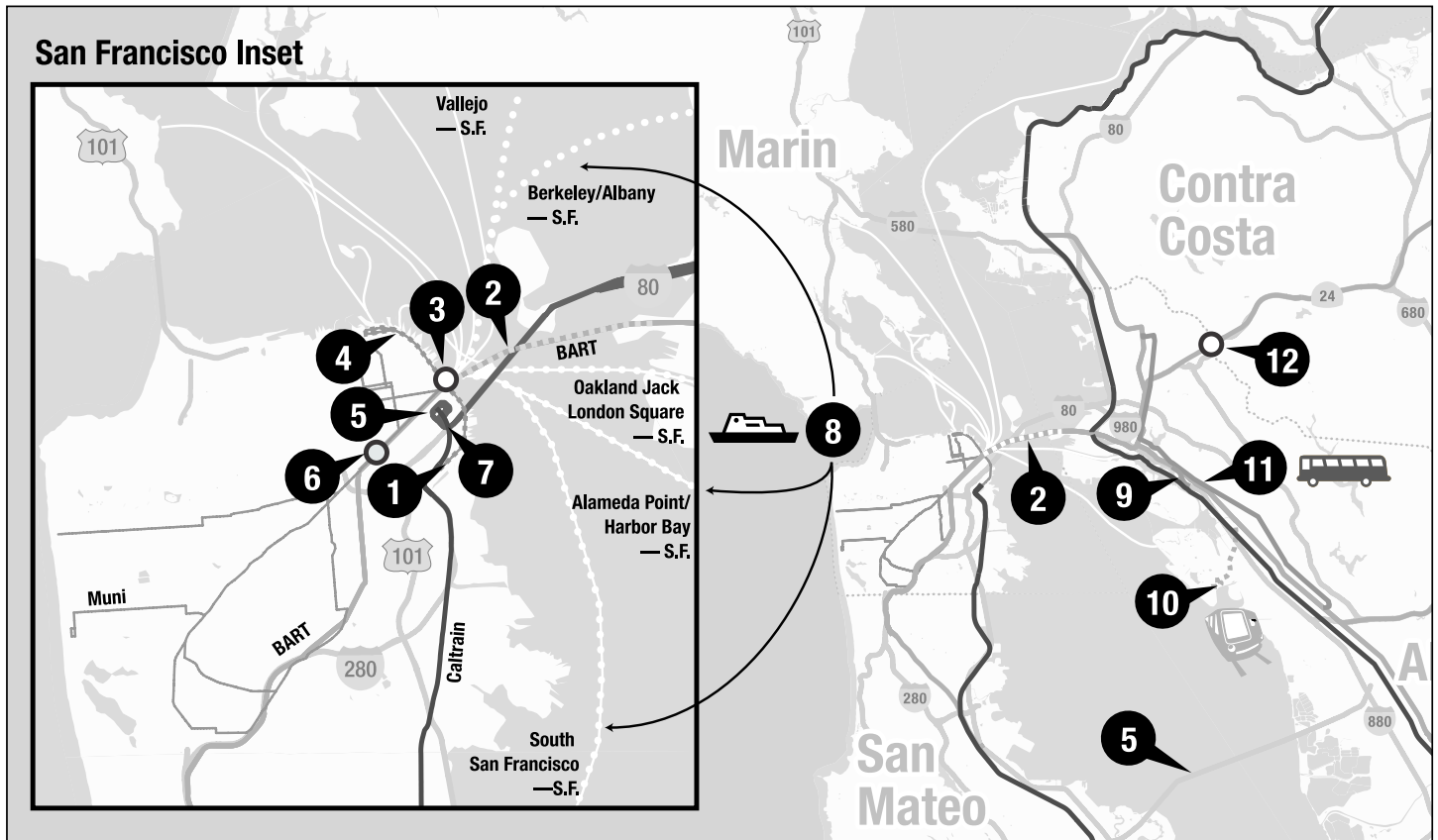
Promotion of Tax Benefits for Transit Users: \$5 million

- A marketing program to promote tax-saving opportunities for employers and employees, such as Commuter Check™, as specified in Section 132(f)(3) of the Internal Revenue Code
- Educate the public about the benefits of these existing tax-saving opportunities to attract more commuters to mass transit

RM 2 will help reduce the cost of riding transit by encouraging employers to offer their employees substantial tax savings for riding transit

RM 2 invests in better bicycle and pedestrian access to regional transit

Central Bay Projects



- 1** Muni Third Street Light Rail
(*\$30 million*)
- 2** BART Tube Seismic Retrofit (*\$143 million*)
- 3** Water Transit Facility Improvements, Spare Vessels and Environmental Review
(*\$84 million*)
- 4** Muni Historic Streetcar Expansion (E-Line)
(*\$10 million*)
- 5** Regional Express Bus for San Mateo, Dumbarton and Bay Bridge Corridors
(*\$22 million*)
- 6** BART/Muni Connection at Embarcadero and Civic Center
(*\$3 million*)
- 7** Transbay Terminal/Downtown Extension
(*\$150 million*)
- 8** Commuter Ferry Service for Alameda/Oakland/Harbor Bay; Berkeley/Albany; and South San Francisco
(*\$12.6 million annually*)
- 9** I-880 North Safety Improvements
(*\$10 million*)
- 10** BART Oakland Airport Connector
(*\$30 million*)
- 11** AC Transit Enhanced Bus — Phase 1 (International Blvd./Telegraph Ave. Corridor)
(*\$65 million*)
- 12** Caldecott Tunnel Fourth Bore
(*\$50.5 million*)

2. Central Bay — San Francisco-Oakland Bay Bridge Corridor

A. New Mass Transit Options

BART Oakland Airport Connector: \$30 million

- Provide the final portion of funds needed for direct BART service between the Oakland Coliseum BART/Amtrak station to terminals at the Oakland International Airport

Alameda-Contra Costa Transit District (AC Transit) Rapid Bus: \$65 million capital, plus \$3 million annually to operate the service

- New “rapid bus” service along Telegraph Avenue and International Boulevard corridors, improving access to BART stations
- Includes new buses and other service enhancements

Regional Ferry System Expansion: \$84 million capital, \$15.6 million annually to operate the service

- Provides funds to purchase new environmentally friendly ferries and \$12.6 million annually to operate new routes for South San Francisco and Albany/Berkeley, as well as more frequent service on the existing Alameda/Oakland and Vallejo routes
- Up to \$48 million of the total capital funds for spare vessels and improvements to San Francisco’s downtown Ferry Terminal
- Up to \$1 million of the total capital funds available to study ways to increase ferry ridership at the city of Richmond ferry terminal
- \$3 million of the annual total for overall regional ferry operating needs

Owl Bus Service in BART Corridors: \$1.8 million annually

- Provide express bus service along BART’s routes to ensure late-night service along certain BART corridors

San Francisco Municipal Railway (Muni) Metro East Third Street Light-Rail Line:

\$30 million, plus \$2.5 million annually to operate the service

- Provide funding for the light-rail transit and maintenance facility to support Muni Metro Third Street light-rail service connecting to Caltrain stations and the E-Line waterfront route

Muni Waterfront Historic Streetcar Expansion: \$10 million

- Rehabilitate historic streetcars and construct track and terminal facilities to support service from the Caltrain terminal, the Transbay Terminal and the Ferry Building, and to connect the Fisherman’s Wharf and northern waterfront

RM 2 will create a regional ferry network providing new and more frequent service from Vallejo and the East Bay to San Francisco

RM 2 funds new late-night bus service along BART corridors

RM 2 makes critical investments in relieving highway bottlenecks along bridge corridors

B. Traffic Bottleneck Relief

Caldecott Tunnel: \$50.5 million

- Plan and construct a fourth bore for the Caldecott Tunnel between Contra Costa and Alameda counties to facilitate traffic flow on the Interstate 680/Route 24 Bay Bridge corridor. The fourth bore will be located north of the existing three bores and will consist of two lanes and shoulders.
- County Connection (Central Contra Costa Transit Authority) will study ways to increase transit service in the westbound Route 24 corridor from I-680 to the Caldecott Tunnel, including use of an express lane, a high-occupancy-vehicle (carpool) lane and an auxiliary lane.

RM 2 funds a fourth bore for the Caldecott Tunnel

Interstate 80 Eastbound Carpool Lane Extension: \$50 million

- Extension of the existing bus/carpool lane on eastbound I-80 to the approach of the Carquinez Bridge. Completion of this carpool lane extension will result in over 18 miles of continuous bus/carpool lane on eastbound I-80 from the Bay Bridge to the Carquinez Bridge in Crockett.

RM 2 creates a continuous carpool lane on eastbound Interstate 80 to the Carquinez Bridge

Interstate 880 North Safety Improvements: \$10 million

- Modernize selected on- and off-ramps along I-880 to improve safety between 29th Avenue and 16th Avenue in Oakland and add noise barriers in selected locations

C. Seamless and Safe Transit Connections**New Transbay Terminal/Downtown Caltrain Extension in San Francisco: \$150 million**

- A new Transbay Terminal in San Francisco, connecting AC Transit transbay buses and a Caltrain downtown San Francisco extension with BART, Muni, Samtrans, Greyhound, paratransit and Golden Gate Transit buses, as well as future high-speed rail

BART Transbay Tube Seismic Strengthening: \$143 million

- Provides a substantial down payment on a comprehensive seismic retrofit program for the BART transbay tube, based on recommendations made by a panel of expert seismic engineers in 2002

San Francisco Downtown Ferry Terminal and Spare Vessels: \$48 million

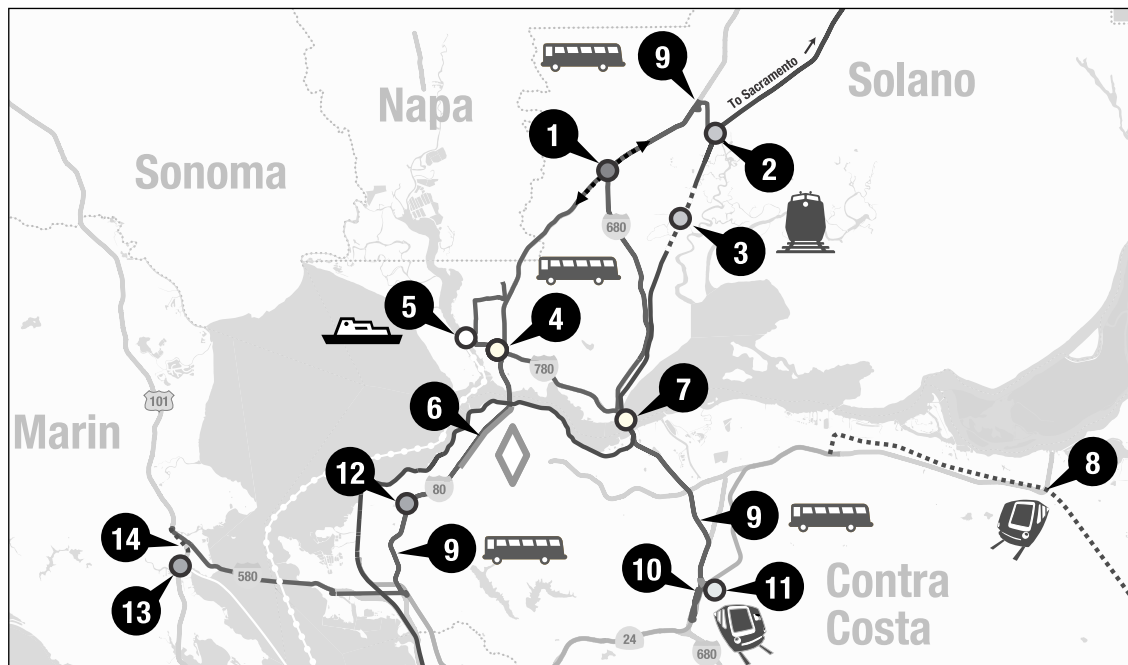
- Two backup vessels for more frequent and reliable ferry service
- Expansion of berthing capacity at the Port of San Francisco, and environmental review and design for other eligible terminal locations

BART/Muni Connection at Embarcadero: \$3 million

- Funds a project to allow BART and Muni Metro patrons to move directly between BART and Muni platform levels by removing existing barriers and installing new faregates. The project will reduce transfer time and distance, and improve safety by reducing queuing at faregates, escalators and stairways

RM 2 funds the new San Francisco Transbay Terminal, a landmark transit hub

North Bay Projects



- | | |
|--|--|
| <p>1 Interstate 80/Interstate 680 Interchange Improvements
(\$100 million)</p> <p>2, 3 Capitol Corridor Improvements in Interstate 80/Interstate 680 Corridor
(\$25 million)</p> <p>4 Solano County Express Bus Intermodal Facilities (\$20 million)</p> <p>5 Vallejo Station (\$28 million)</p> <p>6 Interstate 80: Eastbound High-Occupancy-Vehicle (HOV) Lane Extension From Route 4 to Carquinez Bridge
(\$50 million)</p> <p>7 Benicia-Martinez Bridge: New Span
(\$50 million)</p> <p>8 Rail Extension to East Contra Costa (e-BART)
(\$96 million)</p> | <p>9 Regional Express Bus North
(\$20 million)</p> <p>10 Direct High-Occupancy-Vehicle (HOV) lane connector From Interstate 680 to the Pleasant Hill BART Station
(\$15 million)</p> <p>11 Central Contra Costa BART Crossover
(\$25 million)</p> <p>12 Richmond Parkway Park-and-Ride
(\$16 million)</p> <p>13 U.S. 101 Greenbrae Interchange Improvement
(\$65 million)</p> <p>14 Sonoma-Marín Area Rail Transit District (SMART) Extension to Larkspur
(\$35 million)</p> |
|--|--|

3. North Bay — Antioch, Carquinez, Richmond-San Rafael and Benicia-Martinez Bridge Corridors

A. New Mass Transit Options

Commuter Rail Extension to East Contra Costa (e-BART): \$96 million

- Extend BART rail service from the Pittsburg/Bay Point BART station eastward to the cities of Antioch, Oakley, Brentwood and the community of Byron. The service will utilize diesel light-rail vehicles instead of conventional BART trains and operate on existing freight rail tracks rather than in the median of Route 4.
- Allows BART to develop the project in half the time and at less than half the cost it would normally require to build a freeway median BART extension to Hillcrest Avenue. Timed transfers will allow e-BART vehicles to meet waiting BART trains immediately east of the Pittsburg/Bay Point station.

Capitol Corridor Improvements in Interstate 80/Interstate 680 Corridor: \$25 million

- Track and station improvements, including the Suisun City third main track and a new Fairfield station

Sonoma-Marin Area Rail Transit District (SMART) Extension to Ferry Service at Larkspur Landing or San Quentin: \$35 million

- SMART North Bay commuter rail service will operate along the publicly owned Northwestern Pacific corridor from Cloverdale in Sonoma County to a ferry terminal in Marin County. Funds would help finance extending the rail line from a downtown San Rafael rail station to a ferry terminal at Larkspur Landing or San Quentin.
- Up to \$5 million of the total may be used to study the potential use of San Quentin property as an intermodal water transit terminal.

Regional Express Bus North: \$20 million capital, plus \$5.9 million annually to operate the service

- Develop and improve the express bus network in the I-680 corridor between the Benicia-Martinez Bridge and BART stations in Concord, Walnut Creek, Pleasant Hill and Dublin/Pleasanton. Funds may be used for park-and-ride lots, infrastructure improvements and bus purchases.
- New bus lines will connect commuters in eastern and western Contra Costa County to major transit hubs in Martinez and Concord. Express service will operate every half hour during commute peaks, and every hour throughout the rest of the day.
- At least \$1.6 million of the \$20 million total would go for Golden Gate Transit capital improvements and \$2.1 million of the total annual operating funds to provide bus service over the Richmond-San Rafael Bridge, connecting the San Rafael Transit Center to BART destinations in the East Bay. At least \$2.4 million of the \$20 million total would be dedicated to capital improvements for Napa VINE bus service, while \$390,000 of the total annual funds would be dedicated to VINE's operating costs.

RM 2 funds new park-and-ride lots and carpool lanes to ensure a fast, congestion-free commute for express bus riders

RM 2 funds improvements to Highway 101 in Marin County and closes a key gap in the carpool lane network on I-80

B. Traffic Bottleneck Relief

Interstate 80/Interstate 680 Interchange Improvements: \$100 million

- Improvements will be made to the corridor based on the recommendations of a study to be conducted jointly by Caltrans and the Solano Transportation Authority.
- Cost-effective transit infrastructure investment or service identified in the study shall be considered a high priority.

Interstate 80 Eastbound Carpool-lane Extension: \$50 million

- Extension of the existing bus/carpool lane on eastbound I-80 to the approach of the Carquinez Bridge. Completion of this carpool lane extension will result in over 18 miles of continuous bus/carpool lane on eastbound I-80 from the Bay Bridge to the Carquinez Bridge in Crockett.

Interstate 680 High-Occupancy-Vehicle (Carpool) Lane Improvement: \$15 million

- Provide better express bus service along the I-680 corridor. Study to be conducted by County Connection will select the better option between (1) a direct carpool-lane connection to the Pleasant Hill or Walnut Creek BART station or (2) extension of the southbound carpool lane on southbound I-680 from North Main to Livorna Road.
- The Contra Costa Transportation Authority shall adopt a preferred alternative following the study.

Benicia-Martinez Bridge: \$50 million

- Completion of new five-lane span between Benicia and Martinez to significantly increase capacity in the I-680 corridor

U.S. 101 Greenbrae Interchange/Larkspur Ferry Access Improvements: \$65 million

- Funds improvements around the Greenbrae interchange to reduce traffic congestion and provide multimodal access to the Richmond-San Rafael Bridge and Larkspur ferry terminal. Specific improvements include:
 - (1) constructing a new full service diamond interchange at Wornum Drive
 - (2) extending a multi-use pathway from the new interchange at Wornum Drive to East Sir Francis Drake Boulevard and the Cal Park Hill rail right of way
 - (3) adding a new lane to East Sir Francis Drake Boulevard
 - (4) rehabilitating the Cal Park Hill rail tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the Larkspur ferry terminal.

C. Seamless and Safe Transit Connections

Central Contra Costa BART Crossover: \$25 million

- Build a “crossover” BART track connection in central Contra Costa County, allowing BART trains the flexibility to turn around and return to San Francisco in the morning commute. Crossover tracks would permit BART to provide more frequent service to congested stations on the Pittsburg/Bay Point line, and give passengers a better chance to get a seat.

Solano County Express Bus Intermodal Facilities: \$20 million

- A competitive grant program for new transit intermodal facilities, such as park-and-ride lots or train stations in Solano County. Priority projects eligible for funding include: Curtola park-and-ride, Benicia intermodal facility, Fairfield transportation center, and Vacaville intermodal station.
- Priority will be given to projects that have a full funding plan, are ready for construction and will serve transit routes operating primarily on carpool lanes.

Richmond Parkway: \$16 million

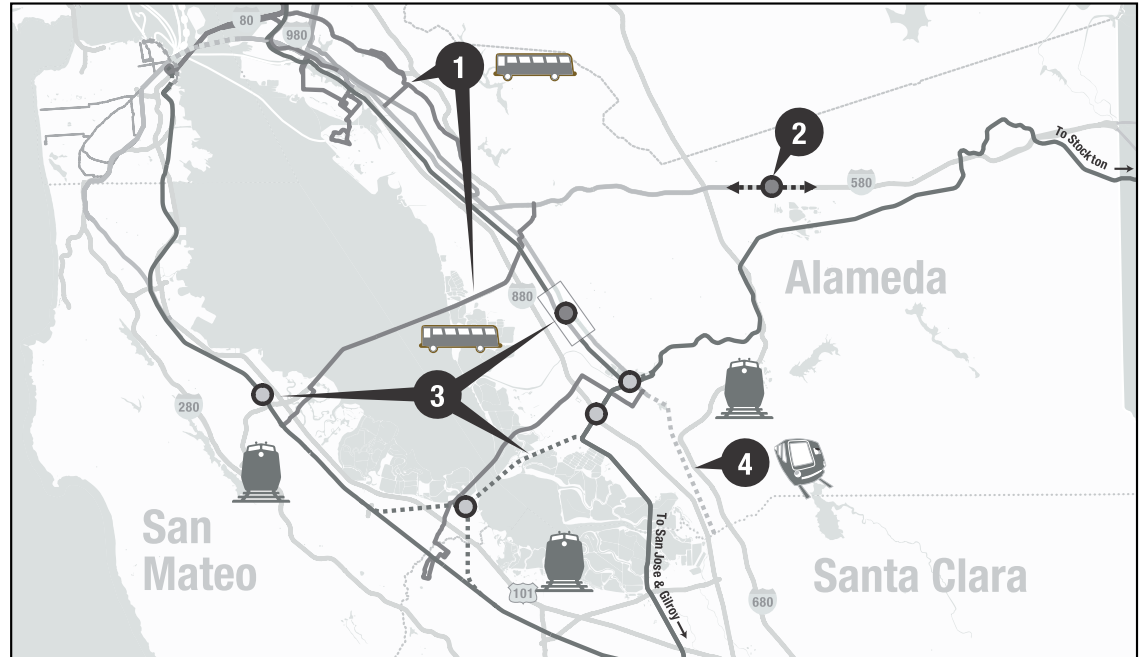
- Design and construction of park-and-ride facility at Interstate 80 and Richmond Parkway, serving Richmond, El Sobrante and Pinole. The facility would have between 750 and 1,000 parking spaces in a secure structure to provide parking for express bus service to downtown San Francisco. Buses currently operate every 10 minutes in the peak period.

Vallejo Intermodal Terminal: \$28 million

- Construction of an intermodal bus and ferry transportation hub, including a 1,200-space parking structure at the current Vallejo ferry terminal
- Reunites Vallejo’s waterfront and downtown, incorporating residential, commercial, office and retail development, while protecting open space

RM 2 funds new bus improvements in Solano County, including the Vallejo intermodal terminal

South Bay Projects



- | | |
|---|---|
| <p>1 Regional Express Bus for San Mateo, Dumbarton and Bay Bridge Corridors
(\$22 million)</p> | <p>3 East to West Bay Commuter Rail Service Over Dumbarton Rail Bridge
(\$135 million)</p> |
| <p>2 I-580 (Tri Valley) Rapid Transit Corridor Improvements
(\$65 million)</p> | <p>4 BART Warm Springs Extension
(\$95 million)</p> |

4. South Bay — San Mateo-Hayward and Dumbarton Bridge Corridors

A. New Mass Transit Options

BART Extension to Warm Springs: \$95 million

- Provide the final portion of funds needed to construct a 5.4-mile extension south from the existing Fremont station to Warm Springs in southern Alameda County. The project would accommodate future growth in employment and population in the region, and is the first leg of the future BART extension to Silicon Valley.

Dumbarton Rail: \$135 million, plus \$5.5 million annually to operate the new service

- New trains and track and station improvements for Caltrain to operate commuter rail service linking the East Bay with jobs on the Peninsula. Extends service from Union City, Fremont and Newark to the Peninsula and Silicon Valley across a renovated Dumbarton rail bridge. Funds also eligible to construct a new station at Sun Microsystems in Menlo Park/East Palo Alto
- Connects BART, ACE, Amtrak and Caltrain

Interstate 580 Rapid Transit Corridor Improvements: \$65 million

- Corridor improvements on I-580 in Alameda County. Funds available for new rail service or express bus improvements, such as a carpool-lane direct connector to Dublin BART

Regional Express Bus South: \$22 million capital, plus \$6.5 million annually to operate the service

- Funds carpool-lane and freeway ramp improvements for express buses and park-and-ride lot expansion to serve East Bay commuters using the Bay Bridge, San Mateo-Hayward and Dumbarton bridges.
- The \$6.5 million annual operating funds would provide for new bus service on the San Mateo-Hayward Bridge to San Mateo/Foster City, Millbrae/SFO, and Redwood Shores/Belmont, making connections to Caltrain via the San Mateo-Hayward Bridge, and additional Dumbarton Bridge bus service to Palo Alto and Caltrain.

B. Traffic Bottleneck Relief

Interstate 580 Rapid Transit Corridor Improvements

- As noted in the “Mass Transit Options” above, these improvements may include a new carpool lane along I-580, providing direct traffic relief to the corridor.

C. Seamless and Safe Transit Connections

New Transbay Terminal/Downtown Caltrain Extension in San Francisco: \$150 million

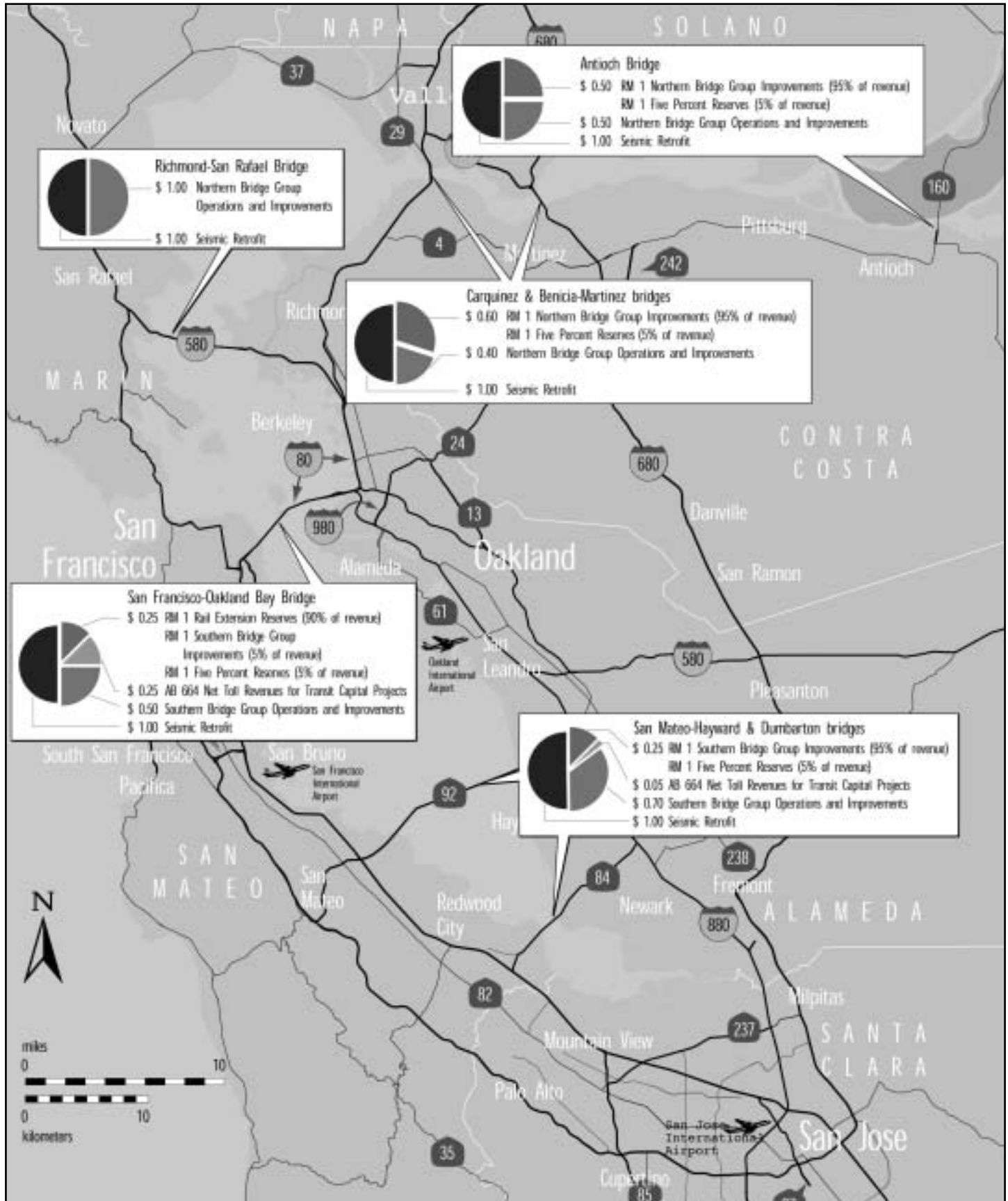
- A new Transbay Terminal in San Francisco, connecting AC Transit transbay buses and a Caltrain downtown San Francisco extension with BART, Muni, SamTrans, Greyhound, paratransit and Golden Gate Transit buses, as well as future high-speed rail

**RM 2 makes
the largest local
investment in rail
that the region
has seen in over
10 years**

**RM 2 funds new
transit in the I-580
corridor**

APPENDIX:

Use of Current \$2 Toll



Deferred Taxation Plan

A

PROPOSITION A

Shall City employees who receive a cash payment for unused vacation time and sick leave be permitted to defer this payment and defer state and federal taxes on this payment?

YES



NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: City employees earn vacation time, sick leave and other non-cash benefits during their City employment. When they leave City employment, the employees may be entitled to receive a one-time cash payment for the value of vacation time, sick leave and other benefits that they earned but did not use. Individuals who receive this cash payment must pay state and federal taxes on the payment when it is made.

THE PROPOSAL: Proposition A is a Charter amendment that would authorize the Board of Supervisors, by a three-fourths vote of its members, to create deferred taxation plans. City employees who receive a one-time cash payment for the benefits they earned but did not use could deposit it into the plan. The employees would not pay state and federal taxes on the payment until they withdrew money from the plan.

A "YES" VOTE MEANS: If you vote "yes," you want to authorize the Board of Supervisors to create tax deferment plans for individuals who leave City employment.

A "NO" VOTE MEANS: If you vote "no," you do not want to authorize the Board of Supervisors to create these plans.

Controller's Statement on "A"

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

Should the proposed Charter amendment be approved by the voters, in my opinion, the City could save up to \$250,000 annually.

The proposal allows for creation of a plan where City employees could defer income that they receive as lump-sum payments for accumulated vacation, sick leave or other compensation when they retire from the City. Under such a plan, employees would have an additional option for tax savings and retirement planning. Subject to certain limits, the City would not be required to pay social security and Medicare taxes on the amounts transferred, and, based on FY 2002-2003 eligible amounts, could save up to approximately \$250,000 annually. The amendment provides that the Retirement System may manage such a plan through an independent contractor, and that the costs of administering the plan itself would be borne by the participants.

How "A" Got on the Ballot

On November 18, 2003 the Board of Supervisors voted 8 to 0 to place Proposition A on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Daly, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, and Sandoval.

Absent: Supervisors Dufty and Hall.

Excused: Supervisor Ammiano.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.

A

Deferred Taxation Plan

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, and Sandoval.

Please Vote YES on Proposition A.

The Board of Supervisors placed this measure on the ballot to create a deferred taxation plan for any accrued vacation time, sick leave or other benefits earned by City employees but which have not been used by the time they stop working for the City. This encourages employees to save money and saves money for San Francisco, as well.

The employee will defer some taxes and avoid others if they choose to have their accrued vacation time and benefits placed in this deferred taxation plan when they leave City service. The City will save on paying taxes when it transfers the money to the individual employee account instead of paying directly to the employee.

This deferred taxation plan will be fully compliant with the Internal Revenue Code and the Charter that protects and saves other funds and benefits for the City. The administrative costs of the plan will be born solely by the employees.

Vote Yes on Proposition A.

Supervisor Gerardo Sandoval

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

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

Deferred Taxation Plan

A

OPPONENT'S ARGUMENT AGAINST PROPOSITION A

NO OPPONENT'S ARGUMENT AGAINST PROPOSITION A WAS SUBMITTED

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION A

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION A WAS SUBMITTED



Deferred Taxation Plan

PAID ARGUMENTS IN FAVOR OF PROPOSITION A

YES on A

Proposition A is good government. The City Controller has stated this Charter amendment could save the City \$250,000 per year.

REPUBLICANS UNITED FOR SAN FRANCISCO

Howard Epstein

Mike DeNunzio

Sue Woods

Dana Walsh

Giana Miniace

Carolyn Devine

Timothy Simon

William Wyatt

Jennifer DePalma

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

The three largest contributors to the true source recipient committee are: 1. Carolyn Devine 2. Giana Miniace 3. William R. Wyatt.

This is a measure that will create fairness and equity for our city employees. Vote Yes on A.

Hon. Robert P. Varni

Former City College Trustee

Tom A. Hsieh

Member, SF Democratic County Central Committee*

Dan Dunnigan

Member, SF Democratic County Central Committee*

Daniel Homsey

Community Outreach Coordinator

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Tom A. Hsieh and Robert P. Varni.

PAID ARGUMENTS AGAINST PROPOSITION A

NO PAID ARGUMENTS AGAINST PROPOSITION A WERE SUBMITTED

LEGAL TEXT OF PROPOSITION A

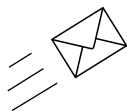
Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section A8.599 to authorize the City and County to establish plans for the tax-deferred treatment of accrued compensation payable to employees.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004, a proposal to amend the Charter of the City and County by adding Section A8.599 to read as follows:

Note: Additions are single-underline italics Times New Roman.
Deletions are ~~striketrough italics Times New Roman~~.

A8.599 TAX-DEFERRED PLANS FOR ACCUMULATED COMPENSATION

The board of supervisors is empowered to enact, by a vote of three-fourths of its members, such ordinances as it deems necessary to establish a plan or plans, consistent with federal and state requirements, to provide for the deferred taxation of accumulated vacation, sick leave or other compensation earned by and payable to employees on account of and after their separation from City and County employment. The City and County of San Francisco does not and cannot represent or guarantee that any particular federal or state income, payroll or other tax consequence will occur by reason of an employee's participation in these plans nor whether there will be gains or losses on moneys paid into these plans. The Retirement Board shall administer any such plans. The Retirement Board may contract with a financially responsible independent contractor to serve as the third party administrator of any such plans. The Retirement Board shall manage such plans in compliance with federal and state tax laws and ensure that plan benefits do not conflict with or reduce benefits under the Retirement System. The reasonable and necessary administrative costs of this plan shall not be borne by the City and County but by the participants and by any third party plan administrator appointed hereunder.



Permanent Absentee Voter

(Permanent Vote-by-Mail)

As of January 1, 2002 any registered voter may request to be a Permanent Absentee Voter. Permanent Absentee Voter status is no longer limited to those voters with physical disabilities. Any voter may request to become a Permanent Absentee Voter, and an Absentee Ballot will be mailed to you automatically for every election.

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

To become a permanent absentee voter, complete the absentee ballot application on the back cover and return it to the Department of Elections or call for an application at (415) 554-4375. **Be sure to check the box that says, "Permanent Absentee Voter" and sign your name where it says, "Sign Here."**

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

IMPORTANT NOTICE TO PERMANENT ABSENTEE VOTERS

If you have already registered as a permanent absentee voter, your ballot will be mailed on or about February 2. To find out if you are registered as a permanent absentee voter, please call the Department of Elections at 554-4411. If you have not received your absentee ballot by February 14, please call 554-4375.

How to Locate Your Polling Place

Your Polling Place May Have Changed

Back cover of this pamphlet (upper right-hand side):

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


Check here for whether your polling place is handicapped accessible.

Your Polling Place Address Is:

Eureka Valley Playground
100 Collingwood Street
PRECINCT 3623

5.1% Slope

Polling Place Handicapped Accessible:



Your precinct number

The slope of the entrance to your polling place

Retirement Benefits for Public Defenders, District Attorneys, and Investigators

B

PROPOSITION B

May the City contract with the California Public Employee Retirement System for retirement benefits for District Attorneys, Public Defenders and Public Defender investigators if there is no change in cost to the City?

YES
NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: Assistant District Attorneys, Deputy Public Defenders and investigators employed by the Public Defender are members of the San Francisco Employees' Retirement System (SFERS). They may retire at age 50 if they have worked for 20 years, or at age 60 if they have worked for 10 years. Generally, an employee's retirement benefits increase with the employee's age and salary, and with the number of years worked. For example, after 20 years of City service, an employee who retires:

- at age 50 receives a pension that is 20% of the employee's highest salary;
- at age 55 receives a pension that is 30% of the employee's highest salary; and
- at age 60 receives a pension that is 40% of the employee's highest salary.

Employees who work more than 20 years may receive a higher pension, but no employee may receive more than 75% of his or her highest salary.

THE PROPOSAL: Proposition B is a Charter amendment that would permit the City to contract with the California Public Employees' Retirement System (CalPERS) to provide increased retirement benefits to Assistant District Attorneys, Deputy Public Defenders and investigators employed by the Public Defender if

there is no change in cost to the City.

Under this contract, these employees would be eligible for retirement benefits similar to the retirement benefits received by City police officers, deputy sheriffs and firefighters. After 20 years of City service, police officers, deputy sheriffs and firefighters who retire:

- at age 50 receive a pension that is 48% of the employee's highest salary; and
- at age 55 receive a pension that is 60% of the employee's highest salary.

The maximum pension would increase to 90% of the employee's highest salary.

A "YES" VOTE MEANS: If you vote "yes," you want to permit the City to contract with the California Public Employees' Retirement System to provide retirement benefits to Assistant District Attorneys, Deputy Public Defenders and investigators employed by the Public Defender if there is no change in cost to the City.

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

Controller's Statement on "B"

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

Should the proposed charter amendment be approved by the voters, in my opinion, it would not in and of itself increase the cost of government. The charter amendment would authorize the Board of Supervisors to enter into contracts with the California Public Employees Retirement System (PERS) for improved retirement benefits for the City's district attorneys, public defenders and public defender investigators. The retirement benefit levels authorized by the proposed amendment are comparable to those provided to "safety" personnel such as Police and Firefighters, with 3% of salary at 55 years of age being the most common benefit level. Providing this benefit level would significantly increase the cost of retirement for the district attorney and public defender employee groups.

The charter amendment specifies that contracts entered into under its provisions will be cost-neutral to the City and that employee organizations can exchange salary or other benefits to pay for an improved retirement benefit.

How "B" Got on the Ballot

On November 18, 2003 the Board of Supervisors voted 7 to 2 to place Proposition B on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, and Sandoval.

No: Supervisors Hall and Peskin.

Absent: Supervisor Newsom.

Excused: Supervisor Ammiano.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.

B

Retirement Benefits for Public Defenders, District Attorneys, and Investigators

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION B

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, and Sandoval; oppose the measure: Supervisor Peskin; take no position on the measure: Supervisors Hall and Newsom.

Proposition B will put the San Francisco District Attorneys and Public Defenders on equal footing with their counterparts around the state. Every other county in the state offers this collective bargaining power to their District Attorneys and Public Defenders.

Matt Gonzalez
President, Board of Supervisors

Proposition B will allow the San Francisco District Attorneys and Public Defenders to bargain for increased retirement benefits provided the resulting benefit is COST NEUTRAL to the City and County of San Francisco.

As it stands now the District Attorneys and Public Defenders in every county in the State of California have the right to bargain with its Board of Supervisors for retirement benefits, EXCEPT in the county of San Francisco.

This proposition does not confer on District Attorneys and Public Defenders any additional benefit; it merely gives them the right to negotiate for retirement benefits, provided it is COST NEUTRAL to the City and County of San Francisco.

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION B

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

Retirement Benefits for Public Defenders, District Attorneys, and Investigators

B

OPPONENT'S ARGUMENT AGAINST PROPOSITION B

NO OPPONENT'S ARGUMENT AGAINST PROPOSITION B WAS SUBMITTED

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION B

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION B WAS SUBMITTED



Retirement Benefits for Public Defenders, District Attorneys, and Investigators

PAID ARGUMENTS IN FAVOR OF PROPOSITION B

The San Francisco Democratic Party strongly endorses Proposition B.

This puts San Francisco District Attorneys, Public Defenders and Public Defender Investigators on an equal footing with their counterparts around the State. This is a matter of equity and fairness.

Jane Morrison, Chair
San Francisco Democratic Party

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

The three largest contributors to the true source recipient committee are: 1. Nancy Pelosi 2. Carole Migden 3. Jane Morrison.

PAID ARGUMENTS AGAINST PROPOSITION B

NO PAID ARGUMENTS AGAINST PROPOSITION B WERE SUBMITTED

LEGAL TEXT OF PROPOSITION B

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section A8.506-5 thereto, to authorize the board of supervisors to contract with the board of administration of the Public Employees' Retirement System to provide increased retirement benefits for district attorneys, public defenders and public defender investigators.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004, a proposal to amend the Charter of the City and County by adding Section A8.506-5 to read as follows:

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

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

A8.506-5 DISTRICT ATTORNEYS, PUBLIC DEFENDERS AND PUBLIC DEFENDER INVESTIGATORS

(a) 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 local prosecutors, public defenders and public defender investigators, on or after January 1, 2002, shall be members of the Public Employees' Retirement System pursuant to Government Code §20423.6 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. 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.

(b) For the purposes of the retirement system and of this section, the terms "local prosecutor, public defender and public defender investigator" or "member," shall mean:

(1) "Local prosecutor" means any one of the following:

(A) An officer or employee of the City and County of San Francisco who meets all of the following criteria:

(i) He or she is employed in the Office of the District Attorney and

(ii) His or her job classification is district attorney, deputy district attorney, chief deputy district attorney, senior deputy district attorney, assistant district attorney, chief assistant district attorney, senior assistant district attorney, or any other similar classification or title.

(B) An officer or employee of the City and County of San Francisco who meets all of the following criteria:

(i) He or she was employed

in the Office of the District Attorney prior to the date the local child support agency transitioned from the District Attorney to the San Francisco Office of Child Support Services;

(ii) His or her job classification was district attorney, deputy district attorney, chief deputy district attorney, senior deputy district attorney, assistant district attorney, chief assistant district attorney, senior assistant district attorney, or any other similar classification or title; and

(iii) He or she is an attorney in the San Francisco Office of Child Support Services, with no break in service between employment by the Office of the District Attorney and the San Francisco Office of Child Support Services.

(2) "Local public defender" means an officer or employee of the City and County of San Francisco who meets all of the following criteria:

(A) He or she is employed in the Office of the Public Defender and

(B) His or her job classification is public defender, deputy public defender, chief deputy public defender, senior deputy public defender, assistant public defender, chief assistant public defender, senior assistant public defender, or any other similar classification or title.

(3) "Local public defender investigator" means an officer or employee of the City and County of San Francisco who meets all of the following criteria:

(A) He or she is employed in the Office of the Public Defender;

(B) His or her job classification is inspector, investigator, detective, or any other similar classification or title; and

(C) His or her principal duties are to investigate crime and criminal cases.

(c) The power to enter into a contract under subsection (a), above, shall be limited to a contract that is cost-neutral to the city. Employee bargaining units shall be permitted to trade salary or other employer-paid benefits, including but not limited to social security benefits, to achieve cost-neutrality. As provided in Section A8.409-5 of the City Charter, disputes under this paragraph shall not be subject to the dispute resolution procedures contained in Charter Section A8.409-4.

VOTING IN SAN FRANCISCO

IF YOU MAKE A MISTAKE WHILE VOTING simply request another ballot.

HOW TO MARK YOUR BALLOT

1. You will vote on paper ballot pages that are printed on both sides of the page. Be sure to vote on both sides of the page!
2. Using the ballot marking pen provided by the poll worker, or a #2 pencil, mark the ballot by drawing a line between the head and tail of an arrow that points to your choice.
3. Feed your ballot pages, one by one, into the slot in the front of the "Eagle" voting machine.

CÓMO VOTAR EN SAN FRANCISCO

SI SE EQUIVOCA AL VOTAR, simplemente pida otra balota.

CÓMO MARCAR SU BALOTA

1. Votará en hojas de papel con la balota impresa en ambos lados de la página. ¡Asegúrese de votar en ambos lados de la página!
2. Usando la pluma provista por el trabajador del lugar de votación, o un lápiz #2, marque la balota dibujando una línea entre la cabeza y la cola de la flecha que apunte a su selección.
3. Ponga sus páginas de balota una por una en la ranura de la parte frontal en la maquina de votación "Eagle".

HOW TO VOTE FOR A WRITE-IN CANDIDATE

To vote for a candidate not listed on the ballot:

1. Write the name of the write-in candidate in the space marked "Write-In".
2. You must draw a line connecting the head and tail of the arrow that points at the "Write-In" space for your write-in vote to be counted.

REMEMBER: Only write-in votes for qualified write-in candidates will be counted.

Do not write in votes for candidates already printed on the ballot.

CÓMO VOTAR POR UN CANDIDATO NO LISTADO

Para votar por un candidato que no está listado en la balota:

1. Escriba el nombre del candidato no listado en el espacio indicado "Write-In" (No Listado).
2. Trace una línea conectando la cabeza y la cola de la flecha que apunta al espacio "Write-In" (No Listado) para asegurarse que se cuente su voto para el candidato no listado.

RECUERDE: Solamente se contarán los votos para candidatos no listados siempre y cuando sean candidatos no listados calificados.

No escriba en la balota los votos para los candidatos cuyos nombres ya aparecen en la balota.

NOTICE: Voters should carefully note the number of candidates to select for each office. If you vote for more than the allowed number of candidates, your votes for that office will be void and will not count.

AVISO: Los electores deben estar muy atentos al número de candidatos para cada puesto. Si usted vota por un número mayor que el número permitido de candidatos, se anularán sus votos para dicho puesto y no se contarán.

注意：選民應留意您投票選舉的每一個職位的候選人的限額。如果您投選的候選人的數量超過限額，則您投選該職位的選票將無效，不會被計算在內。

PRESIDENT

Vote For One

THOMAS A. EDISON	NP	←	→
ALBERT EINSTEIN	NP	←	→
HELEN KELLER	NP	←	→
FLORENCE NIGHTINGALE	NP	←	→
BOOKER T. WASHINGTON	NP	←	→

Write-In

在三藩市投票

如果您投票時有錯，請向投票站職員要求一張新的選票。

如何畫選票

1. 選票以紙張印製，並且是雙面編印。請記住，在選票的前後兩面投票。
2. 用投票站工作人員提供的筆或 2 號鉛筆，將指向您的選擇的箭頭和箭尾畫線連起來。
3. 將選票拿到投票機前，一次一張，把選票放入投票機槽內。

PRESIDENT

Vote For One

THOMAS A. EDISON	NP	←	→
ALBERT EINSTEIN	NP	←	→
HELEN KELLER	NP	←	→
<i>Florence Night</i>	NP	←	→

Write-In

如何投寫入 (WRITE-IN) 候選人的選票

如果您所選的候選人不在選票上，請按以下指示投票：

(不要將已在選票上的候選人當寫入選票來投)

1. 將寫入候選人的名字寫在"寫入" (Write-In) 的空位上。
2. 你必須將指向你所選的寫入候選人的箭頭和箭尾畫線連結起來，你投給此寫入候選人的一票才有效。

記住：只有是合格寫入候選人的選票才會被計算在內。

Civilian Jobs in the Police Department



PROPOSITION C

Shall the City reduce the required number of uniformed Police officers if the City fills certain positions currently performed by uniformed officers with civilian staff?

YES



NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: The Charter requires the City to have at least 1,971 full-duty uniformed Police officers. If the City has more than this number of officers, the additional officers must be assigned to neighborhood policing, patrol and investigations. Only the voters can change these requirements.

Many of the positions in the Police Department must be filled by uniformed officers. Other positions in the Department, such as certain clerical and administrative jobs, may be filled by civilian staff.

THE PROPOSAL: Proposition C is a Charter amendment that would require the Controller and Police Chief to identify Police Department jobs currently performed by uniformed officers that could be performed by civilian staff. The City could fill these positions with civilian staff as the jobs become vacant. The City could not lay off any uniformed officer to change the officer's position to a civilian job.

If the City fills jobs currently performed by uniformed officers with civilian staff, the number of full-duty Police officers required by the Charter would be reduced if:

- The number of full-duty officers assigned to neighborhood policing, patrol and investigations would not change; and
- Delivery of Police services and the ability to respond to a public emergency would remain the same.

A "YES" VOTE MEANS: If you vote "yes," you want to reduce the required number of uniformed Police officers in the City if civilian staff fill certain positions currently held by uniformed officers.

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

Controller's Statement on "C"

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

Should the proposed Charter amendment be approved by the voters, in my opinion, in and of itself it would have a minimal impact on the cost of government. However, the amendment creates a process by which the City could achieve significant cost savings.

The amendment sets out a process to identify jobs that can be converted from uniformed police to civilian in the Police Department and for the Mayor and the Board of Supervisors to make those conversions in the City budget. At current salary and benefit rates, conversion of each job from a police classification to a clerical, professional or administrative classification would save between \$18,000 and \$40,000 annually.

The proposed amendment would require the Controller, in consultation with the Chief of Police, other City departments and the labor organization representing Police Officers, to review all positions in the Police Department to identify those currently filled by uniformed officers that could be filled by civilians. The review

would also include comparison to Police Department staffing levels in other jurisdictions and best practices. As jobs are converted from uniformed to civilian, the minimum number of Police Officers required under the Charter can be reduced provided that the Controller and Police Chief jointly certify that doing so will not reduce the number of officers dedicated to "neighborhood community policing, patrol, and investigations."

How "C" Got on the Ballot

On November 25, 2003 the Board of Supervisors voted 9 to 1 to place Proposition C on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, and Sandoval.

No: Supervisor Newsom.

Excused: Supervisor Daly.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.



Civilian Jobs in the Police Department

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION C

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, and Sandoval; oppose the measure: Supervisor Newsom; take no position on the measure: Supervisor Dufty.

According to independent Budget Analyst Harvey Rose's management audit of the San Francisco Police Department, the City could save up to \$2.5 million annually by using civilians for certain non-police jobs in the Department rather than sworn officers. That's why the Board of Supervisors has submitted Proposition C to voters.

When we train police officers, it is reasonable to expect that they will perform police-related work such as community policing, patrol or investigations – not perform the functions of a clerk or receptionist.

Unfortunately, the Budget Analyst, in his review of the SFPD, found that while other urban police departments have been using a higher percentage of civilians, San Francisco has moved in the other direction.

Proposition C requires the Controller and the Chief of Police to review which functions in the SFPD should be performed by civilians.

After an exhaustive review, it allows conversion of sworn to civilian positions, **provided that both the Controller and the Chief of Police certify that there will be no reduction in the number of officers performing community policing, patrols or investigations.**

Under Proposition C, no sworn officer can be laid off to convert to a civilian position.

Proposition C is a common-sense cost-saving measure that was drafted based on the Budget Analyst's management audit and with input from the San Francisco Police Department.

In these lean fiscal times, please join us in voting yes on Proposition C to save money without compromising public safety.

Supervisors Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin and Sandoval

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION C

"IF IT ISN'T BROKE, DON'T FIX IT" IS THE LESSON FORGOTTEN BY PROPOSITION C BACKERS:

There were some good reasons why major violent crime rates declined under Police Chief Tony Ribera and his successors.

Improved San Francisco police methods were part of the story, but the voter-demanded "Minimum Police Staffing Level" gain also halted a lot of murders, rapes, and robberies.

Former BART Board President Arlo H. Smith, a Democratic Central Committeeman and the son of San Francisco's longtime District Attorney, has grave doubts about Proposition C:

"In recent years, there has been a drop in violent crime in San Francisco which is directly attributable to the voters setting minimum staffing levels for the police department. Now, the Supervisors want to cut the number of officers so they will have more money available for their pet political projects. Public safety requires a 'No' vote on this measure. At the 12/4/03 meeting of

the Democratic County Central Committee I voted 'No' on this measure [Proposition C], as did Senator Dianne Feinstein [via proxy]."

Both on duty and off duty, having lots of armed and well trained police officers on the streets of San Francisco prevents crimes.

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

Dr. Terence Faulkner, J.D.
Member, California Certified Farmers Market Advisory Board

Gail E. Neira
State Assembly Candidate (13th District)

Pat Fitzgerald
Past Secretary, San Francisco Democratic Party

Thomas C. Agee
Concerned Citizen

Civilian Jobs in the Police Department



OPPONENT'S ARGUMENT AGAINST PROPOSITION C

PLEASE DON'T WRECK THE SAN FRANCISCO POLICE FORCE WITH PROPOSITION C AND A NEW CROP OF POLITICAL APPOINTEES:

Proposition C is a proposed City Charter amendment that would allow for the reduction of the "Minimum Police Staffing Level" and the hiring of "Civilian Personnel" (read: "Political Appointees").

Under former Mayor Willie Brown there were added more than 4,000 new jobs to the City Government. Many of these posts were non-Civil Service political appointees.

Proposition C threatens to extend the hiring of political appointees to the San Francisco Police Department.

Proposition C, if passed, would reduce the effectiveness of our local police.

Proposition C would gradually reduce the number of trained San Francisco police officers—the last thing our City needs in the event of a major earthquake or other public emergency.

Proposition C would roll the dice on the issue of community safety.

Vote AGAINST Proposition C.

Golden Gate Taxpayers Association

Dr. Terence Faulkner, J.D.

Chairman

Golden Gate Taxpayers Association

Gail E. Neira

State Assembly Candidate (13th District)

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION C

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, and Sandoval; oppose the measure: Supervisor Newsom; take no position on the measure: Supervisor Dufty.

Please don't believe the opponents' rhetoric: Proposition C is a reasonable reform designed to save some money during tough fiscal times.

This year's budget for the San Francisco Police Department is \$295 million. Budget Analyst Harvey Rose has estimated that hiring civilians to perform non-police work (instead of using sworn officers who should be performing police work) would **save \$2.5 million annually.**

Balancing large budgets usually requires small changes in the way departments perform their work. Proposition C is one of those small changes.

The opponent would have you believe that Proposition C will wreck the San Francisco Police Department. **Virtually every other major urban police force in the nation has "civilianized" their non-police functions without compromising public safety.** It's time for San Francisco to follow this best practice.

When we spend the time and money to train police officers, it's reasonable to expect that these officers will be working to promote public safety in our neighborhoods.

Proposition C was written with input from the San Francisco Police Department and requires that the Chief of Police must certify that civilianizing positions will not threaten public safety.

Please join us in voting yes on this reasonable reform.

Supervisors Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick and Peskin



Civilian Jobs in the Police Department

PAID ARGUMENTS IN FAVOR OF PROPOSITION C

NO PAID ARGUMENTS IN FAVOR OF PROPOSITION C WERE SUBMITTED

PAID ARGUMENTS AGAINST PROPOSITION C

The Coalition for San Francisco Neighborhoods urges you to OPPOSE Proposition C, which would reduce police staffing levels in our neighborhoods.

CSFN members have supported civilian positions in the SFPD, but NEVER at the expense of reducing voter-mandated minimum officer staffing levels.

Prop C would eliminate one police officer for every civilian position, a frightening threat to public safety.

Prop C's "safeguards," allowing the Controller to decide if reduced staffing puts our families at risk, are laughable.

Please join your neighbors and VOTE NO on Proposition C.

Barbara R. Meskunas, President
Coalition for San Francisco Neighborhoods

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

LEGAL TEXT OF PROPOSITION C

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 4.127 and adding Section 16.123, to: provide for a study of which positions in the Police Department could be filled by civilian personnel rather than sworn officers; allow the City to reduce the minimum police staffing level for each position it converts from sworn to civilian, without decreasing the number of police officers dedicated to neighborhood community policing, patrol, and investigations and without substantially interfering with the delivery of police services or the ability of the Police Department to protect the public in the event of an emergency; and, provide that no police officer shall be laid off in order to convert a position from sworn to civilian.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004, a proposal to amend the Charter of the City and County by amending Section 4.127 and adding Section 16.123, to read as follows:

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

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

Section 1. The San Francisco Charter is hereby amended by amending Section 4.127, to read as follows:

SEC. 4.127.POLICE DEPARTMENT.

The Police Department shall preserve the public peace, prevent and detect crime, and protect the rights of persons and property by enforcing the laws of the United States, the State of California and the City and County.

The Chief of Police may appoint and remove at pleasure special police officers.

The Chief of Police shall have all powers which are now or that may be conferred upon a sheriff by state law with respect to the suppression of any riot, public tumult, disturbance of the public peace or organized resistance against the laws or public authority.

DISTRICT POLICE STATIONS. The Police Department shall maintain and operate district police stations. The Police Commission, subject to the approval by the Board of Supervisors, may establish additional district stations, abandon or relocate any district station, or consolidate any two or more district stations.

OFFICE OF CITIZEN COMPLAINTS. The Mayor shall appoint a nominee of the Police Commission as the director of the Office of Citizen Complaints, subject to confirmation by the Board of Supervisors. The director shall serve at the pleasure of the Police Commission. If the Board fails to act on the appointment within 30 days, the appointment shall be deemed approved. In the event the office is vacant, until the mayor makes an appointment and that appointment is confirmed by the

Board, the Police Commission shall appoint an interim director who shall serve at the pleasure of the Police Commission. The appointment shall be exempt from the civil service requirements of this Charter. The director shall never have been a uniformed member or employee of the department. The director of the Office of Citizen Complaints shall be the appointing officer under the civil service provisions of this Charter for the appointment, removal or discipline of employees of the Office of Citizen Complaints.

The Police Commission shall have the power and duty to organize, reorganize and manage the Office of Citizen Complaints. Subject to the civil service provisions of this Charter, the Office of Citizen Complaints shall include investigators and hearing officers. As of July 1, 1996, the staff of the Office of Citizen Complaints shall consist of no fewer than one line investigator for every 150 sworn members. Whenever the ratio of investigators to police officers specified by this section is not met for more than 30 consecutive days, the director shall have the power to hire, and the city Controller must pay, temporary investigators to meet such staffing requirements. No full-time or part-time employee of the Office of Citizen Complaints shall have previously served as a uniformed member of the department. Subject to rule of the Police Commission, the director of the Office of Citizen Complaints may appoint part-time hearing officers who shall be exempt from the civil service requirements of this Charter. Compensation of the hearing officers shall be at rates recommended by the Commission and established by the Board of Supervisors or by contract approved by the Board of Supervisors.

Complaints of police misconduct or allegations that a member of the Police Department has not properly performed a duty shall be promptly, fairly and impartially investigated by staff of the Office of Citizen Complaints. The Office of Citizen Complaints shall investigate all complaints of police misconduct, or that a member of the Police Department has not properly performed a duty, except those complaints which on their face clearly indicate that the acts complained of were proper and those complaints lodged by other members of the Police Department. The Office of Citizen Complaints shall recommend disciplinary action to the Chief of Police on those complaints that are sustained. The director of the Office of Citizen Complaints shall schedule hearings before hearing officers when such is requested by the complainant or a member of the department and, in accordance with rules of the Commission, such a hearing will facilitate the fact-finding process. The Board of Supervisors may provide by ordinance that the Office of Citizen Complaints shall in the same manner investigate and make recommendations to the Chief of Police regarding complaints of misconduct by patrol special police officers and their uniformed employees.

Nothing herein shall prohibit the Chief of Police or a commanding officer from investigating the conduct of a member of the department under his or her command, or taking disciplinary or corrective action, otherwise permitted by this Charter, when such is warranted; and nothing herein shall limit or otherwise restrict the disciplinary powers vested in the Chief of Police and the Police Commission by other provisions of this Charter.

The Office of Citizen Complaints shall prepare in accordance with rules of the Commission monthly summaries of the complaints received and shall prepare recommendations quarterly concerning policies or practices of the department which could be changed or amended to avoid unnecessary tension with the public or a definable segment of the public while insuring effective police services. The Office of Citizen Complaints shall prepare a report for the President of the Board of Supervisors each quarter. This report shall include, but not be limited to, the number and type of complaints filed, the outcome of the complaints, and a review of the disciplinary action taken. The President of the Board of Supervisors shall refer this report to the appropriate committee of the Board of Supervisors charged with public safety responsibilities. Said committee may issue recommendations as needed.

In carrying out its objectives the Office of Citizen Complaints shall receive prompt and full cooperation and assistance from all departments, officers and employees of the City and County. The director may also request and the Chief of Police shall require the testimony or attendance of any member of the Police Department to carry out the responsibilities of the Office of Citizen Complaints.

BUDGET. Monetary awards and settlements disbursed by the City and County as a result of police action or inaction shall be taken exclusively from a specific appropriation listed as a separate line item in the Police Department budget for that purpose.

POLICE STAFFING. The police force of the City and County shall at all times consist of not fewer than 1,971 full duty sworn officers. The staffing level of the Police Department shall be maintained with a minimum of 1,971 full duty sworn officers thereafter. That figure may be adjusted pursuant to Section 16.123.

All officers and employees of the City and County are directed to take all acts necessary to implement the provisions of this section. The Board of Supervisors is empowered to adopt ordinances necessary to effectuate the purpose of this section including but not limited to ordinances regulating the scheduling of police training cases.

(Continued on next page)

LEGAL TEXT OF PROPOSITION C (CONTINUED)

Further, the Commission shall initiate an annual review to civilianize as many positions as possible to maximize police presence in the communities and submit that report to the Board of Supervisors annually for review and approval.

The number of full duty sworn officers in the Police Department dedicated to neighborhood policing and patrol for fiscal year 1993-1994 shall not be reduced in future years, and all new full duty sworn officers authorized for the Police Department shall also be dedicated to neighborhood community policing, patrol and investigations.

PATROL SPECIAL POLICE OFFICERS. The Commission may appoint patrol special police officers and for cause may suspend or dismiss patrol special police officers after a hearing on charges duly filed with the Commission and after a fair and impartial trial. Patrol special police officers shall be regulated by the Police Commission, which may establish requirements for and procedures to govern the position, including the power of the Chief of Police to suspend a patrol special police officer pending a hearing on charges. Each patrol special police officer shall be at the time of appointment not less than 21 years of age and must possess such physical qualifications as may be required by the Commission.

Patrol special police officers may be designated by the Commission as the owners of a certain beat or territory which may be established or rescinded by the Commission. Patrol special police officers designated as the owners of a certain beat or territory or the legal heirs or representatives of the owners may dispose of their interest in the beat or territory to a person of good moral character, approved by the Police Commission and eligible for appointment as a patrol special police officer.

Commission designation of beats or territories shall not affect the ability of private security companies to provide on-site security services on the inside or at the entrance of any property located in the City and County.

/ / /

Section 2. The San Francisco Charter is hereby amended by adding Section 16.123, to read as follows:

SEC. 16.123. CIVILIAN POSITIONS WITHIN THE POLICE DEPARTMENT.

(a) The Controller shall review sworn and civilian staffing needs in the San Francisco Police Department. As part of that review, the Controller shall review police staffing levels and patterns in comparable jurisdictions, and best practices regarding police staffing.

The Controller and the Chief of Police shall also audit all positions in the Police Department and identify those positions that must be filled by sworn officers and those that could be filled by civilian personnel or that, under best practices in other jurisdictions, typically are filled by civilian personnel.

In conducting these studies, the

Controller and the Chief of Police shall consult with the Board of Supervisors' Budget Analyst, the Director of the Department of Human Resources, and a representative of the bargaining unit representing sworn members of the Police Department.

Upon the completion of these studies, the Controller and the Chief of Police shall forward to the Mayor and the Board of Supervisors a list of positions in the Police Department currently filled by sworn officers that could be filled by civilian personnel.

Upon submission of the list of positions to the Mayor and the Board of Supervisors, the provisions of subsection (a) shall expire and the City Attorney shall cause them to be deleted from future publications of the Charter, and shall cause the remaining provisions to be re-lettered accordingly.

(b) Positions may only be converted from sworn to civilian as they become vacant. No sworn officer shall be laid off in order to convert a position to civilian personnel.

If the Mayor and the Board of Supervisors convert positions from sworn officers to civilian personnel through the budget process, the minimum staffing level set in Section 4.127 shall be reduced by the same number of positions if the Controller and the Chief of Police jointly certify that the reduction will not decrease the number of police officers dedicated to neighborhood community policing, patrol and investigations and will not substantially interfere with the delivery of police services or the ability of the Police Department to protect the public in the event of an emergency.

Equal Treatment of Domestic Partners



PROPOSITION D

Shall domestic partners be allowed to register in the City, even if they live or work outside the City, and shall the City Employees' Retirement System treat domestic partners as spouses?

YES
NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: City law allows unmarried adults who live together and who agree to be jointly responsible for basic living expenses to register as domestic partners. In order to register, the partners must live in the City, or at least one partner must work in the City.

City law gives registered domestic partners some, but not all, of the legal rights of married couples.

Most City employees are members of the City Employees' Retirement System. When a married member of the Retirement System dies, the surviving spouse receives a death benefit. When a domestic partner who is a member of the Retirement System dies, the surviving partner receives the same benefit as a surviving spouse if:

- the domestic partnership was registered under City law, and
- proof of registration was filed with the Retirement System at least one year before the member's retirement or death.

Married members of the Retirement System can be married outside the City, and they are not required to submit proof of marriage before the member's retirement or death.

The City law that creates domestic partnerships was approved by the voters, and cannot be changed without voter approval.

THE PROPOSAL: Proposition D is a Charter amendment that would allow any two persons who meet the requirements for domestic partnership to register their partnership in the City, even if they do not live or work in the City.

Proposition D also would allow the Board of Supervisors to amend the domestic partnership law - without voter approval - to:

- treat domestic partners registered outside the City in the same way the City treats couples who are married outside the City;
- give domestic partners the legal rights given to spouses, as may be permitted by future changes in state and federal law.

In addition, under the City Employees' Retirement System, domestic partners would be treated the same as spouses.

A "YES" VOTE MEANS: If you vote "yes," you want to make these changes to the City's domestic partnership law and Employees' Retirement System.

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

Controller's Statement on "D"

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

Should the proposed amendment be adopted, in my opinion, the cost to the City and County would be minimal, as estimated by the Retirement System actuary. In general, the clarifications of City law in the proposed amendment are already considered in the actuarial modeling done by the Retirement System to project the cost of pension benefits.

How "D" Got on the Ballot

On November 18, 2003 the Board of Supervisors voted 9 to 0 to place Proposition D on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Daly, Dufty, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, and Sandoval.

Absent: Supervisor Gonzalez.

Excused: Supervisor Ammiano.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.



Equal Treatment of Domestic Partners

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, and Peskin; take no position on the measure: Supervisor Sandoval.

Vote YES on Proposition D

Proposition D gives the Board of Supervisors the authority to ensure that domestic partners are afforded the same rights and responsibilities as spouses under San Francisco law.

Technical changes need to be made to the San Francisco's domestic partnership registry and the City Employees' Retirement System to ensure that domestic partners and spouses are treated equally.

Unlike couples who marry, domestic partners can't register their relationships with the San Francisco County Clerk unless they live or work in San Francisco. Under Proposition D the Board of Supervisors can eliminate the residency requirement for establishing a domestic partnership in San Francisco. **This increases revenue to the City as more people pay to register as domestic partners here in San Francisco.**

Proposition D allows the Board of Supervisors to keep up with future changes in laws affecting domestic partners and makes sure that domestic partnerships formed in other jurisdictions are recognized in San Francisco.

Proposition D also makes needed technical corrections to the Employees' Retirement System to clarify that surviving domestic partners and surviving spouses of City employees are treated the same under the Employees' Retirement System.

The Board of Supervisors authorized the submission of the following argument. Please join Tom Ammiano and Bevan Dufty in supporting this measure. **Vote to ensure equality for domestic partners in San Francisco – now and in the future. Vote YES on Proposition D**

Supervisor Tom Ammiano

Supervisor Bevan Dufty

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D

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

Equal Treatment of Domestic Partners

D

OPPONENT'S ARGUMENT AGAINST PROPOSITION D

NO OPPONENT'S ARGUMENT AGAINST PROPOSITION D WAS SUBMITTED

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION D

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION D WAS SUBMITTED

D

Equal Treatment of Domestic Partners

PAID ARGUMENTS IN FAVOR OF PROPOSITION D

The San Francisco Democratic Party recommends a Yes vote on Proposition D to equalize retirement and other benefits and obligations of domestic partners and spouses.

Jane Morrison, Chair
San Francisco Democratic Party

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

The three largest contributors to the true source recipient committee are: 1. Nancy Pelosi 2. Jane Morrison 3. John Burton.

PAID ARGUMENTS AGAINST PROPOSITION D

NO PAID ARGUMENTS AGAINST PROPOSITION D WERE SUBMITTED

LEGAL TEXT OF PROPOSITION D

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 16.125, authorizing the Board of Supervisors to amend or repeal provisions of the Domestic Partnership Ordinance to effectuate the voters' intent that domestic partners be afforded the same rights and responsibilities as spouses, and by amending Section A8.500-2 so that domestic partners are treated exactly the same as spouses for benefits under the Retirement System.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004, a proposal to amend the Charter of the City and County by adding Section 16.125 and amending A8.500-2 to read as follows:

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

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

Section 1. The San Francisco Charter is hereby amended, by adding Section 16.125 to read as follows:

SEC. 16.125. DOMESTIC PARTNERSHIP

The Board of Supervisors may, by a vote of three-fourths of its members, amend or repeal the voter approved Domestic Partnership Ordinance, as codified in Chapter 62 of the San Francisco Administrative Code, as it deems necessary (1) to eliminate any residency requirement for establishing a Domestic Partnership by filing with the County Clerk, (2) to recognize domestic partnerships formed in other jurisdictions to the same extent as marriages formed in other jurisdictions, and (3) to afford domestic partners, to the fullest extent legally possible, the same rights, benefits, responsibilities, obligations and duties as spouses.

Section 2. The San Francisco Charter is hereby amended, by amending Section A8.500-2 to read as follows:

A8.500-2 DOMESTIC PARTNER QUALIFIED SURVIVOR BENEFITS

With respect to the retirement system, domestic partnerships shall be treated exactly the same as marriages, domestic partners shall be treated exactly the same as spouses, termination of a domestic partnership shall be treated exactly the same as a dissolution of marriage and qualified surviving domestic partners shall be treated exactly the same as qualified surviving spouses, respectively.

(a) As used in the retirement plans established by this Charter sections A8.428, A8.509, A8.559, A8.584, A8.585, A8.586, A8.587, A8.588, A8.595, A8.596, A8.597 and A8.598, the phrase "surviving wife" shall also mean and include a "surviving spouse." As

used in these sections, the phrases "surviving wife" and "surviving spouse" shall also mean and include a surviving domestic partner, provided that:

(1) ~~(a)~~ there is no surviving spouse, and

(2) ~~(b)~~ the member has designated his or her domestic partner as beneficiary with the retirement system, and

(3) ~~(c)~~ the domestic partnership is ~~was~~ established or recognized according to those provisions of Chapter 62 of the San Francisco Administrative Code, as amended from time to time which require the filing of a signed Declaration of Domestic Partnership with the County Clerk. Domestic partners who have formed their domestic partnership only by notarization of a declaration of Domestic Partnership as provided in Chapter 62 of the San Francisco Administrative Code shall not be recognized or treated as a domestic partnership for purposes under the retirement system unless and until the domestic partnership is registered or certified. A certificate of such domestic partnership, civil union, or similar legal relationship issued by another jurisdiction in a form that is equivalent to the records that the retirement system relies upon to verify marriages shall constitute sufficient proof of such legal relationship. In addition, the Certificate showing that the Declaration of Domestic Partnership was filed with the County Clerk must be filed with the Retirement System at least one full year immediately prior to the effective date of the member's retirement or the member's death if the member should die before retirement; provided, however, that beginning

(b) Beginning March 5, 2002, the requirement of filing a Certificate of Domestic Partnership with the Retirement System shall not apply to members who were retired on or before November 8, 1995 and who had filed a signed Declaration of Domestic Partnership with the County Clerk at least one full year prior to the effective date of his or her retirement; and provided further that, as to any such member who was retired on or before November 8, 1995, no adjustment to a retirement allowance and no payments to a qualified surviving domestic partner shall begin before the effective date of this amendment or before the first day of the month in which an application is made to the Retirement System, which ever occurs later.

(c) A monthly allowance equal to what would otherwise be payable to a surviving spouse shall be paid to the said surviving domestic partner, until he or she dies, marries or establishes a new domestic partnership. Establishment of a domestic partnership by a surviving spouse shall be treated exactly the same as a remarriage for retirement purposes.

(d) Notwithstanding subsection (c), no additional continuation allowance shall be paid after March 2, 2004 to a surviving domestic partner who is receiving a continuation allowance as the surviving spouse of another

member on or before March 2, 2004.

(e) No continuation allowance shall be payable under the provisions of this section approved by the electorate on March 2, 2004 to the survivor of any member or retired member who died on or before March 1, 2004. Any retirement allowance payable to a person who becomes a qualified surviving domestic partner pursuant to the provisions of this section approved by the electorate on March 2, 2004, shall not begin before April 15, 2004.

(f) The domestic partner benefits under this section will be limited by Section 415 of the Internal Revenue Code of 1986, as amended from time to time. No domestic partner benefits will be effective if they have an adverse impact on the tax qualified status of the retirement system under Section 401 of the Internal Revenue Code of 1986, as amended from time to time.

DO YOU KNOW WHERE TO GO TO VOTE?

YOUR POLLING PLACE MAY HAVE CHANGED.

**Please vote at your assigned polling place
or vote by mail**

**Your polling place is listed on the
back cover of this pamphlet**

**or you can check online at:
*www.sfgov.org/election***

or call 415-554-4375.

San Francisco Department of Elections



Requests for City Records Containing Private Information



PROPOSITION E

Shall the Board of Supervisors, rather than individual departments and officials, respond to requests made by the federal or state government for records that may contain private information about citizens?

YES
NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: Certain federal laws permit the federal government to obtain records kept by the City that contain information about private citizens. The City department or official receiving the request for records is responsible for responding to it.

THE PROPOSAL: Proposition E is a Charter amendment that would authorize the Board of Supervisors, rather than individual City departments and officials, to respond to certain requests made by the federal or state government for City records that may contain information about private citizens where such requests may violate the Constitutional rights of those citizens. Under certain circumstances, the Board would meet in closed session to consider such requests.

A "YES" VOTE MEANS: If you vote "yes," you want to authorize the Board of Supervisors, rather than individual City departments and officials, to respond to certain requests made by the federal or state government for City records that may contain information about private citizens.

A "NO" VOTE MEANS: If you vote "no," you do not want to authorize the Board of Supervisors to respond to requests for City records that may contain information about private citizens.

Controller's Statement on "E"

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

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

How "E" Got on the Ballot

On November 18, 2003 the Board of Supervisors voted 8 to 2 to place Proposition E on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, and Sandoval.

No: Supervisors Hall and Ma.

Absent: Supervisor Ammiano.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.



Requests for City Records Containing Private Information

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION E

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, and Peskin; oppose the measure: Supervisor Hall; take no position on the measure: Supervisors Ma and Sandoval.

"They that can give up essential liberty to obtain a little temporary safety deserve neither safety nor liberty." - Benjamin Franklin, Founding Father

Last January, **San Francisco led a national wave of resistance to the USA PATRIOT Act** by enacting a resolution opposing federal laws that violate citizens' constitutional rights. Since then, almost 200 communities have joined in similar resolutions. Now, it is time we live up to that promise by providing local officials with the ability **to resist federal intrusions that violate the rights of local residents.**

Proposition E will enable San Francisco elected officials **to protect your privacy and Constitutional rights** from violations by the federal government under the USA PATRIOT Act and similar laws. It will allow us to stand up for individual freedom.

Under new federal laws, federal officials can obtain your **library, health, or other private records** from City departments and prevent them from revealing to you that your records were produced. Federal officials need never prove to any court why they need such records. **This secret invasion of your privacy should not be allowed.**

Local law should not allow federal officials to force local department heads to violate the Constitutional rights of City residents. **Local residents should not have to fear that the federal government is invading their privacy by obtaining their private records from local government.**

Under Proposition E, only the Board of Supervisors could respond to requests under the USA PATRIOT ACT and similar laws. The Mayor would then approve or veto the decision of the Board. Proposition E will ensure that these important decisions are made by the City's elected policy makers, who are sworn by their oaths of office to **uphold the Constitution.**

Say YES to protecting the civil liberties of all our City's residents. Vote YES on Proposition E.

Supervisor Jake McGoldrick

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION E

A VOTE FOR PROPOSITION E IS A VOTE TO SHIELD POLITICAL TERRORISTS:

Misguided Supervisor Jake McGoldrick fails to understand that "citizens' constitutional rights" were clearly violated in the September 11, 2001 mass murder attacks on New York City's World Trade Towers.

Former BART Board President Arlo H. Smith, a San Francisco Democratic Central Committeeman and an expert on the Middle East, opposes Proposition E:

"Supervisor Jake McGoldrick appeared before the San Francisco Democratic County Central Committee and admitted that his purpose of proposing this measure [Proposition E] is to undermine enforcement of the U.S. Patriot Act—adopted by Congress for the express purpose of combating terrorism. I voted against the Democratic Party endorsing this measure, as did Senator Dianne Feinstein [via proxy]."

Arlo, who recently visited Mecca and Medina, also has some

blunt words of warning:

"I have travelled to Saudi Arabia and, while there, got to hear the Director of the facility which prints copies of the Quran call[ed] for 'holy war' against 'the Jews.' Having seen Islamic terrorism from the inside, I cannot support any measure which will weaken our nation's response to terrorism."

Whether it is a group of Ku Klux Klansmen blowing up a Black church in the 1960's, a mob of "Know Nothing" (American Party) rioters burning down a Catholic school in the 1850's, or the 2001 attacks on the World Trade Towers, terrorism requires a firm response.

Terence Faulkner, J.D.

Member

California Certified Farmers Market Advisory Board

Gail E. Neira (13th District)
State Assembly Candidate

Requests for City Records Containing Private Information



OPPONENT'S ARGUMENT AGAINST PROPOSITION E

IF YOU DON'T LIKE OSAMA BIN LADEN, DON'T VOTE FOR MISGUIDED PROPOSITION E:

Proposition E was introduced to help oppose the Federal Government's American Patriots Act and its possible requests for information from agencies of the City and County of San Francisco.

Admittedly, the Patriot Act is broadly phrased to obtain information about possible future terrorist acts. It was introduced by supporters of U.S. President George Bush shortly after the September 11, 2001 terrorist attacks on the World Trade Towers.

The bill was widely backed by both Republicans and Democrats as an emergency protective measure.

Proposition E proposes to give the San Francisco Board of Supervisors the power to obstruct the production of the records of City agencies for use by Federal and/or California police agencies.

Supervisor Jake McGoldrick has admitted that investigations of possible terrorist activities under the American Patriots Act are the main police activity to be opposed under Proposition E, if passed. In fact, he openly said that this was his goal at a recent meeting of the San Francisco Democratic County Central Committee.

To their credit, a number of members of the Democratic Central Committee voted against Proposition E. Among those opposing Proposition E were Democratic Committee members Arlo Hale Smith, Meagan Levitan, and U.S. Senator Dianne Feinstein's alternate delegate. They are good citizens.

Dr. Terence Faulkner, J.D.

Past Chairman, San Francisco Republican Party

Gail E. Neira

State Assembly Candidate (13th District)

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION E

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, and Peskin; oppose the measure: Supervisor Hall; take no position on the measure: Supervisors Ma and Sandoval.

The threats to basic liberties presented by the USA PATRIOT Act are extremely serious, causing Dick Armey, former Republican U.S. House Majority Leader, and Bob Barr, former Republican U.S. Representative from Georgia, to seek repeal of the law upon retirement from Congress. Barr stated: "If that approach is allowed to stand through the *Patriot Act*, we will effectively have eviscerated the 14th Amendment because we will allow the government to gather evidence on people without suspecting a crime."

The tragedy of September 11 challenges our commitment to basic Constitutional principles. Although we must remain vigilant in protecting our country against terrorism, we need **not sacrifice our Constitution in the vain pursuit of security. The true**

Patriot recognizes that the surrender of our freedom in the name of national security will hand to the terrorists their ultimate victory. The true Patriot understands we must defend liberty even in the face of such threats.

Proposition E enables local government to protect our Constitutional rights from intrusions by the federal government. Local government, as custodian of your private records, should never be forced by federal agents to violate your Constitutional rights. **Principles of federalism, upon which the Constitution is based, require that local policies be set by local elected officials. Proposition E ensures that control of local private records remains local.**

Please join the *San Francisco Democratic Party, Mayor Gavin Newsom, and Supervisors Ammiano, Dufty, Gonzalez, Peskin, and Daly* in voting **YES** on Proposition E to protect our **Constitutional rights.**

Supervisor Jake McGoldrick



Requests for City Records Containing Private Information

PAID ARGUMENTS IN FAVOR OF PROPOSITION E

NO PAID ARGUMENTS IN FAVOR OF PROPOSITION E WERE SUBMITTED

Requests for City Records Containing Private Information



PAID ARGUMENTS AGAINST PROPOSITION E

NO on PROPOSITION E

Proposition E will permit the Supervisors to obstruct investigations of possible terrorist activities that could destroy San Francisco and kill thousands.

Federal, state and local law enforcement agencies, NOT the board of supervisors, are sworn to protect San Francisco from terrorism.

Protect against terrorism – **VOTE NO ON E!**

SAN FRANCISCO REPUBLICAN PARTY

Mike DeNunzio, Chairman

BALLOT ADVISORY COMMITTEE:

Howard Epstein, *Joshua Kriesel*, Vice Chair Political Action

CENTRAL COMMITTEE MEMBERS:

Michael Antonini

Elsa Cheung

Rita O'Hara

Christopher Bowman

Harold M. Hoogasian

Jim Soderborg

Albert C. Chang

Leonard J. Lacayo

Sue C. Woods

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

The three largest contributors to the true source recipient committee are: 1. Michael DeNunzio 2. Michael Antonini 3. Leo Lacayo.

Do you remember?

Do you remember "9/11"?

Do you remember when black shirted and hooded anarchists and radical elements nearly shut down our City for two days last Spring?

Do you remember the hardships those disruptions created for San Francisco residents and small businesses, workers downtown, and people with medical emergencies who couldn't get to the nearest hospital because of traffic gridlock?

Prop. E isn't about good public policy, it's about politics as

usual. It isn't about balancing individual rights and homeland security. That balance already exists.

Rather, Prop. E, at best, is a cynical ploy by Jake McGoldrick and some of his colleagues on the Board of Supervisors to enhance their chances for re-election this year, by creating an arena where they can weekly bash the President and the Administration.

At worst, Jake McGoldrick and his allies are the captives of radical groups who blame America first, and place their narrow agendas ahead of preventing future 9/11's.

Every patriotic San Francisco voter, regardless of party, should reject Prop. E, and remember Jake McGoldrick and the co-sponsors of Prop. E when they face re-election this November.

Vote NO on Prop. E.

Christopher L. Bowman, Secretary

San Francisco Republican County Central Committee

Hon. Robert P. Varni, Trustee Emeritus

City College of San Francisco

The true sources of funds used for the printing fee of this argument are the signators.

City councils do not have discretion under the U.S. Constitution to decide which federal laws, such as the PATRIOT Act or RICO, they will not comply with. Should the Board of Supervisors actually decide not to comply with a federal court order to release records, the Board could be found to be in contempt of court. Substantial financial penalties could result to the City from the Board's decision to disobey a court order.

The PATRIOT Act was enacted by a bipartisan majority, and had won the support of Senators Lieberman, Edwards, Kerry and Feinstein. The Act is a necessary tool in the war on terrorism. It should not be undermined.

Colin V. Gallagher

Attorney

The true source of funds used for the printing fee of this argument is Colin V. Gallagher.

LEGAL TEXT OF PROPOSITION E

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Section 16.124, to authorize the Board of Supervisors to respond on behalf of the City to all orders or requests for the production of information, records, or other tangible things held by the City, the disclosure of which could violate the rights of any individuals under the State or Federal Constitutions, where the orders or requests are made under laws previously identified by the Board.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004, a proposal to amend the Charter of the City and County by adding Section 16.124 to read as follows:

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

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

SEC. 16.124. BOARD OF SUPERVISORS AUTHORIZED TO RESPOND TO CERTAIN ORDERS OR REQUESTS FOR THE PRODUCTION OF CITY RECORDS.

(a) The Board of Supervisors may, by resolution, designate as a "watch law" any state or federal law or regulation that calls for, authorizes, or requires the production by any City officer, employee, agency, department or office of information, records, or other tangible things held by the City, the disclosure of which could violate the rights of any individuals under the State or Federal Constitutions.

(b) The Board of Supervisors may provide, by ordinance, that it shall respond on behalf of the City and County of San Francisco to all orders or requests for the production of information, records or other tangible things served on the City and County under any law designated as a watch law.

(c) The Board may adopt procedures for expedited consideration of orders or requests for production where necessary to comply with legal deadlines for responding. Prior to acting by resolution of the full Board of Supervisors, the Board may refer the order or request to a committee of its members for a recommendation to the full Board, after consultation with the City Attorney, on an appropriate course of action. To the extent federal or state law would prohibit public disclosure of information that the Board of Supervisors needs to discuss in order to discharge its powers under this Section, the Board may meet in closed session for the limited purpose of discussing that information.

Labor Negotiations with Deputy Sheriffs



PROPOSITION F

Shall the rules that apply to labor negotiations with the uniformed members of the Police and Fire departments also apply to labor negotiations with the deputy sheriffs?

YES
NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: The City Charter has rules for labor negotiations with most City employees, including deputy sheriffs. Under these rules, labor negotiations must be completed before the beginning of the City's fiscal year.

The Charter has separate rules for labor negotiations with uniformed members of the Police and Fire departments. The Charter does not require that these negotiations be completed before the beginning of the fiscal year. Sometimes labor agreements with these employees are not approved until after the start of the fiscal year and are applied retroactively.

THE PROPOSAL: Proposition F is a Charter amendment that would reclassify deputy sheriffs so that they are subject to the same rules for labor negotiations as uniformed members of the Police and Fire departments.

A "YES" VOTE MEANS: If you vote "yes," you want deputy sheriffs to be subject to the same rules for labor negotiations as uniformed members of the Police and Fire departments.

A "NO" VOTE MEANS: If you vote "no," you do not want deputy sheriffs to be subject to the same rules for labor negotiations as uniformed members of the Police and Fire departments.

Controller's Statement on "F"

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

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

Deputy Sheriffs are currently treated as miscellaneous employees for the purposes of negotiating their labor agreement with the City, meaning that a contract must be negotiated, completed and approved by the Board of Supervisors by June 30th. The proposed amendment would change this to treat Deputy Sheriffs the same as uniformed Police and Fire personnel, with no Charter deadline for completion of their labor agreements with the City.

Negotiations with the Police and Fire employee organizations typically conclude after all other labor contracts are completed and several weeks after the beginning of the new fiscal year. A change in the timing of negotiations between the City and the Deputy Sheriffs could affect the outcome and increase or decrease the City's costs under the labor agreement, but the amendment would not in and of itself result in new costs or savings.

How "F" Got on the Ballot

On November 18, 2003 the Board of Supervisors voted 9 to 1 to place Proposition F on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, and Sandoval.

No: Supervisor Hall.

Excused: Supervisor Ammiano.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.

F

Labor Negotiations with Deputy Sheriffs

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION F

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval; oppose the measure: Supervisor Hall; take no position on the measure: Supervisor Newsom.

Every day, San Francisco's Deputy Sheriffs put on their uniforms and put their lives on the line to protect the safety of the people of San Francisco.

Yet San Francisco's Deputy Sheriffs are the only law enforcement officers in the state of California, which are not classified as Public Safety Employees, even though they undergo the same rigorous training and perform with the same degree of risk as the Police and Firefighters.

This March, San Francisco voters will have the opportunity to correct this inequity and provide fairness for the brave men and women serving in our Sheriff's office.

Proposition F reclassifies our Deputy Sheriffs as Public Safety Employees subject to the same rules for labor negotiations as the uniformed members of the Police and Fire Departments.

This Proposition will correct an imbalance in our current law and will make a big difference in improving public safety for our residents.

The City Controller has indicated that there is no fiscal impact with this reclassification and it will not cost San Francisco taxpayers a single dime.

Our Deputy Sheriffs put themselves in harm's way to protect us. Now it's our chance to protect them. Proposition F is a fair, fiscally responsible, common-sense change in current law that will help ensure a safer tomorrow for San Francisco.

Vote "Yes" on Proposition F!

Supervisors Tom Ammiano, Bevan Dufty, Matt Gonzalez, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION F

OF COURSE DEPUTY SHERIFFS SHOULD BE DESIGNATED "PUBLIC SAFETY EMPLOYEES":

There is no question that deputy sheriffs should be designated "PUBLIC SAFETY EMPLOYEES".

There is no need to amend the San Francisco City Charter. A resolution passed by the Board of Supervisors and signed by the Mayor could enact a statute on this subject.

THE ISSUE IS NOT OUR SHERIFF DEPUTIES—THE QUESTION IS SHOULD ALL THE DETAILS OF CITY EMPLOYMENT BE LOCKED INTO THE CITY CHARTER?

The San Francisco City Charter needs to be greatly revised, with the complex rules involving City employment being for the most part removed to City legal codes.

The position of "Chief Administrative Officer" should be re-established in the City Charter, this office being brought back to push politics out of routine local governmental agencies.

THE MID-1990'S CITY CHARTER SHOULD BE REPLACED:

With all its faults, the 1932 City Charter worked far better than the "strong mayor" City Charter of the mid-1990's.

A new City Charter should set forth basic rules for the Civil Service System, sharply limit the number appointive mayoral political positions to 100 persons or less, and put the minor details of Civil Service employment (for sheriff deputies and others) in City legal code books.

Dr. Terence Faulkner, J.D.
Past County Chairman,
San Francisco Republican Party

Gail E. Neira
Republican State Assembly Candidate (13th District)

Thomas C. Agee
Concerned Citizen

Labor Negotiations with Deputy Sheriffs



OPPONENT'S ARGUMENT AGAINST PROPOSITION F

LOCKING MORE EMPLOYMENT RULES INTO THE CITY CHARTER JUST CREATES MORE PROBLEMS OF ADMINISTRATION

Proposition F proposes to lock into the City Charter lots of rules relating to deputy sheriffs that might better be handled by normal local legislation.

Setting up employment rules in the City Charter just creates a more rigid governmental structure and slows down needed reforms. Lots of the existing language relating to employment should be removed from the City Charter and put in local legislative codes.

San Francisco is far behind many other American big cities in reorganizing its Civil Service System.

Vote NO on Proposition F.

Golden Gate Taxpayers Association

Dr. Terence Faulkner, J.D.
Chairman
Golden Gate Taxpayers Association

Gail E. Neira
State Assembly Candidate (13th District)

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION F

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval; oppose the measure: Supervisor Hall; take no position on the measure: Supervisor Newsom.

Proposition F makes a small, technical change to existing law to provide Deputy Sheriffs the same employment rights as Police Officers and Firefighters.

San Francisco is the only jurisdiction in the entire state that doesn't already classify its Deputy Sheriffs as Public Safety Employees. Proposition F will correct that oversight.

Proposition F doesn't complicate current law. It simplifies it.

Proposition F doesn't create more administrative problems. It streamlines the labor negotiation process and reduces administrative red tape.

Proposition F is good for our Deputy Sheriffs, good for public safety and good for San Francisco.

That's why we enthusiastically join Sheriff Michael Hennessey in encouraging you to vote YES on Proposition F.

Supervisors Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin, Gerardo Sandoval



Labor Negotiations with Deputy Sheriffs

PAID ARGUMENTS IN FAVOR OF PROPOSITION F

YES on PROPOSITION F

Proposition F will help retain highly trained peace officers by putting Deputy Sheriffs in the same classification as Police Officers and Firefighters.

Increase public safety VOTE YES on PROPOSITION F

SAN FRANCISCO REPUBLICAN PARTY

Mike DeNunzio, Chairman

BALLOT ADVISORY COMMITTEE:

Howard Epstein, Joshua Kriesel, Vice Chair Political Action

CENTRAL COMMITTEE MEMBERS:

Michael Antonini

Harold M. Hoogasian

Rita O'Hara

Christopher Bowman

Leonard J. Lacayo

Jim Soderborg

Albert C. Chang

Rodney Leong

Sue C. Woods

Elsa Cheung

The true sources of funds used for the printing fee of this argument are the signators and the S.F. Republican Party.

The three largest contributors to the true source recipient committee are: 1. Michael DeNunzio 2. Michael Antonini 3. Leo Lacayo.

Proposition F is about fairness.

For over 20 years I have been proud to serve as your Sheriff. I am equally proud to work with hundreds of men and women who serve with me as Deputy Sheriffs.

It is important that these law enforcement officers be treated under the same civil service rules as members of the San Francisco Police and Fire Departments when it comes to labor negotiations.

Today, over 800 sworn Deputy Sheriffs are classified as miscellaneous employees, yet they serve in civil and criminal law enforcement roles.

The Sheriff's Department books more than 50,000 prisoners a year into six county jail facilities. Our Deputy Sheriffs transport prisoners to and from county jails all while serving and protecting

citizens who enter our courtrooms and public buildings.

By no means are these miscellaneous employees. They should be reclassified as public safety employees – where they belong.

Please join me in supporting our Deputy Sheriffs.

Vote Yes on Proposition F.

Michael Hennessey

Sheriff

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

Labor Negotiations with Deputy Sheriffs



PAID ARGUMENTS AGAINST PROPOSITION F

NO PAID ARGUMENTS AGAINST PROPOSITION F WERE SUBMITTED

LEGAL TEXT OF PROPOSITION F

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section A8.590-1 *et seq.* to include deputy sheriffs within its collective bargaining provisions. The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004, a proposal to amend the Charter of the City and County by amending Sections A8.409 and A8.590-1 *et seq.* to read as follows:

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

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

A8.409 DECLARATION OF POLICY

It is hereby declared to be the policy of the city and county of San Francisco that strikes by city employees are not in the public interest and that, in accordance with Government Code Section 3507(e), a method should be adopted for peacefully and equitably resolving disputes. It is the further purpose and policy of the city and county of San Francisco that the procedures herein adopted, except as otherwise provided herein, shall supersede and displace all other formulae, procedures and provisions relating to wages, hours, benefits and other terms and conditions of employment found in this charter, in the ordinances and resolutions of the city and county of San Francisco, or in the rules, regulations or actions of boards or commissions of the city and county of San Francisco.

If any officer or employee covered by this part engages in a strike as defined by section A8.346(a) of this charter against the City and County of San Francisco, said employee shall be dismissed from his or her employment pursuant to charter section A8.346.

In accordance with applicable state law, nothing herein shall be construed to restrict any legal city rights concerning direction of its work force, or consideration of the merits, necessity, or organization of any service or activity provided by the City. The City shall also have the right to determine the mission of its constituent departments, officers, boards and commissions; set standards of services to be offered to the public; and exercise control and discretion over the city's organization and operations. The City may also relieve city employees from duty due to lack of work or funds, and may determine the methods, means and personnel by which the city's operations are to be conducted.

However, the exercise of such rights does not preclude employees from utilizing the grievance procedure to process grievances regarding the practical consequences of any such actions on wages, hours, benefits or other terms and conditions of employment whenever memoranda of understanding providing a grievance procedure are in full force and effect.

It is the declared intent of the voters that the state statutes referenced in this part be those in effect on the effective date of this part.

A8.409-1 EMPLOYEES COVERED

These Sections A8.409 through A8.409-6, inclusive, shall apply to all miscellaneous officers and employees *except as set forth in Section A8.590-1 et seq.* and including employees of San Francisco Unified School District and San Francisco Community College District to the extent authorized by state law. The provisions of charter sections 8.400(h), 8.401-1, and 8.407 are hereby repealed and shall be of no further force and effect. Employee organizations representing employees in classifications covered by section A8.403 and A8.404 of this Charter may elect to include those classifications within the coverage of this part as a separate bargaining unit, provided however, that the election shall not become effective without the written approval of the Mayor and Board of Supervisors. The election shall be irrevocable and such employees shall not thereafter be subject to the provisions of section A8.403 and A8.404.

Employees in classifications not represented by a recognized employee organization shall be entitled to represent themselves with the city and county over wages, hours and other terms and conditions of employment to the extent required by state law and shall not be subject to the arbitration provisions of Section A8.409-4 of this charter. The Mayor annually shall propose all forms of compensation for unrepresented employees including salaries, hours, benefits, and other terms and conditions of employment subject to approval or disapproval of the board of supervisors. Consistent with other provisions of this charter, the civil service commission may adopt rules and procedures relating to said unrepresented employees.

Except as otherwise provided by this charter the Civil Service Commission shall set the wages and benefits of all elected officials of the City and County of San Francisco as follows: wages shall be frozen for fiscal year 1994-95 and 1995-96 at the rates in effect on June 30, 1994, thereafter wages and benefits may be adjusted on July 1, of each fiscal year to reflect upward change in the CPI as of the preceding January 1; however, wage increases may not exceed 5%. Benefits of elected officials may equal but may not exceed those benefits provided to any classification of miscellaneous officers and employees as of July 1 of each fiscal year.

In addition, subject to the approval or disapproval of the Board of Supervisors, the Mayor may create, for employees designated as management, a management compensation package that recognizes and provides incentives for outstanding managerial performance contributing to increased productivity and efficiency in the work force. In formulating such a package, the Mayor shall take into account data developed in conjunction with the civil service

commission regarding the terms of executive compensation in other public and private jurisdictions.

A8.409-2 INTERIM PROVISIONS

Notwithstanding the provisions of section 8.407 of this charter, from January 3, 1992 through March 31, 1992, in return for acceptance of a wage freeze for fiscal year 1991-1992, all recognized employee organizations representing classifications electing to remain within the coverage of charter sections 8.401 and 8.407 may, on a one time only basis, elect to bargain for no more than two additional paid training or furlough days per year to be effective only in fiscal years 1992-93, 1993-94 and 1994-95, and a dental plan, in recognition of the wage freeze for 1991-92. Such bargaining shall not be subject to the impasse procedures provided herein or any other provision of the charter, ordinance, or state law.

A8.409-3 OBLIGATION TO BARGAIN IN GOOD FAITH

Notwithstanding any other ordinances, rules or regulations of the city and county of San Francisco and its departments, boards and commissions, the city and county of San Francisco, through its duly authorized representatives, and recognized employee organizations representing classifications of employees covered by this part shall have the mutual obligation to bargain in good faith on all matters within the scope of representation as defined by Government code section 3504, relating to the wages, hours, benefits and other terms and conditions of city and county employment, including the establishment of procedures for the resolution of grievances concerning the interpretation or application of any agreement, and including agreements to provide binding arbitration of discipline and discharge; provided, however that, except insofar as they affect compensation, those matters within the jurisdiction of the civil service commission which establish, implement and regulate the civil service merit system shall not be subject to bargaining under this part: the authority, purpose, definitions, administration and organization of the merit system and the civil service commission; policies, procedures and funding of the operations of the civil service commission and its staff; the establishment and maintenance of a classification plan including the classification and reclassification of positions and the allocation and reallocation of positions to the various classifications; status rights; the establishment of standards, procedures and qualifications for employment, recruitment, application, examination, selection, certification and appointment; the establishment, administration and duration of eligible lists; probationary status and the administration of probationary periods,

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LEGAL TEXT OF PROPOSITION F (CONTINUED)

except duration; pre-employment and fitness for duty medical examinations except for the conditions under which referrals for fitness for duty examinations will be made, and the imposition of new requirements; the designation of positions as exempt, temporary, limited tenure, part-time, seasonal or permanent; resignation with satisfactory service and reappointment; exempt entry level appointment of the handicapped; approval of payrolls; and conflict of interest. As to these matters, the Civil Service Commission shall continue to be required to meet and confer pursuant to state law.

Unless and until agreement is reached through bargaining between authorized representatives of the city and county of San Francisco and authorized representatives of recognized employee organizations for the employee classifications covered by this part, or a determination is made through the procedure set forth in section A8.409-4 hereinafter provided, no existing wages, written terms or conditions of employment, fringe benefits, or long-standing past practices for said employees shall be altered, eliminated or changed except in cases of emergency. This paragraph shall be effective only until the approval of the first memorandum of understanding with a covered employee organization or six months from the effective date of this part whichever occurs sooner.

During the term of an MOU, disputes regarding changes in wages, hours, benefits and other terms and conditions of employment shall not be subject to the impasse procedures provided in this part, but may be subject to grievance arbitration.

No bargaining unit may be included in more than one memorandum of understanding with the city and county of San Francisco. Consistent with charter sections 3.100-2 and 3.103 and subject to the prior written approval of the Human Resources Director which shall not be unreasonably withheld, appointing officers shall have the authority to negotiate agreements with recognized employee representatives. Appointing officers shall consult and coordinate such negotiations with the Human Resources Director. Such memoranda of understanding shall be restricted to non-economic items within the jurisdiction of the department appointing officer which do not conflict with a city-wide memorandum of understanding. Such memoranda of understanding shall come into full force and effect only upon approval by the mayor and thereafter by a majority vote of the board of supervisors or other appropriate governing body. Upon such approval, departmental memoranda of understanding shall be attached as appendices to the employee organization's city-wide memorandum of understanding as negotiated under this part. No memorandum of understanding negotiated pursuant to this paragraph during the term of a city-wide memorandum of understanding shall be subject to the arbitration provisions of this part until renegotiation of the employee organization's city-

wide memorandum of understanding.

Agreements reached pursuant to this part by the authorized representatives for the city and county of San Francisco, on behalf of its departments, boards and commissions, and the authorized representatives of recognized employee organizations, once adopted by ordinance of the board of supervisors, shall be binding on the city and county of San Francisco, and on its departments, boards, commissions, officers and employees and on the recognized employee organizations and their successors, and all employees in classifications they represent. Except as specifically set forth in this part, said agreements shall supersede any and all other conflicting procedures, provisions and formulae contained in this charter, in the ordinances of the board of supervisors, or in the rules or regulations of the city and county of San Francisco, relating to wages, hours, or other terms and conditions of employment.

A8.409-4 IMPASSE RESOLUTION PROCEDURES

(a) Subject to Section A8.409-4(g), disputes pertaining to wages, hours, benefits or other terms and conditions of employment which remain unresolved after good faith bargaining between the city and county of San Francisco, on behalf of its departments, boards and commissions, and a recognized employee organization representing classifications of employees covered under this part shall be submitted to a three-member mediation/arbitration board ("the board") upon the declaration of an impasse either by the authorized representative of the city and county of San Francisco or by the authorized representative of the recognized employee organization involved in the dispute; provided, however, that the arbitration procedures set forth in this part shall not be available to any employee organization that engages in a strike unless the parties mutually agree to engage in arbitration under this section. Should any employee organization engage in a strike either during or after the completion of negotiations and impasse procedures, the arbitration procedure shall cease immediately and no further impasse resolution procedures shall be required.

(b) Not later than January 20 of any year in which bargaining on an MOU takes place, representatives designated by the city and county of San Francisco and representatives of the recognized employee organization involved in bargaining pursuant to this part shall each select and appoint one person to the board. The third member of the board shall be selected by agreement between the city and county of San Francisco and the recognized employee organization, and shall serve as the neutral chairperson of the board.

In the event that the city and county of San Francisco and the recognized employee organization involved in bargaining cannot agree upon the selection of the chairperson

within ten (10) days after the selection of the city and county and employee organization members of the board, either party may then request the American Arbitration Association or California State Mediation Service to provide a list of the seven (7) persons who are qualified and experienced as labor interest arbitrators. If the city and county and the employee organization cannot agree within three (3) days after receipt of such list on one of the seven (7) persons to act as the chairperson, they shall randomly determine which party strikes first, and shall alternately strike names from the list of nominees until one name remains and that person shall then become the chairperson of the board.

(c) Any proceeding convened pursuant to this section shall be conducted in conformance with, subject to, and governed by Title 9 of Part 3 of the California Code of Civil Procedure. The board may hold public hearings, receive evidence from the parties and, at the request of either party, cause a transcript of the proceedings to be prepared. The board, in the exercise of its discretion, may meet privately with the parties to mediate or mediate/arbitrate the dispute. The board may also adopt other procedures designed to encourage an agreement between the parties, expedite the arbitration hearing process, or reduce the cost of the arbitration process.

(d) In the event no agreement is reached prior to the conclusion of the arbitration hearings, the board shall direct each of the parties to submit, within such time limit as the board may establish, a last offer of settlement on each of the remaining issues in dispute. The board shall decide each issue by majority vote by selecting whichever last offer of settlement on that issue it finds by a preponderance of the evidence presented during the arbitration most nearly conforms to those factors traditionally taken into consideration in the determination of wages, hours, benefits and terms and conditions of public and private employment, including, but not limited to: changes in the average consumer price index for goods and services; the wages, hours, benefits and terms and conditions of employment of employees performing similar services; the wages, hours, benefits and terms and conditions of employment of other employees in the city and county of San Francisco; health and safety of employees; the financial resources of the city and county of San Francisco, including a joint report to be issued annually on the City's financial condition for the next three fiscal years from the Controller, the Mayor's budget analyst and the budget analyst for the board of supervisors; other demands on the city and county's resources including limitations on the amount and use of revenues and expenditures; revenue projections; the power to levy taxes and raise

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LEGAL TEXT OF PROPOSITION F (CONTINUED)

revenue by enhancements or other means; budgetary reserves; and the city's ability to meet the costs of the decision of the arbitration board. In addition, the board shall issue written findings on each and every one of the above factors as they may be applicable to each and every issue determined in the award. Compliance with the above provisions shall be mandatory.

(e) To be effective the beginning of the next succeeding fiscal year, an agreement shall be reached or the board shall reach a final decision no later than sixty days before the date the Mayor is required to submit a budget to the board of supervisors, except by mutual agreement of the parties. After reaching a decision, the board shall serve by certified mail or by hand delivery a true copy of its decision to the parties. The decision and findings of the arbitration board shall not be publicly disclosed until ten (10) days after it is delivered to the parties. During that ten (10) day period the parties shall meet privately, attempt to resolve their differences, and by mutual agreement amend or modify the decision and findings of the arbitration board. At the conclusion of the ten (10) day period, which may be extended by mutual agreement between the parties, the decision and findings of the arbitration board, as it may be modified or amended by the parties, shall be publicly disclosed for a period of fourteen (14) days after which time the decision shall be final and binding. Except as otherwise provided by this part, the arbitration decision shall supersede any and all other relevant formulae, procedures and provisions of this charter relating to wages, hours, benefits and terms and conditions of employment, and it shall be final and binding on the parties to the dispute. However, the decision of the board may be judicially challenged by either party.

Thereafter, the city and county of San Francisco, its designated officers, employees and representatives and the recognized employee organization involved in the dispute shall take whatever action necessary to carry out and effectuate the final decision.

(f) The expenses of any proceedings convened pursuant to this part, including the fee for the services of the chairperson of the board, the costs of preparation of the transcript of the proceedings and other costs related to the conduct of the proceedings, as determined by the board, shall be borne equally by the parties. All other expenses which the parties may incur are to be borne by the party incurring such expenses.

(g) The impasse resolution procedures set forth in Section §8.409-4, or in any other provision of the charter, ordinance or state law shall not apply to any rule, policy, procedure, order or practice which relates or pertains to the purpose, goals or requirements of a consent decree, or which is necessary to ensure compliance with federal, state or local laws, ordinances or regulations. In the event the city acts on a matter it has determined relates to or per-

tains to a consent decree, or in the event the city acts to ensure compliance with federal, state, or local laws, ordinances or regulations, and the affected employee organization disputes said determination, that determination or action shall not be subject to arbitration, but may be challenged in a court of competent jurisdiction.

(h) The impasse resolution procedures set forth in section §8.409-4, or in any other section of the charter, shall not apply to any proposal pertaining to the right to strike.

(i) Charter sections §8.590-1 through §8.590-7 shall remain in full force and effect; provided, however, that the wages and other economic benefits and compensation of all classifications of employees covered by these sections shall be frozen for fiscal year 1995-96 at the rates in effect on June 30, 1995, except that wages and other economic benefits and compensation of all classifications of Airport Police shall be frozen for the fiscal year following expiration of the Memorandum of Understanding covering those classifications in effect on the effective date of this amendment.

(j) Subject to the election provisions of section §8.409-1, Charter sections §8.403 and §8.404 shall remain in full force and effect; provided, however, that the wages and other economic benefits and compensation of all classifications of employees covered by section §8.404 shall be frozen for fiscal year 1995-96 at the rates in effect on June 30, 1995.

§8.409-5 RETIREMENT BENEFITS

Notwithstanding any other provision of this part, retirement and death allowances shall continue to be set and adjusted pursuant to Chapter Five of this Article.

However, death benefits and survivor allowances, retirement allowances, adjustments to retirement allowances and adjustments to continuant allowances payable by the retirement system and based on fiscal year 1991-1992 wages and salaries covered by charter section 8.407, shall be calculated for all employees covered by charter sections 8.401 and 8.407 based on the rates certified by the civil service commission to the board of supervisors as though the 1991-1992 salary standardization ordinance vetoed by the mayor had become law. No such payment shall exceed the maximum amount permitted by Section 415 of the Internal Revenue Code of 1986, as amended from time to time, or the maximum amount which would still permit the retirement system to preserve its tax-qualified status under Section 401 of the Internal Revenue Code of 1986, as amended from time to time.

§8.409-6 EMPLOYEE RELATIONS RULES

Within sixty (60) days of adoption of this amendment, the Mayor shall appoint a panel which after consultation with all parties of interest, shall review the current employee relations ordinance and make recommendations to the Board of Supervisors for such changes as may be necessary to effectuate the

purposes of this part.

Such changes shall include the creation of an employee relations board. The duties of the employee relations board shall include hearing and making determinations concerning unfair labor practice charges, disputes regarding representation matters, and unit determinations.

§8.590-1 DECLARATION OF POLICY

It is hereby declared to be the policy of the City and County of San Francisco that strikes by firefighters, police officers and ~~airport police officers~~ deputy sheriffs are not legally permissible, and that a method should be adopted for peacefully and equitably resolving disputes. It is the further purpose and policy of the City and County of San Francisco that in the event the procedures herein adopted are invoked by the City and County of San Francisco or by a recognized employee organization representing firefighters, police officers or ~~airport police officers~~ deputy sheriffs, that they shall supersede and displace all other formulas, procedures and provisions relating to wages, hours, benefits and other terms and conditions of employment found in this Charter, in the ordinances and resolutions of the City and County of San Francisco, or in the rules, regulations or actions of boards or commissions of the City and County of San Francisco.

§8.590-2 EMPLOYEES COVERED

These sections §8.590-1 through §8.590-7, inclusive, shall apply to the several ranks of the fire department and police department as provided for in Sections ~~3.542 and 3.531~~ 4.128 and 4.127 of this Charter, respectively, and to all of the classifications of ~~airport police officers~~ deputy sheriffs, jointly referred to in these sections as "firefighters," "police officers" and "~~airport police officers~~," "deputy sheriffs."

§8.590-3 PROHIBITION AGAINST STRIKES

If any firefighter, police officer or ~~airport police officer~~ deputy sheriff employed by the City and County of San Francisco engages in a strike as defined by Section §8.346(a) of this charter against the City and County of San Francisco, said employee shall be dismissed from his or her employment pursuant to Charter Section §8.345 and §8.346.

§8.590-4 OBLIGATION TO NEGOTIATE IN GOOD FAITH

Notwithstanding any other provisions of this Charter, or of the ordinances, rules or regulations of the City and County of San Francisco and its departments, boards and commissions, the City and County of San Francisco, through its duly authorized repre-

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LEGAL TEXT OF PROPOSITION F (CONTINUED)

sentatives, and recognized employee organizations representing classifications of firefighters, police officers and ~~airport police officers~~ deputy sheriffs shall have the mutual obligation to negotiate in good faith on all matters within the scope of representation as defined by Government Code Sections 3500, et seq., relating to the wages, hours, benefits and terms and conditions of City and County employment, including the establishment of procedures for the resolution of grievances concerning the interpretation or application of any negotiated agreement. Unless and until agreement is reached through negotiations between authorized representatives of the City and County of San Francisco and the recognized employee organization for the classifications of fire department, police department and ~~airport police~~ sheriff department employees, or a determination is made through the impartial arbitration procedure hereinafter provided, no existing benefit, term or condition of employment for said fire department, police department or ~~airport police~~ sheriff department employees shall be altered, eliminated or changed. Agreements reached by the duly authorized representatives for the City and County of San Francisco, its departments, boards and commissions and the recognized employee organizations pursuant to this Section shall be binding on the City and County of San Francisco, and on its departments, boards, commissions, officers and employees once adopted by the board of supervisors. Said agreements shall supersede any and all other conflicting procedures, provisions and formulas contained in this Charter relating to wages, hours, benefits or terms and conditions of employment.

A8.590-5 IMPASSE RESOLUTION PROCEDURES

(a) Subject to section A8.590-5(g), disputes or controversies pertaining to wages, hours, benefits or terms and conditions of employment which remain unresolved after good faith negotiations between the City and County of San Francisco, its departments, boards and commissions and a recognized employee organization representing firefighters, police officers or ~~airport police officers~~ deputy sheriffs shall be submitted to a three-member board of arbitrators upon the declaration of an impasse either by the authorized representative of the City and County of San Francisco or by the recognized employee organization involved in the dispute.

(b) Representatives designated by the City and County of San Francisco and representatives of the recognized employee organization involved in the dispute shall each select and appoint one arbitrator to the board of arbitrators within three (3) days after either party has notified the other, in writing, that it desires to proceed to arbitration. The third member of the arbitration board shall be selected by agreement between the City and County of San

Francisco and the employee organization, and shall serve as the neutral arbitrator and Chairperson of the Board. In the event that the City and County of San Francisco and the recognized employee organization involved in the dispute cannot agree upon the selection of the neutral arbitrator within ten (10) days from the date that either party has notified the other that it has declared an impasse, either party may then request the State Mediation and Conciliation Service of the State of California Department of Industrial Relations to provide a list of seven (7) persons who are qualified and experienced as labor arbitrators. If the City and County and the employee organization cannot agree within three (3) days after receipt of such list on one of seven (7) persons to act as the neutral arbitrator, they shall alternately strike names from the list of nominees until one name remains and that person shall then become the neutral arbitrator and chairperson of the arbitration board.

(c) Any arbitration proceeding convened pursuant to this article shall be conducted in conformance with, subject to, and governed by Title 9 of Part 3 of the California Code of Civil Procedure. The arbitration board shall hold public hearings, receive evidence from the parties and cause a transcript of the proceedings to be prepared. The arbitration board, in the exercise of its discretion, may meet privately with the parties, mediate or mediate-arb the issues in dispute. The arbitration board may also adopt such other procedures that are designed to encourage an agreement between the parties, expedite the arbitration hearing process, or reduce the costs of the arbitration process.

(d) In the event no agreement is reached prior to the conclusion of the arbitration hearings, the arbitration board shall direct each of the parties to submit, within such time limit as the arbitration board may establish, a last offer of settlement on each of the remaining issues in dispute. The arbitration board shall decide each issue by majority vote by selecting whichever last offer of settlement on that issue it finds most nearly conforms to those factors traditionally taken into consideration in the determination of wages, hours, benefits and terms and conditions of public and private employment, including, but not limited to: changes in the average consumer price index for goods and services; the wages, hours, benefits and terms and conditions of employment of employees performing similar services; the wages, hours, benefits and terms and conditions of other employees in the City and County of San Francisco; and the formulas provided for in this Charter for the establishment and maintenance of wages, hours, benefits and terms and conditions of employment. The impartial arbitration board shall also consider the financial condition of the City and County of San Francisco and its ability to meet the costs of the decision of the arbitration board.

(e) After reaching a decision, the arbitration board shall mail or otherwise deliver a true copy of its decision to the parties. The decision of the arbitration board shall not be publicly disclosed and shall not be binding until ten (10) days after it is delivered to the parties. During that ten (10) day period the parties shall meet privately, attempt to resolve their differences, and by mutual agreement amend or modify the decision of the arbitration board. At the conclusion of the ten (10) day period, which may be extended by mutual agreement between the parties, the decision of the arbitration board, as it may be modified or amended by the parties, shall be publicly disclosed. Except as limited by Section A8.590-7, the arbitration decision, as it may be modified or amended by the parties, shall supersede any and all other relevant formulas, procedures and provisions of this Charter relating to wages, hours, benefits and terms and conditions of employment; and it shall be final and binding on the parties to the dispute, including the City and County of San Francisco, its commissions, departments, officers and employees. No other actions or procedural steps to confirm or approve the decision of the arbitration board shall be permitted or required; provided, however, that the City and County of San Francisco, its designated officers, employees and representatives and the recognized employee organization involved in the dispute shall take whatever action that is necessary to carry out and effectuate the decision of the arbitration board.

(f) The expenses of any arbitration proceedings convened pursuant to these Charter sections, including the fee for the services of the chairperson of the arbitration board, the costs of preparation of the transcript of the proceedings and other costs related to the conduct of the proceedings, as determined by the arbitration board, shall be borne equally by the parties. All other expenses which the parties may incur are to be borne by the party incurring such expenses.

(g) The impasse resolution procedures set forth in Section A8.590-5 shall not apply to:

1. any dispute or controversy concerning the San Francisco Police Department's crowd control policies;
2. any procedures or practices relating to the processing and disposition of complaints handled by the Office of Citizens' Complaints; or matters relating to disciplinary procedures that apply to disciplinary actions involving members of the San Francisco police department and fire department covered by these sections; or matters covered by Charter section A8.343; and
3. any rule, policy, procedure, order or practice which relates or pertains to the purpose, goals or requirements of a consent decree, or which is necessary to ensure compli-

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LEGAL TEXT OF PROPOSITION F (CONTINUED)

ance with federal, state or local anti-discrimination laws, ordinances or regulations.

In the event the City acts on a matter it has determined relates to or pertains to a consent decree, or in the event the City acts to ensure compliance with federal, state, or local anti-discrimination laws, ordinances or regulations, and the affected employee organization disputes said determination, that determination or action shall not be subject to arbitration.

A8.590-6 RETIREE BENEFIT ADJUSTMENTS

No agreement reached by the parties and no decision of the arbitration board shall reduce the vested retirement benefits of retirees or employees of the fire department, police department or of the ~~sheriff department airport police officers~~. Retirement and death allowances shall continue to be set and adjusted pursuant to Chapter Five of this Article, except that the amount to which said allowances are set and adjusted for uniformed employees of the police department and fire department shall not be less than the amount said allowances would be if the salaries of the uniformed forces in the police and fire departments continued to be set pursuant to Charter Section 8.405. Any agreement or decision of the arbitration board altering vested retirement benefits shall be subject to the written approval of the individual beneficiaries thereof.

A8.590-7 PRESERVATION OF TAX BENEFITS

(a) Sections ~~A8.590-1~~ through ~~A8.590-7~~, in their entirety, shall be subject to and limited by charter section ~~A8.500~~ and any ordinances enacted pursuant thereto. Sections ~~A8.590-1~~ through ~~A8.590-7~~ shall be effective only to the extent that benefits authorized by or authorized pursuant to those sections do not have an adverse consequence on the tax treatment of benefits provided to any employee of the city and county.

(b) Any agreement reached by the parties or any decision of the arbitration board which authorizes a modification of any aspect of the retirement system or of any aspect of the provision for or delivery of retirement benefits shall not become effective until the following occur:

1. The retirement board, acting in its fiduciary capacity, forwards to the board of supervisors certification that implementation of the modifications presents no risk to the tax-qualified status of the retirement system. Such certification shall be based upon the advice of the general manager, the actuary of the retirement system, and any outside consultants that they may in their discretion retain; and,

2. After having received the certification referred to in the previous paragraph and after having made its own independent finding based on clear and convincing evidence that implementation of the modifications presents no risk to the tax-qualified status of the retire-

ment system and will not increase the taxes of city and county employees, the board of supervisors, by a three-quarters vote, enacts an ordinance making the modifications effective.

(c) Costs of any outside consultants retained by the city and county pursuant to this section shall be borne equally by the city and county and by the bargaining units concerned.

Supplemental Pay for City Employees on Military Duty



PROPOSITION G

May the City provide supplemental pay for more than 180 days to City employees called for military service, and may the City provide this pay retroactively?

YES



NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: When a member of the United States' military reserves is called to active duty, the member receives military pay. The Charter allows the City to provide supplemental pay to its employees who are members of the military reserves called to active military duty. The City may pay these employees the difference between the amount of their military pay and the amount they would have received if they had worked their regular position for the City.

The Charter limits this supplemental pay to 180 days. Supplemental payments start only upon City approval, and cannot apply retroactively to the start of military service.

THE PROPOSAL: Proposition G is a Charter amendment that would authorize the Mayor and Board of Supervisors to determine whether to provide supplemental military pay for more than 180 days, and whether to provide this pay retroactively.

A "YES" VOTE MEANS: If you vote "yes," you want to authorize the Mayor and Board of Supervisors to determine whether to provide supplemental military pay to City employees for more than 180 days, and whether to provide this pay retroactively.

A "NO" VOTE MEANS: If you vote "no," you do not want to authorize the Mayor and Board of Supervisors to provide supplemental military pay to City employees for more than 180 days, or to provide this pay retroactively.

Controller's Statement on "G"

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

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

The Charter currently allows for the City to provide pay and benefits to supplement the difference between an employee's regular pay and the pay that they receive while on active military duty. The maximum period for which the City can authorize this supplemental pay by ordinance is 180 days. For supplemental pay to continue beyond the 180-day period, the Board of Supervisors and the Mayor must renew the authorization by approving another ordinance. The proposed Charter amendment would eliminate the 180-day maximum. Because the City has, to date, simply renewed the ordinance when the 180-day limit was reached, the amendment would not incur a significant change in the cost of supplementary pay and benefits.

How "G" Got on the Ballot

On November 4, 2003 the Board of Supervisors voted 10 to 0 to place Proposition G on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, and Sandoval.

Absent: Supervisor Ammiano.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.



Supplemental Pay for City Employees on Military Duty

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION G

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, and Sandoval.

The men and women who serve both the City and County of San Francisco, and in our armed forces as reservists during times of crisis, deserve both a debt of gratitude and the assurances that their families will be cared for in an adequate fashion.

That's why we need Proposition G. This simple measure allows the Board of Supervisors to extend the time in which the City and County of San Francisco makes up the differential in pay between military salaries and an employee's regular salary. Right now the City and County only makes up the difference for six months. Proposition G would allow us to make up this difference for a full year.

With the military now extending tours of duty for reservists beyond that six month time frame, it is only fair for us to extend our own ability to help close the gap between military pay and civilian pay for city employees.

Our city employees who are part of the reserves put their lives on the line to protect the United States in times of crisis. The very least that we can do is to address their financial sacrifice while they are away.

Please join us in support of Proposition G.

Gavin Newsom, Mayor-elect

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION G

PROPOSITION G DOESN'T GO FAR ENOUGH:

While the December 13, 2003 capture of deposed Iraqi dictator Saddam Hussein is a hopeful sign, it is likely that the United States will need to keep major military forces in Iraq and Afghanistan for several years.

Proposition G needs to be redrafted to properly protect City employees called into the armed services.

The City employees should be allowed the difference between their pre-war pay and their military compensation.

Since one or more of them might be killed in battle (or in a combat zone), their families should be given their annual City pay before death on an annual basis for at least five (5) years.

Redraft Proposition G.

Dr. Terence Faulkner, J.D.
Past County Chairman,
San Francisco Republican Party

Gail E. Neira
Republican State Assembly Candidate (13th District)

Pat Fitzgerald
Past Secretary,
San Francisco Democratic Party

Supplemental Pay for City Employees on Military Duty



OPPONENT'S ARGUMENT AGAINST PROPOSITION G

WE AGREE WITH THE BASIC PHILOSOPHY OF PROPOSITION G BUT THE MATTER SHOULD BE GRANTED "AS A DESERVED BENEFIT"—NOT JUST DELEGATED TO THE BOARD OF SUPERVISORS:

We agree with the basic philosophy of Proposition G. Our reserve troops who are City employees should indeed be given the difference between their relatively low pay as members of the armed forces and their somewhat higher pay as City employees.

We also believe that if any City employee who is a member of the reserves or National Guard is killed, his (or her) spouse should be granted his pre-war pay on an annual basis for five (5) years after his death in battle (or in a combat zone).

Proposition G leaves far too many things to the perhaps politically driven judgment of the Board of Supervisors, who have also authored disgraceful Proposition E (an attack on the Federal American Patriot Act that perhaps might shield critical information about terrorists from the FBI and/or the CIA).

The families of killed soldiers deserve our full support.

Proposition G needs to be redrafted...with any retroactive claims being granted.

Dr. Terence Faulkner, J.D.

Chairman

Golden Gate Taxpayers Association

Gail E. Neira

State Assembly Candidate (13th District)

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION G

NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION G WAS SUBMITTED



Supplemental Pay for City Employees on Military Duty

PAID ARGUMENTS IN FAVOR OF PROPOSITION G

YES ON PROPOSITION G

San Francisco's military reservists should not have to suffer financial hardship when called to active duty.

PROPOSITION G will allow the City to extend salaries of City workers beyond the present 180 day limit. Support our brave young men and women who defend America!

YES ON PROPOSITION G

SAN FRANCISCO REPUBLICAN PARTY

Mike DeNunzio, Chairman

BALLOT ADVISORY COMMITTEE:

Howard Epstein, Joshua Kriesel, Vice Chair Political Action

CENTRAL COMMITTEE MEMBERS:

Michael Antonini

Harold M. Hoogasian

Rita O'Hara

Christopher Bowman

Barbara Kiley

Jim Soderborg

Albert C. Chang

Leonard J. Lacayo

Sue C. Woods

Elsa Cheung

Rodney Leong

The true sources of funds used for the printing fee of this argument are the signators and the S.F. Republican Party.

The three largest contributors to the true source recipient committee are: 1. Michael DeNunzio 2. Michael Antonini 3. Leo Lacayo.

The Coalition for San Francisco Neighborhoods urges you to VOTE YES on G.

It is only fair and just that the working men and women of the City and County should not be financially penalized when called to active duty in service to our country.

Prop G is good public policy.

Barbara R. Meskunas, President
Coalition for San Francisco Neighborhoods

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

Principled conservatives should not make common cause with the extreme left by opposing the extension of supplemental pay to eligible City employees called to military service.

According to the Controller, this proposed Charter amendment would not incur significant additional costs to the City. **VOTE YES ON G.**

Colin V. Gallagher

Attorney

The true source of funds used for the printing fee of this argument is Colin V. Gallagher.

The men and women who sacrifice on behalf of our country deserve our support so that they can provide for their families while on active duty.

Dan Dunnigan

Member, SF Democratic County Central Committee*

Tom A. Hsieh

Member, SF Democratic County Central Committee*

Daniel Homsey

Community Outreach Coordinator

Hon. Robert P. Varni

Former City College Trustee

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Robert P. Varni and Tom A. Hsieh.

Supplemental Pay for City Employees on Military Duty



PAID ARGUMENTS AGAINST PROPOSITION G

NO PAID ARGUMENTS AGAINST PROPOSITION G WERE SUBMITTED

LEGAL TEXT OF PROPOSITION G

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section A8.400 (h) to allow for employees called to active duty to receive supplemental compensation for a period to be specified by ordinance.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004 a proposal to amend the Charter of the City and County by amending Section A8.400(h) to read as follows:

Note: Additions are single-underline italics Times New Roman.
Deletions are ~~striketrough italics Times New Roman~~.

A8.400 GENERAL RULES FOR ESTABLISHING AND PAYING COMPENSATION

(h) Notwithstanding any other limitation in the Charter to the contrary, and subject to meet and confer obligations of state law, the Mayor may request that the Board of Supervisors enact, and the Board shall then have the power to so enact, an ordinance entitling City officers or employees called to active duty with a United States military reserve organization to receive from the City the following as part of the individual's compensation: for a period to be specified in the ordinance ~~which may not exceed 180 days~~, the difference between the amount of the individual's military pay and the amount the individual would have received as a City officer or employee had the employee worked his or her normal work schedule, including any merit raises which otherwise would have been granted during the time the individual was on active duty. Any such ordinance shall be subject to the following limitations and conditions:

1. The individual must have been called into active service for a period greater than 30 consecutive days.

2. The purpose for such call to active service shall be extraordinary circumstances and shall not include scheduled training, drills, unit training assemblies, or similar events.

3. The amounts authorized pursuant to such an ordinance shall be offset by amounts required to be paid pursuant to any other law in order that there be no double payments.

4. Any individual receiving compensation pursuant to such an ordinance shall execute an agreement providing that if such individual does not return to City service within 60 days of release from active duty, or if the individual is not fit for employment at that time, within 60 days of return to fitness for employment, then that compensation shall be treated as a loan payable with interest at a rate equal to the greater of (i) the rate received for the concurrent period by the Treasurer's Pooled Cash Account or (ii) the minimum amount necessary

to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statute. Such loan shall be payable in equal monthly installments over a period not to exceed 5 years, commencing 90 days after the individual's release from active service or return to fitness for employment, as the case may be.

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5. Such an ordinance shall not apply to any active duty served voluntarily after the time that the individual is called to active service.

~~6. Such ordinance shall not be retroactive.~~

Public Education Fund



PROPOSITION H

Shall the City create a fund to increase the City's spending for public education over the next eleven years?

YES



NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: The San Francisco Unified School District is separate from the City and is funded mostly by the State. The City Charter does not require the City to give money to the School District, although the City may do so and has given money and services to the District in recent years.

The City has a Children and Families First Commission (known as the "First Five" Commission) that promotes early child development programs.

THE PROPOSAL: Proposition H is a Charter amendment that would create a Public Education Fund for the next eleven fiscal years (FY) to increase City funding for public education. The City would contribute to the Fund as follows:

- \$10 million in FY 2005-06;
- \$20 million in FY 2006-07;
- \$30 million in FY 2007-08;
- \$45 million in FY 2008-09;
- \$60 million in FY 2009-10; and
- For the last five years of the measure, the City's annual contribution to the Fund would increase or decrease by the same percentage as General Fund revenues not already required to be spent for specific purposes.

Each year, the City would spend money from the Fund as follows:

- One-third would go to the School District for arts, music, sports and library programs;
- One-third would go to the First Five Commission for preschool programs; and
- One-third would go to the School District for general education purposes.

Proposition H does not create any new revenue source for the Fund.

The Fund would be used to increase, rather than replace, existing City funding for public education. The City could reduce its payments to the School District under limited circumstances.

Proposition H would also require that:

- the School District and City departments study the health, counseling, social work and nutrition needs of public school students; and
- the School District and First Five Commission prepare a spending plan each year.

A "YES" VOTE MEANS: If you vote "yes," you want to create a special fund to increase the City's spending for public education over the next 11 years.

A "NO" VOTE MEANS: If you vote "no," you do not want to create this special fund.

Controller's Statement on "H"

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

Should the proposed Charter amendment be approved by the voters, in my opinion, it would not in and of itself increase the cost of government. However, to the extent that City funds are shifted to the Public Education Enrichment Fund as required by the amendment, other current City spending would have to be cut or new revenues identified.

The amendment requires that the City set aside funds for a period of ten years to a Public Education Enrichment Fund to pay for school art, music, sports, libraries, early childhood education, and other school programs. The City would be required to contribute \$10 million in FY 2005-2006, \$20 million in FY 2006-2007, \$30 million in FY 2007-2008, \$45 million in FY 2008-2009 and \$60 million in FY 2009-2010. For the final five years, the amount would increase or decrease from \$60 million by the percentage change in discretionary City revenues for that year. Up to one-third of the amount could be provided in the form of in-kind support such as legal, financial, health or safety services. Contributions could be partially deferred if a City budget deficit is projected at certain levels, however the whole amount must be paid over a thirteen-year period, unless the amendment is extended by the

voters. Finally, the amendment requires that the City must also maintain and increase a base amount that it already contributes to the School District, as of the fiscal year 2002-2003 budget, of approximately \$3.75 million.

The amendment specifies that the Controller and the Board of Supervisors' Budget Analyst must recommend cuts in City spending or new revenue sources, sufficient to meet the contribution requirements for each year. The Board of Supervisors would review and propose these recommendations to the Mayor for inclusion in the City's annual budget.

How "H" Got on the Ballot

On November 4, 2003 the Board of Supervisors voted 8 to 2 to place Proposition H on the ballot.

The Supervisors voted as follows:

Yes: Supervisors Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Newsom, and Sandoval.

No: Supervisors Gonzalez and Peskin.

Absent: Supervisor Hall.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.



Public Education Fund

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION H

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Newsom, and Sandoval; oppose the measure: Supervisors Hall and Peskin; take no position on the measure: Supervisor Gonzalez.

San Francisco prides itself on being a world-class city. **But among America's cities, San Francisco schools rank near the bottom in per pupil investment.**

Proposition H will solve this critical shortcoming – and bring San Francisco's per pupil expenditures closer to the national average – by re-ordering City spending priorities **WITHOUT** raising taxes.

Every San Franciscan will benefit from having world-class, cost-effective public schools under Proposition H:

- The 60,000 students in our schools will graduate as better educated, contributing members of society.
- Neighborhoods will be safer as our youth become more productively engaged, keeping them off the streets and out of trouble.
- Businesses will be attracted to the city, increasing job prospects for city residents and improving City revenue.

- The City will save money by reducing the social problems and dependency that result from a poor education.

Proposition H will accomplish all this by funding art, music and physical education in every grade.

Proposition H will fund a librarian in every school and allow schools to add more counselors, nurses and teachers and up-to-date books and other materials.

Proposition H will fund universal pre-school for 4 year olds, so children will be prepared to read in kindergarten.

Most important, Proposition H will achieve all this by re-ordering city priorities – **not by raising taxes.** For example, for every dollar invested in pre-school under Proposition H, taxpayers will save \$7 in ongoing public safety and health care costs.

Proposition H has been endorsed by every member of the Board of Education, the San Francisco PTA, the San Francisco Democratic Party, Parents for Public Schools and United Educators of San Francisco.

Join us in supporting the city's children and our future by making San Francisco a great city for everyone. Please vote yes on H.

Supervisors Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Newsom and Sandoval

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION H

The Controller's own description of Proposition H states that, to the extent City funds are subject to the Public Education Enrichment Fund, **other current spending will have to be cut or new taxes imposed.**

If the proponents of Prop H claim that passage of this measure will not raise anyone's taxes, then they should identify where spending cuts will have to be made to implement this set-aside proposal: Should the cuts be made to AIDS services and public health? To salaries for all other City employees? To parks and neighborhood services? To seniors' programs?

Furthermore, it is demeaning to students in the SFUSD to suggest that, based upon questionable studies, if city funds aren't diverted to arts and music programs, they will therefore commit violent crimes or go onto public assistance.

Finally, the proponents of Prop H have not demonstrated why the members of the Board of Supervisors and of the School Board who will be elected in the future are not qualified to decide how education funding should be allocated. Prop H is an end-run around the legislative process and should be rejected. Vote No on Prop H.

Colin V. Gallagher

Candidate for Republican nomination – 13th Assembly District

Public Education Fund



OPPONENT'S ARGUMENT AGAINST PROPOSITION H

California's ongoing fiscal crisis is in part because the Legislature and voters have designated certain spending priorities without specifying how those priorities will be paid for. The proponents of Proposition H would have us do the same at the local level by allocating spending for art, physical education and other programs without specifying what budget cuts or tax increases should be made to offset the amounts set aside under this proposed Charter Amendment. This proposal would also require that the City pay \$60 million per year by FY 2009-2010 towards designated programs without any projection of how much share of the General Fund these contributions would take. The proponents rely upon optimistic expectations regarding the health of the local economy and the city's revenue stream that may not be borne out in reality.

The proposal fails to establish why one-third of the "Public Education Enrichment Fund" should be allocated to art, music and physical education programs while science and engineering programs, for example, would not receive a set-aside. Even if spending in these areas would promote "greater self-esteem" on the part of student artists, athletes and musicians in the SFUSD, the measure unfairly stigmatizes students of the sciences by excluding them from the \$60 million subsidy.

Finally, decisions about spending priorities in the next 12 years are better left to our elected officials, rather than enacted by referendum without the public being fully informed about which other programs should be cut or whose taxes should be raised to provide for these guaranteed levels of spending. This measure is ill-advised and would contribute to the City's budget chaos without resolving any of the problems of the SFUSD. Vote no on Prop H.

Colin V. Gallagher

Candidate for Republican Nomination – 13th Assembly District

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION H

The Board of Supervisors authorized the submission of the following argument. As of the date of the publication of this Voter Information Pamphlet, the following Supervisors endorse the measure: Supervisors Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Newsom, and Sandoval; oppose the measure: Supervisors Hall and Peskin; take no position on the measure: Supervisor Gonzalez.

Once fully phased-in, Proposition H will dedicate approximately 2.5% (or \$60 million annually) of the City's General Fund to support public schools. While this represents only a **small fraction** of City spending, it will solve major challenges facing students, parents and teachers.

- 1/3 of the money provided by Proposition H will be dedicated to universal preschool for all City four year-olds – **to prepare kids for school;**
- 1/3 of the money will be dedicated to arts, music, sports, physical education and library services – **to fund programs that have been eliminated by state budget cuts;**
- The remaining funds will support any other priority educational purpose at the School District, **such as better teacher salaries, supplies for classrooms, or nurses and counselors.**

These are wise investments. Excellent schools attract new businesses to San Francisco and encourage families to remain in the City.

Don't be misled by the opponent. Unlike the federal government and California, the Mayor and the Supervisors are required by law to adopt a balanced budget every year.

Proposition H is fiscally responsible, and includes safeguards to protect the City's budget, including very gradual increases in support for schools **over six years**; the ability to reduce contributions to schools when the City is facing a budget crisis; and voter reauthorization after ten years.

With the threat of more State budget cuts, San Francisco must act now to ensure that basic services and academic programs are provided in our schools.

SFPTA – San Francisco Parent Teacher Association



Public Education Fund

PAID ARGUMENTS IN FAVOR OF PROPOSITION H

The state budget crisis makes the passage of Proposition H **urgent** – if we are to protect the City’s public schools and pre-schools.

As the local economy recovers over the next six years, Proposition H ensures that a portion of that growth will be targeted to a new and important local budget priority: *the education of our children*. We can’t afford to lose a generation.

Proposition H is smart, farsighted fiscal policy.

Coleman Advocates for Children and Youth.

The true source of funds used for the printing fee of this argument is Margaret Brodtkin.

The San Francisco PTA urges voters to support our children and our future by voting **yes on Proposition H**.

The San Francisco PTA

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

EARLY CHILDHOOD EDUCATORS SUPPORT PROPOSITION H

Universal preschool is enlightened social policy. Every \$1 invested in early childhood education saves \$7 in later costs. When children enter kindergarten ready to learn, their success in school improves dramatically.

Judith Baker, Director, South of Market Child Care, Inc.*

Donna M. Cahill, Director, Holy Family Day Home*

Olga Banks, President, Family Child Care Association of San Francisco

Candace Wong, Chair, San Francisco Childcare Planning and Advisory Council

*For identification purposes only

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

As a **Member of the State Assembly** and member of the Appropriations Committee, I see first hand how the State of California short-changes public education, particularly schools in urban areas. Through Proposition H, San Francisco has an opportunity to become a **true partner with our schools**. Great schools make a great city. Yes on H.

Mark Leno

Member of the California State Assembly

The true sources of funds used for the printing fee of this argument are Assemblyman Mark Leno and Margaret Brodtkin.

Art and music are essential parts of a child’s education; we must ensure that **ALL** public schools have strong arts and music programs. Invest in the cultural future of our City - yes on Prop H.

Ruth Asawa

The true source of funds used for the printing fee of this argument is Ruth Asawa.

We, the members of the **Board of Education**, have had to face the reality that California has not adequately funded its public schools for over two decades and is not likely to fund public education adequately in the foreseeable future. Children in urban communities have suffered the most. **Proposition H** affords San Francisco an opportunity to provide much needed resources in the areas that have been most neglected, including the arts, physical education, libraries, early childhood education and support for teachers. The children of San Francisco deserve our help in getting a high quality education.

Commissioners Eddie Chin, Emilio Cruz, Dan Kelly

Eric Mar, Mark Sanchez, Jill Wynns

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

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

Teachers know firsthand that depriving children of basic resources harms their well being and ability to learn. Every resource funded by Proposition H – preschool, libraries, arts, P.E and student health alike – is essential to students’ success in school and in life. Our students need the support of the entire community.

UESF urges a yes vote on Proposition H.

Dennis Kelly, President, United Educators of San Francisco

Linda Plack, Executive Vice-President, United Educators of San Francisco

Public Education Fund



PAID ARGUMENTS IN FAVOR OF PROPOSITION H

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

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

Healthy kids learn better and stay in school. School Nurses, School Social Workers, and Counselors support students by partnering with teachers and parents to address the health and emotional needs of students. Proposition H will allow the City to expand these crucial **learning support services**.

Barbra N. Headman, School Nurse
Irma J. Perez, Teacher
Araceli Villalobos, Parent
Beth Jaeger-Skigen, School Social Worker
Diana Ming Chan, Retired School Social Worker

The true sources of funds used for the printing fee of this argument are Clarence K. Chan and Diana Ming Chan.

The Arts Community urges Yes on Proposition H!

Arts education is part of a basic education. Students who study the arts do better in schools. College-bound students who have studied the arts have higher SAT scores. Students from poorer families who study the arts improve their overall school performance more rapidly than all other students.

The arts are not a frill. For many students, the arts may be the only reason they go to school. Vote Yes on Proposition H.

Carol Kocivar, Chair, Sustainable Funding for the Arts Task Force
Novella Smith, Lighting Designer
Susan Stauter, Artistic Director, SFUSD
Debra Walker, Artist
Lucinda Wheaton, Parents for the Arts

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

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

The San Francisco Democratic Party Supports Proposition H!

Supporting a basic education is a long-standing democratic

value. San Francisco's schools have suffered from two generations of budget cuts and are in desperate need of consistent funding. Building a partnership between the school district and the city is long overdue. Please join us in a Yes vote on Proposition H!

Jane Morrison, Chair, San Francisco Democratic Party

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

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

As City Treasurer, I guard the City's money. I know that the best investment of our resources is our children. Proposition H will help the City implement the preschool proposition the voters overwhelmingly supported in November 2003. Every dollar invested in early childhood education saves \$7 later. Join me in investing in our future.

Treasurer Susan Leal

The true source of funds used for the printing fee of this argument is Susan Leal.

Education is complete only when academics are combined with programs such as art, music and physical education. Lack of funding has virtually eliminated these programs making our children's education incomplete.

Passage of Proposition H will restore a balance and put education of our children high on this city's priorities.

Clarence Chan
Nancy Chee
Chew Moon Lee
Lucille Lee
David Singleton

The true source of funds used for the printing fee of this argument is Citizens Concerned for Excellence in Education.



Public Education Fund

PAID ARGUMENTS IN FAVOR OF PROPOSITION H

Business Leaders say Proposition H is Good for Business.

Smart business leaders support great schools. Future economic development in San Francisco depends on creating a highly educated workforce and providing a quality of life for employees - including good schools. An investment in our children is an investment in the future of San Francisco.

Vote Yes on Proposition H!

F. Warren Hellman, Chairman, Hellman Friedman

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

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

Parent Advocates support Proposition H!

With California ranking 33rd in per pupil spending nationally, essentials like art, music, and PE are not funded. Too few of our schools have staffed libraries and access to nurses.

With your help we can ensure that EVERY public school student in San Francisco has access to a top quality education. An investment in our children in public schools today will pay huge dividends for us all in the future.

Please vote yes on Proposition H!

Hydra Mendoza, Parents for Public Schools

Amy Penticoff, Co-founder, GoKid.org

Dana Woldow, Co-founder, Parents Advocating School Accountability

The true source of funds used for the printing fee of this argument is Parents for Public Schools.

Healthy kids learn better and stay in school. Nurses, social workers and counselors partner with teachers to address the psycho-social needs of students so the teachers can focus on teaching. Proposition H will allow the City to provide basic **learning support services**.

Helen Lau

Esther Villa-Popescu

Fei Wong

Kimi Yu

The true source of funds used for the printing fee of this argument is Asian Pacific Islander SWC.

LGBT Community supports Proposition H – Take pride in our schools!

A good education should be guaranteed to all San Franciscans. Our City's greatness is determined by the diversity of our communities. Proposition H ensures that our schools receive much-needed funds to provide arts, music, physical education and health services so that all members of the next generation will continue to contribute to the richness of our neighborhoods.

Vote Yes on Proposition H!

Tom Ammiano, Supervisor

Bill Barnes

Angela Calvillo

Bevan Dufty, Member, Board of Supervisors

Paul M. Hogan, Chair, LGBT Caucus, California Democratic Party

Tomas Lee

Mark Sanchez, Commissioner

Theresa Sparks, Human Rights Commissioner

Jerry Threat

Debra Walker, Past President, Harvey Milk LGBT Democratic Club

The true sources of funds used for the printing fee of this argument are Bevan Dufty, Tom Ammiano, and the Yes on H Committee.

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

Public Education Fund



PAID ARGUMENTS IN FAVOR OF PROPOSITION H

The Asian Community needs Proposition H

Generations of Asian Americans began their successful education in San Francisco. Today, almost half of all San Francisco public school students are Asian American – without consistent funding, our children will suffer most. Proposition H – which will not cost taxpayers a dime in extra property taxes – will help grow strong programs in our schools and pre-schools.

Vote YES on Proposition H!

Henry Der, Education Advocate

Richard Ow

Norman Yee, Commissioner, First Five

James Y. Chin, President, Chinese Six Co.

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

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

Latino Leaders Endorse Proposition H

Kids from all communities need the resources that Proposition H will provide. Arts, PE, libraries and preschool all have proven impact on academic achievement, and even more so for students mastering English. For all our students, please vote yes on Proposition H.

Anne Marie Cervantes, AIA

David Campos, Deputy City Attorney

Paula Fiscal, Director, M.A.P.A. Governmental Affairs

Eric Quezada, Mission Activist

Mauricio Vela, Bernal Hts. Neighborhood Center

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

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

Proposition H will bring equity to our schools by providing essential resources to all children. Many schools serving disadvantaged children feel compelled to divert funding from arts, P.E. and libraries into basic academics and test preparation. Proposition H will ensure that all children at all schools – not just

a lucky few – benefit from these vital programs. Please vote yes to support all of San Francisco's schoolchildren.

Daniel Guillory

Roger Gordon

Malik Looper

Clementine Clarke

Johnnie Carter, Trustee, City College of San Francisco

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

The three largest contributors to the true source recipient committee are: 1. Coleman Advocates for Children and Youth 2. Parents for Public Schools 3. Eunice Azzani.

San Franciscans should support Proposition H because it will fund vital educational programs for our children. It's time to invest in our children and education should come first.

Dan Dunnigan

Member—SF Democratic County Central Committee*

Tom A. Hsieh

Member—SF Democratic County Central Committee*

Hon. Robert P. Varni

Former City College Trustee

Daniel Homsey

Community Outreach Coordinator

*For identification purposes only

The true source of funds used for the printing fee of this argument is Robert P. Varni.



Public Education Fund

PAID ARGUMENTS AGAINST PROPOSITION H

Prop H is a promise we cannot afford to keep.

San Francisco is facing a fiscal crisis. To preserve critical health and safety services, city departments are facing huge cutbacks. Prop H would make a bad situation worse by setting aside a fixed amount, starting at \$10 million and climbing over five years to \$60 million, to be used by the schools for "enrichment" programs. It would make permanent a \$3.75 million dollar discretionary contribution from the 2002-2003 budget, turning a generous gift into an annual burden.

The neighborhoods of San Francisco have always supported our schools, but asking us to commit to a continuing operating subsidy for the next ten years, regardless of other fiscal constraints, is simply not reasonable.

Children require safe neighborhoods, decent housing, and healthcare in addition to a quality education. Prop H asks us to sacrifice one to "enrich" the other.

Please join your neighbors in voting NO on H.

Barbara R. Meskunas, President
Coalition for San Francisco Neighborhoods

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

LEGAL TEXT OF PROPOSITION H

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by adding Sections 16.123-1 through 16.123-10, to establish a Public Education Enrichment Fund, with specified contributions to and disbursements from the Fund, to set a separate baseline appropriation for the San Francisco Unified School District, to establish a policy of providing universal access to preschool education for City children, to identify offsetting cost savings in City operations, and to set an expiration date.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004, a proposal to amend the Charter of the City and County by adding Sections 16.123-1 through 16.123-10, to read as follows:

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

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

SEC. 16.123-1. PREAMBLE.

(a) The people of the City and County of San Francisco find and declare that:

1. Quality public education is highly correlated with higher earnings potential, reduced crime, lower rates of teen pregnancy and substance abuse, and greater self-esteem;

2. Urban public schools have the greatest need for comprehensive educational programs – including preschool programs, arts and music programs, sports activities, and after school programs – but often have the fewest resources to provide them;

3. While California once led the nation in public school spending and performance, investments have greatly declined. Despite its high cost of living, San Francisco per pupil spending ranks 34th among 43 comparable central city U.S. public school districts of similar size. As of 2001, adjusted for cost-of-living, teacher salaries for the San Francisco Unified School District (SFUSD) ranked 99th of 100 metropolitan areas;

4. SFUSD enrollment has dropped in recent years as families have left San Francisco in search of affordable neighborhoods with high-quality public schools;

5. The choices businesses make about where to locate include the quality of public services the City provides, including public safety, transportation and education;

6. Since 2000, the SFUSD has made strong improvements in achievement measures and financial management; and

7. As the economy begins to recover, now is the time to invest in our children's future, before further declines begin to erode the progress the SFUSD has made.

(b) This measure may be referred to as "The Arts, Music, Sports, and Pre-School for Every Child Amendment of 2003."

SEC. 16.123-2. PUBLIC EDUCATION ENRICHMENT FUND.

(a) Creating the Fund. There shall be a Public Education Enrichment Fund. The City shall each year appropriate monies to the Public Education Enrichment Fund according to subsections (b), (c), and (d), below. In determining whether the City has met its annual obligation to the Fund, the Mayor and the Board of Supervisors may consider both direct financial support and the cash value of any in-kind support services, as described in Section 16.123-5, provided by the City to the San Francisco Unified School District and the Children and Families First Commission (hereinafter the "First Five Commission") or any successor agency, provided that at least two-thirds of the City's contribution to the Fund each year shall be comprised of direct financial support necessary to meet the requirements of Sections 16.123-3 and 16.123-4 of this measure.

(b) Baseline Appropriations. The Fund shall be used exclusively to increase the aggregate City appropriations to and expenditures for the San Francisco Unified School District. To this end, the City shall not reduce the amount of such City appropriations (not including appropriations from the Fund and exclusive of expenditures mandated by state or federal law) in any of the eleven years during which funds are required to be set aside under this Section below the amount so appropriated for the fiscal year 2002-2003 ("the base year"). These baseline appropriations shall be separate from the City's annual contributions to the Public Education Enrichment Fund under subsection (c), and shall be appropriated by the City to the School District each year during the term of this measure for the same purposes and in the same relative proportions among those purposes as in the base year, as certified by the Controller.

The amount of the City's baseline appropriations to the School District shall be adjusted for each year after the base year by the Controller based on calculations consistent from year to year by the percentage increase or decrease in City and County discretionary General Fund revenues. In determining City and County discretionary General Fund revenues, the Controller shall only include revenues received by the City and County that are unrestricted and may be used at the option of the Mayor and the Board of Supervisors for any lawful City purpose. Errors in the Controller's estimate of discretionary revenues for a fiscal year shall be corrected by an adjustment in the next year's estimate. Using audited financial results for the prior fiscal year, the Controller shall calculate and publish the actual amount of City appropriations that would have been required under this baseline for the School District.

(c) Annual Contributions to the Fund – FY 2005-2006 through FY 2009-2010. In addition to the annual baseline appropriation provided above, the City shall, for years two

through six of this measure, contribute the following amounts to the Public Education Enrichment Fund:

<u>Fiscal Year</u>	<u>2005-06</u>	<u>\$10 million</u>
<u>Fiscal Year</u>	<u>2006-07</u>	<u>\$20 million</u>
<u>Fiscal Year</u>	<u>2007-08</u>	<u>\$30 million</u>
<u>Fiscal Year</u>	<u>2008-09</u>	<u>\$45 million</u>
<u>Fiscal Year</u>	<u>2009-2010</u>	<u>\$60 million</u>

(d) Annual Contributions to the Fund – FY 2010-11 through FY 2014-15. For Fiscal Years 2010-11 through 2014-15, the City's annual contribution to the Public Education Enrichment Fund shall equal its total contribution for the prior year, beginning with Fiscal Year 2009-2010, adjusted for the estimated increase or decrease in discretionary General Fund revenues for the year.

(e) Audit Requirements. All disbursements from the Fund and from the baseline appropriations shall be subject to periodic audit by the Controller. The San Francisco Unified School District and the First Five Commission shall agree to such audits as a condition of receiving disbursements from the Fund.

SEC. 16.123-3. ARTS, MUSIC, SPORTS, AND LIBRARY PROGRAMS.

Each year during the term of this measure, the City shall appropriate one-third of the money in the Public Education Enrichment Fund to the San Francisco Unified School District for arts, music, sports, and library programs in the schools.

SEC. 16.123-4. UNIVERSAL ACCESS TO PRESCHOOL.

(a) Universal Access to Preschool. It shall be the policy of the City and County of San Francisco to provide all four-year-old children who are City residents the opportunity to attend preschool, and it shall be the goal of the people in adopting this measure to do so no later than September 1, 2009.

(b) Planning Process. No later than September 1, 2004, the First Five Commission, in consultation with the San Francisco Childcare Planning and Advisory Council, the San Francisco Unified School District, the San Francisco Department of Children, Youth and Their Families, and community stakeholders, shall submit to the Board of Supervisors a proposal for a universal preschool program for San Francisco. The Board of Supervisors shall approve the plan by resolution; if the Board does not approve the plan, it may refer the plan back to the First Five Commission for revision.

In preparing the plan, the First Five Commission shall develop universal preschool funding guidelines consistent with the Childcare Planning and Advisory Council's San Francisco Childcare Needs Assessment, including guidelines designed to meet neighborhood-specific needs, such as subsidies, new

(Continued on next page)

LEGAL TEXT OF PROPOSITION H (CONTINUED)

facility development, and provider support for both family childcare homes and childcare centers. Such funding guidelines also shall address the unmet need for universal preschool and childcare slots in specific City neighborhoods.

(c) **Annual Disbursements.** Each year during the term of this measure, the City shall appropriate one-third of the money in the Public Education Enrichment Fund to the First Five Commission for universal preschool programs administered by the Commission.

SEC. 16.123-5. OTHER CITY SUPPORT FOR THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT.

(a) **In-Kind Support.** Not later than one year after the effective date of this measure, the City and the School District shall identify areas of potential in-kind support that the City could provide to the School District free of charge or at substantially reduced rates. In-kind support, for these purposes, may include, but is not limited to:

Learning support services, including health, counseling, social work, and nutrition services;

Financial support services;

Telecommunication and information services;

Construction management services;

Utility services;

Transportation services;

Legal services; and

Public safety services.

(b) **Planning Process.** No later than six months after the effective date of this measure, the School District shall submit to the Board of Supervisors proposals for in-kind services that could be provided by the City to the District to further the educational goals and operations of the District. The Board shall distribute those proposals to all City departments having expertise in providing or capability to provide such in-kind services, and no later than nine months after the effective date of this measure, the departments will respond to the Board with proposals to provide such in-kind services to the District. The School District may use any direct financial support provided under this Section to hire consultants to help identify possible in-kind services. The Board of Supervisors may, by ordinance, provide for continuation of this planning process during the subsequent term of the measure.

(c) **Annual Disbursements.** Each year during the term of this measure, the City shall provide direct financial assistance from the Public Education Enrichment Fund to the San Francisco Unified School District, in an amount equal to one-third of the money in the Fund, or in-kind support services of equal value.

(d) **Permissible Uses.** The San Francisco Unified School District may expend funds provided as direct financial support under this

Section for any educational or support purpose provided under law, including, but not limited to, gifted and talented programs, magnet programs, literacy programs, dual-language immersion programs, special education, employee compensation, career and college centers at high schools, teacher mentoring or master teacher programs, or other instructional purposes. The City recognizes that in providing such programs and services, a well-run school district requires both certificated and classified staff, and urges the San Francisco Unified School District to hire both certificated and classified staff to carry out the purposes of this measure.

(e) Within one year of the effective date of this measure, the School District, with the assistance of the City's Department of Public Health, Department of Human Services, and Department of Children, Youth, and Their Families, shall conduct an assessment of health, counseling, social work, and nutritional needs of pupils in the District, including problems related to asthma and other chronic diseases. The City may appropriate a specific portion of the disbursement under this Section through its annual appropriation process for these purposes, pursuant to recommendations from the School District.

SEC. 16.123-6. EXPENDITURE PLANS.

(a) No later than February 1 of each year during the term of this measure, the San Francisco Unified School District and the First Five Commission shall each submit an expenditure plan for funding to be received from the Public Education Enrichment Fund for the upcoming fiscal year. The proposed expenditure plans must include prior year total budgeted and expended appropriations and Fund budgeted and expended appropriations by category, as well as average daily attendance information for the prior year and anticipated average daily attendance information for the plan year, to facilitate multi-year comparison.

(b) The Controller shall review the plans and transmit them, with his or her comments, to the Mayor and the Board of Supervisors for their review and comment.

(c) The plans shall include a budget for the expenditures, performance goals, target populations, hiring and recruitment plans for personnel, plans for matching or other additional funding, operating reserves, and any other matters that the District and Commission deem appropriate or the Mayor or the Board requests.

(d) The Mayor and the Board of Supervisors may request further explanation of items included in the plans, and the District and the Commission shall respond in a timely manner to such inquiries. The Board may place appropriations provided for under this measure on reserve until it has received adequate responses to its inquiries.

SEC. 16.123-7. STRUCTURAL SAVINGS TO THE CITY'S BUDGET.

(a) **Controller's and Budget Analyst's Recommendations.** Not later than October 1 of each fiscal year from Fiscal Year 2005-06 through 2009-10, the Controller and the Board of Supervisors' Budget Analyst shall prepare and submit recommended cuts or other structural changes to reduce, on an ongoing basis, spending on City departmental operations, or identify new revenues, in an amount sufficient to meet each year's required funding for the Public Education Enrichment Fund.

(b) **Board of Supervisors' Proposals.** Not later than December 15 of each fiscal year from Fiscal Year 2005-06 through Fiscal Year 2009-10, the Board of Supervisors shall hold hearings on the recommendations made by the Controller and the Budget Analyst and shall forward its proposals to the Mayor.

(c) **Budget Requirements.** In his/her annual budget submission to the Board of Supervisors for each fiscal year from Fiscal Year 2005-06 through Fiscal Year 2009-10, the Mayor shall incorporate the Board of Supervisors' proposals, or identify alternative revenue or expenditure savings sufficient to appropriate funds to the Public Education Enrichment Fund according to the schedule set forth in Section 16.123-2 of this measure.

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SEC. 16.123-8. ADJUSTMENTS.

(a) In any year of this measure, if the joint budget report as prepared by the Controller, the Mayor's Budget Director and the Board of Supervisors' Budget Analyst projects a budgetary shortfall of \$100 million dollars or more, the Mayor and the Board of Supervisors may reduce the City's contribution to the Public Education Enrichment Fund under Section 16.123-2, and its disbursements under Sections 16.123-3, 16.123-4, or 16.123-5, by up to 25 percent; provided, however, that the City must pay back the amount deferred within the period from June 30, 2015, the last day of the term of this measure, and June 30, 2018, a date three years later, unless the voters extend this measure beyond July 1, 2015 or authorize a substantially similar measure at that time.

(b) **Audit Recommendations.** The Mayor and the Board of Supervisors may suspend the City's disbursements from the baseline appropriations or the Public Education Enrichment Fund under Sections 16.123-3, 16.123-4, or 16.123-5 in whole or in part for any year where the Controller certifies that the San Francisco Unified School District or the First Five Commission has failed to adopt audit recommendations made by the Controller.

(Continued on next page)

LEGAL TEXT OF PROPOSITION H (CONTINUED)

As part of the audit function, the Controller shall review performance and cost benchmarks developed by the School District and the First Five Commission in consultation with the Controller for programs funded under this measure. The Commission's performance and cost benchmarks shall be based on the same performance and cost benchmarks as are required for other City departments, and on comparisons with other cities, counties, and public agencies performing similar functions. The School District's performance and cost benchmarks shall be based on similar standards.

In particular, the Controller shall assess:

(1) Measures of workload addressing the level of service being provided or providing an assessment of need for a service;

(2) Measures of efficiency including cost per unit of service provided, cost per unit of output, or the units of service provided per full time equivalent position; and

(3) Measures of effectiveness including the quality of service provided, citizen perceptions of quality, and the extent a service meets the needs for which it was created.

The Controller's audits may address the extent to which the School District and the First Five Commission have met their respective performance and cost benchmarks.

(c) **Reserve Policies.** The Mayor and the Board of Supervisors may suspend the City's disbursements from the baseline appropriations or the Public Education Enrichment Fund under Sections 16.123-3, 16.123-4, or 16.123-5 in whole or in part for any year where the Controller certifies that the San Francisco Unified School District or the First Five Commission has failed to adopt reserve policies recommended by the Controller.

(d) **Transfer and Use of Suspended Distributions.** If the Mayor and the Board of Supervisors suspend City distributions from the baseline appropriations or the Public Education Enrichment Fund under subsections (b) or (c), the City shall transfer the amount that would otherwise be distributed from the baseline appropriations or the Public Education Enrichment Fund for that year to the Children's Fund established in Charter Section 16.108, for the provision of substantially equivalent services and programs.

(e) **New Local Revenues.** The Board of Supervisors may, by ordinance, proportionally reduce the contribution to the Public Education Enrichment Fund and the disbursements to the San Francisco Unified School District and the First Five Commission required by this measure if the voters of San Francisco adopt new, dedicated revenue sources for the School District or the Commission, and the offsetting reduction in disbursements is specifically authorized by the local revenue measure.

(f) **New State Revenues.** The Board of Supervisors may, by ordinance, proportionally reduce the contribution to the Public Education

Enrichment Fund and the disbursements to the San Francisco Unified School District required by this measure if the percentage increase in per-pupil Revenue Limit funding provided by the State of California to the San Francisco Unified School District in any fiscal year exceeds the percentage increase in the City's cost of living during the previous fiscal year.

The Board of Supervisors may, by ordinance, proportionally reduce the contribution to the Public Education Enrichment Fund and the disbursements to the First Five Commission if the State of California provides funding to the City for universal preschool, provided that such disbursements are not required to match state and/or other funding.

(g) Eighteen months prior to the expiration of this measure, the Controller shall conduct a complete analysis of the outcomes of the programs funded through the Public Education Enrichment Fund. The Controller's study shall also address changes in the levels of state and federal funding for local schools, per-pupil spending in the San Francisco Unified School District compared to urban school districts of similar size. The Controller shall present the results of this analysis to the Mayor and the Board of Supervisors no later than nine months prior to the expiration of the measure.

SEC. 16.123-9. STATE REDISTRIBUTION OF LOCAL EDUCATION REVENUES.

(a) The people of the City and County of San Francisco find and declare that major urban school districts, such as San Francisco, serve an ethnically and economically diverse student population that requires more resources than currently provided under state guidelines. In adopting this measure, the people of San Francisco choose to provide additional City resources to complement, and not supplant, state funding for the San Francisco Unified School District.

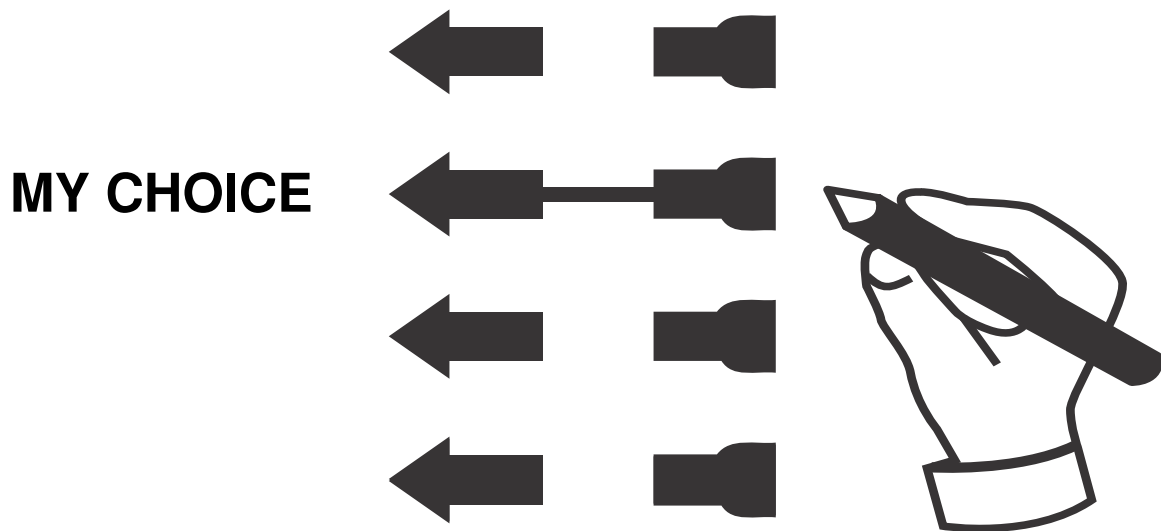
(b) Consistent with subsection (a), the people of the City and County of San Francisco specifically find that their contributions to and disbursements from the baseline appropriations and the Public Education Enrichment Fund are discretionary expenditures by the City for the direct benefit of the children of San Francisco, their families, and the community at large. In the event that the State attempts, directly or indirectly, to redistribute these expenditures to other jurisdictions or to offset or reduce State funding to the School District because of these expenditures, the City shall transfer said monies that would otherwise be distributed to the School District each year to the City's Children's Fund established in Charter Section 16.108, for the provision of substantially equivalent services and programs.

SEC. 16.123-10. SUNSET.

The provisions of this measure shall expire in eleven years, at the end of Fiscal Year 2014-15, unless extended by the voters.

Voting for your choice is easy
with the
Optical-scan BALLOTS!

*Just **complete the arrow** that points to
your choice, using the pen supplied at
your polling place.*



Notice: Voters should carefully note the number of candidates to select for each office. If you vote for more than the allowed number of candidates, your votes for that office will be void and will not count.

Replacement of Diesel Buses

I

PROPOSITION I

Shall Muni be required to replace diesel buses purchased before 1991, and shall any new Muni vehicles be required to meet the anti-pollution standards that apply to other City vehicles?

YES
NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: The San Francisco Municipal Railway ("Muni") operates the City's public transportation systems, including buses.

In general, when City departments buy motor vehicles, the new vehicles must meet certain anti-pollution standards. Muni is exempt from this requirement.

The San Francisco Transportation Authority is separate from the City, but its governing board is made up of the members of the San Francisco Board of Supervisors.

THE PROPOSAL: Proposition I is an ordinance that would require Muni to replace all diesel buses purchased before 1991. Muni would have to replace the oldest of these buses starting in 2004 and the rest by the end of 2006. Any new Muni vehicles would be required to meet the anti-pollution standards that apply to other City departments.

Under limited circumstances, the San Francisco Transportation Authority could give Muni an extension of up to one year to replace these old diesel buses. To get an extension, Muni would have to show that it would reduce air pollution during the extension. The City's Department of the Environment would review and comment on Muni's plan to reduce pollution.

A "YES" VOTE MEANS: If you vote "yes," you want to require Muni to replace its diesel buses purchased before 1991, and you want Muni to replace these buses by the end of 2006.

A "NO" VOTE MEANS: If you vote "no," you do not want to require Muni to replace its diesel buses purchased before 1991.

Controller's Statement on "I"

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

Should the proposed ordinance be approved by the voters, in my opinion, there would be a increase in the cost of City government of approximately \$20 million to purchase new buses over the next four fiscal years. As a result of reductions in diesel emissions, the City could also experience savings in public health costs and other costs of air pollution.

MUNI buses are typically funded 80% by the Federal government and 20% by local sales taxes. Funding from these sources is expected to be available to cover replacement of the buses in MUNI's active fleet as mandated by this ordinance.

MUNI, like most other transit agencies, also keeps older buses in a "reserve" fleet to be used when newer buses are unavailable or insufficient to meet service demands. The cost of replacing these buses as required by this ordinance is not eligible for Federal grant funds. The 45 buses in the reserve fleet, if replaced, would cost approximately \$20 million over the amount that MUNI currently plans to spend on upgrading these vehicles.

If local sales tax funds for bus purchases are increased over what is currently expected, or if vehicles with a lower unit cost can be purchased, or if MUNI service levels are decreased requiring fewer buses in the reserve fleet, the cost of the ordinance might be reduced.

How "I" Got on the Ballot

On December 3, 2003 the Department of Elections received a proposed ordinance signed by Supervisors Ammiano, Daly, Gonzalez, and Sandoval.

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.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.

I Replacement of Diesel Buses

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION I

YES ON I! Take Dirty Diesel Buses off San Francisco Streets!

On April 1st, the *San Francisco Chronicle* reported that one third of San Francisco Municipal Railway (MUNI) diesel buses had aged beyond the 12-year federal standard for the "useful life" of a transit bus and should be retired. We learned that dozens of MUNI's emergency-only "Reserve" buses, including diesel buses first bought in 1984, are regularly in service on our streets.

These old diesel buses are the least reliable, most polluting, and costliest to maintain – they should have been retired years ago. More than 30 California communities have already replaced their old diesels. Unfortunately, MUNI has failed to get these old, dirty diesels off of San Francisco's streets and out of our neighborhoods.

PROPOSITION I, "The Healthy Air Enforcement Act of 2004," requires MUNI to retire its pre-1991 diesel buses by 2007. Prop. I sets out a clear and reasonable retirement schedule for MUNI's oldest diesels – over the next three years more than 100 old, dirty diesels will be replaced with clean, reliable vehicles.

PROPOSITION I is flexible, allowing MUNI to obtain a one-time, 12 month extension if unforeseen circumstances occur. PROPOSITION I is funded, with MUNI able to draw on the recently renewed city transit funds and federal transportation

funds for a significant share of the cost to replace the old diesels with new, clean buses.

We're proud to join a coalition of public health leaders, community organizations, and environmental groups to urge you to vote YES on PROPOSITION I.

Jane Morrison, Past President, San Francisco Tomorrow*

Bill Barnes, San Francisco Democratic Central Committee Member*

Jon Golinger, Campaign Director, Yes on I—Coalition for a Clean and Reliable MUNI

*For identification purposes only

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION I

TRANSIT RIDERS, REPUBLICANS ALIKE OPPOSE PROPOSITION I

Clean air is important to San Francisco. Cleaner buses are important. But Proposition I would be an expensive disaster for Muni riders and automobile drivers alike --- and won't clean the air! This is why Republicans and environmentalists agree: **NO on I.**

Proposition I requires Muni to replace buses on an unrealistic timetable, forcing it to remove 165 buses --- 30% of the fleet! --- and to find \$30 million for new buses within just two years. Worse, it wastefully forces Muni to replace backup buses that spend most of their time in the yard.

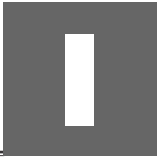
Proposition I could force Muni to raise fares again, since the state and federal governments won't pay for unneeded new buses. Many of Muni's busiest lines --- such as the 38 Geary, 47 Van Ness, 19 Polk, and many others --- could see huge cutbacks. Less reliable Muni means more San Franciscans using their cars --- creating more traffic, more pollution, and dirtier air.

Muni riders fed up with bad service founded Rescue Muni in 1996, and Muni riders have often disagreed with Muni. But in this case, Muni is right on target with its excellent clean air program. In the past five years, Muni reduced bus emissions by 88% and already has a realistic and responsible four-year plan to reduce them further.

For better transit, less traffic, and clean air, we urge you to *vote NO on Proposition I*; it's extreme and irresponsible.

San Francisco Republican Party

Replacement of Diesel Buses



OPPONENT'S ARGUMENT AGAINST PROPOSITION I

VOTE NO ON PROPOSITION I

In this time of budget shortages, our city can not afford to experiment with scientifically unproven technologies. At the time this argument went to press, the Controller had not even issued a statement detailing how much these new buses will cost!

Proposition I is an unnecessary intrusion into the fiscal and operational management of the MUNI because this equipment is already scheduled to be phased out. It is questionable that the proposed new buses would be suitable for the hills of San Francisco.

To expend millions for buses with untested technologies on our hilly streets is a financially risky experiment.

San Francisco Republican Party

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION I

VOTE YES ON I – DON'T LET THE REPUBLICAN PARTY DEFEAT CLEAN AIR!

Are you surprised that the Republican Party led by George W. Bush and funded by corporate polluters is opposing the strongest public health and environmental measure on the ballot – Proposition I?

Bush Republicans have rolled back the Clean Water Act, weakened the Endangered Species Act and held secret meetings with polluters to re-write our nation's energy policy. We can't let powerful special interests block stronger clean air protections for San Francisco. When you learn the facts, you'll see through the highly misleading Republican arguments.

The Republican Party calls Proposition I "unproven."

FACT: Los Angeles, Sacramento, and 30 other California communities—governed by both Democrats and Republicans—have already proven that Prop I works by replacing their old diesel buses with clean vehicles that run on alternative fuels.

The Republican Party calls Proposition I "unnecessary."

FACT: MUNI has failed for years to get the old, dirty diesel buses off of our streets. Children and seniors can't wait for clean air; that's why voters must act now.

The Republican Party calls Proposition I "unaffordable."

FACT: The federal government pays for 80% of the new bus costs; the rest comes from the city's existing dedicated transit fund.

Reject the Republicans' phony arguments and vote YES ON I to get the dirty diesel buses off San Francisco streets and out of our neighborhoods.

Supervisor Chris Daly, Chair, San Francisco County

Transportation Authority

Supervisor Sophie Maxwell, Sponsor, San Francisco Asthma

Task Force

Replacement of Diesel Buses

PAID ARGUMENTS IN FAVOR OF PROPOSITION I

Of all the public transit systems throughout California, MUNI has one of the largest fleets of old, pre-1990 dirty diesel buses. In fact, MUNI's oldest diesel buses spew over 1,000% more polluting soot than new buses available today.

Scientific research shows that the health risks of continuing to run these dirty diesel buses are enormous. One recent scientific study found that diesel exhaust is responsible for 90% of the cancer risk from breathing outdoor air in San Francisco. MUNI riders should know that levels of diesel pollution measured *inside* buses are significantly higher.

Fortunately, **Proposition I is a practical solution that will retire the dirtiest buses and bring new, cleaner buses on line.** As public interest organizations working toward practical solutions to our environmental problems, we urge you to **Vote Yes on I.**

Union of Concerned Scientists (UCS)

Natural Resources Defense Council (NRDC)

The true sources of funds used for the printing fee of this argument are the Union of Concerned Scientists and the Natural Resources Defense Council.

As experienced environmental health advocates, we urge you to support this important MUNI improvement measure.

Old diesel buses are polluting the air we breathe every day. Whether on a bus, at a bus stop, or in a neighborhood, we are all forced to breathe the dirty exhausts of disgusting 15-20 year old buses.

We have seen time and again, that MUNI only acts when forced to. Prop I will require MUNI to replace its dirtiest vehicles with cleaner, state-of-the-art buses. This is good for passengers and for every resident of our city. Please vote YES.

Dan Kalb

Member, Democratic County Committee – 12th A.D.

Bruce Lee Livingston

Candidate, Democratic County Committee – 13th A.D.

The true sources of funds used for the printing fee of this argument are Dan Kalb and Bruce Lee Livingston.

Bayview Hunters Point says YES on I!

The residents of Bayview Hunters Point are especially outraged that MUNI has failed to get smog belching, cancer causing, dirty diesel buses off our streets. San Francisco communities of color suffer the worst toxic air and asthma rates in the city – and these old MUNI diesels make it even worse.

Vote Yes on Proposition I and make MUNI clean up its act.

Karen G. Pierce

Board President

Bayview Hunters Point Community Advocates

The true source of funds used for the printing fee of this argument is Jon Golinger.

Vote Yes. Make sure Muni runs clean, reliable buses on Lincoln Way, Quintara, 19th and 46th Avenues, in the Ingleside, Crocker-Amazon, Excelsior, and other neighborhoods..

Jane Morrison

Julio Ramos

Susan Hall

Richard Hansen

Robert Pender

Greg Kamin

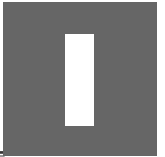
Amy Harrington

Steve Williams

Candidates for Democratic County Committee

The true sources of funds used for the printing fee of this argument are the signators.

Replacement of Diesel Buses



PAID ARGUMENTS IN FAVOR OF PROPOSITION I

AMERICAN LUNG ASSOCIATION and SF MEDICAL SOCIETY SAY YES ON I

In 1998 the California Air Resources Board declared diesel exhaust a toxic air contaminant (TAC), containing a toxic soup of 40 other TACs, many of which are carcinogens, and responsible for 70 percent of cancer risk from air pollutants in California.

Numerous medical and health studies document a direct connection between dirty diesel exhaust and asthma, lung cancer, bronchitis, and emphysema, with children and seniors particularly vulnerable. In San Francisco, diesel exhaust poses serious health risks to bus riders and drivers, and for all residents who live or work on a diesel bus route.

PROPOSITION I deals with this critical problem by directing MUNI - on a flexible time schedule with no interruption to service - to retire the worst diesel bus polluters first and replace them with cleaner, healthier alternatives, successfully used by many other California cities.

Let's get rid of the old, dirty MUNI buses and make our city's air cleaner and safer for all San Franciscans. Vote YES on PROPOSITION I.

Linda Weiner, American Lung Association of San Francisco & San Mateo Counties

San Francisco Medical Society

The true source of funds used for the printing fee of this argument is American Lung Association.

Vote Yes on I to Protect Kids from MUNI's Diesel Fumes

MUNI's polluting vehicles are putting our children's health at risk.

FACT: MUNI's oldest, most polluting buses regularly emit carcinogens and other toxic fumes near schools and in family neighborhoods.

FACT: Studies have shown that diesel fumes such as those from MUNI's dirtiest buses cause and intensify asthma, the leading cause of childhood hospitalizations and school absences in San Francisco.

FACT: In Bayview Hunters Point, home to MUNI's largest diesel bus yard, 36 percent of respondents in a recent survey reported having children with asthma or asthma-like symptoms.

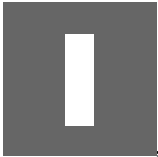
In 1997 MUNI made a commitment to the people of San Francisco to clean up its fleet by replacing its oldest diesel buses with vehicles using alternative fuels. Seven years later, MUNI has yet to purchase a single alternative fuel vehicle.

Proposition I holds MUNI to its commitment by establishing realistic deadlines for removing its most toxic buses from the streets of San Francisco.

Vote yes on Proposition I and protect our children from the harmful health effects of MUNI's oldest diesel buses.

Our Children's Earth

The true source of funds used for the printing fee of this argument is Scott McDonald.



Replacement of Diesel Buses

PAID ARGUMENTS AGAINST PROPOSITION I

RESCUE MUNI OPPOSES PROPOSITION I

Rescue Muni's transit riding environmentalists don't often agree with Muni's plans, but where clean air is concerned, Muni is on the right track ... but only if it isn't undercut by the well-meaning but confused Proposition I.

The best route to clean air is a **reliable, well-funded** Muni. Proposition I will take tens of millions of dollars away almost immediately to pay for buses which won't work and aren't needed.

Ready for another fare increase? If Proposition I passes, fares could go up substantially, because state and federal money is **not available** to replace many of the buses that Proposition I requires Muni to junk. This makes no sense.

Proposition I is bad for Muni riders. Vote No.

Rescue Muni www.rescuemuni.org

The true sources of funds used for the printing fee of this argument are Rescue Muni and Andrew Sullivan.

Proposition I forces perfectly good, working buses off the street and into the scrapheap if new buses aren't ready in time to meet its ridiculous and inflexible timetable. This could result in a **30% bus service cut for Muni**—which means more traffic, *dirtier* air, and stranded passengers.

The proponents are wrong. Proposition I is not "flexible" and the new buses are **not funded**. This would be a disaster for Muni riders.

For clean air *and* reliable Muni service, vote **NO** on Proposition I.

Daniel Murphy
Chair, Municipal Transportation Agency
Citizens Advisory Council*

Joan Downey
Member, MTA CAC*

*For identification purposes only

The true sources of funds used for the printing fee of this argument are Daniel Murphy and Joan Downey.

Less reliable buses and fewer of them don't make for cleaner air.

Muni operators say **NO ON I**.

Charles Haletky

The true sources of funds used for the printing fee of this argument are Charles Haletky and Andrew Sullivan.

The *sole* beneficiary of Proposition I will be **PG&E**, which builds CNG filling stations and sells CNG for "alternative" buses, and which expects natural gas prices to go through the roof soon.

Elizabeth Willey

The true source of funds used for the printing fee of this argument is Elizabeth Willey.

LEGAL TEXT OF PROPOSITION I

[Healthy Air Enforcement Act of 2004.]

Ordinance adding a new Section 410 of the Environment Code to require that the Municipal Railway replace all pre-1991 diesel buses on or before January 1, 2007, setting annual deadlines for the retirement of outmoded buses, and allowing the San Francisco County Transportation Authority to extend these annual deadlines under certain circumstances.

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

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

SECTION 1. Title

This measure shall be known and may be cited as the "Healthy Air Enforcement Act of 2004."

SECTION 2. Findings and Declarations

The people of the City and County of San Francisco find and declare all of the following:

The San Francisco Municipal Railway (hereinafter referred to as "Muni")'s operation of very old (pre-1995), highly polluting diesel buses poses a serious health risk to San Franciscans.

In 1998, the California Air Resources Board (CARB) identified diesel particulate matter (diesel PM) as a toxic air contaminant based on its potential to cause cancer and other adverse health effects. In addition to PM, CARB has determined that emissions from diesel-fueled engines include over 40 other cancer causing substances. According to the CARB, emissions from diesel engines are responsible for the majority of the potential airborne cancer risk in California.

The people of the City and County of San Francisco are committed to reducing air pollution emissions.

Numerous clean bus technologies have been certified by the California Air Resources Board (CARB) and are available for purchase by MUNI. These technologies can significantly reduce air pollution in the City.

Muni is California's third largest public transit district, serves California's second largest metropolitan area, and is therefore ideally positioned to be a leader among transit operators in the implementation of a cleaner bus technology. At least 30 of California's transit districts have already eliminated conventional diesel buses because of the health risks they pose.

It is time for Muni to phase out highly

polluting diesel buses and to acquire CARB-certified buses to replace them.

SECTION 3. Purpose and Intent

The people of the City and County of San Francisco declare their purpose and intent in enacting the "Healthy Air Enforcement Act of 2004" to be as follows:

To recognize that Muni's operation of very old, highly polluting diesel buses poses a serious health risk to San Franciscans.

To take action to fulfill the commitment of the people of the City and County of San Francisco to reduce air pollution emissions.

To recognize that the highly polluting buses used by Muni emit harmful particles and smog forming emissions and that the use of CARB-certified buses will significantly reduce air pollution in the City.

To make Muni a leader among transit operators in the implementation of cleaner bus technology by eliminating polluting diesel buses because of the health risk they pose.

To require that Muni phase out the highly polluting diesel buses and acquire CARB-approved buses to replace them.

SECTION 4. Chapter 4 of the San Francisco Environment Code is hereby amended by adding new Section 410 to read as follows:

SEC. 410. SAN FRANCISCO MUNICIPAL RAILWAY BUSES

Acquisition of Clean Muni Buses. Muni shall replace all pre-1991 diesel buses on or before January 1, 2007.

Phase Out of Highly Polluting Muni Diesel Buses. Muni shall remove from active or reserve service and shall no longer operate any diesel bus that exceeds its 12 year useful life based on the following schedule:

(1) All diesel buses that were purchased on or before December 31, 1988 shall be removed from active or reserve service on or before December 31, 2004;

(2) All diesel buses that were purchased on or before December 31, 1989 shall be removed from active or reserve service on or before December 31, 2005;

(3) All diesel buses that were purchased on or before December 31, 1990 shall be removed from active or reserve service on or before December 31, 2006.

Extensions. If replacement buses are not commercially available or unforeseen circumstances prevent Muni from procuring new buses on a timely basis, Muni may seek a one-time extension of up to twelve months from the San Francisco Transportation Authority (TA) for any of the aforementioned deadlines. Approval for such extensions shall require eight or more votes by the Transportation Authority Board of Commissioners. Extension

requests shall be submitted in writing at least sixty days prior to the deadline and shall include a detailed accounting of why Muni is unable to meet its obligations under this measure. Extension requests shall also include a list of specific actions that Muni will undertake to offset the emission reductions that would have resulted if no extension were granted. Proposed emission reductions should benefit Muni passengers or residents living near diesel bus routes or diesel bus yards. All extension requests shall be evaluated by the Department of the Environment to determine the validity of proposed emission reductions. The Department of the Environment shall report its findings to the Board of Commissioners at least one week prior to the extension request hearing date.

Notwithstanding Section 406(e)(2), the provisions of Section 406 shall apply to the acquisition of buses by Muni for its fleet.

SECTION 5. Severability

If any provision of this measure or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the act that can be given effect in the absence of the invalid provision or application. To this end, the provisions of this act are severable.



Telephoning the Department of Elections

The Department of Elections has special telephone lines for specific purposes:

- **To register to vote**, call 554-4375;
- **To request an Absentee Ballot application**, call 554-4375;
- **For information about becoming a Poll Worker**, call 554-4395;
- **For election results on Election Night**, call 554-4375;
- **For election information, including Election Night results, visit the Department of Elections web site at:** <http://www.sfgov.org/election>
- **For all other information**, call 554-4375

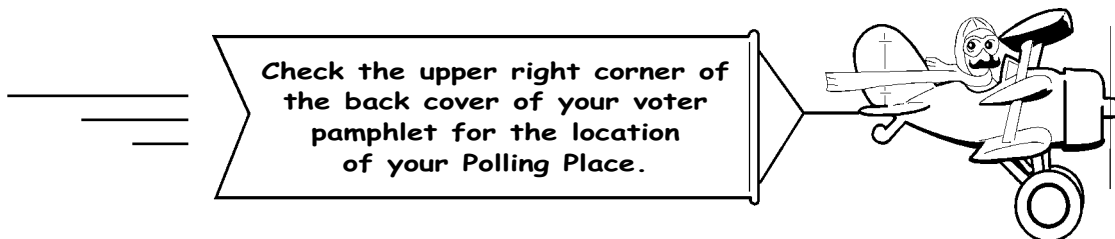
For your convenience and because of the huge number of calls during the weeks leading up to the election, the Department of Elections uses automated information lines in addition to regular operators. If all operators are busy, callers may hear recorded messages which will direct them to leave their name, address and telephone number. Callers with touch tone phones may be asked to press numbers to direct their calls to the right desk. Callers with rotary phones may wait on the line for an operator or to leave a message.



Avoid Long Lines — Vote by Mail

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

Applications must be received by the Department of Elections no later than 5:00 p.m. on Tuesday, February 24, 2004



Your Polling Place May Have Changed

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

Incentives to Build Below-Market-Rate Housing



PROPOSITION J

Shall housing developments located downtown or along the central waterfront be subject to less-restrictive density and height rules than other housing developments if the developer builds and sells additional below-market rate housing?

YES
NO



Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: Developers who build 10 or more units of housing must agree to sell or rent 10% or 12% of the units to households with income below certain levels:

- Buyers must have household income below the median for the Bay Area;
- Renters must have household income below 60% of this median; and
- These units may be resold or re-rented only at rates that are affordable to qualifying households.

Developers may choose to build the required number of below-market units on site or at another location, or pay a fee to the City to build such units.

Housing developments within San Francisco must meet density, height and other land use requirements.

THE PROPOSAL: Proposition J is an ordinance that would provide new rules for certain housing developments with 10 or more units that are located downtown or along the central waterfront (see map on page 220). A development would be subject to less-restrictive density and height rules, and its building permit application could get rapid review, if the developer:

- builds the housing under environmental standards to be defined by the City;

- complies with the requirements described in The Way It Is Now;
- sells an additional 27% or 29% of the units at a price that is affordable to households with income at or below 110% of the Bay Area's median; and
- limits sale and resale of these additional units to households with income at or below 120% of the median.

Developers would have to build the additional 27% or 29% of units sold to households with income at or below 120% of the median on site.

In addition, Proposition J would require the City to:

- prepare environmental impact reports on these developments;
- appropriate \$2 million to pay for these reports; and
- charge a fee to developers who use the less-restrictive density and height rules.

The Board of Supervisors could amend this ordinance under certain circumstances without voter approval.

A "YES" VOTE MEANS: If you vote "yes," you want to make these changes to the City's housing development rules.

A "NO" VOTE MEANS: If you vote "no," you do not want to make these changes to the City's housing development rules.

Controller's Statement on "J"

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

Should the proposed ordinance be approved by the voters, in my opinion, there would be a one-time increase in the cost of government of \$2 million which the City would be required to budget in fiscal year 2003-2004 to conduct environmental impact reports specified in the ordinance. The City could reimburse these funds through fees eventually collected from developers proposing construction in the areas affected by the ordinance.

The ordinance provides for changes to the height and density limits, permit processing timelines and other elements of the City's Planning Code in order to allow for increased housing development in two designated areas of San Francisco. If the ordinance results in development that would not have occurred otherwise in the designated areas, property tax revenues to the City would

increase. The Planning Department and the Mayor's Office of Housing would also incur costs to administer the ordinance, however, as is the case for most City planning processes, these costs would be recovered through fees charged to development projects.

How "J" Got on the Ballot

On November 21, 2003 the Department of Elections certified that the initiative petition, calling for Proposition J to be placed on the ballot, had qualified for the ballot.

9,735 signatures were required to place an initiative ordinance on the ballot.

This number is equal to 5 % of the total number of people who voted for Mayor in 1999. A random check of the signatures submitted on November 3, 2003 by the proponent of the initiative petition showed that more than the required number of signatures was valid.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON THE "WORDS YOU NEED TO KNOW" PAGE.



Incentives to Build Below-Market-Rate Housing

PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION J

San Francisco faces a housing crisis that threatens to displace our middle class. Our firefighters, nurses, teachers and working families are being squeezed out of our City – they're not poor enough to qualify for subsidized housing, and they're not wealthy enough to afford housing in our very, very expensive city. Our public schools suffer, our tax base suffers, and we lose the diversity that we all treasure.

Under the leadership of the Chamber of Commerce, a coalition of housing advocates, policy experts, elected officials and labor leaders crafted the Workforce Housing Initiative. Using zero tax dollars, the Initiative will create **10,000 new housing units** in the central waterfront and the core downtown district – units affordable to working families.

Under the Initiative, developers will pay fees earmarked for thoughtful area-wide environmental reviews. All Initiative units will be built to **higher environmental standards** than currently required. And again – not a dime of public money will be used to create these units.

By building housing downtown and on our waterfront, we bring people, vibrancy and life to these underused areas. At the same time, we relieve the pressure to build more densely in our existing neighborhoods.

Please help make sure that San Francisco does not become a city where only the very rich and the very poor can live. Join with labor, affordable housing developers, for-profit housing developers, and leading housing policy experts to help make sure that San Francisco families – our teachers, firefighters, nurses, police – our neighbors, friends, and co-workers – can plant roots in the City they love.

Gavin Newsom
Mayor-elect

Roberta Achtenberg
Former HUD Assistant Secretary
and Senior Vice President/Chamber of Commerce

Reverend Cecil Williams
Pastor, Glide Memorial United Methodist Church

Francis D. Kelly
Secretary, San Francisco Firefighters Local 798

Charmaine Curtis
affordable housing builder

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION J

NO ON J -- BAD FOR HOMEOWNERS, RENTERS & NEIGHBORHOODS

BAD FOR HOMEOWNERS

Homeowners want Planning to be free of political favoritism. We want to be treated fairly. Proposition J pushes developers' megaprojects ahead of small projects, causing homeowners unreasonable delays. Prop J floods the market with thousands of new condos, reducing property values. That's why Supervisor Jake McGoldrick and the Residential Builders Association **OPPOSE PROPOSITION J**.

BAD FOR RENTERS

Most working people in San Francisco rent -- in one of the nation's most expensive markets. Proposition J won't construct one new rental unit. Rental projects for working people will be delayed because downtown condominium projects are given priority. Proposition J does nothing to preserve existing rent-controlled housing. Teachers, nurses, + firefighters don't make \$100,000 and can't afford this housing. That's why Supervisor Tom Ammiano and the San Francisco Tenants Union **OPPOSE PROPOSITION J**.

BAD FOR NEIGHBORHOODS

Proposition J is the worst of ballot box planning. Outside developers rezoned two neighborhoods -- including **RAISING HEIGHT LIMITS 35'** -- by initiative without involving people from those neighborhoods. Proposition J sets a dangerous precedent. Ballot box zoning could force unwanted changes on western neighborhoods or create displacement in eastern neighborhoods. Neighbors across San Francisco **OPPOSE PROPOSITION J**.

That's why Supervisor Sophie Maxwell and the Coalition of San Francisco Neighborhoods unanimously **OPPOSE PROPOSITION J**.

Please join us in voting **NO ON J**.

Supervisor Tom Ammiano
Supervisor Chris Daly
Supervisor Sophie Maxwell
Supervisor Jake McGoldrick
Supervisor Aaron Peskin

Incentives to Build Below-Market-Rate Housing

J

OPPONENT'S ARGUMENT AGAINST PROPOSITION J

WHAT'S WRONG WITH PROPOSITION J?

IT'S A GIVEAWAY TO DEVELOPERS, MASKED AS HELP FOR SAN FRANCISCO'S HOUSING CRISIS. IT RADICALLY WEAKENS ZONING LAWS. AND THE WORKFORCE IT HOUSES IS ALL UPPER-INCOME.

Subsidizes high-end development. Prop J creates a new planning category, "workforce housing", and rewards developers for building it. It exempts "workforce" projects from height limits, density controls, and fees for increased demand on city services. In effect, the City would subsidize condo developments—*not rental apartments*—where mortgage payments are \$2,562 for a one- bedroom, \$3,293 for two bedrooms, \$3,660 for three.

Helps those who need help least: developers, and "workers" earning 120% of *regional* median income--\$110,000 for a family of four. 80% of San Franciscans earn less than median: office and retail workers, teachers, nurses, firefighters, police—and low - paid service workers, the backbone of our tourism-based economy. Subsidies should serve our true housing needs: affordable rental units and down payment assistance for those earning \$55,000 and under.

Makes public review meaningless. The Planning Commission is appointed to review projects and require changes in the public interest. In the name of efficiency, Prop J binds Commissioners to pass "workforce" projects "as is" except for cosmetic changes.

Substitutes marketing for public debate. Developers and the Chamber of Commerce paid high-priced lawyers, publicists and political consultants to write Prop J, package it, and get it on the ballot —no public hearings, no involvement of affected neighborhoods. Backers count on a lavishly funded ad campaign to drown out objections.

Your neighborhood could be next. Prop J effectively rezones parts of Potrero Hill, Downtown and Chinatown, and circumvents years of community planning. Who's next?

Sue Hestor, Attorney

*Nick Pagoulatos, St. Peter's Housing Committee**

*For identification purposes only

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION J

Time for real change.

The architects of the current failed housing policies are now organizing to fight change.

The principal opponent of Proposition J is a paid lobbyist contracted to work for exactly those few residential builders and housing developers who continue to benefit from the failed policies of the past. The rest of us suffer from a housing system that does not create enough affordable housing and creates nearly no workforce housing.

The opponents are trying to scare you with rhetoric. Zoning in Chinatown and Potrero Hill is not touched under this plan. Public review of all projects remains in place. Height and density limits are not "exempted." And the mortgage rates they quote are under the worst possible economic scenarios.

The Workforce Housing Initiative creates new homes for working San Franciscans. It requires higher environmental standards.

And it will allow thousands of median-income San Franciscans to realize the American dream of owning their own home in the city they love. And all of this costs zero tax dollars.

The opponents want to keep San Francisco a place where only the very rich can own their home. And they want to defend a system that benefits them — not us.

Vote YES on Proposition J.

Roberta Achtenberg

Former HUD Assistant Secretary and Senior Vice President/Chamber of Commerce

Reverend Cecil Williams

Pastor, Glide Memorial United Methodist Church

Francis D. Kelly

Secretary, San Francisco Firefighters Local 798



Incentives to Build Below-Market-Rate Housing

PAID ARGUMENTS IN FAVOR OF PROPOSITION J

Prop J Will Provide Affordable Ownership Housing

San Francisco has a severe shortage of housing, affecting people at all income levels. The Association of Bay Area Governments estimates that 20,372 new housing units will need to be built in San Francisco by 2006, and that at least 5,639 of these units should be available to moderate-income households.

One way to meet the demand for housing is to encourage the construction of housing with increased densities in areas of the city best able to accommodate such housing because of easy access to neighborhood services, public transit and shopping. Two areas of the city are particularly well suited to the construction of this type of housing—the downtown and the Central Waterfront.

Under Proposition J, the city would grant developers who propose projects with 10 or more units for either of these two areas exceptions to the density and height restrictions and an expedited permit review if the developer agrees to (1) construct the project in accordance with environmental best practices, and (2) market and sell 27 or 29 percent of the project's units at a rate that is affordable to households with a combined annual gross income that does not exceed 110 percent of the median income in San Francisco.

Proposition J holds the promise of providing desperately needed affordable ownership housing to thousands of people who work in San Francisco but are forced to live elsewhere because of the high cost of housing here. They should have a chance to live in the city they serve.

Vote YES on Proposition J.

San Francisco Association of REALTORS®

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

WORKFORCE HOUSING: helping public safety personnel stay close to home

Police officers are most effective when they know the people in the communities where they work. In most cities in the U.S., it is possible for the majority of a police department's officers to live in the city they serve. In San Francisco, however, that is simply not the case. Most of San Francisco's police officers live in other Bay Area communities and commute to work because they cannot afford the exorbitant housing prices.

The Workforce Housing Initiative would allow police officers

and other public servants to work AND live in San Francisco, bringing them closer to the communities they serve.

Please vote Yes on Proposition J and help police officers live closer to the communities they protect.

Chris Cunnie

President, San Francisco Police Officers Association

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: fiscal prudence

We need new housing of all types, but our city's resources are scarce. The workforce housing measure harnesses private sector funds to build middle-class housing and new affordable housing units, for ownership.

It provides more housing that is more affordable for a greater number of people than other so-called affordable housing plans – and it requires no public subsidy.

Please vote yes on J to meet our city's pressing housing needs without further straining our city's budget.

Dan Dunnigan

S.F. Fire Fighter

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

Workforce Housing will revitalize downtown

When night falls, downtown empties. The restaurants and shops are deserted. This area of San Francisco, which is incredibly vibrant during the day, is a deserted, dark wasteland at night.

The Workforce Housing Initiative will turn this well-served but underused part of town into a 24-hour neighborhood, bringing thousands of new market-rate and affordable units on line. People who want to live near services, transportation and jobs can do so, and small businesses will be able to improve their businesses

Incentives to Build Below-Market-Rate Housing

J

PAID ARGUMENTS IN FAVOR OF PROPOSITION J

as their potential clientele expands.

The Workforce Housing Initiative will help bring about a renaissance for Downtown.

Vote Yes on J.

A. Lee Blich

President, San Francisco Chamber of Commerce

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: keeping families together

My parents rented in San Francisco for 23 years. They had two incomes, but couldn't afford a house here. In late 2003, they moved away from San Francisco to Texas, where they bought a house in three weeks.

The Workforce Housing Initiative will help people like my parents - dual income, median wage earners - stay in the city they love. I love San Francisco, too - but I hate the incredibly high housing costs that force people to choose between staying near their families and owning a home.

To help other families like mine, vote Yes on Proposition J.

Cathy Garza

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: protecting our diversity

The Workforce Housing Initiative helps maintain the very best part of San Francisco - our diversity. Current proposals create housing for the poor and housing for the very rich but neglect working San Franciscans. We need a city where San Franciscans of every income level can find a home.

This housing will be affordable to working San Franciscans such as teachers, nurses, firefighters, Municipal Railway opera-

tors and others who make up our diverse workforce. In addition, this measure will help bring more low-cost housing than many so-called affordable housing plans, because it requires developers to adhere to our strict inclusionary housing laws.

More housing, more affordable for more people, without using up precious public resources - vote Yes on J.

Jim Lazarus

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering

WORKFORCE HOUSING: helping people live near where they work

San Francisco is a city of great neighborhoods. Chinatown, the Sunset, the Richmond Chinatown, the Excelsior - each neighborhood has its own traditions, character, and sense of community. While these neighborhoods were built and settled generations ago, many San Francisco residents still want to experience that sense of community - a place where they can shop, worship, work, and raise their children.

This reality has become increasingly difficult as many people working in San Francisco have moved to other Bay Area cities in search of more reasonable housing prices.

The Workforce Housing Initiative will help restore the fleeting reality of community in San Francisco. By providing incentives for developers to create 10,000 new units of housing, many of which will be affordable to middle-income families, the Initiative will empower San Francisco families to create a strong community on the central waterfront.

Help build a new sense of community on the central waterfront. Please vote Yes on J.

Tom A. Hsieh

Member, SF Democratic County Central Committee

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.



Incentives to Build Below-Market-Rate Housing

PAID ARGUMENTS IN FAVOR OF PROPOSITION J

WORKFORCE HOUSING: good public policy

This measure is the result of thousands of hours of consultation, study and review by San Franciscans, community members, and other experts with a stake in building below-market rate housing and protecting our quality of life. It is modeled after plans that already work in other cities.

The Workforce Housing Initiative protects our diversity – and our environment. It requires green building standards, promotes use of mass transit and requires developers to fund Environmental Impact Reviews. It clarifies and upholds the project review process that currently exists.

We urgently need to build more housing - be it low-income or below market rate. Proposition J is the best way to meet critical housing needs while protecting the city and our quality of life.

Please vote Yes on J.

Leslie R. Katz

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: helping people live in San Francisco

When people live far away from their jobs, our society gets strained in many different ways. More hours spent on the roads or in public transportation means fewer hours with families and loved ones. More congestion on the roads means damage to our environment due to emissions. Unfortunately, due to the high cost of housing in San Francisco, many people are moving to the East Bay and the suburbs, and we are in danger of losing our middle class.

The Workforce Housing Initiative will help stem this tide by building housing affordable to working-class people. Please help keep San Franciscans in San Francisco.

Vote Yes on J.

Meagan Levitan

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: creating housing affordable to average wage earners

I have friends who love San Francisco. They work here, they worship here, they spend their days in San Francisco. But they go home to sleep in the East Bay or beyond. Why? That's where they could afford to realize the American dream and buy a home. They couldn't afford a home in San Francisco.

And that's a shame.

We are losing an entire generation of middle-income families - city employees, union workers, safety personnel - people essential to our vibrancy as a city - who are being forced to move away from San Francisco to buy a home for themselves and their families. Not rich enough to play the market, not poor enough to qualify for government subsidies - but does that make them wrong for San Francisco?

It shouldn't.

Let's build 10,000 new units in San Francisco, making thousands affordable to middle-income families. Let's keep our city a city for all.

Please vote Yes on Proposition J.

Richard Ow

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: easing our transportation crunch

The Bay Bridge is one of the most traveled bridges in the United States. Each weekday our transportation system is clogged with commuters driving into San Francisco in the morning, and going home in the evening. Each weekend day people flood into the city to shop, dine and be entertained.

The state of our regional transportation is approaching crisis level. As we work to address the Bay Area's housing needs, it

Incentives to Build Below-Market-Rate Housing



PAID ARGUMENTS IN FAVOR OF PROPOSITION J

makes sense to build a significant amount of new housing that will not add stress to our transportation system. The Workforce Housing Initiative will do just this, creating 10,000 units of new housing on the central waterfront. These new units will also have close access to public transportation and services, reducing dependence on driving.

Let's build housing and not add to the region's congestion woes. Please vote Yes on J.

Daniel Homsey

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: joining neighborhoods

Bay View/Hunter's Point, a community full of culture and diversity, has struggled in developing economic opportunities due to its isolation from the rest of the city.

The central waterfront, situated between San Francisco's downtown and BVHP, mainly stands void of life and activity. Developing this area with new housing and local businesses will help build a much needed bridge between BVHP and downtown, increasing opportunities and reducing the community's current isolation.

The Workforce Housing Initiative, which will create 10,000 units of new housing on the central waterfront, will bring this currently dormant neighborhood to life. And, it will fill the void between BVHP and downtown, bringing new opportunity to both sides.

Please vote Yes on J and help bring them together.

Johnny K. Wang

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: attacking the housing crisis

The Association of Bay Area Governments estimates that San Francisco will need to add 20,000 new units of housing within the next 7 years to meet the needs of its population. Where will these units come from? Given San Francisco's current rate of creating new housing (approximately 1,000 new units per year), we are not going to even come close to the demand unless we develop and implement new strategies.

The Workforce Housing Initiative will create 10,000 new units of housing in San Francisco within the next ten years, and at no cost to tax payers.

San Francisco is in desperate need of new housing, and just as desperate for new solutions. Please vote Yes on J.

Esther Lee

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: building homes for working people

San Francisco's residents have consistently voted in support of developing housing for low-income people living in the city. Considering the price of living in San Francisco, these efforts have certainly been needed. But what about those who aren't low-income, and can't afford to purchase a home in San Francisco? At this point, their only option is to pick up and move across the bay if they want to purchase a home. San Francisco residents who are neither rich nor poor have been overlooked, and unless we create more affordable housing opportunities, we will continue to lose our middle class.

The Workforce Housing Initiative addresses the housing needs of the historically overlooked middle class. With 10,000 new units that will be built primarily for this demographic, it will help prevent San Francisco from becoming a city of the rich and poor.

Please vote Yes on J.

Pat Lakey

Union Representative

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



Incentives to Build Below-Market-Rate Housing

PAID ARGUMENTS IN FAVOR OF PROPOSITION J

Francisco Chamber of Commerce 21st Century Committee.

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: bolstering our economy

The Workforce Housing Initiative is good for our city. In the short-term, it will bring thousands of jobs and immediate economic stimulus to our local economy. Most of these jobs will be family-sustaining union jobs.

It will have the long-term benefit of creating a diverse workforce and a vital new neighborhood downtown. The Workforce Housing Initiative will create new homes for working San Franciscans by promoting new housing downtown and on the Central Waterfront.

Vote Yes on J to keep our city vibrant.

Andrew Clark

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: giving San Franciscans the opportunity to buy their own homes

The Workforce Housing Initiative will provide working class San Francisco families with a security that many have never known - the security of homeownership.

With the creation of 10,000 new housing units, we will be building a new neighborhood for San Francisco families to raise our children. The Workforce Housing Initiative is an important first step in making home ownership a reality for working class San Franciscans.

Please vote Yes on J.

Ron Dudum

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: aiding small businesses

More than anything, local businesses need customers. You can offer valuable services and goods, but without people living nearby to shop at your business, you will have a difficult time surviving.

The central waterfront has a growing community of small businesses and retailers, but these merchants are in need of more people living nearby to shop at their stores. The Workforce Housing Initiative, which will build 10,000 units of new housing on the central waterfront, will provide new customers to drive a thriving local business community.

San Francisco's small businesses have made it a unique and diverse city. Please vote Yes on J and help continue the tradition on the central waterfront.

Tim Colen

Neighborhood Advocate

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

WORKFORCE HOUSING: helping our schools

As a former 4th grade public school teacher and longtime education advocate, I understand the importance of keeping experienced teachers in our public schools. The high cost of housing and low homeownership rate hurts our schools. By helping educators afford their first homes, the Workforce Housing Initiative will help maintain stability in our schools and help keep more families in San Francisco.

Jaime Rossi

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

The three largest contributors to the true source recipient committee are: 1. San Francisco Chamber of Commerce, 2. Providian Financial, 3. Jacobs Civil Engineering.

Incentives to Build Below-Market-Rate Housing

J

PAID ARGUMENTS AGAINST PROPOSITION J

Dogpatch Neighborhood Association says NO to J.
Downtown interests are making an end run around our neighborhood and ignoring years of grass roots and City-sponsored community planning. They didn't work with neighbors in drafting the plan, and their claim of community support is deceitful.

Prop J is a giveaway to developers that threatens the character of our City.

Susan Eslick
President
Dogpatch Neighborhood Association

The True source of funds used for the printing fee of this argument is the Dogpatch Neighborhood Association.

Proposition J is a fraud.

It was created in secret—with no hearings and ignoring neighborhood feedback—so developers could give themselves special density and height privileges, eliminate public review, and give nothing back to the community. Similar back-room deals brought monster homes and luxury condos to our neighborhoods, and drove out affordable housing.

It ruins community planning on the Central Waterfront, which has been going on for more than five years. The new Muni light rail can inspire a new and better neighborhood along Third Street. Proposition J throws that vision away in favor of 85-foot high-rises, betraying years of hard work. Is your neighborhood next?

\$600,000 condos are NOT "affordable homes". Is a monthly payment of \$2,562 for one-bedroom, \$3,293 for two-bedrooms or \$3,660 for three-bedrooms "affordable housing?" No! It is a lie to say it is!

Many working people desperately need affordable housing in the city. Proposition J insults them, and every neighborhood in San Francisco. Say "no" to this perversion of the planning process and demand real planning with real neighborhood input so real people can live in our City.

LET'S BUILD A REAL NEIGHBORHOOD AT THE CENTRAL WATERFRONT!

STOP THE GIVEAWAY.

VOTE NO ON J.

Potrero Boosters Neighborhood Association
Tony Kelly, President

The true source of funds for the printing fee of this argument is Potrero Boosters Neighborhood Association.

We need middle-income housing...but this isn't the right solution. Neighborhoods weren't consulted. The **Neighborhood Network** must say **no**.

The Neighborhood Network

The true sources of funds for the printing fee of this argument are Daniela Kirshenbaum, Gerry Crowley and Paul Wermer.

Stop developer driven planning. Support middle income housing: "NO" to Proposition J.

The Neighborhood Coalition to Save Potrero

The true source of funds used for the printing fee of this argument is The Neighborhood Coalition to Save Potrero.

Proposition J is a cynical attempt by downtown developers and real estate interests to bypass neighborhood concerns and maximize their profits. Complex planning issues should not be placed on the ballot without review by the public and the Planning Department.

Vote No on J!

San Francisco Tomorrow

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

PROP J IS BAD POLICY

Prop J will give developers a fast track at the expense of neighborhoods. Homeowners may wait years for a permit to remodel or add a deck because permits for workforce housing developers will be handled first.

Area-wide environmental reviews in the eastern neighborhoods set a bad precedent for all neighborhoods.

VOTE NO



Incentives to Build Below-Market-Rate Housing

PAID ARGUMENTS AGAINST PROPOSITION J

Sunset/Parkside Education and Action Committee (SPEAK)

The true source of funds used for the printing fee of this argument is Sunset/Parkside Education and Action Committee.

As faith and community based non-profit affordable housing developers responsible for producing over 10,000 affordable and transitional homes in San Francisco we learned the best way to produce affordable housing is with the collaboration of both the City and neighborhood residents.

Respect for neighborhoods and comprehensive planning builds partners for the residents of the new housing, producing genuine communities.

Written in a back room with no neighborhood or City participation Proposition J seeks to impose high density market rate housing on two neighborhoods. If it passes it will become the new standard, possibly coming to a neighborhood near you.

Vote No on J, its bad for the City and its bad for your neighborhood.

Council of Community Housing Organizations

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

Vote No. Without consulting neighborhoods, builds highrise housing for those with income above that of most San Franciscans.

Jane Morrison

Julio Ramos

Susan Hall

Richard Hansen

Greg Kamin

Amy Harrington

Steve Williams

Candidates for Democratic County Committee

The true sources of funds used for the printing fee of this argument are the signators.

Proposition J would create a bad precedent for every neighborhood in San Francisco. It permits rezoning without neighborhood input. It was developed behind closed doors with no opportunity

for public review. It jeopardizes the future of Chinatown and the newly adopted Dogpatch Historic District.

Please vote No on J.

Dennis Antenore

Former Planning Commissioner

The true source of funds used for the printing fee of this argument is Dennis Antenore.

As former Planning Commissioners we know that good and effective planning only occurs when affected neighborhoods and the Planning Department work together. Proposition J IGNORED both. It should be rejected.

FORMER PLANNING COMMISSIONERS:

Dennis Antenore

Sue Bierman

Doug Engmann

Wayne Hu

Cynthia Joe

Jerry Levine

Esther Marks

The true sources of funds for the printing fee of this argument are Doug Engmann and Dennis Antenore.

Prop J Helps Developers, Not Tenants

Prop J does nothing to help the vast majority of tenants who earn less than \$100,000 per year. We need real solutions, not phony measures designed to enrich downtown developers. Vote No on J.

San Francisco Tenants Union

Tenderloin Housing Clinic

Housing Rights Committee

St. Peter's Housing Committee

Eviction Defense Collaborative

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

PROPOSITION J IS BAD PLANNING. It is an attempt to subsidize developers, cheat low- to moderate-income families, bypass community planning, and will do nothing to increase affordable housing in San Francisco.

Incentives to Build Below-Market-Rate Housing

J

PAID ARGUMENTS AGAINST PROPOSITION J

It creates high-priced housing that's out of reach for most of us. 83% of San Francisco's workforce – teachers, nurses, fire-fighters, construction workers, office and retail workers, hotel and restaurant employees – can't afford the monthly payments of \$2,562 for a one-bedroom or \$3,293 for a two-bedroom.

It is a giveaway to developers. After all the hard work that residents in the Mission, Potrero Hill, Dogpatch, Chinatown, and SOMA have put into community planning, they're getting sucker-punched by backroom development schemes. Prop J gives developers height and density increases without local input or community benefits such as real affordable housing or open space.

VOTE NO!

Mission Anti-Displacement Coalition

The true source of funds used for the printing fee of this argument is the Mission Anti-Displacement Coalition.

The Chinatown community learned a painful lesson from the demolition of the International Hotel: communities must have a say over development. Proposition J takes away hard won protections away from communities. San Francisco, we need your help again! Say no to Proposition J.

Chinatown Coalition for Better Housing

The true source of funds used for the printing fee of this argument is the Community Tenants Association.

PROP J IS A GIVEAWAY

Prop J gives developers a fast track and bypasses much of the planning process everyone else goes thru.

VOTE NO ON J

Robert Haaland
President
Harvey Milk Democratic Club*

*For identification purposes only

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

Proposition is the worst example of ballot box planning that we can remember. Not only would it create a wall of high rise residential buildings along our Eastern waterfront, it asks the taxpayers to subsidize them with millions of dollars in development fees.

Prop J purports to provide housing for working people and their families, but fails to provide funding for schools, libraries, recreation, and other necessary residential neighborhood amenities, while robbing the General Fund of tax money needed to pay for police, fire and other city services.

Please VOTE NO on J.

Judith Berkowitz, Chair
Coalition for San Francisco Neighborhoods
Land Use & Housing Committee

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

Please join your neighbors in Cole Valley in **OPPOSING** Proposition J.

Prop J would deny the public the right to object to projects in areas designated for "Workforce Housing" beyond a 45-60 day window of review, and objections could be limited only to design and may not challenge height, density, or building envelope.

Project review is key to building and preserving viable residential neighborhoods. Prop J is poor public policy and would set a dangerous precedent for the rest of San Francisco's neighborhoods.

Please vote NO on J.

Karen Crommie
Cole Valley

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

Public subsidies for downtown developers?

The "Workforce Housing Initiative" will hurt working people instead of helping them by forcing them to subsidize development fees for wealthy downtown property owners.

The Chamber of Commerce wrote and funded Prop J as a slick end-run around the Planning Code. The two Special Use districts created by this initiative will throw out height and density limits



Incentives to Build Below-Market-Rate Housing

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for Downtown and the Central Waterfront, allowing a wall of high rise towers to be built along our waterfront.

Taxpayers will hand over \$2,000,000 to fund project environmental reviews in advance, before the specifics of individual projects have even been submitted. Conditional use approval will not be required, depriving City Planning and the taxpayers of millions of dollars of critical plan processing fees.

The most outrageous provision of Prop J is the guarantee that these privileged developers will have their project applications reviewed within 30 days. That means that everyone else, from neighbors who want to add a room, to a small business that wants to expand, to a non-profit that wants to house the homeless, will have to wait at the back of an already long line.

The Workforce Housing Initiative is terrible public policy. Please join the Coalition for San Francisco Neighborhoods and VOTE NO on Prop J.

Barbara R. Meskunas, President
Coalition for San Francisco Neighborhoods

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

No on J. Gives special benefits to highrise developers who without neighborhood review can build housing that most San Franciscans cannot afford. It's time to work together to provide housing for the average San Francisco worker.

Sue Bierman
Connie O'Connor
Jane Morrison
Bill Barnes
Debra Walker
Steve Williams
Dioscoro Roy Recio
Joe Julian
Eric Mar
Tracy Baxter
Robert Haaland
Members, Democratic County Central Committee

The true sources of funds used for the printing fee of this argument are the signators.

Vote against Proposition J and allow the Board of Supervisors and San Francisco residents to work on legislation that will exact the PUBLIC BENEFITS package we need to ensure that this measure won't benefit only developers.

VOTE NO ON J.

Matt Gonzalez, President of the Board of Supervisors

The true source of funds used for the printing fee of this argument is the No on J Committee.

The three largest contributors to the true source recipient committee are: 1. Sue Hestor 2. Reverend Norman Fong 3. Amie Fishman.

To tout as a bargain a 600square feet unit priced at \$450,000 for firemen, nurses and teachers, is an insult. The estimated minimum profit at these prices is \$225,000 per unit, a 100% return on cost. The bargain here does not go to workers, but to Chamber of Commerce slick developer members.

John J. Shanahan

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

No public hearings. No public input. No public vetting of this massive change to San Francisco's Zoning Laws. Altering the character of San Francisco's neighborhoods should not be done in a vacuum. Neighbors should play a vital role in how their neighborhood is going to change. Their voice should not be ignored.

Vote No on Proposition J. Allow affected neighborhood groups and the Planning Commission to hold public hearings on this measure before it is enacted. Again, please vote no on Proposition J.

Supervisor Tony Hall

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

The 23 plus pages Work Force Housing proposal is nothing but a promotional gimmick guaranteed to a select few developers.

Small wonder that this housing proposal was drafted in secret and that its contents were kept from public scrutiny until it qualified for the ballot.

Careful analysis shows that building incentives and exceptions

Incentives to Build Below-Market-Rate Housing



PAID ARGUMENTS AGAINST PROPOSITION J

granted the developers do not translate into true "below market" prices for working firemen, teachers and waiters

A 600square foot unit priced at \$450,000 with a monthly condo fee of \$300 is not a bargain – it is a rip off.

Shame on you.

Gail E. Neira, native born San Franciscan
Republican Candidate, State Assembly District 13

The true source of funds used for the printing fee of this argument is Gail E. Neira.

Yes, we need more housing for all San Francisco workers. BUT THIS IS NOT THE ANSWER. Moderate-income families making between 60% and 100% of median income won't be able to afford the proposed "workforce" housing. Good housing policy should come from a thoughtful PUBLIC planning process, with neighborhood and community input, not dictated by a special-interest initiative at the ballot box. The Planning Commission should not be a rubber-stamp for this definition of "workforce" development projects. If this attempt to trump good planning practices succeeds, it will set a dangerous precedent for neighborhood planning throughout the city. Instead, a broader group of stakeholders should sit down with the City and design a comprehensive homeownership program that benefits ALL working families.

Brad Paul, Former Deputy Mayor*
Lisa Feldstein, Planning Commissioner*
Sue Lee, Planning Commissioner*
Peter Cohen, Former president, Hayes Valley Neighborhood Assoc.*

*For identification purposes only

The true sources of funds used for the printing fee of this argument are the signators.

INCENTIVES TO
BUILD BELOW-
MARKET RATE
HOUSING

CORE
DOWNTOWN
DISTRICT

CENTRAL
WATERFRONT
DISTRICT



LEGAL TEXT OF PROPOSITION J

Be it ordained by the people of the City and County of San Francisco that Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows and that the following actions be taken in furtherance of those amendments and that this ordinance be referred to as the "Workforce Housing Initiative":

FINDINGS.

The population of California has grown by more than 11 percent since 1990 and is expected to continue increasing. As California grows, the State Legislature and local governments will need to determine where to locate additional housing in a fiscally and environmentally sustainable manner consistent with sound urban planning practices.

There is a regional need to encourage new housing in existing cities, such as San Francisco, to accommodate the additional population, while protecting the region's greenbelt and reducing over-dependence on the private automobile for commuting.

San Francisco already is experiencing a severe shortage of housing available to people at all income levels, resulting in a sharp increase in home prices.

The Association of Bay Area Governments' Regional Housing Needs Determination (RHND) forecasts that 20,372 new housing units need to be built in San Francisco by 2006, and at least 5,639 of these units should be available to moderate income households.

The RHND process is a State mandate, devised to address the need for and planning of housing across a range of affordability and in all communities throughout the State.

Amendments to the City's Planning Code are among the tools available to the City to encourage new housing production in a manner that enhances existing neighborhoods and creates new residential and mixed-use neighborhoods.

One solution to the housing crisis is to encourage the construction of higher density housing in areas of the City best able to accommodate such housing because of easy access to neighborhood services, public transit and shopping and/or the availability of larger development sites.

Many elements constrain housing production in the City, making it a challenge to build housing that is affordable to those at moderate income levels. San Francisco is largely built out, and its geographical location at the northern end of a peninsula inherently prevents substantial new

development. There is no available adjacent land to be annexed, as the cities located on San Francisco's southern border are also dense urban areas. Thus new construction of housing is limited to areas of the City not previously designated as residential areas, infill sites, or to areas with increased density. New market-rate housing absorbs a significant amount of the remaining supply of land and other resources available for development and thus limits the supply of affordable housing.

Two neighborhoods in particular, the core downtown area and the Central Waterfront area, present opportunities to build housing at increased densities along transit corridors in a way that can build vibrant communities over the next several years.

The development of housing that is affordable to those at moderate income levels on the same site as market-rate housing increases social and economic integration vis-à-vis housing in the City and has corresponding social and economic benefits to the City. Mixed income housing provides a healthy job and housing balance, in addition to providing housing close to employment centers which in turn may have a positive economic impact by reducing such costs as commuting and labor costs.

Section A. OPPORTUNITIES FOR WORKFORCE HOUSING PROJECTS.

Sections 317 through 317.6 are added to Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) as follows:

Section 317. WORKFORCE HOUSING NEIGHBORHOODS.

In order to provide for owner occupied housing opportunities for Workforce households, there shall be two Workforce Housing Neighborhoods generally located at: (i) the area bounded by Mariposa Street, Islais Creek, Highway Interstate 280 and the San Francisco Bay (sometimes referred to in this Code as the Central Waterfront Workforce Housing Neighborhood) and (ii) the area bounded by Market Street, Clay Street, Kearny Street and the San Francisco Bay (sometimes referred to in this Code as the Downtown Workforce Housing Neighborhood), as each as more particularly shown in greater detail on the attached maps. These neighborhoods are referred to collectively in this Code as Workforce Housing Neighborhoods. Except as otherwise specifically set forth in this Code, all provisions of this Code Sections 317 — 317.6 set forth the requirements and procedures for the Workforce Housing Program ("Program" or "Workforce Housing Program"). The Department of City Planning and the Mayor's Office of Housing shall periodically publish a Workforce Housing Procedures Manual containing procedures for monitoring and enforcement of the policies and procedures for implementation of this Program. The Workforce

Housing Procedures Manual must be made available at the Zoning Counter of the Planning Department and on the Planning Department's web site. The Workforce Housing Procedures Manual shall not be amended, except for an annual update of the housing pricing guidelines, which reflect updated income limits and prices, without approval of the Planning Commission.

Section 317.1. DEFINITIONS.

"Affordable Housing Percentage" shall mean the percentage of all units required to be constructed on the Workforce housing project site that must be "affordable to qualifying households" as that term is used and requirement set forth in Section 315.4(a) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code), regardless of whether the project applicant elects to satisfy the requirement through construction of on-site inclusionary housing or the alternatives provided by Section 315.4(e).

"Affordable to a Workforce household" shall mean a purchase price that a household whose combined annual gross income for all members does not exceed one hundred ten percent (110%) of the median income for the San Francisco Metropolitan Statistical Area, as calculated by the United States Department of Housing and Urban Development (HUD) and adjusted for household size, can afford to pay based on an annual payment for all housing costs, as defined in California Code of Regulations ("CCR") Title 25, Section 6920, as amended from time to time, of forty percent (40%) of the combined household annual net income, assuming a down payment of five percent (5.0%) of the purchase price, and then generally available financing, as that formula may be adjusted from time by the Mayor's Office of Housing (or its successor) through publication of the Workforce Housing Procedures Manual, subject to any special restrictions contained in any Notice of Special Restrictions or Conditions of Approval filed or recorded against the Workforce housing project.

"Annual net income" shall mean net income as defined in CCR Title 25, Section 6916, as amended from time to time.

"Conditions of Approval" shall be a set of written conditions imposed by the Planning Commission or another permit-issuing City agency or appellate body to which a project applicant agrees to adhere and fulfill if it receives any conditional use or planned unit development permit for the construction of a Workforce housing project subject to this Program.

"Director" shall mean the Director of City Planning or his or her designee, including

(Continued on next page)

LEGAL TEXT OF PROPOSITION J (CONTINUED)

other City agencies or departments.

"Designated unit" shall mean a housing unit identified and reported by the developer of a Workforce housing project as a unit that is affordable to Workforce households.

"Environmental best practices" shall mean regulations to be developed and published from time to time by the Department in consultation with the Department of the Environment that are designed to ensure that Workforce housing projects are constructed in such a way as to improve their environmental performance. The Department shall not require any one specific measure to improve the environmental performance of the Workforce housing projects, but the regulations must be adopted that enable the Department to find that the Workforce housing project addresses resource efficiency in a manner beyond standard residential and mixed use building practices. Until such regulations are developed and published, the term "environmental best practices" shall mean Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6 of the California Code of Regulations and Title 24, Part I of the Administrative Regulations).

"Household" shall mean any person or persons who reside or intend to reside in the same housing unit.

"Housing unit" or "unit" shall mean a dwelling unit as defined in San Francisco Housing Code Section 401.

"Life of the Workforce housing project" means the period of time during which the applicable Workforce housing project (or any portion thereof that is used for owner occupied residential purposes) is used as a residential property, whether or not the Workforce housing project or any portion thereof has undergone renovation, rehabilitation or restoration.

"Market rate housing" shall mean housing constructed in a Workforce housing project that is not subject to sales or rental restrictions.

"Notice of Special Restrictions" shall mean a document recorded with the San Francisco Recorder's Office for any unit subject to the Workforce Housing Program detailing the sale and resale restrictions and any restrictions on purchaser income levels included as a Condition of Approval of the principal project relating to the unit.

"Owner occupied unit" shall mean a unit affordable to Workforce household which is a condominium, stock cooperative, community apartment, or detached single-family home. The owner or owners of an owned unit must occupy the unit as their primary residence.

"Owner" shall mean the record owner of the fee or a vendee in possession.

"Program" shall mean the Workforce Housing Program.

"Project applicant" or "Project sponsor" shall mean an applicant for a building permit or a site permit or an applicant for a conditional use permit or planned unit development permit, seeking approval from the Planning Commission or Planning Department for con-

struction of a housing project subject to this Section, and such applicant's successors and assigns with respect to that application.

"Workforce Household" shall mean a household whose combined annual gross income for all members does not exceed 120 percent of the area median income for the San Francisco Metropolitan Statistical Area, as calculated by the United States Department of Housing and Urban Development (HUD) adjusted for household size in accordance with adjustment factors adopted by HUD.

"Workforce Housing Neighborhood" shall mean the areas described in Section 317.

"Workforce Housing Percentage" shall mean the percentage that is the Affordable Housing Percentage subtracted from thirty nine percent (39.0%). For example, if the Affordable Housing Percentage is twelve percent (12.0%) the Workforce Housing Percentage shall be twenty seven percent (27.0%). Notwithstanding the foregoing, if at the time that the Workforce Housing Percentage for a particular Workforce housing project is being set, the Zoning Administrator determines that the rate of interest then payable on fifteen (15) year fixed rate mortgages that are generally available for the purchase of units similar in cost to the Workforce housing units in the particular Workforce housing project equals or exceeds eight percent (8.0%) per annum, the Workforce Housing Percentage for that particular Workforce housing project shall be the percentage that is the Affordable Housing Percentage subtracted from thirty five percent (35.0%).

"Workforce Housing Procedures Manual" shall mean the City and County of San Francisco Workforce Housing Monitoring Procedures Manual issued by the San Francisco Department of City Planning, as amended from time to time.

"Workforce Housing Program" shall mean the program for facilitating the creation of residential units whose purchase is affordable to Workforce Households as generally provided in Planning Code Sections 317 through 317.6.

"Workforce housing project" or "Workforce housing development" shall mean any development located in a Workforce Housing Neighborhood other than parcels of land in the RH-1, RH-2 and RH-3 zoning classification which (i) has residential units that are intended, marketed, sold and occupied for long term owner occupied housing, (ii) is constructed in accordance with environmental best practices, (iii) satisfies the requirements and procedures for the Residential Inclusionary Affordable Housing Program (Sections 315.1—315.9 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code)), (iv) in addition to any on-site inclusionary housing provided in satisfaction of the requirements of the Residential Inclusionary Affordable Housing Program, includes a percentage, equal to the Workforce Housing Percentage, of residential units which are designated as Workforce housing units and are marketed and

sold to, and occupied by Workforce households, at a price that is affordable to a Workforce household, and (v) the dwelling units initially sold to, and occupied by Workforce households as described in the preceding subclause (iv) shall have resale restrictions recorded against them as described in this Code to assure the continued sale to and occupancy by Workforce households of the Workforce housing units, at prices affordable to Workforce households, for the life of the Workforce housing project. A project or development that otherwise meets these standards but is not located in a Workforce Housing Neighborhood shall not be a Workforce housing project. The benefits of a Workforce housing project as set forth generally in Planning Code sections 317 through 317.6, 207, 253(a), 260, 261, 311, and 312 shall not be available for construction of any development that either or both results in the loss of rent controlled housing units or receives a density bonus pursuant to California Government Code Section 65915 or any successor thereto.

"Workforce housing unit" shall mean a dwelling unit with at least one bedroom in a Workforce housing project that is designated as Workforce housing unit and is marketed and sold to, and occupied by, a Workforce household at a price that is affordable to a Workforce household and has recorded against it resale and other restrictions as described in Section 317 of this Code.

Section 317.2. HOUSEHOLD SIZE.

For purposes of determining whether a dwelling unit is affordable to a Workforce household, the size of the household purchasing the dwelling unit shall be deemed as set forth below for units of with the bedroom count set forth below:

Number of Bedrooms	live/work units square foot equivalency	Deemed Household Size
1	600 to 850 square feet	1
2	851 to 1100 square feet	3
3	1101 to 1300 square feet	4
4	More than 1300 square feet	5

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LEGAL TEXT OF PROPOSITION J (CONTINUED)

Section 317.3. **TYPE OF HOUSING:** Workforce housing units that qualify a project as a Workforce housing project shall have a minimum of one bedroom and be not less than six hundred (600) square feet in size and shall be similar in number of bedrooms, exterior appearance, overall quality of construction and same basic interior finishes to market rate units in the project.

Section 317.4. **INITIAL PRICING.** The maximum initial sales price of the Workforce housing units in any Workforce housing project and maximum purchase household income levels for purchasers of those units shall be set by the Mayor's Office of Housing (or its successor) concurrently with the issuance of the first permit to allow construction of, or preparation of the site for construction of, a Workforce housing project and shall be based upon household income levels, interest rates and other market conditions in effect at that time, provided that at the request of the Project Sponsor, the maximum initial sales price and maximum purchase household income levels may be set at any later date that is prior to the issuance of a certificate of occupancy for the Workforce housing units.

Section 317.5. DURATION AND MONITORING OF AFFORDABILITY.

(a) All Workforce housing units that qualify a project as a Workforce housing project must upon any resale remain affordable to and be marketed and sold to Workforce households for the life of the Workforce housing project. Notwithstanding the foregoing, a seller may resell a Workforce housing unit at any price up to the price (net of reasonable broker's commission) originally paid by the seller to purchase the Workforce housing unit, so long as it is sold to a Workforce household to be occupied as its primary residence.

(b) The Planning Commission or the Planning Department shall require all housing projects subject to the Workforce Housing Program to record a Notice of Special Restrictions with the Recorder of the City and County of San Francisco. The Notice of Special Restrictions must incorporate the provisions according to the formula specified in the Workforce Housing Procedures Manual and specify that project applicants and the successor owners of any designated unit shall adhere to the marketing, monitoring, and enforcement procedures outlined in the Workforce Housing Procedures Manual, as amended from time to time, in effect at the time of project approval. The Planning Commission shall file the Workforce Housing Procedures Manual in the case file for each project qualifying under this Program. The Workforce Housing Procedures Manual will be referenced in the Notice of Special Restrictions for each project.

(c) Upon the initial sale and each resale of each Workforce housing unit, purchasers of Workforce housing units shall secure the obligations concerning marketing, resale

prices and purchaser income levels and any other obligations contained in the Notice of Special Restrictions by executing and delivering to the City a promissory note secured by a deed of trust encumbering the applicable Workforce housing unit, unless an alternative means of enforcement of these obligations is provided for in the Workforce Housing Procedures Manual, as amended from time to time.

SECTION 317.6. ENFORCEMENT PROVISIONS AND MONITORING OF PROGRAM.

(a) A first certificate of occupancy shall not be issued by the Director of the Department of Building Inspection to any unit in the Workforce housing project until all of the units to be designated as Workforce housing units are eligible for and receive a certificate of occupancy, provided that if the Workforce housing project is built or completed in phases or stages, a certificate of occupancy may be issued for each phase or stage as long as the cumulative number of Workforce Housing Units eligible for and having received a certificate of occupancy in the project at the time of completion of the phase or stage equals or exceeds the Workforce Housing Percentage.

(b) If the Planning Commission or Planning Department determines that a project applicant has failed to comply with the requirements of the Workforce housing program regarding sale and occupancy of designated units, or has violated the Conditions of Approval or terms of the Notice of Special Restrictions, the Planning Commission or Planning Department may, until the violation is cured, the Zoning Administrator shall enforce the provisions of this Program through any means provided for in Section 176 of this Code.

(c) The Planning Commission or Planning Department shall notify the Mayor's Office of Housing of any housing project subject to this Program, including the name of the project applicant and the number and location of the Workforce housing units, within 30 days of the Planning Commission's or the Planning Department's approval of a building, site, conditional use, planned unit development, or live/work permit application. The Mayor's Office of Housing shall provide all project applicants with information concerning the City's first time home-buyer assistance programs and any other related programs the Mayor's Office of Housing shall deem relevant to this Program.

(d) The Planning Commission shall, as part of the annual Housing Inventory, report to the Board of Supervisors on the results of this Program including, but not limited to, a report on the following items:

(1) The number of, location of, and project applicant for housing projects which came before the Planning Commission for a permit for a Workforce housing project, and the

number of, location of, and project applicant for housing projects which were subject to the requirements of the Workforce Housing Program; and
(2) The number of, location of, and project applicant for every housing project to which the Workforce Housing Program applied and the number of market rate units and the number of Workforce housing units provided, including the location of all of the Workforce housing units and affordable units.

Section B. HEIGHT LIMITS

Section 253 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

SECTION 253. REVIEW OF PROPOSED BUILDINGS AND STRUCTURES EXCEEDING A HEIGHT OF 40 FEET IN R DISTRICTS.

(a) Notwithstanding any other provision of this Code to the contrary, in any R District established by the use district provisions of Article 2 of this Code, wherever a height limit of more than 40 feet is prescribed by the height and bulk district in which the property is located, any building or structure exceeding 40 feet in height shall be permitted only upon approval by the City Planning Commission according to the procedures for conditional use approval in Section 303 of this Code; provided, however, that Workforce housing projects in which at least twelve percent of the residential units, in addition to the Workforce housing units, are affordable to qualifying households (as defined in Section 315.1 of this Code) and which otherwise comply with all applicable requirements of the Residential Inclusionary Affordable Housing Program, shall not be subject to this section.

(b) In reviewing any such proposal for a building or structure exceeding 40 feet in height, the City Planning Commission shall consider the expressed purposes of this Code, of the R Districts, and of the height and bulk districts, set forth in Sections 101, 206 through 206.3 and 251 hereof, as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles of the Master Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located.

Section 260 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended by addition of a new subsection 260(b)(2)(R):

SECTION 260. HEIGHT LIMITS: MEASUREMENT.

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LEGAL TEXT OF PROPOSITION J (CONTINUED)

(R) Additional building height, up to a height of ten feet above the otherwise applicable height limit for any Workforce housing project where the otherwise applicable height limit is less than fifty (50) feet, and additional building height, in the Central Waterfront Workforce Housing Neighborhood of up to the lesser of (i) a height of fifteen feet above the otherwise applicable height limit or (ii) eighty five (85) feet, for any Workforce housing project where the otherwise applicable height limit is fifty (50) feet or higher, and in the Downtown Workforce Housing Neighborhood of up to a height of fifteen feet above the otherwise applicable height limit, for any Workforce housing project where the otherwise applicable height limit is fifty (50) feet or higher, provided that in all cases these additional height limits shall apply only if the uppermost floor is to be occupied solely by residential units. In mixed residential/non-residential projects the additional building height shall be allowed only if the total square footage of the space devoted to housing is at least two-thirds of the total square footage in the project.

Section 261(a) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows: SECTION 261. ADDITIONAL HEIGHT LIMITS APPLICABLE TO CERTAIN USE DISTRICTS.

(a) General. Notwithstanding any other height limit established by this Article 2.5 to the contrary, the height of dwellings in certain use districts established by Article 2 of this

Code shall be further limited by this Section 261, provided that additional height shall be permitted for workforce housing projects as provided in subsection 260(b)(2)(R).

Section C. DENSITY

Section 207 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

SECTION 207. DENSITY OF DWELLING UNITS IN R DISTRICTS.

The density of dwelling units permitted in the various R Districts shall be as set forth in Sections 207.1, 207.2, 207.3, 207.5 and 209.1 of this Code. The term "dwelling unit" is defined in Section 102.7 of this Code

A new Section 207.3 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby added as follows:

SECTION 207.3 DENSITY OF WORKFORCE HOUSING DWELLING UNITS

(a) Any Workforce housing project shall be entitled to build that density of units that can be built within the building envelope defined by the applicable height, bulk, yard and setback requirements otherwise applicable to dwelling units or mixed use developments including dwelling units constructed in the zoning district in which the Workforce housing project is constructed, without regard to density or floor area ratio limitations and without any requirement of obtaining conditional use authorization from the Planning Commission for such density.

Section 207.4 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding a new subsection (c) as follows:

(c) Any Workforce housing project shall be entitled to build that density of units and that height that can be built within the building envelope defined by the applicable height, bulk, yard and setback requirements otherwise applicable to dwelling units or mixed use developments including dwelling units constructed in the zoning district in which the Workforce housing project is constructed, without regard to density or floor area ratio limitations and without any requirement of obtaining conditional use authorization from the Planning Commission for such density.

Section 207.5 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding a new subsection (d) as follows:

(d) Any Workforce housing project shall be entitled to build that density of units and that height that can be built within the building envelope defined by the applicable height, bulk, yard and setback requirements otherwise applicable to dwelling units or mixed use developments including dwelling units constructed in the zoning district in which the Workforce housing project is constructed, without regard to density or floor area ratio limitations and without any requirement of obtaining conditional use authorization from the Planning Commission for such density.

Section 209.1 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding the following row at the end of the chart:

					P	P	P	P	P	P	P	P	(n) Workforce housing project at a density of units that can be built within the building envelope defined by the applicable height, bulk, yard and setback requirements otherwise applicable to dwelling units or mixed use developments including dwelling units constructed in the zoning district in which the Workforce housing project is constructed, without regard to density or floor area ratio limitations.
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A new Section 215(d) is added to Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) as follows:

P	P	P	P	P	P	P	P	C	C	(d) Workforce housing project at a density of units that can be built within the building envelope defined by the applicable height, bulk, open space and setback requirements otherwise applicable to buildings constructed in the zoning district in which the Workforce housing project is constructed, without regard to density or floor area ratio limitations.
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LEGAL TEXT OF PROPOSITION J (CONTINUED)

Section D. REVIEW OF WORKFORCE HOUSING PROJECTS

The first unnumbered paragraph of Subsection 311(c) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

(c) Building Permit Application Review for Compliance and Notification. Upon acceptance of any application subject to this Section, the Planning Department shall review the proposed project for compliance with the Planning Code and any applicable design guidelines approved by the Planning Commission. Applications determined not to be in compliance with the standards of Articles 1.2, 1.5, 2 and 2.5 of the Planning Code, Residential Design Guidelines, including design guidelines for specific areas adopted by the Planning Commission, or with any applicable conditions of previous approvals regarding the project, shall be held until either the application is determined to be in compliance, is disapproved or a recommendation for cancellation is sent to the Department of Building Inspection. Upon acceptance of any application for a Workforce housing project, the Planning Department shall set and thereafter adhere to a schedule of review for the project that complies with all applicable codes, regulations and ordinances and will assure that, other than for delays caused by the failure of the sponsor of the project to make timely responses to Planning Department requests, the Planning Department, (i) within thirty calendar days after submission of the application, will complete its initial review of the application and notify the project sponsor either that the application is complete or identify with reasonable specificity changes or additions to the application necessary to make it complete; and (ii) thereafter as necessary for the application to be completed, within twenty calendar days after each submission of any requested changes or modifications, notify the project sponsor either that the application is complete or identify with reasonable specificity changes or additions to the application necessary to make it complete, provided that any changes or additions that are requested must be consistent with, and not additive to, the changes or additions proposed in the review described in the immediately preceding subclause (i), and provided further that nothing herein shall limit the right of the sponsor of the project to pursue an administrative or other appeal as provided by the Permit Streamlining Act (California Government Code Sections 65920 et seq.) of a decision that the application is incomplete.

Subsection 311(c)(1) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

(1) Residential Design Guidelines. The construction of new residential buildings and alteration of existing residential buildings in R Districts shall be consistent with the

design policies and guidelines of the General Plan and with the "Residential Design Guidelines" as adopted and periodically amended for specific areas or conditions by the City Planning Commission. The Director of Planning may require modifications to the exterior of a proposed new residential building or proposed alteration of an existing residential building in order to bring it into conformity with the "Residential Design Guidelines" and with the General Plan. These modifications may include, but are not limited to, changes in siting, building envelope, scale texture and detailing, openings, and landscaping, provided that, except for minor modifications in the building form to enhance the structures' compatibility with adjacent buildings and the surrounding neighborhood, changes to Workforce housing projects shall not require a reduction in the building envelope defined by the applicable height, bulk, yard and setback requirements otherwise applicable to dwelling units or mixed use developments including dwelling units constructed in the zoning district in which the Workforce housing project is to be constructed.

A new Subsection 311(c)(5) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby added follows:

(5) Upon determination that an application is in compliance with the development standards of the Planning Code, the Zoning Administrator shall set a time for a hearing for discretionary review by the Planning Commission of the application in the event that such a hearing is requested. The hearing shall be set not sooner than 45 calendar days from the date of the mailed notice and not later than 60 days from the date of the mailed notice. The mailed notice shall include the proposed date of the hearing and a statement to the effect that a hearing will not be held if a request for a hearing is not received by the Planning Department no later than 5:00 p.m. of the last day of the notification period. This date may not be delayed without the consent of the project sponsor of the building permit application. If no request for a discretionary review hearing is made by the end of the notification period, the hearing will be cancelled and no further discretionary review of the Workforce housing project shall be undertaken unless the Zoning Administrator determines that project is substantially modified from the form of the project described in the mailed notice.

Section 311(d)(1) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

(1) Scheduling of Hearing. The Zoning Administrator shall set a time for hearing requests for discretionary review by the Planning Commission within a reasonable period, provided that in the case of a Workforce housing project, such hearing shall be scheduled as described in subsection 311(c)(5).

A new Subsection 311(d)(3) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby added follows:

(3) Notwithstanding any provision of this code to the contrary, at any hearing for discretionary review of a Workforce housing project, the Planning Commission shall not require a reduction in the building envelope defined by the applicable height, bulk, yard and setback requirements otherwise applicable to dwelling units constructed in the zoning district in which the Workforce housing project is to be constructed, except for minor modifications in the building form to enhance the structures' compatibility with adjacent properties and the surrounding neighborhood.

Section E. NEIGHBORHOOD COMMERCIAL PERMIT REVIEW PROCEDURES

The first unnumbered paragraph of Subsection 312(c) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

(c) Building Permit Application Review for Compliance and Notification. Upon acceptance of any application subject to this Section, the Planning Department shall review the proposed project for compliance with the Planning Code and any applicable design guidelines approved by the Planning Commission. Applications determined not to be in compliance with the standards of Articles 1.2, 1.5, 2 and 2.5 of the Planning Code, including design guidelines for specific areas adopted by the Planning Commission, or with any applicable conditions of previous approvals regarding the project, shall be held until either the application is determined to be in compliance, is disapproved or a recommendation for cancellation is sent to the Department of Building Inspection. Upon acceptance of any application for a Workforce housing project subject to this Section, the Planning Department shall set and thereafter adhere to a schedule of review for the Workforce housing project that complies with all applicable codes, regulations and ordinances and will assure that, other than for delays caused by the failure of the sponsor of the project to make timely responses to Planning Department requests, the Planning Department, (i) within thirty calendar days after submission of the application, will complete its initial review of the application and notify the project sponsor either that the application is complete or identify with reasonable specificity changes or additions to the application necessary to make it complete; and (ii) thereafter as necessary for the application to be completed, within twenty calendar days after each submission of any requested changes or modifications, notify the project sponsor either that the application is complete or iden-

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tify with reasonable specificity changes or additions to the application necessary to make it complete, provided that any changes or additions that are requested must be consistent with, and not additive to, the changes or additions proposed in the review described in the immediately preceding subclause (i), and provided further that nothing herein shall limit the right of the sponsor of the project to pursue an administrative or other appeal as provided by the Permit Streamlining Act (California Government Code Sections 65920 et seq.) of a decision that the application is incomplete.

Subsection 312(c)(1) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

(1) Neighborhood Commercial Design Guidelines. The construction of new buildings and alteration of existing buildings in NC Districts shall be consistent with the design policies and guidelines of the General Plan as adopted and periodically amended for specific areas or conditions by the Planning Commission. The Director of Planning may require modifications to the exterior of a proposed new building or proposed alteration of an existing building in order to bring it into conformity with the General Plan. These modifications may include, but are not limited to, changes in siting, building envelope, scale texture and detailing, openings, and landscaping, provided that, except for minor modifications in the building form to enhance the structures' compatibility with adjacent properties and the surrounding neighborhood, changes to a Workforce housing project shall not require a reduction in the building envelope defined by the applicable height, bulk, yard and setback requirements otherwise applicable to dwelling units constructed in the zoning district in which the Workforce housing project is to be constructed.

A new Subsection 312(c)(5) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby added follows:

(5) Upon determination that an application is in compliance with the development standards of the Planning Code, the Zoning Administrator shall set a time for a hearing for discretionary review by the Planning Commission of the application in the event that such a hearing is requested. The hearing shall be set not sooner than 45 calendar days from the date of the mailed notice and not later than 60 days from the date of the mailed notice. The mailed notice shall include the proposed date of the hearing and a statement to the effect that a hearing will not be held if a request for a hearing is not received by the Planning Department no later than 5:00 p.m. of the last day of the notification period. This date may not be delayed without the consent of the project sponsor of the building permit application. If no request for a discretionary review hearing

is made by the end of the notification period, the hearing will be cancelled and no further discretionary review of the Workforce housing project shall be undertaken unless the Zoning Administrator determines that project is substantially modified from the form of the project described in the mailed notice.

Section 312(d)(1) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

(1) Scheduling of Hearing. The Zoning Administrator shall set a time for hearing requests for discretionary review by the Planning Commission within a reasonable period, provided that in the case of a Workforce housing project, such hearing shall be scheduled as described in subsection 312(c)(5).

A new Subsection 312(d)(3) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby added follows:

(3) Notwithstanding any provision of this code to the contrary, at any hearing for discretionary review of a Workforce housing project, the Planning Commission shall not require a reduction in the building envelope defined by the applicable height, bulk, yard and setback requirements otherwise applicable to dwelling units constructed in the zoning district in which the Workforce housing project is to be constructed, except for minor modifications in the building form to enhance the structures' compatibility with adjacent properties and the surrounding neighborhood.

Section F. FACILITATING HOUSING OPPORTUNITIES IN AND PROXIMATE TO THE DOWNTOWN WORKFORCE HOUSING NEIGHBORHOOD

Section 123(c)(1) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

- (1) The gross floor area of a structure on a lot in the C-3-O and C-3-O (SD) Districts (except for gross floor area devoted to dwellings or to other residential uses) may not exceed a floor area ratio of 18 to 1;

Section 124 (b) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

- (i) In R, NC, C-2, C-3-O, C-3-G, C-3-R, C-3-S Districts, the C-3-O District north of Mission Street and Mixed Use Districts, the above floor area ratio limits shall not apply to dwellings or to other residential uses, except that on

Preservation Lots as defined in Section 128(a)(3) the above floor area ratio limits shall apply to all uses, including dwellings and other residential uses and except as provided in (ii) below.

- (ii) In order to prevent overcrowding an already developed site, diminishing the amount of publicly accessible open space, and unduly congesting the Downtown, the following restrictions shall apply to development sites on which, but for the elimination of FAR limitations on residential uses as provided in (i) above, additional development in the amount proposed would not be permitted because the existing development has utilized all or nearly all the allowable floor area permitted under the FAR limits. In such cases, new residential uses shall be permitted without regard to the FAR limitations only if the residential uses are in a structure which replaces or is added to an existing structure on the site and:

(aa) The total square footage of the footprint formed by the exterior walls of such new residential building shall not exceed the ground level footprint of the building or buildings being replaced; provided however, that the square footage of the footprint may be reconfigured to make it more adaptable for constructing a residential structure provided that the square footage is substantially the same and the loss of ground level open space, and any publicly accessible open space on top of the structure or structures being replaced, are replaced with open space determined, in accordance with the provisions of Sec 309, to comply with the provisions of Section 137 of this Code and the standards contained in and the guidelines adopted pursuant to Sec 138 and 138.1 of this Code;

(bb) The maximum size of floors above the height of the building being added or replaced shall not exceed 9,500 square feet, without exception, and

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the maximum length of the façade facing the widest adjacent street shall not exceed 100 feet, without exception. For buildings exceeding 180 feet in height the average floor area of the floors in the top 1/3 of the building measured from the ground level shall be reduced by 10 %. The plan length of each floor above the height of the building being added to or replaced shall not exceed 115 feet and the diagonal length of each floor above the height of the building being added to or replaced shall not exceed 140 feet.;

(cc) In order to provide a minimum building separation and assure adequate light and air to the residential uses, the minimum separation between windows of residential units in the new structure and windows in an adjacent building shall be 50 feet and the configuration of the building shall be subject to review pursuant to the provisions of Section 309; and

(dd) The minimum and maximum dimensions stated in subparagraphs (bb) and (cc) above shall not be subject to vari-

ance otherwise permitted by Section 305 of this Code or to the exceptions otherwise permitted by Section 309 of this Code.

(iii) In NC Districts, the above floor area ratio limits shall also not apply to any accessory off-street parking. In Chinatown Mixed Use Districts, the above floor area ratio limits shall not apply to institutions, and mezzanine commercial space shall not be calculated as part of the floor area ratio.

Section 128(c)(1) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

(1) The Transfer Lot and the Development Lot are located in a C-3 Zoning District. ~~(i) The Transfer Lot and the Development Lot are located in the same C-3 Zoning District, or (ii) the Transfer Lot is located in a C-3 O, or C-3 R District and the Development Lot is located in the C-3 O (SD) Special Development District; or (iii) the Transfer Lot is a Preservation Lot that contains a Significant building and is located in the Extended Preservation District or a C-3 G or C-3 S District and the Development Lot is located in the C-3 O (SD) Special District.~~

New Sections 218(l) and 218(m) are added to Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) as follows:

(l) The Zoning Administrator shall maintain and periodically update an inventory of (1) the approximate amount of TDR eligible for transfer in the C-3 Zoning Districts; (2) the Transfer Lots from which there are TDRs eligible for transfer and the approximate amount of eligible TDR from each Transfer Lot; and (3) the amount of TDR that has already been transferred from specific Transfer Lots to Development Lots.

(m) A study is authorized to be undertaken by the Planning Department 5 years after the effective date of this Initiative and every 5 years thereafter to determine whether the exemption from floor area ratio limits for dwelling units and other residential uses in the C-3 Zoning Districts has contributed to the construction of additional dwelling units and other residential uses in the C-3 Zoning Districts and whether and to what extent the exemption impaired the market for TDRs in the C-3 Zoning Districts. In its report, the Planning Department may make recommendations to the Board of Supervisors and Planning Commission regarding any legislative changes to address these issues.

Section 128 (f) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby deleted and the subsections following subsection (f) shall be relettered accordingly.

Section 215 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

SECTION 215. DWELLINGS.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-G	CM	M-1	M-2	
P	P	P	P	P	P	C	C	C	(a) Dwelling at a density ratio not exceeding the number of dwelling units permitted in the nearest R District, with the distance to such R District measured from the midpoint of the front lot line or from a point directly across the street therefrom, whichever permits the greater density; provided, that the maximum density ratio in a C-1, C-2, M-1 or M-2 District shall in no case be less than for an RM-1 District, the maximum density ratio in a C-3 or C-M District shall in no case be less than for an RM-4 District, and the there shall be no maximum density ratio in a C-3 District shall in no case be less than one dwelling unit for each 125 square feet of lot area. The rules for calculation of dwelling unit densities set forth in Section 207.1 of this Code shall apply in C and M Districts, except that any remaining fraction of 1/2 or more of the minimum amount of lot area per dwelling unit shall be adjusted upward to the next higher whole number of dwelling units.
		€	€	€	€				((b)) Dwelling at a density ratio greater than that set forth in Subsection (a), to be determined by the City Planning Commission pursuant to Section 303(c) of this Code.))
						C	C	C	(b) Mobile home park for house trailers, motor homes, campers and similar vehicles or structures used for dwelling purposes. Each vehicle or structure in any such park shall be regulated by this Code in the same manner as a dwelling unit.

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LEGAL TEXT OF PROPOSITION J (CONTINUED)

Section 216(a) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended as follows:

SECTION 216. OTHER HOUSING.

C-1	C-2	C-3-O	C-3-R	C-3-G	C-3-S	C-M	M-1	M-2	
P	P	P	P	P	P	P	C	C	(a) Group housing, providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time, in a space not defined by this Code as a dwelling unit. Such group housing shall include but not necessarily be limited to a boardinghouse, guesthouse, rooming house, lodging house, residence club, commune, fraternity or sorority house, monastery, nunnery, convent or ashram. It shall also include group housing affiliated with and operated by a medical or educational institution, when not located on the same lot as such institution, which shall meet the applicable provisions of Section 304.5 of this Code concerning institutional master plans. The density limitations for all group housing described in this subsection shall be based in this subsection shall be based upon the density limitations for group housing in the nearest R District, following the same rules as those set forth in Section 215(a) of this Code for dwelling unit densities in C and M Districts <u>and there shall be no maximum density limitation in a C-3 District</u>

Section 309(b) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding a new paragraph (10) and renumbering existing paragraph (10) to paragraph (11), as follows:

(10) Aspects of the project that affect the integrity of Adjacent or Contributory Buildings;

Section 1112.2 (b) of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) is hereby amended, as follows:

(b) If the Zoning Administrator determines that TDR have been transferred from the lot of a Contributory Building, or that the gross floor area of a structure or structures on a development site that includes the lot of a Contributory Building will exceed the base floor area ratio limit of the site without the transfer of TDR, the application for demolition of that building shall be reviewed and acted upon as if it applied to a Significant Building.

A new Section 350 of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) as hereby added as follows:

Section 350. Effective Date and Amendment of Certain Code Sections. The amendments to Sections 123(c)(1), 128(c)(1), 215, and 1112.2 (b) and the new Sections 128 (l) and 128(m) adopted in ordinance adopted by the people of the City and County of San Francisco in March 2004 shall not take effect until completion and certification of the Downtown Housing FAR Environmental Impact Report provided for in Section H of that ordinance, and the adoption of any mitigation measures requiring legislation, and thereafter may be amended from time to time in the manner provided in Section 302 of this Code.

Section G. FUNDING FOR PREPARATION OF ENVIRONMENTAL IMPACT REPORTS

Section G-1. The City and County of San Francisco hereby appropriates from any legally available funds up to two million dollars (\$2,000,000) for fiscal year 2003-2004 to carry out the purposes as stated in Sections G-2 and G-3 of this ordinance, which shall be known as the Workforce Housing Program and Neighborhood Planning EIR Fund.

Section G-2. The Board of Supervisors shall take all steps within its power and authority that are necessary to cause the City and County of San Francisco acting through the Major Environmental Analysis ("MEA") division of the San Francisco Planning Department, on or before May 15, 2004, to have entered into one or more binding contracts ("EIR Preparation Agreements") for the preparation of the following environmental impact reports ("EIRs") (i) a program EIR for each of the Workforce Housing Neighborhoods, (ii) an EIR for each of the following area plans being prepared by the Department: Mission Eastern Neighborhood Plan, Balboa Park Better Neighborhood Plan, Showplace Square/Potrero Hill Eastern Neighborhood Plan, and South of Market Eastern Neighborhood Plan (each, a "Better Neighborhood Area"), and (iii) an EIR that studies the changes to the San Francisco Municipal Code (City Planning Code) made by Section G (including all subsections thereto) of this Ordinance (the "Downtown Housing FAR EIR"). Payment for the City's obligations under the EIR Preparation Agreements shall be made out of the Workforce Housing Program and Neighborhood Planning EIR Fund and the Workforce Housing Program and Neighborhood Planning EIR Fund shall be used solely for the purpose of preparation and certification of the EIRs. No funds in the

Workforce Housing Program and Neighborhood Planning EIR Fund shall be used to fund an EIR for the area plan for any Better Neighborhood Area for which an environmental impact report has already been certified. The program EIRs for the Workforce Housing Neighborhoods shall study (i) the impact of the creation of workforce housing and increased production of market rate housing in each of the Workforce Housing Neighborhoods, (ii) the specific proposals contained in this Ordinance that relate to exemptions or adjustments to height, density, and time for review requirements applicable to Workforce housing projects, and (iii) such other matters as the MEA division determines desirable or appropriate to facilitate and expedite the review of applications for construction of Workforce housing projects. The program EIRs for the Workforce Housing Neighborhoods shall specify any necessary mitigation measures to be implemented as part of development of Workforce housing projects to assure that those projects are compatible with the neighborhoods in which they are located. The EIRs for the Better Neighborhood Areas shall study such matters as the Director of City Planning determines desirable or appropriate to permit final approval of plans for each Better Neighborhood Area subject to the EIR. The Downtown Housing FAR EIR, shall also study whether and to what extent the exemption from floor area ratio limits for dwelling units may impair the market for TDRs in the C-3 Zoning Districts. The Workforce Housing Program and Neighborhood Planning EIR Fund shall also provide funding to update the City's environmental review transportation guidelines to insure consistency between those guidelines and the objectives and policies of the General Plan and the Charter's Transit First policy, rather than the current guideline's focus

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LEGAL TEXT OF PROPOSITION J (CONTINUED)

on intersection Level of Service, and EIRs for the Workforce Housing Neighborhoods and Better Neighborhood Areas and the Downtown Housing FAR EIR shall utilize such updated guidelines upon their updating.

Section G-3. To pay for the costs incurred by the City in preparation, review and approval of the plans and the environmental impact review costs that the City is directed to cause to be prepared by this Ordinance, the City Planning Department and the Department of Building Inspection are hereby authorized to impose a fee, not to exceed per new dwelling unit the maximum amount permitted by the California Government Code (in addition to any other fee required by the City), for any application, that is submitted to the City Planning Department or Department of Building Inspection after the effective date of this Ordinance, for construction of new dwelling units in any Workforce Housing Neighborhood, any Better Neighborhood Area and the area covered by the Downtown Housing FAR EIR by any project sponsor who obtains an exemption from preparing a project specific environmental review document or who otherwise obtains a reduction in the cost or extent of environmental compliance review required for approval of the application for the new dwelling units through reliance upon an EIR or information generated in the preparation of the EIR that is funded by the provisions of Section G-2 and G-3 of this Ordinance, provided that to the extent permitted by law, the fee shall not be imposed for any dwelling unit against which has been recorded a Notice of Special Restrictions, in form and substance approved by the Director of City Planning, that requires the dwelling unit to be sold or rented at a price that is affordable to households of low income as those terms are used in Section 315 (and all subsections thereto) of Part II, Chapter II of the San Francisco Municipal Code (City Planning Code). To the extent permitted by law, the fees paid under this section shall be segregated from the General Fund and deposited into separate accounts for the Workforce Housing Neighborhood related EIR, each Better Neighborhood Area EIR, and the Downtown Housing FAR EIR and may be paid out of those special funds to pay the costs incurred by the City under the EIR Preparation Agreements for the respective community or neighborhood for which the fee was collected, to pay such other costs associated with the preparation and certification of the EIRs and any other environmental review related to the project that pays the fee, as otherwise permitted by law. It is the policy of the voters of the City and County of San Francisco that the funds collected and placed in the segregated accounts shall be used to fund future neighborhood planning and master environmental reviews that promote the construction of housing on a rotating basis. However, the Board of Supervisors, by majority vote, shall determine whether the

funds that are collected and placed in the segregated account shall be used to reimburse the accounts or funds from which the \$2,000,000 appropriation described in Section G-1 of this ordinance was made or whether those funds shall be used for other purposes as permitted by law.

Section H. ADDITIONAL ACTIONS

POLICY REGARDING AMENDMENT OF MASTER PLAN AND OTHER PLANS AND CODES

Section H-1.

The people of the City and County of San Francisco declare that it shall be the policy of San Francisco that promptly following the effective date of this ordinance, the City and County of San Francisco, through the Board of Supervisors, the Planning Commission and other appropriate officials, boards or commissions, shall proceed to:

- (a) amend its Master Plan and other relevant plans and codes in a manner consistent with this ordinance; and
- (b) request and apply for conforming amendments to any applicable state and regional plans and regulations.

POLICY REGARDING WORKFORCE HOUSING OPPORTUNITIES IN CENTRAL WATERFRONT REZONING

Section H-2

The people of the City and County of San Francisco declare that it is the policy of San Francisco that:

- a. Development of Workforce housing projects should be encouraged in those portions of the San Francisco Central Waterfront Workforce Housing Neighborhood that are planned for residential development;
- b. any land use plan prepared for the Central Waterfront shall incorporate the provisions set forth in Sections A through E (including all subsections thereto) of the ordinance that was adopted by the people of the City and County of San Francisco in March 2004 to encourage development of Workforce housing projects;
- c. any land use plan prepared for the Central Waterfront shall designate sufficient land for the construction as a permitted use of not less than four thousand (4,000) dwelling units, with the average size of the units being equivalent to the average size two bedroom dwelling unit being constructed in San Francisco at the time of the approval of the land use plan, as determined by the Zoning Administrator;
- d. any land use plan prepared for the Central Waterfront shall emphasize the location

of residential uses near mass transit lines established or planned to be established by the San Francisco Municipal Railway within five years after approval of the land use plan;

e. any land use plan prepared for the Central Waterfront shall include the location of equitably distributed recreation and open space land in a quantity sufficient to serve the projected residential population and comply with the service area standards for district, neighborhood and sub-neighborhood open spaces as provided in Objective 2, Policy 1 of the Recreation and Open Space Element of the San Francisco General Plan and shall also include specific funding proposals regarding how the open spaces can be acquired and developed;

f. any land use plan prepared for the Central Waterfront shall include specific proposals, including funding proposals, for the range of facilities, services, and amenities needed to create desirable and livable residential neighborhoods; and

g. when a land use plan and implementing zoning complying with the provisions of this Section have been adopted, the location of Workforce housing projects in the Central Waterfront Workforce Housing Neighborhood shall be limited to land designated for the construction of dwelling units and sections of the ordinance adopted by the people of the City and County of San Francisco in March 2004 shall be amended by ordinance of the Board of Supervisors to achieve that result.

INTERPRETATION, PARTIAL INVALIDITY AND SEVERABILITY.

Section H-3. If any provision of this Ordinance or its application to any housing project or to any geographical area of the City, is held invalid, the remainder of this Ordinance, or the application of such provision to other housing projects or to any other geographical areas of the City, shall not be affected thereby.

Section H-4. This Ordinance does not, is not intended to, and shall not be construed to, amend or supercede existing legislation protecting current rent controlled housing units, including but not limited to the Residential Rent Stabilization and Arbitration Ordinance (San Francisco Administrative Code Chapter 37) and the Residential Hotel Unit Conversion and Demolition Ordinance (San Francisco Administrative Code Chapter 41).

AMENDMENTS AND SUNSET CLAUSE

Section H-5. AMENDMENTS TO SECTIONS A through E.

(a) The provisions of SECTIONS A through E (and all subsections thereto) of this

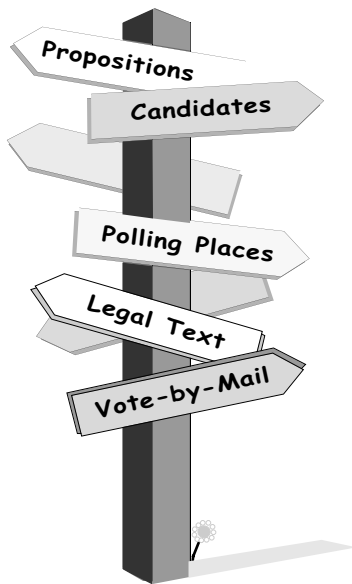
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LEGAL TEXT OF PROPOSITION J (CONTINUED)

ordinance and the resulting amendments or additions to Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code), may be modified (other than by ordinance adopted by the voters of San Francisco at a regular scheduled election) only as follows: (i) on or prior to December 31, 2013, if the modification relates to or affects Workforce housing units or projects, by recommendation of the Planning Commission and a vote of eight members of the Board of Supervisors, upon a finding based on substantial evidence in the record before the Planning Commission and the Board of Supervisors that the amendments are consistent with the intent and purpose of the Workforce Housing Program, which is to provide housing ownership opportunities for San Francisco moderate income workers and their households; and (ii) (A) after December 31, 2013, or (B) if the modification does not relate to or affect Workforce housing units or projects, in the manner that any similar provision of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) adopted by ordinance of the Board of Supervisors may be modified.

(b) The provisions of SECTION F (and all subsections thereto) of this ordinance and the resulting amendments or additions to Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) may be modified from time to time in the manner that any provision of Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) adopted by ordinance of the Board of Supervisors may be modified, and it is the intention of the people of the City and County of San Francisco that, upon completion of the Downtown Housing FAR EIR, the Planning Commission shall hold a hearing on and consider the need for amendments to SECTION G (and all subsections thereto) based on the information generated by the Downtown Housing FAR EIR and such other matters as are presented to the Planning Commission at such hearings and that the Board of Supervisors shall hold a hearing to consider any recommendations relating to such matters forwarded from the Planning Commission.

The Department of Elections makes every effort to print Candidate Statements and Proposition Arguments exactly as submitted – mistakes and all.



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

Watch for our correction notices **February 17, 18 & 19** in the Public Notices section of the *San Francisco Chronicle*, *San Francisco Examiner* and *San Francisco Independent*.

VOTING REFERENCE CHART

TABLA DE REFERENCIA PARA VOTAR

投票參照表

Fill in your choices — Clip and take with you to the polls
Llene sus selecciones - Lleve esto con usted cuando vaya a votar
請填寫好後剪下攜帶到投票站

Not all voters will be eligible to vote on all party contests. Your sample ballot contains the contests for which you are eligible to vote.
 No todos los votantes serán elegibles para votar en todas las contiendas partidistas. Su balota de muestra contiene las contiendas por las que usted puede votar.

不是所有的選民都有資格參與全部黨派的選舉。你的選票樣本包含你有資格參與的那些選舉。

OFFICES	CARGOS	官職
President / Presidente / 美國總統		
US Senator / Senador de EE.UU. / 美國參議員		
Rep., US Congress / Congresista / 美國眾議員		
State Senator / Senador Estatal / 州參議員		
State Assemblyperson / Miembro, Asamblea Estatal / 州眾議員		
Member, County Central Committee / Miembro del Comité Central del Condado / 縣中央委員會		
<p>The spaces to the right allow for the maximum number of County Central Committee or County Council candidates for which any voter may vote. Please refer to your sample ballot for the number of candidates you may vote for.</p> <p>Los espacios a la derecha corresponden al número máximo de candidatos del Comité Central del Condado o del Concejo del Condado por los que el elector puede votar. Para averiguar el número de candidatos por los que usted puede votar, le rogamos mire en su balota de muestra.</p> <p>右邊的空格可以容納選民有資格投選的縣中央委員會或縣委員會候選人的最高人數。要了解你本人有資格投選的候選人人數，請參看你的選票樣本。</p>		



PROPOSITIONS

PROPOSICIONES

提案

TITLE	TÍTULO	標題	YES/SÍ 贊成	NO/NO 反對
2 : Regional Measure 2 Medida Regional 2 第2號區域性提案				
A : Deferred Taxation Plan Plan Tributario Diferido 延遲繳稅計劃				
B : Retirement Benefits for Public Defenders, District Attorneys, and Investigators Beneficios de Jubilación para Defensores Públicos, Fiscales del Distrito e Investigadores 公共辯護律師、地方檢察官和調查員的退休福利				
C : Civilian Jobs in the Police Department Trabajos para Personal Civil en el Departamento de Policía 警察局的文職職位				
D : Equal Treatment of Domestic Partners Igualdad de Tratamiento para Compañeros Domésticos. 同居伴侶的平等對待				
E : Requests for City Records Containing Private Information Pedidos de Expedientes de la Ciudad que Contienen Información Personal 索取涉及公民隱私的市政府記錄				
F : Labor Negotiations with Deputy Sheriffs Negociaciones Laborales con los Delegados del Alguacil 與縣警員的勞工談判				
G : Supplemental Pay for City Employees on Military Duty Salario Suplementario para Empleados de la Ciudad en Servicio Militar 服現役的市府雇員的補充工資				
H : Public Education Fund Fondo de Educación Pública 公共教育基金				
I : Replacement of Diesel Buses Sustitución de Autobuses de Diesel 更換柴油發動機巴士				
J : Incentives to Build Below-Market-Rate Housing Incentivos para la Construcción de Viviendas por Debajo del Precio del Mercado 鼓勵建造低於市場價格的房屋				

