

**DEPARTMENT OF ELECTIONS**  
*City and County of San Francisco*



**JOHN ARNTZ**  
*Director*

September 12, 2004

Dear San Francisco Voter:

The November 2, 2004 General Election will be a historic election for San Francisco because it will be the first time San Franciscans use "ranked-choice voting" to elect local officials. Voters amended the City Charter in March 2002 to require the use of ranked-choice voting, also called "instant run-off elections" to elect most local officials. This November, voters in seven of the City's eleven districts –districts 1, 2, 3, 5, 7, 9 and 11 – will elect supervisors using this new voting method. Please turn to page 7 to view a district map if you are unsure if your district will have a contest for Supervisor.

The ballot card that lists candidates for Supervisor will look very different from the ballots San Francisco has used in the past and will have different voting instructions. Ballots for contests using ranked-choice voting will have three columns, side-by-side, and each column will have a complete list of the district candidates. The voter will be instructed to select a first-choice candidate in the first column, a second-choice candidate in the second column, and a third-choice candidate in the third column. For specific information about how to mark the ranked-choice ballot, please turn to page 10.

I recommend that voters familiarize themselves with the ranked-choice ballot in advance of the election, and share this information with other voters. I also encourage voters to attend one of the Department of Elections' weekly presentations on ranked-choice voting. These presentations are conducted in English, Spanish, Cantonese and Mandarin, and are held at City Hall and in neighborhoods throughout San Francisco.

Ranked-choice voting does not affect contests for federal or State office, or ballot measures. For this reason, voters can expect that the portion of the ballot that lists these candidates and measures will be familiar – this portion of the ballot will have the same design and voting instructions that San Francisco has used since November 2000.

In addition to information about ranked-choice voting, this Voter Information Pamphlet includes a sample of the official ballot for this election, as well as information about candidates and ballot measures. The back cover lists the address of your polling place. Since we sometimes need to relocate polling places between elections, I recommend that each voter check the location of his or her polling place before election day.

For more information about the November 2, 2004 election and ranked-choice voting, please visit our website at [www.sfgov.org/election](http://www.sfgov.org/election) or call the Department of Elections at 554-4375.

Respectfully,

John Arntz  
Director of Elections

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*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*



# Purpose of the Voter Information Pamphlet

The purpose of this pamphlet is to provide voters with information about candidates and ballot measures in advance of each election. In addition to the sample ballot, this pamphlet contains: information about the qualifications of candidates for local office; information about the duties and salaries of the elective offices sought by those candidates; the legal text of each local ballot measure; an impartial summary of each local ballot measure prepared by the City's Ballot Simplification Committee; a financial analysis of each local ballot measure prepared by the City's Controller; an explanation of how each local ballot measure qualified for the ballot; and arguments supporting and opposing local ballot measures. This pamphlet is also available in Chinese and Spanish.

The Department of Elections delivers the voter information pamphlets to the Post Office for delivery to individual voters. If you do not receive your pamphlet in a timely manner, please contact your local Post Office and the Department of Elections.

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

這本手冊有中文版。要索取中文版，請致電 (415) 554-4367。

## The Ballot Simplification Committee

The Ballot Simplification Committee prepares an impartial summary of each local ballot measure. In addition, the Committee writes or reviews other information in this pamphlet, including the glossary of "Words You Need to Know" and the Frequently Asked Questions. The Committee members have backgrounds in journalism and written communication, and they volunteer their time to prepare these informational materials for voters. The Committee members are:

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

Alma Carroll  
*Nominated by the National Association of  
Television Arts and Sciences*

Suzanne Stassevitch  
*Nominated by the League of Women Voters*

Julia Moll, *Ex officio*  
*Deputy City Attorney*

John Arntz, *Ex officio*  
*Director of Elections*



## 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 October 4 through November 2.

The office hours are:

- 8 a.m. to 5 p.m., Monday through Friday;
- 10 a.m. to 4 p.m., on Saturday and Sunday, October 23-24 and October 30-31;
- 7 a.m. to 8 p.m. on Election Day, November 2.

In addition, all voters may apply to become Permanent Absentee Voters (see page 8). 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. Voters may request a tape-recorded copy by calling Martin Magid at the San Francisco Public Library for the Blind and Print Disabled, at (415) 557-4253, or may obtain a copy at any branch of the San Francisco Public Library.

**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.

**Curb-side 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.



# 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 October 18, 2004.

**Q — *My 18th birthday is after October 18, 2004 but on or before November 2. May I vote in the November 2 election?***

**A —** Yes, if your 18th birthday is on or before November 2, but after October 18, you can register to vote on or before October 18 and vote November 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 November 2 election?***

**A —** If you became a U.S. citizen on or before October 18, you may vote in the election, but you must register to vote by October 18.

**OR**

If you became a U.S. citizen after October 18, but on or before October 26, 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, November 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 November 2 if you:

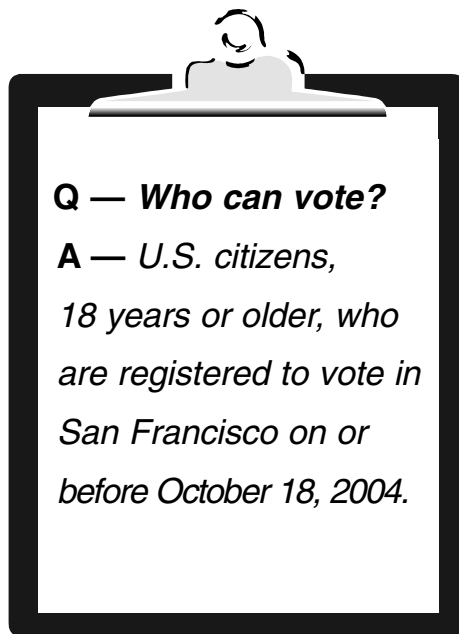
Fill out and mail the Absentee Ballot application printed on the back cover of this book. Within three days after we receive your request, a vote-by-mail ballot will be sent to you. Your request must be **received** by the Department of Elections no later than 5 p.m. on October 26, 2004;

**OR**

Go to the Office of the Department of Elections at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48, from October 4 through November 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 October 23-24 and October 30-31; and from 7 a.m. to 8 p.m. on Election Day, November 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 October 26, 2004.



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



# NEW THIS NOVEMBER:

## RANKED-CHOICE VOTING

Ranked-choice voting (also known as "instant run-off voting") was passed by San Francisco voters as an amendment to the City Charter (Proposition A) in March 2002. Ranked-choice voting allows for elections in which candidates win by majority vote totals without the need for separate run-off elections.

Ranked-choice voting authorizes San Francisco voters to elect local officials by ranking a first, second and third choice candidate for each office.

### **Ranked-choice ballots are counted in the following way:**

- Every first-choice selection is counted. A candidate who receives a majority (more than 50%) of the first-choice rankings is declared the winner.
- If no candidate receives more than 50% of the first-choice selections, the candidate who received the fewest number of first-choice selections is eliminated from the race.
- Voters who selected the eliminated candidate as their first choice will have their vote transferred to their second choice.
- All votes are recounted.
- Once the recount is finished, the candidate who has received more than 50% of the votes is declared the winner.
- If no candidate receives more than 50% of the votes in the recount, the process of eliminating candidates and transferring of votes to the next-ranked candidate is repeated until a candidate has a winning majority.

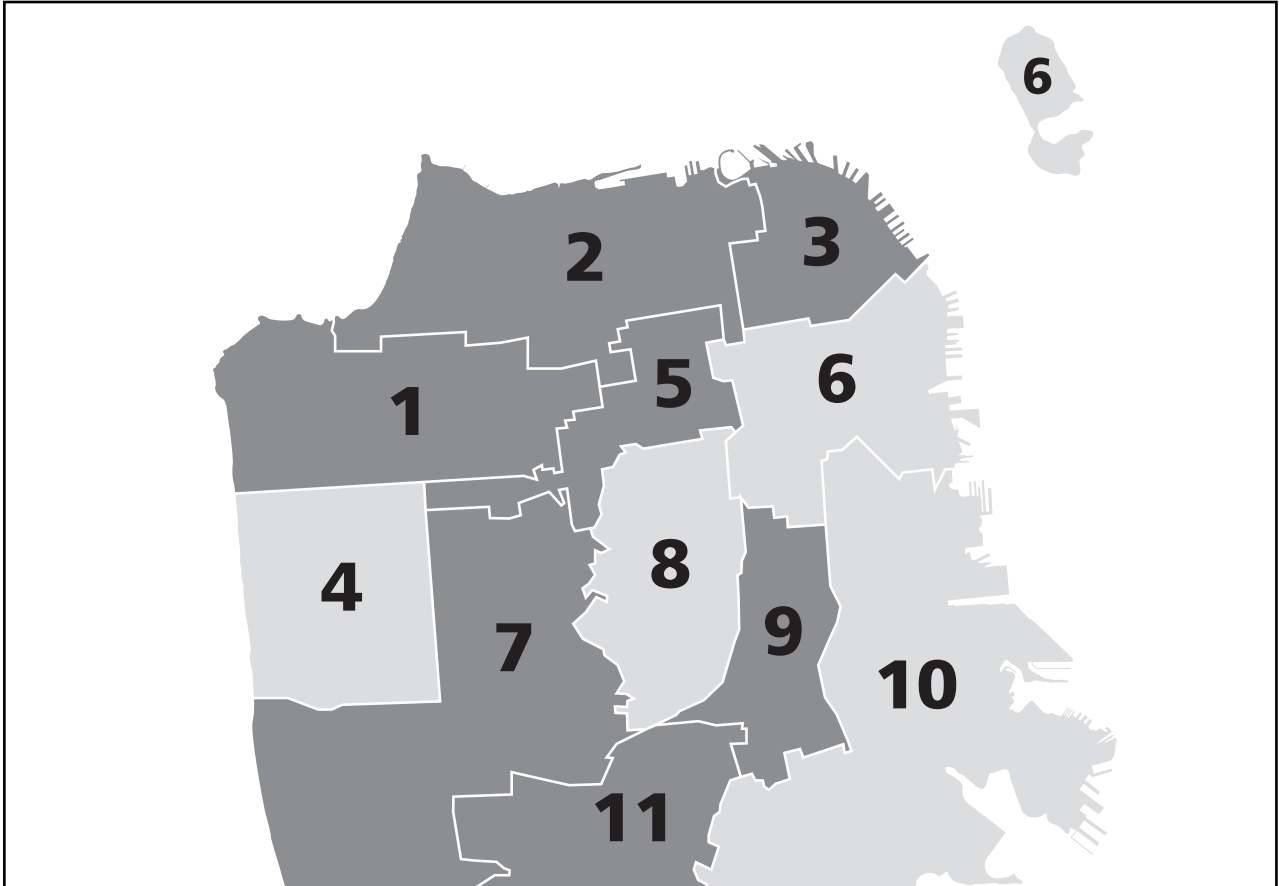
San Francisco voters will use ranked-choice voting when electing members of the Board of Supervisors, Mayor, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, and Public Defender.

For the November 2, 2004 election, San Francisco voters will elect members of the Board of Supervisors for Districts 1, 2, 3, 5, 7, 9 and 11. (San Francisco voters who live in Supervisorial districts 4, 6, 8 and 10 will not use ranked-choice voting this election). To locate your district, turn to the map on page 7. For instructions on how to mark the ranked-choice ballot, turn to page 10.



# San Francisco's Supervisorial Districts

San Francisco is divided into eleven Supervisorial districts. Each district is represented by one member of the Board of Supervisors. For the November 2, 2004 election, San Francisco voters who live in districts 1, 2, 3, 5, 7, 9 and 11 will elect their member of the Board of Supervisors. To find out which district you live in, please refer to the map.



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

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

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

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

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

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

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

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

**District 9** includes the Mission and Bernal Heights neighborhoods.

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

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





# Early Voting

(In person or by mail)

**You no longer need a reason such as illness or travel to qualify to cast your ballot prior to election day.**

**Any voter may request an absentee ballot.** You can request that a ballot be mailed to you, or you can come to the Department of Elections and vote an absentee ballot starting on October 4, 2004.

## EARLY VOTING IN PERSON

Office hours for early voting are as follows:

- **8 a.m. to 5 p.m., Monday through Friday**, beginning October 4 at *City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48*;
- **10 a.m. to 4 p.m., Saturday and Sunday starting October 23-24 and October 30-31**;
- **7 a.m. to 8 p.m. on Election Day, November 2** at *City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48*.

## EARLY VOTING BY MAIL

To request an absentee ballot by mail, **complete the application card on the back cover of this pamphlet**, and mail it to the Department of Elections. You may also request a ballot by sending a 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. Your request must be received by the Department of Elections before 5 p.m. on October 26, 2004. (By law, the Department of Elections cannot accept requests for absentee ballots received after 5 p.m. on October 26, 2004, *regardless of when these requests are postmarked!*). Within three days after we receive your request, an absentee ballot will be sent to you.

When you receive your absentee ballot, please read the instructions carefully. You can mark your absentee ballot using a pencil or black pen. (Because permanent markers can bleed through to the reverse side of the ballot card, the Department of Elections does not recommend the use of felt tip pens.)

You can mail your absentee ballot back to the Department of Elections by inserting your absentee ballot into the envelope provided, signing and sealing the envelope, and dropping it in any mailbox—no stamp is required! You can also drop off your voted absentee ballot at any polling place on Election Day, Tuesday, November 2, 2004. The Department of Elections **MUST** receive your absentee ballot by 8 p.m. on Tuesday, November 2, 2004.

# Permanent Absentee Voter

(Permanent Vote-by-Mail)



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

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

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

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



## **IMPORTANT NOTICE TO PERMANENT ABSENTEE VOTERS**

If you have already registered as a permanent absentee voter, your ballot will be mailed on or about October 4. 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 October 20, please call 554-4375.

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

欲知詳情，請致電 415-554-4367。



# 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  
Between Stevens and Broadway  
PRECINCT 3623

5.1% Slope

Polling Place Handicapped Accessible:



Your precinct number

The slope of the entrance to your polling place







# IMPORTANT NOTICE

## RESIDENTIAL CONFIRMATION POSTCARD

### Will you vote in the upcoming election?

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

When our records contain people who no longer live in San Francisco, valuable tax money is spent in maintaining records, mailing election materials, and preparing to count votes that are never cast.

In January 2005, we will be cleaning our records, but we do not want to lose track of anybody still living in San Francisco just because they haven't voted in awhile.

We will be mailing several thousand postcards that voters should mail back to us to confirm their residential and mailing addresses. If you receive one of these postcards, please take the time and mail it back to us within 15 days of receipt.

***If we don't hear from you we will inactivate your voter registration.***

### The people who will receive these postcards are those who

- ◆ have not voted in the past 4 years in any election, or
- ◆ have not responded to previous postcards or letters from the Department of Elections

### Voters whose files are inactivated

- ◆ will not receive a Voter Information Pamphlet for future elections, and
- ◆ may be required to show proof of residence before a ballot is issued to them at the poll, and

### FURTHERMORE, IF YOU DO NOT VOTE, WE MAY CANCEL YOUR VOTER REGISTRATION.

Under state election laws, all people who receive this card and who do not vote between the date of this notice and the second federal general election that follows the date of this notice, their registration may be cancelled.

### ALL CANCELLED VOTERS WILL HAVE TO RE-REGISTER TO VOTE IN FUTURE ELECTIONS

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

We thank you in advance for your cooperation!

DEPARTMENT OF ELECTIONS

VOTER SERVICES DIVISION



# Polling Places Change Every Election

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

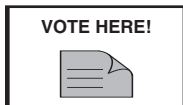


**Always check the back of your Voter Information Pamphlet**



## Change Card

**IF A POLLING PLACE** cancels after the Voter Information Pamphlet has been mailed, change notification postcards are sent to all registered voters within the precinct to inform them of the new location.



## Change of Poll Signs

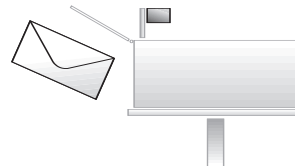
**FOR THOSE VOTERS** who are unaware that their poll site has changed, Change of Poll Signs are posted at the address of the old polling place on Election Day. Voters can tear off a sheet of paper with the location name, address and cross-streets of their new polling place from a pad attached to the Change of Poll Sign.

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## Some Voters Must Vote by Mail

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

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



# HELP AMERICA VOTE ACT

The Help America Vote Act (HAVA) is a 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.



# Information on Local Ballot Measures

## DIGEST AND ARGUMENT PAGES

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

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

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

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

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

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

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

### “PROPONENT’S ARGUMENT”

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



### “OPPONENT’S ARGUMENT”

1. For a referendum, the person who files the referendum petition with the Board of Supervisors.
2. The Board of Supervisors, or any member or members designated by the Board.
3. The Mayor.
4. Any bona fide association of citizens, or combination of voters and association of citizens, any individual voter.

## REBUTTAL ARGUMENTS

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

## PAID ARGUMENTS

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

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

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



# AN OVERVIEW OF SAN FRANCISCO'S DEBT

## WHAT IS BOND FINANCING?

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

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

**General obligation bonds** are used to pay for projects that benefit citizens but do not raise revenue (for example, police stations or parks are not set up to pay for themselves). The City's general obligation bonds must be approved by a two-thirds vote. When general obligation bonds are approved and sold, they are repaid by property taxes. The Affordable Housing Bond and the Historical Resources Preservation Bond on this ballot are both general obligation bonds.

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

## WHAT DOES IT COST TO BORROW?

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

## THE CITY'S CURRENT DEBT SITUATION

**Legal Debt Limit.** The City Charter imposes a limit on the amount of general obligation bonds the City can have outstanding at any given time. That limit is 3% of the assessed value of property in the City--or currently about \$3.15 billion. Voters give the City *authorization* to issue bonds. Those bonds that have been issued and not yet repaid are considered to be *outstanding*. As of June 30, 2004, there were \$845 million in general obligation bonds issued by the City outstanding, which is equal to 0.8% of the assessed value of property. There were an additional \$872 million in bonds that are *authorized but unissued*. If all of these bonds were issued and outstanding, the total debt burden would be 1.63% of the assessed value of property. Bonds authorized to be issued by the School District and by the Community College District do not increase the City's debt burden for the purposes of the Charter limit, however they are repaid by property taxes (see Prudent Debt Limit below).

**Debt Payments.** During fiscal year 2004-05 the City will pay approximately \$135.1 million of principal and interest on outstanding general obligation bonds. The property tax rate for the year will be 14.4 cents per \$100 of assessed valuation or \$422 on a home assessed at \$300,000.

**Prudent Debt Limit.** Even though the City is well within its legal debt limit in issuing general obligation bonds, there are other "prudent" debt calculations used by bond rating agencies when they view the City's financial health. These agencies look at all debt using the City's tax base--our general obligation bonds, lease revenue bonds, and redevelopment agency, school and community college district debt. They then take that debt as a percentage of assessed value and the result is called the overlapping debt ratio. Large cities in the United States have a median overlapping debt ratio of 3.9% -- meaning half of the cities have less debt, half have more. The City currently has a ratio for all overlapping debt of 2.35%. **While this is under the median debt ratio of large cities, the City needs to set priorities for future debt to continue to maintain good credit ratings that, in turn, are a sign of good financial health.**

Prepared by Ed Harrington, Controller





# WORDS YOU NEED TO KNOW

by the Ballot Simplification Committee

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## LISTED BELOW ARE DEFINITIONS OF TERMS:

**ABSENTEE BALLOTS** (FREQUENTLY ASKED QUESTIONS) — Ballots mailed to voters or given to voters in person at the Department of Elections. Absentee ballots can be mailed back to the Department of Elections, turned in at the Department of Elections office in City Hall, or turned in at any San Francisco polling place on election day.

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

**AREA MEDIAN INCOME** (PROPOSITION A) — A level of income based on all incomes earned within a certain geographic area. Half of Area households have incomes higher than this amount, and half have incomes lower than this amount. Currently, the Area median income for a two-person household is \$76,000.

**CHARTER AMENDMENT** (PROPOSITIONS C, D, E, F AND G) — A change to the City's Charter. The Charter is the City's Constitution. The Charter can only be changed by a majority vote of the people.

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

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

**GENERAL OBLIGATION BOND** (PROPOSITIONS A AND B) — A promise issued by the City to pay back money borrowed, plus interest, by a certain date. When the City wants to raise money to pay for a large public project, it can borrow money by issuing General Obligation Bonds. The City then repays the money plus interest over a period of years with property taxes. A two-thirds majority vote is required to authorize issuance of General Obligation Bonds.

**GROSS RECEIPTS** (PROPOSITION K) — The total amount of money a business takes in for certain goods and services.

**HOLD-OVER** (PROPOSITION D) — A member of a City board or commission who continues to serve after his or her term has expired.

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

**IMPLEMENT** (PROPOSITION F) — To put into effect.

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

**NONPROFIT** (PROPOSITION L) — A business that does not operate for profit.

**ORDINANCE** (PROPOSITIONS H, I, J, K, L AND M) — A local law passed by the Board of Supervisors or by the voters.

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

**QUALIFIED WRITE-IN CANDIDATES** — 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.

**REVITALIZE** (PROPOSITION I) — To bring back to use after a decline.

**SALES TAX** (PROPOSITIONS J AND O) — A tax added to the sale of certain retail goods.

**SURCHARGE** (PROPOSITION L) — An additional amount added to the base charge of goods and services.



# VOTING REFERENCE CHART

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

OFFICES		
<b>President</b>	<i>Vote for one</i>	
<b>United States Senator</b>	<i>Vote for one</i>	
<b>United States Representative</b>	<i>Vote for one</i>	
<b>State Senator</b>	<i>Vote for one</i>	
<b>Member, State Assembly</b>	<i>Vote for one</i>	
<b>Member, Community College Board</b>	<i>Vote for four</i>	
<b>Member, Board of Education</b>	<i>Vote for four</i>	
<b>Member, Board of Supervisors</b>		First choice
<i>For more information on ranking your first, second and third choices for your district's Member of the Board of Supervisors, turn to page 6.</i>		Second choice
		Third choice

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



# PROPOSITIONS

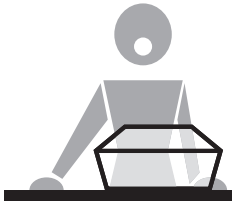
TITLE	YES	NO
<b>A</b> : Affordable Housing Bonds		
<b>B</b> : Historical Preservation Bonds		
<b>C</b> : Health Service System		
<b>D</b> : Changes to City Charter		
<b>E</b> : Police & Fire Survivor Benefits		
<b>F</b> : Noncitizen Voting in School Board Elections		
<b>G</b> : Health Plans for City Residents		
<b>H</b> : Naming the Stadium at Candlestick Point		
<b>I</b> : Economic Analysis of Legislation		
<b>J</b> : Sales Tax Increase		
<b>K</b> : Business Tax		
<b>L</b> : Use of Hotel Tax to Preserve Movie Theaters		
<b>M</b> : THIS MEASURE HAS BEEN WITHDRAWN		
<b>N</b> : Withdrawing U.S. Military Personnel from Iraq		
<b>O</b> : Use of Sales Tax Funds		
<b>AA</b> : BART Earthquake Safety Bond		





# ON ELECTION DAY

## VOTING AT YOUR POLLING PLACE



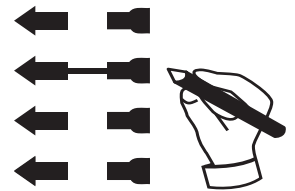
Approach the table where poll workers are issuing ballots and announce your name and address in an audible tone of voice. When one of the poll workers finds your name in the roster of voters, the poll worker will repeat your name and address. Sign your name on the signature line next to your name in the roster of voters.

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

## MARKING THE BALLOT

Using the ballot-marking pen provided at your polling place, mark your ballot by connecting the head and tail of the arrow pointing to your choice for each contest.

To vote for a write-in candidate, write the name of the write-in candidate in the space marked "Write-in." **You must connect the head and tail of the arrow pointing to the "Write-in space" for your write-in vote to be counted.** Only write-in votes for qualified write-in candidates will be counted. For a list of qualified write-in candidates, please ask a poll worker.



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

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

## HOW TO MARK THE RANKED-CHOICE BALLOT

If you live in Supervisorial district 1, 2, 3, 5, 7, 9 or 11, you will be using ranked-choice voting to elect your district's Member of the Board of Supervisors this November. The Supervisor contest will appear on a separate ballot card.

To mark the ranked-choice ballot card, select your first-choice candidate in the first column by completing the arrow pointing to your choice. For your second choice, select a different candidate in the second column by completing the arrow pointing to your choice. For your third choice, select a different candidate in the third column by completing the arrow pointing to your choice. To vote for a qualified write-in candidate for any of your three choices, write the person's name on the blank line provided and connect the arrow pointing to your choice.

For more information on ranked-choice voting, please contact the Department of Elections:

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



# ONCE YOU HAVE MARKED YOUR BALLOT



Insert your ballot, one card at a time, into the slot in the front of the “Eagle” voting machine. The ballot can be fed into the Eagle in any direction: upside down, right side up, backwards or forwards. The Eagle counts the votes electronically when the ballots are inserted by the voter. The ballots are stored in a locked compartment inside the Eagle.

## GUIDELINES FOR PROVISIONAL VOTING

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

- You were issued an absentee ballot that you are unable to surrender, and you want to vote at the polls;
- Your name does not appear in the roster of voters for the precinct;
- You are required to show identification because you registered to vote by mail after January 1, 2003 and have not previously voted, but you did not bring identification to the polling place.

How to cast a provisional vote:

You will receive a ballot and the pink provisional ballot envelope from a poll worker. The poll worker will fill out the poll worker section of the envelope. You should complete the voter's section of the provisional envelope, including providing your name, date of birth, current address and previous address. You must also sign the declaration confirming that you are a resident of San Francisco, and are registered and eligible to vote in this election. **It is very important that you sign your name at the bottom of the envelope.**

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

## YOUR SAMPLE BALLOT

The following pages contain your sample ballot. It is a 20% reduction in size of the ballot you will receive at your polling place on Election Day. Feel free to mark your sample ballot and bring it to the polling place to use as a guide on Election Day. (You can also use the Voting Reference Chart, located on page 205 of this pamphlet, for the same purpose.)

MEASURES SUBMITTED TO THE VOTERS - CITY AND COUNTY PROPOSITIONS MEDIDAS SOMETIDAS A LOS VOTANTES - PROPOSICIONES DE LA CIUDAD Y CONDADO 提交選民投票表決的提案 - 市縣提案	
<b>A</b>	Shall the City borrow \$200,000,000 to buy, build or renovate supportive and affordable housing and assist low- and moderate-income individuals and households to buy a home? ¿Deberá la Ciudad tomar prestados \$200,000,000 de dólares para comprar, construir o renovar viviendas de apoyo y de precio razonable para asistir a personas de bajos y moderados ingresos en la compra de un hogar? 市政府是否應該借款兩億元 (\$200,000,000) 用於購買、建造或翻新支持性的和可負擔的住房並幫助低收入的人或家庭購買房屋？ YES/SI/贊成 NO/反對
<b>B</b>	Shall the City borrow \$60,000,000 to buy, renovate or preserve historical resources owned by the City or the San Francisco Unified School District? ¿Deberá la Ciudad tomar prestados \$60,000,000 de dólares para comprar, renovar o preservar recursos históricos pertenecientes a la Ciudad o al Distrito Escolar Unificado San Francisco? 市政府是否應該借款六千萬美元 (\$60,000,000) 用於購買、翻新或保存由三藩市政府或三藩市聯合校區擁有的有歷史意義的資源？ YES/SI/贊成 NO/反對
<b>C</b>	Shall the Health Service System be a separate City department, and shall the Health Service Board be authorized to appoint and remove the manager of the Health Service System? ¿Deberá el Sistema de Servicio de Salud ser un departamento aparte en la Ciudad en forma aparte, y deberá autorizarse al Consejo de Servicio de Salud a que efectúe el nombramiento y destitución del gerente del Sistema de Servicio de Salud? 健康服務系統是否應該是一個單獨的部門，以及健康服務委員會是否應該有權委任和撤銷健康服務系統主管的職務？ YES/SI/贊成 NO/反對
<b>D</b>	Shall Charter rules be changed concerning the deadlines and number of votes required for action by the Board of Supervisors, the number of aides per Board member, and the length of time commissioners may serve after their term has expired? ¿Deberán cambiarse las normas de la Carta Constitucional con respecto a las fechas de cierre y número de votos requeridos para actuación por el Consejo de Supervisores, el número de ayudantes por cada miembro del Consejo, y la duración que los comisionados podrán prestar servicio después de haber vencido su término? 是否應該改變市憲章關於「市參議會表決的時間限制和所需票數」、「市參議員的助手人數」以及「在任期超過之後委員可繼續其職務的時間長短」的規定？ YES/SI/贊成 NO/反對



# CANDIDATE INFORMATION

## IMPORTANT NOTICE

For a complete list of candidates on the ballot, consult your sample ballot, which begins on page 12 of this pamphlet.

Statements of qualifications submitted by candidates for State Senate, State Assembly, the Board of Education, the Community College Board, and the Board of Supervisors appear following the sample ballot in this pamphlet. 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 November 2, 2004 Consolidated General Election are listed below:

### State Senator, District 3

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

## CITY AND COUNTY OF SAN FRANCISCO OFFICES TO BE VOTED ON THIS ELECTION

### Member, Community College Board

The Community College Board is the governing body for the San Francisco Community College District. The Community College Board, which has seven members, oversees the City College of San Francisco and other adult learning centers.

The term of office for members of the Community College Board is four years. Members are paid \$6,000 a year. Voters will select four members of the Community College Board this election.

### Member, Board of Education

The Board of Education is the governing body for the San Francisco Unified School District. The Board of Education, which has seven members, oversees all public schools, from kindergarten through grade twelve.

The term of office for members of the Board of Education is four years. Members are paid \$6,000 a year. Voters will select four members of the Board of Education this election.

### Member, Board of Supervisors

The Board of Supervisors is the legislative body for the City and County of San Francisco. The Board of Supervisors, which has eleven members, makes laws for the City and, together with the Mayor, sets the annual budget for the City. The term of office for members of the Board of Supervisors is four years. Supervisors are currently paid \$89,655 a year.

Voters in odd-numbered districts (1, 3, 5, 7, 9 and 11) will select one member from their district this election.

Voters in district 2 will also select one member from their district this election. In 2002, the voters in district 2 elected Gavin Newsom to the Board of Supervisors. He was elected to a four-year term, but he resigned in January 2004 when he became Mayor. In accordance with local law, Mayor Newsom appointed someone to temporarily fill the vacancy created by his resignation from the Board of Supervisors. The appointee serves only until the voters of district 2 elect a candidate to complete the remainder of the four-year term to which they had elected Gavin Newsom. Therefore, the term of office for the person elected by district 2 at this election will be two years.

\* THE ABOVE CANDIDATE HAS AGREED TO VOLUNTARILY LIMIT CAMPAIGN SPENDING

The above statement preceded by the star indicates candidates who have adopted voluntary campaign spending limits according to Campaign Finance Reform Ordinance (CFRO) section 1.128.



# Candidate for State Senate (3<sup>rd</sup> District)

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## ANDREW FELDER

**My occupation is** Businessman.

**My qualifications are:**

I am running to be your State Senator because now, more than ever, California needs fresh voices in government. I am not a career politician. My experiences – raising a family, building a career both in Fortune 500 companies and as an entrepreneur, and saving for college and retirement – are the “real world” experiences that matter in electing someone to represent your interests.

If you are tired of electing and re-electing the same politicians time and again – only to see your government continually fall short of expectations – then it's time to consider casting a vote for a new direction. Some candidates in this race have been part of the San Francisco political establishment for over a decade. Supporting the established order is the equivalent of asking for more of the same – irresponsible deficit spending, failing public schools, and the arrogance of an entrenched power structure that responds to the monied and powerful interests ahead of your own.

I want to be your voice in Sacramento. As a pro-choice Republican, I will seek to:

- Protect working people by opposing efforts to raise taxes
- Support businesspersons by improving the tax and regulatory climate
- Safeguard children by strengthening Megan's Law
- Help parents by expanding tax advantages for college savings accounts
- Enable senior citizens to import inexpensive prescription drugs from Canada

Vote the person, not the political party. Join me in my effort to overturn the reign of the career bureaucrats. They've had a lifetime in politics. Now, it's our time.

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

*Andrew Felder*

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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.

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# Candidate for Board of Supervisors, District 1

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## LEANNA DAWYDIAK

**My occupation is** Police Sergeant/Attorney.

**My qualifications are:**

A native San Franciscan, I moved to the Richmond in 1959, and am raising my family here. I will stand up for District 1: We need clean and safe streets, less traffic congestion, and better transit. We want access to neighborhood schools and quality neighborhood services and activities. We must support neighborhood centers for our youth and do better for our senior citizens. I will work to preserve the unique character of the Richmond and protect existing businesses, particularly small businesses. The City needs to encourage more business investment, environmental protection, and affordable housing for renters and homebuyers. I want to see our playgrounds repaired and our parks protected. I will demand that the City be run more efficiently and provide better services, including critical public safety services. The city needs a specific plan for long-term capital projects, and our public health system needs to serve us more effectively. I will use my experience as a parent, progressive police officer, lawyer, activist, and former legislative aide to advocate for our district's needs. I am seeking endorsements from neighborhood leaders and organizations, but I really want YOUR endorsement – YOUR vote. Please visit [www.voteleanna.org](http://www.voteleanna.org) or call 415.668.8072.

*Leanna Dawydiak*

## JEFFREY FREEBAIRN

**My occupation is** Federal Account Representative.

**My qualifications are:**

San Francisco doesn't need more career politicians. There's a division among our representatives and we the people who elected them.

San Francisco's beauty comes from the diversity and the vision of its residents. Its potential is magnificent but with that potential comes the responsibility to resolve many of the issues plaguing individual communities within the city.

These issues need the attention, direction, guidance, and the inspiration of all of us that are most affected by them.

I'm a concerned father, husband and citizen of the Richmond District. I feel compelled to involve other parents, neighbors, and friends to make this neighborhood, OUR neighborhood. While at a park with my wife and son, I realized that my home extends beyond the walls of my apartment. I want to be involved in decisions that affect our homes.

I chose San Francisco to go to college, get married, and become a father. It was this city that inspired me to get an English degree and write. These milestones are miracles in my life and required an honest effort.

With humility, I will listen to everyone willing to work with me. Work with me and I'll act with sincerity and conviction.

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

*Jeffrey Freebairn*

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★ The above candidate has agreed to voluntarily limit campaign spending.

★ The above candidate has agreed to voluntarily limit campaign spending.

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# Candidate for Board of Supervisors, District 1

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## DAVID HELLER

**My occupation is** President, Geary Merchants Association.

**My qualifications are:**

We must do better.

66,000 jobs have left the city, while our elected officials have done nothing. Basic reform of our homeless system was stalled for nearly two years and budget cuts threaten our most vital services.

I am running for the Board of Supervisors to change City Government.

For more than twenty years, I have worked to improve our neighborhood. As president of the Greater Geary Boulevard Merchants and Property Owners Association, I have brought city agencies, utilities and residents together to improve and protect our community.

As a leader in the Care Not Cash campaign, I was part of the effort to change how homeless services are provided. I served as a member of the committee charged with drafting San Francisco's ten year plan to address homelessness. I believe we can make a real impact on this problem.

I have worked to protect and beautify our neighborhood. When the graffiti vandal RAZO was destroying property, I organized merchants to collect the evidence, which lead to his arrest.

As your supervisor, I will continue to work for you. If you would like more information please go to my website: [www.electdavidheller.com](http://www.electdavidheller.com)

*David Heller*

## JAKE McGOLDRICK

**My occupation is** San Francisco Supervisor.

**My qualifications are:**

I've lived in the Richmond for 29 years. My two children graduated from Richmond public schools. I've served our community as a High School and USF English teacher, Rent Board Commissioner, union President, Coalition of San Francisco Neighborhoods officer, and Supervisor.

As your Richmond Supervisor, I've been a strong voice for our neighborhoods and a citywide leader for honest, independent, effective government.

- Authored landmark Pedestrian Safety Law
- Secured \$600,000 for Geary transit improvements
- Built coalition of businesses and transit advocates to increase MUNI funding \$300 million
- Funded Rossi Park improvements
- Saved Truck 14 firehouse
- Funded Richmond after-school programs
- Put \$300 million into public schools
- Leading fight for affordable housing
- Protected neighborhood businesses from predatory chain stores
- Created independent city auditor and whistleblower program

*Supporters:*

Leland Yee, Assemblyman  
Carole Migden, Chair, Board of Equalization  
Mabel Teng, Assessor  
Jeff Adachi, Public Defender  
Art Agnos, Former Mayor  
Frank Jordan, Former Mayor  
Matt Gonzalez, Board of Supervisors President  
Sophie Maxwell, Supervisor  
Michaela Alioto-Pier, Supervisor  
Sue Bierman, Former Supervisor  
Eric Mar, Jill Wynn, School Board  
Milton Marks III, Community College Board  
Mike Hennessey, Sheriff  
Father Stephen Privett, S.J., USF President  
San Francisco Firefighters  
California Nurses  
SEIU Joint Council  
HERE Local 2  
Sierra Club  
San Francisco Tomorrow

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

*Jake McGoldrick*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

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# Candidate for Board of Supervisors, District 1

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## LILLIAN SING

**My occupation is** Mediator.

**My qualifications are:**

For over thirty years, I have been working to protect and improve our neighborhoods.

I have worked as an educator, a social worker, an immigration attorney in the Richmond, and a Judge for 22 years. I am proud to have helped our city by:

- Founding a bilingual preschool in the Richmond District
- Bringing educational opportunities to San Francisco as President of the Community College Board
- Starting the first Drug Court as a Superior Court Judge and finding innovative ways to keep San Francisco safe
- Serving on the Domestic Violence Court
- Building strong coalitions for civil rights as a Human Rights Commissioner and Vice Chair of the Civil Service Commission

As your Supervisor, I will work as a problem-solver and bridge-builder to improve our neighborhoods. I will advocate:

- Supporting neighborhood schools
- Improving transportation and senior services
- Promoting small businesses to help create local jobs and grow our economy
- Ensuring our government listens to the people

Please join Senator Dianne Feinstein; Assemblywoman Wilma Chan; Supervisors Fiona Ma, Bevan Dufty; former District Attorney Arlo E. Smith; Richmond residents: Henry Der; Master Tat Wong; Aileen Hernandez; Commissioners Geoffrey Brown, Peter Keane in supporting my campaign. My website is [www.lilliansing.com](http://www.lilliansing.com) or call me at (415) 386-8018.

*Lillian Sing*

## ROSE TSAI

**My occupation is** Radio Host/Neighborhood Advocate.

**My qualifications are:**

I am a mother, wife, attorney, and neighborhood activist. I have lived in the Richmond for 19 years with my family. For me, family values, traditional marriage and giving back to the community is a life time commitment.

I have been analyzing public policies for 10 years on the air and educating the public about the importance of civic responsibilities and participation. I have worked for Head Start, started a home care service agency for house-bound seniors, provided legal assistance to low income minorities and tenants, stopped the installation of giant radio antennas in residential neighborhoods, help found the Association Of Homeowners, advocated for public power, neighborhood schools.

The recent economic down turn has lead S.F. into a monumental crisis. We must find solutions by thinking outside the box. Cutting essential services and increasing our sales tax, fees and sewer rate is not the solution to our bloated \$4.9 billion budget.

As Supervisor, I will:

- Support neighborhood schools
- Expose waste and fraud.
- Improve public accountability.
- Find ways to attract businesses and keep jobs.
- Help tenants became homeowners.
- Limit Property tax increases and simplify the permit process.
- Build more parking garages and restore sanity to our parking enforcement policy.

[RoseForSupervisor@yahoo.com](mailto:RoseForSupervisor@yahoo.com)  
[www.RoseTsaiForSupervisor.com](http://www.RoseTsaiForSupervisor.com)

*Rose Tsai*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

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# Candidate for Board of Supervisors, District 1

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## MATT TUCHOW

**My occupation is** Neighborhood Advocate/Human Rights Attorney/Teacher.

**My qualifications are:**

Neighborhood Advocate, Long-time Richmond resident, Attorney/Teacher educated at Yale and Harvard Law School.

Over the past decade:

- I fought for and obtained funds to revitalize Richmond neighborhood parks.
- I raised thousands for Alamo public school.
- I led a citizen movement that prevented the City from turning Balboa into a major traffic artery.

Our current Board of Supervisors is failing our neighborhood:

- IT'S TIME FOR LEADERSHIP ON HOMELESSNESS – I'll work with the Mayor to implement Care Not Cash, and ensure 24-hour access to shelters.
- IT'S TIME FOR LEADERSHIP ON SCHOOLS – I'll fight to ensure that every child can attend their neighborhood school, and that every child in an underperforming school can choose to attend a better one.
- IT'S TIME FOR LEADERSHIP TO CLEAN AND GREEN THE RICHMOND – I'll ensure we get our fair share of City money to improve pedestrian safety, address our parking shortage, improve public transportation, clean sidewalks, plant trees and maintain our parks.

Together, we can make our neighborhood cleaner, safer and more livable.

Join your neighbors and community leaders: Elect Matt and put his common sense, neighborhood approach to work for the Richmond in City Hall.

Matt Tuchow –  
Practical, not political.  
[www.votetuchow.com](http://www.votetuchow.com)

*Matt Tuchow*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

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# Candidate for Board of Supervisors, District 2

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## MICHELA ALIOTO-PIER

**My occupation is** Supervisor, D2.

**My qualifications are:**

I have a clear plan to improve the quality of life for the people of District 2 and for all San Franciscans.

That's why I am working for real solutions to our most important challenges, including:

- Promoting new job growth
- Protecting our environment and increasing open space
- Keeping San Franciscans safe
- Making our city more child and family friendly

Before Mayor Newsom appointed me to the Board, I served as a Port Commissioner and as a policy advisor to Vice-President Al Gore. I helped make real reform possible and always worked to give every resident a voice in our government.

As a life-long San Franciscan, a mother of two beautiful children, and as a person who has struggled in my own life to break down barriers – I am proud to work to make city government more effective and responsive.

With your support I will continue my work to improve our economy, protect our environment, make every neighborhood safe and make sure children and families can find a secure place in our city.

I am proud of the support of Gavin Newsom and Nancy Pelosi. I would be honored to earn your support, as well.

*Michela Alioto-Pier*

## STEVE BRACCINI

**My occupation is** Attorney.

**My qualifications are:**

I am not part of any family dynasty or political machine.

I am a native San Franciscan with an independent streak that comes from the experience of attending local schools, putting myself through college by working in local businesses, and volunteering for neighborhood charities. I am a graduate of St. Ignatius High School and hold a law degree from Santa Clara University.

San Francisco is in trouble. We have a Board of Supervisors that is hostile to small business, hostile to our police department, and hostile to people working to own their own homes.

As your Supervisor, I would concentrate on these issues:

Making City Hall more accountable to the citizens it is supposed to serve.

Expanding the opportunities for home ownership.

Improving the quality of neighborhood life by redirecting resources to combating litter, graffiti, vandalism, and other forms of anti-social behavior.

As the city that knows how, San Francisco can and must do better.

As your representative, I will be independent and accessible, fiscally prudent, and fair minded. I will work energetically to earn your trust and support to help restore those qualities that have made San Francisco one of the world's great cities.

<http://www.stevebraccini.com>

*Steve Braccini*



# Candidate for Board of Supervisors, District 2

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## DAVID PASCAL

**My occupation is** Local Business Developer.

**My qualifications are:**

District 2 has lost its political voice. We need a Supervisor who will be a strong, local advocate in a larger civic process – who will champion the views and interests of our specific group of City residents. I am running for office to restore this voice, to test and temper our citywide agenda.

I was 15 when my family rented a flat on Washington Street and I landed my first job at a pizza shop in the Marina. 25 years later, I still call this District my home. During this time, I've worked for a number of companies, large and small, nonprofit and for-profit. I've run my own business and have helped to launch others. Currently I'm engaged in sustainable economic development.

On the issues, I will represent this District. I will listen and I will be our voice. I will work to find the balance between our individual interests and the good of our greater community. But I cannot do this alone. I need you to work with me as we—

- Build a more accessible, responsive government
- Engage in better city planning
- Protect our environmental treasures
- Preserve the unique character of San Francisco

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

*David Pascal*

## ROGER E. SCHULKE

**My occupation is** Computer Company Executive.

**My qualifications are:**

MBA in Finance, 20 Years of Business Experience, small business owner.

I'm the guy "next door" who became concerned about the direction San Francisco was taking. Over the years we have fallen from a shining light to a broken bulb. The current Board is more interested in illegals than balancing the budget. Spending is out of control, parking fines have sky rocketed, and school educational levels are falling, as the budget has increased. San Francisco is mismanaged and is spending itself into bankruptcy. In my heart I know San Francisco.

We all recognize the City's being mismanaged, but together we will put San Francisco back on the path of business growth, smaller government, and increased opportunities for home ownership. Who better to develop home ownership than someone like myself, who wants to become a home owner?

My dream is to make San Francisco the cultural and business center that it used to be. A City where art, business, and cultural diversity blend together like a fine wine. A City where anyone, from any part of the world, can feel at home. A City that the world can fall in love with again, and would again want to visit.

People not Politics - [www.SFSupervisor.com](http://www.SFSupervisor.com)

*Roger E. Schulke*

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# Candidate for Board of Supervisors, District 2

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## JAY R. SHAH

**My occupation is** CPA.

**My qualifications are:**

Graduate of U.C. Berkeley, Haas School of Business  
Tax Board of Review, Board President for a major California city  
Past independent auditor of city government  
Small business owner

Issues I will fight for:

- Neighborhood beautification of the Marina, Pacific Heights, Cow Hollow, Presidio
- Golden Gate National Recreation Area impact on our neighborhood
- Honest and open government - we have a right to know
- Improved customer service by government
- Freedom to choose as individuals, united towards a better San Francisco
- Promoting and protecting small business
- Improved emergency services
- Improved police and fire protection

As your supervisor, I will work hard to protect San Francisco as a world-class city, a city with unparalleled culture and beauty...that when you see it, you know it, that's undeniably, San Francisco.

*Jay R Shah*

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# Candidate for Board of Supervisors, District 3

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## SAL BUSALACCHI

**My occupation is** Small Business Owner.

**My qualifications are:**

My family settled in San Francisco from Sicily. I am a native and a resident of North Beach. I went to Salesian Elementary School at Sts. Peter and Paul Church, Francisco Jr. High and Galileo High School. Army from 1963 to 1966. I have owned businesses in my own district for over 30 years.

This city is an amalgam of unique neighborhoods with diverse citizens. We need a leader who will represent the entire district and city equally without prejudice.

I was a delegate to The White House Conference on Small Business. The event saved the SBA from certain extinction. And the 1995 version led to the full deductibility of health insurance for the self-employed in 2003.

I will:

Not tolerate injustice wielded by special interest groups.

Aggressively fight for affordable housing.

Help implement "Care not Cash".

Work vigorously within our district to bring more open space.

Negotiate and compromise, a strategy that has worked for years.

Develop a plan for more port business and recreational maritime.

Work hand in hand with small businesses.

Promote the need for better education.

Strive to achieve fiscal responsibility.

Bring back the pride of saying: **"I am a San Franciscan and I love it here."**

*Sal Busalacchi*

## BRIAN MURPHY O'FLYNN

**My occupation is** Neighborhood Small Businessman.

**My qualifications are:**

Education

Local San Francisco schools

London School of Economics, BSc Community Development Economics, cum laude.

I have deep roots in District 3 spanning five decades. I am both renter and property owner in District 3. I have made a career out of preserving and restoring San Francisco's architectural gems. I have held leadership positions in non-profit, community and environmental organizations. I have a long record of active commitment to civil rights. With honesty, and integrity and leadership I have proven experience getting things done fairly and effectively, bringing vision not division.

As a reform Supervisor I will fight for:

- Serving citizens not insider special interests
- Opposing the corrupting influence of money in politics and will keep my campaign spending to the voter mandated voluntary spending limit
- Renters and small property rights
- Clean, green and safe streets
- Preserving neighborhood character
- Helping small neighborhood businesses and local jobs
- Senior and immigrant services
- Affordable housing

While career politicians talk, I have acted, initiated the following local organizations:

- District 3 Neighborhood Action
- Preserve our Parks!
- Friends of North Beach Library
- Council on Good Government
- Citywide Park Taskforce
- San Francisco Voter Project

Campaign: [www.BrianOFlynn.com](http://www.BrianOFlynn.com) 415-867-4370

Endorsement:

Kevin Shelley, California Secretary of State; past President San Francisco Board of Supervisors

*Brian Murphy O'Flynn*

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# Candidate for Board of Supervisors, District 3

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## AARON PESKIN

**My occupation is** San Francisco Supervisor.

**My qualifications are:**

Our District 3 neighborhoods are the heart and soul of San Francisco.

As a neighborhood leader, I worked to create parks, protect the Bay, stop chain stores and prevent unfair evictions.

As Supervisor, I've worked to protect all San Francisco neighborhoods and promote independent, honest, effective city government:

- Saved taxpayers millions exposing waste and corruption
- Saved the Bay from overdevelopment
- Passed pioneering law safeguarding consumer privacy
- Protected tenants from unfair rent hikes
- Banned new billboards citywide
- Established campaign and lobbyist reforms
- Encouraged Chinatown economic development
- Increased street cleaning and pedestrian safety
- Led effort to fund affordable housing
- Protected historic Colombo building
- Won landmark status for City Lights Bookstore
- Created Green Patrol to clean up Fisherman's Wharf, North Beach and Chinatown

Please join my supporters:

Carole Migden  
Leland Yee  
Kamala Harris  
Jeff Adachi  
Mabel Teng  
Matt Gonzalez  
Fiona Ma  
Michaela Alioto-Pier  
Louise Renne  
Mike Hennessey  
Harrison Lim, *Chinatown*  
Denise McCarthy, *Russian Hill*  
Gordon Chin, *Chinatown*  
Gerry Crowley, *North Beach*  
Steve Farrand, *Nob Hill*  
Lawrence Ferlinghetti, Nancy Peters, *City Lights Bookstore*  
John Malloy, *Lower Polk Neighbors*  
June Osterberg, *North Beach*  
David Chiu, *Polk Gulch*  
Anne Halsted, *Telegraph Hill*  
San Francisco Firefighters  
California Nurses  
League of Conservation Voters  
Sierra Club  
San Francisco Tomorrow

[www.peskin2004.com](http://www.peskin2004.com)

*Aaron Peskin*

## EUGENE CHI-CHING WONG

**My occupation is** Immigration Attorney.

**My qualifications are:**

I have been an immigration attorney for nearly 25 years and have successfully solved the immigration problems of my clients for all of that time. That makes me a problem solver by trade. Also, I have been a radio talk show host for over ten years where, for all of that time, I have listened to callers giving me good and bad ideas on how to better San Francisco. Now, I want to bring some of those good ideas to life.

I believe that my experience from the private sector will bring out-of-the-box solutions to a city that is badly in need of fresh and creative solutions. More of the same in-your-face type of politics will not solve our problems.

I have had to work with people from all walks of life in my career. That makes me a people person who will truly listen and work with people toward a common goal.

In my last life I was a biochemist and a college chemistry instructor. I can help San Francisco to better position itself as the bio-tech Mecca of the world.

*Eugene Chi-Ching Wong*

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# Candidate for Board of Supervisors, District 5

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## ROBERT ANDERSON

**My occupation is** Dishwasher.

**My qualifications are:**

When I ran for District 5 Supervisor in 2000, I focused on homelessness as my primary issue because of my concern about the growing number of people living and dying on the streets of San Francisco. In 2004 I think homelessness is still the most important issue facing San Francisco, though the city owes a debt of gratitude to Mayor Newsom, who, in the interim, has made a serious beginning in dealing with this distressing problem. The progressive political community of San Francisco, on the other hand, has been oddly passive in the face of this ongoing tragedy on our streets. The progressive community needs to do some serious soul-searching to determine why it failed to address a problem that clearly concerned a majority of city voters. I hope to contribute to that discussion both as a candidate and as a supervisor.

*Robert Anderson*

## BILL BARNES

**My occupation is** Supervisor Daly's Aide.

**My qualifications are:**

I'm the only candidate with real experience solving problems for everyday people at the Board of Supervisors, in the Mayor's Office and on Capitol Hill.

As staff to Supervisor Chris Daly, I found \$30 million in wasteful spending to save healthcare clinics, senior meals and domestic violence shelters.

As the first African-American to serve as San Francisco's AIDS Policy Director, I defended medical marijuana and needle exchange from conservative attacks. Working with Mayor Willie Brown, I strengthened AIDS services for people of color.

The *Bay Guardian* praised my efforts to strengthen Sunshine laws. KQED honored my work improving open spaces. Supervisor Matt Gonzalez told the *Examiner* I would "easily step into the job."

I ask for your vote.

Let's find SOLUTIONS:

**END HOMELESSNESS:**

Wrote "Real Housing, Real Care," replacing cash with real housing, not unsafe shelters.

**EXPAND HEALTHCARE:**

Authored Proposition G, so every San Franciscan can have the same healthcare as Supervisors.

**PROTECT OUR ENVIRONMENT:**

Wrote the initiative taking dirty diesel buses off San Francisco streets.

Secured \$6.1 million for solar energy.

Endorsed by former Sierra Club President Adam Werbach.

**BUILD SAFER COMMUNITIES:**

Saved youth programs that provide positive alternatives.

Endorsed by former Assistant District Attorney Jim Hammer.

www.Barnes04.com  
415-864-2373

*Bill Barnes*

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# Candidate for Board of Supervisors, District 5

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## JOSEPH VERNON BLUE

**My occupation is** Real Estate Loan Consultant.

**My qualifications are:**

As a past director of the Golden Gate Bridge District and Chairman of Adopt-A-Muni/CORE, I am uniquely qualified to bring change and leadership to the Board: I stand for:

- Bringing Quality Jobs to San Francisco: Let's use incentives to bring companies from growing industries like biotechnology back to the City to bring high paying jobs back. We must create public/private partnerships with businesses to train our youth in skilled trade jobs which will provide them careers other than selling drugs,
- Creating Affordable Housing: I will implement co-opitization policies that will allow project tenants to put a portion of their monthly rent towards home ownership. We can give people a sense of hope and empowerment that will drive them to take their communities back! To bring the middle class back to SF by creating affordable home ownership programs. The Housing Bond doesn't go far enough in extending affordable housing to families with middle incomes,
- Stopping Crime: By increasing police patrols and giving youths opportunity by placing job and career skills training centers directly in community schools and projects, we can show our City's youth that there is a light at the end of the tunnel.

*Joseph Vernon Blue*

## HAROLD BROWN

**My occupation is** Political Satirist.

**My qualifications are:**

I believe that a proper supervisor for district #5 should have spent some time in jail.... Reality is, San Francisco is run by a small clique of billionaires. By outspending neighborhood interests by a 10-1 ratio in every important election, the City has been run by a series of mayors and supervisors who answer only to developers and other special interest groups.

The new District 5 supe should be someone with the ability to form coalitions of 4 supes to place reforms before the voters. We are the majority but our only real power is through referendum.

DO NOT VOTE FOR ME!

There are at least 3 candidates in this race who have been leaders in the Progressive community for as long as 20 years. Read their bio's and pick em yourself.

WWW.SFBULLDOG.COM

*H. Brown*

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# Candidate for Board of Supervisors, District 5

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## PATRICK CIOCCA

**My occupation is** Attorney – Restaurant Host.

**My qualifications are:**

I am a private defense attorney; I am also a restaurant host – a job that has facilitated my extensive pro bono work for low income clients. I am an active volunteer on a number of political campaigns. I am a labor activist. I am an eight year resident of San Francisco.

I am proud of Our City and it's famous history. I am concerned, however, that the tradition of activism that has so defined San Francisco and District 5 in the past is beginning to cloud the decision making of our elected leaders today. Our Board of Supervisors seems more concerned with ideological coalition building, personal aggrandizement, their future political careers and the quest to appear "progressive" – a word that is starting to lose meaning – than on actually addressing the problems that Our City faces.

If elected Supervisor, I shall eschew ideology and agenda; I shall do what I have done professionally as an attorney – zealously represent the views and needs of my clients: the constituents in District 5 and the citizens of San Francisco. I shall put the views of the citizenry before my own. I shall be seen regularly in your neighborhood. I shall listen. I shall represent your voice.

*Patrick Ciocca*

## JULIAN DAVIS

**My occupation is** Stanford University PhD Student in Philosophy.

**My qualifications are:**

I am 25 years old. I have no experience in politics, no connections, no party affiliation, and virtually no money though not traditional, these may be just the qualities we would want in our supervisor. I offer independent collaborative leadership to a district of independent thinkers. As co-founder of the district 5 candidates' collaborative it is my hope that we may positively change the way political campaigns are run in the city and ultimately change the way we set public policy in San Francisco to reflect a people's agenda. My greatest qualification is that I am one of you.

*Julian Davis*

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# Candidate for Board of Supervisors, District 5

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## LISA FELDSTEIN

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

**My qualifications are:**

Born and raised in East Harlem, I graduated from UC Berkeley and have spent my life fighting for social justice. Our neighborhoods deserve a Supervisor who is experienced, accessible, passionate and gets results. My qualifications include a track record of achievement in public office and knowledge of government's nuts and bolts.

- **OUR NEIGHBORHOODS:** As a Planning Commissioner and 9-year resident of Cole Valley/Haight, I fought successfully to keep chain stores off Haight Street and voted against an oversized parking garage in Golden Gate Park. I will work to break the cycle of violence in our community.
- **AFFORDABLE HOUSING:** I'm the only candidate who's worked with community organizations to create housing for thousands of elderly, poor and working families. My record shows I will fight to preserve rent control and oppose apartment demolition.
- **CHILDREN:** Preserving health programs and creating affordable childcare are crucial. As the mother of a six-year-old, I'm committed to improving San Francisco schools.
- **WORKERS' RIGHTS:** As a labor advocate, I've fought for the rights of working people to decent wages and working conditions.
- **HOMELESSNESS:** I've created supportive housing with services, helping homeless people get off the streets.

I'd appreciate your vote.

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

*Lisa Feldstein*

## EMMETT GILMAN

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

**My qualifications are:**

I am a results oriented Progressive who understands that for our ideals to really count they must be translated into actions that benefit the community.

I have spent the last several years working with my neighbors to revitalize the Western Addition and Alamo Square Park. Working together we built a new playground, strengthened the bonds of our community, and made our neighborhood a better place to live.

As Supervisor I will:

- Strongly support Rent Control and tenant's rights.
- Build more affordable rental housing and housing for purchase.
- Vigorously act to eliminate homelessness using a supportive housing approach.
- Fight to make public schools safe, and academically rigorous.
- Reduce youth violence using community policing, after-school programs, and mentoring.
- Create jobs through low interest small businesses loans, contracting preferences for companies that employ San Franciscans, and fixed duration tax breaks for emerging industries.

I am a tenant, and a father of a public school student. I am dedicated to improving life for San Francisco and for my fellow San Franciscans. Please join with me to build a future we can be proud of.

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

*Emmett Gilman*

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# Candidate for Board of Supervisors, District 5

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## ROBERT HAALAND

**My occupation is** Labor/Housing Organizer.

**My qualifications are:**

District 5 needs a strong progressive voice.

- Senior, disabled, low-income renters feel threatened
- Neighborhood businesses fight displacement
- muni lines eliminated, parks face cutbacks
- Health care, drug treatment, HIV services in jeopardy
- Gun violence threatens our youth

My experience/proven record enables me to meet these challenges. As an organizer of frontline employees in 60 City departments, I know City government.

- Graduate, UC/Berkeley; Hastings Law
- Coordinator, San Francisco Tenants Union
- Elected two terms, County Central Committee
- Former president, Harvey Milk Club
- Led campaigns preventing unjust evictions; strengthening rent control
- Organized write-in campaign for Tom Ammiano for Mayor;
- Protected nonprofits and neighborhood businesses
- Bay Guardian "Local Hero"
- Led SFPD reform; supports community policing
- Public power advocate

As Supervisor, I'll fight for affordable housing; improved City services; safer neighborhoods; open, honest government.

**ENDORSEMENTS:**

Harvey Milk Club; San Francisco Tenants Union;  
Hotel/Restaurant Workers – Local 2; SEIU 790  
District Attorney Kamala Harris  
Assembly Members Mark Leno, Leland Yee  
Assesor Mabel Teng  
Current/Former Supervisors: Ammiano, Bierman, Britt,  
Katz, McGoldrick, Peskin; Eric Mar, School board member  
Community Leaders: Jane Morrison, Theresa Sparks,  
Pablo Heising, Shauna Marshall, Phyllis Lyon/Del Martin,  
Mike Casey, Jim Rhoads, Calvin Gipson, Mariá Guillén,  
Donna Kotake

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

*Robert Haaland*

## PHILLIP HOUSE

**My qualifications are:**

I am an Energetic bold and fresh Leader who would like to bring San Francisco into a new dimension.

Let Mr House put your financial house in order by allowing him to be the next Board of Supervisor of District 5.

*Phillip House*

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# Candidate for Board of Supervisors, District 5

## DAN KALB

**My occupation is** Environmental Policy Director – Union of Concerned Scientists.

**My qualifications are:**

Seventeen-year District 5 resident. Policy analyst, nonprofit board member, progressive activist, city commissioner, community volunteer. Endorsed by SIERRA CLUB and community leaders.

Feel disconnected from City Hall? I'm running to change that!

Here's my four-point plan to make San Francisco work better:

- Make Customer Service a Top Priority
- Improve City Hall's Responsiveness to Neighborhood Problems
- Engage Elected Officials in Community Service
- Involve District Residents Through Town-Hall Listening Sessions

**My priorities:**

- Make San Francisco Livable – MUNI improvements, bike-friendly planning, real help for the homeless.
- Pedestrian Safety – Protect seniors/disabled, adopt Pedestrian Master Plan.
- Affordable Housing – Support affordable housing bond, rent control, and lower income ownership opportunities.
- Health Care – Protect public health system for everyone.

**Professional Experience:**

- Chapter Director, Sierra Club
- Field Director, Common Cause
- Supervisor, CCSF John Adams Campus

**Volunteer Service:**

- Neighborhood Mediator – Community Boards
- Board member – San Francisco Tomorrow
- Board member – Jewish Community Relations Council, Isaiah Project
- 10-year member – San Francisco Bicycle Coalition
- Steering Committee – Housing Action Coalition
- Former City Ethics Commissioner
- Volunteer – Supervisor Sophie Maxwell's office

Join your neighbors who agree my experience, commitment to service, and integrity make me the strongest candidate. I'd be honored to receive your first choice vote.

<www.DanKalb.net>

Experienced Leadership – A Better San Francisco

*Dan Kalb*

## SUSAN C. KING

**My occupation is** Grassroots Fundraiser.

**My qualifications are:**

For the past 20 years, I have been involved in progressive politics. My work has included advocacy for environmental, peace, social justice, women's rights and transportation organizations.

As an activist, I have worked on many campaigns, including initiatives to improve public transportation, preserve rent control and affordable housing, implement more sustainable energy production, protect our natural resources like the San Francisco Bay and Golden Gate Park, and raise the minimum wage. I am currently working with members of the Western Addition community to find solutions to youth violence in our City.

Through this work, and my activist involvement in the community, **I have earned a reputation as a woman who gets things done.** I will bring this dedication and passion to City Hall.

My priorities for a better San Francisco are:

- Community based solutions to youth violence
- Creating a city that is truly "Transit First"
- Compassionate solutions to the homeless problems in SF
- Protecting the rights of tenants and providing opportunities for homeownership
- Creating a vibrant economy for San Francisco

For more information on my positions, please visit my website: [www.susankingweb.com](http://www.susankingweb.com)

*Susan C. King*

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# Candidate for Board of Supervisors, District 5

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## ROSS MIRKARIMI

**My occupation is** District Attorney Investigator.

**My qualifications are:**

I've strived to make our lives better by fighting for Consumer Rights, Open Government Reform, Tenant Protections, Police Accountability, Public Power, and Campaign Finance Reform.

As Supervisor, I will be more than just a legislator. I'll strengthen tenant rights, make homeownership more accessible, expand public transit, improve pedestrian and bicycle safety, and bolster small businesses.

I will not stand by while violence increases. I'll enact effective youth programs and make community policing accountable.

I respectfully ask for your vote.

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

"Ross Mirkarimi is a progressive who defies labels. He speaks with passion, is committed to justice, and has demonstrated a capacity to build wide coalitions. He'll summon a rare quality of vision, reason and courage to improve our city".

- Matt Gonzalez, President, Board of Supervisors

**Endorsements:**

Sierra Club  
Matt Gonzalez  
Art Agnos, Former Mayor  
Terence Hallinan, Former District Attorney  
Mark Sanchez, Board of Education Commissioner  
Christina Olague, Planning Commissioner  
Julio Ramos, Community College Trustee  
Shanell Williams, Youth Commissioner  
Bruce Livingston, Executive Director, Senior Action Network\*  
Jeff Sheehy, HIV-AIDS Activist  
Rick Howard, Co-Owner, Harry's Bar  
Norma Robinson, President, California Association of Housing Cooperatives\*  
Wayne Justman, Chairperson, Medical Cannabis Task Force\*  
Jane Kim, Community Activist  
DJ Laird  
Lawrence Ferlinghetti, Poet

\* identification purposes

*Ross Mirkarimi*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

## MICHAEL O'CONNOR

**My occupation is** Small Business Owner.

**My qualifications are:**

My name is Michael O'Connor.

I will work to celebrate this district and show why it is so amazing, as well as do whatever is in my power to make it as great a place to live and play as possible. District 5 has an amazing history as a center of music and culture and I believe that we have the honor of maintaining this past as well as adding to it.

I will aggressively fight to end the epidemic of violence among our youth and young adults in the district as well as the city. I will use my experience in making jobs as well as in youth activism to see to it that we give our youth the chance they deserve. This must come through after school programs, teen centers, and job creation.

I will remain in regular contact with the residents of the district and stand ready to solve problems that might arise. I believe that a good supervisor must be engaged in the "quality of life" issues which are affecting the district, while understanding the challenges of the city as a whole.

### CIVIC THOUGHT / CIVIC ACTION

*Michael E. O'Connor*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

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# Candidate for Board of Supervisors, District 5

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## JIM SIEGEL

**My occupation is** District 5 Merchant.

**My qualifications are:**

As the owner-operator of a small business on Haight Street for twenty-eight years, I know how to work within a budget and meet a payroll.

As a property owner and commercial tenant in the District for almost thirty years, I know the issues of tenants and landlords, and recognize that most tenants would rather own property than rent. I want to help tenants become homeowners and have the experience to do it.

As Supervisor, I will balance the need for new housing with the preservation of our architectural heritage. Our restored Victorians are community landmarks, attracting tourist dollars from around the world to San Francisco, dollars that fund critical city services for everyone.

I led the drive to save and restore the Fallon Building, now part of the LGBT Community Center, and gathered signatures to prevent a large national store from displacing small businesses on Haight Street. I commute by bicycle, but recognize the need for more parking to accommodate seniors, the disabled, and families with small children.

My District 5 endorsements include civic leaders Karen Crommie, Doug Comstock, Kelly Edwards, Richard Reutlinger, Barbara Meskunas, Joe Pecora, Noni Richen, Eric Smith, Robert Speer, John Wong, and Richard Zillman.

[www.jimsiegelfor5.org](http://www.jimsiegelfor5.org)

*Jim Siegel*

## TYS SNIFFEN

**My occupation is** Efficiency Consultant.

**My qualifications are:**

I want to be your Supervisor because I love my neighborhood, and I love this city. I'm an efficiency consultant, a park advocate, car-free, a renter, and I want to raise a family in San Francisco.

I've been leading community and citywide groups, to bring people together and hold city departments accountable on issues for years as a volunteer. From that work, I've learned that what's most important in a community leader is:

Local focus. Knowing the neighborhoods, the people, and the issues of the district (affordable housing, homelessness, transit and small business issues), I'm ready to start solving problems today.

Effective Communication. I plan to bring legislation to the community through town hall style meetings before it gets into the legislative process, getting input and local perspectives so we don't have to have poorly written propositions on the ballot. Further, as someone who has worked with both sides of many issues, I have and will bring different viewpoints to the table. I've worked with neighborhood groups, businesses, and very progressive coalitions. Balanced solutions can be found.

Follow through. We need someone who understands the issues, has experience, and can follow through until the problem is solved.

Please visit [www.tysforsupervisor.com](http://www.tysforsupervisor.com)

*Tys Sniffen*

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# Candidate for Board of Supervisors, District 5

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## FRANCIS E. SOMSEL

**My occupation is** Business Development Consultant.

**My qualifications are:**

As a "Newsom Democrat", I will bring both progressive politics and pragmatic solutions to my role as Supervisor.

My background in financial services gives me a unique perspective on budget issues that the other candidates do not have.

As a former business owner, I understand the challenges facing the business community.

My work with CalPirg and Citizens for a Better Environment has given me a sense of urgency about tackling environmental issues.

As a parent, I am deeply committed to improving San Francisco's schools and parks.

As Supervisor I will:

- Work to reduce the budget deficit.
- Increase affordable housing and home ownership opportunities for low- and middle-income families.
- Reduce violent crime. I will work with the Mayor on both short- and long-term solutions.
- Make San Francisco a cleaner, more pollution-free city.
- Improve our schools. I support Superintendent Ackerman's Dream Schools Program.
- Improve public transportation. An efficient and affordable public transit system will get people out of their cars and onto buses and trains.
- Support the Mayor's Ten Year Plan to End Homelessness.

I love San Francisco, and I want to make it an even better place to live, work, and raise a family.

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

*Francis Somsel*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

## PHOENIX STREETS

**My occupation is** Deputy Public Defender.

**My qualifications are:**

As a long term resident of San Francisco's Western Addition, my priorities include: supporting programs for our youth, increasing the available jobs in our city, affordable housing, and ending homelessness.

I served four years in the Navy and received the Expeditionary medal for my service during wartime conditions.

After earning my B.A. from U.C. Berkeley, I earned a Juris Doctorate from U.C. Hastings School of Law. Since then, I have worked with the Lawyer's Committee for Civil Rights and the Alameda County Legal Services Project. In 2000, I became a San Francisco Deputy Public Defender.

I earned a reputation as a determined and tireless fighter who refuses to compromise the interests of those whom I represent or my integrity: I have tried more cases in San Francisco than any other Public Defender in the last decade.

In 2002, the San Francisco Board of Supervisors passed a resolution commending me for my commitment to social justice and service to the people of San Francisco. I was also one of the five attorneys featured in the 2002 PBS film *Presumed Guilty*. In 2004, the students of Hastings chose me to be their Alumnus of the year.

*Phoenix Streets*

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# Candidate for Board of Supervisors, District 5

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## ANDREW SULLIVAN

**My occupation is** Internet Service Executive.

**My qualifications are:**

As the chair of Rescue Muni, I've fought for transit riders since 1998. With the help of hundreds of volunteers, we passed Proposition E in 1999. This helped Muni improve significantly, cutting delays in half.

Our reforms have made a big difference. But we have a long way to go to reform San Francisco government. As Supervisor, I will apply my experience to critical issues facing San Francisco, including:

- addressing the outrageous shortage of housing for working people in San Francisco;
- demanding tougher enforcement of laws against trash-ing our streets; and
- supporting transit expansion, including Geary Light Rail, Bus Rapid Transit, and the Bike Network.

Last year, I helped get the Geary Rapid Transit project included in the Proposition K sales tax extension. I've also been active in San Francisco's arts community, chairing the board of Crowded Fire Theater Company. I've lived in the Western Addition for nine years.

As Supervisor, I will hold City managers accountable for results, not just words. With your help we can make San Francisco government work much better for District 5 – and for the city as a whole. Thank you for your support.

[www.sulli.info](http://www.sulli.info)

*Andrew Sullivan*

## NICK WAUGH

**My occupation is** Human Rights Advisor.

**My qualifications are:**

Dear Neighbor,

On Election Day, you have a chance to change the way San Francisco government operates. With your vote, you will send me with a message to City Hall: End the bickering among Supervisors and focus instead on the issues important to our lives.

I will work to provide housing we can afford, clean parks we can enjoy, public schools where children get the preparation they need, and new jobs that pay enough to keep us here.

We can achieve these goals if we commit ourselves to innovation, to cooperation and to fiscal responsibility. These are the values that have guided my career. They are evident in my human rights work at Business for Social Responsibility, and are what led Howard Dean to endorse my candidacy.

My term as Supervisor will be defined by practical solutions to our city's needs, such as a city-sponsored incubator to nurture promising new businesses, treatment intervention for the homeless mentally-ill, and free citywide internet access. There is so much we can do.

Let's put aside petty differences and push away divisive special interests. We can do this together. I ask for your vote.

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

Kind Regards,

*Nick Waugh*

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# Candidate for Board of Supervisors, District 5

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## BRETT WHEELER

**My occupation is** Professor.

**My qualifications are:**

San Francisco has unique political and cultural potential I'm running for Supervisor because I believe we have the imagination and political will to realize that potential. But we must embrace new ideas as we tackle longstanding challenges.

I helped spearhead the "No-on-J" effort to save neighborhood planning. By creating dialogue among often-conflicting groups, we built a remarkable coalition that overwhelmingly won the election. We proved that, with fresh theories and approaches to governance, San Francisco can sustain a more radical and open democracy.

I was born in San Francisco, got my PhD from Berkeley, then taught art and political theory. I was Campaign Coordinator for Matt Gonzalez's mayoral campaign and am on the board of SFCASA—a children's advocacy program. I believe I have a distinct grasp of the pragmatic and philosophical underpinnings of vibrant democratic cultures.

We all want affordable housing, healthcare, long-term solutions to homelessness, and an environmentally sustainable city. I have concrete policies and innovative plans creating the revenues and necessary coalitions to make this happen.

If we make the right choices now, we can build the inclusive political culture that will maintain our city's diversity and preserve San Francisco as a hopeful model for the nation.

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

*Brett Wheeler*

## VIVIAN WILDER

**My occupation is** Accountant Consumer Advocate.

**My qualifications are:**

I have spent my working life as an accountant, auditor, consumer advocate and ESL teacher. My professional exposure and personal background has been international thus affording me a world view that will advantage District 5 residents. My political service and involvement covers over four decades. As a 24 year resident of District 5, I have observed it grow and diversify tremendously. However, the persistently high crime rate, high rate of school-aged children being "left behind" and poor cultural integration of one of the highest density and diverse populations of seniors in San Francisco indicates much that remains to be done in this district. I bring a sharp eye for effective and efficient government with a strong sense of compassion for the needs of our District 5 neighbors and the City at large.

*Vivian Wilder*

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# Candidate for Board of Supervisors, District 7

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## ARSENIO BELENSON, SR.

**My occupation is** Small Business Owner.

**My qualifications are:**

Family man, educator, businessman, animal pet lover. I lived in district 7 over 25 years. For the past 25 years I have worked to improve the quality of life in San Francisco especially in district 7.

Open communications with the constituents is vital in representing the district. I offer change in representing the district. People can talk to me personally and tell me their concerns and hopes and I will do my very best in implementing their mandate.

A few of my accomplishments are

Member, Committee 2000 appointed by Honorable Willie Brown  
Past State Commissioner  
Owner, West Portal Pet Shop 1970 - 1998  
Presented, Certificate of Honor, Board of Supervisors 1986  
Presented certificate of Honor, San Francisco for a Cleaner City by Honorable Diane Feinstein 1982  
Community Service Award, Rotary Club, 1994  
Past President, West Portal Merchants Association, 2 times  
Past Board Member, Forest Hills Neighborhood Association  
Board Member, Y.M.C.A. Stonestown, San Francisco  
Board Member, San Francisco Adventist School  
Board Member, West Portal Merchants Association  
Awarded 2004 Volunteer Service, President, U.S.A.

My supporters include:

Mabel Teng, Dan Mchugh, Michael Farrah Sr., Carol Korcivar, Tim Colen

*Arsenio Belenson*

## GREGORY CORRALES

**My occupation is** Police Captain.

**My qualifications are:**

Months after my return from Vietnam in 1969 I entered the S.F.P.D. and have dedicated the last 35 years to serving San Francisco. During that period I earned a Bachelor of Public Administration degree at USF.

I will bring the same skills that I developed as a "street cop" to the position of Supervisor. These skills include the ability to quickly and decisively address unanticipated crises, a knack for always getting the job done with the resources available, and an ability to work with those with different philosophies.

My wife and I have owned a home in the district for fourteen years. Our daughter attends school in the district. We hve invested our lives in what was once the most beautiful city in the world. It is heartbreaking to see the squalor infesting our district and city. I will devote all of my focus and energy to restoring our city to its earlier glory, by adding my experience and unique insight into the homeless problem.

I am not a career politician. I will not check the "political winds" before making a decision. I will be a vigorous advocate for our district if you honor me with your vote.

*Gregory Corrales*

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# Candidate for Board of Supervisors, District 7

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## SEAN ELSBERND

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

**My qualifications are:**

My name is Sean Elsbernd, I have lived in our district my entire life. I attended our neighborhood schools and was admitted to the California Bar in 2000. I live in Miraloma Park.

As your new Supervisor I ask for your support in my effort to restore common sense and fiscal responsibility to the Board of Supervisors and also to implement policies that will dramatically improve our quality of life.

I will fight to implement Care Not Cash as approved by the voters and implement the ban on aggressive panhandling. I will hold the line on shoddy development by requiring environmental impact reviews to preserve our neighborhood character and I will work with our School Board to create quality schools close to home.

I am grateful to Mayor Newsom for his confidence in my ability to represent this great district, my neighbors, and the City and County of San Francisco.

I promise to serve with integrity, respect and competence. I respectfully ask for your vote.

Supported by (partial list):

U.S. Senator Dianne Feinstein  
Mayor Gavin Newsom  
Assemblymember Leland Yee  
Supervisor Bevan Dufty  
Former Supervisor Tony Hall  
Supervisor Fiona Ma  
San Francisco Firefighters Association  
John Moylan

*Sean Elsbernd*

## VERNON C. GRIGG III

**My occupation is** Attorney.

**My qualifications are:**

I want to make San Francisco a more family-friendly city. As a parent of two young children, I want all San Franciscans to enjoy first-rate neighborhood public schools, safe streets, quality parks and a clean environment. Too many families feel that they must leave the City to have these things. My experience as a San Francisco Assistant District Attorney, Commissioner and parent makes me well qualified to represent District 7.

As a former Prosecutor, I know what it takes to make our streets safe. I have prosecuted crimes – from misdemeanors to homicides. I understand, however, the importance of drug treatment, rehabilitation and early intervention to stem crime before it starts. As a Commissioner of the San Francisco Human Rights Commission and the Housing Authority, I worked hard to address our City's shortage of affordable housing and to ensure equality of access for all San Franciscans. As a small business owner, I understand we must maintain fiscal discipline to achieve these goals.

I graduated from Yale Law School, have an economics degree and am the son of two public school educators. I am committed to making District 7 a community where we can all live, work and thrive in this great City.

*Vernon C. Grigg III*

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# Candidate for Board of Supervisors, District 7

## SVETLANA KAFF

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

**My qualifications are:**

Asians. Latinos. Russians. Women. All of them deserve passionate representation on the Board. A Commissioner on the Immigrant Rights Commission and an attorney, I fight every day for your rights.

I arrived in the United States as a refugee from the Ukraine. After attending Lincoln High School, I entered SFSU where I graduated magna cum laude. I then graduated from Golden Gate School of Law in the 11<sup>th</sup> percentile.

I know how to juggle. The needs of the immigrant population must be balanced with the needs of those already successful in our society. I have fought for mental health services for city residents, for educational opportunities for SFSU students, and for the right of parents to have a say in their children's schools.

As your Supervisor, I will continue to work toward:

- Reducing crime
- Protecting our Police
- Cleaning up our streets
- BALANCING THE CITY BUDGET

How can we achieve a balanced budget without increasing taxes? Increase tourism! I would concentrate on bringing additional revenue into San Francisco by pursuing more professional sports teams to move here.

I will bring a new perspective to the Board. I have CHARISMA, I LISTEN, and I will take ACTION!

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

*Svetlana Kaff*

## PAT LAKEY

**My occupation is** Field Representative for San Francisco Carpenters Local 22.

**My qualifications are:**

The time has come for District 7 to have a qualified leader. One who can work with all aspects of the services that make this City work. From the big downtown interests to the small business owners I have proven myself through demonstrated ability in negotiating fair contracts, resolving conflict, and bringing together groups on opposite sides of an issue. I will make those spending the hard earned tax dollars we contribute accountable, curtailing waste and duplication. I will keep a close watch on the district, directing and overseeing every aspect of services and making sure we get all the resources available.

We must work together to:

Improve our schools  
Increase home ownership  
Create opportunities for small business  
Take care of our parks  
Fund our libraries

Supporters:

Walter Johnson, SF Labor Council\*  
Doug Perry, Union Publications\*  
George Brown, Cement Masons Local 550\*  
Rudy Pavlik, S.M.W.I.A. Local 104\*  
Ken Oku Operating Engineers Local 3\*  
Pat Mulligan, Carpenter, Member Local 22\*  
Giovanna Rovetti Commissioner Film & Video\*  
Carol Ruth Silver, former SF Supervisor\*  
Fred Naranjo, State Department of Consumer Affairs Commissioner\*  
Partial list.  
Thank You!  
[Patlakey2004@yahoo.com](mailto:Patlakey2004@yahoo.com) 415-305-9080  
[www.district7.com](http://www.district7.com)

\*For Identification Purposes Only

*Pat Lakey*

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# Candidate for Board of Supervisors, District 7

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## CHRISTINE LINNENBACH

**My occupation is** Christine Linnenbach.

**My qualifications are:**

a second generation San Franciscan, born and raised in District 7, the granddaughter of immigrants. I attended catholic school, graduated from Lowell High, the University of California at Berkeley, and USF Law School. I am a director of the Lowell Alumni Association and am an officer of our neighborhood Twin Peaks Improvement Association (which represents over 2000 households, monitoring the issues and concerns of Clarendon Heights, Midtown Terrace, Forest Knolls, the Woods, and Galewood Circle at City Hall).

I'm the attorney who represented District Seven neighbors in the five year successful fight forcing Sutro Tower to earthquake retrofit the tower. I worked with West Portal merchants to protect the small business character of their commercial district.

I advocate public participation in honest, open, sensible government and will place the district's concerns first.

It's time to stop rubber stamp appointments to the Board of Supervisors.

We need an independent, objective, fair-minded leader at City Hall - one who can analyze and solve the problems challenging our district and our city.

I'll owe my allegiance to District Seven residents – I'll be your supervisor - and not represent special interests that influence decisions made at City Hall.

Please vote for me November 2<sup>nd</sup>  
[www.linnenbachforsupervisor.com](http://www.linnenbachforsupervisor.com)

*Christine Linnenbach*

## MICHAEL PATRICK MALLEN

**My occupation is** Management Consultant.

**My qualifications are:**

My name is Mike Mallen, a 41 year old 5<sup>th</sup> generation native San Franciscan, 31 year neighbor in District 7.

I served as an Assistant to a Mayor and to the President of the Board of Supervisors and Property Manager and Project Manager in the Recreation and Park Department. I founded and served as President of a Non-profit that provided tutoring, recreation and food to underprivileged youth. I founded two technology companies serving as CEO.

I have strong ties to San Francisco, my deceased father William J. Mallen was a Deputy Mayor under Joseph Alioto and the Presiding Judge of the Municipal Court of San Francisco. My grandfather George Ellis was Business Manager for Local 261, Teamsters.

I have devoted my life to making San Francisco a better place. I have the experience and expertise to solve problems by finding sound practical solutions.

I am an insider to the political arena and I believe party politics is destroying San Francisco. I have made a lifetime pledge to refuse political endorsements from individuals, political clubs and parties.

I believe in inclusion so please join me in making District 7 a better place for all its residents.

*Michael P. Mallen*

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# Candidate for Board of Supervisors, District 7

## MILTON "RENNIE" O'BRIEN

**My occupation is** Physician/Teacher.

**My qualifications are:**

I was born and raised in District 7. I know the issues that affect our community. When elected, I promise I will be 110% committed to your needs.

- I will address the homeless situation that currently leads to the death of over 100 people per year.
- I will work to make our city, district, and landmarks safe.
- I will save Lake Merced from becoming a breeding ground for the West Nile Virus by using surplus treated water to restore the water levels.
- If a majority of District 7 supports an issue, so will I.
- I will actively campaign to bring businesses back to San Francisco by improving the business climate.
- Improve the quality of life for seniors.

I feel San Francisco is the greatest city in the world, yet reserves even greater potential for the future. There are issues that we must acknowledge and care for so that we can fulfill our promise to you. We must care for the homeless, establish additional quality jobs, give all children access to the public school system, and ensure that the City government of San Francisco is representing its voters to the best of its ability. The only endorsement I seek is yours.

(415) 273-1513  
www.drobrienforsupervisor.com

*Milton "Rennie" O'Brien*

## DAVID PARKER

**My occupation is** Businessman, Appointed Commissioner.

**My qualifications are:**

We deserve a Supervisor who:

- Is experienced and trusted

"I don't want to lose Mr. Parker's experience and enthusiasm and what he brings to the table"

District 7 Supervisor Tony Hall (Board of Supervisors, 2/20/02).

"Mr. Parker is somebody who has always been a forthright honest voice"

Supervisor Matt Gonzalez (Board of Supervisors, 2/20/02).

- will be independent of political influence and paybacks
- envisions effective solutions for our district and city

We voted together to implement "Care Not Cash" and significant homeless reform.

I will create home ownership options for: Police, Firefighters, Teachers and Nurses, who deserve to live where they work.

I will collaborate with community leaders and non-profit organizations to create safe and effective programs for our senior community and for youth.

I will work for solutions to create and protect small businesses in West Portal and similar neighborhoods.

Experience you can count on:

Commissioner, Delinquency Prevention Commission, I worked to:

- implement a Juvenile Mentoring Program
- re-implement social workers in our public schools

As a businessman, I have been responsible for:

- multi-million dollar budgets
- working with business leaders to solve San Francisco's economic problems

I respectfully ask to be your First choice for Supervisor.

*David Parker*

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# Candidate for Board of Supervisors, District 7

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## SHAWN REIFSTECK

**My occupation is** Nonprofit Executive.

**My qualifications are:**

Our city faces daunting challenges. A \$300 million shortfall requires tough cuts to services. Our homeless crisis demands real solutions. Inadequate public transportation and dangerous streets frustrate residents. Our job market is rebounding too slowly.

Unfortunately, our supervisors play politics rather than solve problems. They're more focused on what happens inside City Hall than on our neighborhoods. They've caught "City Hall Fever."

We deserve better.

As a nonprofit executive with experience at the San Francisco Food Bank and Hands On San Francisco, I know the power of service, consensus-building and mobilizing people. I'm experienced in managing organizations with limited resources. I know how to stretch every penny and manage financial challenges. It's an approach our city government needs to learn.

I'll work for real solutions to homelessness, protect health care and vital services for seniors and immigrants from budget cuts, make 19th Avenue and other streets safer, and ensure our neighborhoods and parks get their fair share of city funds.

Most of all, I will be accessible and accountable to residents. I'll hold regular town hall meetings. I will never catch City Hall Fever.

To learn more, visit [www.shawnreifsteck.com](http://www.shawnreifsteck.com).

Thank you.

*Shawn Reifsteck*

## ISAAC WANG

**My occupation is** Financial Advisor.

**My qualifications are:**

Proven financial know-how in cost-cutting and revenue creation by designing and implementing dynamic financial models within SF Airport Commission and SFPUC.

He played a key role in engineering rates and charges in the \$2.9 billion Airport Master Plan and managed a \$3.6 billion water long range financial cash flow project, previously stalled over 18 months.

Proven ability to compromise and find resolutions in resolving conflict between SF Recreation and Park and concessionaires by structuring a creative financing package benefiting both parties.

Trained to have both a macro- and micro-economic view, Isaac is not ignorant of the private impact of public spending. Additionally, Isaac possesses 16 years of private sector experience in securities investment, real estate investment and commercial lending anchored in advanced accounting discipline, financial and computerized system automation dexterity. Supplementing his professional track record, Isaac possesses a compassion to serve essential in every public servant. Equipped with a financial know-how that has both earned and saved the City millions, Isaac will serve District 7 with a citywide view, but district-tailored concerns. You have Isaac's ears, eyes, mouth, mind, and most of all, his heart.

*Isaac Wang*

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# Candidate for Board of Supervisors, District 9

## TOM AMMIANO

**My occupation is** San Francisco Supervisor.

**My qualifications are:**

I've lived in District 9 for 30 years. I began teaching at Buena Vista Elementary 1969. My daughter and granddaughter were born and live in the Mission. I've served Portola, Bernal Heights, St. Mary's Park, Mission residents and families as educator, civil-rights advocate, School Board President and Supervisor:

- Protected Mission families from eviction and displacement
- Secured \$300 million for public schools
- Won Living Wage for lowest-paid workers
- Improved Portola family and senior services
- Passed pioneering domestic partner law
- Secured \$5 million for new Mission community center
- Authored public and solar power initiatives
- Preserved immigrants' housing
- Created safe house for sexually exploited children
- Won landmark police reforms, gang prevention funding
- Restored St. Mary's Park children's playground
- Helped win \$5 million for Bernal Heights branch library

There's much more to be done:

- Universal healthcare for all San Franciscans
- Rescuing General Hospital
- Creating jobs and affordable housing
- Protecting parks and open space
- Improving public and pedestrian safety

Please join my supporters:

Dolores Huerta  
Eric Quezada  
Nancy Charraga  
Francisco Herrera  
District Attorney Kamala Harris  
Sheriff Mike Hennessey  
Public Defender Jeff Adachi  
School Board Members Mark Sanchez, Jill Wynns  
Robert Pender, San Francisco Tenants Network

Harvey Milk Club  
California Nurses Association  
San Francisco Firefighters

*Tom Ammiano*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

## LUCRECIA BERMUDEZ

**My occupation is** Immigrant Rights Advocate.

**My qualifications are:**

I have no interests that differ from the interests of working class families, people of color, l/g/b/t and youth living in District 9 whom I am looking to represent. I see myself as a tool for their struggles and for their right to rule their own lives and the district in which they live.

The fundamental reason of my campaign is to continue building the movement we began during the Gonzalez for Mayor Campaign.

Since 1996, I have been fighting for the right to vote for non-citizens and I co-authored the 2000 Bayview Hunters Point Reparations Act.

From saving Mission Recreation Center to reforming the Mission Cultural Center; from helping organize Immigrant Pride Day to working against displacement and gentrification; from protecting Dolores Park from privatization to fighting for economic development, I have been integrally involved in our district's struggles for a decade.

I am running on a platform developed by the Progressive Left Movement at townhall meetings, addressing the needs of District 9 and those of Eastern San Francisco (D9, D10, D11 and parts of D6) where the overwhelming majority of working families, youth, people of color and immigrants live. Read my platform, volunteer and contribute:

<http://www.lucreciabermudez.com>

*Lucrecia Bermudez*

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# Candidate for Board of Supervisors, District 9

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## MIGUEL BUSTOS

**My occupation is** Community Relations Advisor.

**My qualifications are:**

District 9 has not been receiving its fair share of city services. And this neglect is taking its toll. With crime and unemployment rates high, businesses closing, youth with no places to go and seniors afraid to leave their homes even during the day, New leadership and a fresh perspective are required if we are to reverse these trends and chart a new course.

I believe that I can provide that new leadership. As a native of District 9, I know the neighborhoods and understand the needs. The areas of concern are: clean and "green" streets, safe neighborhoods, local business development, access to education and jobs, arts and culture, parks and open space, and affordable housing.

These needs are very basic to the quality of life in any urban neighborhood. They form the basis of my campaign. As a coalition builder, I am confident that I will be able to work with the members of the Board and the Mayor in finding solutions to these problems.

**My Community involvement:**

Mission Neighborhood Center  
The Horizons Foundation  
San Francisco Organizing Project (Portola)  
Bernal Heights Neighborhood Center's Community Planning Process  
Lower 24<sup>th</sup> Street Association  
San Francisco General Hospital Rebuild Committee

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

*Miguel Bustos*

## JAMES BORIS PEREZ

**My occupation is** County Government Manager.

**My qualifications are:**

James Boris Perez

**Personal History:**

Father and Mother emigrate from Mexico to San Francisco, Mission 1953

Born in San Francisco, 1961

Married 21 years to Elizabeth Mandap Perez, Daughter Rachel 20, Son Anthony 9, Daughter Angelina 1 month Catholic

**Military Background:**

4 years active duty, United States Air Force, Germany

**Employment Background:**

I work in County Government, 10 years with Contra Costa County and now with Santa Clara County as Voice Communications Manager. I have been involved with all County Government Agencies.

**Political Statement:**

I am compelled to run for Supervisor. I believe this great City is misrepresented and a dark cloud of immorality, injustice to common folk and misdirection of County funds and services has covered us.

**In district 9 we must:**

Increase Law Enforcement presence to create a safer environment on our streets and in our parks.

Greater traffic enforcement to control unsafe conditions and double parking.

Address strictly the homeless problem in our district.

Minimize the criminal elements in our housing projects.

Increase funding for economic improvements, parks and recreation.

I know in my heart that with commitment and cooperation I can improve the quality of life in our district.

Thank you,

[JamesBorisPerez@comcast.net](mailto:JamesBorisPerez@comcast.net)

*James Boris Perez*

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# Candidate for Board of Supervisors, District 9

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## RENEE SAUCEDO

**My occupation is** Civil Rights Attorney.

**My qualifications are:**

Board President Matt Gonzalez endorses me because I have worked in the Mission for 15 years promoting the rights of women, youth, workers, homeless people, and immigrants. I helped pass the Minimum Wage Ordinance, the resolution protecting students from police harassment, the INS Raid Free Zone, and the creation of the Immigrant Rights Commission. I opposed Home Depot moving onto Bayshore and the gentrification of our neighborhoods.

I was born in San Francisco and received my Bachelor and Law degrees from UC Berkeley. I have unified different communities by working with organizations including Chinese Progressive Association, Asian Law Caucus, Filipinos for Affirmative Action, Coalition on Homelessness, the People's Budget, and the Mission Antidisplacement Coalition.

San Francisco faces a deepening economic crisis. I unite coalitions to ensure that our City's budget is not balanced on the backs of working people, and that Downtown Corporations pay their fair share of taxes. My four pillar issues are 1) living wage jobs; 2) decent, affordable housing; 3) universal, quality health care and safety in the neighborhoods; and 4) better options for youth.

I will be an effective advocate for all of our rights, and will be present and accessible in the District.

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

*Renee Saucedo*

## STEVE ZELTZER

**My occupation is** Stationary Engineer.

**My qualifications are:**

**A voice for working people and the community.**

We need a new movement in San Francisco that will challenge the corporate dominated politics that threaten our living conditions and environment. It is time to halt the privatization of our parks, museums, public schools, and end the contracting out of all our public services with a charter amendment. We must stop the shutdown of emergency rooms and hospitals.

I also stand for:

- Regular district meetings in every neighborhood.
- Enforcement of residential hiring rules.
- Rent control for small businesses, and stopping of Home Depot in SF.
- Housing for working people and the poor, built by union workers.
- Full and equal rights for all including at risk youth, LGBT same sex marriage.
- A real Living Wage.
- Municipalization of Comcast and PG&E with an elected board running these agencies.
- Establishment of a war profiteers' tax.
- A Public Media Center for our community and youth to put our voices out.
- No use of city pension funds for Israeli bonds.
- SF payroll tax on those who make more than \$125,000 a year.

Steve Zeltzer, a native of San Francisco, will stand up and fight for democratic rights for all residents.

[www.stevefor9.org](http://www.stevefor9.org)

*Steve Zeltzer*

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# Candidate for Board of Supervisors, District 11

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## ROLANDO BONILLA

**My occupation is** City Commissioner.

**My qualifications are:**

I am a native San Franciscan and I grew up in the Mission and Excelsior neighborhoods. The son of working class parents, the values of hard work and family that my parents have instilled in me has marked all of the work I have done, whether at Sacred Heart Cathedral Preparatory, The University of San Francisco or over the past eight years of public service at the Department of Public Health or as a City Commissioner, most recently as chair of the finance committee of a \$30 Million city department. I have had the responsibility to balance a city budget while fighting to protect services that are critical to balance a city budget while fighting to protect services that are critical to our neighborhoods. I have a record of demanding accountability from city agencies and community organizations while being balanced and fair. I will be a supervisor with a strong voice working tirelessly for you. On November 3<sup>rd</sup>, do you want to wake up and see four more years of inaction and inattention or four more years of possibility and change?

For more information on my candidacy please visit my website at [www.rolandobonilla.com](http://www.rolandobonilla.com)

*Rolando Bonilla*

## ANITA GRIER

**My occupation is** Educator/Administrator.

**My qualifications are:**

I have worked hard as an educator, and as an administrator, all of my life.

I taught Special Education for 12 years, am currently a high school assistant principal, and served the schools as a program administrator, Americans with Disabilities Act director, and facilities supervisor. I've written budgets, work well within budgets, and respect the tax dollars that fund them. I also know that we can provide better direction to, and opportunities for, our youth and their families.

As a twice-elected member of the Community College Board, and past President, I'm proud to have the endorsement of former College Board member Robert Varni, School Board member Eddie Chin and Supervisor Sophie Maxwell.

I've owned my home in Ingleside for 25 years and believe we can assist more people toward becoming homeowners. As Supervisor, I will work to keep our property taxes and utility fees from rising, help our district merchants, and finally do something about the street crime that keeps our seniors and children locked in their homes.

Community leaders Ted Frazier, Les Payne and Espanola Jackson, and labor leaders Peggy Gash, Joan Marie Shelley and Larry Martin endorse me.

[www.anita411.org](http://www.anita411.org)

*Anita Grier*

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# Candidate for Board of Supervisors, District 11

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## MYRNA VIRAY LIM

**My occupation is** Small Business Owner.

**My qualifications are:**

It is time for a change at City Hall.

We need leadership at City Hall that focuses on our problems. As a member of the Board of Supervisors, I will work to make sure our streets are safe and clean, that businesses can create good jobs and that we take care of our most vulnerable citizens.

We can solve our City's problems.

Rather than giving myself a 150% pay raise, as the current Board did, I will focus on giving San Franciscans a raise by creating an economic development plan that creates jobs. I won't limit new businesses attempting to open stores in San Francisco. I will work to make sure proven crime-stopping techniques such as CompStat are implemented. I will provide care to our elderly and real homelessness solutions, not political games.

I have lived in the Excelsior since 1976. My family ran a single-screen theater here upon moving to this country. Now I am raising my daughter here. I have spent my life working to improve San Francisco, serving as a Small Business and Planning Commissioner. Please allow me to continue serving you as your Supervisor in District 11.

Join me by calling 584-8488 or visit [www.district11supervisor.org](http://www.district11supervisor.org)

*Myrna Viray Lim*

## JOSE MEDINA

**My occupation is** Environmental Board Member.

**My qualifications are:**

My family and I have lived in District 11 for FORTY YEARS. I am the only candidate running who will be neither a rubber stamp nor an obstructionist to the current Mayor.

- On the Board of Supervisors I started the battle to rebuild Laguna Honda Hospital, established the Excelsior Youth Center Fund, battled Bank of America to keep ATMs along Ocean Avenue, and raised bail rates for the first time in 30 years to reduce criminal activity.
- As Director of the California Department of Transportation, I managed 20,000 employees, an \$8 billion budget, and was chosen 1999 California "State Manager of the Year". There, I allocated \$6 million to kick-off expansion of the Balboa BART Station and \$7 million to repave Ocean Avenue.
- As a 2 term Police Commissioner, I put more police on our streets.

**Education:**

- Harvard Graduate School of Business
- Hastings Law School
- San Francisco State University \*Alumni Hall of Fame\*
- City College of San Francisco \*Student Body President\*

**Endorsements:**

Sue Bierman, Former Supervisor  
Eddie Chin, School Board Member  
Jill Wynns, School Board Member  
James Fang, BART Board President  
Al Lewis  
Rudy Meraz

587-7726

[www.JoseMedina2004.com](http://www.JoseMedina2004.com)

*Jose Medina*

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# Candidate for Board of Supervisors, District 11

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## GERARDO SANDOVAL

**My occupation is** Incumbent Supervisor.

**My qualifications are:**

Law degree from Columbia Law School and a Master's Degree in City Planning from U.C. Berkeley. I worked as a Deputy Public Defender, as a Finance Assistant to the Mayor, and as a Public Transportation Commissioner. I have been your Supervisor for the past four years.

**My accomplishments include:**

Created a City program to import inexpensive Canadian prescription drugs, added 80 new police officers in this year's budget, saved Fire Station 33 from closure. New children's playgrounds for Excelsior Park and Crocker Amazon Park. New bathrooms for Balboa Park. Oceanview Park will soon have a completely new gym. Renovation of Excelsior Library. A completely new Ingleside Library. Beautified Ocean Avenue. Saved the historic Geneva Office Building. Cleaned up Brotherhood Way.

**My Platform:**

Slow down traffic, ease parking congestion, and make shopping safe and attractive.

**Endorsements:**

Senator Diane Feinstein  
Senator Jackie Speier  
Assemblyman Leland Yee  
Sheriff Michael Hennessey  
Carole Migden, CBE  
Public Defender Jeff Adachi  
Service Employees Int'l Union (SEIU)  
Firefighters Local 798  
Laborer's Local 261  
Transport Workers Local 250A  
Hotel Employees Local 2  
California Nurses Association

Please visit me at [Sandoval2004.com](http://Sandoval2004.com) or call 415-356-9815

I would be honored to continue serving you at City Hall.

Supervisor Gerardo Sandoval

*Gerardo Sandoval*

## REBECCA SILVERBERG

**My occupation is** Neighborhood/Business Advocate.

**My qualifications are:**

I know District 11 better than any other candidate, and I am prepared to work for you, the taxpayer.

District 11 voters need – and deserve – a supervisor who is one of them, a supervisor who has lived and worked in our district. That is what district elections are about.

I have lived in the Excelsior for over 25 years and am:

- President of the Excelsior Improvement Association
- A co-founder of the District 11 Council
- Government and Elections Chair of the Coalition for San Francisco Neighborhoods

I have been recognized as:

- "Small Business Advocate of the Year" for work with neighborhood commercial districts.
- "California Assembly Woman of the Year", representing SF-Woman's Political Committee and National Women's Political Caucus, from Assemblyman Kevin Shelley.

The American Veterans Coalition, SF Chapter, honored me for defeating a ballot measure that would have made Veterans second class citizens in their own building. I will introduce legislation to guarantee Veterans' rights.

**As supervisor I will:**

- Rewrite the Residential Permit Parking to mitigate parking problems in our neighborhoods.
- Pass a Blight Ordinance.
- Require the City purchase 25% goods and services from local small business.
- Secure SBA grants for neighborhood newspapers linked to our District 11 commercial streets.

*Rebecca Silverberg*

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# Candidate for Board of Supervisors, District 11

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## FELINO M. SILVERIO, JR

**My occupation is** Retired Infantry Officer.

**My qualifications are:**

Retired Lt Col, U.S. Army, Highest military education, Command and General Staff College. Graduate of Bachelor of Business Administration Marketing Major.

I'm running for Supervisor of District 11 because I believe that I can improve the lives of the people.

As supervisor I will divide District 11 in to a managible blocks to be led by a Barrio Captain and each street within that block to be led by a neighborhood leader. Together they will get the true feeling of the people of this Barrio and in turn these Barrio Captains will create a ommittee of 5, that can meet me any time to discuss what each Barrio needs or what the entire District feels about any given topics waiting to be voted on before the Board of Supervisors. What ever decision the people of District 11 decides, that will be my decision too before the Board of Supervisors.

Together we can make this District a community of LOVE AND UNDERSTANDING, just like Saint Francis wants it to be.

Make me an instrument of thy peace  
In Hatred, let me sow Love  
In Injury, Pardon  
In Doubt, Faith  
In Despair, Hope  
In Darkness, Light  
God Loves You.

*Felino M. Silverio, Jr*

## TOM YUEN

**My occupation is** Police Sergeant.

**My qualifications are:**

For over 23 years, I have served as a police officer for the San Francisco Police Department. It gave me first-hand experience how the City Government operates. At times, it has been fraught with frustrations shared by all San Franciscans, the non-responsive and uncaring bureaucrats, self-serving politicians. We must take steps to bring our City back on the right track. I have worked with the City's diverse communities that were committed to improving the quality of life for all residents.

My priorities are:

A responsive city government, a government that lives with-in its means.

Cut wasteful spending.

Economic development for all sectors.

Create partnerships with business community, vital business environment.

Concrete solutions for homeless.

Clean streets, safe parks for all neighborhoods.

Quality education and after school care.

An effective M.U.N.I. system and a first class transbay terminal.

I care deeply about our City. I'll be your voice to City Hall. I'll bring integrity, energy and balance to the Board. With your support, let's create a Board for all San Franciscans.

*Tom Yuen*

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# Candidate for Board of Education

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## Dr. JAMES M. CALLOWAY, Ed.D

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

**My qualifications are:**

I was employed by the San Francisco Unified School District (SFUSD) for over 20+ years; starting out as a teacher's assistant, then teacher, counselor, head counselor/dean, assistant principal and principal. I hold the following degrees: AA, BA, MA and Doctor of Education. I have taught grades K-12, and during my career, I have worked with regular students, bilingual education, special education, gifted, counseling, career planning and adult education.

Over the years I have worked with students, teachers, staff, parents and community members from diverse ethnic and cultural backgrounds. I am also sensitive to issues surrounding sexual orientation and the disabled students.

I have been professionally affiliated with the SFUSD for 30+ years and have dedicated over half of my life working on behalf of the students of San Francisco.

While employed by the SFUSD, I was a strong union member. I have also worked as a college instructor for the following colleges: SF City College, SF State University, University of California and Canada College. I want to work hard for all of the students of San Francisco.

*James M. Calloway, Ed.D*

## JAMES FERRIGNO

**My occupation is** Teacher.

**My qualifications are:**

I have been a teacher in the Bay Area for eight years and have taught in San Francisco for four years.

I have spoken with parents, current board members, and community leaders regarding the crisis in our district and have found that there is no lack of positive, cooperative solutions to this crisis, just a lack of will to implement them.

Our district is currently not fighting "No Child Left Behind." This is a fundamentally punitive law that uses unreliable standardized tests for "summative" assessment. This law must be challenged not only by our school board but also through a grassroots campaign to convince legislators to pass supportive laws based on "formative" assessment. This approach would help to produce real improvements in our schools instead of punishing districts with counterproductive sanctions.

However, my most important qualification is not my experience nor ideas but my determination to do what is right for the kids beyond any other considerations. Democracy does not mean that an elected official plays politics in isolation and citizens only vote once a year. I will help to build a coalition of parents, community organizations, students, and citizens to work together to solve these problems cooperatively throughout the year.

*James A. Ferrigno*

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# Candidate for Board of Education

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## HEATHER A. HILES

**My occupation is** President, The Hiles Group, LLC.

**My qualifications are:**

I was appointed by Mayor Newsom to help heal political rifts at the school board and put our children first.

The facts show why we need change:

- San Francisco has the lowest percentage of families with children of any American city.
- The majority of African American and Latino students still don't go on to college.
- 30 percent of our families have abandoned our system for private schools.
- The civil grand jury reports 5,000 high school students miss school at least one day a week.

I struggled through inner-city schools. But I was able to attend a quality public high school. I went on to graduate from UC Berkeley, earn my MBA from Yale and help our city by launching SF Works. That's why I am fighting to give every child opportunity by:

- Making sure children can attend excellent schools close to home.
- Increasing financial accountability.
- Turning underperforming schools into "Dream Schools."
- Creating new housing to attract and retain the best teachers.
- Providing new job-training opportunities for youth.

Mayor Newsom, Kamala Harris and Jeff Adachi have joined my campaign. Your support will help me continue the fight to put children first.

*Heather A. Hiles*

## LARRY KANE

**My occupation is** Attorney/Coach.

**My qualifications are:**

As the Galileo High wrestling coach for the last 11 years, I've helped hundreds of young men and women learn to set and achieve goals and gain self-esteem. Many of my students attain athletic success. More importantly, almost all graduate from high school and go on to college.

Sadly, my students are the exception in many of San Francisco's public schools.

San Francisco's after-school activities - music, drama, sports – are woefully under-funded. An entire generation of young people miss the opportunity to participate in activities that would not only enrich their education, but also give meaning and direction to their lives.

As a graduate of public schools, through academics and athletics, I earned scholarships to attend Columbia University and Law School. I want my pre-school daughter to attend San Francisco public schools.

I'm a partner at a major San Francisco law firm. On the School Board, I'll work to increase community and parental involvement. I'll push to re-establish quality after-school programs. With the active involvement of parents and the community, we can create public schools worthy of San Francisco's children.

Teachers, parents, principals, students, union representatives and business leaders support my campaign.

*Larry Kane*



# Candidate for Board of Education

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## JANE KIM

**My occupation is** Youth Education Director.

**My qualifications are:**

**EXPERIENCE:**

As the Youth Education Director at Chinatown Community Development Center, I educate students attending 11 San Francisco public high schools. I have developed nationally recognized after-school programs that have served hundreds of youth.

As a child of immigrant parents, Stanford University graduate, and community leader, I know the value of setting high expectations. This is how I developed hundreds of students to achieve their highest potential.

**PRIORITIES:**

- Protecting funds in the classroom FIRST.
- Equity in schools
- Moving School Board meetings back into neighborhoods
- Transparency of School District information
- Creating partnerships between schools and community centers to increase programs during and after school that provide counseling, arts, athletics, leadership programs and a safe space that **KEEPS STUDENTS IN SCHOOL.**

I actually have the experience to do this.

As the only candidate currently working with students from multiple San Francisco public schools, I bring a much needed voice onto the School Board.

**ENDORSEMENTS:**

Supervisors Matt Gonzalez, Jake McGoldrick, Chris Daly, Gerardo Sandoval

Public Defender Jeff Adachi

School Board Members Sarah Lipson, Mark Sanchez

For more information and full list of supporters, please visit: [www.janekim.org](http://www.janekim.org)

*Jane Kim*

## ERIC MAR

**My occupation is** Teacher/Parent/School Board Member.

**My qualifications are:**

Teacher at San Francisco State University since 1992; attorney; Parent of preschooler; past Asst. Law School Dean and Professor; past director, Coalition for Immigrant Rights.

As a School Board Member I have served as an independent, responsive and effective advocate for students, parents and teachers.

**Endorsements:**

Kevin Shelley, California Secretary of State

Carole Migden, Chairwoman, California Board of Equalization

United Educators of San Francisco

**SUPERVISORS:** Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval.

**ASSESSOR** Mabel Teng

**PUBLIC DEFENDER** Jeff Adachi

**SCHOOL BOARD:**

Sarah Lipson, Mark Sanchez

**COLLEGE BOARD:** Rodel Rodis

UESF President Dennis Kelly, VP Linda Plack

United Administrators President Jim Dierke

**COMMUNITY LEADERS:**

Jane Morrison, Henry Der,

Terry Collins, Rich Wada,

Yuri Kochiyama, Harry Britt

Emil DeGuzman, Bill Sorro,

Renee Saucedo, Robert Haaland,

Oscar Grande, Mauricio Vela, Warren Mar

Karen Zapata, Nick Pagoulatos, John Avalos

**ACCOMPLISHMENTS:**

Treating student/parent/teacher voices with respect

Eliminating corrupt contracting practices

Building strong financial oversight/accountability

Advocating for equality and fairness for all

Directing financial resources into classrooms, not the central office bureaucracy

Advocating for investments in education - California's number one budget priority

Working to make San Francisco public schools places of learning that are safe and supportive for all students

I respectfully ask for your vote.

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

*Eric Mar*

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# Candidate for Board of Education

## MARK SANCHEZ

**My occupation is** Public School Teacher.

**My qualifications are:**

I teach 8<sup>th</sup> grade science, and taught elementary school for seven years in San Francisco public schools. As a commissioner on the Board of Education, I have increased public awareness of the needs of our students. I worked with supervisors to commit the city to contributing significant resources to our schools through Proposition H, which passed with 70% of the vote in March, bringing \$60 million yearly to classrooms, providing librarians, nurses, arts, athletics, universal pre-kindergarten, counselors, and other services. I am a consistent, independent voice on the school board, advocating for equity for historically underserved students and for better, more open government.

I serve on these boards:

San Francisco Education Fund, National Coalition of Education Activists, Teachers 4 Social Justice

Supporters:

Jeff Adachi, Public Defender

Supervisors Tom Ammiano, Chris Daly, Matt Gonzalez, Jake McGoldrick, Gerardo Sandoval

Board of Education Commissioners Sarah Lipson, Eric Mar

Alan Wong, Board of Education Student Delegate

San Francisco Youth Commissioners

Peter Lauterborn, Shanell Williams

Cristine Olague, Planning Commission

Harry Britt, Former Supervisor

Medea Benjamin, Human Rights Activist

Jeremiah Jeffries, Teacher Leader

Jane Kim, Youth Advocate

Kim-Shree Maufus, Parent Leader

Bradley Reeves, Labor Leader

Sara Shortt, LGBT Activist

Karen Zapata, Teacher Leader

WWW.MARKSANCHEZ.ORG

*Mark Sanchez*

## JOEL SPRINGER III

**My occupation is** Educator/Legal Assistant.

**My qualifications are:**

I am a native San Franciscan and the proud product of our neighborhood schools. I received my teaching credential and Master of Arts in Political Science from San Francisco State University. I have been an educator for over 25 years—a classroom teacher in the SFUSD and in the non-profit business world.

- It takes a neighborhood to educate a child – neighborhood schools must be the cornerstone of a school system that includes magnet schools, charter schools, and vocational schools.
- We must have complete accountability for every dollar spent by the SFUSD
- I support the Superintendent's proposal to hire a COO from private industry to manage the operations and finances of the SFUSD.
- We must adopt a management style and practice that will make our schools work: a burning focus on student achievement, everyone is accountable for student performance, and every principal is an autonomous entrepreneur responsible for the success of his or her school.
- I will work to end confrontational political infighting over personal agendas on the Board of Education.

My supporters include: Michael Antonini, Annemarie Conroy, Michael DeNunzio, Avi Hettena, Richard San Mames, Howard Epstein, Elsa Cheung, Gregory Richardson, Edward Poole, Alan Nicholson, Sharon Seto, and Ronald L. Lanza.

www.SpringerforSchoolBoard.com

*Joel Springer III*

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# Candidate for Board of Education

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## STARCHILD

**My occupation is** Escort/Exotic dancer.

**My qualifications are:**

As a former student, I have many years of experience working in government schools.

Since then I have not had any education-related job that might tend to make me forget what it was like to be a student.

Having stayed away from K-12 education since graduating from high school, I haven't learned why real, straight-forward reform is impossible. This gives me the advantage of being open to it.

Who has the most important and difficult job in education? Teachers. So why do they typically get less than \$50,000 a year when many district bureaucrats are making six figure salaries?

I have a simple, common-sense plan for San Francisco's schools:

- Make teachers the highest-paid district employees and put them in charge of the schools so that resources get to the classroom. Administrators work for them.
- Empower students and parents by letting them vote on which teachers to let go when falling enrollment at a school requires lay-offs
- All students get to attend their first-choice schools

I am opposed to the plan to increase the pay of School Board members, and I pledge that I will not vote to raise my salary at your expense.

*Starchild*

## DAVID WEINER

**My occupation is** SFUSD Elementary School Principal/  
Former teacher.

**My qualifications are:**

I am the Principal of Alvarado Elementary School in SFUSD. I taught kindergarten, first grade, and was a literacy specialist. I hold a Masters degree in School Leadership from Harvard University. My extensive career in education has involved working in schools, teaching seminars at many Bay Area universities, serving on city and statewide education task forces, and working on the SF Labor Council.

At Alvarado, I lead a diverse parent and school community to support an innovative arts program and improve student achievement. We had one of the largest increases in performance of any school in California, increasing Latino achievement by almost 20% in only one year.

I believe that the public schools are the great equalizer of our society and I will work with Superintendent Ackerman and my colleagues to give parents a real voice in schools, create successful arts programs for every student, and make school communities and the School Board more accountable to the families of San Francisco.

Please join:

Mayor Gavin Newsom;  
Assemblyman Mark Leno;  
Supervisors Sophie Maxwell, Michela Alioto-Pier, Bevan Dufty, Fiona Ma;  
School Board Members Chin, Kelly, Wynns;

And hundred of parents, teachers, artists, and community leaders  
In supporting David Weiner for School Board.

*David Weiner*



# Candidate for Board of Education

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## JILL WYNNS

**My occupation is** Incumbent, School Board Member, Parent.

**My qualifications are:**

Twelve years as a member of your Board of Education, two years as President and, most importantly, my twenty-one years as a public school parent in San Francisco. I work with teachers, parents, students, labor unions, the community, state and national organizations to improve our schools and get the resources necessary to do the job.

We have made progress with Superintendent Ackerman and your help. Schools have increased their performance; with the help of our STAR program kids are doing better. We have begun to develop new small high schools and seen the first Dream Schools open this fall.

There is still much to be done: making every school a viable choice for families, stabilizing school funding, ensuring that we have arts and music in every school. I have led the fights for healthy school food and healthy environments, and against privatizing and commercializing schools. I look forward to continuing this vital work.

Please join hundreds of parents, teachers, students, community members and Mayor Gavin Newsom, Supervisors Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, School Board Members Eddie Chin, Heather Hiles, Dan Kelly, Barry Hermanson, Mike Hennessey, Carole Migden, Mark Leno, Kamala Harris and

Vote for **Jill Wynns for School Board**  
[jillwynnsforschoolboard.com](http://jillwynnsforschoolboard.com)

*Jill Wynns*

## NORMAN YEE

**My occupation is** Parent/Educator.

**My qualifications are:**

Children must be our first priority.

As a second generation San Franciscan and parent of public school children, I am running for the Board of Education to ensure teachers and parents help children reach their fullest potential.

For 30 years, I championed our City's issues affecting children and families, including 17 years as Wu Yee Children's Services' Director, where I established the Childcare Providers Association and the Sunnydale Preschool.

I attended and taught in public schools, and was active at my daughters' schools. I'm proud to say that my daughter, a former student School Board Delegate, encouraged my run for this office.

**Platform:**

- Excellence Everywhere - We must nurture great schools everywhere.
- Early Childhood – We must become a "Pre-kindergarten to 12" system. A child's 0-5 years are crucial learning years.
- Parent Involvement –We must support parent leadership in all neighborhoods.
- School Size Matters – We must foster small schools that support student-teacher communication.

My endorsers include State Secretary Kevin Shelley, Assemblyman Mark Leno, Assessor Mabel Teng, Supervisors Bevan Dufty, Fiona Ma, Aaron Peskin, child activists Fran Kipnis, Brian Cahill, Reverend Norman Fong, and former officials School Trustee Steve Phillips and Supervisor Sue Bierman.

I respectfully ask for your vote.

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

*Norman Yee*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

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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.

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# Candidate for Community College Board

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## NATALIE BERG

**My occupation is** Incumbent.

**My qualifications are:**

I served City College for over 30 years as a teacher and administrator. My past 8 years as a trustee have allowed me to continue my commitment to our students and to this dynamic community. Student access to a wide variety of quality classes and programs is critical to developing and refreshing marketable skills, transferring successfully to baccalaureate programs, and personal growth and enrichment. Although the state's budgetary condition presents challenges, I believe my record as a problem solver and effective manager will help ensure that City College remains strong and responsive to the needs of our diverse students. I will work creatively to keep the classroom doors open and to secure resources so that all students can develop to their full potential. I am also active in local, state, and national politics, and serve as President of the Jewish Community Relations Council and on the board of various community-based organizations. I would be proud to again serve the San Francisco community as a City College trustee.

**My supporters include:**

Congressperson Nancy Pelosi  
Congressperson Tom Lantos  
Secretary of State Kevin Shelley  
Mayor Gavin Newsom  
State Senator John Burton  
Assemblyperson Mark Leno  
Assemblyperson Leland Yee

*Natalie Berg*

## MATT JUHL-DARLINGTON

**My occupation is** Teacher, Education Attorney.

**My qualifications are:**

I taught 7<sup>th</sup> and 8<sup>th</sup> grade at-risk school children prior to graduating from UC Hastings in San Francisco. Currently, I work as an Education Attorney representing school districts. During law school, I interned for the Public Defender's office in Vermont in its juvenile department, and Externed for a Federal Judge in San Francisco. I currently serve as a San Francisco Commissioner and legal counsel on the Skateboarding Task Force. As an undergraduate at UC Santa Cruz I interned on Capitol Hill for the House of Representatives.

Early endorsers include (more are on the way):

- Leland Yee, Assemblymember, 12<sup>th</sup> District, Speaker Pro Tempore
- Fiona Ma, Board of Supervisors, District 4
- Tom Hsieh
- Arlo Smith
- Meagan Levitan
- Bill Barnes
- Ted Loewenberg, Community College Professor
- Tom Martin
- Sean Elsbernd, Board of Supervisors

When elected I promise to focus on:

- Limiting the costs of course books;
- Improving parking around City College campuses;
- Supporting full-time and part-time professors;
- Strengthening ESL programs;
- Enhancing relationships between City College and the business community; and
- Decreasing student attrition through the guidance counselor program.

I want to serve on your Community College Board because I care about improving City College and because I will make a difference!

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

*Matt Juhl-Darlington*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

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

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# Candidate for Community College Board

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## MILTON MARKS III

**My occupation is** Vice President, College Board.

**My qualifications are:**

As Vice-President of the Board of Trustees and Chair of the Education Committee, I have worked hard to increase Board oversight, improve District management, include more environmental controls, and create a climate of tolerance and open discourse.

During the worst economy California education has ever seen, City College has remained solvent and has even increased student enrollment. We passed a \$195 million bond measure to fund building repairs and new campus construction.

Good things are happening at City College, but we are not finished. With your help, I will continue to:

- Strengthen the role of Trustees in policy-making.
- Increase Board accountability to our diverse student body and community.
- Encourage open dialogue during Board deliberations.
- Ensure Green Building practices and that San Francisco's money is well spent.

Thank you for your support.

Mayor Gavin Newsom  
Secretary of State Kevin Shelley  
Assemblymembers Mark Leno, Leland Yee  
Supervisors Tom Ammiano, Bevan Dufty, Matt Gonzalez,  
Fiona Ma, Sophie Maxwell, Jake McGoldrick, Aaron Peskin,  
Gerardo Sandoval  
Public Defender Jeff Adachi  
District Attorney Kamala Harris  
Sheriff Michael Hennessy  
Assessor/Recorder Mabel Teng  
College Board Trustees Natalie Berg, Johnnie Carter, Julio  
Ramos, Rodel Rodis  
BART Member Tom Radulovich

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

Milton Marks III

*Milton Marks III*

## JULIO RAMOS

**My occupation is** Attorney.

**My qualifications are:**

I practice law in the field of Private Attorney General Class Actions (in other words a watchdog) dealing with serious corporate abuses at the state and national level. When I was elected in 2000, I carried a message of improving customer service to students and establishing a more accessible and open environment. Through hard work, City College is improving; past complaints of long lines, antiquated technology and poor customer service are increasingly rare. While my family and many families have benefited greatly from studying at City College, many challenges remain, such as: (1) community relations; (2) providing a full spectrum of educational programs and services to all San Franciscans; (3) improving financial aid opportunities; and (4) paying teachers a fair salary. City College has plans for constructing many new buildings, that is good, but without nurturing the human element those very buildings are pointless. I remain constantly vigilant and work hard to meet these and ever more complex educational challenges. I wish to continue participating in the quest towards making City College of San Francisco the best community college in the nation and sincerely ask for your vote towards achieving this goal.

Please visit: [WWW.RAMOSFORTRUSTEE.COM](http://WWW.RAMOSFORTRUSTEE.COM)

Email: [ramosfortrustee@yahoo.com](mailto:ramosfortrustee@yahoo.com)

*Julio Ramos*

★ *The above candidate has agreed to voluntarily limit campaign spending.*

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Statements are volunteered by the candidates and have not been checked for accuracy by any official agency.  
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# Candidate for Community College Board

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## RODEL E. RODIS

**My occupation is** Member, S.F. Community College Board.

**My qualifications are:**

Four years ago, I promised to work to improve the aging facilities of City College. I kept my promise. As chair of the Board's Facilities Committee, I worked to secure funding for much-needed new buildings and campuses to serve our 110,000 students. Our new Mission and Chinatown-North Beach campuses and our new Health Center and Wellness (gym) facilities will begin construction soon.

Through prudent fiscal management, we succeeded in not laying off a single faculty member or classified staff despite \$10.5-M in state budget cuts over the last two years.

Today, we face the challenges of accelerating demographic, technological and economic changes.

To meet these challenges, we need:

- to increase student success through the expansion and improvement of our basic skills, remediation, and academic support services;
- to strengthen and improve our academic programs, student learning outcomes and alternative systems of delivery needed for workforce, economic, and community development;
- to expand our outreach and recruitment to increase access to educational opportunities;
- to promote a dynamic organizational climate, expand staff development, improve communications and promote diversity throughout City College.

With your support, I will work to meet the challenges of our rapidly changing society.

*Rodel E. Rodis*

## JUDITH SCHIFF

**My occupation is** California Educator.

**My qualifications are:**

I completed both my Bachelors in Psychology and Masters in Art and Education in New York. In 1981, I received my and have spent the past 23 years teaching Art and English in Santa Barbara's and San Francisco's multi cultural public and Catholic schools with excellent references. I was elected SFUSD rep to several CTA and NEA conventions. I participated in USF Graduation for Graduate students in the School of Education, Dept. of Organization and Leadership December 2003.

My vision of the Community College of San Francisco is that of a multi-cultural, nondiscriminatory, creative, learning environment utilizing all the wonderful creative arts and business community the city offers. It will also provide equal educational opportunity for students from varying learning needs, economic backgrounds and cultures. And, the classes available will successfully bridge the gap enabling students to continue on to the college of their choice and be professionally skilled to enter the workplace of the twenty-first century. I would also like to develop the SF Career Center into an interactive organization utilizing the wonderful resources of the business and arts community of San Francisco.

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

*Judith Schiff*



# Affordable Housing Bonds

# A

## PROPOSITION A

Shall the City borrow \$200,000,000 to buy, build or renovate supportive and affordable housing and assist low- and moderate-income individuals and households to buy a home?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** State law requires that the City's General Plan must describe San Francisco's housing needs, set goals for providing housing and develop programs to meet those goals. Some of these programs develop housing affordable to low- and moderate-income households and help persons with low and moderate incomes buy their homes.

When the City provides money for these programs, larger amounts of money are frequently made available from other public and private sources. The City pays for these programs from property and hotel taxes, state and federal funds, the City's General Fund and voter-approved bond measures. The City expects that funds from current sources will not be enough to meet its future low- and moderate-income housing goals.

**THE PROPOSAL:** Proposition A would allow the City to borrow \$200,000,000 by issuing general obligation bonds. The City would use this money to make grants or loans to buy, build or renovate housing:

- \$90,000,000 would be used for housing with supportive services for homeless or extremely low-income individuals and households that are at risk of becoming homeless (earning no more than 30% of the Area median income).
- \$60,000,000 would be used for rental housing for individuals and households of very-low- and low-income (earning no more than 60% of the Area median income).
- \$25,000,000 would be used to develop ownership housing for individuals and households of low- and moderate-income (earning between 60% and 90% of the Area median income).
- \$25,000,000 would be used to help individuals and households of low- and moderate-income (earning between 60% and 100% of the Area median income) buy a home.

Proposition A would require an increase in property taxes to pay for the bonds. Principal and interest on general obligation bonds are paid by property tax revenues. Landlords could pass on to tenants in rent-controlled units half the increase in property taxes resulting from this bond measure.

Proposition A would require that:

- Any contract paid for with bond funds must be awarded through a competitive process.
- Priority must be given to projects that receive a large share of their total funding from sources other than the City.
- No bond funds may be used to lobby elected officials.
- No bond funds may be used to help purchase a property if the property owner had evicted tenants in order to move into the property.
- Consideration must be given to the environmental impact of building methods.

A two-thirds majority vote is required for passage of this bond measure.

**A "YES" VOTE MEANS:** If you vote "yes," you want the City to borrow \$200,000,000 to buy, build or renovate supportive and affordable housing and assist low- and moderate-income individuals and households to buy a home.

**A "NO" VOTE MEANS:** If you vote "no," you do not want the City to borrow \$200,000,000 for these purposes.

### Notice to Voters:

The "Controller's Statement," and "How Supervisors Voted" information on this measure appear on the opposite (facing) page.

**THIS MEASURE REQUIRES 66% AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 67.  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Affordable Housing Bonds

## Controller's Statement on "A"

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

In my opinion, should the proposed \$200 million in bonds be issued and authorized, I estimate the approximate costs to be as follows:

- In fiscal year 2005-06, following issuance of the first series of bonds, the estimated annual costs of debt service would be \$3.8 million and result in a property tax rate of .36¢ per \$100 of assessed valuation (or \$3.59 per \$100,000 of assessed valuation).
- In fiscal year 2009-10, following issuance of the last series of bonds, and the year with the highest tax rate, the estimated annual costs of debt service would be \$18.9 million and result in a property tax rate of 1.8¢ per \$100 of assessed valuation (or \$17.96 per \$100,000 of assessed valuation).
- The best estimate of the average tax rate from fiscal year 2005-06 through 2028-29 is 1.5¢ per \$100 of assessed valuation (or \$14.96 per \$100,000 of assessed valuation).

These estimates are based upon projections and estimates only, which are not binding upon the City. Such projections and estimates may vary due to variations in timing of bond sales, the amount of bonds sold at each bond sale, market interest rates at the time of each bond sale, and actual assessed valuation over the term of repayment of the bonds. Hence, the actual tax rates and the years in which such rates are applicable may vary from those estimated above.

Based on these estimates, the highest estimated increase in annual property taxes for the owner of a home with an assessed value of \$300,000 would be approximately \$52.62.

## How "A" Got on the Ballot

On July 20, 2004 the Board of Supervisors voted 10 to 1 to place Proposition A on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval.

**No:** Supervisor Hall.

**THIS MEASURE REQUIRES 66%% AFFIRMATIVE VOTES TO PASS.**





# A

# Affordable Housing Bonds

## 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 Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval.

SAN FRANCISCO faces the most severe housing and homeless challenge in the country.

SAN FRANCISCO'S HOMELESS POPULATION IS DYING ON OUR STREETS. One thousand died in the last decade. An estimated 3,000 chronically homeless are on the streets each night.

MORE SAN FRANCISCANS ARE AT RISK. A recent study identified 25,000 extremely low-income San Francisco households at-risk of homelessness because their rent exceeds 50% of their income.

LOW-INCOME FAMILIES ARE FORCED TO CHOOSE BETWEEN RENT, FOOD AND MEDICINE. A parent earning minimum wage must work 200 hours to afford the average two-bedroom apartment. Some seniors spend up to 100% of their Social Security on rent.

SAN FRANCISCANS CAN'T AFFORD TO BUY A HOME IN OUR CITY. Only 12% of San Francisco households can afford the average San Francisco home. Teachers, firefighters and nurses can't afford to live in the city they serve.

STATE AND FEDERAL HOUSING FUNDS HAVE BEEN SLASHED. SAN FRANCISCO'S AFFORDABLE HOUSING BOND FUNDS ARE EXHAUSTED.

Proposition A addresses this crisis...

- **Homeless reform and supportive housing.** \$90 million to create homeless housing -- with on-site drug treatment, mental health services and job training -- proven effective in transitioning homeless off the streets.
- **Affordable rental housing for low and very low income San Franciscans.** \$60 million to create and renovate affordable rentals serving households headed by women, families with children and seniors.
- **Downpayment assistance & affordable homeownership for working San Franciscans.** \$50 million for homeownership opportunities for low and moderate income San Franciscans.

Proposition A was crafted by the Mayor, the Board of Supervisors and a coalition of non-profit housing organizations, senior, church, labor and business leaders, apartment owners and tenants meeting the comprehensive housing needs of San Franciscans. All bond spending will be overseen by a citizens' oversight committee.

We urge you to vote Yes on Proposition A.

*Mayor Gavin Newsom*

*San Francisco Board of Supervisors*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION A

VOTE NO on PROPOSITION A

The San Francisco Republican Party strongly supports President Bush's call for cities to adopt supportive housing to end chronic homelessness. Supportive housing with on site treatment has proven successful and cost effective in rehabilitating the homeless. Republican leaders served on mayor Newsom's Ten Year Planning Council chaired by Angela Alioto, and the business community helped finance the work of this non-partisan council.

Republicans oppose Proposition A for a good reason: When you buy an apple, you should not be required to also buy a peach and a pear. Proposition A asks voters to buy three different housing concepts with one vote. This \$200 million bond must be paid for by renters and property- owners alike. They deserve the right to examine each concept, and vote for or against each one.

Proposition A denies choice, as presently written, it puts three housing concepts important to all San Franciscans on an "all or nothing" basis: Rental housing for low-income residents, financial assistance to increase home ownership, and supportive housing to end chronic homelessness.

Voters deserve to see a SEPARATE bond measure for each. In 2005 the proponents should put three new bond measures on the ballot This will give all voters the opportunity to make a well informed and responsible decision. Everyone agrees that affordable housing, home ownership, and homelessness are important priorities for San Francisco. Let the voters decide each one on its merits.

*THE SAN FRANCISCO REPUBLICAN PARTY*



# Affordable Housing Bonds

# A

## OPPONENT'S ARGUMENT AGAINST PROPOSITION A

### PROPOSITION A CALLS FOR THREE DIFFERENT TYPES OF BONDS:

Proposition A started out as a simple set of bonds to help the homeless.

Then the political process took over.

Developers with their own agendas jumped into the discussion.

Now Proposition A seeks to get the people of San Francisco to pass bonds to supposedly "help the homeless" and also aid in the building of "low cost" and "moderate cost" housing – these terms being, of course, a "political blank check" for our Board of Supervisors.

On August 10<sup>th</sup>, 2004, the San Francisco Republican County Central Committee voted 23 to 1 against the Proposition A bonds, with 2 members abstaining.

In the last San Francisco election an unpopular building proposal for the Waterfront and a section of Chinatown was voted down by a landslide. The residents of the Waterfront and Chinatown both strongly objected to that proposal, which was dreamed up by money-seeking developers. Its defeat was correct.

If Proposition A passes, get set for more developers. They have all-too-many plans to wreck the Waterfront, Chinatown, and many other areas of San Francisco.

### THESE BONDS ARE A TROJAN HORSE:

These multi-purpose bonds are really just a "**DEVELOPERS' CHRISTMAS TREE**" of bad projects attempting to hide under the label of somehow "helping" the homeless. Vote "NO" on Proposition A.

- *Stonestown and Park Merced Residents' Association.*

- *Dr. Terence Faulkner, J.D.*

President of Stonestown and Park Merced Residents' Association.

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION A

Proposition A was crafted by a diverse coalition representing every corner of our city, brought together by the common belief that **SAN FRANCISCO NEEDS TO DO MORE** to create supportive homeless housing, affordable rentals and homeownership assistance.

Proposition A is a proven effective method of addressing this challenge:

- An independent study showed that our 1996 housing bond provided homes for over 5,000 needy San Franciscans.
- Two-thirds of those helped were households headed by women, families with children, and seniors.

Proposition A is the next step in our efforts to reduce homelessness on the streets of San Francisco. By voting for Proposition A, we can:

- **Build supportive housing for homeless men, women and children** with on-site mental health services, drug treatment and job training – proven effective in other American cities.

- **Fix our broken homeless system** which just recycles drug addicts, alcoholics and the mentally ill from shelter to shelter

- **Help the battered women and children, elderly poor and extremely low income families** who are currently at risk of becoming homeless

- **Enable working San Franciscans such as nurses and teachers** to purchase their first home in the city

- **Create up to 9,000 new jobs** that pay high wages and create opportunities for the unemployed, women and minorities

All bond spending will be overseen by a citizens committee. Please join mental health professionals, emergency room doctors and nurses, non-profit housing organizations, business, church, labor and senior leaders and the San Francisco Democratic Party and **vote YES on A.**

*Mayor Gavin Newsom*

*San Francisco Board of Supervisors*

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



# A

# Affordable Housing Bonds

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

By providing \$150 million for supportive housing for homeless individuals and for rental assistance for poor families, Prop A fulfills the mandate of our respective spiritual traditions to care for our poorest neighbors.

### Vote YES on Prop A.

*Steering Committee, Religious Witness with Homeless People:*

*Sister Bernie Galvin*

*Michael Bien*

*Mary Jane Brinton*

*John Fitzgerald*

*Rev. Norman Fong*

*Rabbi Alan Lew*

*Rev. Schuyler Rhodes*

*Fr. Louis Vitale*

The true source of funds used for the printing fee of this argument is Religious Witness with Homeless People.

Among the many good reasons to support this bond, one stands out - the documented need for affordable housing in San Francisco. Supportive housing creates solutions on multiple levels for numerous groups. It cost-effectively brings the chronically homeless in from parks, alleys, and doorways. It provides permanent housing alternatives where coordinated social/medical services combine to offer greater stability and quality of life. A vote for Proposition A both increases home ownership opportunities and offers hope to those most at risk for homelessness. Proposition A is more than good public policy: it's a sound business proposition with positive public health implications.

*Sandra R. Hernández, M.D.*

CEO, The San Francisco Foundation\*

Former Director of Public Health, City and County of San Francisco\*

\* For identification purposes only

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

Neighborhood leaders agree: VOTE "YES ON A" and preserve the unique character of San Francisco's neighborhoods! Your vote "YES ON A" will provide opportunities for teachers, nurses, police, firefighters, restaurant workers and other working people to stay in San Francisco. By creating permanent housing for our homeless; providing quality rental housing for families; helping

middle class residents purchase their first home; this Housing Bond will preserve the range of income levels that has always characterized San Francisco's neighborhoods.

*Peter Albert, President, Duboce Triangle Neighborhood Association\**

*Tim Colen, past President, Greater West Portal Neighborhood Association\**

*Joe Curtin, President, Castro Area Planning + Action*

*Bert Hill, Miraloma Park resident*

*Judy Junghans, President, Russian Hill Neighbors*

*Tony Kelly, President, Potrero Boosters Neighborhood Association\**

*Ron Miguel, President, Planning Association of the Richmond\**

*Jim Meko, Chair, SoMa Leadership Council*

*Michael Rice, Vice Chair, Glen Park Association\**

*Tys Sniffen, President, North of Panhandle Neighborhood Association\*,*

*Candidate for Supervisor District 5*

*Matt Tuchow, Board Member, Planning Association of the Richmond\*,*

*Candidate for Supervisor District 1*

*Patricia Walkup, Hayes Valley activist*

*Tes Welborn, President, Haight Ashbury Neighborhood Council*

\*For identification purposes only

The true sources of funds used for the printing fee of this argument are Patricia Walkup, Tes Welborn, and Ron Miguel.

Seniors need housing! We urge the passage of this bond measure so that funds become immediately available to construct Senior housing!

*Senior Action Network*

*Senior Housing Action Committee*

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

**The Non-Profit Housing Association of Northern California (NPH) supports Proposition A** because it will provide 3,500 affordable homes for families, seniors, and the many working people of San Francisco that can't afford the outrageous prices in our city.



# Affordable Housing Bonds

# A

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

Prop A will dramatically improve the lives of homeless families with children, individuals wrestling with mental health issues, and the many seniors now on the streets.

Prop A has been voted upon and endorsed by both Mayor Newsom and the Board of Supervisors showing that it is possible to create a housing plan that all San Franciscans can support.

Prop A is an economic stimulus. It will inject \$500 to \$600 million of additional private, state, and federal investment into our city, thereby creating 4,600 new jobs.

*Dianne J. Spaulding*  
*The Non-Profit Housing Association of Northern California*

The true source of funds used for the printing fee of this argument is the Non-Profit Housing Association of Northern California.

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**Greenbelt Alliance supports Proposition A** because it will provide 3,500 affordable homes for families and seniors in San Francisco. If we don't build affordable housing in communities like San Francisco, people will be forced to move farther out and drive long distances to jobs. Creating homes near existing jobs and transit saves the wonderful open space and farms of the Bay Area from sprawl development.

Protect the environment by voting yes on Proposition A.

*Greenbelt Alliance*

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

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The Human Services Network unanimously urges a Yes vote on Proposition A!

HSN's 108 member agencies are faith and community based health and human service providers. We provide services to the most needy in San Francisco and know that affordable housing is critical to the well being of the people we serve.

We know that local housing bonds work! The bonds will provide the most needy with affordable housing by allowing the kind of flexibility we need to address the many challenges people face.

Join HSN in voting Yes on A.

The true source of funds used for the printing fee of this argument is the Mt. Zion Health Fund.

Homelessness is one of San Francisco's largest civic challenges. For years, the issue has been addressed with stop-gap, emergency solutions that have had limited and inadequate results.

We know now that supportive housing--permanent, affordable housing linked to accessible health, mental health, employment, and other support services--is a proven, cost-effective way to end homelessness for people who face the most complex challenges. Two years ago, San Francisco voters overwhelmingly approved the Care not Cash program. One of the main ways we can "care" as a community is to provide funds to help house those individuals and families who are homeless. Proposition A will do just that.

Please join **Corporation for Supportive Housing**, the nation's expert in the field of supportive housing, and **Angela Alioto, Chairwoman of San Francisco's Ten Year Planning Council to End Homelessness**, in advancing this measure to help meet the housing needs of San Franciscans, end and prevent homelessness, and keep families and working people living in the city. **VOTE YES ON A.**

*Lauren Hall*  
Program Officer, Corporation for Supportive Housing\*

\*For identification purposes only

The true source of funds used for the printing fee of this argument is the Corporation for Supportive Housing.

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Proposition A will make available local funds for the development of a wide array of affordable housing meeting the various needs of San Franciscans. These local funds will supplement other state and foundation grants giving us a unique opportunity to build otherwise impossible to finance special needs housing for battered women or the mentally disabled. The last bond brought into San Francisco \$2 dollars for every bond dollar spent. Propositions A's \$200 million will buy us \$600 million in critically needed affordable housing.

Proposition A will attract additional funds to San Francisco, helping us meet the affordable housing challenge facing all of us.

Most affordable housing developed in San Francisco is "in-fill", built in existing neighborhoods. Too often state funds do not provide financing for the architectural amenities needed for new development in an existing neighborhood. Local bond funds allow us to supplement these other funds to meet the specific needs of a neighborhood.





# Affordable Housing Bonds

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

Proposition A gives us the financial flexibility to meet San Francisco's unique affordable housing needs without disrupting our neighborhoods.

Vote Yes on A. It makes financial sense for our City and it makes planning sense for our neighborhoods.

*The Council of Community Housing Organizations*

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

### A Housing Bond for All San Franciscans

San Francisco suffers from a severe housing crisis and now we have an opportunity to vote for a \$200 million bond that will create housing for everyone from the homeless to middle-income workers.

- \$90 million for supportive housing for the homeless – and it's been proven that supportive housing works in cities across the country.
- \$60 million for rental housing for low-income households – which will help provide housing for entry-level workers while leveraging millions of dollars in state and federal housing funds.
- \$25 million for downpayment assistance that will help first-time homebuyers realize the dream of homeownership.
- \$25 million to spur development of new units for homeownership. If we want nurses, teachers, office workers, restaurant and hotel workers in San Francisco, we have to help them find an affordable place to live.

As recent studies show, the \$100 million housing bond passed in 1996 was money well spent – nearly 2400 new housing units were created for working San Franciscans. Local companies can no longer afford to see their employees priced out of the city. And housing is key to fueling the city's economic engine. The investment in housing will generate some 4,600 new jobs in San Francisco – carpenters, electricians, architects, and related service providers. **The Chamber strongly supports the Affordable Housing Bond and urges all San Franciscans to vote Yes on Prop. A.**

*San Francisco Chamber of Commerce*

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

Yes on A: Thousands of SF families need affordable homes!

*Coleman Advocates for Children and Youth*

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

Proposition A is a vital, well-crafted measure to create additional affordable housing for a broad cross-section of city residents.

As someone who has been a passionate advocate for affordable housing in our city, I strongly urge you to join me in voting **YES on A.**

**DAN KALB**

Supervisor 5 candidate

SF Housing Action Coalition\* steering committee member

\*For identification purposes only

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

Our community leaders in neighborhoods across the city are saying Yes in My Back Yard! SFOP supports Proposition A to create more housing for homeless people, and to keep working families and seniors in San Francisco.

*San Francisco Organizing Project*

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

As religious leaders of San Francisco, we see the pain our communities suffer from the lack of decent housing for poor and working people. We support Proposition A to create more supportive and affordable housing.

*Most Reverend William J. Levada*, Roman Catholic Archbishop of San Francisco

*William E. Swing*, Bishop of California, Episcopal

*Stephen S. Pearce*, Rabbi\*

*Reverend Edgar Boyd*, Senior Pastor, Bethel AME Church

*Stephen Privett, S.J.*, President, University of San Francisco\*

*Rita R. Semel*



# Affordable Housing Bonds

# A

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

\*For identification purposes only

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

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More housing  
Means more jobs  
Means a stronger economy for all.  
Vote Yes on A

*San Francisco Tomorrow*

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

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### FAITH BASED SOCIAL SERVICES SUPPORT THE HOUSING BOND

Recently, the Ten Year Planning Council released "The San Francisco Plan to Abolish Chronic Homelessness". Their principal recommendation is to provide supportive housing – secure housing with on-site services to help homeless people overcome obstacles to self-sufficiency. The Housing Bond provides \$90 million for supportive housing and leverages up to twice that amount in federal funds.

Supportive housing is a proven, permanent exit from homelessness. According to the Ten Year Planning Council, providing supportive housing to one chronically homeless person costs \$16,000 a year. Currently, the City spends an average of almost \$61,000 a year, four times as much, to provide emergency services for that same person. Supportive housing is a key component toward ending chronic homelessness in San Francisco.

Those of us who work with our homeless neighbors know firsthand how the struggle to overcome addiction and mental illness is undermined by the lack of secure housing. It is impossible to focus on recovery when you don't know where you will sleep at night. Similarly the instability of mental illness is only exacerbated by homelessness. Providing supportive housing is the first, necessary step to building the stability essential for so many of our brothers and sisters to exit homelessness. For too long in the City, we have only addressed the symptoms of poverty and homelessness; it is time to focus on real solutions. Please vote yes on the Housing Bond.

Signed:

*Tom Brutting*  
Board of Directors V.P., St. Anthony Foundation

*Brian Cahill*  
Executive Director, Catholic Charities

*Ken Reggio*  
Executive Director, Episcopal Community Services

*Sr. Bernie Galvin*  
Executive Director, Religious Witness with Homeless People

*Andrew Whelan*  
Board of Directors V.P., St. Vincent de Paul Society

*Anita Friedman*  
Executive Director, Jewish Family & Children's Services

*Lt. Colonel Bettie Love*  
CEO/SF City Administrator, Salvation Army

The true source of funds used for the printing fee of this argument is the St. Anthony Foundation.

The three largest contributors to the true source recipient committee are: 1. St. Anthony Foundation 2. Catholic Charities 3. Episcopal Community Service.

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VOTE YES ON PROP A – Affordable Housing for San Francisco Families

Too many of San Francisco's working families can't afford to pay rent or own their own homes in San Francisco. Everyone who works hard to make our City successful should be able to afford to live here.

Prop A creates funds San Francisco needs to build affordable apartments, AND help working families buy their own homes.

Please join all the members of SEIU, L-1877  
VOTE YES on A.

*Service Employees International Union, L-1877*

The true source of funds used for the printing fee of this argument is the SEIU Local 1877.



# A

# Affordable Housing Bonds

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

### Vote Yes on Prop A – Affordable Housing AND Quality Jobs

San Francisco has a crisis; the cost of housing has gotten so high, that more and more families who work in San Francisco have to live outside the City. The tens of thousands of working families who make up the San Francisco Labor Council believe that we must do more to build the apartments and homes that all San Franciscans can afford.

Prop A is a comprehensive bond that will make it possible for San Francisco to build the affordable apartments we need, to provide the services to help lift families out of homelessness, and to help working families buy their own homes.

Prop A will also create many good jobs: construction jobs to build the housing, and permanent jobs to clean, maintain and safeguard the housing once it is built.

For all these reasons, San Francisco's working families urge you to VOTE YES on PROP A.

*Stanley E. Warren*  
Secretary-Treasurer, San Francisco Building & Construction  
Trades Council  
Vice President for Affiliate Support, San Francisco Labor  
Council AFL-CIO

The true source of funds used for the printing fee of this argument is the San Francisco Labor Council, AFL-CIO.

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San Franciscans need decent, affordable housing. Yes on Prop A.

*Renee Saucedo*, candidate for Supervisor, District 9

The true source of funds used for the printing fee of this argument is Renee Saucedo for Supervisor.

The three largest contributors to the true source recipient committee are: 1. Norman Saucedo 2. Christian Saucedo 3. Herman Papa.

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### The LGBT Community Unites to Support the Housing Bond

Every day, LGBT people are forced to leave the City we love due to high-cost housing. Our elders, our youth, our afflicted and our new families should always be able to say "there's no place like home."

Measure A will house people with AIDS, prevent homelessness for our elders, protect our vulnerable youth, and increase homeownership rates for our families for less than the cost of one latte a month.

Please support the Housing Bond.

*Phyllis Lyon and Del Martin*  
*Assemblyman Mark Leno*  
*Hon. Carole Migden*  
*Supervisor Tom Ammiano*  
*Supervisor Bevan Dufty*  
*Thom Lynch* - Executive Director, LGBT Community Center \*  
*Rich Kowalewski* - Co-Chair, Alice B. Toklas LGBT Democratic Club  
*Michael Goldstein* - President, Harvey Milk LGBT Democratic Club\*  
*Scott Wiener* - Democratic County Central Committee  
*Robert Haaland* - Former President, Harvey Milk LGBT Democratic Club\*  
*Kate White* - Executive Director, SF Housing Action Coalition  
*Reverend Penny Nixon* - Metropolitan Community Church \*  
*Linda Carlson* - Executive Director, openhouse (fmr. Rainbow Adult Housing)  
*Tommi Aviccoli-Mecca* - Housing Rights Committee  
*Tim Patriarca* - Executive Director, Maitri Hospice\*

\*For identification purposes only

The true sources of funds used for the printing fee of this argument are Brian Basinger, Rich Kowalewski, and Linda Carlson.

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THE NUMBER ONE NEED IN THE CHINATOWN & CHINESE COMMUNITY IS DECENT AFFORDABLE HOUSING. WE NEED PROPOSITION A TO BUILD IT.

*CHINATOWN COALITION FOR BETTER HOUSING*  
*ASIAN LAW CAUCUS*  
*CHINATOWN COMMUNITY DEVELOPMENT CENTER*  
*COMMUNITY TENANTS ASSOCIATION*

The true source of funds used for the printing fee of this argument is Homes for the City, Yes on Prop A.

The three largest contributors to the true source recipient committee are 1. Conard House, Inc. 2. Costello & Sons 3. Frank E. Card.



# Affordable Housing Bonds

# A

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

As civic leaders from throughout San Francisco's communities, we urge you to join us in supporting Proposition A. The shortage of affordable housing has an enormous cost for all of us. Help build a stronger San Francisco – Vote YES on A!

*Dennis Antenore*  
*Donna Miller Casey*  
*Lisa Feldstein*  
*Alexis Gonzales*  
*Robert Haaland*  
*F. Warren Hellman*  
*Bill Lee*  
*Megan Levitan*  
*Jose Medina*  
*Jim Morales*  
*Christina Olague*  
*Theresa Picon*  
*Emily Sano*  
*Renée Saucedo*  
*Lillian Sing*

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

The three largest contributors to the true source recipient committee are: 1. Dennis Antenore 2. Robert Haaland 3. Lisa Feldstein.

San Francisco needs to do more to create affordable housing and help the homeless population transition off the streets. Vote YES on Proposition A.

*San Francisco Democratic Party*

The true source of funds used for the printing fee of this argument is Homes for the City, Yes on Prop A.

The three largest contributors to the true source recipient committee are 1. Conard House, Inc 2. Costello & Sons 3. Frank E. Card.

Proposition A is a good investment for San Francisco, providing needed housing and attracting vital private, state, and federal funds. Every dollar the City invests in affordable housing will be matched by up to \$4 from outside sources. **Vote YES on Proposition A.**

*Nancy Pelosi*  
*Carol Migden*  
*John Burton*  
*Mark Leno*  
*Leland Yee*

The true source of funds used for the printing fee of this argument is Homes for the City, Yes on Prop A.

The three largest contributors to the true source recipient committee are 1. Conard House, Inc 2. Costello & Sons 3. Frank E. Card.

San Franciscans need decent, safe, affordable homes. Proposition A will help to reduce homelessness and encourage stability in our communities. Supportive housing is a proven, cost-effective method of helping people live stable and productive lives, reducing incarceration and saving significant tax dollars. **Vote Yes on Proposition A.**

*Kamala Harris, District Attorney*  
*Michael Hennessey, Sheriff\**  
*Jeff Adachi, Public Defender*  
*Theresa Sparks, Police Commissioner\**

\*For identification purposes only

The true source of funds used for the printing fee of this argument is Homes for the City, Yes on Prop A.

The three largest contributors to the true source recipient committee are 1. Conard House, Inc 2. Costello & Sons 3. Frank E. Card.

San Francisco must build affordable housing(Prop A) and preserve its existing supply(Prop M).

*Tenderloin Housing Clinic*  
*San Francisco Tenants Union*  
*Nick Pagoulatos, St. Peter's Housing Committee\**  
*Housing Rights Committee*

\*For identification purposes only

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





# A

# Affordable Housing Bonds

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

San Francisco's children and families need more affordable homes: Vote YES on PROP A!

*Midge Wilson*  
*Bay Area Women's and Children's Center*  
*Tenderloin Youth Advocates*  
*Tenderloin Afterschool Program*

The true source of funds used for the printing fee of this argument is the Bay Area Women's and Children's Center.

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Proposition A addresses the diverse needs all San Franciscans; it provides funding for housing the homeless, building new affordable housing for low-income residents and provides homeownership opportunities for working families. Please join the following candidates for District 5 Supervisor in voting yes on Prop. A.

*Susan King*  
*Lisa Feldstein*  
*Dan Kalb*  
*Rob Anderson*  
*Robert Haaland*  
*Andrew Sullivan*  
*Julian Davis*  
*Brett Wheeler*  
*Bill Barnes*  
*Michael O'Connor*  
*Ross Mirkarimi*  
*Nick Vaughn*  
*Emmett Gilman*

The true source of funds used for the printing fee of this argument is Candidates for D.5 Supervisor.

The three largest contributors to the true source recipient committee are 1. Susan C. King 2. Lisa Feldstein 3. Dan Kalb.

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Realtors agree: Increase homeownership opportunities for San Franciscans! Vote YES On Prop A!

*Jim Prevo*, realtor, Zephyr Real Estate\*  
*Theresa Parent*, realtor, Urban Bay Properties\*

\*For identification purposes only

The true sources of funds used for the printing fee of this argument are Jim Prevo and Theresa Parent.

Only with an increase in housing units will rents come down in San Francisco. Though we need more housing than we can create with these bonds, Proposition A is a good start. It creates more homes to rent and own, aiming to help those who need it most.

- More supportive housing means we have "the care" to implement Care Not Cash, and really get people off the streets--benefiting residents, visitors and businesses alike.
- Of the \$200 million San Francisco spends on homelessness each year, \$96 million is the cost of "not dealing" with it (i.e. jails, hospitals, DPW, and Rec/Park clean-up, etc.). The housing bonds will help us save much of this wasteful expenditure by creating homes and brighter futures for us all.
- More housing supply helps meet housing demand, taking pressure off everyone's rents.
- Lower housing costs help business attract and retain its workforce, strengthening our economy.
- More housing is critically needed; if Prop A doesn't pass, housing production citywide will significantly decrease.

At TNDC, with 1,750 units, we offer supportive housing to tenants living on \$10 to \$20 thousand per year. We do this with the solid, upfront funding from monies such as these bonds, the rent collected monthly from our extremely low-income tenants, and generous donations from hundreds of individual donors such as you.

For 24 years, TNDC has been Care Not Cash, providing supportive housing for thousands. We can do more. Join with Mayor Newsom to end homelessness in San Francisco, but we need the housing bond to do so. VOTE YES ON THE HOUSING BONDS. YES ON A.

Thank you for your support of Prop A and your generous donations to our work.

*Bro. Kelly Cullen*  
*Tenderloin Neighborhood Development Corporation*

The true source of funds used for the printing fee of this argument is the Tenderloin Neighborhood Development Corporation.



# Affordable Housing Bonds

# A

## PAID ARGUMENTS IN FAVOR OF PROPOSITION A

Proposition A is the next step in Mayor Gavin Newsom's plan to get the chronically homeless and aggressive panhandlers off our streets. First, he authored Care Not Cash, which reduced cash grants to the homeless. Then he toughened laws against aggressive panhandling. Now, Proposition A will enable him to build real housing for the chronically homeless that will contain onsite mental health services, drug treatment, and job training, a strategy that has been proven effective in other American cities.

*Mike Hardeman  
FX Crowley  
Kevin Hughes*

The true source of funds used for the printing fee of this argument is Homes for the City, Yes on Prop A.

The three largest contributors to the true source recipient committee are 1. Conard House, Inc 2. Costello & Sons 3. Frank E. Card.

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**Proposition A is an important part of the solution to the housing crisis.**

Prop. A funds 3 kinds of affordable housing:  
1) *supportive* housing to help the chronically homeless  
2) *rental* housing for low-income households; and  
3) *ownership* housing

In 1996 San Francisco voters passed our first affordable housing bond. SPUR conducted a rigorous independent evaluation of that bond and found that the money has been well spent. Now is the time to renew our commitment to affordable housing.

Proposition A adds \$90 million for supportive housing, providing both housing and services (health care, counseling, job training, etc.) to homeless San Franciscans. This is the best way to get people off the street and into housing that works.

**VOTE YES ON A.**

For more information see [www.spur.org](http://www.spur.org)

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

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

The three largest contributors to the true source recipient committee are 1. Oz Erickson 2. James Chappell 3. Evette Davis.



# A

# Affordable Housing Bonds

## PAID ARGUMENTS AGAINST PROPOSITION A

### SAN FRANCISCO REPUBLICAN ALLIANCE ENDORSES:

- No on wasteful Proposition A.
- Mike Garza for Congress.
- Gail E. Neira for Assembly.
- Yes on needed Proposition M.

*"Proposition A is as wasteful and deceptive as Proposition B (more unnecessary spending), Proposition J (exploitive sales taxes), and Proposition K (job destroying business taxes)." – Congressional Nominee Mike Garza.*

- San Francisco Republican Alliance (Membership Phone: 415-820-1430)

The true source of funds used for the printing fee of this argument is Mike Garza for Congress.

### NO on A

Prop A denies choice! It requires voters to fund three housing concepts with one vote: Supportive housing, low-income rentals, and assistance for homeownership. Voters deserve three separate bond measures in the next election. Supportive Housing with on-site treatment to end chronic homelessness is a bi-partisan objective of the Mayor and the Bush Administration. It has proven cost-effective and successful. Give voters the right to decide on this important priority for San Francisco.

The San Francisco Republican Party

### Chairman

*Michael A. DeNunzio*

### Ballot Advisory Committee

*Howard Epstein, Assembly Candidate*

*Christopher L. Bowman, Secretary*

### Member – Candidates

*Mike Garza, Candidate, 12<sup>th</sup> Congressional District*

### Members

*Albert Chang*

*Thomas D'Amato, General Counsel*

*Harold M. Hoogasian*

*Barbara Kiley*

*Leo Lacayo, Vice Chairman*

*Sue Woods*

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

The three largest contributors to the true source recipient committee are: 1. Michael A. DeNunzio 2. Michael J. Antonini 3. Sue C. Woods.

Prop 'A' would increase the City's General Obligation Bond debt to **over one billion dollars**.

That's just too much debt!

Prop 'A' results from political polling and deal making more than it does from needs assessment.

VOTE NO.

*Sunset-Parkside Education and Action Committee (SPEAK)*

The true source of funds used for the printing fee of this argument is the Sunset-Parkside Education and Action Committee (SPEAK).

### VOTE NO ON PROPOSITION A!

This is an additional \$390,000,000 more of taxpayer debt plus financing costs.

In 1996 voters approved a housing bond for \$100,000,000. Voters need to insist on a comprehensive audit of housing bond funds and coordinated plan for future needs.

Our descendents and we pay up; the sponsors and non-profit housing interests don't.

**VOTE NO ON PROPOSITION A! Demand Accountability.**

*Mara Kopp, Good Government Alliance*

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.

San Francisco is \$1 BILLION in bond debt. The last thing we need is another affordable housing bond for \$200 million that was crafted as a compromise instead of a solution.

San Franciscans have VOTED to house the homeless. But San Franciscans have also VOTED to OPPOSE giving more tax money to unaccountable housing developers, and subsidizing first-time home buyers whose annual incomes approach \$100,000. The majority of this proposal has already been rejected by the voters.

Please vote NO on Proposition A – AGAIN!

*Coalition for San Francisco Neighborhoods*

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

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



# LEGAL TEXT OF PROPOSITION A

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition for the issuance of bonds or other forms of indebtedness by the City (or one of its agencies, departments or enterprises) in the principal amount of Two-Hundred Million Dollars (\$200,000,000) to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for homeless individuals and families or persons at risk of becoming homeless who are extremely low income, to finance the costs of the acquisition, construction and/or rehabilitation of affordable rental housing for qualifying low and very low income individuals and/or families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial assistance for a home ownership program to qualifying low and moderate income homebuyers, and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of the project is and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of and the manner of holding the special election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on the bonds and/or other forms of indebtedness and providing for the levy and collection of taxes to pay both principal and interest therefor; prescribing notice to be given of the special election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election to be held on November 2, 2004; establishing the election precincts, voting places and officers for the special election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code, and imposing certain limitations on the use of bond proceeds.

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

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

Section 1. A special election is hereby called and ordered to be held in the City and County of San Francisco (the "City") on Tuesday, November 2, 2004, for the purpose of submitting to the qualified voters of the City a proposition to incur bonded indebtedness of the City for the projects hereinafter described in the amount and for the purposes stated:

"SUPPORTIVE AND AFFORDABLE RENTAL HOUSING AND HOMEOWNERSHIP BONDS, 2004. \$200,000,000 to finance the costs of the acquisition, construction and/or rehabilitation of supportive housing for homeless individuals and families or persons at risk of becoming homeless who are extremely low income, to finance the costs of the acquisition, construction and/or rehabilitation of affordable rental housing for low and very low income individuals and families, to finance the costs of construction of homeownership developments for qualifying low and moderate income individuals and families, and to provide financial assistance for a home ownership program for qualifying low and moderate income individuals and/or families."

The special election hereby called and ordered shall be referred to herein as the "Bond Special Election."

Section 2. The estimated cost of the project described in Section 1 was fixed by the Board of Supervisors of the City (the "Board of Supervisors") by the following resolution in the amount specified below:

Resolution No. 406-04,  
\$200,000,000.

Such resolution was passed by two-thirds or more of the members of the Board of Supervisors and approved by the Mayor of the City (the "Mayor"). In such resolution, it was recited and found that the sum of money specified is too great to be paid out of the ordinary annual income and revenue of the City in addition to the other annual expenses thereof or other funds derived from taxes levied for those purposes and will require expenditures greater than the amount allowed therefor by the annual tax levy.

The method and manner of payment of the estimated costs described herein are by the issuance of bonds or other forms of indebtedness of the City not exceeding the principal amount specified in Resolution No. 406 -04; provided however, that the indebtedness authorized thereunder and hereunder (\$200,000,000) shall be allocated (less allocable issuance costs) as follows:

a. \$90,000,000 of such amount shall be allocated to the acquisition, construction, rehabilitation of supportive housing, such housing to be made available for homeless individuals and families or persons at risk of becoming homeless who are extremely low income (defined as households earning not more than 30% of the area median income,

adjusted for household size);

b. \$60,000,000 of such amount shall be allocated to the acquisition, construction, rehabilitation of rental housing affordable to low and very low income households (defined as households earning not more than 60% of the area median income, adjusted for household size);

c. \$50,000,000 of such amount shall be allocated to the development of a program to provide funds for homeownership programs for qualifying low and moderate income households allocated as follows: (i) one-half of such amount shall be used for home purchase assistance for qualifying low and moderate income households (defined as households earning between 60% and 100% of the area median income, adjusted for household size); and (ii) one-half of such amount shall be used to provide financial assistance for the development of affordable housing for qualifying low and moderate income households (defined as households earning between 60% and 90% of the area median income, adjusted for household size);

Notwithstanding the foregoing, the Board of Supervisors shall review, at such times as the Board of Supervisors shall determine, the progress of applying funds for the purposes set forth in subdivision (a) above in accordance with the following timetable:

Years from the date of certification of this measure by the Department of Elections	Percentage of bond funds committed under subdivision (a)
3 years	30%
4 years	40%
5 years	50%

At the direction of the Board of Supervisors, the Mayor's Office of Housing shall prepare a report about the progress of applying funds for the purposes set forth in subdivision (a). Such report shall include recommendations to achieve the housing objectives as set forth herein. In the event that the percentage of bond funds committed to the purposes set forth under subdivision (a) does not equal or exceed the minimum percentage commitment, within the periods specified in the table immediately above, the Board of Supervisors, upon the receipt of the report with recommendations from the Mayor's Office of Housing, may elect by Ordinance to apply some or all of the unused portion of funds allocated under subdivision (a) to the purposes authorized in subdivision (b), except that the rental housing so assisted in such event shall serve households earning not more than 30% of average area median income, adjusted for household size.

(Continued on next page)



## LEGAL TEXT OF PROPOSITION A (CONTINUED)

The estimate of costs as set forth in Resolution No. 406-04 is hereby adopted and determined to be the estimated cost of such improvements and the financing.

Section 3. The Bond Special Election shall be held and conducted and the votes thereafter received and canvassed, and the returns thereof made and the results thereof ascertained, determined and declared as herein provided, and in all particulars not herein recited such election shall be held and the votes canvassed according to the applicable laws of the State of California and the Charter of the City (the "Charter") and any regulations adopted pursuant thereto, providing for and governing elections in the City, and the polls for such election shall be and remain open during the time required by the laws and regulations.

Section 4. The Bond Special Election hereby called shall be and hereby is consolidated with the General Election of the City to be held Tuesday, November 2, 2004, and the voting precincts, polling places and officers of election for the General Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of elections for the Bond Special Election hereby called, and reference is hereby made to the notice of election setting forth the voting precincts, polling places and officers of election for the November 2, 2004 General Election by the Director of Elections to be published in the official newspaper of the City on the date required under the laws of the State of California.

Section 5. The ballots to be used at the Bond Special Election shall be the ballots to be used at the General Election. The word limit for ballot propositions imposed by San Francisco Municipal Code Elections Section 510 is hereby waived. On the ballots to be used at the Bond Special Election, in addition to any other matter required by law to be printed thereon, shall appear the following proposition:

"SUPPORTIVE AND AFFORDABLE RENTAL HOUSING AND HOMEOWNERSHIP BONDS, 2004. Shall the City issue bonds and/or other forms of indebtedness in a principal amount not to exceed \$200,000,000, to finance the acquisition, construction and/or rehabilitation of supportive and affordable rental housing for qualifying low to extremely low income individuals and/or families, including housing with mental health, drug treatment and/or job training for individuals or families who are homeless or at risk of becoming homeless, and to finance the construction of homes or provide homebuyer financial assistance for qualifying low and moderate income individuals and/or families?"

Each voter to vote for the proposition hereby submitted shall mark the ballot in the location corresponding to a "YES" vote for the proposition, and to vote against the proposition shall mark the ballot in the location corresponding to a "NO" vote for the proposition.

Section 6. If at the Bond Special

Election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and approving the proposition, then such proposition shall have been authorized by the electors, and bonds may be issued and sold for the purposes and up to the amounts set forth above upon the order of the Board of Supervisors, and landlords are thereupon authorized to passthrough fifty percent (50%) of the resulting property tax increase resulting from the issuance of such bonds to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code. Such bonds shall not bear interest at a rate or rates exceeding applicable legal limits.

The vote cast for and against the proposition shall be counted separately and when two-thirds of the qualified electors, voting on the proposition, vote in favor thereof, the proposition shall be deemed adopted.

Section 7. For the purpose of paying the principal of and interest on the bonds and any premiums upon the redemption thereof, the Board of Supervisors, at the time of fixing and in the manner for the general tax levy provided, shall levy and collect annually each year until the bonds are paid, or until there is a sum in the Treasury of the City, or account held on behalf of the Treasurer of the City, set apart for that purpose to meet all sums coming due for the principal of and interest on the bonds, a tax sufficient to pay the annual interest on the bonds as the same becomes due and also any part of the principal of the bonds that shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of the principal.

Section 8. The Board of Supervisors having reviewed the proposed legislation, finds and declares (i) That the proposed project is in conformity with the priority policies of Section 101.1(b) of the City Planning code and (ii) in accordance with Section 2A.53(f) of the City Administrative Code, that the proposed project is consistent with the City's General Plan, and hereby adopts the findings of the City Planning Department, as set forth in the General Plan Referral Report dated May 21, 2004 and incorporates said findings by reference.

Section 9. Pursuant to Section 53410 of the California Government Code, the bonds shall be for the specific purpose authorized herein and the proceeds of such bonds will be applied only to the project described herein. The City and County will comply with the requirements of Sections 53410(c) and 53410(d) of the California Government Code.

Section 10. Pursuant to Proposition F approved by the voters of the City and County in November 2001, the bonds are subject to, and incorporate by reference, the provisions of Article V of Chapter 5 of the Administrative Code of the City and County ("Proposition F Requirements"). Pursuant to Proposition F Requirements, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross

proceeds of Supportive and Affordable Rental Housing and Homeownership Bonds shall be deposited in a fund established by the Controller's Office and appropriated by the Board of Supervisors at the direction of the Citizen's General Obligation Bond Oversight Committee established by Proposition F Requirements to cover the costs of said committee.

Section 11. This ordinance shall be published in accordance with any State law requirements, and such publication shall constitute notice of the Bond Special Election and no other notice of the Bond Special Election hereby called need be given.

Section 12. The appropriate officers, employees, agents and representatives of the City and County of San Francisco are hereby authorized and directed to do everything necessary or desirable to the calling and holding of the Special Election, and to otherwise carry out the provisions of this ordinance.

Section 13. Loans or grants funded by the proceeds of these bonds shall require that all contracts funded by bond funds be awarded through an open and competitive selection process. The selection process shall be competitive bids, competitive request for qualifications, or other competitive process, that are (a) consistent with industry standards for obtaining services and (b) appropriate for services being procured. Sole source contracting shall not be permitted; provided however, if the Mayor of the City makes a finding that only one source exists for a product or service, this provision may be waived by the Mayor. Any such waiver shall be reported to the Board of Supervisors in the annual report.

Section 14. To the maximum extent feasible, projects funded with the proceeds of bonds authorized hereunder shall be required to obtain funding from non-City sources for substantial portion of the cost of the project. Priority shall be given to projects that provide a high degree of leveraging of outside funds. The Mayor's Office of Housing shall include an analysis of the leveraging of outside funds for each project in its annual report to the Board of Supervisors.

Section 15. No proceeds of these bonds or program income generated from any bond-funded projects shall be used for lobbying elected officials or for any other political purposes.

Section 16. Upon certification of the passage of this measure by the Director of Elections, the Mayor's Office of Housing, in consultation with the Department of the Environment, shall develop standards for sustainable building methods to be used in ranking or selecting projects to be constructed, acquired or rehabilitated with the proceeds of bonds authorized hereunder. Such standards shall

*(Continued on next page)*



## **LEGAL TEXT OF PROPOSITION A (CONTINUED)**

meet or exceed one or more generally recognized standards for sustainable building methods, such as the Leadership in Energy and Environmental Design (LEED) standards developed by the U.S. Green Building Council, or the regulations set forth by the California Tax Credit Allocation Committee.

Section 17. The City shall urge all entities receiving housing bond proceeds for the development of affordable housing units to utilize responsible employment practices with respect to building service workers and/or sub-contractors who will work in the buildings after construction and once operations of such affordable housing units begin. Specifically, the City urges that direct (and sub-contracted) janitorial, maintenance, security and other residential building service jobs created in projects receiving housing bonds proceeds should be jobs paying living wages, family health benefits, and where employees' rights under the law to form unions are respected.

Section 18. (a) An applicant for housing bond funding may seek the written advice of the Landmarks Preservation Advisory Board ("Advisory Board") as to whether proposed alterations to an historic property are consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating Restoring, and Reconstructing Historic Buildings ("Secretary of the Interior's Standards"). An applicant may submit the Advisory Board's written advice to the Mayor's Office of Housing with its application for housing bond funding. Based upon the project's consistency with the Secretary of the Interior's Standards, the Mayor's Office of Housing may award the application additional points in its overall applicant ranking system, in accordance with a process developed in consultation with the Advisory Board and the Planning Director.

(b). Prior to completion of final design and prior to completion of environmental review under the California Environmental Quality Act, all recipients of housing bond funding whose projects will include the alteration of an historic property shall seek the advice of the Advisory Board as to whether the proposed alterations are consistent with the Secretary of the Interior's Standards.

(c). An historic property, for the purposes of Section 18(a) and (b), shall be defined as (i) any property listed in Article 10 of the Planning Code as a Landmark, Structure of Merit, or as a contributing property to an Historic District, (ii) a property listed in Article 11 of the Planning Code as a Category I, II, III, or IV property, or (iii) a property listed or formally determined eligible for individual listing or listed or formally determined eligible for listing as a contributing property to a historic district in the National Register of Historic Places or the California Register of Historic Resources.

Section 19. No proceeds of bonds

authorized hereunder shall be used to assist in the purchase of a property that is subject to a recorded Ellis Act eviction.



# Historical Preservation Bonds

# B

## PROPOSITION B

Shall the City borrow \$60,000,000 to buy, renovate or preserve historical resources owned by the City or the San Francisco Unified School District?

YES



NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City and the San Francisco Unified School District own certain historical resources that need repair. These resources include the Old Mint, the Palace of Fine Arts, Coit Tower, McLaren Lodge and the Bayview Opera House.

When the City provides money to repair and preserve historical resources, additional funds are often made available from state, federal and private sources.

**THE PROPOSAL:** Proposition B would allow the City to borrow \$60,000,000 by issuing general obligation bonds. The City would use this money to buy, renovate or preserve historical resources.

Proposition B would require:

- The Board of Supervisors must create procedures before the bonds are sold to oversee projects that use bond funds;
- The City or School District must secure additional funding from other public and private sources to ensure completion of the project; and

- No single project may receive more than 20% of the total bond funds.

Proposition B would require an increase in property taxes to pay for the bonds. Principal and interest on general obligation bonds are paid by property tax revenues. Landlords could pass on to tenants in rent-controlled units half the increase in property taxes resulting from this bond measure.

A two-thirds majority vote is required for passage of this bond measure.

**A "YES" VOTE MEANS:** If you vote "yes," you want the City to borrow \$60,000,000 to buy, renovate or preserve historical resources.

**A "NO" VOTE MEANS:** If you vote "no," you do not want the City to borrow \$60,000,000 for these purposes.

## Controller's Statement on "B"

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

In my opinion, should the proposed \$60 million in bonds be issued and authorized, I estimate the approximate costs to be as follows:

- In fiscal year 2005-06, following issuance of the first series of bonds, the estimated annual costs of debt service would be \$1.3 million and result in a property tax rate of .12¢ per \$100 of assessed valuation (or \$1.23 per \$100,000 of assessed valuation).
- In fiscal year 2008-09, following issuance of the last series of bonds, and the year with the highest tax rate, the estimated annual costs of debt service would be \$5.2 million and result in a property tax rate of .49¢ per \$100 of assessed valuation (or \$4.94 per \$100,000 of assessed valuation).
- The best estimate of the average tax rate from fiscal year 2005-06 through 2027-28 is .43¢ per \$100 of assessed valuation (or \$4.29 per \$100,000 of assessed valuation).

These estimates are based upon projections and estimates only, which are not binding upon the City. Such projections and estimates may vary due to variations in timing of bond sales, the amount of bonds sold at each bond sale, market interest rates at the time of each bond sale, and actual assessed valuation over the term of repayment of the bonds. Hence, the actual tax rates and the years in which such rates are applicable may vary from those estimated above.

Based on these estimates, the highest estimated increase in annual property taxes for the owner of a home with an assessed value of \$300,000 would be approximately \$14.47

## How "B" Got on the Ballot

On July 20, 2004 the Board of Supervisors voted 10 to 1 to place Proposition B on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, and Sandoval.

**No:** Supervisor Ma.

**THIS MEASURE REQUIRES 66% AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 79.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.



# B

## Historical Preservation Bonds

### 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 Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Peskin, and Sandoval; oppose the measure: Supervisor Elsbernd; take no position on the measure: Supervisors Ma and Gonzalez.*

San Francisco owns numerous neglected and decaying historic buildings. Neighborhood citizens' groups are working to preserve these civic treasures, developing detailed restoration plans and raising funds from private donors. Private donors seek assurances that their contributions assist projects that will be completed within a reasonable time. To overcome these concerns and "jump start" these projects, the Board of Supervisors placed Proposition B, Neighborhood Historic Resources Preservation Bonds, on the ballot.

Proposition B provides \$60 million funding for structural and earthquake safety work and Americans with Disabilities Act compliance, creating incentives for private contributors to intensify their efforts.

Proposition B lists eleven projects in neighborhoods from Bayview to the Marina; Telegraph Hill to the Sunset; the Excelsior to the Embarcadero — that the Board of Supervisors ranks as the highest priorities, including: The Old Mint/San Francisco History

Museum; Palace of Fine Arts; Coit Tower; Waterfront Pipe Organ Pavilion; McLaren Lodge; Stern Grove/Trocadero Clubhouse; Geneva Car Barn Office Building; School for the Arts/Nourse Auditorium; Sunnyside Conservatory; Moscone Park Fieldhouse; Bayview Opera House.

Proposition B has built-in protections assuring the bond money is spent for its stated purposes:

- No funds can be spent until Supervisors pass, and the Mayor signs, a spending authorization for each project
- No more than 20% of the total funds can go to any project
- All funds must go to project costs, not City Department overhead.
- Each project must prepare detailed improvement plans and cost estimates, and identify other funding sources required to complete the project.

Proposition B will produce many educational, cultural and economic benefits. It will create hundreds of construction jobs. Historic buildings and neighborhood landmarks will come alive. We urge you to vote YES on Proposition B.

*SAN FRANCISCO BOARD OF SUPERVISORS*

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION B

**THOSE "VOTERS INFORMATION BOOKLET" LIES – THAT THE JAMES LICK CALIFORNIA HISTORICAL MONUMENT WOULD NOT BE MOVED FROM ITS TRADITIONAL MARKET STREET LOCATION, IF THE MAIN BRANCH LIBRARY BONDS WERE APPROVED – MIGHT MAKE A RETURN VISIT WITH PROPOSITION B:**

While Proposition B supporters list "eleven projects in neighborhoods... as the highest priorities," there are certainly **NO GUARANTEES** legally.

Expect that some of the "highest priorities" will never be touched. Other projects may well be substituted. The evasive wording of Proposition B is in itself a red flag warning.

The misrepresentations in the "Voters Information Booklet" about how the James Lick California Historical Monument would not be moved from its ancient location on Market Street, if the New Main Branch Library Bonds were approved, are a clear warning about how the story changes after an election.

To those of us who know how these "shell game" bond issues are constructed, the "eleven projects" are called: "The Christmas Tree of Cheap Bribes". After the bonds are approved, then the plans start changing. We have seen it happen on a regular basis... especially in San Francisco.

*-Dr. Terence Faulkner, J.D.*

Chairman

Golden Gate Taxpayers Association

*-Gail E. Neira*

State Assembly Nominee

(13<sup>th</sup> District)





# Historical Preservation Bonds

# B

## OPPONENT'S ARGUMENT AGAINST PROPOSITION B

### PROPOSITION B FAILS TO DEFINE WHAT ITS BONDS WILL DO:

"About 40 years ago, I was the founding Chairman of the Committee to Save the Old San Francisco Mint," comments Terence Faulkner: "The big problems with these bonds is they totally fail to define any priorities as to what they seek to preserve."

Proposition B does not ask the voters to pass bonds to protect any particular historical sites, such as the Old San Francisco Mint, at 5<sup>th</sup> Street and Mission Street.

It leaves the power to choose "historical sites" up to the San Francisco Board of Supervisors – and a political roll of the dice.

On August 20<sup>th</sup>, 2004, the San Francisco Republican County Central Committee voted 20 to 6 against the Proposition B bonds. They were correct.

Under Proposition B, the Board of Supervisors has the power to declare almost *anything* an "historical site".

Vote "No" on Proposition B.

- Stonestown and Park Merced Residents' Association

- Dr. Terence Faulkner, J.D.

President of Stonestown and Park Merced Residents' Association

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION B

Opponents of Proposition B have failed to read it closely.

Proposition B includes many safeguards to assure that the proceeds of the bonds are spent as promised. The Board of Supervisors included a list of projects in the measure as priority examples of how the funds could be used.

No project can be considered for Prop B bond funding unless it has an established and ongoing fundraising effort involving private citizens, community groups, private foundations and historic preservation organizations.

The people of the San Francisco's neighborhoods, by their private efforts and demonstrated commitment, will choose the "historical sites" to receive preservation funding from Prop B.

The Board of Supervisors has prioritized the projects that have demonstrated the greatest public support.

Again, no project will receive any Prop B funding until it has developed detailed architectural and construction plans and cost estimates, and documented a viable fundraising program.

Each project must be approved by relevant City commissions and the Board of Supervisors, and be signed off by the Mayor. No one project could receive more than 20% of the funds, guaranteeing that they are spread out evenly for different projects.

No other improvement bond in recent years has required such extensive review and approval of each project that qualifies for funds. Prop B requires maximum oversight by the Board and various city departments before any funds are spent.

Preserve our unique architectural heritage.

Vote YES on B.

*Board of Supervisors*



# B

# Historical Preservation Bonds

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

San Francisco's historic resources need our support! Proposition B helps preserve our neighborhood treasures with funds unavailable elsewhere. **VOTE YES ON B!**

*San Francisco Beautiful*

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

---

**Prop B will enable long-overdue restoration of neighborhood historic and cultural treasures, such as the Sunset Conservatory and Stern Grove. Strong safeguards ensure that the bond money will be spent only as promised. Vote YES on B.**

*Christine Linnenbach*, candidate for Supervisor, District 7\*

\* For identification purposes only

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

---

The San Francisco Democratic Party urges a YES vote on Proposition B as a wise investment in preserving San Francisco's unique architectural heritage in the City's neighborhoods.

Prop B will provide earthquake safety and disability access funds to supplement the ongoing fundraising efforts of neighborhood organizations and community historic preservation groups.

Vote YES on B.

*The San Francisco Democratic Party*

*Leslie Katz*, Chair, San Francisco Democratic Party

*Jane Morrison*, immediate past chair, San Francisco Democratic Party

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267072.

The three largest contributors to the true source recipient committee are: 1. San Francisco Museum and Historical Society 2. Jerry Dodson 3. Bette Laudis.

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Since opening in 1888, the Bayview Opera House has been the cultural and entertainment center for its surrounding neighborhoods. As the Bayview's population evolved, the Opera House's mission has changed to meet community needs.

Serving people of all ages, children to seniors, the Opera House provides enrichment and training programs in dance, music, drama, photography and other arts. In an area plagued with violence, the Opera House is a safe and productive environment for at-risk youth to explore their talents.

Having survived the 1906 and 1989 earthquakes, but damaged by both, the Opera House needs extensive earthquake safety work and legally-required access improvements for the elderly and disabled. Proposition B will provide funds to complete these unglamorous but essential upgrades, and infuse new energy into our ongoing community fundraising efforts.

When the Third Street light rail line is complete, San Franciscans and tourists will enjoy easy access to the Bayview Opera House, one of San Francisco's truly historic and vibrant architectural treasures.

Invest in the future. Vote YES on B.

Bayview Opera House Board of Directors

*Johnnie Carter*, President

*Judith Blackwell*, Director

*Vernon Griggs*, Director

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267020.

The three largest contributors to the true source recipient committee are: 1. San Francisco Museum and Historical Society 2. Jerry Dodson 3. Bette Laudis.

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San Francisco owns a wonderful 7000-pipe concert organ built for the 1915 Panama Pacific International Exposition. When I served as Supervisor, I worked with City staff to protect this treasure and to find it a new home in a park built especially for it across from the Ferry Building. Open-air free public concerts there will delight music lovers of all ages.

Prop B will provide funding to build the concrete shell holding the organ. Please vote YES.

*Sue Bierman*, former Supervisor

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267020.

The three largest contributors to the true source recipient committee are: 1. San Francisco Museum and Historical Society 2. Jerry Dodson 3. Bette Laudis.



# Historical Preservation Bonds

# B

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

Proposition B is important to the economic vitality and quality of life in San Francisco. The city owns many historic buildings, including the Palace of Fine Arts, that need thorough seismic upgrades to restore these important city landmarks for residents and visitors.

Reasons to vote "Yes" on Prop B:

- San Francisco's historic buildings help shape its unique character
- Bond dollars will make these historic buildings safe for people to enjoy
- Bond dollars will leverage private dollars already raised to restore the Palace of Fine Arts and other sites
- The Palace of Fine Arts and other buildings supported by Prop B are important not only to their surrounding neighborhoods, but also attract visitors and tourism revenue that helps pay for city services.

As the City's non-profit partner to restore the Palace of Fine Arts, we support a "Yes" vote on Proposition B.

*The Maybeck Foundation* - Campaign to Restore the Palace of Fine Arts

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

We support Proposition B because it will restore to daily use our neighborhood's most significant architectural and historic resource, the Geneva Office Building & Powerhouse.

Proposition B funding, added to our ongoing fundraising efforts, will allow us to establish a youth vocational arts training program and a San Francisco Streetcar history center at the restored GOB.

Proposition B will bring new life to the geographic and symbolic center of our community, now known as District 11.

Join us in voting **YES** on Prop B.

*Friends of the Geneva Office Building & Powerhouse, Dan Weaver, Chair*

*Steven Currier, Outer Mission Residents Association\**

*Sharon Eberhardt, Cayuga Improvement Association\**

*Al Harris, OMI Neighbors in Action\**

*Mary Harris, District 11 Council\**

*Anthony Sacco, New Mission Terrace Association\**

*Rebecca Silverberg, Excelsior Improvement Association\**

\*For identification purposes only

The true source of funds used for the printing fee of this argument is the Friends of Geneva Office Building & Powerhouse.

Support this to help save our important historical and cultural resources such as Coit Tower for our City and visitors!

*Sunset Parkside Education and Action Committee (SPEAK)*

The true source of funds used for the printing fee of this argument is the Telegraph Hill Dwellers & Sunset Parkside Education & Action Committee.

San Francisco's working families will benefit from the free or low-cost cultural, recreational and educational opportunities at the historic facilities Proposition B will help restore.

Preserving the Bayview Opera House, Stern Grove, Nourse Auditorium, San Francisco History Museum at the Old Mint, Sunnyside Conservatory, Moscone Park Fieldhouse, the Geneva Historic Trolley Car Barn, to name a few, will honor our past and bring new life to surrounding neighborhoods.

Construction jobs at these projects will strengthen our economy and provide apprenticeship opportunities for San Franciscans. New, permanent jobs will be created at the restored facilities.

**Proposition B** is a wise investment that will bring new jobs and revenues to San Francisco.

*Lawrence B. Martin*

International Administrative Vice President, Transport Workers Union\*

*Larry Mazzola*

President, San Francisco Building and Trades Council\*

*Jim Salinas, Carpenters Union Representative\**

*Howard Wong*

President, International Federation of Professional and Technical Engineers  
Local 21\*

\* For identification purposes only

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



# B

# Historical Preservation Bonds

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267020.

The three largest contributors to the true source recipient committee are: 1. San Francisco Museum and Historical Society 2. Jerry Dodson 3. Bette Laudis.

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NOURSE AUDITORIUM WILL ADD A THEATRE TO THE PERMANENT HOME OF SAN FRANCISCO SCHOOL OF THE ARTS. SOTA IS TRAINING AND EDUCATING THE ARTIST OF TOMORROW, THEY MUST HAVE A THEATRE TO FULFILL THEIR PROMISE. PLEASE JOIN US, PARENTS, TEACHERS, AND ARTISTS OF SOTA IN SUPPORT OF PROPOSITION B.

NOVELLA SMITH  
NANCY KOZAK MAYER  
SUSAN STAUTER  
SALLY ANN RYAN  
DONN HARRIS  
NANCY LOVELL  
ANTIGONE TRIMIS

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267020.

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### SCHOOL LEADERS SUPPORT PROPOSITION B

The San Francisco Board of Education urges you to vote for Proposition B to support the preservation of our local historic resources. This measure will provide funds for the renovation of historic Nourse Auditorium and will contribute to our goal of eventually moving the School of the Arts to the Civic Center.

YES ON B!

San Francisco Board of Education:  
Eddie Y. Chin  
Heather A. Hiles  
Dan Kelly  
Sarah Lipson  
Jill Wynns

Superintendent Arlene Ackerman

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267020.

The three largest contributors to the true source recipient committee are: 1. San Francisco Museum and Historical Society 2. Jerry Dodson 3. Bette Laudis.

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Your YES vote on Proposition B will save landmarks of our past in almost every City neighborhood, from Coit Tower, to the Stern Grove Clubhouse, to the Bayview Opera House.

Proposition B creates a public-private partnership to match City monies to protect our historic resources from earthquake damage, making them accessible to the disabled and insuring their preservation.

Save our City's history. Please vote YES on B.

Senator Dianne Feinstein  
House Democratic Leader Nancy Pelosi

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267020.

The three largest contributors to the true source recipient committee are: 1. San Francisco Museum and Historical Society 2. Jerry Dodson 3. Bette Laudis.

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San Francisco's past is reflected in our many historic structures. City owned landmark buildings, such as the Old Mint, the Palace of Fine Arts, Stern Grove Clubhouse and Bayview Opera House can only be preserved for future generations through a fund raising partnership between the City, neighborhood and civic organizations and private donors.

Your **YES** vote for **Proposition B** will allow the City to match millions of dollars of private funds needed to save these historic and cultural resources.

Charles Chase  
Executive Director, San Francisco Architectural Heritage

Tim Kelley  
President, Landmarks Preservation Advisory Board\*

Jim Lazarus  
Executive Director, San Francisco Museum and Historical Society



# Historical Preservation Bonds

# B

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

\* For identification purposes only

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267020.

The three largest contributors to the true source recipient committee are: 1. San Francisco Museum and Historical Society 2. Jerry Dodson 3. Bette Laudis.

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The Geneva Car Barn is both a historically significant building and a symbol of the labor movement. It is the most important civic structure in District 11, and is badly in need of renovation if it is to survive.

Proposition B will save D11's treasure for future generations.

Vote Yes on B.

*Dr. Anita Grier*

Candidate for D11 Supervisor

The true source of funds used for the printing fee of this argument is Anita Grier for Supervisor, District 11.

---

Let's protect the stabilizing elements of San Francisco's neighborhood historic resources and architecture. Incrementally, over time, our City needs to cultivate its own cultural wealth --- like Paris, Florence, Kyoto, St. Petersburg.....

**For the Best,  
Vote Yes on B!**

*Howard Wong, AIA*

President, International Federation of Professional and Technical Engineers, Local 21

The true source of funds used for the printing fee of this argument is the International Federation of Professional & Technical Engineers, Local 21.

---

Proposition B is a fiscally responsible way to restore historic neighborhood treasures badly needing repairs, earthquake retrofitting and mandated disability access upgrades.

This measure will strengthen our economy, maintain our heritage and attract matching fund investments from private sources triple the amount the Proposition B bond provides.

From an assessment perspective, preserving these civic treasures will substantially improve the value and desirability of property throughout San Francisco's neighborhoods.

As San Francisco's chief financial officer, I urge you to vote YES on Proposition B.

*City Treasurer Susan Leal*

The true source of funds used for the printing fee of this argument is the Restore Neighborhood Landmarks, Yes on B ID#1267020.

The three largest contributors to the true source recipient committee are: 1. San Francisco Museum and Historical Society 2. Jerry Dodson 3. Bette Laudis.

---

San Francisco's historic architecture enhances our quality of life and contributes substantially to our strong local economy.

Among our City owned buildings are structures that need seismic strengthening and other rehabilitation work if they are to survive and be part of the San Francisco's future.

Proposition B supports community efforts already underway to raise funds for these buildings. This modest measure makes a long term investment in our future by providing for the expanded use of some of our best loved public buildings.

We urge you to vote YES on Proposition B.

*San Franciscans for Preservation Planning*

*Mark Ryser, Chair*

*Dennis Antenore*

*Bruce Bonacker*

*Courtney Clarkson*

*Daniela Kirshenbaum*

*Beverly Mc Callister*

*Stewart Morton*

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

The three largest contributors to the true source recipient committee are: 1. Stewart Morton 2. Mark Ryser 3. Dennis Antenore.



# B

## Historical Preservation Bonds

### PAID ARGUMENTS IN FAVOR OF PROPOSITION B

#### SPUR supports Proposition B

City Hall and the Ferry Building were recently renovated and have become some of the city's most beautiful public spaces. But most of the historic buildings owned by City government remain in poor condition. This measure provides \$60 million to renovate historic buildings owned by the City and School District.

\$60 million is not enough to finish the work on these projects, but this money will be used to match other grants and private donations.

San Francisco is lucky to have historic structures in many of its neighborhoods – but we will have them only as long as we continue to take care of them.

**VOTE YES ON B.**

For more information visit [www.spur.org](http://www.spur.org)

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

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

The three largest contributors to the true source recipient committee are: 1. Oz Erickson 2. James Chappell 3. Evette Davis.

### PAID ARGUMENTS AGAINST PROPOSITION B

**Yet another taxpayer burden of \$60 million borrowing, plus \$45 million debt service! Vote NO!**

**The Unified School District and the City have mismanaged prior bonds. The City can enter into cost-effective contracts with private developers – taxpayers' money should not be used to gratify lax special interests and developers.**

**VOTE NO ON PROPOSITION B!**

*Mara Kopp, Good Government Alliance*

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.



# LEGAL TEXT OF PROPOSITION B

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 2, 2004, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: Sixty Million Dollars (\$60,000,000) for the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, owned, or to be owned, by the City and County and/or the San Francisco Unified School District and paying all other costs necessary and convenient for effectuating those purposes and authorizing landlords to passthrough fifty percent (50%) of the resulting property tax increase to residential tenants in accordance with Chapter 37 of the San Francisco Administrative Code; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is excluded from the California Environmental Quality Act, and is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and requiring the passage of an implementation ordinance prior to the sale of the bonds.

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

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

Section 1. The City and County of San

Francisco (the "City") owns, or will own, a number of historical resources, all of which are in need of significant investment, among other things, to seismically strengthen, preserve, rehabilitate and place them into useful service. To facilitate the commencement of work on such historical resources, and structures benefiting historical resources, and to stimulate the securing of other public and private funds for them, the City proposes to issue up to \$60,000,000 in general obligation bonds to help finance the acquisition, rehabilitation, renovation, improvement, construction or preservation of these historical resources and structures benefiting historic resources. Examples of historical resources, and structures benefiting historical resources, which may apply for a portion, not to exceed 20%, of the general obligation bond proceeds approved herein include, but are not limited to, the following: the Old Mint, the Palace of Fine Arts, Coit Tower, a Waterfront Pavilion to house the City's historic 7000 pipe concert organ (Austin Organ Co. Opus 500), McLaren Lodge, Trocadero Clubhouse (Stern Grove and Pine Lake Park), the Geneva Car Barn Building, the San Francisco Unified School District's School for the Arts - Nourse Auditorium, the Sunnyside Conservatory, the Moscone Fieldhouse and the Bayview Opera House.

Section 2. A special election is hereby called and ordered to be held in the City on Tuesday, the 2<sup>nd</sup> day of November, 2004, for the purpose of submitting to the electors of the City a proposition to incur bonded indebtedness of the City for the project hereinafter described in the amount and for the purposes stated:

"NEIGHBORHOOD HISTORICAL RESOURCES PRESERVATION BONDS, 2004. \$60,000,000 of bonded indebtedness to fund, in part, certain costs associated with the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, which are owned or to be owned, by the City and County of San Francisco and/or the San Francisco Unified School District, which are designated so in accordance with existing City policies and procedures, and have available sufficient monies together with the bond proceeds, to ensure the completion of the project prior to the application for a portion of the bond proceeds, which amount shall not exceed 20% of the total amount of the bonds authorized herein, and paying other costs necessary and convenient for effectuating those purposes; and authorizing landlords to passthrough to residential tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the "Residential Stabilization and Arbitration Ordinance) 50% of the increase in the real property taxes attributable to the cost of the repayment of the bonds.

The special election hereby called and

ordered shall be referred to herein as the "Bond Special Election."

Section 3. The estimated cost of the bond financed portion of the project described in Section 2 hereof was fixed by the Board of Supervisors of the City (the "Board of Supervisors") by the following resolution and in the amount specified below:

Resolution No. 361-04, \$60,000,000.

Such resolution was passed by two-thirds or more of the Board of Supervisors and approved by the Mayor of the City (the "Mayor"). In such resolution it was recited and found that the sum of money specified is too great to be paid out of the ordinary annual income and revenue of the City in addition to the other annual expenses thereof or other funds derived from taxes levied for those purposes and will require expenditures greater than the amount allowed therefor by the annual tax levy.

The method and manner of payment of the estimated costs described herein are by the issuance of bonds of the City not exceeding the principal amount specified.

Such estimate of costs as set forth in such resolution is hereby adopted and determined to be the estimated cost of such bond financed improvements and financing, as designed to date.

Section 4. The Bond Special Election shall be held and conducted and the votes thereafter received and canvassed, and the returns thereof made and the results thereof ascertained, determined and declared as herein provided and in all particulars not herein recited such election shall be held according to the laws of the State of California and the Charter of the City (the "Charter") and any regulations adopted pursuant thereto, providing for and governing elections in the City, and the polls for such election shall be and remain open during the time required by such laws and regulations.

Section 5. The Bond Special Election is hereby consolidated with the General Election scheduled to be held in the City on Tuesday, November 2, 2004. The voting precincts, polling places and officers of election for the November 2, 2004 General Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of election for the Bond Special Election hereby called, and reference is hereby made to the notice of election setting forth the voting precincts, polling places and officers of election for the November 2, 2004 General Election by the Director of Elections to be published in the official newspaper of the City on the date required under the laws of the State of California.

Section 6. The ballots to be used at

(Continued on next page)



## LEGAL TEXT OF PROPOSITION B (CONTINUED)

the Bond Special Election shall be the ballots to be used at the November 2, 2004 General Election. The word limit for ballot propositions imposed by San Francisco Municipal Elections Code Section 510 is hereby waived. On the ballots to be used at the Bond Special Election, in addition to any other matter required by law to be printed thereon, shall appear the following as a separate proposition:

“NEIGHBORHOOD HISTORICAL RESOURCES PRESERVATION BONDS, 2004. Shall the City incur \$60,000,000 of bonded indebtedness to fund, in part, certain costs associated with the acquisition, rehabilitation, renovation, improvement, construction or preservation of certain historical resources, and structures benefiting historical resources, which are owned, or to be owned, by the City and County of San Francisco and/or the San Francisco Unified School District, are designated so in accordance with existing City policies and procedures, and have available sufficient monies together with the bond proceeds, to ensure the completion of the project prior to the application for a portion of the bond proceeds, which amount shall not to exceed 20% of the total amount of the bonds authorized herein, and paying other costs necessary and convenient for effectuating those purposes; and authorizing landlords to passthrough to residential tenants in units subject to Chapter 37 of the San Francisco Administrative Code (the “Residential Stabilization and Arbitration Ordinance”) 50% of the increase in the real property taxes attributable to the cost of repayment of the bonds?”

Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark the ballot in the location corresponding to a “YES” vote for the proposition, and to vote against the proposition shall mark the ballot in the location corresponding to a “NO” vote for the proposition.

Section 7. If at the Bond Special Election it shall appear that two-thirds of all the voters voting on the proposition voted in favor of and authorized the incurring of bonded indebtedness for the purposes set forth in such proposition, then such proposition shall have been accepted by the electors, and bonds authorized thereby shall be issued upon the order of the Board of Supervisors. Such bonds shall bear interest at a rate not exceeding applicable legal limits.

The votes cast for and against the proposition shall be counted separately and when two-thirds of the qualified electors, voting on the proposition, vote in favor thereof, the proposition shall be deemed adopted.

Section 8. For the purpose of paying the principal and interest on the bonds, the Board of Supervisors shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of said City,

or other account held on behalf of the Treasurer of said City, set apart for that purpose to meet all sums coming due for the principal and interest on the bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal.

Section 9. This ordinance shall be published in accordance with any state law requirements, and such publication shall constitute notice of the Bond Special Election and no other notice of the Bond Special Election hereby called need be given.

Section 10. The Board of Supervisors having reviewed the proposed legislation, finds and declares (i) that the proposed project is excluded from the California Environmental Quality Act (“CEQA”) under CEQA Guidelines section 15378(b)(4) as the creation of a government funding mechanism that does not involve any commitment to any specific project, (ii) that the proposed project is in conformity with the priority policies of Section 101.1(b) of the City Planning Code and, (iii) in accordance with Section 2A.53(f) of the City Administrative Code, that the proposed project is consistent with the City’s General Plan, and hereby adopts the findings of the City Planning Department, as set forth in the General Plan Referral Report, dated May 24, 2004, and incorporates said findings by reference.

Section 11. Pursuant to Section 53410 of the California Government Code, the bonds shall be for the specific purpose authorized herein and the proceeds of such bonds will be applied only to the project described herein. The City will comply with the requirements of Sections 53410(c) and 53410(d) of the California Government Code.

Section 12. The Neighborhood Historical Resources Preservation Bonds are subject to, and incorporate by reference, the applicable provisions of Article V of Chapter V of the San Francisco Administrative Code (the “Citizens’ General Obligation Bond Oversight Committee”). Pursuant to Section 5.31 of the Citizens’ General Obligation Bond Oversight Committee, to the extent permitted by law, one-tenth of one percent (0.1%) of the gross proceeds of the Neighborhood Historical Resources Preservation Bonds shall be deposited in a fund established by the Controller’s Office and appropriated by the Board of Supervisors at the direction of the Citizens’ General Obligation Bond Oversight Committee to cover the costs of said committee.

Section 13. The Neighborhood Historical Preservation Bonds shall not be sold until an implementation ordinance is adopted by the Board of Supervisors and approved by the Mayor establishing procedures for the administration and oversight of the projects to be financed with the proceeds of the Neighborhood Historical Preservation Bonds.

Section 14. The appropriate officers, employees, representatives and agents of the City are hereby authorized and directed to do everything necessary or desirable to accomplish the calling and holding of the Bond Special Election, and to otherwise carry out the provisions of this ordinance.





# Health Service System



## PROPOSITION C

Shall the Health Service System be a separate City department, and shall the Health Service Board be authorized to appoint and remove the manager of the Health Service System?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The Health Service System is part of the City's Department of Human Resources. The Director of Human Resources appoints and can remove the manager of the Health Service System.

The City's Health Service System offers medical and dental benefits to employees, retirees and their dependents of the City and County of San Francisco, Community College District and Unified School District.

The City's Health Service Board:

- Selects the medical and dental plans available to employees and retirees;
- Sets the amount employees and retirees must pay for each plan; and
- Makes rules and regulations and sets policy for the administration of these plans.

The Health Service Board has seven members:

- The City Attorney or designated Deputy City Attorney;
- One member of the Board of Supervisors;

- Two members appointed by the Mayor; and
- Three members elected by current and retired employees of the City, the Community College District and the Unified School District.

**THE PROPOSAL:** Proposition C is a Charter amendment that would remove the Health Service System from the Department of Human Resources and make it a separate City department. The Health Service Board would oversee the Health Service System. The Board would appoint and could remove the manager of the Health Service System. The Board would still have seven members, but the City Attorney would be replaced with a member elected by current and retired employees. The City Attorney would continue to serve as legal advisor to the Health Service System.

**A "YES" VOTE MEANS:** If you vote "yes," you want to make the Health Service System a separate City department, authorize the Health Service Board to appoint and remove the manager of the Health Service System, and change the membership of the Health Service Board.

**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, it would not in and of itself increase the cost of government. However, the amendment may affect costs in that it changes the composition of the Health Service Board, which oversees City employee and retiree health benefits, from a majority of members who are appointed by City officers to a majority of members who are elected from among the beneficiaries of the system.

The amendment replaces the seat on the Health Service Board currently held by the City Attorney or their designee with a seat for a member elected from among the active and retired members of the Health Service System. In addition, under current charter provisions, the Department of Human Resources is responsible for the administration of health insurance benefits, and has the

authority to appoint and remove the Health Services Director. The amendment would transfer these functions to the Health Service Board.

Approximately 110,000 people are served by the Health Service System including current City employees, retirees, and dependents. The System has an operating budget of approximately \$400 million annually, of which approximately \$300 million is funds paid by the City under Charter requirements and labor agreements.

## How "C" Got on the Ballot

On July 20, 2004 the Board of Supervisors voted 9 to 2 to place Proposition C on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, and Sandoval.

**No:** Supervisors Maxwell and Peskin.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 86.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Health Service System

## 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 Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, McGoldrick, and Sandoval; oppose the measure: Supervisor Peskin; take no position on the measure: Supervisor Maxwell.*

**Vote YES ON Proposition C to protect the Health Service System and our senior citizens health benefits.** Proposition C makes critically needed reforms to shield our senior citizens and their health benefits. *The Health Service System dollars are a trust fund, not a slush fund.*

**YES ON Proposition C establishes an independent agency.** Proposition C returns the health service system oversight to the Health Service Board and ensures accountability and control for the members of the system and voters.

**Proposition C is good government.** It replaces a patronage appointment with an elected member to its Board and ensures the beneficiaries are represented, consistent with good government and democratic principles.

**Proposition C doesn't cost taxpayer dollars.** The City Controller states the cost of Proposition C is minimal. Proposition C removes the administration of health services from slow-moving

bureaucracy -- the Human Resources Department -- too often responsive to political interests, not human interests.

**Proposition C is structural reform.** Retirees' hard-earned dollars should not be siphoned off for quick fix budget solutions, but protected, as a trust fund for future health needs.

**VOTE YES ON PROPOSITION C** to ensure our senior citizens health money is protected and accessible by a more responsive, accountable Health Service System.

*Nancy Gin, Chair, Protect our Benefits Committee, retired city planner*

*Karen Breslin, retired adult probation officer*

*Barney Crotty, retired DPW superintendent*

*Jerry DeRyan, retired teacher*

*Claire Dunn, retired teacher*

*Jim Elliot, retired auto mechanic, Recreation and Parks*

*John Lehane, retired SF Police officer*

*Stephanie Lyons, retired personnel officer*

*Ed Rothman, retired deputy city attorney*

*Dave Sutter, retired DPW project manager*

*Jean Thomas, retired auditor/accountant Controller's office*

*H. Weiner, retired Social Worker*

*Kay Wong, retired social services manager*

*Gale Wright, retired SF Police officer*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION C

The Health Service **Trust Fund is not at risk** of becoming a slush fund, it is well protected by **existing** Charter mandates against misuse, under the direction of the Health Service Board. **Vote NO on C!**

The Trust Funds **should be used to benefit all members** of the Health Service System since it represents City dollars paid on behalf of all members, Active and Retired. The Health Service Board should serve the interest of all members.

The proponents want to protect only those retirees enrolled in the City Health Plan and to increase premium cost for retirees and active members who choose HMO's. Over 85% of members are enrolled in HMOs. **Vote No on C!**

**Proposition C = poor management**, it separates Health Service from the Dept. of Human Resources. All major employers administer their employee benefit program within Human

Resources operations. The present system is efficient and effective management of benefits based on employment status, contract provisions, updated personal information, and payroll data.

**The current system of integrated management of HSS and DHR has resulted in cost savings for the City.** The severing of the HSS operation would mean administrative costs currently covered by DHR would be duplicated: finance, accounting, payroll and information systems services would add to the cost of HSS providing benefits. **In these days of rising health care costs we need to streamline the cost of operations, not increase costs!**

**Vote NO on C!**

*Linda R. Lee, City Employee*

*Reverend Harry Chuck, Retired*



# Health Service System



## OPPONENT'S ARGUMENT AGAINST PROPOSITION C

This will be a **costly** amendment because it would sever an efficient working organization between two formerly separate departments that are now working as one streamlined operation.

**Millions of dollars and almost a decade have been spent** to achieve a unified system of service to active and retired members of Health Service, only to be undone by this amendment.

Providing timely benefits is dependent on available Human Resource information that is now integrated into the Health Service System. Separating Health Service from Human Resources would negatively impact customer service for our members and their dependents. The operation of the Health Service System currently works under the Department of Human Resources. **Don't vote to break something that is finally fixed!**

*Linda R. Lee*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION C

The Health Service System functioned as an independent agency from the inception of our City Charter in 1932 until 1996. The 1995 Charter revision buried the Health Service System under the Department of Human Resources, detaching the Health Service Board authority in favor of an Administrator accountable to City Hall politicians. That's when the problems started!

Underneath a mismanaged Department of Human Resources, senior citizen members have seen the worst:

- Well over \$2,000,000 of overpayment of medical claims – taking years to reconcile and collect costing taxpayers even more.
- Unimaginable administrative errors – such as dropped health coverage for qualified members victimizing already sick people.
- Slow claims processing and customer service due to the hiring of untrained temporary workers.
- Huge backlogs of payments prompting qualified physicians to drop out of the health network – patients lose their long time personal physicians from weak management.

- A Health Service System Board without proper data, information, and resources for informed decisions on rates and benefits.
- The LOSS of HEALTH FUND DOLLARS due to lack of internal controls, accounting practices and CONFISCATION of monies by wily City Hall bean counters trying to balance their budget.

Opponents argue Proposition C is expensive and dismantles a department – they're misinformed! The City Controller states, "Should the proposed charter amendment be approved by the voters, it will not increase the cost of government".

**VOTE YES ON C FOR AN ACCOUNTABLE HEALTH SYSTEM PROTECTING OUR SENIORS!**

*Nancy W. Gin*  
Chair, Protect Our Benefits Committee





# Health Service System

## PAID ARGUMENTS IN FAVOR OF PROPOSITION C

Money for health care must be spent ONLY for health care! A TRUST FUND is VITAL!

**Vote YES on C!**

*Gerry Meister*, Chairperson, United Educators of San Francisco  
Retired Division  
*Claire Dunn*, Health Chairperson

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

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**VOTE YES ON PROPOSITION C!**

**Proposition C takes care of senior citizen's health benefits by ensuring that the fund is protected.**

**Proposition C is a straightforward measure, streamlining government and requiring the Health Service System to oversee health benefits and claims and not be buried in the Department of Human Resources bureaucracy.**

**Proposition C is consistent with representative principles and removes a patronage voting position held by the City Attorney and placing it rightfully in the hands of the voting employees and retirees served by the system.**

**Proposition C is correct – correct to demand accountability and oversight of health dollars, particularly for seniors not represented by unions in City Hall.**

**VOTE YES ON PROPOSITION C!**

*Raymond Allen*, Chair SF Veteran Police Officer Association

*Mara Kopp*, Good Government Alliance

*Bernard Crotty*, President, Retired Employees of the City and County of San Francisco

*ARLENE MEYERS*, RETIRED LAGUNA HONDA COORDINATOR

The true source of funds used for the printing fee of this argument is Protect Our Benefits Committee.

The three largest contributors to the true source recipient committee are: 1. Patricia Birrer 2. Virginia Ferrigno 3. Marvin Geistlinger.

**VOTE YES On Proposition C!**

**As Democrats we are committed to quality, affordable and available healthcare for our citizens.**

**Proposition C helps ensure that our senior citizen health benefits are protected.**

**Too often the most vulnerable populations pay the price for shortsighted budget solutions – don't let the health service system fund continue to be used as a rainy day fund for stormy fiscal years.**

**Join the San Francisco Democratic Party and vote YES ON C!**

*Jane Morrison*  
*Bill Barnes*  
*Meagan Levitan*

The true source of funds used for the printing fee of this argument is Protect Our Benefits Committee.

The three largest contributors to the true source recipient committee are: 1. Patricia Birrer 2. Virginia Ferrigno 3. Marvin Geistlinger.

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**Prop C provides for an independent City Health Services system, protects the multi-million dollar Trust Fund and assures accountability to the public and the System's beneficiaries.**

**IFPTE #21 represents 4000 City accountants, auditors, statisticians, information technology, engineering, architectural, administrative and other professional employees.**

**We urge a "Yes" vote on Proposition C.**

*Kathleen Price*, P.E., Chair  
San Francisco Council  
IFPTE #21

The true source of funds used for the printing fee of this argument is the Professional + Technical Engineers, Local 21 (IFPTE/AFL-CIO).



# Health Service System



## PAID ARGUMENTS IN FAVOR OF PROPOSITION C

Elected and Former Elected Officials support Proposition C!

*Supervisor Bevan Dufty*

Vote YES ON C to protect health benefits.

*Supervisor Matt Gonzalez*

Please join us in voting yes for this citizen-driven measure protecting retiree health benefits.

*Supervisor Jake McGoldrick*

*Supervisor Gerardo Sandoval*

Proposition C represents structural reform needed to begin to make the health service system a more responsive and accountable agency to the members of the system.

**ANITA GRIER, CCSF BOARD OF TRUSTEES**

The true source of funds used for the printing fee of this argument is Protect Our Benefits Committee.

Protection of our health care dollars in a trust fund needs attention, oversight and defense. Proposition C is a step in the right direction.

The three largest contributors to the true source recipient committee are: 1. Patricia Birrer 2. Virginia Ferrigno 3. Marvin Geistlinger.

**VOTE YES ON C – make senior citizen health benefits a priority for San Francisco.**

*Supervisor Tom Ammiano*

*Supervisor Chris Daly*

*Supervisor Alioto-Pier*

## PAID ARGUMENTS AGAINST PROPOSITION C

*When It's Not Broke, Don't Fix It. . .*

Proposition C would eliminate the checks and balances in the current system and violate principles of good governance. Health care and health care insurance are significant, complex issues that require management oversight.

**Prop. C does nothing to reform or improve the city's retirement system, but it would politicize a system that is working fairly and well.**

Prop. C would create a new city department with little central oversight – and that's not good for San Francisco.

**Vote No on Prop. C**

*San Francisco Chamber of Commerce*

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



## 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 Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to place administration of the Health Service System under the jurisdiction of the Health Service Board and replace the City Attorney seat on the Health Service Board with an elected seat.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 2, 2004, a proposal to amend the Charter of the City and County by amending Sections 10.102, 10.103, 12.200 and 12.201 of the Charter and Sections A8.423, A8.427 and A8.428 of Appendix A of the Charter to read as follows:

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

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

### SEC. 10.102. DEPARTMENT OF HUMAN RESOURCES.

The Department of Human Resources shall consist of a Human Resources Director and such employees as may be necessary to carry out its functions and duties.

Pursuant to and in accordance with policies, rules and procedures of the Civil Services Commission governing the merit system, the Department of Human Resources shall be the personnel department for the City and County and shall determine appointments on the basis of merit and fitness as shown by appropriate test and, except as specifically set forth in this Charter, shall perform all tests, duties and functions previously performed by the Civil Service Commission, including but not limited to authority to recruit, select, certify, appoint, train, evaluate, promote career development, classify positions, administer salaries, administer employee discipline, discharge and other related personnel activities in order to maintain an effective and responsive work force.

The Department of Human Resources shall be responsible for coordination of all state, local and federal health and safety mandates, programs and requirements relating to employees including but not limited to industrial hygiene programs, health and safety programs, OSHA compliance and return to work programs. Department heads shall coordinate such activities of employees under their jurisdiction with the Human Resources Director.

The Department of Human Resources shall be responsible for policy, management and administration of the worker's compensation program and shall review and determine all applications for disability leave.

Subject to Section 11.100 hereof, the Department of Human Resources shall be responsible for management and administration

of all labor relations of the City and County.

~~The Department of Human Resources shall be responsible for management and administration of all health services of employees. The transfer of such power and control to the Department of Human Resources shall occur no later than October 1, 1995.~~

Except for the purpose of inquiry, the Mayor shall deal with the administration of the civil service merit system solely through the Human Resources Director and the Civil Service Commission or their designees. The Mayor shall not dictate, suggest or interfere with the merit system activities of the Civil Service Commission or Human Resources Department. Administrative matters shall be dealt with only in the manner provided by this Charter, and any dictation, suggestion or interference herein prohibited shall constitute official misconduct; provided that nothing herein contained shall restrict the power of hearing and inquiry as provided in this Charter.

### SEC. 10.103. HUMAN RESOURCES DIRECTOR.

A Human Resources Director shall be selected by the Mayor from candidates nominated by the Civil Service Commission and confirmed by vote of the Board of Supervisors. The Human Resources Director shall possess not less than ten years professional experience in personnel, human resources management, labor or employee relations at least five years of which must be in federal, state or local governmental personnel management and such other qualifications as determined by the Commission. Notwithstanding any other provisions of this Charter, the Human Resources Director shall be appointed by and serve at the pleasure of the Mayor, provided that the Mayor's removal of the Human Resources Director may be rejected by a four-fifths vote of the Commission. Failure of the Commission to act within 30 days shall be deemed approval of the Mayor's action. The nominee of the Mayor may be appointed acting Human Resources Director pending confirmation. The person so appointed shall, before taking office, make under oath and file in the Office of the County Clerk the following declaration: "I am opposed to appointments to the public service as a reward for political activity and will execute the Office of Human Resources Director in the spirit of this declaration."

The appointment of the Director of the Human Resources Department as of the effective date of this Charter shall be effective until July 1, 1996, after which time he may be reappointed to the position in accordance with the appointment method provided herein.

The Human Resources Director shall have full power to administer the affairs of the Department. He or she shall have all powers of a department head and may appoint a Director of Employee Relations, ~~a Health Services administrator~~, an executive assistant and one confidential secretary, each of whom shall be exempt from the civil service provisions of this

Charter, to assist in the administration and management of the functions of the department.

The Human Resources Director shall review and resolve allegations of discrimination as defined in Article XVII of this Charter against employees or applicants, or otherwise prohibited nepotism or favoritism. Notwithstanding any other provisions of this Charter except the fiscal provisions hereof, the decision of the Human Resources Director shall forthwith be enforced by every employee and officer, unless the decision is appealed to the Commission in accordance with Section 10.101.

The Human Resources Director shall investigate all employee complaints concerning job-related conduct of City and County employees and shall promptly report to the source of the complaint.

The Human Resources Director shall promote effective and efficient management through personnel programs that encourage productivity, job satisfaction and exemplary performance.

The Human Resources Director shall provide a procedure for resolution of employee disputes which shall be consistent with other provisions of this Charter and shall be utilized by all department heads and appointing officers in the absence of an applicable grievance procedure in a binding labor agreement.

The Human Resources Director shall verify that all persons whose names appear on City and County payrolls have been legally appointed to or employed in positions legally established under this Charter. The Controller shall not draw his or her warrant for any claim for salary, wages or compensation which has been disapproved by the Human Resources Director.

Consistent with the foregoing and other applicable provisions of this Charter, the Human Resources Director may delegate to the various appointing officers appropriate personnel responsibilities, and shall consult with appointing officers with respect to Civil Service Commission rules affecting their operations.

The Human Resources Director shall establish a system of job classification. The decision of the Human Resources Director regarding classification matters shall be final unless appealed to the Commission; provided, however, that nothing herein shall be construed to alter the scope of bargaining set forth in the following sections of the 1932 Charter: 8.400, 8.403, 8.404, 8.405, 8.407-1, 8.409 et seq. and 8.590-1 et seq.

The allocation or reallocation of a position shall not adversely affect the civil service rights of an occupant regularly holding such position. No person shall hold a position outside of the classification to which the person

(Continued on next page)



## LEGAL TEXT OF PROPOSITION C (CONTINUED)

has been appointed, provided that every employee of any department or office shall discharge any of the duties pertaining to such department or office to which the employee's department head may temporarily assign the employee.

### SEC. 12.200. HEALTH SERVICE BOARD.

There shall be a Health Service Board which shall consist of seven members as follows: one member of the Board of Supervisors, to be appointed by the President of the Board of Supervisors; the City Attorney or designated deputy city attorney, except that on May 15, 2005, the City Attorney's tenure on the Health Service Board shall expire and that seat shall be filled by a member elected from the active and retired members of the System from among their number; two members appointed by the Mayor pursuant to Section 3.100, one of whom shall be an individual who regularly consults in the health care field, and the other a doctor of medicine; and three members (in addition to the elected member assuming the seat vacated by the City Attorney) elected from the active and retired members of the System from among their number. Elections shall be conducted by the Director of Elections in a manner prescribed by ordinance. Elected members need not reside within the City and County. The terms of members, other than the ~~two~~ ex officio members, shall be five years, ~~one term expiring and shall expire~~ on May 15 of each year.

A vacancy on the Board appointed by the Mayor shall be filled by the Mayor. A vacancy in an elective office on the Board shall be filled by a special election within 90 days after the vacancy occurs unless a regular election is to be held within six months after such vacancy shall have occurred.

The Health Service Board shall:

1. Establish and maintain detailed historical costs for medical and hospital care and conduct an annual review of such costs;
2. Apply benefits without special favor or privilege;
3. Put such plans as provided for in Section A8.422 into effect and, ~~through the Human Resources Department~~, conduct and administer the same and contract therefor and use the funds of the System;
4. Make rules and regulations for the administration of business of the Health Service System, the granting of exemptions and the admission to the System of persons who are hereby made members, and such other officers and employees as may voluntarily become members with the approval of the Board; and
5. Receive, consider and, within 60 days after receipt, act upon any matter pertaining to the policies of, or appeals from, the Health Service System submitted to it in writing by any member or any person who has contracted to render medical care to the members.

Except as otherwise specifically provided, the Health Service Board shall have the powers and duties and shall be subject to the limitations of Charter Sections 4.102, 4.103 and 4.104.

### SEC. 12.201. MEDICAL DIRECTOR AND HEALTH SERVICES ADMINISTRATOR.

The Health Service Board may appoint a full-time or part-time medical director. He or she shall hold office at its pleasure. The medical director shall be responsible to the Board as a board, but not to any individual member or committee thereof. The ~~Human Resources Director~~ Health Service Board shall appoint a full-time administrator with experience in administering health plans or in comparable work, who shall hold office at the ~~Human Resources Director's~~ Health Service Board's pleasure. The Health Services administrator shall administer the Health Service System in accordance with the provisions of this Charter and the rules, regulations and policies of the Health Service Board. The Board and each committee of the Board shall confine its activities to policy matters and to matters coming before it as an appeals board. The Board shall prepare its rules, regulations and policies so that they are clear, definite and complete and so that they can be readily administered by the ~~Human Resources Department~~ Health Services administrator.

### A8.423 REVISION OF SCHEDULES AND COMPENSATION

In January of each year, at a public hearing, the health service board shall review and determine the adequacy of medical care provided for members of the system and the adequacy of fee schedules and the compensation paid for all services rendered and it may make such revisions therein as it deems equitable but such revisions shall not become effective until approved by ordinance of the board of supervisors adopted by three-fourths of its members.

Commencing in 1973, the health service board shall, prior to the second Monday in January in each year, conduct a survey of the 10 counties in the State of California, other than the City and County of San Francisco, having the largest populations to determine the average contribution made by each such county toward the providing of health care plans, exclusive of dental ~~or optical~~ care, for each employee of such county. The Health Service Board may promulgate rules and regulations for the survey to allow for unavoidable gaps in survey data and to insure a consistent methodology from year to year. In accordance with said survey, the health service board shall determine the average contribution made with respect to each employee by said 10 counties toward the health care plans provided for their employees and on or before the second Monday in January of each year, the health service board shall certify to the board of supervisors the amount of such average contribution. For the purposes of Section A8.428, the amount of such average contribution shall be "the average contribution."

The health service board shall have the responsibility to obtain and disseminate information to its members with regard to plan benefits and costs thereof. All expenses in connec-

tion with obtaining and disseminating said information and the investment of such fund or funds as may be established, including travel and transportation costs, shall be borne by the system from reserves in the health service fund but only upon adoption of a resolution by the health service board approving such expenses.

### A8.427 EFFECT OF OTHER CHARTER PROVISIONS

Except as otherwise specifically provided herein, all provisions of the charter shall be fully applicable to the health service board, the health service system and its administrator, medical director and employees in the same manner that they apply to other boards, commissions, and departments of the city and county.

### A8.428 HEALTH SERVICE SYSTEM TRUST FUND.

There is hereby created a health service system trust fund. The costs of the health service system shall be borne by the members of the system and retired persons, the City and County of San Francisco because of its members and retired persons and because of the members and retired persons of the Parking Authority of the City and County of San Francisco, the San Francisco Unified School District because of its members and retired persons and the San Francisco Community College District because of its members and retired persons. A retired person as used in this section means a former member of the health service system retired under the San Francisco City and County Employees' Retirement System, and the surviving spouse or surviving domestic partner of an active employee and the surviving spouse or surviving domestic partner of a retired employee, provided that the surviving spouse or surviving domestic partner and the active or retired employee have been married or registered as domestic partners for a period of at least one year prior to the death of the active or retired employee.

The city and county, the school district and the community college district shall each contribute to the health service fund amounts sufficient for the following purposes, and subject to the following limitations:

- (a) All funds necessary to efficiently administer the health service system.
- (b) The city and county, the school district and the community college district shall contribute to the health service system fund with respect to each of their members an amount equal to "the average contribution," as certified by the health service board in accordance with the provisions of Section A8.423.
- (c) Monthly contributions required from retired persons and the surviving spouses and surviving domestic partners of active employees and retired persons participating in

(Continued on next page)



## **LEGAL TEXT OF PROPOSITION C (CONTINUED)**

the system shall be equal to the monthly contributions required from members in the system for health coverage—excluding health coverage or subsidies for health coverage paid for active employees as a result of collective bargaining, with the following modifications:

(1) the total contributions required from retired persons who are also covered under Medicare shall be reduced by an amount equal to the amount contributed monthly by such persons to Medicare;

(2) because the monthly cost of health coverage for retired persons may be higher than the monthly cost of health coverage for active employees, the city and county, the school district and the community college district shall contribute funds sufficient to defray the difference in cost to the system in providing the same health coverage to retired persons and the surviving spouses and surviving domestic partners of active employees and retired persons as is provided for active employee members excluding health coverage or subsidies for health coverage paid for active employees as a result of collective bargaining;

(3) after application of Section (c) and subsections (c)(1) and (c)(2), the city and county, the school district and the community college district shall contribute 50% of retired persons' remaining monthly contributions.

(d) The city and county, the San Francisco Unified School District and the San Francisco Community College District shall contribute to the health service system fund 50% of the monthly contributions required for the first dependent of retired persons in the system. Except as hereinbefore set forth, the city and county, the San Francisco Unified School District and the San Francisco Community College District shall not contribute to the health service system fund any sums on account of participation in the benefits of the system by members' dependents, except surviving spouses and surviving domestic partners, retired persons' dependents, except surviving spouses and surviving domestic partners, persons who retired and elected not to receive benefits from San Francisco City and County Employees' Retirement System; resigned employees and teachers defined in Section A8.425, and any employee whose compensation is fixed in accordance with Sections A8.401, A8.403, or A8.404 of this charter and whose compensation therein includes an additional amount for health and welfare benefits or whose health service costs are reimbursed through any fund established for said purpose by ordinance of the board of supervisors.

It shall be the duty of the board of supervisors, the board of education and the governing board of the community college district annually to appropriate to the health service system fund such amounts as are necessary to cover the respective obligations of the city and county, the San Francisco Unified School District and the San Francisco Community College District hereby imposed. Contributions

to the health service system fund of the city and county, of the school district and of the community college district shall be charged against the general fund or the school, utility, bond or other special fund concerned.

The amendments of this section contained in the proposition therefor submitted to the electorate on November 7, 2000 shall be effective July 1, 2001.





# Changes to City Charter



## PROPOSITION D

Shall Charter rules be changed concerning the deadlines and number of votes required for action by the Board of Supervisors, the number of aides per Board member, and the length of time commissioners may serve after their term has expired?

YES   
NO

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** *Board Deadlines:* The Charter sets deadlines for the Board of Supervisors to act on certain matters. For example, the Board has 30 days after the Mayor vetoes an ordinance to override the veto.

*Number of Votes Required for Action by the Board of Supervisors:* The Board of Supervisors has eleven members. The Charter sets the number of votes needed for the Board to act on certain matters. For example, certain actions require a majority vote of the eleven members (six votes), and certain actions require a two-thirds vote of the eleven members (eight votes).

*Commission Appointments:* Most members of City boards and commissions are appointed to serve a fixed term. When the term is over, the person may continue to serve until he or she is re-appointed or replaced.

*Legislative Aides to Members of Board of Supervisors:* The Charter specifies that each member of the Board of Supervisors will have two staff members.

*Commission on Aging:* The City has combined a number of City functions, including services for the elderly and adult dependents, into a new Department of Aging and Adult Services. The Director of the new Department reports to the Commission on Aging on services for the elderly and reports to the Mayor on services for adult dependents.

*Commission on the Environment:* In addition to its other responsibilities, the Commission on the Environment reviews and makes recommendations on the environmental impact of proposed City policies, "except for those regarding building and land use."

**THE PROPOSAL:** Proposition D is a Charter amendment that would do the following:

*Extend Board Deadlines During Recess:* When the Board is in recess, certain deadlines for Board action would be extended. The extension would be for the same number of days as the recess, but no more than 45 days.

*Adjust the Number of Votes Required for Action by the Board of Supervisors:* If one or more Board members has a conflict of interest and is unable to vote, the number of votes needed to take an action would be reduced. For example, if two members had a conflict of interest, there would be only nine members able to vote on the matter. In that case, Board action would require a majority or two-thirds vote of nine (rather than eleven) Board members.

*Limit Hold-Over Appointments:* No person appointed to a City board or commission could serve for more than 120 days after the person's term ends.

*Legislative Aides to Members of Board of Supervisors:* The number of aides for each member of the Board of Supervisors could be increased or decreased each year as part of the City budget.

*Commission on Aging:* The Commission on Aging would be renamed "the Commission on Aging and Adult Services" and would oversee all services provided by the Department of Aging and Adult Services.

*Commission on the Environment:* The Commission would be authorized to review and make environmental recommendations about the City's long-term building and land-use plans. This could include recommendations about the environmental impact on City residents and City neighborhoods.

**A "YES" VOTE MEANS:** If you vote "yes," you want to make these changes to the City Charter.

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

## Notice to Voters:

The "Controller's Statement," and "How Supervisors Voted" information on this measure appear on the opposite (facing) page.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 96.  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Changes to City Charter

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## Controller’s Statement on “D”

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

Should the proposed charter amendment be approved by the voters, in my opinion, it would not in and of itself increase the cost of government. However, the amendment removes the current Charter restriction that limits each member of the Board of Supervisors to two staff aides. Any new positions or expenses that might result from this change would be subject to approval through the annual budget process. Based on the current average salary and benefit cost of \$81,000 annually for each legislative aide, adding one staff member per Board office would cost approximately \$891,000 annually.

The amendment makes a variety of other changes including changing the Board of Supervisors’ deadlines and majority requirements for certain votes, specifying that expiring commission appointments cannot be held over beyond 60 days, and expanding the number of issues that can be discussed before the Commission on the Environment. These measures are not expected to increase the cost of government.

## How “D” Got on the Ballot

On July 20, 2004 the Board of Supervisors voted 8 to 3 to place Proposition D on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Peskin, and Sandoval.

**No:** Supervisors Alioto-Pier, Dufty, and Ma.

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

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# D

## Changes to City Charter

### 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, Gonzalez, Maxwell, McGoldrick, Peskin, and Sandoval; oppose the measure: Supervisors Alioto-Pier, Elsbernd, and Ma; take no position on the measure: Supervisor Dufty.*

Proposition D is a “good housekeeping” measure that streamlines operations of the Board of Supervisors and other City Departments. This measure consolidates amendments proposed by various members of the Board of Supervisors.

This proposal would do the following

- Prevent backlog of legislation at the Board of Supervisors by extending the time for the Board to act when it is in recess
- Adjust the threshold of votes needed to act when members of the Board are disqualified from voting due to a conflict of interest

- Set timelines for appointment to Boards and Commissions
- Change the name of the Commission on Aging to the Commission on Aging and Adult Services to reflect the true scope of the Commission’s work
- Allow the Commission on the Environment to weigh in on land use and development issues
- Make Board of Supervisors staffing decisions subject to budgetary constraints, like all other City Departments

Please join us in voting YES on Proposition D!

*Supervisors Tom Ammiano, Chris Daly, Matt Gonzalez, Tony Hall, Sophie Maxwell, Jake McGoldrick, Aaron Peskin and Gerardo Sandoval*

### REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D

In their argument for Proposition D, members of the Board of Supervisors claim it would “Make Board of Supervisors staffing decisions subject to budgetary constraints, like all other City Departments.”

That is extremely disingenuous. Make no mistake about it, they want to increase staff size, not constrain it. Their big salary increase has undoubtedly increased their feelings that their current staffs are inadequate. No doubt they’re envious of the mayor’s larger staff and want to see Board members more generously endowed. But what city official **doesn’t** feel his staff is too small? Get over it, guys.

Nothing’s stopping Board members from bringing in volunteers to work in their offices – they do it already. This is a good solution that promotes more citizen involvement in government **without** using money that could go toward real services.

If this measure passes, will Board members say, “Boy, this is a lean year, I guess we’ll each have to get by with a single salaried aide instead of two?” Not a chance! This is all about removing hiring limits. Not just increasing the limits, but *removing them all together*.

Contrary to the misleading implication of Proposition D’s backers, Board staffing is **already** subject to budgetary constraints. The charter does guarantee two aides to each Board member, but *the salaries of those aides can still be cut during tight times without passing this reckless proposal*.

Don’t write the Board a blank check. **Please vote no on Prop. D!**

*Starchild*  
Candidate for School Board



# Changes to City Charter



## OPPONENT'S ARGUMENT AGAINST PROPOSITION D

Two years ago, members of the Board of Supervisors convinced voters to remove the limits on their salaries. The result was that Supervisor pay tripled, from \$37,585 to \$112,320.

No way San Francisco voters would have approved a 300 percent pay hike if that question had been asked directly!

Now the Supervisors want us to remove the limits on how many aides they can hire. They must think we're stupid.

Of course they don't come right out and say "We want to spend more money on office help for ourselves!" That would be too obvious, and we might say no. Especially in a year when services have been cut and voters are being asked to swallow new taxes!

Instead, they've packaged the scheme along with five minor and mostly unobjectionable changes to government in the hopes that people will be distracted by the other stuff and not think much about those few little words that would let them hire as many personal aides as desired.

The measure blandly states that "The number of aides for each member of the Board of Supervisors could be increased or decreased each year as part of the City budget."

This makes it sound like hiring extra aides would depend on having a healthy city budget. But in fact there would be no budgetary restrictions at all on hiring aides. If Proposition D passes, the city could be \$300 million in debt, and the Supervisors could still vote themselves a couple extra aides each. If the mayor vetoed the plan, they could override his veto, and that would be that.

Please tell the Supervisors you disapprove of their sneaky, deceptive ballot measure. Vote NO on Proposition D.

*Starchild*

Candidate for School Board

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION D

Prop D is a good government measure that brings the Board into line with other City Departments and provides that Board Staffing levels be determined by the City budget.

Mr. Starchild seems to want to argue an older measure that was approved by voters 2 years ago. It provided that the Civil Service Commission, a body appointed by the mayor, set the Supervisors salaries (just as it sets the salaries for all elected officials). The current salary for Board members is \$90,000 annually.

Likewise, staffing levels for most all City Departments, including the Mayor's, are adjusted according to the budget – except for the Board of Supervisors. This is an inconsistency.

Mr. Starchild asserts the fear that the Board will hire as many aides as possible regardless of the fiscal state of the city. This is not very likely since Supervisors must periodically stand for election and anything the Board does regarding the budget is subject to a mayoral veto.

While it is true that the Board might wish to add staff in the future, like any department, they would be compelled to reduce staff during bad budget cycles (In the same way they had their salaries reduced during this budget cycle) - also like other departments.

Simply put – All staffing decisions should be subject to budgetary constraints.

*- Matt Gonzalez*

President, Board of Supervisors



**D**

# Changes to City Charter

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PAID ARGUMENTS IN FAVOR OF PROPOSITION D

NO PAID ARGUMENTS IN FAVOR OF PROPOSITION D WERE SUBMITTED

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

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# Changes to City Charter

D

## PAID ARGUMENTS AGAINST PROPOSITION D

This laundry list of charter changes is unnecessary, frivolous and cunning.

It allows for more recesses, veto mischief; reduces the number of votes to pass laws.

Proposition D is a disrespectful, arrogant, and stealth move to repeal a recently adopted voter-initiative to limit each \$100,000/year plus benefits district supervisor to two legislative aides.

PROPOSITION D will allow the Supervisors to vote themselves ANY NUMBER OF POLITICAL AIDES they deem necessary.

### VOTE NO ON D!

MARA KOPP,

FRED MARTIN,

GOOD GOVERNMENT ALLIANCE

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.

### Unlimited Legislative Aides for Supervisors?

### New Voting Rules for Supervisors?

### More Recesses for Supervisors?

### New Commission Structures for Aging and Environment?

This confusing ballot measure groups together a handful of completely unrelated proposals. There is only one plausible justification for this potpourri legislation. The authors of the initiative are trying to sneak something by the voters, creating a laundry list of proposals that they hope will be blindly approved: **Unlimited new personal staff** and extra office for themselves.

Currently, the City Charter allows each Supervisor to employ two aides. This rule is rooted in the move to district supervisors four years ago – supervisors represent individual districts and not the whole city, allowing for more personal contact with constituents and less office work.

Now is not the time to give Supervisors an unlimited number of personal staff. With the City facing a massive structural deficit, we

need a government committed to cutting waste and bureaucracy, not expanding it. Without any limit on hiring practices, Supervisors will undoubtedly take advantage of the system, hiring political operatives and other staff members who might help their boss's reelection effort but won't make their Supervisor's office any more responsive to constituent needs.

Don't fall for this omnibus charter amendment. If the Supervisors are serious about amending our City Charter, they should propose each change individually. Instead, this potpourri of unrelated policy proposals attempts to conceal and mislead.

### Vote No on Unlimited Legislative Aides

-SF SOS

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

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

### Say NO to Government Without Representation—Vote NO on D

Proposition D would allow a minority of the members of the Board of Supervisors to take action on important issues affecting the city. Currently, six of the eleven members of the board must vote to take action. If Proposition D is passed, theoretically, as few as two supervisors would be able to commit the city to a course of action, however costly or irresponsible. It is undemocratic and wrong!

Vote NO on D.

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.



# 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 amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, to: toll deadlines for action by the Board when the Board is in recess; reduce the number of votes required at the Board of Supervisors for various actions when one or more Board members are disqualified from voting on a matter because of a conflict of interest; limit hold-over appointments on boards and commissions to 120 days; give the Commission on Aging authority over the Department of Aging and Adult Services; clarify the authority of the Commission on the Environment to consider environmental justice issues and to review City building and land use policies for environmental sustainability; and, delete the specific number of Board aides set in the Charter.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 2, 2004, a proposal to amend the Charter of the City and County by amending Sections 2.103, 2.104, 2.117, 3.104, 4.118, 4.120, and Article XVII, and by adding Section 4.101-1, 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 2.103 to read as follows:

## SEC. 2.103. MEETINGS.

The Board of Supervisors shall meet at the legislative chambers in City Hall at 12:00 noon on the eighth day in January in each odd-numbered year. Thereafter, regular meetings shall be held on such dates and at such times as shall be fixed by resolution.

The meetings of the Board shall be held in City Hall, provided that, in case of emergency, the Board, by resolution, may designate some other appropriate place as its temporary meeting place.

Notice of any special meeting shall be published at least 24 hours in advance of such special meeting.

The Board of Supervisors, by motion, may schedule special meetings of the Board in locations in San Francisco other than City Hall. Notice of special meetings being convened outside of City Hall shall be published and posted in City Hall at least 15 days in advance of such special meetings. Motions to schedule special meetings of the Board in locations in San Francisco other than City Hall shall first be introduced and referred to a committee of the Board for hearing and consideration.

The Board of Supervisors, by motion, may authorize a committee of the Board of

Supervisors to schedule a special meeting of the committee of the Board in a location in San Francisco other than City Hall. Notice of special committee meetings being convened outside of City Hall shall be published and posted in City Hall at least 15 days in advance of such special meetings.

Any deadline for action by the Board of Supervisors set in the Charter or the Municipal Code, and not otherwise required by state or federal law, shall be tolled during any period when the Board is in recess, except for those deadlines relating to: (1) preparing and adopting the City's budget, the Municipal Transportation Agency's budget, or any other agency's budget that requires Board approval; (2) calling or conducting elections; or (3) collective bargaining. For purposes of this section, "recess" shall mean any period of time when the Board of Supervisors has by resolution canceled in advance all regularly-scheduled meetings of the Board and its committees. The recess shall be deemed to begin, for tolling purposes, on the date of the last regularly-scheduled meeting of the Board or its committees before the recess and to end on the date of the first regularly-scheduled meeting of the Board or its committees after the recess, not to exceed a period of 45 days.

Section 2. The San Francisco Charter is hereby amended, by amending Section 2.104 and Article XVII to read as follows:

## SEC. 2.104. QUORUM.

The presence of a majority of the members of the Board of Supervisors at a regular or special meeting shall constitute a quorum for the transaction of business. In the absence of a quorum, a smaller number of members may compel the attendance of absent members in the manner and under the penalties established by the Board of Supervisors.

The Board of Supervisors shall act by a majority, two-thirds, three-fourths, or other vote of all members of the Board. Each member present at a regular or special meeting shall vote "yes" or "no" when a question is put, unless excused from voting by a motion adopted by a majority of the members present.

But if one or more members of the Board are disqualified from voting on a matter because of a conflict of interest, the number of votes required to take an action shall be determined by applying the appropriate fraction to the total number of seats on the Board minus the number of members who have been disqualified. A simple majority shall be calculated as the first whole number greater than one-half the number of members. In all other cases, fractions of votes shall be rounded upward to the next whole number. Nothing in this paragraph shall affect or reduce the number of members of the Board of Supervisors who must be present to constitute a quorum for the transaction of business.

For all purposes of this Charter, the following terms shall have the meanings specified below:

"Business day" shall mean any day other than a Saturday, Sunday or holiday on which governmental agencies are authorized by law to close.

"Confirm" or "confirmation" shall mean the approval by a majority of the members of the Board of Supervisors.

"Discrimination" shall mean violations of civil rights on account of race, color, religion, creed, sex, national origin, ethnicity, age, disability or medical condition, political affiliation, sexual orientation, ancestry, marital or domestic partners status, gender identity, parental status, other non-merit factors, or any category provided for by ordinance.

"Domestic partners" shall mean persons who register their partnerships pursuant to the voter-approved Domestic Partnership Ordinance.

"Elector" shall mean a person registered to vote in the City and County.

"For cause" shall mean the issuance of a written public statement by the Mayor describing those actions taken by an individual as a member of a board or commission which are the reasons for removal, provided such reasons constitute official misconduct in office.

"General municipal election" shall mean the election to be held in the City and County on the Tuesday immediately following the first Monday in November in odd-numbered years.

"Initiative" shall mean (1) a proposal by the voters with respect to any ordinance, act or other measure which is within the powers conferred upon the Board of Supervisors to enact, any legislative act which is within the power conferred upon any other official, board, commission or other unit of government to adopt, or any declaration of policy; or (2) any measure submitted to the voters by the Mayor or by the Board of Supervisors, or four or more members of the Board.

"Notice" shall mean publication in an official newspaper (as defined by ordinance), and a contemporaneous filing with the Clerk of the Board of Supervisors or other appropriate office.

"One-third," "a majority" or "two-thirds" of ~~the Board of Supervisors or any other~~ a board or commission of the City and County shall mean one-third, a majority or two-thirds of all members of such board or commission. "One-third," "a majority" or "two-thirds" of the Board of Supervisors shall mean one-third, a majority or two-thirds of the Board, as determined pursuant to Section 2.104 of this Charter.

"Published" shall mean published in an



## LEGAL TEXT OF PROPOSITION D (CONTINUED)

official newspaper of the City and County.

"Referendum" shall mean the power of the voters to nullify ordinances involving legislative matters except that the referendum power shall not extend to any portion of the annual budget or appropriations, annual salary ordinances, ordinances authorizing the City Attorney to compromise litigation, ordinances levying taxes, ordinances relative to purely administrative matters, ordinances necessary to enable the Mayor to carry out the Mayor's emergency powers, or ordinances adopted pursuant to Section 9.106 of this Charter.

"Special municipal election" shall mean, in addition to special elections otherwise required by law, the election called by (1) the Director of Elections with respect to an initiative, referendum or recall, and (2) the Board of Supervisors with respect to bond issues, election of an official not required to be elected at the general municipal election, or an initiative or referendum.

"Statewide election" shall mean an election held throughout the state.

"Voter" shall mean an elector who is registered in accordance with the provisions of state law.

Section 3. The San Francisco Charter is hereby amended, by adding Section 4.101-1 to read as follows:

### **SEC. 4.101-1. LIMIT ON TENURE OF COMMISSIONERS BEYOND THE EXPIRATION OF THEIR TERMS OF OFFICE.**

Except as otherwise provided in this Charter, the tenure of a member of any appointive board, commission or advisory body of any kind established by this Charter or legislative act of the United States of America, the State of California or the Board of Supervisors shall terminate no later than 120 days after the expiration of the member's term, unless the member is re-appointed. A member may not serve as a hold-over member of such board, commission, or other body for more than 120 days after the expiration of his or her term. The tenure of any person sitting as a hold-over member on the effective date of this amendment shall terminate no later than 120 days after the effective date.

Section 4. The San Francisco Charter is hereby amended, by amending Sections 3.104 and 4.120, to read as follows:

### **SEC. 3.104. CITY ADMINISTRATOR.**

The Mayor shall appoint or reappoint a City Administrator, subject to confirmation by the Board of Supervisors. The appointee shall have at least ten years' governmental management or finance experience with at least five years at the city, county, or city and county level. The City Administrator shall have a term of office of five years, and may be removed by the Mayor subject to approval by the Board of Supervisors.

The City Administrator shall have responsibility for:

1. Administrative services within the executive branch, as assigned by the Mayor or by ordinance;

2. Administering policies and procedures regarding bonded or other long-term indebtedness, procurement, contracts and building and occupancy permits, and for assuring that all contracts and permits are issued in a fair and impartial manner and that any inspections involved with the issuance of permits shall be carried out in a like manner;

3. Coordinating all capital improvement and construction projects except projects solely under the Airport, Port, Public Utilities and Public Transportation Commissions;

4. Preparing and recommending bond measures for consideration by the Mayor and Board of Supervisors; and

5. Administering, budgeting and control of publicity and advertising expenditures.

The City Administrator shall have power to:

6. With the concurrence of the Mayor, appoint and remove the directors of the Departments of Administrative Services, ~~Solid Waste, Public Guardian/Administrator,~~ and Public Works, and such other department heads which are placed under his or her direction;

7. Propose rules governing procurement and contracts to the Board of Supervisors for consideration;

8. Award contracts without interference from the Mayor or Board of Supervisors; and

9. Coordinate the issuance of bonds and notes for capital improvements, equipment and cash flow borrowings, except for projects solely under the Airport, Port, Public Utilities and Public Transportation Commissions.

In those instances where contract awards are not subject to Board of Supervisors' review, the City Administrator shall award contracts in full compliance with applicable laws and this Charter. The City Administrator's decision in such cases shall be final.

### **SEC. 4.120. COMMISSION ON AGING AND ADULT SERVICES.**

The Commission on the Aging ~~and Adult Services~~ shall consist of seven members appointed by the Mayor, pursuant to Section 3.100, for four-year terms. Members may be removed by the Mayor. The Commission shall oversee the Department on Aging and Adult Services, including the functions of the Public Guardian/Administrator, as well as carry out any additional ~~The duties and functions of the Commission shall be~~ assigned to the Commission pursuant to Section 4.132 or by ordinance.

Section 5. The San Francisco Charter is hereby amended, by amending Section 4.118, to read as follows:

### **SEC. 4.118. COMMISSION ON THE ENVIRONMENT.**

The Commission on the Environment shall consist of seven members appointed by

the Mayor, pursuant to Section 3.100, for four-year terms. Members may be removed by the Mayor.

The Department of the Environment shall regularly produce an assessment of San Francisco's environmental condition. It shall also produce and regularly update plans for the long-term environmental sustainability of San Francisco.

Pursuant to the policies and directives set by the Commission, and under the supervision and direction of the department head, the Department shall manage the environmental programs, duties and functions assigned to it pursuant to Section 4.132 or by ordinance.

The Commission shall have the authority to review and make recommendations on any policy proposed for adoption by any City agency regarding conformity with the long-term plans for environmental sustainability, including environmental justice except for those regarding building and land use.

The Commission may investigate and make recommendations to all City agencies related to operations and functions, such as:

1. Solid waste management;
2. Recycling;
3. Energy conservation;
4. Natural resource conservation;
5. Environmental inspections;
6. Toxics;
7. Urban forestry and natural resources;
8. Habitat restoration; and
9. Hazardous materials.

The Commission shall conduct public education and outreach to the community on environmental issues, including, but not limited to each of the categories listed above.

Nothing in this section shall be construed to limit or abridge the powers and responsibilities or authority of the Building Inspection Commission or the Planning Commission under the Charter.

Section 6. The San Francisco Charter is hereby amended, by amending Section 2.117, to read as follows:

### **SEC. 2.117. OFFICES OF THE BOARD OF SUPERVISORS.**

Each member of the Board of Supervisors shall have legislative aides ~~two staff members~~ pursuant to Section 10.104, subject to budgetary constraints and a mayoral veto through the annual appropriation ordinance. The Board of Supervisors shall appoint a Clerk of the Board. The Clerk of the Board shall have charge of the office and records of the Board and its committees and its classified staff. The Clerk shall keep a public record of the proceedings of the board as provided by Section 2.108 of this Charter and shall keep properly indexed files of all ordinances and resolutions. The Clerk shall be responsible for the

(Continued on next page)





## ***LEGAL TEXT OF PROPOSITION D (CONTINUED)***

publication, as required by law, of ordinances, resolutions and other matters acted on by the Board for which publication is specified. The Clerk shall have such other duties and responsibilities as the Board of Supervisors may prescribe.

The Board of Supervisors shall appoint and may remove a Budget Analyst and such appointment shall be made solely on the basis of qualifications by education, training and experience for the position to be filled. The Budget Analyst shall be responsible for such duties as the Board of Supervisors shall prescribe.



# Police & Fire Survivor Benefits



## PROPOSITION E

Shall the City pay the survivor of a police officer or firefighter who dies in the line of duty 100% of retirement benefits the officer or firefighter would have received?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** When a police officer or firefighter dies in the line of duty, his or her survivor receives the officer's or firefighter's full salary until the date when the officer or firefighter could have retired. Survivors include a spouse, domestic partner or minor child. Police officers and firefighters may retire and receive retirement benefits when they are at least 50 years old and have completed at least 25 years of service.

The current Charter provides that the survivor receives 100% of the retirement benefits if the police officer or firefighter was hired before 1976. If the police officer or firefighter was hired after 1976, when a Charter amendment reducing employee benefits went into effect, the survivor receives 75% of the retirement benefits.

**THE PROPOSAL:** Proposition E, a Charter amendment, would provide that when a police officer or firefighter dies in the line of duty, his or her survivor receives 100% of the retirement benefits, regardless of when the officer or firefighter was hired.

**A "YES" VOTE MEANS:** If you vote "yes," you want to provide that when a police officer or firefighter dies in the line of duty, his or her survivor receives 100% of the retirement benefits that the officer or firefighter would have received, regardless of when the officer or firefighter was hired.

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

## Controller's Statement on "E"

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

Should the proposed amendment be adopted, in my opinion, the cost to the City and County would increase, as estimated by the Retirement System Actuary, by approximately \$1.0 million per year, approximately .05% of payroll at current rates, for the next 20 years.

Currently, the City's cost to fund retirement benefits is approximately 4.5% of payroll, and in the current fiscal year most employees are paying a Charter-mandated employee contribution to the Retirement System of 7.5% of salary. The City's cost to fund retirement benefits is projected to increase for the next few fiscal years as reduced investment performance affects the status of the retirement trust fund.

## How "E" Got on the Ballot

On July 20, 2004 the Board of Supervisors voted 9 to 1 to place Proposition E on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, and Sandoval.

**No:** Supervisor Daly.

**Absent:** Supervisor Maxwell.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 104.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Police & Fire Survivor Benefits

## 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 Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval; oppose the measure: Supervisor Daly.*

### YES ON PROPOSITION E!

We the undersigned urge amendment of the City Charter sections A8.586-4, A8.588-4 and A8.598-4 which would increase the retirement benefits of beneficiaries of those safety officers who die in the line of duty.

Currently, the qualified survivor of a safety officer who dies in the line of duty prior to 1976 receives 100% of that employee's retirement allowance, beginning on the date the employee would have completed at least 25 years of service or reached the age of 50. The qualified survivor of a safety officer killed in the line of duty later than 1976 receives only 75% of the slain employee's benefits. The proposed charter amendment would allow for 100% benefits to be given to the beneficiaries of safety officers who die in the line of duty on or after November 2, 2004. This amendment would also apply to current qualified survivors of safety employees who die in the line of duty on or after January 1, 1989, but an increase in the allowance to such qualified survivors would be prospective only.

Essentially, this is simply an equity measure. When a San Francisco firefighter or police officer gives his or her life in the line of duty we need to make sure that their families are given adequate financial security and protection.

Proposition E will accomplish this at no cost to the General Fund.

We strongly urge a YES vote for Proposition E—It's good government, it's fair, and it makes sense!

*Supervisor Michela Alioto-Pier  
Supervisor Bevan Dufty  
Supervisor Sean Elsbernd  
Supervisor Fiona Ma  
Supervisor Aaron Peskin*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION E

Have you noticed whenever there's a disparity in pay or benefits between similar classes of government workers or beneficiaries, the proposed solution always involves *taking more taxpayer money to increase* the pay or benefits of one group?

But when there's a difference between what similar groups of citizens are *paying in taxes*, then someone is enjoying a "loop-hole," and the proposed solution again involves *taking more taxpayer money* by raising their taxes!

Either way, the taxpaying public always loses. What's up with that?

Let's step back a moment and ask a basic question: Why should we be increasing *anyone's* benefits in city government, let alone people who don't even work for city government but were merely *related* to employees – in a year when services are being cut and people are being laid off?

Why can't we achieve equity by giving every survivor of a police officer or firefighter who dies on the job a generous 75% of the benefits that employee would have gotten?

Most jobs don't offer family benefits like that. If you were to die on the job, would a member of your family collect three quarters of the annual allowance you would have gotten for retirement? Many of us don't even **get** retirement benefits!

As noted in my previous argument, safety officers already receive very generous salaries. Is it asking too much for each of them to set a little of that money aside for life insurance policies?

*Starchild*  
Candidate for School Board



# Police & Fire Survivor Benefits



## OPPONENT'S ARGUMENT AGAINST PROPOSITION E

The proponents of this ballot measure are no doubt counting on the public's seemingly endless reservoir of goodwill toward police officers and firefighters.

But have you taken a good look at the police and fire departments lately? Perception, as the advertising slogan goes, isn't always reality.

For instance, people think the jobs are very risky. But according to a U.S. Department of Labor / Bureau of Labor Statistics (BLS) study (Clarke and Zak, 1999), people working in logging, fishing, piloting of aircraft or water vehicles, construction labor, truck driving, roofing, and even farming are at higher risk of death on the job than firefighters or police officers.

Being a cop or firefighter pays quite well. Members of the SFPD earn between \$56,559 and \$78,874 according to a department recruiting brochure – not including lucrative overtime pay. And according to the Bay Guardian (June 30, 2004) “the average pay for the lowest class of firefighter is \$81,382 a year, almost 15 percent more than the hourly pay in comparable cities, according to an April report from the Controller's Office.”

Two years ago, San Francisco voters increased retirement benefits for police and firefighters, allowing them to receive pensions each year of up to 90% of their top pay.

Since the benefits received by surviving spouses are based on the benefits a retiring employee would have received, approval of the 2002 measure means spouses of police officers and firefighters who die on the job are already slated to receive increased benefits.

Meanwhile, how much does the city pay to the surviving relatives of people wrongly shot to death by the police? Absolutely nothing -- unless they're forced to do so by a lawsuit.

Vote NO on Proposition E.

*Starchild*

Candidate for School Board

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION E

**NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION E WAS SUBMITTED**





# Police & Fire Survivor Benefits

## PAID ARGUMENTS IN FAVOR OF PROPOSITION E

Proposition E will repair a disparity in survivor benefits for police and fire personnel killed in the line of duty.

In gratitude, San Francisco can insure that their grieving families will not suffer financial hardships.

Please Vote YES on E

*Dr. Anita Grier*

Candidate for D11 Supervisor

The true source of funds used for the printing fee of this argument is the Anita Grier for Supervisor, District 11.

It is fair, it is just, and it is the right thing to do. Currently, widows and/or continuants of police and firefighters who die in the line of duty receive different retirement benefits. The continuants of anyone hired before 1976 receive one set of death benefits and the continuants of anyone hired after 1976 receive an inferior set of death benefits. This is discriminatory. Treat the continuants of all our police and firefighters the same.

Vote yes on E

*Coalition for San Francisco Neighborhoods*

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

I can tell you from first hand knowledge why you should vote YES on E. I was in New York City on 9/11 and watched with horror as the second plane hit the World Trade Center. The bravery and strength of the city's firefighters and police pulled the community through a very terrible time. In our own city we depend upon the strength, commitment, and sacrifice that we ask our police and firefighters to give. We need to continue to support them. Measure E serves as a guarantee to protect the loved ones that are left behind. Vote YES on E.

*Matt Juhl-Darlington,*

**Candidate for Community College Board**

[www.mattjuhl-darlington.com](http://www.mattjuhl-darlington.com)

The true source of funds used for the printing fee of this argument is Matt Juhl-Darlington.

We strongly support amending the City Charter to increase the retirement benefits for all beneficiaries of firefighters and police officers killed in the line of duty.

Prior to 1976, qualified survivors of a safety officer killed in the line of duty receives 100% of that employee's retirement benefits commencing the date that officer would have completed at least 25 years of service or reached the age of fifty. After 1976, qualified survivors receive 75% of benefits. Proposition E would equalize that so all qualified survivors would receive 100% benefits on or after November 2, 2004.

This is an equity measure. This will be accomplished at no cost to the General Fund.

We urge strong support for Proposition E—it's fair and it's common sense government!

***United States Senator Dianne Feinstein***

***Former Supervisor Tony Hall***

***Supervisor Tom Ammiano***

***Supervisor Jake McGoldrick***

***Supervisor Gerardo Sandoval***

***Leslie Katz, Chair, San Francisco Democratic County Central Committee\****

***Mike DeNunzio, Chair, San Francisco Republican County Central Committee***

\* For identification purposes only

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



# Police & Fire Survivor Benefits

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PAID ARGUMENTS AGAINST PROPOSITION E

NO PAID ARGUMENTS AGAINST PROPOSITION E WERE SUBMITTED



## 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 amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 to increase the benefits payable to the qualified survivors of certain police officers and firefighters who die in the line of duty.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 2, 2004, a proposal to amend the Charter of the City and County by amending Sections A8.586-4, A8.588-4, A8.597-4 and A8.598-4 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 A8.586-4 to read as follows:

### **A8.586-4 DEATH ALLOWANCE**

If a member of the police department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance, payable under any other section of the charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving wife spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but he or she had not retired, the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance which the member would have received if he or she had been retired for service on the date of death, but such allowance shall not be less than 50 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the compensation of said member at the date of death, until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, had he or she lived and rendered service without interruption in the rank held by him or her at death, and after said date the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be

equal to ~~three-fourths of~~ the retirement allowance of the member, except that if he or she was a member under Section A8.586 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be adjusted upon the date at which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died.

If there be no surviving wife spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving wife spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving wife spouse and no children under the age of 18 years, but leave a parent or parents dependent upon him or her for support, the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving wife spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving wife spouse following the death of a member unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

The amendments to this Section A8.586-4, approved by the electorate on November 2, 2004 shall apply to any work-related death that occurs on or after November 2, 2004, and to any qualified survivor who, on November 2, 2004, is receiving a continuation allowance under this section due to the work-related death of a member on or after January 1, 1989. Any increase in the continuation allowance payable to such a qualified survivor by virtue of the amendments to this section approved by the electorate on November 2, 2004 shall be prospective only, beginning November 2, 2004.

Section 2. The San Francisco Charter is hereby amended by amending Section A8.588-4 to read as follows:

### **A8.588-4 DEATH ALLOWANCE**

If a member of the fire department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance, payable under any other section of the charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving wife spouse throughout his or her life or until his or her remarriage. If the member, at the

time of death, was qualified for service retirement, but he or she had not retired, the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance which the member would have received if he or she had been retired for service on the date of death, but such allowance shall not be less than 50 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the compensation of said member at the date of death, until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, had he or she lived and rendered service without interruption in the rank held by him or her at death, and after said date the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance of the member, except that if he or she was a member under Section A8.588 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be adjusted upon the date at which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died.

If there be no surviving wife spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving wife spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving wife spouse and no children under the age of 18 years, but leave a parent or parents dependent upon him or her for support, the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving wife spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving wife spouse following the

(Continued on next page)



## LEGAL TEXT OF PROPOSITION E (CONTINUED)

death of a member unless *he or* she was married to the member prior to the date of the injury or onset of the illness which results in death.

*The amendments to this Section A8.588-4, approved by the electorate on November 2, 2004 shall apply to any work-related death that occurs on or after November 2, 2004, and to any qualified survivor who, on November 2, 2004, is receiving a continuation allowance under this section due to the work-related death of a member on or after January 1, 1989. Any increase in the continuation allowance payable to such a qualified survivor by virtue of the amendments to this section approved by the electorate on November 2, 2004 shall be prospective only, beginning November 2, 2004.*

Section 3. The San Francisco Charter is hereby amended by amending Section A8.597-4 to read as follows:

### **A8.597-4 DEATH ALLOWANCE**

If a member of the police department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance, payable under any other section of the charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but he or she had not retired, the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance which the member would have received if he or she had been retired for service on the date of death, but such allowance shall not be less than 50 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the compensation of said member at the date of death, until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, had he or she lived and rendered service without interruption in the rank held by him or her at death, and after said date the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance of the member, except that if he or she was a member under Section A8.597 and retirement was for such disability, and if death

occurred prior to qualification for the service retirement allowance, the allowance continued shall be adjusted upon the date at which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died.

If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving spouse and no children under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving spouse following the death of a member unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

*The amendments to this Section A8.597-4, approved by the electorate on November 2, 2004 shall apply to any work-related death that occurs on or after November 2, 2004, and to any qualified survivor who, on November 2, 2004, is receiving a continuation allowance under this section due to the work-related death of a member on or after January 1, 1989. Any increase in the continuation allowance payable to such a qualified survivor by virtue of the amendments to this section approved by the electorate on November 2, 2004 shall be prospective only, beginning November 2, 2004.*

Section 4. The San Francisco Charter is hereby amended by amending Section A8.598-4 to read as follows:

### **A8.598-4 DEATH ALLOWANCE**

If a member of the fire department shall die before or after retirement by reason of an injury received in, or illness caused by the performance of his or her duty, a death allowance, in lieu of any allowance, payable under any other section of the charter or by ordinance, on account of death resulting from injury received in or illness caused by the performance of duty, shall be paid, beginning on the date next following the date of death, to his or her surviving spouse throughout his or her life or until his or her remarriage. If the member, at the time of death, was qualified for service retirement, but he or she had not retired, the allowance payable shall be equal to ~~three-fourths of~~ the retirement

allowance which the member would have received if he or she had been retired for service on the date of death, but such allowance shall not be less than 50 percent of the final compensation earnable by said member immediately preceding death. If death occurs prior to qualification for service retirement, the allowance payable shall be equal to the compensation of said member at the date of death, until the date upon which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, had he or she lived and rendered service without interruption in the rank held by him or her at death, and after said date the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance said member would have received if retired for service on said date, based on the final compensation he or she would have received prior to said date, had he or she lived and rendered service as assumed, but such allowance shall not be less than 50 percent of such final compensation. If he or she had retired prior to death, for service or for disability resulting from injury received in, or illness caused by the performance of duty, the allowance payable shall be equal to ~~three-fourths of~~ the retirement allowance of the member, except that if he or she was a member under Section A8.598 and retirement was for such disability, and if death occurred prior to qualification for the service retirement allowance, the allowance continued shall be adjusted upon the date at which said member would have completed at least twenty-five (25) years of service in the aggregate and attained the age of fifty (50) years, in the same manner as it would have been adjusted had the member not died.

If there is no surviving spouse entitled to an allowance hereunder, or if he or she dies or remarries before every child of such deceased member attains the age of 18 years, then the allowance which the surviving spouse would have received had he or she lived and not remarried shall be paid to his or her child or children under said age, collectively, until every such child dies or attains said age, provided that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving spouse and no children under the age of 18 years, but leave a child or children, regardless of age, dependent upon him or her for support because partially or totally disabled and unable to earn a livelihood or a parent or parents dependent upon him or her for support, the child or children and the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving spouse otherwise would have received, during such dependency. No allowance, however, shall be paid under this section to a surviving spouse following the death of a member

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## LEGAL TEXT OF PROPOSITION E (CONTINUED)

unless he or she was married to the member prior to the date of the injury or onset of the illness which results in death.

The amendments to this Section A8.598-4, approved by the electorate on November 2, 2004 shall apply to any work-related death that occurs on or after November 2, 2004, and to any qualified survivor who, on November 2, 2004, is receiving a continuation allowance under this section due to the work-related death of a member on or after January 1, 1989. Any increase in the continuation allowance payable to such a qualified survivor by virtue of the amendments to this section approved by the electorate on November 2, 2004 shall be prospective only, beginning November 2, 2004.



# Noncitizen Voting in School Board Elections



## PROPOSITION F

May San Francisco residents who are 18 or older vote in School Board elections, whether or not the resident is a United States citizen, if the resident is a parent, guardian or care-giver of a child in the School District?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The San Francisco Unified School District operates over 160 public schools and provides education from kindergarten through grade twelve. The Board of Education oversees and sets policy for the School District. The Board of Education has seven members who are elected by San Francisco voters.

San Francisco residents who are 18 years of age or older and who are United States citizens are eligible to vote in San Francisco elections.

**THE PROPOSAL:** Proposition F is a Charter amendment that would allow San Francisco residents who are 18 years of age or older to vote for members of the Board of Education, whether or not the resident is a United States citizen, if the resident:

- Has a child in the School District, or
- Serves as legal guardian or care giver (as defined in the California Family Code) for a child in the School District.

Proposition F would apply to the November 2006 election when three members of the Board of Education will be elected and to the November 2008 election when four members of the Board of Education will be elected. After the 2008 election, Proposition F would expire unless the Board of Supervisors adopts an ordinance allowing it to continue.

The Board of Supervisors may also adopt ordinances implementing Proposition F.

**A "YES" VOTE MEANS:** If you vote "yes," you want to allow San Francisco residents who are 18 years of age or older to vote for members of the Board of Education, whether or not the resident is a United States citizen, if the resident either has a child in the School District or serves as legal guardian or care giver for a child in the School District.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to change who is eligible to vote for members of the Board of Education.

## 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, there would be an additional cost, as estimated by the Department of Elections, of a minimum of \$700,000 per election to print and distribute voting materials, train poll workers and separately register people who would become eligible to vote in School Board elections.

The amendment would permit non-citizens 18 years of age or older who have children in the San Francisco public schools to vote in the elections for the School Board. The amendment would sunset on December 31, 2006, but could be extended by ordinance.

## How "F" Got on the Ballot

On July 20, 2004 the Board of Supervisors voted 9 to 2 to place Proposition F on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Maxwell, McGoldrick, Peskin, and Sandoval.

**No:** Supervisors Hall and Ma.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 114.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Noncitizen Voting in School Board Elections

## 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 Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval; oppose the measure: Supervisor Elsbernd.*

Education is the foundation of a strong society—research shows that when parents become more involved, all children benefit. A vote for Proposition F will allow San Francisco resident immigrant parents the right to vote in School Board elections.

No student should be left behind.

- It is estimated that at least 1 of out of 3 children in San Francisco public schools has an immigrant parent.
- Many of these students are American-born citizens, whose parents have no say in how the school system is run.

Immigrant voting has a long history in our country.

- For the first 150 years of our nation's history – from 1776 until 1926 – 22 states and territories allowed immigrants to vote and even hold office.

Immigrant voting is currently practiced in other cities and countries.

- Over the last three decades, cities and towns in Illinois, Maryland, Massachusetts and New York have passed laws allowing immigrants to vote.
- 23 countries allow some form of immigrant voting.

Immigrant voting is legal.

- The U.S. Supreme Court has repeatedly said that citizenship is not required to vote.

Immigrants seeking citizenship face enormous bureaucratic challenges.

- Government red tape and INS backlogs mean an average wait of 10 years to become a citizen.
- Waiting times for common immigration petitions have doubled since September 11<sup>th</sup>.

Please join the San Francisco Democratic Party, the San Francisco Green Party, Assembly Member Mark Leno, Assessor Mabel Teng, Treasurer Susan Leal, the Reverend Jesse Jackson, and countless San Franciscans in voting YES on Proposition F to give all children a voice in their education!

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

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION F

### PROPOSITION F IS ILLEGAL AND OPENLY VIOLATES ARTICLE TWO OF THE CALIFORNIA STATE CONSTITUTION:

Article Two of the California State Constitution clearly states that only American citizens over the age of 18 years are entitled to vote for the San Francisco Board of Education or any other local or state office in California.

If the Board of Supervisors wish to have non-citizens vote in San Francisco Board of Education elections, they should circulate petitions to amend Article Two of the California State Constitution.

Assuming that their petitions qualify with enough valid signatures of voters, the whole State of California can then ballot on whether to amend Article Two of the State Constitution.

Even if Proposition F were to pass as a City Charter amendment – which is very doubtful – the courts would almost certainly declare the amendment illegal under Article Two of the State Constitution.

Former City Attorney Louise Renne, in 1996, had the San Francisco Superior Court declare an amendment proposal similar to Proposition F should not be placed on the ballot. Her actions were legally correct.

*-Dr. Terence Faulkner, J.D.*

Chairman

Golden Gate Taxpayers Association

*-Gail E. Neira*

State Assembly Nominee

(13<sup>th</sup> District – Eastern San Francisco)



# Noncitizen Voting in School Board Elections



## OPPONENT'S ARGUMENT AGAINST PROPOSITION F

### **ONLY CITIZENS SHOULD BE ALLOWED TO VOTE:**

The proposal to let non-citizens vote in San Francisco Board of Education elections is just the latest dumb idea from the Green Party.

Those residents of San Francisco who refuse to become American citizens are often only temporary visitors to the United States. Many of them have little interest in local educational questions.

Perhaps a better case could be made to let ten year old children vote. At least, they are citizens, and they certainly want to attend good San Francisco schools.

On August 10<sup>th</sup>, 2004, the San Francisco Republican County Central Committee voted 26 to zero to oppose unwise Proposition F.

The Stonestown and Park Merced Residents' Association also favors the defeat of Proposition F.

In 1996, when a proposal similar to Proposition F was submitted by Green Party-oriented political activists for the San Francisco election ballot, the measure was struck from the election. The San Francisco Superior Court held that allowing non-citizens to vote violated Article Two of the California State Constitution. Article Two limits voting to American citizens over the age of 18 years.

If, at some future date, there is some real support for letting non-citizens vote in San Francisco elections from particular trade partners of the United States – say Canada and/or Mexico – a formal treaty should be arranged with such trade partners. American citizens resident in Canada and/or Mexico should of course be granted similar voting rights in their local elections.

In practice, it is doubtful that too many foreign nations will want American citizens voting in their local elections over the next few decades.

Vote against misguided Proposition F.

- Stonestown and Park Merced Residents' Association

- Dr. Terence Faulkner, J.D.

President of Stonestown and Park Merced Residents' Association

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION F

Unfortunately, Proposition F's opponents are going to great lengths to mislead voters. Here are more facts:

**Proposition F is strongly supported by Democrats, along with many others.**

This measure was placed on the ballot by a supermajority of Democratic Supervisors, and the San Francisco Democratic Party voted to endorse it. Democrats in Illinois, Maryland, and New York were decades ahead of San Francisco in giving parents a voice.

### **Proposition F is constitutional.**

Immigrant voting has *not* been successfully challenged in other jurisdictions. The California State Constitution gives San Francisco the power to make decisions about local elections.

### **Proposition F encourages citizenship.**

In other cities, voting in a narrow area has inspired many to become citizens in order to have the full citizenship rights, which includes voting in state and federal elections.

**Proposition F will improve our schools by making the School Board accountable to *all*.**

Since children cannot vote, Proposition F applies *only* to parents with children in San Francisco public schools and *only* for School Board elections during an initial period of two elections. This modest idea ensures that those who have a stake in the educational system are fairly represented.

**Vote YES on F to ensure that no students are left behind!**

*The San Francisco Democratic Party*

*Assemblymember Leland Yee*

*Lawyers' Committee for Civil Rights*

*Asian American Bar Association of the Greater Bay Area*

*Alice B. Toklas LGBT Democratic Club*

*Coleman Advocates for Children and Youth*

*UNITE HERE! Local 2*

*Youth Making A Change*

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





# Noncitizen Voting in School Board Elections

## PAID ARGUMENTS IN FAVOR OF PROPOSITION F

Proposition F strengthens our schools by giving all parents a voice in their children’s education. The future of our children depends on it.

*Lawyers’ Committee for Civil Rights*

The true source of funds used for the printing fee of this argument is the Lawyers’ Committee for Civil Rights.

**A voice for all parents** strengthens our schools and our democracy. YES on F.  
*Coleman Advocates for Children and Youth*

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

Proposition F is an experiment in advancing democracy.

A third of the students in our schools are the children of recent immigrants. Many of those parents are not yet citizens.

Prop F will encourage non-citizens to participate in the direction the schools take and the lives that their children live by allowing parents to vote in elections for San Francisco’s school board.

- The values of this proposal are:
- a. it prepares people to take on the responsibilities of citizenship;
  - b. it allows non-citizens to exercise a degree of control over their children’s lives;
  - c. it broadens the base of electorate to which the schools must be responsible;
  - d. it expands parental involvement in our public schools, one of the key elements in improving schools, particularly low-performing schools.

Democracy is not perfect, just better than all other forms of government. Prop F is an attempt to extend the benefits of democracy to our neighbors and co-workers.

Proposition F is our chance to include the disenfranchised, the ignored, the un-served, and the overlooked members of our community and make our city work better. It gives voice to people who deserve the ability to express their wishes for their children and education.

*San Francisco Labor Council, AFL-CIO*

The true source of funds used for the printing fee of this argument is the San Francisco Labor Council, AFL-CIO.

San Francisco must ensure the electoral and political participation of all residents, including non-U.S. citizen immigrants, and allow them to vote in local School Board elections. Yes on Prop F.

*Renee Saucedo*, candidate for Supervisor, District 9

The true source of funds used for the printing fee of this argument is Renee Saucedo for Supervisor.

The three largest contributors to the true source recipient committee are: 1. Norman Saucedo 2. Christian Saucedo 3. Herman Papa.

Increase families’ participation in their children’s educations. Vote YES on F!

*Lisa Feldstein*  
Candidate, District 5 Supervisor

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

The involvement of, and cooperation between, parents, teachers and students in the Catholic school system is the linchpin that guarantees success. Unfortunately, public education’s hierarchical school board places an obstacle on parental involvement.

Further, the voting policy excludes non-citizen parents while encouraging non-parent citizen involvement. Hence, the growing mess of the public education system.

Considering that other countries and (US) states have just such a policy, we have much to gain and nothing to lose.

Vote yes on Prop F.

*Joe O’Donoghue*

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

# Noncitizen Voting in School Board Elections



## PAID ARGUMENTS IN FAVOR OF PROPOSITION F

With so many of our public school students coming from diverse communities – almost half are Asian-American, almost a quarter are Latino, one out of three have an immigrant parent – the time has come *to Fix our Failing schools through Full parent participation with Proposition F*. The various communities that have come together in support of Proposition F – parents, educators, students Asians, Latinos, LGBT, - believe immigrant parents have been denied a voice for far too long. When parents are involved in education, schools improve.

### VOTE YES ON PROPOSITION F!

*Sarah Lipson*, Commissioner, San Francisco Board of Education\*

*Mark Sanchez*, Commissioner, San Francisco Board of Education

*Michael Goldstein*, President, Harvey Milk LGBT Democratic Club\*

*Laura Spanjian*, Co-Chair, Alice B. Toklas LGBT Democratic Club\*

*Immigrant Rights Movement*

*Maria Rinaldi*, Instituto Familiar DeLaRaza\*

*David Chiu*

*Ed Jew*

*Stephanie Ong*

\* For identification purposes only

The true source of funds used for the printing fee of this argument is A Voice For All Parents.

The three largest contributors to the true source recipient committee are: 1. Amy Laitinen 2. Carlos Petroni 3. David Chiu.

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As co-authors of the "1996 Immigrant Voting Rights Act" we support Proposition F, as one step forward towards full political representation for all immigrants.

*Lucrecia Bermudez* for Supervisor D-9

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

*Carlos Petroni* – Frontlines Newspaper

[www.sf-frontlines.com](http://www.sf-frontlines.com)

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





# Noncitizen Voting in School Board Elections

## PAID ARGUMENTS AGAINST PROPOSITION F

**Voting is one of the most powerful rights of citizenship, and therefore only citizens should vote.** We must encourage non-citizen parents to participate in their children's education in ways other than voting. This measure is shortsighted. Vote NO on F.  
*Christine Linnenbach, candidate for Supervisor, District 7\**

\* For identification purposes only

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

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### NO on F

The Constitution of the State of California requires all voters be United States Citizens; therefore Prop F is illegal. Voting by non-citizens is opposed by many public officials in both major parties. Immigrants have contributed enormously to the prosperity of San Francisco. We welcome and encourage all immigrants to become U.S. citizens.

The San Francisco Republican Party

### Chairman

*Michael A. DeNunzio*

### Ballot Advisory Committee

*Joshua Kriesel, Ph.D., Vice Chairman*

*Howard Epstein, Assembly Candidate*

*Christopher L. Bowman, Secretary*

*Michael J. Antonini, DDS, Member*

### Member - Candidates

*Jennifer DePalma, Candidate, 8<sup>th</sup> Congressional District*

### Members

*Albert Chang*

*Carolyn Devine, Vice Chairman*

*Jim Fuller, Vice Chairman*

*Harold M. Hoogasian*

*Leo Lacayo, Vice Chairman*

*Sue Woods*

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

The three largest contributors to the true source recipient committee are: 1. Michael A. DeNunzio 2. Michael J. Antonini 3. Sue C. Woods.

### VOTE NO on F!

**Here it is again: another attempt to break the cardinal rule that citizens vote.**

**It's fundamental – if you are an immigrant you pass a reasonable citizenship test and become a citizen like voters have done for 228 years.**

**Vote NO ON F and tell the political entrepreneurs that our fundamental principals of democracy aren't available for their dabbling and disregard.**

*Mara Kopp,*

*Fred Martin,*

*Denise LaPointe,*

*Good Government Alliance*

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.

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Extending voting privileges to legal and **illegal** non-citizens is unconstitutional.

As clearly stated in the state Constitution, citizenship is a prerequisite for voting. The City Attorney, Dennis Herrera, has warned that this measure is likely unconstitutional, and a similar effort to change the voting rules in 1996 was struck down as a violation of the state Constitution. In that case, San Francisco Superior Court Judge William Cahill was painstakingly clear: "If there was even a minuscule chance, even a one-half percent chance, that this could be constitutional, it would be my duty to let it go forward. I don't see that it could be constitutional ever." This measure, if passed, would spark a lengthy and costly legal battle that the City cannot presently afford.

Further, this proposal is a slap in the face to thousands of San Franciscans who gain their legal citizenship each year. **These immigrants work hard to become U.S. citizens, and, in the end, are rewarded with the gift of democracy—a vote.** The current ballot proposal seeks to invalidate this critical process. Worst of all, this measure equates legal immigrants and illegal immigrants.

We all want parents to get involved in their children's education, but sidestepping the State Constitution is not the answer. Fellow citizens from a wide political spectrum have spoken against non-citizen voting, including Democratic U.S. Senators



# Noncitizen Voting in School Board Elections



## PAID ARGUMENTS AGAINST PROPOSITION F

Dianne Feinstein and Barbara Boxer, former Secretary of State Bill Jones, and San Francisco Supervisors Fiona Ma and Tony Hall.

**Vote NO on Non-Citizen Voting!**

-SF SOS

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

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





## 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 adding Section 13.111 to authorize San Francisco residents 18 years of age or older either who have children in the San Francisco Unified School District or who serve as legal guardians or caregivers for children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the resident is a United States citizen, and to direct the Board of Supervisors implement, by ordinance, non-citizen voting in School Board elections.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 2, 2004, a proposal to amend the Charter of the City and County by adding Section 13.111 to read as follows:

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

### **SEC. 13.111. ELECTION OF SCHOOL BOARD.**

(a) Qualifications of Voters. Any San Francisco resident 18 years of age or older who is registered and eligible to vote under the California Elections Code may vote in elections for the School Board of the San Francisco Unified School District. In addition, any San Francisco resident 18 years of age or older who either has a child in the San Francisco Unified School District or serves as legal guardian or caregiver (as provided in California Family Code Section 6550) for a child in the San Francisco Unified School District, may vote for the School Board of the San Francisco Unified School District, regardless of whether the resident is a United States citizen. This section, which is adopted pursuant to California Education Code Section 5301, shall apply only to elections for the School Board of the San Francisco Unified School District.

(b) Adoption of Implementing Ordinances. The Board of Supervisors may adopt ordinances implementing this section. Before adopting or amending any ordinances under this section, the Board of Supervisors shall consult with the Director of Elections.

(c) Sunset. This section shall cease to be effective December 31, 2008, or the December 31 immediately following the second School Board election conducted pursuant to this section, whichever is later, unless prior to that date the Board of Supervisors, by ordinance, authorizes this section to continue in effect after that date.

(d) Limitations. Nothing in this section shall affect the terms of office of incumbent members of the School Board of the San Francisco Unified School District.



# Health Plans for City Residents



## PROPOSITION G

Shall the City authorize the Health Service Board to establish health plans for City residents?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City offers medical and dental benefits to employees, retirees and their dependents of the City and County of San Francisco, Community College District and Unified School District. The Health Service Board selects the medical and dental plans available to employees and retirees.

**THE PROPOSAL:** Proposition G is a Charter amendment that would authorize the Health Service Board, by a two-thirds vote of its members, to establish medical and dental plans for City residents, in addition to the other plans currently available to City employees and retirees. The Board of Supervisors would have to approve these plans by a three-fourths vote. This measure does not require the City to pay any portion of the cost of these plans. If the City were to pay any portion of the cost of these plans, the City would have to provide money in its annual budget for this purpose.

**A "YES" VOTE MEANS:** If you vote "yes," you want to authorize the Health Service Board to establish health plans for City residents.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to authorize the Health Service Board to establish health plans for City residents.

## 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 not in and of itself increase the cost of government. However, the cost to research, establish and fund any health plan that would offer coverage to City residents could be significant.

The amendment authorizes the City, subject to a two-thirds vote of the Health Service Board and a three-fourths vote of the Board of Supervisors, to establish health plans for City residents. City funding for such a program would be subject to the standard budgetary and fiscal provisions of the Charter. The amendment does not specify the eligibility, benefit levels, premium costs or any other parameters of such health plans and a cost cannot therefore be estimated at this time.

## How "G" Got on the Ballot

On July 20, 2004 the Board of Supervisors voted 10 to 1 to place Proposition G on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval.

**No:** Supervisor Hall.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 120.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Health Plans for City Residents

## 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 Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval.

HEALTH IS ON THE WAY—Vote Yes on G!

In 1998, the Mayor's Blue Ribbon Committee on Universal Health Care recommended using the City's health service system to provide coverage to San Francisco residents, in addition to current government employees and retirees. For the 130,000 San Franciscans living without healthcare coverage, this proposal represents our best hope for expanding access to healthcare.

Proposition G is RESPONSIBLE

This measure doesn't create a new entitlement, or require the City to use taxpayer funds to expand healthcare coverage. It allows the Health Service Board and Board of Supervisors to provide health plans to City residents only with a consensus vote.

Proposition G doesn't allow any employee funds to be used to cover the uninsured. City residents and employers would pay into new health plans.

Proposition G is TARGETED

Proposition G is targeted to help those San Franciscans in greatest need. 53% of San Franciscans have employer-based coverage, 24% are covered by Medicare and Medi-Cal, and 6% of residents buy their own coverage. The 17% of residents without coverage aren't the poorest San Franciscans, who rely on government programs, or the wealthiest, who can afford their own coverage.

68% of our uninsured residents are working adults, including those who are self-employed. These people go to work every day to make our City run. They deserve a City government that cares about their healthcare.

Please join the San Francisco Democratic Party, and ten members of the Board of Supervisors: Vote YES on G.

*San Francisco Democratic Party*

*Supervisor Chris Daly  
Supervisor Matt Gonzalez  
Supervisor Tom Ammiano*

*Bill Barnes, Former Director, Mayor's Office of AIDS and HIV Policy (1998-2000)*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION G

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



# Health Plans for City Residents

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OPPONENT'S ARGUMENT AGAINST PROPOSITION G

**NO OPPONENT'S ARGUMENT AGAINST PROPOSITION G WAS SUBMITTED**

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REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION G

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

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# Health Plans for City Residents

## PAID ARGUMENTS IN FAVOR OF PROPOSITION G

Yes on Prop G.

*Renee Saucedo*, candidate for Supervisor, District 9

The true source of funds used for the printing fee of this argument is Renee Saucedo for Supervisor.

The three largest contributors to the true source recipient committee are: 1. Norman Saucedo 2. Christian Saucedo 3. Herman Papa.

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Quality health care is a fundamental right. Prop. G helps create more access to health coverage by expanding health care options for San Francisco residents.

We must also commit ourselves to making sure our City's vital public health system stays strong for generations to come.

***Dan Kalb***

Supervisor 5 candidate

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

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Health care is a right, not a privilege. Vote YES on G!

*Lisa Feldstein*

Candidate, District 5 Supervisor

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

---

Everyone deserves access to quality health care, especially those who need it most, families of the working poor; people with HIV/AIDS and other Chronic illnesses; seniors and people with disabilities.

Join us in voting Yes on G

*Robert Haaland*, candidate for Supervisor, District 5\*

*Tom Ammiano*, Supervisor, District 9

\* For identification purposes only

The true source of funds used for the printing fee of this argument is the Committee to Elect Robert Haaland.



# Health Plans for City Residents



## PAID ARGUMENTS AGAINST PROPOSITION G

NO on G

The proposed Health Plan for City residents is not a "plan." Proposition G is seriously flawed: It does not describe who is eligible, how this service would be paid for, and how coverage decisions would be made. Taxpayers should not be forced into a plan that does not have a "plan."

The San Francisco Republican Party

Chairman

*Michael A. DeNunzio*

Ballot Advisory Committee

*Howard Epstein, Assembly Candidate*

*Christopher L. Bowman, Secretary*

*Michael J. Antonini, DDS, Member*

Member - Candidates

*Mike Garza, Candidate, 12<sup>th</sup> Congressional District*

Members

*Albert Chang*

*Carolyn Devine, Vice Chairman*

*Harold M. Hoogasian*

*Barbara Kiley*

*Leo Lacayo, Vice Chairman*

*Sue Woods*

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

The three largest contributors to the true source recipient committee are: 1. Michael A. DeNunzio 2. Michael J. Antonini 3. Sue C. Woods.

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VOTE NO ON THIS "Insure Everyone" healthcare proposal.

Critical questions have not been answered. THE FINANCIAL BURDEN WOULD FALL ON TAXPAYERS AND BUSINESSES.

Who would qualify? How are benefits funded? Who votes in Health Board elections? Would the City assume small business coverage?

The current Health Service System staff cannot manage the existing system – it certainly cannot managed the proposed universal system.

VOTE NO ON G!

*Mara Kopp*

*Fred Martin*

Good Government Alliance

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.



# 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 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to authorize the Health Service Board to offer health plans to City residents.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on November 2, 2004, a proposal to amend the Charter of the City and County by amending Section 12.200 of the Charter and Section A8.421 of Appendix A of the Charter to read as follows:

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

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

## SEC. 12.200. HEALTH SERVICE BOARD.

There shall be a Health Service Board which shall consist of seven members as follows: one member of the Board of Supervisors, to be appointed by the President of the Board of Supervisors; the City Attorney or designated deputy city attorney; two members appointed by the Mayor pursuant to Section 3.100, one of whom shall be an individual who regularly consults in the health care field, and the other a doctor of medicine; and three members elected from the active and retired members of the System from among their number. Elections shall be conducted by the Director of Elections in a manner prescribed by ordinance. Elected members need not reside within the City and County. The terms of members, other than the two ex officio members, shall be five years, one term expiring on May 15 of each year.

A vacancy on the Board appointed by the Mayor shall be filled by the Mayor. A vacancy in an elective office on the Board shall be filled by a special election within 90 days after the vacancy occurs unless a regular election is to be held within six months after such vacancy shall have occurred.

The Health Service Board shall:

1. Establish and maintain detailed historical costs for medical and hospital care and conduct an annual review of such costs;

2. Apply benefits without special favor or privilege;

3. Put such plans as provided for in Section A8.422 into effect and, through the Human Resources Department, conduct and administer the same and contract therefor and use the funds of the System;

4. Make rules and regulations for the administration of business of the Health Service System, the granting of exemptions and the admission to the System of persons who are hereby made members, and such other officers and employees as may voluntarily become members with the approval of the Board; and

5. Receive, consider and, within 60 days after receipt, act upon any matter pertain-

ing to the policies of, or appeals from, the Health Service System submitted to it in writing by any member or any person who has contracted to render medical care to the members.

Subject to the requirements of state law and the budgetary and fiscal provisions of the Charter, the Health Service Board may make provision for health or dental benefits for residents of the City and County of San Francisco as provided in Section A8.421 of Appendix A of the Charter.

## **A8.421 CONTINUATION OF EXISTING PLANS ADOPTION OF PLANS FOR RESIDENTS**

~~The medical care plans in effect on the effective date hereof shall continue in force and effect until rescinded or superseded by a new plan or plans adopted by the health service board and approved by ordinance of the board of supervisors, adopted by three-fourths of its members.~~

Subject to the requirements of state law and the budgetary and fiscal provisions of the Charter, the Health Service Board is authorized by a two-thirds vote of the entire membership of the Health Service Board to adopt a plan or plans or make other provision for health or dental benefits for residents of the City and County of San Francisco. Such plan or plans shall not become effective until approved by an ordinance of the Board of Supervisors adopted by three-fourths of its members. Residents shall not by virtue of enrolling in such plan or plans become members of the Health Service System. The Health Service System Fund shall not be used to provide any benefits under this section. The Health Service Board shall adopt rules and regulations to administer this section.

The determinations made under this section, including but not limited to whether to adopt a plan or plans, what benefits to offer, determination of eligibility, and the fixing and allocation of the cost of any plan or plans, are within the sole discretion of the City and County and its officials.

## **A8.422 ADOPTION OF PLANS FOR MEMBERS**

The board shall have power and it shall be its duty by a two-thirds vote of the entire membership of the health service board to adopt a plan or plans for rendering medical care to members of the system, or for the indemnification of the cost of said care, or for obtaining and carrying insurance against such costs or for such care.

Such plan or plans as may be adopted, shall not become effective until approved by ordinance of the board of supervisors, adopted by three-fourths of its members.

The board of supervisors shall secure an actuarial report of the costs and effect of any proposed change in the benefits of the health service system or rates of contribution before enacting an ordinance or before voting to submit any proposed charter amendment providing for such change.



# Naming the Stadium at Candlestick Point



## PROPOSITION H

Shall the City-owned sports stadium at Candlestick Point be named "Candlestick Park?"

YES



NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The City owns a sports stadium at Candlestick Point that is used primarily for professional football games. The San Francisco 49ers lease this stadium from the City.

The 49ers have an agreement with the City that gives the 49ers the right to sell the name of the stadium during the term of the lease. The City shares the money received from the sale.

**THE PROPOSAL:** Proposition H is an ordinance that would name the stadium at Candlestick Point as "Candlestick Park." This ordinance would not apply to any privately owned stadium that might be constructed at the same location in the future.

**A "YES" VOTE MEANS:** If you vote "yes," you want to name the stadium at Candlestick Point as "Candlestick Park."

**A "NO" VOTE MEANS:** If you vote "no," you do not want to name the stadium at Candlestick Point as "Candlestick Park."

## Controller's Statement on "H"

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

Should the proposed ordinance be approved by the voters, in my opinion, it could cost the City approximately \$3 million in lost revenues in FY 2004-2005. If a contract for naming rights is signed before the November 2004 election, it is likely that this ordinance would not affect those revenues. However, the ordinance may decrease future revenues by limiting the ability to sell naming rights for either the existing or for a new stadium at the Candlestick Point location.

## How "H" Got on the Ballot

On August 4, 2004 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. THE FULL TEXT BEGINS ON PAGE 129.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.







# Naming the Stadium at Candlestick Point

## 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, Gonzalez, and Sandoval; oppose the measure: Supervisors Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, and Peskin; take no position on the measure: Supervisor McGoldrick.*

### **Should City government be able to sell naming rights of publicly-owned assets without voter approval?**

Proposition H would officially designate our City-owned stadium as Candlestick Park, giving voters an opportunity to send a signal that San Francisco remains on the front lines against the increased corporatization and commercialization of everyday life.

Nationally this trend includes the proposal to sell the naming rights of subway stations, towns, local roads, school gymnasiums ('Shoprite of Brooklawn Gymnasium') and movie theaters. We already have 'General Motors Hall' of 'Transportation,' 'Lockheed Martin Imax Theater,' 'Taco Bell Arena,' 'Coors Field,' and the embarrassment of 'Enron Field.' Isn't that enough?

Passing Proposition H would not affect any new privately-owned stadium or one built mostly with private funds such as a stadium built in accordance with voter-approved Props D and F, passed in 1997. Candlestick Park is unique in that it was built and paid for by the public, unlike other stadiums including SF's SBC Park, which was heavily subsidized by corporations. We already have one corporate-named stadium. Our remaining stadium should be named after a San Francisco sports player, a SF legacy that we all admire. Until then, it should remain Candlestick Park.

The motion to sell naming rights of public institutions during fiscal crises will always be made. Ironically, the selling of naming rights doesn't fix budgetary woes. Usually it delays the true structural reforms that are needed to sustain a city. This year the Controller's office, a city agency, recommended 16 million dollars in savings to the City that would not affect service or safety. Rather than relying on selling naming rights to corporations, government ought to make the hard choices necessary to be able to function within their budget.

*Supervisors Tom Ammiano, Chris Daly, Matt Gonzalez, Gerardo Sandoval*

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## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION H

This legislation prohibits a company from giving the City money to support our parks in exchange for naming a City-owned entertainment complex, something our elected leaders have already voted for and approved.

Selling naming rights to San Francisco's football stadium will not make our culture any more or less corporate, but it will help protect vital city services and parks. This is a tradeoff, a tradeoff that will benefit everyday people and also help make our football franchise's future bright.

We already have a corporate named stadium in SBC Park. That stadium is the envy of the baseball world. Its location and amenities draw fans from all over for the pleasure of enjoying a splash hit. By contrast, Candlestick Park sits across town in a neglected state. If it were not for the history of and pride for the franchise that rents the facility, the stadium would receive no interest at all.

If passed, this measure would jeopardize our ability to move forward with the 49ers' voter-approved stadium rebuild. If the Giants had that obstacle to their publicly subsidized, privately-financed facility, SBC Park would never have been built and the Giants would be playing ball in another City all together. Let history repeat itself with the creation of a new football stadium in San Francisco that will replicate the City's celebrated baseball experience.

Protect our Parks, Protect our Team. Vote no on Proposition H!

*Supervisor Michela Alioto-Pier  
Supervisor Bevan Dufty  
Supervisor Sean Elsbernd*



# Naming the Stadium at Candlestick Point



## OPPONENT'S ARGUMENT AGAINST PROPOSITION H

### Vote No on H!

Renaming Candlestick Park won't change our memories of "The Catch," it won't reduce the number of Superbowl victories, but it will provide at least \$3 million of funding for our parks, recreation centers, and other vital services.

This measure is about more than a name. It's about robbing our parks of necessary budget funding during tough economic times.

In this year's budget, the Board of Supervisors and the Mayor agreed to sell the naming rights for Candlestick Park. The expected revenue from the sale is part of a budget plan that potentially leverages over \$20 million in funding for our City's parks and recreation centers.

**The Recreation and Park Commission has already earmarked money for improvements to the following parks:**

- Ralph Park, Playground, and Clubhouse
- Sunnyside Clubhouse and Playground
- Moscone Recreation Center
- Sunnyside Conservatory
- Hamilton Playground, Clubhouse and Pool
- Rossi Playground
- Juniper Serra Playground
- Visitacion Valley Greenway Senior Park

- Fay Park
- St. Mary's Playground
- SOMA Park
- Herz Playground

**If Proposition H passes, this money is gone and so may be the 49ers.**

Proposition H could jeopardize the 49ers ability to move forward with a much-needed, voter approved stadium rebuild and would hurt the 49ers ability to field a quality team in San Francisco.

**Protect Our Parks, Protect Our Team! Join us in voting NO on Proposition H.**

*Supervisor Michela Alioto-Pier*  
*Supervisor Bevan Dufty*  
*Supervisor Sean Elsbernd*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION H

Opponent's claims are false.

By listing a group of parks that will benefit from this deal, opponents hope to win opposition to this measure. But these are false arguments.

No improvements to parks are dependent on money generated from the sale of naming rights. In fact, none of the parks listed in opponent's argument are earmarked for such assistance.

The so-called leveraged monies to help actualize a \$20 million bond (that will improve parks), are currently earmarked to come out of the 'Open Space Fund' – which already has the necessary funds for that purpose!

For the last three years SF has stood with other cities like Denver and Chicago in resisting the increasing commercialization of its public assets.

Previous Mayors found a way to balance the City's budget without selling naming rights -- shouldn't Mayor Gavin Newsom find a way?

For instance, our city now has more than 27,000 city employees. Willie Brown added 4,000 city workers during his two terms as mayor. Despite so-called hard budget times Newsom has not cut even one-quarter of these positions.

But now he wants to sell naming rights to Candlestick Park, a publicly owned asset, in what is one of the worst naming rights deals in the country. Less than \$1 million a year.

Let's preserve Candlestick Park until some future time when the stadium can rightfully be named after one of the great athletes that played there.

**YES on Proposition H – preserve the name and legacy of Candlestick Park!**

*- Supervisor Matt Gonzalez*





# Naming the Stadium at Candlestick Point

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PAID ARGUMENTS IN FAVOR OF PROPOSITION H

NO PAID ARGUMENTS IN FAVOR OF PROPOSITION H WERE SUBMITTED

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

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# Naming the Stadium at Candlestick Point



## PAID ARGUMENTS AGAINST PROPOSITION H

Prop. H is bad for our parks, bad for our children, and bad public policy. Selling the naming rights to Candlestick Park will net \$3.5 million over four years that will go to provide vital services such as after-school programs and Rec. & Park coordinators.

The children of the city need these funds to provide them with safe and sound recreational alternatives. Vote no on Prop. H.

*Supervisor Fiona Ma*

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

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### ***Stop the #3 million Giveaway. . . Protect S.F.'s Parks***

When four city supervisors put Prop H on the ballot to forbid the sale of naming rights for Candlestick Park, they effectively slashed \$3 million annually out of the budget for parks and recreation. That means reduced maintenance for city parks and fewer hours at neighborhood recreation centers. This ill-conceived proposition, put on the ballot at the last minute with no public input, will force the city to cut programs that benefit kids in underserved neighborhoods and leave city parks untended. **We strongly urge you to save San Francisco's parks and programs for youth – Vote No on Prop. H.**

*San Francisco Chamber of Commerce*

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

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I urge the defeat of this ill-conceived and ill-timed measure. We have a budget deficit. The proceeds from naming rights to Candlestick help plug the deficit – to the tune of \$3 million. That money represents services vital to the well-being of the City. I am disappointed in those Supervisors who would reduce funding for needed programs simply to make an empty gesture.

Moreover, if this measure passes, the 49ers are more likely to leave San Francisco, which would be a severe loss to us and our economy. Vote "No" on H and send a message: **knee-jerk anti-business ballot measures are a waste of time.** Let's get on with restoring San Francisco.

*Nick Waugh, Candidate for Supervisor, District 5*

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

NO on H

Naming rights of sports facilities are helping cities across the nation to meet budgets. San Francisco's parks and recreation centers are in serious need of maintenance and renovations. This ordinance would cause the Department of Recreation and Parks to lose \$3 million that was already agreed to by the Mayor and majority of Supervisors.

The San Francisco Republican Party

Chairman

*Michael A. DeNunzio*

Ballot Advisory Committee

*Howard Epstein, Assembly Candidate*

*Christopher L. Bowman, Secretary*

*Michael J. Antonini, DDS, Member*

Member - Candidates

*Jennifer DePalma, Candidate, 8<sup>th</sup> Congressional District*

Members

*Thomas D'Amato, General Counsel*

*Harold M. Hoogasian*

*Leo Lacayo, Vice Chairman*

*Sue Woods*

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

The three largest contributors to the true source recipient committee are: 1. Michael A. DeNunzio 2. Michael J. Antonini 3. Sue C. Woods.

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### **VOTE NO ON H!**

This is yet another self-defeating way to decrease City revenue and frustrate San Francisco's Forty Niner's spawned by the four biggest tax spenders on the Board of Supervisors. Reject it.

### **VOTE NO ON H!**

*Mara Kopp, Good Government Alliance*

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.





# Naming the Stadium at Candlestick Point

## PAID ARGUMENTS AGAINST PROPOSITION H

Don't force cuts in Rec and Park programs. San Francisco can't afford Proposition H.

*Andrew Sullivan*  
Candidate for Supervisor, District 5  
www.sulli.info

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

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Proposition H should be improved to make sure **only** socially and environmentally responsible companies are eligible for the privilege of naming rights.

As a Supervisor, I will infuse **social responsibility** criteria into city contracting and other goings on that come out of City Hall.

*Dan Kalb*  
Supervisor 5 candidate

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

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Initially, the Mayor's plan to allow the 49ers to sell the naming rights for Candlestick Park seemed simple. With the City facing a massive structural deficit, any new revenue was welcomed (and since the City's Recreation and Park Department receives half of the naming proceeds, \$3 million was expected). The resolution to sell the naming rights passed 7-4 and the 49ers began their search for a sponsor.

Now, however, the City's sensible plan is under assault from the four Supervisors who lost the resolution vote over the summer. Supervisors Ammiano, Daly, Gonzalez, and Sandoval placed the current proposal on the ballot to ensure that Candlestick's naming rights are not sold. These Supervisors don't seem to understand the desperate financial straits the City is now navigating. The \$3 million in expected revenue is already written into this year's budget, and the services that we have come to expect from the Recreation and Park Department will be severely curtailed if the revenue is not raised.

For many of us, Candlestick will always be, simply, 'The Stick'. But if the City is going to escape from under the huge deficit that now threatens to overwhelm our government, we must be willing to rename our beloved stadium. A feeling of sentimentality for one of our great sporting landmarks should not get in the

way of the City's responsibility to pass on a balanced budget and a sound economy to future generations.

Vote NO on Prop. H!  
--SF SOS  
www.sfsos.org

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

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Vote NO on H!

The Bay Area is blessed to be home to many renowned professional sports teams that bring civic pride, national recognition, entertainment, and economic strength. Since 1945, San Francisco has been home to the 49ers, and their success has been an inspiration to the city. Now, the 49ers are poised to provide millions of dollars to cash-strapped San Francisco.

Apparently, a small minority of the Board of Supervisors think that SF would be better off without the money, without a new stadium for the 49ers, and without the 49ers. Don't be fooled by Measure H. If passed, it will be harder for SF to pay for parks and recreation, harder for the 49ers to build a new stadium, and harder to keep the 49ers here.

Local governments should work with, not against, professional sports teams...especially when the community benefits in so many ways.

Vote NO on H!

*Bay Area Council*

The true source of funds used for the printing fee of this argument is the Bay Area Council, Inc.

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Vote No on H!

The San Francisco 49ers contribute to this City in so many productive ways. Our team, like our City, is known the world over and we have served faithfully as an ambassador for this City for more than 50 years.

Each year the team pays the City \$8.5 million in rent and taxes to play our home games in San Francisco.



# Naming the Stadium at Candlestick Point



## PAID ARGUMENTS AGAINST PROPOSITION H

Voting No on H will allow us to further contribute to this City. A naming rights sale will generate a minimum of \$3 million dollars to the City, and potentially much more in the future.

Voting No on H puts at least \$3 million into our parks, pools and open spaces at a time when so many of our neighborhood parks are neglected and/or facing closures. Without this revenue, parks will have to close, jobs will be lost and services will be cut.

The stadium is our home. No one has greater respect for the place where so much history has been made than we do. Changing the name does nothing to diminish that history, but it helps us continue to make history here in San Francisco, while also funding our City parks.

Protect our Parks, Protect our Kids, Support your Team!

Vote "No" on Proposition "H".

*The San Francisco 49ers*

The true source of funds used for the printing fee of this argument is the San Francisco 49ers.

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Proposition H harms the future ability of the Recreation and Park Department to raise critically needed revenues ... and these revenues would be obtained from a source that has no impact whatsoever on the pocketbooks of City residents.

The San Francisco Parks Trust opposes commercialization of parks, but the stadium at Candlestick Point is not a neighborhood park. It has always housed a for-profit venture. Why not let corporate dollars benefit the neighborhood parks that are so deserving of repairs and upgrades?

We urge you to Vote No on H!

*San Francisco Parks Trust*

The true source of funds used for the printing fee of this argument is the Friends of Recreation and Parks Corp.

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**Vote No on H!**

This measure is not about a name. It's about robbing our parks of necessary funds during tough budget times.

**Protect our parks**

Proposition H would cost Rec and Park \$3 million—revenue needed to maintain parks, employ gardeners and fund other critical services. This money could provide:

- 30 recreation center staffers
- 13 gardeners
- After school programs
- Many other park services

### Private support improves cultural institutions

Where would we be without the private support of our civic and cultural institutions, such as:

- The deYoung Museum,
- The Chong Moon Lee Asian Art Center,
- The Hormel Center at the San Francisco Public Library,
- SBC Park

These places shape our experiences and improve our quality of life. They are also made possible through private support. We need more private support of our public spaces, not less.

### Protect our Parks! Vote No on H!

*Leslie R. Katz*, Chair  
San Francisco Democratic Party

The true source of funds used for the printing fee of this argument is the San Francisco 49ers.

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### No on H

San Francisco voters should vote NO on Proposition H. At a time when our City must balance tax increases on the backs of local businesses or cut services that we have all come to rely upon, Proposition H is the wrong idea at the wrong time.

The proposition will cut \$3 million from the Rec and Park department's budget – money it needs to fund the parks and open spaces throughout our City. Blocking the sale of naming rights to Candlestick Park will only affect Rec and Park's ability to maintain our neighborhood parks. We should not let the misplaced idealism of a few people at City Hall affect the quality of life for the rest of us.

Vote NO on H, and help protect our San Francisco neighborhood parks.





# Naming the Stadium at Candlestick Point

## PAID ARGUMENTS AGAINST PROPOSITION H

*San Francisco Police Officers Association*

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

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Vote No on Prop H and Save McLaren Park

My District 11 community has watched as one of the City's largest and most valued open spaces, McLaren Park, has progressively fallen into disrepair. The money that San Francisco can generate from our football stadium is designated to improve McLaren and other City parks. Our parks, families and children need this support.

Semantic arguments over the name of the stadium should not jeopardize returning our City's treasures to their potential glory. If you agree that it's time for a change, visit [www.district11supervisor.org](http://www.district11supervisor.org), and Vote NO on Prop H.

*Myrna Lim*  
Candidate for Supervisor  
District 11

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

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**Keep the 49ers in San Francisco!**

Proposition H prohibits selling naming rights to "the park at Candlestick Point." On the surface, this seems like a good way to prevent commercializing our public places, which nobody wants to do. However, because the City owns the land, the park can never be "privately owned," as the measure suggests, and we'll never be able to sell naming rights, no matter what our future financial situation might be. When the park falls apart, we will be forced to spend hundreds of millions of dollars of public money to build a new one – or lose the 49ers to another city.

SBC Park cost \$255 Million to build and because it was entirely privately funded, nothing was taken from our General Fund. This makes sense, because as commercial enterprises, sports stadiums make money for their owners and investors. We should not use our scarce public money to build them. In fact, by "renting" the name of the Park, we can and should bring in several million dollars a year to fund schools, parks, and other public infrastructure.

**VOTE NO ON H.**

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

For more information visit [www.spur.org](http://www.spur.org)

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

The three largest contributors to the true source recipient committee are: 1. Oz Erickson 2. James Chappell 3. Evette Davis.



# LEGAL TEXT OF PROPOSITION H

**Ordinance amending the San Francisco Administrative Code by adding Section 4.24, to name the City-owned sports stadium located at Candlestick Point as “Candlestick Park.”**

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

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

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 4.24, to read as follows:

**SEC. 4.24. NAMING THE CITY-OWNED STADIUM “CANDLESTICK PARK.”**

The City-owned sports stadium located at Candlestick Point, at Jamestown Street and Harney Way, is hereby named and shall be referred to as “Candlestick Park.” This ordinance shall not apply to any privately-owned facility that may in the future be constructed at that location.





# Economic Analysis of Legislation



## PROPOSITION I

Shall the City hire economists to study proposed legislation and report on the likely impact on the local economy, and shall the City develop a long-term Economic Development Plan?

YES



NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** The Board of Supervisors hires a Budget Analyst who reports on the costs of proposed City legislation and other financial issues.

The City's Economic and Workforce Development Department studies the local economy and oversees programs to develop the local economy, attract and retain business, and revitalize neighborhood commercial districts.

**THE PROPOSAL:** Proposition I is an ordinance that would create an Office of Economic Analysis. This Office would analyze proposed City legislation and report on the following:

- The likely impact of the legislation on the City's ability to attract and retain businesses;
- The likely impact of the legislation on the City's ability to create and retain jobs; and
- Other matters affecting the overall economic health of the City.

Proposition I would also require the City's Economic and Workforce Development Department to prepare a long-term Economic Development Plan for the City, and update that plan at least every three years. Among other things, the Plan would identify:

- Goals for creating private and non-profit jobs and for generating City revenue;
- Industries likely to create significant numbers of jobs in the City and the skills and other qualifications needed for those jobs;
- Industries and businesses likely to contribute significant tax revenue to the City; and
- Strategies to protect existing businesses from displacement by new businesses.

The Board of Supervisors could amend Proposition I without voter approval if the amendments promote economic planning and analysis.

Proposition I would make it City policy to provide sufficient funding for this ordinance.

**A "YES" VOTE MEANS:** If you vote "yes," you want to create an Office of Economic Analysis and require a long-term Economic Development Plan for the City.

**A "NO" VOTE MEANS:** If you vote "no," you do not want to create an Office of Economic Analysis and require a long-term Economic Development Plan for the City.

## 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, it would not in and of itself increase the cost of government. However, the cost of the functions specified in the ordinance would be expected to range from \$250,000 to \$500,000, depending on how the measure is implemented. Any funding for the Office of Economic Analysis and for the studies to be carried out would be subject to Mayor and Board approval through the annual budget process.

The ordinance requires the City to employ two economists in a proposed Office of Economic Analysis under the Controller, and to carry out a variety of economic development and business studies in the Economic and Workforce Development Department. The salary and fringe benefit cost of staff economists can be expected

to be approximately \$250,000 annually depending on the qualifications desired. An estimated cost to provide basic staff support and funding for the survey and research work mandated in some years by the amendment can be expected to be at least \$250,000, and could range higher depending on the level and type of work performed. As an outcome of this work, however, City services may be improved or additional revenues generated, resulting in a benefit to the City.

## How "I" Got on the Ballot

On August 4, 2004 the Department of Elections received a proposed ordinance signed by Supervisors Alioto-Pier, Dufty, Hall, and Ma.

The City Elections Code allows four or more Supervisors to place an ordinance on the ballot in this manner.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 136.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.



# Economic Analysis of Legislation

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION I

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

If these tough economic times have taught us anything, it is that San Francisco City government must do more with less.

We must work harder and work smarter – because we can't afford to make mistakes. We can't afford to pass legislation that creates hidden costs, drives away jobs, or hurts our economy.

Working smarter means developing an economic plan that reflects our values. It means making sure that every thing we do, every piece of legislation we pass, is consistent with that plan and moves us closer to our goals.

The Office of Economic Analysis will do just that. It will create and periodically update a long-term economic plan for the City. Professional economists will analyze each proposed law against the economic plan before the Board of Supervisors considers the law. Supervisors and San Franciscans will know the full impact of each law before it is adopted. And to make sure we do every thing we can for our economy, the office will survey local businesses about which laws and policies hurt our economy and our ability to create jobs so that we can work together to change those laws.

Working harder and working smarter is just common sense. San Francisco deserves no less. Please join me in voting Yes on Prop I.

*Supervisor Michela Alioto-Pier*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION I

### ANOTHER DO-NOTHING CITY AGENCY:

The current Board of Supervisors demanded and were unwisely given salaries for which they are sadly underqualified.

With the present election's Proposition D, they are seeking to change the City Charter to allow themselves more staff. With Proposition H, they are seeking to ban the City from getting millions of dollars of needed revenue for the San Francisco Recreation and Park Department by renting out the naming rights to Candlestick Park Stadium. With Proposition J, they are seeking to drive more local businesses and jobs south of the San Mateo County Line by raising the San Francisco sales tax. With Proposition F, they are yielding to the political demands of the local Green Party and seeking to give non-citizens the right to vote for the San Francisco Board of Education, in open violation of Article Two of the California State Constitution (which states voters must be U.S. citizens over the age of 18 years).

Now, with Proposition I, the Supervisors want to form still another City Planning Economic Agency. Proposition I will not help the City "do more with less," nor will it stop the Board of Supervisors from their above listed projects – which are exactly what: "creates hidden costs, drives away jobs, or hurts our economy."

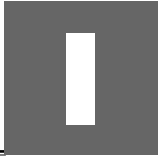
**Proposition I will just create another City agency, further running up San Francisco's national record-setting ratio of governmental employees to taxpaying residents.**

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

*-Gail E. Neira*  
State Assembly Nominee  
(13<sup>th</sup> District)



# Economic Analysis of Legislation



## OPPONENT'S ARGUMENT AGAINST PROPOSITION I

### **JUST WHAT WE NEED – ANOTHER TAX WASTING CITY AGENCY!**

San Francisco does not need another city agency to make economic projections.

The San Francisco Civil Service already has plenty of people with good college degrees making plans for our airport, our shipping, our financial district, our small and large businesses, etc.

San Francisco has plenty of other people staffing our local universities and colleges with first-class training in economics.

### **ECONOMIC WASTE AND USELESS CITY AGENCIES ARE TWO OF SAN FRANCISCO'S WORST ECONOMIC PROBLEMS:**

The best "economic plan" for San Francisco would be to cut back on needless city agencies – such as the city agency to be created by needless and wasteful Proposition I.

Spend the money on repairing our San Francisco streets. They need repairs. Those repairs will benefit our San Francisco economy much more than another tax wasting city agency!

Producing endless economic reports that never get read will not create the jobs and businesses needed to fuel an improved local economy.

Halting tax waste in ever-expanding city agencies will do wonders for the local economy.

### **HELP SAN FRANCISCO'S ECONOMY – VOTE "NO" ON PROPOSITION I!**

San Francisco already has one of the highest ratios of city employees to city residents in the entire United States. Too many non-productive city employees are a drag on San Francisco's economy.

We do not need more city employees!

- *Stonestown and Park Merced Residents' Association*

- *Dr. Terence Faulkner, J.D.*

President of Stonestown and Park Merced Residents' Association

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION I

### ***Prop. I Will Save Money By Making San Francisco City Government More Efficient.***

We spend nearly \$5 billion dollars per year in San Francisco. Are you getting your money's worth?

Proposition I requires that city politicians study the costs and consequences of their ideas before adopting new legislation. This office, though small in size, will have a giant impact on city government by helping to prevent expensive mistakes and working to eliminate waste and duplication.

### ***By demanding that politicians look before they make us leap, we will save money and make city government more efficient.***

You work hard for your money. Let's make sure that before the politicians ask you to spend one cent – they have taken a close look at the true costs.

Vote YES on Proposition I to make sure our tax dollars are spent wisely.

*Supervisor Michela Alioto-Pier*



# Economic Analysis of Legislation

## PAID ARGUMENTS IN FAVOR OF PROPOSITION I

### S.F. Needs to Plan for Job Growth

San Francisco needs an economic plan, and that is what we will get with Prop. I – a plan to support job growth and improve the quality of life of everyone who lives in the city. Good economic planning will ensure both sustainable economic growth and that San Francisco maintains its special character. Prop I will also force the city to consider the real costs – **and the impact on jobs** – of every law that comes up before the Board of Supervisors. Good planning and careful oversight are smart business for San Francisco.

### Vote Yes on Prop. I

*San Francisco Chamber of Commerce*

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

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The San Francisco Black Chamber of Commerce and the San Francisco Hispanic Chamber of Commerce urge you to vote yes on Prop I.

San Francisco is poised for economic recovery, but the City needs a plan for retaining and attracting clean businesses and high-quality jobs for all San Franciscans. That's what Prop I does — it creates a citywide economic development plan.

Most major cities maintain an economic development plan — a blueprint for what types of employers and jobs a city seeks to attract, where it wants to locate them and the programs and tools it needs to lure them. But San Francisco has never had a plan.

Prop I helps planners plan for infrastructure needs and schools and colleges develop curricula so students in every neighborhood are prepared to win these jobs.

That's why Supervisor Alioto-Pier wrote Prop I — To lay out a plan to bring employers and jobs back to San Francisco. Vote YES on Prop I.

*Mel Washington*

President, San Francisco Black Chamber of Commerce\*

*Richard Ventura*

President, San Francisco Hispanic Chamber of Commerce

\* For identification purposes only

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

San Francisco's economic health is critical for both providing jobs to its residents and the effective delivery of services. San Francisco needs an economic plan that will assure its share of growth as it faces pressures of competitiveness in the Bay Area and the State. Such a plan would focus on creating employment opportunities and targeted industry growth.

A strong, diverse, economic base is essential to providing jobs for San Franciscans and to fund needed city services.

Currently, City government does not require an economic impact review of legislation that is passed by the Board of Supervisors.

Prop I requires the development of a comprehensive, long term economic development plan and a mechanism to update the plan. We need a clear strategy to maintain a healthy and diverse economy.

Prop I provides essential real-time economic analysis to elected leaders as they vote on new legislation.

Prop I will help San Francisco create more jobs and produce new revenues.

Prop I is about attracting new businesses – the right businesses for our future.

Prop I is about retaining and nurturing those businesses already here and looking to expand.

Prop I is about San Francisco's future and its place in the rapidly moving global economy.

We are proud to support Prop I. We ask you to **VOTE YES ON I**

*Nathan Nayman*, Executive Director, San Francisco Committee on Jobs

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

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### Increase Fiscal Responsibility—Vote YES on I

Too frequently, the Board of Supervisors takes action without knowing the economic effect the action will have. Proposition I will create the Office of Economic Analysis. The office will prepare an analysis of any legislation that is likely to have a material economic effect on the city. It also would prepare and periodically update a long-term economic development plan for the city to improve economic planning from year to year.

Proposition I will increase fiscal responsibility and deserves the support of all citizens, regardless of their political persuasions.



# Economic Analysis of Legislation



## PAID ARGUMENTS IN FAVOR OF PROPOSITION I

Vote YES on I.

*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.

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### **San Francisco must develop a smart economic plan.**

Prop I does two good things. First, it provides for a review of the impacts of new legislation on our economy. Second, it requires the City to develop a plan to create the right kinds of jobs, protect small businesses, and understand how tax revenues can be affected by our economy.

While this measure will not solve all of our economic problems, it is a sensible step in the right direction.

**VOTE YES ON I.**

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

For more information visit [www.spur.org](http://www.spur.org)

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

The three largest contributors to the true source recipient committee are: 1. Oz Erickson 2. James Chappell 3. Evette Davis.

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## PAID ARGUMENTS AGAINST PROPOSITION I

NO ON I! It's Illogical and Ill-advised!

Here's more bureaucracy under the guise of economics. It's a cover for disdain of local businesses, adding city employees as another sly attempt to undermine our nationally recognized Budget Analyst (Harvey Rose) who's saved hundreds of millions of taxpayers' dollars despite frequent Board of Supervisors disregard of his economic analysis. The Controller can also do all the statistical analysis described in Prop I if he wants to.

*Mara Kopp*

*Fred Martin*

Good Government Alliance

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.



# LEGAL TEXT OF PROPOSITION I

Ordinance amending the San Francisco Administrative Code by adding Sections 10.31, 10.32, and 10.33, to create an Office of Economic Analysis under the Controller, to require the Office of Economic Analysis to report on all pending City legislation having a potential material economic impact on the City, and to require the Economic and Workforce Development Department to prepare and periodically update an Economic Development Plan for the City; urging the Board of Supervisors to adopt appropriate rules and procedures to implement this measure; authorizing the Board to adopt appropriate amendments; and declaring it City policy to fully fund this measure.

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

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

Section 1. The San Francisco Administrative Code is hereby amended by adding Sections 10.31, 10.32, and 10.33, to read as follows:

## Article IV. Economic Analysis and Development Planning

### **SEC. 10.31. OFFICE OF ECONOMIC ANALYSIS.**

There shall be an Office of Economic Analysis under the Controller. The office shall consist of two economists and such other staff as provided subject to the budgetary and fiscal provisions of the Charter. The Mayor and the Board of Supervisors may each make recommendations to the Controller from a list of eligible candidates for the economist positions.

### **SEC. 10.32. ECONOMIC ANALYSIS OF LEGISLATION.**

The Office of Economic Analysis ("the Office") shall identify and report on all legislation introduced at the Board of Supervisors that might have a material economic impact on the City, as determined by the Office. The Office shall solicit assistance from the Board of Supervisors' Budget Analyst, the Economic and Workforce Development Department, and such public or private economists or other experts or professionals as may be appropriate to analyze the likely impacts of the legislation on business attraction and retention, job creation, tax and fee revenues to the City, and other matters relating to the overall economic health of the City. Upon implementation of Section 10.33, the Office's analysis shall address whether the proposed legislation would promote or impede the policies contained in the most recent versions of the Economic Development Plan or Survey on Barriers to Employment Retention and Attraction provided

for in that Section. The Office shall submit its analysis to the Board of Supervisors within 30 days of receiving the subject legislation from the Clerk of the Board, unless the President of the Board grants an extension for legislation of unusual scope or complexity. The Office's analysis shall be submitted to the Board of Supervisors prior to the legislation being heard in committee.

### **SEC. 10.33. ECONOMIC DEVELOPMENT PLAN.**

(a) Within six months of the effective date of this Section, the Economic and Workforce Development Department shall prepare and present to the Board of Supervisors for its approval by resolution a long-term Economic Development Plan for the City and County of San Francisco. The plan shall cover a period of not less than three years, and updates shall be prepared no less often than every three years. The Controller's Office of Economic Analysis shall work with the Economic and Workforce Development Department on preparation of the Plan and periodic updates.

(b) The plan and periodic updates shall address, but not be limited to:

(1) Employment in the City, by public and private industries and job classification;

(2) The City's tax revenues, by industry type and firm size;

(3) The industries most likely to create significant numbers of jobs in the City in the period covered by the plan, together with an assessment of the skills and education typically required to obtain such jobs;

(4) Goals for private and non-profit sector job and revenue generation, describing the industries, wage levels, skills and education required for the jobs the City would like to attract, and the anticipated tax revenue these new jobs would create;

(5) Goals and strategies for protecting existing small businesses and neighborhood-serving businesses from displacement, while also growing new businesses;

(6) Goals and strategies for increasing employment opportunities for people with disabilities and vulnerable populations; and,

(7) Any other topic the Economic and Workforce Development Department deems useful or appropriate.

(c) The plan and periodic updates also shall include:

(1) An analysis of the office and industrial markets in the City;

(2) A review of the physical, financial, market and organizational factors impacting the City's ability to attract, retain and increase private and non-profit sector jobs;

(3) Identification and analysis of other significant public and private sector economic plans and initiatives intended to promote economic development within the City and the region;

(4) An assessment of the City's compet-

itive strengths and weaknesses with respect to other regional, state and national markets; and,

(5) The identification of best practices that other jurisdictions have successfully implemented to create private and non-profit sector jobs within their respective communities.

(d) As part of the initial plan required by this Section, and concurrent with any periodic update of the plan, the Economic and Workforce Development Department shall conduct a survey of key industries and significant employment generators that identifies impediments to business and employment retention in and attraction to the City, such as changes in zoning or permitted uses, permitting, taxes and fees, regulatory schemes and other City policies, requirements and other matters that may inhibit economic development and job creation within the City. The Economic and Workforce Development Department shall publish the results of the study, to be entitled "Survey on Barriers to Employment Retention and Attraction," in conjunction with and at the same time as promulgation of the first Economic Development Plan required by this Section.

Section 2. The voters urge the Board of Supervisors, upon the adoption of this measure, to adopt all necessary rules and procedures for its full implementation, including, but not limited to, a Rule of Order providing that the Board shall not consider or hold hearings on any proposed legislation until it has received the Office of Economic Analysis' report on the impact of the legislation, if any, on the San Francisco economy, and that the Board may waive this requirement by a two-thirds' vote if it finds that the public interest requires the immediate consideration of the measure.

Section 3. The Board of Supervisors may amend the provisions of this measure to promote or better achieve the underlying goal of comprehensive and professional economic planning and analysis.

Section 4. It shall be the policy of the people of the City and County of San Francisco to provide sufficient new funding to the Economic and Workforce Development Department and the Controller's Office of Economic Analysis to carry out the duties and responsibilities assigned to them under this measure.



# Sales Tax Increase



## PROPOSITION J

Shall the City increase the local sales tax by  $\frac{1}{4}\%$  (one-quarter-of-one-percent)?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** There is an  $8\frac{1}{2}\%$  (eight-and-one-half percent) sales tax on most retail goods purchased in San Francisco. This includes a Statewide 6% sales tax that is controlled and spent by the State. The remaining  $2\frac{1}{2}\%$  (two-and-one-half percent) sales tax funds are controlled and spent by the City and other local agencies, including the Bay Area Rapid Transit District, the San Francisco County Transportation Authority and the San Francisco Unified School District.

Under State law, the City can increase the local portion of the sales tax by up to  $\frac{3}{4}\%$  (three-quarters-of-one percent), for a total sales tax of  $9\frac{1}{4}\%$  (nine-and-one-quarter percent).

**THE PROPOSAL:** Proposition J is an ordinance that would allow the City to increase the local sales tax by  $\frac{1}{4}\%$  (one-quarter-of-one percent). The total sales tax on most retail goods purchased in San Francisco would be  $8\frac{3}{4}\%$  (eight-and-three-quarters percent). The City would control the additional tax funds and could spend them for any public purpose.

**A "YES" VOTE MEANS:** If you vote "yes," you want to allow the City to increase the local sales tax by  $\frac{1}{4}\%$  (one-quarter-of-one percent).

**A "NO" VOTE MEANS:** If you vote "no," you do not want to allow the City to increase the local sales tax by  $\frac{1}{4}\%$  (one-quarter-of-one percent).

## 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, it would generate additional sales tax revenue for the City of approximately \$8 million in the fiscal year which began on July 1, 2004, and total revenues of approximately \$33.6 million annually beginning in FY 2005-2006, the first full fiscal year that the new tax rate would be effective.

The ordinance increases San Francisco's sales tax rate from 8.5 to 8.75 percent. Revenue generated by the proposed tax could be spent by the City for any public purpose.

## How "J" Got on the Ballot

On July 27, 2004 the Board of Supervisors voted 8 to 3 to place Proposition J on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, and Sandoval.

**No:** Supervisors Daly, Gonzalez, and Hall.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 145.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.



## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION J

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

All of us are working to overcome an economic crisis in San Francisco, including the largest deficit in San Francisco history. Now – in this election – we face an important choice: Do we live up to our promise of being a compassionate city, or do we cut critical services to the poor, seniors, the disabled and children?

I ran for Mayor to make San Francisco work better for all San Franciscans. And I would never ask for your sacrifice if we were not doing our part in City government:

Today we're doing more with less at City Hall:

- We've cut the pay of top city officials, eliminated free parking for city employees, reduced their use of cell phones, and asked that all full time employees of the City and County of San Francisco make contributions to their own retirement funds.

- We've reduced the size of government by eliminating over 1,000 positions in the past six months. We're streamlining government, consolidating departments, eliminating unnecessary bureaucracy, and improving the way that the City delivers services.
- We're aggressively tackling waste, fraud and abuse at every level to make sure we have the money we need to fund vital services.

These measures close the vast majority – about 85% - of the \$1 billion budget shortfall the City faces during the coming three years. But a gap remains. That is why, as part of a package of reforms, cuts, increased efficiencies and shared sacrifices – and as a last resort – we must find new revenues for our city and close existing tax loopholes.

Please join me and our fellow San Franciscans as we come together and Vote YES on Propositions J and K.

*Mayor Gavin Newsom*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION J

Mayor Newsom is to be commended for his modest reductions in city government, as described in the argument for Proposition J.

However he has barely begun to clean out the Aegean stables.

A 2001 Committee on Jobs study found that "During the last 10 years, the City added 4,000 new employees so that San Francisco now has more than one-and-a-half times as many municipal workers per capita as Santa Clara, San Diego or Los Angeles."

The study also found that the average city worker made \$70,644 in wages and benefits, as opposed to about \$62,854 for non-city workers, a disparity I doubt has improved. Aren't city employees supposed to be "public servants?" Who's serving who?

Anyone remember Mary Ellen O'Brien? She once headed the DPT's parking ticket division. According to a City Attorney's report, she improperly dismissed over 300 parking citations for friends, family members and others. She solicited and accepted gifts including Giants tickets and champagne, and even dismissed a ticket on a car parked outside her home – it turned out to be a

city vehicle "that she apparently kept for her own use while she supposedly was out on a four-month medical leave." (Matier and Ross, San Francisco Chronicle, January 12, 2004)

I just checked and O'Brien, who also illegally campaigned for Mayor Newsom on city time, still has a nice city job over at MUNI. Could it be that waste, fraud and abuse still aren't being taken quite seriously enough?

*Starchild*

Candidate for School Board





# Sales Tax Increase



## OPPONENT'S ARGUMENT AGAINST PROPOSITION J

Whatever you tax you discourage. Taxes on sales discourage purchases. Increasing the sales tax in San Francisco will discourage people from buying things in The City.

Proposition J will cost you \$1 extra for every \$400 you spend. Someone buying a new \$20,000 vehicle will save \$50 simply by buying it outside the city. You can imagine the negative impact this will have on local auto retailers and others selling high-priced items.

This tax will hurt local and neighborhood businesses. Consumers too, especially those on fixed incomes. Ordinary San Franciscans will be made poorer while city government has more money to play with.

The Board of Supervisors has deliberately approved a budget that was not balanced. They hope to pass the burden of making up their shortfall on to us, in the form of new taxes.

There is a fairer, less painful way to balance the budget. According to the Controller's Office, 3,060 people made more than \$100,000 working for the city government last year, including overtime and other special pay.

Capping city employee paychecks at \$99,999 will save San Francisco over \$56 million annually, more than the Controller's estimate of \$33.6 million a year that will be taken under Prop. J.

Surely individuals in "public service" who already enjoy generous benefits and pension plans can get by on \$99,999 a year. Why should San Franciscans making \$8.50 an hour have to pay higher sales taxes in order to fatten the pockets of officials taking home six figure paychecks?

Reject this tax increase which will hit the poor right along with the wealthy, and demand that city leaders fix their deficit by turning to those in their own ranks who can afford to pay.

Please vote NO on Proposition J.

*Starchild*

Candidate for School Board

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION J

In this time of economic crisis, we have a city budget that unites all San Franciscans. Instead of dividing us along special interest lines, our community, business and political leaders have joined together to preserve vital city services for the most vulnerable – the poor, seniors, the disabled and children – and to close the largest budget deficit in San Francisco's history.

- City workers are leading by example: taking pay cuts, giving up free parking, reducing the use of cell phones, and making contributions to their own retirement funds.
- We're closing business tax loopholes and asking the business community to do its part by restoring the gross receipts tax (Proposition K).
- We're doing more with less by consolidating departments and streamlining bureaucracy. We're aggressively tackling waste, fraud and abuse at every level of government.

But there is still a gap. **Proposition J is a last resort that asks each San Franciscan to make a modest contribution to save critical city services for the neediest San Franciscans.** The average San Franciscan family will contribute \$34 – 10 cents per day – and many will contribute much less. Together, we will raise \$34 million in sales tax revenue to help close San Francisco's \$352 million budget gap.

Proposition J is a crucial part of a fair, reasonable and comprehensive package of cuts, increased efficiencies and shared sacrifices.

Please join me and our fellow San Franciscans as we all come together and Vote Yes on Proposition J.

*Mayor Gavin Newsom*





# Sales Tax Increase

## PAID ARGUMENTS IN FAVOR OF PROPOSITION J

### Sales Tax Increase Will Help Keep SF Healthy.

San Francisco, like cities everywhere, is facing tough economic times. A quarter-cent sales tax increase will raise \$32 million annually, and is critical to balancing the city's budget and avoiding further cuts in park maintenance, health clinics and after-school programs. Increased sales-tax revenue will help keep libraries and pool open. It will help pay for more safety workers, and it will allow San Francisco to continue to provide vital city services.

#### We urge a Yes vote on Prop. J.

*San Francisco Chamber of Commerce*

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

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YES on J: A small price to protect vital services for children and youth!

*Coleman Advocates for Children and Youth*

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

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#### Vote Yes on J – Save Vital City Services

Our record economic crisis threatens the hopes and aspirations of the working people of San Francisco. As part of a great and compassionate city, we urge you to vote Yes on Proposition J to prevent deep cuts in vital city services – services that are a lifeline for poor, disabled, elderly or young San Franciscans.

City workers are doing their part by taking on more work for less pay. City government has tackled waste, fraud and abuse at every level. Yet state and federal governments continue to take more and more of San Francisco's revenue.

Proposition J asks each of us to make a small sacrifice to protect our most vulnerable fellow San Franciscans.

Please join with us and vote Yes on Proposition J. Help San Francisco live up to its promise as a compassionate city.

*San Francisco Labor Council, AFL-CIO*

The true source of funds used for the printing fee of this argument is the San Francisco Labor Council, AFL-CIO.

#### Vote Yes on Prop J – Save City Health Services

Health care services for the most vulnerable San Franciscans are at risk because of San Francisco's record budget deficit.

Proposition J asks each of us to make a small sacrifice to protect seniors, children, the poor, and the disabled.

Please vote Yes on Prop J and keep San Francisco a compassionate city with health care for those in need.

*SEIU Local 250 Health Care Workers*

The true source of funds used for the printing fee of this argument is the SEIU Local 250, Health Care Workers Union.

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#### Vote Yes on Prop J – Protect City Services

State and federal budget cuts have left San Francisco with a record deficit that threatens important city services we all rely on.

Our members do the work in city government. We know the consequences of deep service cuts, both to workers and their families, and to the most at-risk San Franciscans. We're doing more with less at the City.

But there is still a gap. Proposition J asks each of us to make a small sacrifice to protect our most vulnerable fellow San Franciscans.

Please join with us and Vote Yes on Proposition J.

*SEIU Local 790 Members, Committed to Public Service and Social Justice*

The true source of funds used for the printing fee of this argument is the SEIU, Local 790.

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#### Vote Yes on J to Keep San Francisco Healthy

As Commissioners of the Department of Public Health, we know too well how thinly stretched our funds for trauma centers, nursing care, and other vital public health services are.

The City has reduced the size of its workforce, cut the pay of city workers, and rooted out waste and inefficiencies. But there is still a gap. New revenues must be part of the solution to avoid drastic reductions in critical city services.



# Sales Tax Increase



## PAID ARGUMENTS IN FAVOR OF PROPOSITION J

Proposition J asks each San Franciscan to make a modest contribution to prevent deep cuts in critical city services.

Please join with us and vote Yes on Proposition J.

San Francisco Health Commissioners:

*Edward A. Chow, M.D.\**

*Roma Guy, M.S.W.\**

*James M Illig*

*Lee Ann Monfredini*

\* For identification purposes only

The true source of funds used for the printing fee of this argument is the SEIU, Local 790.

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Yes on J to Preserve a Compassionate City.

We need to close a \$1 billion budget gap without destroying the safety net our neediest residents rely on for their health and safety.

We must protect San Francisco's emergency and trauma services.

I urge you to vote Yes on Proposition J – and yes on the companion measure Proposition O – to save services for children, seniors and the disabled.

*Supervisor Tom Ammiano*

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

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Vote Yes on Prop. J – Save our Safety Net

Proposition J will help close a severe budget gap and prevent deep cuts in services for the most vulnerable San Franciscans: the poor, the disabled, children and seniors.

Vote Yes on Prop J and help San Francisco live up to its promise as a compassionate city.

*Catholic Charities CYO*

The true source of funds used for the printing fee of this argument is the Catholic Charities CYO.

Yes on J to Keep San Francisco Safe.

These are funds we need to keep the trained officers on the street fighting crime. Please join the San Francisco Police Officers Association in voting YES on J.

*San Francisco Police Officers' Association*

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

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Vote Yes on J to Keep San Francisco Safe.

Prop. J helps fund police and fire services. We face a historic budget deficit. Prop J, along with deep cuts in spending and other sacrifices, helps close that deficit and protect the services that keep us safe.

Please vote Yes on J.

*San Francisco Fire Fighters Local 798*

The true source of funds used for the printing fee of this argument is the San Francisco Fire Fighters Political Action Committee.

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Vote Yes on Proposition J – Protect Mental Health Services

San Francisco's economic crisis threatens deep cuts to vital city services that are a lifeline for San Franciscans with serious mental disabilities. Many of these San Franciscans at-risk receive no regular medical health care, either because it is unavailable to them or they find it too difficult to obtain in emergency rooms.

If San Francisco is to live up to its promise of being a compassionate city, we simply cannot cut these San Franciscans loose.

Proposition J is a humane measure, and a last resort that asks each of us to make a small sacrifice – an average of 10 cents per day – to save critical city services for the least fortunate. Voting Yes on Proposition J will help prevent deep cuts in mental health services.

Please join with us and vote Yes on Proposition J.

*Progress Foundation*

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





# Sales Tax Increase

## PAID ARGUMENTS IN FAVOR OF PROPOSITION J

**Prop J is necessary to protect our City services.**

Because of the slow economy, our City government faces a huge budget shortfall this year. Most of this problem has been solved by finding ways to lower the cost of government. **But the fact is, the City also needs more revenue to keep up services like hospitals, parks, and fire stations.**

Proposition J will raise the sales tax by one fourth of one percent, making it equal to neighboring cities like Oakland and Emeryville. Much of this new tax will be paid by visitors and commuters – not people who live in San Francisco.

This is a responsible and necessary step to keep our critical government services.

**VOTE YES ON J.**

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

For more information, visit [www.spur.org](http://www.spur.org)

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

The three largest contributors to the true source recipient committee are: 1. Oz Erickson 2. James Chappell 3. Evette Davis.



# Sales Tax Increase

# J

## PAID ARGUMENTS AGAINST PROPOSITION J

This applies equally to Proposition K.

### TAX LAND RENT

Let's talk justice and taxes. Taxes pay for schools, fire protection, streets, public transportation, museums, etc. The landowner then charges the user of land, in the form of land rent, for the value of those government services. There is no justice in people paying sales, business and income taxes for services for which the landlord gets paid. The rent of land includes the cost of government. The rent of land should pay for government. Those other taxes are deadweight on production, and they amount to a payment to landlords. Let's start taxing land values more, stop taxing earned income, and end the muddle-headedness. If this information stables and intrigues you, please visit <http://www.gogiesen.com> or call 415-948-4265.

*David Giesen*  
Citizen

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

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Increasing the sales tax is not **an equitable** solution to our City's budget crisis. Vote **NO** on J.

*Christine Linnenbach*, candidate for Supervisor, District 7\*

\* For identification purposes only

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

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NO on J

This sales tax increase will further hurt hard-pressed working families. It will make San Francisco's sales tax the highest in California. It will also send shoppers out of the City and further hurt San Francisco businesses.

The San Francisco Republican Party

Chairman  
*Michael A. DeNunzio*

Ballot Advisory Committee  
*Howard Epstein*, Assembly Candidate

Member - Candidates  
*Jennifer DePalma*, Candidate, 8<sup>th</sup> Congressional District

*Mike Garza*, Candidate, 12<sup>th</sup> Congressional District

Members  
*Albert Chang*  
*Elsa Cheung*  
*Thomas D'Amato*, General Counsel  
*Carolyn Devine*, Vice Chairman  
*Harold M. Hoogasian*  
*Barbara Kiley*  
*Leo Lacayo*, Vice Chairman  
*Sue Woods*

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

The three largest contributors to the true source recipient committee are: 1. Michael A. DeNunzio 2. Michael J. Antonini 3. Sue C. Woods.

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### JUST SAY NO TO A TAX INCREASE!

Here's another way to motivate people to get shop out of town: drive our City's sales tax to 8 3/4% placing it among the highest in the State of California.

It's bad for shoppers and it's bad for business.

The Mayor and the Board of Supervisors must be forced to face responsible financing and restraint in spending.

The buck stops with us: We say NO TO PROPOSITION J.

*Denise LaPointe*,

*Mara Kopp*,

Good Government Alliance

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.

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When Anatole France said: (more or less) "the law in its majesty equally forbids the rich as well as the poor from stealing bread and sleeping under bridges," he was observing how laws may affect people differently according to their station in life. Sales taxes, or "flat taxes" are that way too. They have the effect of taking a greater percentage of the disposable income of lower and middle income earners. This kind of flat tax is one of the least fair of all





# Sales Tax Increase

## PAID ARGUMENTS AGAINST PROPOSITION J

taxes. In principal, it is a bad tax. Increasing it is to make a bad tax worse.

Worse yet is that San Francisco is already one of the most expensive places to live in United States. Working class people here can hardly get by as it is. Increasing a regressive tax is especially bad policy (unless you are rich).

Worse yet, San Francisco has historically had a very wasteful government with out of control growth of our budget, our work-force and our Bureaucracy. We should be cleaning up our act and clean up the horrendous waste in government instead of increasing taxes. Stop the coin box thieves, stop the goldbricking, stop the phony grants. Only then can we intelligently talk about raising taxes.

I am informed, San Francisco spends more money per capita on government than any other City in United States. Why not reduce the size of our budget instead of continually raising taxes. It clearly is possible.

Worse yet, San Francisco never saw a tax it didn't like. It really is time to get control of our Government and demand performance instead of more taxes to pay for more rip offs and nonsense in government. You are the only one who can stop this process of tax and waste. Vote no on Prop J!

*Former Supervisor\* Richard Hongisto*

\*For identification purposes only

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

Oppose the Sales Tax Increase

San Francisco businesses and residents are being driven out of the City. From 2002 to 2003 more than 15,000 people have been forced to leave San Francisco. Residents are consistently saying: "We cannot afford to live in San Francisco anymore."

Now the Board of Supervisors wants to increase the sales tax. That means the average person will pay even more for all goods and services, from medicine to clothing to any basic, essential household item. This especially hurts our poor, the unemployed, fixed-income elderly as well the average working family.

We need government reform, not more taxes. If you agree it's time for a change, visit [www.district11supervisor.org](http://www.district11supervisor.org).

*Myrna Lim*  
Candidate for Supervisor  
District 11

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

# LEGAL TEXT OF PROPOSITION J

Ordinance (i) amending the Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, (ii) directing submission of the tax for voter approval at the November 2, 2004 election and setting forth the ballot question therefor.

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

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

Section 1. The San Francisco Business and Tax Regulations Code is hereby amended by adding Article 16-A (Transactions and Use Tax Ordinance), to read as follows:

## Article 16-A

### Transactions and Use Tax

SEC 1620. TITLE. This ordinance shall be known as the "San Francisco Transactions and Use Tax Ordinance." The City and County of San Francisco hereinafter shall be called "City and County." This ordinance shall be applicable in the City and County.

SEC 1621. OPERATIVE DATE. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

SEC 1622. PURPOSE. (a) This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

1. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285 of Part 1.7 of Division 2 which authorizes the City and County to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

2. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained

in Part 1.6 of Division 2 of the Revenue and Taxation Code.

3. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

4. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

(b) The transactions and use tax imposed under this ordinance is imposed for general governmental purposes; proceeds from the tax shall be deposited in the general fund of the City and County and may be expended for any purposes of the City and County.

SEC. 1623. CONTRACT WITH STATE. Prior to the operative date, the City and County shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City and County shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

SEC. 1624. TRANSACTIONS TAX RATE. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the City and County at the rate of 0.25% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in the City and County on and after the operative date of this ordinance.

SEC. 1625. PLACE OF SALE. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of

the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

SEC 1626. USE TAX RATE. An excise tax is hereby imposed on the storage, use or other consumption in the City and County of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in the City and County at the rate of 0.25% of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

SEC 1627. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

SEC 1628. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

(a) Wherever the State of California is named or referred to as the taxing agency, the name of the City and County shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against the City and County or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

A. Provide an exemption

(Continued on next page)



## LEGAL TEXT OF PROPOSITION J (CONTINUED)

from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State of California under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

B. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the State of California under the provisions of such code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

(b) The words "the City and County of San Francisco" shall be substituted for the words "this State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

### SEC. 1629. PERMIT NOT REQUIRED.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

SEC. 1630. EXEMPTIONS AND EXCLUSIONS. (a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

(b) There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the City and County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of the State of California, the United States, or any foreign government.

2. Sales of property to be used outside the City and County which is shipped to a point outside the City and County, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a

point outside the City and County shall be satisfied:

A. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an address outside the City and County and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

B. With respect to commercial vehicles, by registration to a place of business outside the City and County and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(c) There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in the City and County of tangible personal property:

1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of the State

of California, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City and County shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City and County or participates within the City and County in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City and County or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City and County under the authority of the retailer.

7. "A retailer engaged in business in the City and County" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the

(Continued on next page)





## LEGAL TEXT OF PROPOSITION J (CONTINUED)

vehicle, vessel, or aircraft at an address in the City and County.

(d) Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a county imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

SEC. 1631. AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

SEC. 1632. ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State of California or the City and County, or against any officer of the State of California or the City and County, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

SEC. 1633. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 2. Pursuant to Article XIII C of the Constitution of the State of California and Section 7285 of the California Revenue and Taxation Code, this ordinance shall be submitted to the qualified electors of the City and County of San Francisco, at the November 2, 2004 general municipal election. This ordinance shall become operative only if approved by the qualified electors at such election.

Section 3. Section 510 of the San Francisco Elections Code shall not apply to the ballot question for the San Francisco Transactions and Use Tax Ordinance set forth in Section 1 of this ordinance and submitted for voter approval at the November 2, 2004 general municipal election. The ballot question for the San Francisco Transactions and Use Tax Ordinance at such election shall read as follows:

Shall the City increase its sales tax on retail sales by  $\frac{1}{4}$  of 1%, except for sales exempt under state law?



## PROPOSITION K

Shall the City create a temporary 0.1% (one-tenth-of-one-percent) gross receipts tax, and clarify how the City's existing payroll expense tax applies to certain business entities?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** San Francisco collects a 1.5% (one-and-one-half percent) "payroll expense" tax from companies and individuals doing business in the City. "Payroll expense" means salaries and other payments made to employees, owners and partners who work in the City. Currently the City does not have a "gross receipts" tax.

**THE PROPOSAL:** Proposition K is an ordinance that would create a temporary four-year "gross receipts" tax on certain companies and individuals doing business in the City. "Gross receipts" means the total amount of money a business takes in for certain goods and services. The gross receipts tax would only apply to money received for goods and services sold in the City. Certain small businesses would be exempt from this tax.

- In 2005, the City would collect 0.1% (one-tenth-of-one percent) of gross receipts from companies and individuals doing business in the City.
- The City would reduce this rate for 2006, 2007 and 2008 if gross receipts tax funds collected in 2005 exceed \$30 million.
- The gross receipts tax will expire on December 31, 2008.

The gross receipts tax funds could be used by the City for any public purpose.

The gross receipts tax would apply in addition to the payroll expense tax.

Proposition K would also clarify how the payroll expense tax applies to certain businesses, including partnerships, limited liability partnerships, and limited liability companies.

**A "YES" VOTE MEANS:** If you vote "yes," you want to clarify how the City's existing payroll expense tax applies to certain businesses, and you want to create a temporary four-year 0.1% (one tenth of one percent) gross receipts tax on companies and individuals doing business in the City.

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

## Controller's Statement on "K"

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

Should the proposed ordinance be approved by the voters, in my opinion, it would generate business tax revenues for the City of approximately \$17 million in the fiscal year which began on July 1, 2004, and total revenues of approximately \$43 million annually beginning in FY 2005-2006, the first full fiscal year that the new tax rates would be effective.

The ordinance places a tax of up to 1/10<sup>th</sup> of one percent for a four-year period on businesses earning \$500,000 or more in gross receipts annually and extends the current 1.5% payroll tax to cover partnership compensation. The gross receipts tax rate may be adjusted downward subject to a finding by the Controller that the rate would have generated more than \$30 million had it been in effect for all of fiscal year 2004.

Revenue generated by the proposed tax could be spent by the City for any public purpose.

## How "K" Got on the Ballot

On July 27, 2004 the Board of Supervisors voted 8 to 3 to place Proposition K on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, and Sandoval.

**No:** Supervisors Daly, Gonzalez, and Hall.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 158.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Business Tax

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION K

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

Three years ago San Francisco lost millions in business tax revenues because of a lawsuit brought by an out-of-town attorney.

As we work to overcome the economic crisis in San Francisco, including the largest deficit in San Francisco history, we should all come together – businesses and individuals alike – to pay our fair share.

Proposition K closes business tax loopholes and restores balance to our revenue system. Most importantly, Proposition K will help us live up to our promise of being a compassionate city, by preserving vital services for the poor, seniors, the disabled and children.

Today we're doing more with less at City Hall:

- We've cut the pay of top city officials, eliminated free parking for city employees, reduced their use of cell phones, and asked that all full time employees of the City and County of

San Francisco make contributions to their own retirement funds.

- We've reduced the size of government by eliminating over 1,000 positions in the past six months. We're streamlining government, consolidating departments, eliminating unnecessary bureaucracy, and improving the way that the City delivers services.
- We're aggressively tackling waste, fraud and abuse at every level to make sure we have the money we need to fund vital services.

These measures close the vast majority – about 85% - of the \$1 billion budget shortfall the City faces during the coming three years. But a gap remains. That is why, as part of a package of reforms, cuts, increased efficiencies and shared sacrifices – and as a last resort – we must find new revenues for our city and close existing tax loopholes.

Please join me and our fellow San Franciscans as we come together and Vote YES on Propositions J and K.

*Mayor Gavin Newsom*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION K

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



## OPPONENT'S ARGUMENT AGAINST PROPOSITION K

We need real reform, not another bandage on our City's failed financial situation.

This tax puts the burden of balancing our City Budget on the backs of small neighborhood serving businesses. It creates a Business Tax, similar to one eliminated through a lawsuit by major corporations, and gives these major corporations a significant tax break, while increasing the burden on small businesses.

This tax is in addition to all of the other taxes and fees small businesses pay.

Small Businesses are willing to pay their share. We've proposed a tax package that generates nearly \$30 million a year. We attempted to present this tax package to the Mayor, but were not included in the meetings between the Mayor and the major corporations when the deal for this tax was cut.

The Mayor threatens a major catastrophe if this tax fails. Let's be real, San Francisco's budget is \$4.6 billion a year, \$30 million is a drop in the bucket and can easily be made up with efficiencies.

Let's not force small businesses to carry Downtown's burden again. Send the big corporations who created this back room deal a message.

For more information please visit our website at [www.sfsmallbusinessadvocates.com](http://www.sfsmallbusinessadvocates.com)

*San Francisco Small Business Advocates*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION K

In this time of economic crisis, we have a city budget that unites all San Franciscans. Instead of dividing us along special interest lines, our community, business and political leaders have joined together to preserve vital city services for the most vulnerable – the poor, seniors, the disabled and children – and to close the largest budget deficit in San Francisco's history.

**Proposition K closes business tax loopholes and restores tax fairness** by asking businesses to pay their fair share: a gross receipts tax that they have not had to pay for three years because of a lawsuit filed by an out of town attorney. It is part of a fair, reasonable, and comprehensive budget package of reforms, cuts, increased efficiencies and shared sacrifices.

This is a time when San Franciscans are coming together to do their part, and our dedicated city workers are leading by example: taking pay cuts, giving up free parking, reducing the use of cell phones, and making contributions to their own retirement funds.

To suggest that some should not have to pay their fair share is not in the best interests of all San Franciscans. No one likes taxes; but this is a time of fiscal crisis and Proposition K will close business tax loopholes to preserve vital city services.

Please join me and our fellow San Franciscans as we all come together and Vote Yes on Proposition K.

*Mayor Gavin Newsom*



# Business Tax

## PAID ARGUMENTS IN FAVOR OF PROPOSITION K

YES on K: Close a tax loophole. Protect vital services for children and youth!

*Coleman Advocates for Children and Youth*

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

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Vote Yes on K – Close a Business Tax Loophole to Save Vital City Services

Our record economic crisis threatens the hopes and aspirations of the working people of San Francisco. As part of a great and compassionate city, we urge you to vote Yes on Proposition K to prevent deep cuts in vital city services – services that are a lifeline for poor, disabled, elderly or young San Franciscans.

Proposition K closes a business tax loophole – and asks businesses to do their part by paying a gross receipts tax they haven't had to pay for three years as a result of a lawsuit filed by an out of town attorney.

Everyone in San Francisco – businesses and individuals alike – should come together to meet the challenges of this fiscal crisis. City workers are doing their part by taking on more work for less pay. You can help businesses do their part by supporting Proposition K.

Please join with us and vote Yes on Proposition K. Help San Francisco live up to its promise as a compassionate city.

*San Francisco Labor Council, AFL-CIO*

The true source of funds used for the printing fee of this argument is the San Francisco Labor Council, AFL-CIO.

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Vote Yes on Prop K – Close the Loophole and Protect Health Services

We're doing our part to meet the challenges of San Francisco's fiscal crisis. Proposition K asks the business community to begin doing its part, too. By closing a business tax loophole, we can help prevent deep cuts in city health care services for the most vulnerable San Franciscans.

Please vote Yes on Proposition K.

*SEIU Local 250 Health Care Workers*

The true source of funds used for the printing fee of this argument is the SEIU Local 250, Health Care Workers Union.

Vote Yes on Prop K – Close a Loophole to Save Vital Services

San Francisco is facing the worst fiscal crisis in its history. We're all pitching in to save vital city services. It's only fair that the business community do its part.

Three years ago San Francisco lost millions in business tax revenue because of a lawsuit filed by an out of town attorney. Proposition K restores these funds and closes a loophole in another business tax, money that will help prevent deep service cuts for the most vulnerable San Franciscans – the poor, the disabled, seniors, and children.

Let's all do our part to save vital city services. Vote Yes on Proposition K.

*SEIU Local 790 Members, Committed to Public Service and Social Justice*

The true source of funds used for the printing fee of this argument is the SEIU, Local 790.

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Vote Yes on K to Keep San Francisco Healthy.

As Commissioners of the Department of Public Health, we know too well how thinly stretched our funds for trauma centers, nursing care, and other vital public health services are.

This City has reduced the size of its workforce, cut the pay of city workers, and rooted out waste and inefficiencies. But there is still a gap. New revenues must be part of the solution to avoid drastic reductions in critical city services.

Proposition K closes a business tax loophole to prevent deep cuts in critical city services.

Please join with us and vote Yes on Proposition K.

San Francisco Health Commissioners:

*Edward A. Chow, M.D.\**

*Roma Guy, M.S.W.\**

*James M. Illig*

*Lee Ann Monfredini*

\* For identification purposes only

The true source of funds used for the printing fee of this argument is the SEIU Local 790.



## PAID ARGUMENTS IN FAVOR OF PROPOSITION K

Vote Yes on Prop. K – Close Tax Loopholes to Save Critical Services

We must act now to prevent deep cuts in vital city service for seniors, the disabled and other vulnerable San Franciscans.

We believe in the fundamental right of dignity for all persons. We know that San Franciscans can overcome the most difficult challenges if we all work together. That is why we urge every San Franciscan to support Proposition K.

Proposition K closes a business tax loophole and restores tax fairness by asking businesses to pay their fair share: a gross receipts tax they haven't had to pay for three years because of a lawsuit by an out of town attorney. Voting Yes on Proposition K will help save critical services for seniors.

We are all doing our part to pull our City through this economic crisis. It's only fair that the business community join with us and do its part as well.

Please support the dignity of all San Franciscans and Vote YES on Proposition K.

*Senior Action Network*

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

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Help Protect Vital Fire Services. Yes on K.

Prop. K will help protect fire and other public safety services by closing a loophole.

Over the last year the City has worked to cut waste and asked employees to give back. But it is only fair to ask all San Franciscans to do their part.

Please help protect fire services by voting Yes on K.

*San Francisco Fire Fighters Local 798*

The true source of funds used for the printing fee of this argument is the San Francisco Fire Fighters Political Action Committee.

Yes on K. It's Only Fair.

Closing a loophole is a small price to pay to keep San Franciscans safe. We risk our lives to protect this community. Please join the San Francisco Police Officers' Association in support of Prop. K.

*San Francisco Police Officers' Association*

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

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Vote Yes on Proposition K – Close a Loophole to Protect Mental Health Services

San Francisco's economic crisis threatens deep cuts to vital city services that are a lifeline for San Franciscans with serious mental disabilities. Many of these San Franciscans at-risk receive no regular medical health care, either because it is unavailable to them or they find it too difficult to obtain in emergency rooms.

Proposition K closes a business tax loophole and restores tax fairness by asking businesses to pay their fair share: a gross receipts tax they haven't had to pay for three years because of a lawsuit by an out of town attorney. Voting Yes on Proposition K will help prevent deep cuts in mental health services.

If San Francisco is to live up to its promise of being a compassionate city, we simply cannot cut these San Franciscans loose.

Please join with us and vote Yes on Proposition K.

*Progress Foundation*

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

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**Proposition K is a necessary part of the solution to our budget problems.**

San Francisco is dealing with record budget deficits. During tough budget times, making government more efficient – not raising taxes – is always the first choice. In the past year, the City has taken huge steps to cut costs. But it is not enough.





# Business Tax

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION K

This measure provides money needed to keep our police, parks, hospitals and other crucial City services running, while continuing to exempt small businesses from increased taxes. These services are too important to lose.

### VOTE YES ON K.

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

For more information, visit [www.spur.org](http://www.spur.org)

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

The three largest contributors to the true source recipient committee are: 1. Oz Erickson 2. James Chappell 3. Evette Davis.



## PAID ARGUMENTS AGAINST PROPOSITION K

Most women-owned businesses are small businesses. We are proud to be part of the biggest economic and job engine in San Francisco.

We oppose this proposition, which adds a gross receipts tax to our payroll taxes. The City is proposing this tax in an attempt to replace revenue lost by a successful lawsuit brought by big businesses against the City. It penalizes small business owners by doubling our taxes

This tax is a job-killer. Recently, the same supervisors who support this proposal to double our taxes, voted to exempt the Biotechnology industry from payroll taxes. Their reasoning was that payroll taxes would prevent the creation of new biotechnology jobs. What about the jobs already created by small business? It makes no sense to kill small business jobs, forcing us to subsidize outsiders who may or may not hire locally.

Small businesses employ more people in the City than any other business sector. Most of the City's small businesses are women- or minority-owned. We pay the community with our taxes, rents, purchases, donations and volunteer work. Our own homes and savings are often the only source of funds for paying taxes and business overhead when we have a bad business year.

This proposal would result in San Francisco's having the highest business taxes in the region. Doubling our taxes could force many small business owners with low or negative profitability to let go employees, and go out of business

We urge you to vote **NO** on Proposition K.

*Sharon Gadberry*, President  
National Association of Women Business Owners,  
San Francisco (NAWBO-SF)

The true source of funds used for the printing fee of this argument is the NAWBO - SF.

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Proposition K unfairly burdens small **businesses, which** are the backbone of San Francisco's economy. Vote **NO** on K.  
*Christine Linnenbach*, candidate for Supervisor, District 7\*

\* For identification purposes only

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

We need to restructure our tax system in San Francisco. Proposition K does not accomplish this, it is another tax on top of current taxes. Since this tax sunsets in four years, we will be stuck without any fundamental reform of our tax structure.

We are more than willing to work with the Mayor to find new revenues so we can provide San Franciscans with the best possible services, but Proposition K is a half-way measure that will hurt small businesses and San Francisco's economy.

Join me in opposing Proposition K.

*Matt Gonzalez*  
President, San Francisco Board of Supervisors\*

\*For identification purposes only

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

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District Merchants Oppose Proposition K

Small business is willing to pay its fair share and even had an alternative tax proposal. Big business cut a deal with the Mayor and the Board of Supervisors for this tax measure.

Big Businesses sued to get rid of the previous business tax that charged them three times the rate of this tax. Now they want to cut the tax and have it end in five years. It is time for Big Business to pay its fair share and not put the tax burden on small neighborhood businesses like ours.

*The San Francisco Council of District Merchants*  
*Marina Merchants Association*  
*Noe Valley Merchants & Professionals*  
*Inner Sunset Merchants Association*  
*Union Street Association*

The true source of funds used for the printing fee of this argument is the Cal Insurance + Assoc.

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Vote No On Proposition K  
Don't Run Business Out Of San Francisco

If this tax passes San Francisco will have the highest business tax rate in Northern California. According to the Legislative Analyst a business in San Francisco will have to pay \$5500 more in taxes than in San Mateo County. Businesses will not locate in





# Business Tax

## PAID ARGUMENTS AGAINST PROPOSITION K

San Francisco and those that can operate elsewhere will relocate.

San Francisco lost 66,000 jobs over the past three years. We need a plan to create more jobs and jump start our economy. We do not need another tax on Small Businesses that are the main source of new jobs in an economic recovery.

*The S.F. Small Business Network*

The true source of funds used for the printing fee of this argument is the SF Small Business Network.

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Don't balance the budget on the backs of our neighborhood merchants.

The City is attempting to replace revenue lost by a successful lawsuit brought by big businesses against the City's prior dual tax format. Small businesses and neighborhood merchants are now being asked to cover the loss.

Small business is key to the economic revitalization of the City, and local merchants stabilize our neighborhoods. Prop K would drive them out of the City. Prop K would raise San Francisco's business taxes to the highest in the Bay Area!

Support local small business. **Vote NO on Prop K.**

*Coalition for San Francisco Neighborhoods*

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

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NO on K

San Francisco has lost 50,000 jobs in the last four years. These taxes will drive out more business and cost more jobs. They will also send a loud message to businesses and investors all over America: Stay away from San Francisco, it is not a friendly place to do business.

The San Francisco Republican Party

Chairman

*Michael A. DeNunzio*

Ballot Advisory Committee

*Joshua Kriesel, Ph.D., Vice Chairman*

*Howard Epstein, Assembly Candidate*

*Christopher L. Bowman, Secretary*

*Michael J. Antonini, DDS, Member*

Member - Candidates

*Jennifer DePalma, Candidate, 8<sup>th</sup> Congressional District*

*Mike Garza, Candidate, 12<sup>th</sup> Congressional District*

Members

*Albert Chang*

*Elsa Cheung*

*Thomas D'Amato, General Counsel*

*Harold M. Hoogasian*

*Barbara Kiley*

*Leo Lacayo, Vice Chairman*

*Sue Woods*

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

The three largest contributors to the true source recipient committee are: 1. Michael A. DeNunzio 2. Michael J. Antonini 3. Sue C. Woods.

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### VOTE NO ON K!

To adopt this payroll tax on top of a gross receipts tax is unwise.

It would penalize and stunt desperately needed job creation and send jobs cascading to surrounding communities.

To impose an increase payroll tax further weakens the competitive position of the City and undermines our quality of life.

### VOTE NO ON K!

*MARA KOPP*

*FRED MARTIN*

*GOOD GOVERNMENT ALLIANCE*

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.

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Proposition K will impose a gross receipts tax on our small neighborhood businesses, causing more of them to shut their doors and move away. In turn, tax revenues will decline, and unemployment will increase. Alternative tax options do exist.

These small businesses are essential to the vitality and preservation of each San Francisco neighborhood, providing a lifeline of goods and services to local residents. The serious decline of our

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

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## PAID ARGUMENTS AGAINST PROPOSITION K

some of neighborhood commercial streets has already had a devastating effect on the local quality of life.

Our D3 Supervisor, and others who share his lack of understanding of basic economics, believe small businesses should unfairly pay the price, rather than addressing long term structural problems with the cost of government.

Please join me in supporting small neighborhood businesses and VOTE NO.

*Brian O'Flynn*

Candidate for D3 supervisor

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

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### Vote NO on K—The Double Tax

Proposition K will impose a new tax on local businesses that will be in addition to the payroll tax they already pay. This double taxation scheme was proposed by the same interests that sued the city for millions of dollars over an earlier tax the city was forced to repeal. The new tax is unfair and will disproportionately affect small businesses. Let's restore fairness to the business tax structure!

Vote NO on K.

*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.

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Vote No on Proposition K

San Francisco lost 66,000 jobs over the past two years. We need a plan to create more jobs and jump start our economy. We do not need another tax on Small Businesses that are the main source of new jobs in an economic recovery. I have a plan to create jobs and stimulate our economy. Please visit my website at [www.district11supervisor.org](http://www.district11supervisor.org)

*Myrna Lim*

Candidate for Supervisor

District 11

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



# LEGAL TEXT OF PROPOSITION K

Ordinance amending the Business and Tax Regulations Code to: (1) enact a new Article 12-A-1 (Business Tax Ordinance), as specified, to impose a business tax for four years on all persons engaging in business in San Francisco measured by the gross receipts of the business at the rate of one tenth of one percent (0.1%) for the 2005 tax year and, if Business Tax revenues collected in such year exceed \$30 million, a lower rate for the 2006, 2007 and 2008 tax years, as specified; (2) amend Article 12-A (Payroll Expense Tax Ordinance), as specified, to: (i) conform Article 12-A with the enactment of the Business Tax Ordinance, and (ii) clarify the payroll expense of partnerships, Subchapter S corporations, limited liability companies, limited liability partnerships and other persons or entities not subject to federal income tax or which are allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such persons or entities ("pass-through entities"), and (iii) ~~promote development of the biotechnology industry by excluding from the payroll expense of persons subject to the Payroll Expense Tax compensation paid to employees and owners or beneficiaries of a pass-through entity for work performed and services rendered in connection with the person's biotechnology business; and~~ (3) amend Article 6 (Common Administrative Provisions), as specified, to add definitions and conform common administrative provisions with the enactment of the Business Tax Ordinance and amendments to the Payroll Expense Tax Ordinance.

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

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

Section 1. Pursuant to Article XIII C of the Constitution of the State of California, Sections ~~2, 3 and 4~~ 3, 4 and 5 of this ordinance shall be submitted to the qualified electors of the City and County of San Francisco, at the November 2, 2004 general municipal election. Sections ~~2, 3 and 4~~ 3, 4 and 5 of this ordinance shall become operative only if approved by the qualified electors at such election. Section ~~5~~ 6 of this ordinance shall become operative on the date Sections ~~2, 3 and 4~~ 3, 4 and 5 of this ordinance become operative.

Section 2. Section 510 of the San Francisco Elections Code and the 30 word limit on ballot questions set forth therein shall not apply to the ballot question for the Business

Tax Ordinance set forth in Section 3 of this ordinance and submitted for voter approval at the November 2, 2004 general municipal election because the subject measure is unusually complex. The ballot question for the Business Tax Ordinance at such election shall read as follows:

Shall the City tax certain gross receipts of businesses at a rate up to 1/10th of 1% for a temporary period of four years, and extend the payroll tax to the compensation paid to partners and owners of certain businesses, with exceptions in both cases for small businesses?

Section ~~23~~. The San Francisco Business and Tax Regulations Code is hereby amended by adding Article 12-A-1 (Business Tax Ordinance), to read as follows:

## ARTICLE 12-A-1 BUSINESS TAX

SEC. 951. SHORT TITLE. This Article shall be known as the "Business Tax Ordinance." The tax imposed under this Article shall be known as the "Business Tax."

SEC. 952. OPERATION OF DEFINITIONS. Except where the context otherwise requires, terms not defined in this Article that are defined in Article 6 shall have the same meaning as given to them in Article 6.

SEC. 952.1. ADVANCE PAYMENTS. "Advance payments" means non-refundable payments for the purchase of tangible personal property or services to be delivered or performed in the future.

SEC. 952.2. CASH DISCOUNT. "Cash discount" means a deduction from the invoice price of goods or charge for services which is allowed if the bill is paid on or before a specified date.

SEC. 952.3. GROSS RECEIPTS. (a) "Gross receipts" means the total amount of the sale price of all sales, the total amount charged or received for the performance of any ~~act, service or employment~~ of whatever nature it may be, whether such ~~service~~ act or employment is done as part of or in connection with the sale of goods, wares, merchandise or not, for which a charge is made or credit allowed, including all receipts, cash, credits and property of any kind or nature, any amount for which credit is allowed by the seller to the purchaser without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, losses or any other expense whatsoever; provided, that cash discounts allowed or taken on sales shall not be included. Gross receipts, including advance payments, shall be included in a taxpayer's gross receipts at the

time such receipts are recognized as revenue for federal income tax reporting purposes.

(b) Gross receipts shall also include the total amount of all lease or rental amounts paid or rendered by, on behalf of, or for the benefit of, all of the tenants of a landlord, valued in money, for the occupancy or use of all premises located in the City, any services that are part of the lease or rental of the premises, whether received in money or otherwise, that are paid to, on behalf of, or for the benefit of, the landlord, and all receipts, cash, credits, property of any kind or character and the fair market value of services so paid or rendered for such occupancy, use and services. Gross receipts shall also include the amount of any federal manufacturers or importers excise tax included in the price of the property sold, even though the manufacturer or importer is also the retailer thereof and whether or not the amount of such tax is stated as a separate charge.

(bc) "Gross receipts" shall not include the amount of any federal tax imposed on or with respect to retail sales whether imposed upon the retailer or upon the consumer and regardless of whether or not the amount of federal tax is stated to customers as a separate charge, or any state and local sales or use tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser, or such part of the sales price of any property previously sold and returned by the purchaser to the seller which is refunded by the seller by way of cash or credit allowances given or taken as part payment on any property so accepted for resale.

(ed) "Gross receipts" shall not include any amount received from or charged to any person that is a related entity to the taxpayer. A person is a related entity to a taxpayer if ~~80%~~ 50% or more of the ownership interests in both value and voting power of such person and the taxpayer are held, directly or indirectly, by the same person or persons. Notwithstanding the foregoing, any amount received from or charged to any person which is a related entity to a taxpayer shall be included in "gross receipts" when said amount is compensation for activities, including, but not limited to, selling, renting and service, performed by the taxpayer for any person which is not a related entity to the taxpayer, unless such amount has been included in the "gross receipts" by the related entity and the tax thereon has been paid to the City.

(e) "Gross receipts" shall not include any amount derived from the sale of the taxpayer's ownership interest in real property.

(f) "Gross receipts" shall not include any amount received by persons acting as agents or brokers, other than amounts received as commissions or fees earned or charges of any character made or compensation of any

(Continued on next page)



## LEGAL TEXT OF PROPOSITION K (CONTINUED)

character received for the performance of any service as agent or broker; provided, that any agent or broker dealing in stocks or other similar written instruments evidencing a right to participate in the assets of any business, or dealing in bonds or other evidence of indebtedness, who also deals in such financial instruments as a principal, shall not include in the gross receipts resulting from such dealings as a principal the cost to acquire the financial instrument(s) sold or otherwise exchanged or converted.

(g) "Gross receipts" shall not include any amount of third party taxes that a taxpayer collects from or on behalf of the taxpayer's customers and remits to the appropriate governmental entity imposing such tax.

### SEC. 952.34. LANDLORD AND LESSOR.

(a) "Landlord" and "Lessor" mean a lessor of real estate located within the City, except as provided in Subsection (b), regardless of whether the leased premises is designed, intended, used or occupied for business purposes or residential purposes. The failure of a landlord or tenant, or both, to obtain a business registration certificate under Article 12, or any other license or permit required for engaging in either person's business or occupation in the City, shall not relieve such landlord or tenant from the tax or other obligations imposed under this Article or Article 6.

(b) Notwithstanding Subsection (a), a person receiving rental or lease income in connection with the operation of any of the following shall not, by reason of that fact alone, be deemed to be a landlord or lessor subject to the tax imposed under this Article: (1) a cooperative housing corporation, as defined in Section 216(b) of the Internal Revenue Code of 1986, as amended; (2) one residential structure consisting of fewer than four units; or (3) one residential condominium.

SEC. 952.45. PREMISES. "Premises" means any land and/or building, or any portion thereof, that is located within the City.

SEC. 952.56. RENT. "Rent" means the total amount of all lease or rental amounts paid or rendered by, on behalf of, or for the benefit of, a lessor's tenant, valued in money, for the occupancy or use of real estate located within the City, and for any services, privileges, furnishings and facilities provided in connection with the use or occupancy thereof, including storage, garage and parking facilities, whether paid in money or otherwise, to, on behalf of, or for the benefit of, the lessor. "Rent" includes all receipts, cash, credits, property of any kind or character and the fair market value of services so paid or rendered for such occupancy, use, services, privileges, furnishings and facilities.

SEC. 952.67. SALE AND SELL. "Sale" and "sell" mean the making of any transfer of title, in any manner or by any means

whatsoever, to tangible personal property for a price, and to the serving, supplying or furnishing, for a price, of any tangible personal property fabricated or made at the special order of consumers who do or who do not furnish directly or indirectly the specifications therefor. A transaction whereby the possession of property is transferred but the seller retains the title as security for the payment of the price shall likewise be deemed a sale.

SEC. 952.8. SALES PRICE. "Sales price" means the actual amount charged or received for the sale of an item of property.

SEC. 952.8. SALES FOR CONVENIENCE. (a) "Sales for convenience" means a sale of new goods, wares, or merchandise by a person engaged in selling such articles to another person engaged in selling like or similar kinds of articles:

(1) Where the primary purpose of the particular transaction or sale is to accommodate the purchaser rather than to make a sale in the ordinary course of business;

(2) Where, in the particular kind of business involved, a similar manner of dealing is frequent or customary in the circumstances under which the particular sale is made; and

(3) Where goods, wares or merchandise of like or similar kind and of substantially equivalent value to that which was sold is received in consideration.

(b) The following types of transactions are sales for convenience within the meaning of this Section when the circumstances stated in paragraphs (1), (2) and (3) of Subsection (a) are present:

(1) Transactions in which the seller conveys an article which is in short supply, or which, under the circumstances, cannot be obtained by the purchaser through normal sources of supply in sufficient time to permit the purchaser to furnish an equivalent article to a prospective customer;

(2) Transactions in which, by reason of the seller's more convenient location relative to a designated point of delivery, the purchaser agrees to reimburse the seller for delivering goods, wares or merchandise at that point to the purchaser's customer in accordance with a contract of sale between the purchaser and the purchaser's customer;

(3) Transactions in which, as a matter of business practice, the form of a sale is arranged and entered into by the seller and the purchaser as a substitute for or the equivalent of the transportation of the article or the payment of transportation charges on the article from the point of the delivery to some

other point;

(4) Transactions different in detail from those described in the three immediately preceding paragraphs of this Section, but which the Tax Collector has found and by rule determined to be of a kind whose primary purpose is to accommodate the purchaser rather than to make a sale in the ordinary course of business; of a kind which, in the particular kind of business involved, is frequent or customary in the circumstances under which a particular sale is made; and of a kind where goods, wares or merchandise of like or similar kind, and of substantially equivalent value to that which was sold is received as consideration.

(c) No sale shall be considered a sale for convenience within the meaning of this Subsection unless it is of a kind described in paragraphs (1), (2), (3) or (4) of Subsection (b).

SEC. 952.89. TENANT AND TENANCY. "Tenant" and "Tenancy" include tenants and tenancies of all types, and persons occupying and the occupation of a building or structure, or space in a building or structure, or any other real estate in the City, under any lease, rental agreement, license or concession agreement with a lessor. The right to use or possess such space shall be deemed to be the same as actual occupation.

### SEC. 953. IMPOSITION OF BUSINESS TAX; STATEMENT OF VOTER INTENT; TAX COLLECTOR REGULATIONS.

(a) Except as provided under Sections 954 and 954.1, every person engaging in business within the City shall pay an annual business tax measured by the person's gross receipts from all taxable business activities attributable to the City. A person's liability for the Business Tax shall be calculated using the rate set forth in Section 953.1.

(b) The Business Tax is a privilege tax imposed upon persons engaging in business within the City for the privilege of engaging in a business or occupation in the City. The Business Tax is imposed for general governmental purposes and in order to require commerce and the business community to carry a fair share of the costs of local government in return for the benefits, opportunities and protections afforded by the City. Proceeds from the tax shall be deposited in the City's general fund and may be expended for any purposes of the City.

(c) The voters intend by approving this measure to impose the Business Tax upon all persons engaging in business within the City and upon all commerce and business activities

(Continued on next page)



## LEGAL TEXT OF PROPOSITION K (CONTINUED)

~~occurring within, attributable to or having sufficient nexus with the City to lawfully impose the tax hereunder in the broadest possible manner consistent with the provisions and requirements of California Constitution Article XIII; the United States Constitution and any other applicable provision of federal and state law.~~

~~(#c) The Tax Collector may promulgate all reasonable regulations and issue all reasonable rules, determinations and interpretations necessary or appropriate to implement and administer the Business Tax upon all commerce and business activities occurring within, attributable to or having sufficient nexus with the City to lawfully impose the tax hereunder, regardless of the form (corporate or otherwise) of the person or other legal entity engaging in business within the City.~~

~~(ed) The Business Tax imposed under this Article is in addition to the Payroll Expense Tax imposed under Article 12-A. Persons not otherwise exempt from the Business Tax or Payroll Expense Tax shall pay both taxes. Persons exempt from either the Business Tax or Payroll Expense Tax, but not both, shall pay the tax from which not exempt.~~

SEC. 953.1. BUSINESS TAX RATE. (a) The rate of the Business Tax for the tax year commencing on January 1, 2005 and ending on December 31, 2005 (the 2005 tax year) shall be one tenth of one percent (0.1%) of the person's gross receipts attributable to the person's business activities in the City. The rate of the Business Tax for the tax years commencing on or after January 1, 2006 and ending on or before December 31, 2008 (the 2006, 2007 and 2008 tax years) shall be the same rate as for the 2005 tax year unless the revenues from the Business Tax in the 2005 tax year exceed \$30 million, in which case the rate for the 2006, 2007 and 2008 tax years shall be adjusted as set forth in Subsection (b) of this Section.

(b) If the Controller determines that the revenues from the Business Tax in the 2005 tax year were more than \$30 million, then the rate of the Business Tax for the 2006, 2007 and 2008 tax years shall be established by operation of this Section by decreasing, in increments of one basis point (0.01%), the rate that was applicable to the 2005 tax year to a rate where the revenue from the Business Tax for the 2005 tax year would have been or first dropped below \$30 million had the decreased rate for the 2006, 2007 and 2008 tax years applied to the 2005 tax year.

(c) The Controller shall make the determination required by Subsection (b) of this Section no later than September 30, 2006. The Tax Collector shall, within 15 days of the Controller's determination, publish a notice announcing the rate of the Business Tax for the 2006, 2007 and 2008 tax years.

SEC. 954. EXEMPTIONS. (a) Except as provided in Subsection (b) of this Section, an organization that is exempt from income tax-

tion by Chapter 4 (commencing with Section 23701) of Part 11 of Division 2 of the Revenue and Taxation Code or Subchapter F (commencing with Section 501) of Chapter 1 of Subtitle A of the Internal Revenue Code of 1986, as amended, as qualified by Sections 502, 503, 504 and 508 of the Internal Revenue Code of 1986, as amended, shall be exempt from taxation under this Article.

(b) An organization otherwise exempt from income taxation under Subsection (a) that is directly engaged within the City in an unrelated trade or business within the meaning of Section 513(a) of the Internal Revenue Code of 1986, as amended, and has, from its own operations, unrelated business taxable income within the meaning of Section 512(a)(1) of the Internal Revenue Code of 1986, as amended, shall pay the Business Tax on its gross receipts from its unrelated trade or business activities that are attributable to the City. If it is impracticable, unreasonable or improper to allocate such organization's gross receipts as aforesaid either because of the particular nature of the organization's unrelated trade or business or for any other reason, then the amount of gross receipts reasonably attributable to the organization's unrelated trade or business in the City shall be determined on the basis of all relevant facts and circumstances of the particular case, in accordance with any rulings or regulations issued or promulgated by the Tax Collector for the purpose.

(c) "Gross receipts" as defined in Section 952.23 shall not include receipts from business activities if, and only so long as and to the extent that, the City is prohibited from taxing such receipts under the Constitution or laws of the United States or under the Constitution or laws of the State of California.

(d) Blind persons licensed under the provisions of Chapter 6A of Title 12 of the United States Code ("Vending Stands for Blind in Federal Buildings") or Article 5 of Chapter 6 of Part 2 of Division 10 of the California Welfare and Institutions Code ("Business Enterprises for the Blind") need not include in the computation of gross receipts the first \$15,000 of gross receipts in any one year which is attributable to their licensed operations within the City.

(e) Skilled Nursing Facilities licensed under the provisions of Title 22, California Administrative Code, Division 5 ("Licensing and Certification of Health Facilities and Referral Agencies"), Chapter 3 ("Skilled Nursing Facilities"), shall be exempt from taxation under this Article.

(f) Receipts derived from contracts for services or sales initiated or consummated at closed conventions shall be excluded from taxable "gross receipts" as defined in Section 952.23. For purposes of this Section, a "closed convention" means an assemblage of delegates to or members of a formally established organization devoted to trade, industrial or commercial purposes, and to which only such delegates

or members are admitted, to the exclusion of the general public.

(g) Receipts derived from the sale of real property located in the City shall be excluded from taxable "gross receipts" as defined in Section 952.2.

(g) Sales for resale shall be exempt from the tax imposed under this Article; provided the purchaser provides the seller, and the seller retains, a resale certificate in accordance with applicable provisions of the Revenue and Taxation Code and regulations promulgated by the Board of Equalization.

(h) For only so long as and to the extent that the City is prohibited from imposing the tax under this Article, the following persons shall be exempt from the Business Tax:

(1) Banks and financial corporations exempt from local taxation under Article XIII, Section 27 of the California Constitution and Revenue and Taxation Code Section 23182;

(2) Insurance companies exempt from local taxation under Article XIII, Section 28 of the California Constitution;

(3) Persons engaging in business as a for-hire motor carrier of property under Revenue and Taxation Code Section 7233;

(4) Persons engaging in inter-city transportation as a household goods carrier under Public Utilities Code Section 5327;

(5) Charter-party carriers operating limousines that are neither domiciled nor maintain a business office within the City under Public Utilities Code Section 5371.4.

(6) Any person upon whom the City is prohibited under the Constitution or statute of the State of California from imposing the Business Tax.

(i) To the extent that any taxpayer has paid a substantially similar tax to any other taxing jurisdiction on any gross receipts taxed under this Article, the tax paid to such taxing jurisdiction shall be credited against the tax due under this Article.

(j) Nothing in this Article shall be construed as requiring the payment of any tax for engaging in a business or the doing of an act when such payment would be in violation of the Constitution or a statute of the United States or of the Constitution or a statute of the State of California.

SEC. 954.1. SMALL BUSINESS EXEMPTION. (a) Notwithstanding any other provision of this Article, "small business enterprises," as hereinafter defined, shall be exempt from payment of the Business Tax; provided,

(Continued on next page)



## LEGAL TEXT OF PROPOSITION K (CONTINUED)

that small business enterprises shall pay the annual registration fee pursuant to Section 855 of Article 12 and shall provide all information and records and file all returns with the Tax Collector as required by this Article and Article 6.

(b) The term "small business enterprise" shall mean and include any taxpayer:

(1) Whose tax liability under this Article, but for the small business exemption in this Section, would not exceed \$500; and

(2) Who has filed a tax return by the last day of February for the preceding tax year.

SEC. 955. ALLOCATION AND APPORTIONMENT: BUSINESS WITHIN AND WITHOUT CITY; BUSINESSES SUBJECT TO BUSINESS TAX AND PAYROLL EXPENSE TAX. (a) Any person deriving gross receipts from business activities engaged in both within and without the City shall allocate such gross receipts to determine the amount thereof derived from or attributable to such activities within the City for purposes of calculating the person's tax liability under this Article. The person shall make such allocation, which shall be set forth on appropriate returns, using the ordinary methods of allocation and apportionment, as follows:

(1) Taxpayers shall include 100% of gross receipts derived from or attributable to sales of tangible personal property if: (i) a purchaser takes physical or constructive possession of the property within the City regardless of the f.o.b. point or other conditions of the sale; or (ii) the property is delivered or shipped to a purchaser within the City regardless of the f.o.b. point or other conditions of the sale; or (iii) the property is shipped from an office, store, warehouse, factory, or other place of storage within the City to a location outside the City provided the taxpayer is not subject to a tax on the gross receipts derived from such sale in the city, county or analogous local jurisdiction (excluding states and countries) to which the property is shipped.

(2) Taxpayers shall include 100% of apportion gross receipts derived from or attributable to the performance of any act, service or employment of whatever nature, and sales other than of tangible personal property, if: (i) the activity producing the gross receipts is performed in the City; or (ii) the activity producing the gross receipts is performed both in and outside the City and a greater proportion of such activity is performed in the City than in any other city, county or analogous local jurisdiction (excluding states and countries) that may lawfully impose a tax on the gross receipts derived from

the person's performance of such activity, based on the costs of performance, by multiplying 100% of such gross receipts by the percentage of the taxpayer's payroll expense attributable to the City under Section 904 of Article 12-A.

(3) Taxpayers who are landlords (as defined in Section 952.4) shall include 100% of gross receipts derived from or attributable to the leasing or renting of all of the landlord's premises located within the City; taxpayers shall not include gross receipts that are derived from or attributable to the leasing or renting of real estate located outside of the City.

(b) Nothing in this Section may be construed to deny any person (i) exempt from the tax imposed under this Article, (ii) entitled to a credit against the person's liability for the tax, or (iii) whose receipts from business activities or any amount thereof are excluded from "gross receipts" as defined in Section 952.3 of this Article or from liability for the tax, under any applicable provision of law, from the benefit of such exemption, credit or exclusion.

(c) The Tax Collector may promulgate regulations and issue rules, determinations and interpretations regarding the ordinary methods of allocation and apportionment set forth in this Section so as to fairly allocate the gross receipts of all persons subject to this Article in order to impose the tax generally and in individual cases only upon gross receipts from the business activities that are derived from or attributable to such activities engaged in within the City. The Tax Collector may, in the application to individual cases of such regulations, rules, determinations and interpretations and regulations to individual cases, depart from or make such modifications thereto as may be necessary to fairly allocate the taxpayer's gross receipts and impose the tax under this Article in a lawful manner.

(d) If the Tax Collector reallocates gross receipts upon examination of any return, the Tax Collector shall notify the person in writing of the basis upon which the Tax Collector made the reallocation. The Tax Collector shall provide such notice as soon as practicable following such reallocation, and within 10 days of receipt of a written request therefor from the taxpayer. The time for the doing of any act required by this Article or Article 6, and the commencement of any liability for penalties and interest under such Articles, shall not begin to run until the Tax Collector provides such notice.

SEC. 956. PAYMENTS, RETURNS, PREPAYMENTS, EXTENSIONS AND REFUNDS. Payments, returns, prepayments, extensions and refunds for person's subject to this Article shall be as prescribed in the common administrative provisions set forth in Article 6.

SEC. 957. AUTHORITY TO PROMULGATE REGULATIONS. The Tax Collector may promulgate regulations and issue rules, determinations and interpretations consistent with the purposes of this Article and Article 6 as may be necessary and appropriate to apply such Articles in a lawful manner, including the provisions of such Articles for penalties due to fraud, underpayment of fees and taxes, or any evasion of such Articles or the rules and regulations promulgated thereunder. All regulations, rules, determinations and interpretations promulgated or issued by the Tax Collector that are not inconsistent with such Articles, and that were promulgated or issued prior to the effective date of this Article, shall remain in full force and effect.

Section 34. Operative Date of Article 12-A-1 (Business Tax Ordinance); Sunset Date of Business Tax. Article 12-A-1 of the Business and Tax Regulations Code (Business Tax Ordinance), as enacted by this ordinance, shall be operative commencing January 1, 2005. The authority to levy the Business Tax imposed under Article 12-A-1 shall expire on January 1, 20102009.

Section 45. The San Francisco Business and Tax Regulations Code is hereby amended by amending Sections 902.1, 903 and 903.1, and by adding Sections 902.2 and 906.1, of Article 12-A (Payroll Expense Tax Ordinance), as set forth below. The amendments to Sections 902.1, 903 and 903.1 and the addition of Sections 902.2 and 906.1, as enacted by this ordinance, are temporary and shall be operative commencing January 1, 2005 and shall expire on January 1, 20102009. Sections 902.1, 903 and 903.1 shall revert to and be as such sections read immediately prior to the amendments enacted by this ordinance on and after January 1, 20102009; provided, that Sections 902.1, 902.2, 903, 903.1 and 906.1, as amended and added by this ordinance, shall continue to apply and be operative on and after January 1, 20102009 for the limited purpose of Payroll Expense Taxes imposed under Article 12-A for tax years commencing on or after January 1, 2005 and ending on or before December 31, 20102009, and any interest and penalties attributable thereto. Sections 902.1, 902.2, 903, 903.1 and 906.1, as amended and added by this ordinance, shall read as follows:

SEC. 902.1. PAYROLL EXPENSE. (a) The term "Payroll Expense" means the compensation paid to, on behalf of, or for the benefit of an individual or pass-through entity, including salaries, wages, bonuses, commissions, property issued or transferred in exchange for the performance of services

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## LEGAL TEXT OF PROPOSITION K (CONTINUED)

(including but not limited to stock options), compensation for services to owners of pass-through entities and any other form of compensation, who or that, during any tax year, performs work or renders services, in whole or in part in the City; and if more than one individual or pass-through entity during any tax year performs work or renders services in whole or in part in the City, the term "Payroll Expense" means the total compensation paid including salaries, wages, bonuses, commissions, property issued or transferred in exchange for the performance of services (including but not limited to stock options), compensation for services to owners of pass-through entities and any other form of compensation for services, to all such individuals and pass-through entities.

(b) Any person that grants a service provider a right to acquire an ownership interest in such person in exchange for the performance of services shall include in its payroll expense for the tax year in which such right is exercised an amount equal to the excess of (i) the fair market value of such ownership interest on the date such right is exercised over (ii) the price paid for such interest.

(c) Any individual compensated in his or her capacity as a real estate salesperson or mortgage processor shall be deemed an employee of the real estate broker or mortgage broker for or under whom such individual performs services, and any compensation received by such individual, including compensation by way of commissions, shall be included in the payroll expense of such broker. For purposes of this Section, "real estate broker" and "mortgage broker" refer to any individual licensed as such under the laws of the State of California who engages the services of salespersons or a salesperson, or of mortgage processors or a mortgage processor, to perform services in the business which such broker conducts under the authority of his or her license; a "salesperson" is an individual who is engaged by a real estate broker to perform services, which may be continuous in nature, as a real estate salesperson under an agreement with a real estate broker, regardless of whether the individual is licensed as a real estate broker under the laws of the State of California; a "mortgage processor" is an individual who is engaged by a real estate broker or mortgage broker to perform services, which may be continuous in nature, as a mortgage processor under an agreement with such real estate broker or mortgage broker, regardless of whether the mortgage processor is also licensed as a mortgage broker under the laws of the State of California.

(d) All compensation, including all pass-through compensation for services paid to, on behalf of, or for the benefit of owners of a pass-through entity, shall be included in the calculation of such entity's payroll expense for purposes of determining such entity's tax liability under this Article. For purposes of this section, the "pass-through compensation for services" of a pass-through entity shall be the

aggregate compensation for personal services rendered by all such owners, and shall not include any return on capital investment. Pass-through entities, at their option, may calculate the amount of "pass-through compensation for services" for any given tax year using one of the following methods:

(1) The amount of such entity's net earnings from self-employment for federal income tax purposes; or

(2) Ninety percent (90%) of all amounts paid to, on behalf of, or for the benefit of all the owners of such entity; or

(3) For each such owner, an amount that is one hundred and fifty percent (150%) of the average annual compensation paid to, on behalf of, or for the benefit of all employees of the pass-through entity whose compensation is in the top quartile (i.e., 25%) of the entity's highest paid employees who are based in the City; provided, the total number of employees of the entity based in the City is not less than twenty.

(e) If a pass-through entity establishes to the satisfaction of the Tax Collector that all of the methods set forth in Subsection (d) are inapplicable and/or overstate the amount of compensation reasonably attributable to work performed or services rendered by such owners because of the particular nature of the services rendered or work performed, or on account of the unusual basis of such compensation, or for any other reason, then the amount of pass-through compensation shall be determined on the basis of all relevant facts and circumstances of the particular case, in accordance with any rulings or regulations issued or promulgated by the Tax Collector for such purpose or with the written approval of the Tax Collector.

SEC. 902.2. PASS-THROUGH ENTITY. The term "pass-through entity" includes a trust, partnership, corporation described in Subchapter S of the Internal Revenue Code of 1986, as amended, limited liability company, limited liability partnership, professional corporation, and any other person or entity which is not subject to the income tax imposed by Subtitle A, Chapter 1 of the Internal Revenue Code of 1986, as amended, or which is allowed a deduction in computing such tax for distributions to the owners or beneficiaries of such person or entity. Any person exempt from payment of the Payroll Expense Tax under Section 954 of this Article shall not be disqualified from or denied such exemption as a result of being a "pass-through entity" under this Section.

SEC. 903. IMPOSITION OF PAYROLL EXPENSE TAX. (a) A tax for general governmental purposes is hereby imposed upon every person engaging in business within the City as defined in Section 6.2-12 of Article 6; provided, that such tax shall be levied only

upon that portion of the person's payroll expense that is attributable to the City as set forth in Section 904.

(b) The Payroll Expense Tax is imposed for general governmental purposes and in order to require commerce and the business community to carry a fair share of the costs of local government in return for the benefits, opportunities and protections afforded by the City. Proceeds from the tax shall be deposited in the City's general fund and may be expended for any purposes of the City.

(c) The voters intend by approving this measure to authorize application of the Payroll Expense Tax in the broadest possible manner consistent with the provisions of this Article and the requirements of California Constitution Article XIII C, the United States Constitution and any other applicable provision of federal and state law.

(d) The Tax Collector may promulgate all reasonable regulations and issue all reasonable rules, determinations and interpretations necessary or appropriate to implement and administer the Payroll Expense Tax upon all commerce and business activities occurring within, attributable to or having sufficient nexus with the City to lawfully impose the tax, regardless of the form (corporate or otherwise) of the person or other legal entity engaging in business in the City.

(e) The Payroll Expense Tax imposed hereunder is in addition to the Business Tax imposed under Article 12-A-1. Persons not otherwise exempt from the Payroll Expense Tax or Business Tax shall pay both taxes. Persons exempt from either the Business Tax or Payroll Expense Tax, but not both, shall pay the tax from which not exempt.

SEC. 903.1. RATE OF PAYROLL EXPENSE TAX. The rate of the payroll expense tax shall be 1-1/2 percent. The amount of a person's liability for the payroll expense tax shall be the product of such person's taxable payroll expense multiplied by 0.015. ~~The amount of such tax for Associations shall be 1-1/2 percent of the payroll expense of such Association, plus 1-1/2 percent of the total distributions made by such Association by way of salary to those having an ownership interest in such Association. Amounts paid or credited to those having an ownership interest in such Association prior and in addition to the distribution of ownership profit or loss shall be presumed to be distributions "by way of salary" and for personal services rendered, unless the taxpayer proves otherwise by clear and convincing evidence.~~

SEC. 906.1. BIOTECHNOLOGY EXCLUSION. (a) Any person engaging in business within the City may exclude from the

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## LEGAL TEXT OF PROPOSITION K (CONTINUED)

person's payroll expense all compensation paid to, on behalf of, or for the benefit of all individuals and pass through entities who or that perform substantially all work or render substantially all services in direct support of such person's biotechnology business, subject to the conditions and limitations set forth in this Section. For purposes of this Section, "biotechnology business" means conducting biotechnology research and experimental development, and operating laboratories for biotechnology research and experimental development, using recombinant DNA, cell fusion, and bioprocessing techniques, as well as the application thereof to the development of diagnostic products and/or devices to improve human health, animal health, and agriculture.

(b) ~~Unless exempted under Sections 906 of this Article, every person engaging in the biotechnology business in the City shall pay the tax imposed under this Article on the full amount of the person's payroll expense attributable to the City from and after the expiration of this Section.~~

(c) ~~If a person's calculated liability for the Payroll Expense Tax does not exceed \$2,500 for the tax year after applying the biotechnology exclusion under this Section, the person shall be exempt from payment of the Payroll Expense Tax for that tax year as provided in Section 905 A.~~

Section ~~56~~. The San Francisco Business and Tax Regulations Code is hereby amended by amending Sections 6.1-1, 6.2-12, 6.2-17, 6.6-1, 6.8-1, 6.9-1, 6.9-3, 6.9-5, and 6.21-1, of Article 6 (Common Administrative Provisions), and by adding Sections 6.2-9.4, 6.2-9.5, 6.2-10.5, and 6.5-1.5, as follows:

SEC. 6.1-1. COMMON ADMINISTRATIVE PROVISIONS. (a) Except where the specific language of the Business and Tax Regulations Code or context otherwise requires, these common administrative provisions shall apply to Articles 6, 7, 9, 10, 10A, 11, 12, 12-A, ~~12-A-1~~ and 12-B of such Code.

(b) Unless expressly provided otherwise, all statutory references in this Article and the Articles set forth in Subsection (a) shall refer to such statutes as amended from time to time and shall include successor provisions. For purposes of collecting the Emergency Response Fee under Article 10A, any reference to a "tax" in this Article shall include the Emergency Response Fee where appropriate; provided, however that nothing in the operation of this provision shall affect the underlying legal character of the Emergency Response Fee or suggest that the fee is a tax.

(c) For purposes of this Article, a domestic partnership established pursuant to Chapter 62 of the San Francisco Administrative Code shall be treated the same as a married couple.

SEC. 6.2-9.4. BUSINESS TAX ORDINANCE; BUSINESS TAX. "Business Tax Ordinance" means Article 12-A-1 of the Business and Tax Regulations Code; "Business Tax" means the tax imposed thereunder;

SEC. 6.2-9.5. INDEPENDENT CONTRACTOR. "Independent Contractor" means any entity, other than an individual, that performs services for a principal; and any individual who performs services for a principal for a specified recompense for a specified result, under control of the principal as to the result of the work only and not as to the means by which such result is accomplished. An independent contractor receives income that should be reported to the Internal Revenue Service by the principal on IRS Form 1099, should report the income to the Internal Revenue Service on IRS Form 1040, Schedule C and may deduct the cost of the use of a home for business purposes on Schedule C. Factors which indicate status as an independent contractor are if an individual:

(1) Is not required to follow instructions on how to perform services;

(2) Possesses the skills necessary to perform the task and does not need additional training;

(3) Performs services that are not essential to the principal's business or are not incorporated into the product or services sold by the principal;

(4) Should be able to subcontract all or a portion of the project;

(5) Can hire and supervise his or her own employees, but should not supervise, or be supervised by, the principal's employees;

(6) Generally works on one project and moves on, acquiring additional projects when and if he or she is available;

(7) Establishes his or her hours of work, working as necessary to accomplish the end result;

(8) Usually has the right to work simultaneously for the principal and others, as long as the end result is achieved;

(9) Should be able to choose where to perform some, if not all, of the services;

(10) Can control the manner and method of performing the services;

(11) Is responsible only for the end result, and is not required to submit interim reports;

(12) Generally is paid a flat rate for the completion of the project;

(13) Is expected to assume the burden of business expenses;

(14) Should have the tools and equipment necessary to perform the services independently;

(15) Makes as an investment in tools, business equipment, publications and supplies appropriate for his or her business;

(16) Accepts both the benefits and risks of a business transaction, in that he or she has the opportunity to profit from the project price and risks a loss if the end result is unac-

ceptable or costs exceed the project price;

(17) Can and does work for multiple firms simultaneously;

(18) Offers his or her services to the general public;

(19) Can be terminated only according to the terms of an agreement, and could recover damages for breach of contract if termination is outside the scope of the agreement; and

(20) Has as an obligation to complete the work under contract.

SEC. 6.2-10.5. INDUSTRY CODE. "Industry Code" means the industrial classification number assigned to an industry in the North American Industry Classification System (NAICS) by the Executive Office of the President, Office of Management and Budget.

SEC. 6.2-12. NEXUS: "ENGAGING IN BUSINESS WITHIN THE CITY." ~~(a)~~ The taxes imposed by Article 12-A (Payroll Expense Tax Ordinance) and Article 12-A-1 (Business Tax Ordinance), and the registration fee imposed by Article 12 (Business Registration Ordinance), shall apply to any person engaging in business within the City unless exempted therefrom under such Articles. A person is "engaging in business within the City," within the meaning of this Article, if that person meets one or more of the following conditions:

(1) The person maintains a fixed place of business within the City; or

(2) An employee, representative or agent of the person maintains a fixed place of business within the City for the benefit or partial benefit of the person; or

(3) The person or one or more of the person's employees, representatives or agents owns, rents, leases, or hires real or personal property within the City for business purposes for the benefit or partial benefit of the person; or

(4) The person or one or more of the person's employees, representatives or agents regularly maintains a stock of tangible personal property within the City, for sale in the ordinary course of the person's business; or

(5) The person or one or more of the person's employees, representatives or agents employs or loans capital on property within the City for the benefit or partial benefit of the person; or

(6) The person or one or more of the person's employees, representatives or agents solicits business within the City for all or part of any seven days during a tax year; or

(7) The person or one or more of the person's employees, representatives or agents performs work or renders services within the City for all or part of any seven days during a tax year; or

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(8) The person or one or more of the person's employees, representatives or agents utilizes the streets within the City in connection with the operation of motor vehicles for business purposes for all or part of any seven days during a tax year; or

(9) The person or one or more of the person's employees, representatives or agents exercises corporate or franchise powers within the City for the benefit or partial benefit of the person; or

(10) The person or one or more of the person's employees, representatives or agents liquidates a business when the liquidators thereof hold themselves out to the public as conducting such business.

SEC. 6.2-17. RETURN. The term "return" means any written statement required to be filed pursuant to Articles 6, 7, 9, 10, 10A, 11, 12, 12-A or 12-A-1.

SEC. 6.5-1.5. AUTHORITY OF CONTROLLER TO REQUIRE INFORMATION FROM TAXPAYERS: CONFIDENTIALITY THEREOF. (a) In addition to any information or records the Tax Collector may require from any person on any return or statement, or pursuant to a request under Section 6.5-1 or otherwise, the Controller may require any person engaging in business in the City to furnish information and records regarding the particulars of the person's business or businesses. Such particulars may include but are not limited to the person's gross receipts, income, payroll expenses, payments to independent contractors, costs for materials and other business expenses, industry codes, business and industrial classification(s), ownership and management structure of the business, ownership interests in other legal entities, businesses and joint ventures, federal and state tax filing status, and other information the Controller deems necessary or appropriate for purposes of evaluating business activities in the City, tax and economic policies and practices, revenue projections and trends, and other matters.

(b) The Controller may require information and records under Subsection (a) as part of annual, quarterly, monthly or per event tax returns or statements filed with Tax Collector pursuant to Article 6, or otherwise. The Tax Collector shall provide all necessary cooperation and assistance to effectuate the collection of information and records as directed by the Controller pursuant to this Section.

(c) The Controller and all City officials and employees shall maintain the confidentiality of trade secrets and other confidential taxpayer information and records obtained pursuant to this Section, and may disclose such trade secrets and confidential taxpayer information and records only as permitted or required by Section 6.22-1 of Article 6 or other applicable law.

### SEC. 6.6-1. CERTIFICATE OF AUTHORITY FOR THIRD-PARTY TAXES.

(a) These additional provisions shall apply to operators under the transient hotel occupancy tax (Article 7), the parking space occupancy tax (Article 9), the utility users tax (Article 10) and the emergency response fee (Article 10A).

(b) Every operator engaging in or about to engage in business within the City who is required to collect or remit any third-party tax shall immediately apply to the Tax Collector for a certificate of authority on a form provided by the Tax Collector.

(c) The application for a certificate of authority shall set forth the name under which the person transacts or intends to transact business, the location of each of the person's places of business in the City, and such other information as the Tax Collector may require. The application shall be signed by the owner if a sole proprietor, by a member or partner, in the case of an association, or by an executive officer or some person specifically authorized by the corporation to sign the application, in the case of a corporation.

(d) Except as provided in Subsections (f), (g) and (h) below, the Tax Collector, within 30 days after the application is complete, shall issue without charge a separate certificate of authority to the operator to collect third party taxes from customers for each location at which the operator is required to collect such taxes. Each certificate shall state the location of the place of business to which it applies and shall be prominently displayed at such location in plain view of all customers. Certificates of authority may not be assigned or transferred. The operator shall immediately surrender to the Tax Collector the certificate for that location upon the operator's cessation of business at that location or upon the sale or transfer of the business.

(e) The holder of a certificate of authority to collect parking taxes under Article 9 shall remain presumptively liable for the collection of parking taxes at the location named in the certificate, and for the reporting and remittance of such taxes to the Tax Collector, unless and until the holder of the certificate both (i) notifies the Tax Collector in writing that the holder has ceased to conduct a parking business at such location, and (ii) surrenders the certificate for that location to the Tax Collector.

(f) The Tax Collector may refuse to issue the certificate where, within the 30-day period referred to in Subsection (d) above, the Tax Collector determines that the operator, or any signatory to the application, or any person holding a 10 percent or greater legal or beneficial interest in said operator ("10% owner") is not in compliance with any provision of Articles 6, 7, 9, 10, 10A, 12, 12-A or 12-A-1. Solely for purposes of determining under this Section whether any such operator, signatory or 10% owner is not in compliance with such Articles, the Tax Collector may disregard any

corporation or association owned or controlled, directly or indirectly, by any such operator, signatory or 10% owner and consider such corporation or association's operations and liabilities as conducted by or as owned by any one or more of such corporation or association's officers, directors, partners, members or owners. For purposes of this Section, (i) the term "owned" means ownership of 50 percent or more of the outstanding ownership interests in such corporation or association, and (ii) the term "controlled" includes any kind of control, whether direct or indirect, whether legally enforceable, and however exercisable or exercised over such corporation or association. A presumption of control arises if the operator, signatory or 10% owner is (or was) an officer, director, partner or member of such corporation or association.

(g) Further, if any person subject to this Section violates any provision of Articles 6, 7, 9, 10, 10A, 12, 12-A or 12-A-1, or a rule or regulation promulgated by the Tax Collector, including but not limited to failing to maintain accurate registration information, failure to sign any return or pay any tax when due, failure to timely respond to any request for information, order for records or subpoena, or for any person subject to Article 9 for failure to comply with the requirements of Article 49 of the Police Code, the Tax Collector may, after serving the person with written notice of his or her determination in the manner provided in Section 6.11-2 and an opportunity to be heard pursuant to the notice and review provisions of Sections 6.13-1 et seq., revoke or suspend that person's certificate of authority. The Tax Collector may refuse to issue that person a new certificate of authority or to withdraw the suspension of an existing certificate until the person, signatory to the application for the certificate revoked or suspended, signatory to the application for a new certificate or withdrawal of the suspension, and all 10% owners have complied with the provisions of Articles 6, 7, 9, 10, 10A, 12, 12-A or 12-A-1 and corrected the original violation to the satisfaction of the Tax Collector.

(h) Before any certificate of authority shall be issued to any applicant to engage in the business of renting parking space in a parking station in this City, such applicant shall file with the Tax Collector a bond naming the City as exclusive beneficiary, at all times the applicant engages in such business. For any parking station with annual gross receipts less than \$100,000, such bond shall be in the amount of \$5,000. For any parking station with annual gross receipts of \$100,000 or more, such bond shall be in the amount of \$25,000. Such bond shall be executed by the applicant as principal, and by a corporation or association which is licensed by the Insurance Commissioner of this

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State to transact the business of fidelity and surety insurance, as surety. The applicant shall keep the bond in full force and effect for the duration of the certificate of authority and all renewals thereof issued to such applicant. If the bond provides that the term thereof shall be continuous until cancelled, the applicant shall provide the Tax Collector with certification from the surety of the renewal or continuation of the bond: (i) when applying for renewal of an existing certificate of authority, (ii) when requesting the withdrawal of a suspension of an existing certificate of authority, or (iii) upon written request of the Tax Collector.

The bond shall contain conditions that require the applicant to comply fully with all the provisions of Business and Tax Regulations Code concerning the collection of third-party taxes from occupants of parking stations and the remittance of such taxes to the Tax Collector. The bond shall be payable to this City in the amount of all unpaid parking taxes on amounts of taxable rents collected by the applicant, together with all administrative collection costs, interest, penalties, and other costs and charges applicable thereto; provided, however, that the aggregate liability of the surety for any and all claims which may arise under such bond shall in no event exceed the face amount of such bond regardless of the amount due and owing to the City. The City may bring an action upon the bond for the recovery of any unpaid parking taxes, administrative collection costs, interest, penalties and other costs and charges at any time prior to the expiration of the period of limitations applicable to the collection of such unpaid taxes by the Tax Collector.

SEC. 6.8-1. CITY, PUBLIC ENTITY AND CONSTITUTIONAL EXEMPTIONS. Nothing in Articles 6, 7, 10, 10A, 11, 12, ~~12-A~~ or ~~12-A-1~~ shall be construed as imposing a tax upon:

- (1) The City;
- (2) The State of California, or any county, municipal corporation, district or other political sub-division of the State, except where any constitutional or statutory immunity from taxation is waived or is not applicable;
- (3) The United States of America, or any of its agencies or subdivisions, except where any constitutional or statutory immunity from taxation is waived or is not applicable; or
- (4) Any person exempted from the particular tax by the Constitution or statutes of the United States or the Constitution or statutes of the State of California.

SEC. 6.9-1. DETERMINATIONS, RETURNS AND PAYMENTS; DUE DATE OF TAXES. Except for jeopardy determinations under Section 6.12-2, and subject to prepayments required under Section 6.9-2, all amounts of taxes and fees imposed by Articles 6, 7, 9, 10, 10A, 11, ~~12-A~~ and ~~12-A-1~~ are due and payable, and shall be delinquent if not paid

to the Tax Collector on or before the following dates:

(a) For the transient hotel occupancy tax (Article 7) and the parking space occupancy tax (Article 9), for each calendar quarter, on or before the last day of the month following each respective quarterly period;

(b) For the payroll expense tax (Article 12-A) and Business Tax (Article 12-A-1), on or before the last day of February of each year;

(c) For the utility users taxes (Article 10) and the emergency response fee (Article 10A), for each monthly period, on or before the last day of the following month; and

(d) For the stadium operator admission tax (Article 11), within five days after the event, subject to the provisions of Article 11, Section 804.

### SEC. 6.9-3. DETERMINATIONS, RETURNS AND PAYMENTS; PREPAYMENTS.

(a) Prepayments. Notwithstanding the due dates otherwise provided in Section 6.9-1, taxpayers shall make prepayments of taxes and third party taxes ("tax prepayments") to the Tax Collector as follows:

(1) Hotel and Parking Taxes. The Hotel Tax (Article 7) and the Parking Tax (Article 9) shall be paid in monthly installments. Such monthly installments shall be due and payable to the Tax Collector on or before the last day of the month immediately following the month for which the prepayment is due. Taxes paid in the first two monthly installments of any quarterly period shall be a credit against the total liability such third party taxes for the quarterly period. Estimated tax prepayments shall be computed based on the estimated tax accrued during the month in question, but in no instance shall a prepayment be equal to a sum less than 30 percent of the tax collected in the immediately preceding quarterly period. If the taxpayer can establish by clear and convincing evidence that the amount of any prepayment will exceed the total tax liability for the quarterly period for which the tax prepayment becomes due, the Tax Collector may, in writing, adjust the amount of the tax prepayment. The third monthly installment of any quarterly period shall be in an amount equal to the total tax liability for the quarterly period, less the amount of any tax prepayments actually paid.

(2) Payroll Expense Tax and Business Tax. The Payroll Expense Tax (Article 12-A) and Business Tax (Article 12-A-1) shall be paid in biannual or quarterly installments as follows:

(A) Small Firm Prepayments. Every person liable for payment of a total Payroll Expense Tax in excess of \$2,500 or a total Business Tax in excess of \$500, but less than a combined total of \$50,000 for both such taxes, for any tax year shall pay such taxes for the following tax year in two installments. The first installment shall be due and payable, and shall

be delinquent if not paid on or before, August 1st. The first installment shall be a credit against the person's total liability under the Payroll Expense Tax and Business Tax for the tax year in which the first installment is due. The first installment shall be in an amount equal to one-half (1/2) of the person's estimated total liability under the Payroll Expense Tax and Business Tax for such tax year. The estimated liability for a tax year shall be computed by using ~~52~~102% of the person's total taxable payroll expense (as defined in Section ~~902.2~~ 902.1 of Article 12-A) and taxable gross receipts (as defined in Section 952.23 of Article 12-A-1) for the preceding tax year, and the corresponding rates of tax applicable to the tax year in which the first installment is due. The second installment shall be reported and paid on or before the last day of February of the following year. The second installment shall be in an amount equal to the person's combined total liability under the Payroll Expense Tax and Business Tax for the subject tax year, less the amount of the first installment and other tax prepayments for such tax year, if any, actually paid. The estimated liability for the 2005 tax year shall be computed by using 102% of the person's taxable payroll expense for the 2004 tax year, plus the person's estimated taxable gross receipts for the 2005 tax year.

(B) Large Firm Prepayments. Every person liable for payment of a combined total Payroll Expense Tax and Business Tax in excess of \$50,000 for any tax year shall pay such tax for the following tax year in four quarterly installments. The first, second and third quarterly installments shall be due and payable, and shall be delinquent if not paid on or before, May 1st, August 1st and November 1st, respectively. The first, second and third quarterly installments shall be a credit against the person's total liability under the Payroll Expense Tax and Business Tax for the tax year in which such first, second and third quarterly installments are due. Such quarterly installments each shall be in an amount equal to one-quarter (1/4) of the person's estimated total liability under the Payroll Expense Tax and Business Tax ~~liability~~ for such tax year. The estimated liability for such tax year shall be computed by using ~~104%~~ 102% of the person's total taxable payroll expense (as defined in Section 902.1 of Article 12-A) and taxable gross receipts (as defined in Section 952.23 of Article 12-A-1) for the preceding tax year, and the rates of tax applicable to the tax year in which the first, second and third quarterly installments are due. The fourth installment shall be reported and paid on or before the last day of February of the following year. The fourth quarterly installment shall be in an amount equal to the person's total combined liability under the Payroll Expense Tax and Business Tax ~~liability~~ for the subject

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## LEGAL TEXT OF PROPOSITION K (CONTINUED)

tax year, less the amount of the first, second and third quarterly installments and other tax prepayments, if any, actually paid. The estimated liability for the 2005 tax year shall be computed by using 102% of the person's taxable payroll expense for the 2004 tax year, plus the person's estimated taxable gross receipts for the 2005 tax year.

(b) Tax Prepayment Penalties. Every person who fails to pay any tax prepayment required under this Section before the relevant delinquency date shall pay a penalty in the amount of five percent (5%) of the amount of the delinquent tax prepayment per month, or fraction thereof, up to twenty percent (20%) in the aggregate, and shall also pay interest on the amount of the delinquent tax prepayment from the date of delinquency at the rate of one percent (1%) per month, or fraction thereof, for each month the prepayment is delinquent, until paid.

(c) Hotel and Parking Taxes. Upon commencing business, an operator subject to the Hotel Tax (Article 7) or the Parking Tax (Article 9) shall have the option of making prepayments in the amount of the actual tax owed or making an estimate of the prepayment for the month based on the estimated tax accrued during the month in question. Once the operator has selected an option, the operator must continue to follow that procedure unless prior written permission to use the alternative procedure has been obtained from the Tax Collector.

In no instance shall an estimated prepayment of hotel or parking taxes be less than 30 percent of such tax collected in the immediately preceding quarterly period. If such estimated prepayment is less than 30 percent of the tax collected in such preceding quarterly period, the operator shall be subject to penalties and interest for the deficiency pursuant to Section 6.17-1. If a prepayment based on actual tax owed is less than 90 percent of the actual liability for the month, the operator shall be subject to penalties and interest for the deficiency pursuant to Section 6.17-1.

(d) Forms and Adjustments. Tax prepayments required under this Section shall be accompanied by a tax prepayment form prepared by the Tax Collector, but failure of the Tax Collector to furnish the taxpayer with a tax prepayment form shall not relieve the taxpayer from any tax prepayment obligation. The Tax Collector may, in writing, adjust the amount of a tax prepayment if the taxpayer can establish by clear and convincing evidence that the first installment of biannual tax prepayments, or first, second or third monthly installment of a quarterly tax prepayment, will amount to more than one half or one quarter, respectively, of the person's total tax liability for the tax year in which the installment is due.

SEC. 6.9-5. DETERMINATIONS, RETURNS AND PAYMENTS; CREDITS AND EXEMPTIONS. The credits and exemptions set forth in Articles 7, 9, 10, 10A, 11, 12, 12-A and 12-A-1 are provided on the assump-

tion that the City has the power to offer such credits and exemptions. If a credit or exemption is invalidated by a court of competent jurisdiction, the taxpayer must pay any additional amount that the taxpayer would have owed but for such invalid credit or exemption. Amounts owed as a result of the invalidation of a credit or exemption that are paid within three years after the decision of the court becomes final shall not be subject to interest or penalties.

SEC. 6.21-1. TRANSFeree AND SUCCESSOR LIABILITY. (a) The liability at law or in equity of a successor, transferee or alter ego of any taxpayer or other person determined to be liable for any tax, interest, cost or penalty subject to this Article, imposed upon a taxpayer shall be determined, collected and paid in the same manner and subject to the same provisions and limitations as in the case of a deficiency determination pursuant to Sections 6.12-1 et seq. and 6.13-1 et seq. Nothing in this subsection shall be construed to limit the rights or procedures available to the Tax Collector to collect from any successor, transferee or alter ego, at law or in equity, as may be provided by statutory or decisional law.

(b) No person shall purchase or acquire an interest in a business subject to any tax imposed under Articles 7, 9, 12-A or 12-A-1 without first obtaining either a receipt from the Tax Collector showing that all of the seller's taxes on the business have been paid, or a certificate stating that no amount is due. For purposes of this Section, "purchase" shall include any other voluntary transfer for consideration of a business, except for purchase of stock of a publicly-traded company.

(c) The Tax Collector shall issue such a receipt or certificate, or a notice of the amount that must be paid as a condition of issuing the certificate, to the buyer within 30 days after receiving a written request. However, failure of the Tax Collector to timely mail the notice will not release the buyer from his or her obligations under this Section, except to the extent of penalties and interest in the event that the Tax Collector enforces the buyer's obligation in a civil action authorized pursuant to the Business and Tax Regulations Code.

(d) If the buyer purchases or acquires an interest in a business owing any taxes, interest or penalties imposed under Articles 7, 9, 12-A or 12-A-1, the buyer shall withhold from the purchase price and pay to the Tax Collector a sufficient amount to satisfy said taxes, interest and penalties.

(e) If the buyer purchases or acquires an interest in a business in violation of this Section, the buyer shall become personally liable for the amount of taxes, interest and penalties owed on the business.

(f) The buyer's obligations shall accrue at the time the business is purchased or the interest acquired, or at the time the Tax Collector determines the seller's final liability, whichever is later.



# Use of Hotel Tax to Preserve Movie Theaters



## PROPOSITION L

Shall 15% of the existing hotel tax surcharge be set aside to acquire, preserve and maintain neighborhood and single-screen movie theaters and promote the local film-making industry?

YES   
NO

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** San Francisco charges a 14% hotel tax (an 8% base tax and a 6% tax "surcharge") on the rental of hotel rooms. Money raised by the 8% base tax is used for specific purposes, including operation and maintenance of convention facilities, museums and cultural centers. Money raised by the 6% surcharge is deposited in the City's General Fund.

**THE PROPOSAL:** Proposition L is an ordinance that would require that 15% of the money raised by the existing 6% hotel surcharge only be used to:

- acquire, preserve and maintain neighborhood and single-screen movie theaters; and
- promote the local film-making industry.

These funds would be paid to Save Our Theaters, a private, non-profit organization in San Francisco, for these purposes.

The remaining 85% of the money raised by the existing 6% surcharge would continue to be deposited in the City's General Fund.

**A "YES" VOTE MEANS:** If you vote "yes," you want to require that 15% of the money raised by the existing 6% hotel tax surcharge be used for payments to Save Our Theaters, a private, nonprofit organization in San Francisco, to acquire, preserve and maintain neighborhood and single-screen movie theaters and promote the local film-making industry.

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

## Controller's Statement on "L"

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

Should the proposed ordinance be approved by the voters, in my opinion, it would not increase the total cost of government, but would take funds from the General Fund and set them aside for a particular purpose. The City currently charges a fourteen percent tax on hotel occupancy. By ordinance, six of the fourteen percent is allocated to the City General Fund and the remaining eight percent to debt service on the Moscone Convention Center, the Grants for the Arts program and to other cultural facilities and specific programs. The proposed ordinance would set aside fifteen percent of the General Fund share of these monies, approximately \$10.5 million annually, for acquisition, preservation and revitalization of single screen movie theaters in the City, and for promotion of the local film-making industry. To the extent that funds are being shifted to these purposes, other current City spending would have to be reduced or new revenues identified.

The ordinance mandates that these funds will be spent on a contract with a specific non-profit organization, Save Our Theaters. In the event that this clause is invalidated for any reason, the City Administrator would be authorized to contract with another non-profit organization to do the acquisition, preservation and revitalization of single screen movie theaters and promotion of the local film-making industry required by the ordinance.

## How "L" Got on the Ballot

On July 21, 2004 the Department of Elections certified that the initiative petition, calling for Proposition L to be placed on the ballot, had qualified for the ballot.

10,486 signatures were required to place an initiative ordinance on the ballot.

This number is equal to 5% of the total number of people who voted for Mayor in 2003. A random check of the signatures submitted on July 5, 2004 by the proponent of the initiative petition showed that more than the required number of signatures was valid.

**THIS MEASURE REQUIRES 66%% AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 173.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Use of Hotel Tax to Preserve Movie Theaters

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION L

### YES on L

#### The Artist and Theater Economic Revitalization Project

Innovation built San Francisco.

YES, Proposition L is an innovative solution to save at least 8 of our endangered single-screen movie theaters, stimulate the City's economy and create a new, major independent movie industry in San Francisco.

Using our theaters as exhibition venues, we can create an environment where filmmakers from around the world can exhibit their craft for free while earning a portion of ticket sale profit, as long as they agree to make at least 1/3rd of their next movie in San Francisco.

The numbers speak for themselves.

Our efforts, as stated by the Legislative Analyst of the City and County of San Francisco could:

- **Increase annual revenue** generated by these groups doing business in San Francisco by \$270 million;
- **Increase the number of paid employees** working in the industry by 1,854.
- **Increase the annual payroll of these employees** by \$99 million.

While we appreciate our Board of Supervisors, they only seem to be looking at today, not tomorrow.

We need to do more than just cut expenses; we need to create new sources of revenues for our General Fund. Proposition L will provide a significant economic boost to the City from production, local businesses, tourism, hotel occupancy and building trades to name a few.

**Proposition L will not raise taxes.** It simply reallocates a small portion of the unallocated part of the hotel tax.

San Francisco has a unique opportunity to preserve our single-screen movie houses that were once the glowing anchors of our neighborhood commercial districts and reflect our cultural and architectural heritage. Few remain today. We have to act now!

Join filmmakers, moviegoers, non-profits, civic groups, business and labor to vote:

**YES on L.** For more, visit [www.saveourtheaters.org](http://www.saveourtheaters.org).

**Supported by California Senator John Burton, President Pro Tempore**

*The Committee to Save Our Theaters*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION L

### *Don't be fooled by the Committee to Save Our Theaters.*

They claim they need millions of dollars in taxpayer funds to save neighborhood movie theatres.

However, grassroots organizations throughout the City have had great success at preserving neighborhood cinemas without using any public funds. Some accomplishments include:

- The preservation of the Presidio Theatre on Chestnut Street
- The preservation of the Cinema 21 Theatre on Chestnut Street
- Listing of the New Mission Theatre on the National Register of Historical Places
- A commitment to preserve the theater use at the Alexandria on Geary Boulevard

All of this has been done without spending a dime of taxpayer money.

Save Our Theaters wants you to believe that a Legislative Analyst report has favorable things to say about its scheme.

Nothing could be further from the truth.

***Save Our Theaters provided untested and inflated figures to the Legislative Analyst.***

The report's conclusions were, in fact, quite troubling:

"A close examination of the ... project reveals some serious flaws in its design and proposed implementation."

"Beyond the legal questions raised by the ... project, the Mayor's Office of Public Finance has serious concerns over the project's financial soundness."

Proposition L will not create revenue or provide our City with an economic boost.

Proposition L is a multi-million dollar giveaway of taxpayer money to a private group that is not accountable to anyone.

Join us. Vote **NO** on Proposition L.

*San Francisco Democratic Party*



# Use of Hotel Tax to Preserve Movie Theaters



## OPPONENT'S ARGUMENT AGAINST PROPOSITION L

Proposition L is a well intentioned but seriously flawed measure that will raid the general fund of \$8 million per year, jeopardizing fire and police protection, further squeezing our public health system and robbing neighborhood parks of scarce funds.

- **Too risky:** Proposition L designates "Save Our Theaters," as the recipient of the \$8 million per year. As of August 2004, this group has no staff, no office, no programs, and no tax-exempt status. "Save Our Theaters" does not currently operate. We cannot afford to give \$8 million per year in precious tax dollars to a group that has no track record of running theaters or promoting the film industry.
- **Too expensive:** After struggling with a \$352 million budget deficit this year, we cannot afford to give away \$8 million per year to purchase, rehabilitate and manage movie theaters.
- **Wrong priorities:** San Francisco currently owns public arts spaces that are in desperate need of funds. The Mission, Western Addition and SOMA Cultural Centers are in need of over \$30 million in seismic renovation work. We should restore these properties before investing tax dollars in new arts spaces.
- **No accountability:** There is no oversight over how our \$8 million per year will be spent. No government entity or agency can audit or review how "Save Our Theaters" will use our funds.

We are working on a better way to preserve neighborhood theaters. Through zoning changes, strict permit requirements and tax incentives derived from acquiring landmark status neighborhood theaters can be saved without risking millions in public funds.

Please join us in voting **NO** on Proposition L.

*Mayor Gavin Newsom*

*Supervisor Michela Alioto-Pier*

*Supervisor Tom Ammiano*

*Supervisor Chris Daly*

*Supervisor Bevan Dufty*

*Supervisor Matt Gonzalez*

*Supervisor Sean Elsbernd*

*Supervisor Fiona Ma*

*Supervisor Sophie Maxwell*

*Supervisor Jake McGoldrick*

*Supervisor Aaron Peskin*

*Supervisor Gerardo Sandoval*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION L

Proposition L does more! It also:

- **SAVES ARTS PROGRAMS IN SCHOOLS**
- **REVITALIZES COMMUNITY CREATIVE CENTERS**
- **PROVIDES SOCIAL INTERACTION TO SENIORS**

### **L is Safe & Accountable**

Proposition L is backed with professional Advisors with over 20 years of experience in the movie and exhibition business.

It sets out controls by the City Administrator before spending any public dollar, using the same accountability as Grants for the Arts or the Convention & Visitors Bureau.

### **L is Profitable**

Arts programs in schools and communities have a direct impact in saving money, reducing crime, improving academic performance and quality of life.

Economic studies show that for every dollar invested in the arts, the community gains four dollars of additional economic revenue.

### **Tell Politicians: Stop Sacrificing our Arts & Culture!**

During the dot com boom, public officials did nothing to stop

our artists from being evicted out of San Francisco. They are now cutting community and school arts programs.

Several years ago, the Supervisors passed resolution 256-02 on *Preservation of Neighborhood Theatres*. It has never been started.

### **Don't be misled!**

Current proposed legislation makes it easier to change the use (into Walgreen's or gyms) or demolish our single-screen theaters. File 041070 states:

*(B) The change in use or demolition of the movie theater use will not undermine the economic diversity and vitality of the surrounding neighborhood commercial district.*

You deserve to have art and culture.

**Vote YES on L.**

**Supported by California Senator John Burton, President Pro Tempore**

*The Committee to Save our Theaters*





# Use of Hotel Tax to Preserve Movie Theaters

## PAID ARGUMENTS IN FAVOR OF PROPOSITION L

“Asian American for Prop L”

1) We are supporting Prop L to preserve the few remaining historic neighborhood single screen theaters.

2) We want to encourage local filmmakers to continue developing new creative productions and provide them a theater to showcase their talents.

3) The network of neighborhood theaters will be the center stage for the live performances, Art & Crafts shows, Ethnic traditional Celebrations, Modern music and dances for all ages in the community.

4) The Prop L funding and disbursements will be monitored by the City Administrative Officer. Proper and timely reporting are in accordance to terms and conditions.

5) San Francisco is a melting pot with diverse cultures. These multi cultural activities will attract and bring in more tourist dollars into our vibrant and dynamic city.

No New Tax !  
More Tourist Trade !!  
Yes, Yes on Prop. L !!!

JAMES CHIN, PRESIDENT, ASIAN AMERICAN FOR  
PROP “L”

FAYE WOO LEE, PRESIDENT S.F. LODGE, CHINESE  
AMERICAN CITIZENS ALLIANCE

MAE C. WOO, FMR. S.F. FILM AND VIDEO ARTS COMMR.

Wilma Pang, President, Pan Asian Enternment, Inc.

BOKF. PON

Ann Chan Yuey

Richard Ow, ORGANIZER

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



# Use of Hotel Tax to Preserve Movie Theaters



## PAID ARGUMENTS AGAINST PROPOSITION L

NO on L: An unwarranted, annual \$8M raid on the city budget for a narrow purpose will steal funds from critical city services.

*Coleman Advocates for Children and Youth*

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

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Join Health Care Workers in voting No on L!

This year, San Francisco's \$350 million budget deficit seriously threatened vital health care services at SF General, Laguna Honda Hospital, and the City's clinics and public health programs – and we're not out of the woods yet.

In the midst of a budget crisis, San Francisco just can't afford an \$11 million giveaway that will force cuts in our most essential services.

Vote No on L!

*SEIU Local 250, Health Care Workers Union*

The true source of funds used for the printing fee of this argument is the SEIU Local 250, Health Care Workers Union.

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### VOTE NO ON L!

Just when you think you've seen enough in local government, some "creative" minds concoct a way to extract public funds from a worthy cause under the guise of saving a piece of San Francisco history.

**Proposition L is a ruse** – one person paid to get a measure on the ballot that would extract chunks of taxpayer money from the general fund every year in order to buy movie theaters that would be owned by this one person's non-profit!

Isn't this a cutie? But wait... the non-profit does not currently exist, has no directors or employees and has NO TRACK RECORD of raising money. **Somebody yell "CUT" to this bad scene!!**

The Prop L sponsor hijacked a worthy civic issue and now seeks to dupe the electorate with a public dollar pass-through scheme benefiting a secret nonprofit with a classified Board of Directors. **Too bad for these "creative" types the voters have the final edit!** Leave this one on the cutting room floor – get rich quick schemes are good for Hollywood movies, but not for our public dollars.

**PROP L IS A SCAM masquerading as a civic cause.**

**PROP L MUST be rejected** – no matter how much we love our theatres, movies, filmmakers and artists.

*Meagan Levitan*

*Denise LaPointe*

*Mara Kopp*

*Howard Epstein*

*Christopher Bowman*

*Michael DeNunzio*

The true sources of funds used for the printing fee of this argument are Denise LaPointe and Meagan Levitan.

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### Vote No on Proposition L!

We have been at the forefront of the battle to preserve San Francisco's historic neighborhood theaters for the last three years. Saving neighborhood theaters is an important civic issue that deserves attention and government action. Nevertheless, we do not believe that Proposition L is a responsible measure.

Proposition L would divert an estimated \$8,000,000 to \$9,000,000 in public funds every year to a private venture with no proven track record. A venture formed by the same people sponsoring and financing Proposition L.

Using the issue of saving neighborhood theaters to attract public funds for a private venture that benefits Proposition L's sponsors is not only irresponsible, it's misleading to voters. This unusual and unorthodox proposal contradicts fundamental principles of good government and is ethically flawed.

Should San Franciscans work to save neighborhood theatres? Yes.

Should you vote for this taxpayer-funded scheme? No.

Vote no on Proposition L!

**Board of Directors, San Francisco Neighborhood Theater Foundation**







# Use of Hotel Tax to Preserve Movie Theaters

## PAID ARGUMENTS AGAINST PROPOSITION L

Jack Bair  
Molly Craft  
Alfonso Felder  
Rachel Herbert  
Denise LaPointe  
Meagan Levitan  
Dean Macris  
Christine Pelosi  
Katherine Petrin  
Andrew Roth  
Ned Segal  
James Slaughter  
Will Shank

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

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**Proposition L is a bizarre and unethical grab for public money.**

Neighborhood single-screen movie theatres are well loved by everyone, and there are legitimate attempts to support them. **But Proposition L is not the way to support neighborhood theaters.**

The City's hotel tax funds arts organizations and arts-related government programs. Prop. L diverts millions of dollars per year into the coffers of a new non-profit organization named in the ballot measure that is highly questionable and has no track record. There would be no fair bidding process, no competition for the funds. The money would ostensibly be used for acquiring these theaters and promoting the city's film industry, but there are no guarantees. We'd be giving this group a blank check.

And perhaps worse yet, this measure cannot be undone once enacted, except by another trip to the ballot box.

**VOTE NO ON L.**

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

For more information visit [www.spur.org](http://www.spur.org)

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

The three largest contributors to the true source recipient committee are: 1. Oz Erickson 2. James Chappell 3. Evette Davis.



# LEGAL TEXT OF PROPOSITION L

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

## **Section 1. Findings.**

The people of San Francisco find and declare the following:

(a) The preservation and revitalization of San Francisco's neighborhood and single-screen movie theaters will help create the infrastructure and incentives necessary to attract, develop, and expand an independent motion picture industry in the City while simultaneously preserving the unique character and architectural heritage of our local neighborhoods, resulting in a more diversified economy resistant to recessions and creating the opportunity for thousands of jobs and millions of dollars in additional tax revenue for San Francisco.

(b) Using proceeds from the tax on transient occupancy of hotel rooms to preserve and revitalize San Francisco's neighborhood and single-screen movie theaters will increase the number of overnight stays at San Francisco hotels because an expanded independent motion picture industry will attract more visitors and business travelers to the City.

(c) The purpose of this ordinance is to use fifteen percent of the hotel tax surcharge to preserve and revitalize San Francisco's neighborhood and single-screen movie theaters and to promote the local film-making industry.

## **Section 2. San Francisco Business and Tax Regulations Code section 502.5 is amended as follows:**

### **SEC. 502.5. IMPOSITION OF SURCHARGE.**

There shall be an additional tax of 1.75 percent on the rent for every occupancy of the guest rooms in a hotel in the City and County of San Francisco between July 1, 1980 and August 14, 1993 and an additional tax of 2.75 percent on the rent for every occupancy on and after August 15, 1993.

When rent is paid, charged, billed or falls due on either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax of eight percent herein imposed to the extent that it covers any portion of the period prior to July 1, 1980, and to the tax of eight percent herein plus the 1.75 percent surcharge imposed to the extent that it covers any portion of the period between July 1, 1980 and August 14, 1993, and the 2.75 percent surcharge imposed to the extent that it covers any portion of the period on and after August 15, 1993, and such payment, charge, bill or rent due shall be apportioned on the basis of the ratio of the number of days falling within the periods prior to July 1, 1980, between July 1, 1980 and August 14, 1993, and on and after August 15, 1993 to the total number of days covered thereby. Where any tax has been paid hereunder upon any rent without any right

of occupancy therefor, the Tax Collector may by regulation provide for credit or refund of the amount of such tax upon application therefor as provided in this Code.

The surcharge tax so collected shall be allocated pursuant to section 502.6-1(e) deposited in the General Fund subject to appropriation pursuant to the budget and fiscal provisions of the Charter.

By adopting this ordinance the People of the City and County of San Francisco do not intend to limit or in anyway curtail any powers the Board of Supervisors may exercise as to the subject matter of this ordinance, including, but not limited to, raising the rate of taxation or surcharge, lowering the rate of taxation or surcharge, eliminating the tax or surcharge, or creating or defining new categories of taxpayers under this ordinance. This notwithstanding, the allocation of the surcharge tax pursuant to section 502.6-1(e) may only be amended by an ordinance approved by the voters of San Francisco.

## **Section 3. San Francisco Business and Tax Regulations Code section 502.6 is amended as follows:**

### **SEC. 502.6. IMPOSITION OF A 1.25 PERCENT SURCHARGE.**

(a) There shall be an additional tax of 1.25 percent on the rent for every occupancy of the guest rooms in the hotel in the City and County of San Francisco on and after January 1, 1987.

(b) When rent is paid, charged, billed or falls due on either weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax of 9.75 percentum herein imposed to the extent that it covers any portion of the period prior to January 1, 1987, and to the tax of 9.75 percent herein plus the amount of surcharge imposed to the extent that it covers any portion of the period on and after January 1, 1987 and such payment, charge, bill or rent due shall be apportioned on the basis of the ratio of the number of days falling within said periods to the total number of days covered thereby. Where any tax has been paid hereunder upon any rent without any right of occupancy therefor the Tax Collector may by regulation provide for credit or refund of the amount of such tax upon application therefor as provided in this Code.

(c) The surcharge tax so collected shall be allocated pursuant to section 502.6-1(e) deposited in the General Fund subject to appropriation pursuant to the budget and fiscal provisions of the Charter. (Added by Ord. 468-86, App. 12/5/86; amended by Ord. 19-98, App. 1/16/98)

## **Section 4. San Francisco Business and Tax Regulations Code section 502.6-1 is amended as follows:**

### **SEC. 502.6-1. IMPOSITION OF A CUMULATIVE SURCHARGE.**

(a) **Replacement of Section 502.5 and Section 502.6.** Commencing on August 1, 1996, Section 502.5 and Section 502.6 are hereby suspended and replaced in their entirety by this new Section 502.6-1. The purpose of this new Section is to combine the surcharges levied by Sections 502.5 and 502.6 and to increase the total surcharge levied by the City and County by two percent. In the event any portion of the transient occupancy tax levied by the City pursuant to Section 502.6-1 hereof is found to be invalid, illegal or unconstitutional, the suspension of Sections 502.5 and 502.6 shall be rescinded by operation of law and the taxes and surcharges levied under such Sections shall be deemed to have been in full force and effect during the period the City collected the taxes under the authority of this Section.

(b) **Imposition of Surcharge.** Effective August 1, 1996, there shall be a surcharge of six percent, in addition to the eight percent tax specified in Section 502, on the rent for every occupancy of the guest room in a hotel in the City and County of San Francisco. The surcharge so collected shall be allocated pursuant to section 502.6-1(e) deposited in the General Fund subject to appropriation pursuant to the budget and fiscal provisions of the Charter.

(c) **Prorata Allocation of Surcharge.** When rent is paid, charged, billed or falls due on either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to a surcharge of four percent to the extent that it covers any portion of the period prior to August 1, 1996, and a six percent surcharge to the extent that it covers any portion of the period on or after August 1, 1996, and such payment, charge, bill or rent due shall be apportioned on the basis of the ratio of the number of days falling within said periods to the total number of days covered by such payment. Where any surcharge has been paid hereunder upon any rent without any right of occupancy therefor, the Tax Collector may by regulation provide for credit or refund of the amount of such tax upon application therefor as provided in this Code.

(d) **Suspension of Surcharge Pursuant to Section 502.7.** The provisions of this Section 502.6-1 shall be subject to Section 502.7, including the temporary suspension provided therein.

(e) Eighty-five percent of all monies derived from the collection of the six percent hotel tax surcharge provided for in this section shall be deposited in the General Fund subject to appropriation pursuant to the budget and fiscal provisions of the Charter. The remaining fifteen percent of all monies derived from the collection of this six percent hotel tax surcharge shall be



## LEGAL TEXT OF PROPOSITION L (CONTINUED)

appropriated to the City Administrator to be used solely to contract with Save Our Theaters, a 501(c)(3) nonprofit organization based in San Francisco, pursuant to the authority granted by Section 3.104 of the San Francisco Charter, to acquire, preserve and revitalize San Francisco's neighborhood and single-screen movie theaters and to promote the local film-making industry. If this appropriation to the City Administrator is held invalid for any reason, the remaining fifteen percent of all monies derived from the collection of the six percent hotel tax surcharge shall be appropriated to the City Administrator to be used solely to contract with a San Francisco nonprofit corporation, pursuant to the authority granted by Section 3.104 of the San Francisco Charter, to acquire, preserve and revitalize San Francisco's neighborhood and single-screen movie theaters and to promote the local film-making industry. In choosing a nonprofit corporation, the City Administrator shall give preference to nonprofit organizations which will do the following with these funds:

- Acquire and renovate as many neighborhood and single-screen movie theaters as possible within the most expeditious time frame; and
- Give preference in their programming to film-makers who live or work in San Francisco, hire local talent for their films, retain local businesses for their films, and shoot their films in or near San Francisco; and
- Give preference in their programming to films which the public has expressed on affirmative desire to see; and
- Not discriminate in their programming based on the content, or subjective quality of the content, of films; and
- Share gross ticket sales with film-makers; and
- Provide low or no-cost access to the theaters to local film festivals, showcases and competitions; and
- Provide low or no-cost access to the theaters to schools, senior groups and other community organizations; and
- Work with nearby merchants and residents so that the theaters are operated in such a way as to strengthen economic and cultural vitality in the neighborhood; and
- Have members of their Boards of Directors who have lived in San Francisco for at least five years; and
- Submit a detailed plan to the City Administrator about how they will use these funds to preserve and revitalize neighborhood and single-screen movie theaters and to promote the local film-making

industry within 45 (forty-five) days of the effective date of this ordinance.

### **Section 5. San Francisco Business and Tax Regulations Code section 502.6-2 is amended as follows:**

#### **SEC. 502.6-2. CONTINUATION OF TWO PERCENT HOTEL TAX SURCHARGE.**

(a) The City and County of San Francisco is hereby authorized to continue to levy and collect a two percent hotel tax surcharge imposed by Section 502.6-1. All monies derived from the collection of such two percent hotel tax surcharge shall be allocated pursuant to section 502.6-1(e) ~~deposited in the General Fund of the City and County of San Francisco and, subject to the budgetary and fiscal provisions of the Charter, may be expended for any lawful City and County of San Francisco purposes.~~

### **Section 6. Severability.**

If any portion of this measure or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of this measure which can be given effect in the absence of the invalid provision or application, and to this end the provisions of this measure are severable.

### **Section 7. Conflicting measures.**

In the event that this ordinance and another ordinance relating to the use of the proceeds of the hotel tax surcharge imposed by Section 502.6-1 appear on the same election ballot, the provisions of such other ordinance shall be deemed to be in conflict with this ordinance. In the event that more than one such ordinance passes and this ordinance receives a greater number of affirmative votes, the provisions of this ordinance shall prevail in their entirety, and the provisions of the other ordinance or ordinances shall be null and void in their entirety.

### **Section 8. Construction.**

The provisions of this ordinance shall be liberally interpreted in order to give effect to its purposes. This ordinance and all its provisions shall control and prevail over all other conflicting provisions of San Francisco ordinances or regulations now existing or adopted by the City and County or its electorate prior to or after the effective date hereof.

### **Section 9. Effective Date.**

The effective date of this measure is July 1, 2005.

### **Section 10. Amendment or Repeal.**

This ordinance may be amended or repealed only if approved by a two-thirds vote of the voters of the City and County of San Francisco.



THIS MEASURE HAS BEEN WITHDRAWN.



# Withdrawing U.S. Military Personnel from Iraq



## PROPOSITION N

Shall it be City policy to urge the United States government to withdraw all troops from Iraq and bring all military personnel in Iraq back to the United States?

YES  
NO



## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** San Francisco voters have not adopted a policy about United States military action in Iraq.

**THE PROPOSAL:** Proposition N is a declaration of policy that would urge the United States government to withdraw all troops from Iraq and bring all military personnel in Iraq back to the United States.

**A “YES” VOTE MEANS:** If you vote “yes,” you want it to be City policy to urge the United States government to withdraw all troops from Iraq and bring all military personnel in Iraq back to the United States.

**A “NO” VOTE MEANS:** If you vote “no,” you do not want it to be City policy to urge the United States government to withdraw all troops from Iraq and bring all military personnel in Iraq back to the United States.

## Controller’s Statement on “N”

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

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

## How “N” Got on the Ballot

On June 29, 2004 the Department of Elections received a proposed Declaration of Policy signed by Supervisors Ammiano, Daly, Gonzalez, and McGoldrick.

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

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 183.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.

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# Withdrawing U.S. Military Personnel from Iraq

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION N

*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, and Peskin; oppose the measure: Supervisor Elsbernd; take no position on the measure: Supervisors Alioto-Pier, Ma, and Sandoval.*

### YES ON PROPOSITION N!

In 1970, San Franciscans led the nation in calling on the Federal government to bring home our troops from Vietnam. Today, 30 years later, we must again raise our voices.

Prop N will put on record that San Franciscans oppose the U.S. war and occupation of Iraq and demand that our troops come home now. Prop N will also set an example for other cities to demand that public resources be used for vital services.

Since May 2003, Congress has appropriated over \$150 billion dollars. This war has cost the state of California over \$19 billion dollars, and San Francisco \$520 million dollars. We could have used these monies to meet the needs of uninsured youth, seniors,

low-income children, and the chronically homeless.

We need to make sure that this war in Iraq does not become another Vietnam where we suffered the tragic loss of over half a million Americans and millions of Vietnamese lives. We must insist that our troops come home now!

Let's join together to send a forceful message to President Bush and Congress that we, the people of San Francisco, will not continue to watch the sacrifice of more American and Iraqi lives, and the squandering of our precious public resources.

### VOTE YES ON PROP N!

*Supervisor Chris Daly  
Supervisor Matt Gonzalez  
Supervisor Tom Ammiano,  
Supervisor Jake McGoldrick  
Supervisor Sophie Maxwell  
Supervisor Bevan Dufty  
Supervisor Aaron Peskin*

*San Francisco Democratic Party*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION N

### THE AUTHORS OF "YES ON PROPOSITION N!" (SEE PARAGRAPH 4, ABOVE) NEED TO TAKE A BASIC CLASS IN AMERICAN HISTORY:

The grossly mistaken historical scholarship of the Supervisors authoring the above "YES ON PROPOSITION N!" argument is rather shocking for public officials.

In fact, their poor research raises *many questions*.

Only in two (2) of the United States' wars did our Nation's military deaths come near: "... the tragic loss of over half a million Americans..."

Those conflicts were the American Civil War (with an estimated 600,000 combined Union and Confederate States of America losses) and World War II (with an estimated 500,000 American deaths).

**The estimated American losses in Vietnam were between 58,000 to 60,000 (about 12% of their quoted figure).**

The Supervisors' lack of knowledge on such basic matters of public affairs should indeed: "... *send a forceful message to President Bush and Congress...*" that their judgment should be regarded as gravely flawed on complex Middle Eastern questions, such as Iraq (see: "**SADDAM HUSSEIN DESERVES A NUREMBERG-TYPE TRIAL FOR MASS MURDER**" on the facing page).

Send the just imprisoned Saddam Hussein: "**a forceful message**: Reelect President George Bush and vote **AGAINST** disgraceful Proposition N!

*-Dr. Terence Faulkner, J.D.*  
Past State Secretary  
California Republican County  
Chairmen's Association

*-Gail E. Neira*  
Republican County Committeewoman  
State Assembly Nominee  
(13<sup>th</sup> District – Eastern San Francisco)



# Withdrawing U.S. Military Personnel from Iraq



## OPPONENT'S ARGUMENT AGAINST PROPOSITION N

### **SADDAM HUSSEIN DESERVES A NUREMBERG-TYPE TRIAL FOR MASS MURDER:**

The *best thing* President George Bush ever did was overthrowing the morally bankrupt government of mass murderer Saddam Hussein and his now dead criminal sons.

When not using poison gas on Iraq's Kurds, Saddam Hussein and his late sons sat in their palaces and played with their "toys".

One of their "toys" was a plastic shredder into which they regularly pushed political prisoners. The lucky prisoners were dumped in head first and died quickly. The unlucky prisoners were put in the shredder feet first and died screaming.

The resulting "*chopped meat*" from the plastic shredder was then fed to Saddam Hussein's pet fish.

Saddam Hussein, his sons, and their secret police had unique ideas about "**WOMEN'S RIGHTS** (or the lack thereof): They had special **RAPE ROOMS** for women political prisoners and **TRAINED POLICE RAPISTS**. They also frequently forced the husbands and children of women political prisoners to watch their rapes.

One recent United Nations' report referred to Saddam Hussein's government as "*the worst*" since Adolf Hitler's Third Reich.

The supporters of Proposition N – like the backers of the pre-World War II "peace organization" **AMERICA FIRST** – are arguing for a disgraceful cause: The only thing Saddam Hussein deserves is a hearing for mass murder modeled after the post-World War II Nuremberg Trials.

- *Dr. Terence Faulkner, J.D.*

Past County Chairman

San Francisco Republican Party

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION N

### **RULE by THE UNHINGED**

Among sorry by-products of Bush's war policies is the extent to which the moral climate of our country has been fouled by a "true believer" chorus of the extreme right. Dr. Faulkner's fevered rant about Saddam Hussein has absolutely no relevance to this ballot measure. Indeed, some of the fiercest hawks in this administration encouraged alliances with Hussein during some of his cruelest years. The millions of Americans who oppose this war don't seek Hussein's return power. They want to open up real debate about a war that is a catastrophe for this nation as well as Iraq. The Faulkners want to silence that discussion with jingoism at its worst.

This country's unelected president, in the embrace of oil barons, took us to war over the objection of most of the world's nations, using deception, disinformation and fear-based manipulation of public opinion. Every rationale for this war has proven fake. The continued presence of U.S. troops has done nothing to lay a basis for democracy, rather, it feeds hostility and sows the seeds for more terrorism. It has greatly alienated many of our closest traditional allies.

The puppet governing authority installed by Washington displayed its real character by threatening to shoot reporters on sight should they cover the military assault on Najaf. Continued loss of allied soldiers and countless Iraqi citizens deepens the moral bankruptcy of Bush's policies and further isolates the U.S. in the world.

*Howard Wallace,*

Union/Community organizer

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





# Withdrawing U.S. Military Personnel from Iraq

## PAID ARGUMENTS IN FAVOR OF PROPOSITION N

Seniors want peace not occupation!

The administration lied about the case for war in Iraq.

Free up wasted war dollars for badly needed social programs here at home!

*Senior Action Network*

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

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**Every justification President Bush gave for going to war – Iraq having weapons of mass destruction, collaborating with al Qaeda, being an imminent threat to the US – has proven false.**

Rather than bringing democracy to Iraq, the U.S. invasion and occupation has cost the lives of many thousands of Iraqi civilians and the maiming and wounding of countless more. It has resulted in the death of nearly 1000 U.S. troops (as of August 2004) and wounding of more than 6000 others. It has resulted in widespread disease, hunger, homelessness, unemployment and suffering. It has cost U.S. taxpayers \$200 billion, with no end in sight.

It has perpetuated the denial of labor and human rights, and has eroded the rights of Iraqi women. It has resulted in the detention of thousands of Iraqis and has led to the extensive use of torture by U.S. troops and private contractors. It has fueled religious fundamentalism in a country that had a history of secularism and religious tolerance. It has isolated the U.S. in the international community. It has raised, not lowered, the risk of terrorism.

It has resulted in the erosion of our civil liberties and stoked racism, religious intolerance, and discrimination against immigrants. It has created massive government deficits that will saddle future generations with debt service. It has thrown state and local governments into fiscal crisis, resulting in the slashing of vital services and social programs. It has disrupted the lives of thousands of reservists and National Guard members and their families. It has benefited the corporate contractors at the expense of the rest of us.

**We should acknowledge the folly of this tragic adventure. It's time to end U.S. occupation of Iraq and bring our troops home now.**

*San Francisco Labor Council, AFL-CIO*

*Howard Wallace, Vice-President for Community Activities*

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

**Bush's unprovoked attack on Iraq lacked legitimate grounds and international support. He exploited our national mourning to shift focus from al Qaeda to Iraq. Our military control makes us an occupier, not a liberator. The continued presence of US troops in Iraq perpetuates this occupation, increases the resistance against us, and undermines true Iraqi sovereignty.**

**BRING AMERICAN TROOPS HOME NOW.  
YES ON N**

*HARVEY MILK LGBT DEMOCRATIC CLUB  
ALICE TOKLAS LGBT DEMOCRATIC CLUB  
SAN FRANCISCO PRIDE AT WORK, AFL-CIO*

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

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**Bring all the troops home now! End the huge number of deaths and grievous wounds of American soldiers and Iraqis. End the occupation!**

As a foreign occupier, the U.S. military is the source of violence – insurgents are fighting for Iraqi sovereignty. Like Vietnam, the U.S. will not win this war. Why continue the violence?

Iraqi self-determination means ending the presence of U.S. military and contractors immediately. Iraq has doctors, teachers, architects, engineers and skilled laborers just as we do. They are capable of governing themselves and rebuilding.

But their whole infrastructure has been damaged or destroyed by this illegal war. We must provide financial humanitarian aid, but end military expenditures. Use the hundreds of billions of tax dollars for human needs, like education, healthcare, housing, and other public services desperately needed in San Francisco and everywhere, instead of the destruction of war.

*Bay Area United Against War*

The true source of funds used for the printing fee of this argument is the Bay Area United Against War.

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By voting "yes" on this referendum, San Francisco voters have a vitally important opportunity to send a clear message to the citizens and leaders of our country and to the rest of the world: that we believe the U.S. should end the war in Iraq and bring the troops home now.





# Withdrawing U.S. Military Personnel from Iraq



## PAID ARGUMENTS IN FAVOR OF PROPOSITION N

By now we all know the truth, which is repeatedly evaded by the Bush administration but cannot be denied. The U.S. invasion of Iraq was based on lies and deception and continues through more of the same. There were no weapons of mass destruction. Iraq did not pose a threat to the U.S. or Americans. Further, the U.S. does not stay in Iraq to establish peace and democracy but to secure military bases and access to the oil fields.

Nothing could be worse than to continue the war based on the argument that we were wrong to invade, but now that we are there, we have to stay.

At stake are people's lives: hundreds of young American men and women who have been killed and their families devastated, thousands of American troops who have suffered debilitating physical and mental wounds and tens of thousands of Iraqis dead, without homes and neighborhoods, imprisoned and tortured, living under the boot of an illegal and immoral occupation.

Of course, this referendum will not by itself end the war. But its passage will be very significant. We as a city will speak clearly and forcefully: "This is not who we are; we are not invaders, we are not occupiers. We stand for peace and justice, not just for ourselves, but for all peoples of the world."

*Vanguard Public Foundation*

The true source of funds used for the printing fee of this argument is the Vanguard Public Foundation.

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U.S. out of Iraq! Yes on N

*Renee Saucedo*, candidate for Supervisor, District 9

The true source of funds used for the printing fee of this argument is Renee Saucedo For Supervisor.

The three largest contributors to the true source recipient committee are: 1. Norman Saucedo 2. Christian Saucedo 3. Herman Papa.

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The war in Iraq is resulting in the senseless loss of lives, and is costing billions of dollars that could be used to improve lives here and around the world. Support our troops by bringing them home. Vote yes on N.

*Lisa Feldstein*  
Candidate, District 5 Supervisor

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

The occupation of Iraq has cost thousands of Iraqi lives and U.S. citizen, immigrant soldiers. Of the diverse military, more than a quarter of the casualties and wounded have been Latino/a soldiers and people of color. The slaughter must stop. **Bring our troops home now!**

*Latino Democratic Club*

The true source of funds used for the printing fee of this argument is the Latino Democratic Club.

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I have seen war ravaged Iraq twice. As an environmental analyst, throughout Iraq, I led the Harvard Study Team's public health investigation on the Gulf War's damage to civilians. In the 1990's I warned that another war was pending. San Francisco cannot continue to shoulder a war-economy. Let's help put an end to this madness.

Vote Yes on N

*Ross Mirkarimi*  
District 5 Candidate  
[www.rossforsupervisor.org](http://www.rossforsupervisor.org)

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

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San Francisco, a beacon of hope for the rest of our country, must send a message to bring our troops safely home now. Vote yes on N

*Robert Haaland*, candidate for Supervisor, District 5\*  
*Tom Ammiano*, District 9 Supervisor\*

\* For identification purposes only

The true source of funds used for the printing fee of this argument is the Committee to Elect Robert Haaland.

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# Withdrawing U.S. Military Personnel from Iraq

## PAID ARGUMENTS AGAINST PROPOSITION N

NO on N

The four radical Supervisors who wrote this shameful statement were not elected to promote their foreign policy opinions. Their fiscal irresponsibility and failed social policies have created the worst budget crisis and homeless problem in the City's history. These Supervisors should focus on city problems, not foreign policy.

The San Francisco Republican Party

Chairman  
*Michael A. DeNunzio*

Ballot Advisory Committee  
*Joshua Kriesel, Ph.D., Vice Chairman*  
*Howard Epstein, Assembly Candidate*  
*Christopher L. Bowman, Secretary*  
*Michael J. Antonini, DDS, Member*

Members  
*Thomas D'Amato, General Counsel*  
*Carolyn Devine, Vice Chairman*  
*Harold M. Hoogasian*  
*Leo Lacayo, Vice Chairman*  
*Sue Woods*

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

The three largest contributors to the true source recipient committee are: 1. Michael A. DeNunzio 2. Michael J. Antonini 3. Sue C. Woods.

**Supervisors should restrict their actions to City government and not engage in foreign policy.**

**Vote NO ON N!**

*MARA KOPP, Good Government Alliance*

The true source of funds used for the printing fee of this argument is the Kopp's Good Government Committee.



## LEGAL TEXT OF PROPOSITION N

It is the Policy of the people of the City and County of San Francisco that:

**The Federal government should take immediate steps to end the U.S. occupation of Iraq and bring our troops safely home now.**

George W. Bush disgracefully lied to the American people to make the case for war in Iraq. His message was one of deceit and fear mongering, linking Saddam Hussein to al Qaeda and weapons of mass destruction. There was never a legitimate case for a pre-emptive war. Overruling global public opinion and objections from allies, Bush relentlessly led us into a war that has (as of 6-28-04) cost more than 850 American lives and left more than 5,100 wounded.

The U.S. invasion and occupation cost the lives of roughly 10,000 Iraqi civilians in addition to maiming and wounding countless more. It has led to incredible environmental degradation as well as the destruction of homes, schools, sanitation and water treatment plants, and hospitals. Hunger, homelessness and suffering are widespread.

The war and occupation has perpetuated the denial of many labor and human rights. It has sharply increased violence against women and girls. A law issued by Saddam Hussein prohibiting unions where most Iraqis work has continued to be enforced. Systemic and illegal abuse of detainees has been found in the Abu Ghraib prison facility and in other detention centers. During the past two years, there have been consistent allegations of brutality and cruelty by US agents against detainees in violation of international law.

At home, we have witnessed the erosion of civil liberties under the USA PATRIOT ACT, while racism, religious intolerance, and discrimination against immigrants is on the rise.

With Congress appropriating over \$150 billion dollars, the war and occupation in Iraq has benefited corporate military contractors while widening economic inequality at home. It has diverted resources away from vital public services and community programs. The war and occupation of Iraq has cost California over \$19.5 billion dollars. San Francisco's share of that burden is estimated at over \$520 million dollars. With these resources, San Francisco could fund for the next 10 years: health coverage for 1,000 uninsured youth, meals for 5,000 seniors, pre-school for 500 low-income children, 100 new school teachers, and supportive housing for the City's estimated 3,000 chronically homeless individuals. Rather than squander more of our precious public resources and sacrifice many more American and Iraqi lives on the occupation, monies should be used to restore life-affirming efforts -- public health, welfare, education, jobs, arts and the environ-

ment in our country and around the world.

The war and occupation in Iraq has fueled, not lowered, the risk of terrorism here and around the world. We are less safe today than we were when the Bush administration put the nation on this failed course.

We need peace.

**The Federal government should take immediate steps to end the U.S. occupation of Iraq and bring our troops safely home now.**



# Use of Sales Tax Funds



## PROPOSITION O

Shall it be City policy to use additional sales tax funds resulting from approval of Proposition J to assist low-income residents including seniors, the disabled, children and the homeless?

YES ←   
NO ←

## Digest

by the Ballot Simplification Committee

**THE WAY IT IS NOW:** If San Francisco voters approve Proposition J, the City would increase the sales tax by  $\frac{1}{4}\%$  (one-quarter-of-one percent). The City could spend these additional sales tax funds for any public purpose.

**THE PROPOSAL:** Proposition O is a declaration of policy. If Proposition J (a separate measure on this ballot) passes, this declaration would make it City policy to use the additional  $\frac{1}{4}\%$  (one-quarter-of-one percent) sales tax to support and expand programs for low-income residents, seniors, the disabled, children and homeless individuals and families. This declaration of policy would be a non-binding recommendation only.

**A "YES" VOTE MEANS:** If you vote "yes," you want it to be City policy to use the additional  $\frac{1}{4}\%$  (one-quarter-of-one percent) sales tax funds, if the voters approve Proposition J, to support and expand programs for low-income residents, seniors, the disabled, children and homeless individuals and families.

**A "NO" VOTE MEANS:** If you vote "no," you do not want it to be City policy to use the additional tax funds for these purposes.

## Controller's Statement on "O"

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

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

## How "O" Got on the Ballot

On July 27, 2004 the Board of Supervisors voted 10 to 1 to place Proposition O on the ballot.

The Supervisors voted as follows:

**Yes:** Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, and Sandoval.

**No:** Supervisor Hall.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 189.

SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 53.





# Use of Sales Tax Funds

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PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION O

NO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION O WAS SUBMITTED

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REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION O

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



# Use of Sales Tax Funds



## OPPONENT'S ARGUMENT AGAINST PROPOSITION O

City Hall Is A Quicksand And Deserves No Extra Bailout!

This measure O slips in another deceptive and flimsily disguised impression that the beneficiaries of another sales tax increase will be the most economically impoverished and vulnerable. The repetitious attempts to pull scams at every election and between election periods could be humorous, except that suffering the consequences of deception and flagrant mismanagement of our tax monies is tragic.

Unfortunately, after most funds are gobbled up by layers of clerical bureaucracy and overpriced, under-deserving bureaucrats overseeing a variety of poverty programs, the actual recipients then become victimized twice. They are paraded around by City Hall salaried or subsidized poverty pimps to continue an endless circle of soliciting more tax dole. The only true beneficiaries of increased tax revenues are those at City Hall promoting the tax increases.

Our Supervisors and other City Hall bureaucrats should be treated exactly like children whose weekly allowance is suspended if they repeatedly spend their monies too quickly and frivolously. A effective parent sets parameters wherein the child has to better manage his allowance before having it reinstated or increased. Instead of doling out more band-aid money to undisciplined, irresponsible City Hall politicians and bureaucrats collab-

orating to pull scams on the taxpayers, more stringent demands for better fiscal accountability should be first, second and third priorities.

When you are being hustled to pay more taxes, blind trust that City Hall officials will be conservative and wise caretakers of your tax monies are comparable to a horrible nightmare from which you cannot wake up.

*Gail E. Neira*

Republican state and local Central Committeewoman  
State Assembly Candidate, District 13

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION O

**NO REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION O WAS SUBMITTED**





# Use of Sales Tax Funds

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION O

Prop. O urges the Board to prioritize funds for vital health services and programs for seniors, disabled, children, families and the homeless.

We must commit ourselves to protecting the most vulnerable among us and sticking to the priorities set forth in this measure. Please join me in voting YES on O.

**DAN KALB**

Supervisor 5 candidate

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

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## PAID ARGUMENTS AGAINST PROPOSITION O

**NO PAID ARGUMENTS AGAINST PROPOSITION O WERE SUBMITTED**

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

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## LEGAL TEXT OF PROPOSITION O

**Motion submitting a declaration of policy to the qualified electors of the City and County of San Francisco at the November 2, 2004 election concerning the voters' non-binding recommendation that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be expended to support and expand programs for trauma and emergency services, low-income, vulnerable communities, including seniors, the disabled, children and homeless individuals and families.**

WHEREAS, The Board of Supervisors has adopted an ordinance ordering submission to the voters at the November 2, 2004 election of a one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax, which is on file with the Clerk of the Board of Supervisors in File No. 040751 and is hereby declared to be a part of this motion as if set forth fully herein; and,

WHEREAS, The proposed San Francisco Transactions and Use Tax, if approved by a majority of the qualified electors voting on the question, would be imposed under California Revenue and Taxation Code Section 7285 as a general tax that may be used for any City purpose; and,

WHEREAS, Pursuant to San Francisco Charter Section 2.113, the Board of Supervisors may submit declarations of policy to the voters; and,

WHEREAS, Pursuant to Charter Section 2.113, the Board of Supervisors may submit a declaration of policy allowing the voters to express their non-binding recommendation that the City use the revenues from the proposed San Francisco Transactions and Use Tax to support and expand programs for low-income, vulnerable communities, including seniors, the disabled, and children and homeless individuals and families; and,

WHEREAS, The declaration of policy proposed by this motion is a non-binding statement of the voters' recommendation and would not impose the proposed San Francisco Transactions and Use Tax adopted under California Revenue and Taxation Code Section 7285 for specific purposes nor would it restrict the ability of the City to expend the proceeds derived from the proposed tax for any City purpose; now, therefore, be it

MOVED, That the Director of Elections shall place a declaration of policy on the ballot for the November 2, 2004 election, as follows:

**"This measure is NOT a tax. It is a declaration of policy only that states the non-binding recommendation of the voters of the City and County of San Francisco that the proposed one-quarter of one percent (0.25%) San Francisco Transactions and Use Tax be used to support and expand programs for low-income, vulnerable populations, including seniors, and children and homeless individuals and families. Examples of the types of programs for which**

the voters recommend the City use the revenues from the proposed tax include:

- a. Programs which provide and maintain trauma and emergency medical and health services;
- b. Programs for seniors and the disabled, such as the expansion of homecare, increasing funding for home delivered and congregate meals, increasing funding for paratransit services, funding for services in supportive housing for seniors and adults with disabilities, and other home and community-based services that support community living, consumer advocacy, empowerment and training for seniors and the disabled and advocates for seniors and the disabled;
- c. Programs for children, families and the homeless.
- ~~b. Programs for children and youth, such as providing childcare subsidies for low wage working parents not eligible for state and federal funds, summer recreation and sports programs, after school and family support programs for children with special needs, job preparation and employment programs for youth in high violence neighborhoods, and neighborhood and family resource centers that provide multi services in high need and under served neighborhoods;~~
- ~~e. Programs designed to end and prevent homelessness such as providing subsidies for rent and social services for supportive housing tenants, employment preparedness training for homeless and formerly homeless people, increasing the number of slots in substance abuse programs, expanding community-based mental health care, and funding eviction prevention and money management programs.~~

The voters understand and reiterate their intent that the recommendations in this declaration of policy are purely advisory and do not limit in any way the ability of the City to expend the revenues from the proposed San Francisco Transactions and Use Tax for any City purpose."





# BART Earthquake Safety Bond

AA

## PROPOSITION AA

To protect public safety and keep Bay Area traffic moving in the aftermath of an earthquake or other disaster, shall BART, the San Francisco Bay Area Rapid Transit District, be authorized to issue bonds not to exceed \$980 million dollars to make earthquake safety improvements to BART facilities in Contra Costa, San Francisco and Alameda Counties, including strengthening tunnels, bridges, overhead tracks and the underwater Transbay Tube, and establish an independent citizens' oversight committee to verify bond revenues are spent as promised?

YES



NO



## COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE AA

ANALYSIS BY THE ALAMEDA COUNTY COUNSEL OF THE SAN FRANCISCO  
BAY AREA RAPID TRANSIT DISTRICT BOND MEASURE AA

Measure AA, a San Francisco Bay Area Rapid Transit District ("BART") bond measure, seeks voter approval to authorize BART to issue general obligation bonds in series over time in an aggregate principal amount not to exceed \$980,000,000, at interest rates not exceeding the statutory maximum, to strengthen, seismically retrofit, improve and replace BART facilities in Alameda and Contra Costa counties and the City and County of San Francisco. The bonds will have a maturity not exceeding thirty-five (35) years from the issue date of such series. Funds of each series of bonds are proposed to be used to strengthen tunnels, bridges, overhead tracks and the underwater Transbay Tube. Funds cannot legally be used for general operating or administrative expenses. An independent citizens oversight committee would be appointed to review independent audits of the bond program and report bond expenditures to the public, in order to ensure that bond money is properly spent.

Section 1(b) of Article XIII A of the California Constitution provides an exception to the one percent property tax limit by allowing special districts to increase the property tax rate above one percent to pay off bonded indebtedness only for the purchase or improvement of real property. Pursuant to Section 29169 of the California Public Utilities Code and Section 1 of Article XIII A, the proposed measure shall become effective only upon the affirmative vote of two-thirds of those electors voting on the measure.

Approval of this measure will authorize BART to levy an ad valorem tax on the assessed value of real property within the BART District by an amount needed to pay the principal and interest on these bonds. The Tax Rate Statement for Measure AA in this Voter Pamphlet reflects BART's best estimates, based upon currently available data and projections, of the property tax rates required to service the bonds in the first year in which taxes are expected to be levied to pay debt service on the bonds, the year in which the tax is expected to be highest, and in the year following the last expected issuance of bonds, all as required by statute. The estimate of the tax rate required to be levied to fund the bonds in each

year throughout the term of authorization ranges between .485 cent per 100 dollars of assessed valuation (\$4.85 per \$100,000) and 1.279 cents per 100 dollars of assessed valuation (\$12.79 per \$100,000), as set forth more fully in the measure's Tax Rate Statement in this Voter Pamphlet.

If two-thirds of the qualified electors voting on this measure do not vote for approval, the measure will fail and BART will not be authorized to issue the bonds to fund earthquake safety improvements.

*RICHARD E. WINNIE*  
County Counsel  
County of Alameda

The above statement is an impartial analysis of Measure AA. If you desire a copy of the full text of Measure AA, please call the BART District Secretary at (510) 464-6096 and a copy will be mailed at no cost to you.

**THIS MEASURE REQUIRES 66% AFFIRMATIVE VOTES TO PASS.**





# BART Earthquake Safety Bond

## TAX RATE STATEMENT ON PROPOSITION AA

An election will be held in the San Francisco Bay Area Rapid Transit District (the "District" or "BART") on November 2, 2004, to authorize the sale of not to exceed \$980 million in general obligation bonds of the District to strengthen, seismically retrofit, improve and replace BART facilities, including the Transbay Tube, serving Alameda, Contra Costa and San Francisco counties. If the bonds are approved, the District expects to sell the bonds in four series over time. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Section 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$.00485 per \$100 (\$4.85 per \$100,000) of assessed valuation in fiscal year 2005-2006.
2. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is \$.01279 per \$100 (\$12.79 per \$100,000) of assessed valuation in fiscal year 2014-2015.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is \$.01279 per \$100 (\$12.79 per \$100,000) of assessed valuation in fiscal year 2014-2015.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold at any given sale, market interest rates at the time of each bond sale, and actual assessed valuations over the term of repayment of the bonds. The actual dates of sale of said bonds and the amount sold at any given time will be governed by the needs of the District and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined in the annual assessment and the equalization process.

*SCOTT SCHROEDER*

Controller/Treasurer

San Francisco Bay Area Rapid Transit District

**THIS MEASURE REQUIRES 66% AFFIRMATIVE VOTES TO PASS.**



**AA**

# BART Earthquake Safety Bond

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION AA

Ballot Argument in SUPPORT of Measure AA (BART Earthquake Safety Bond)

Vote Yes on Measure AA to assure BART's quick return to service after a major earthquake. The Bay Area could be gridlocked without BART during years of rebuilding. With Measure AA, BART could be back to service in days. Measure AA will strengthen the TransBay Tube, elevated trackways and passenger stations.

**Vote YES on Measure AA to protect safety.** World-renowned experts have determined that elements of the BART System are vulnerable to earthquakes. **Experienced engineers agree that earthquake improvements made possible by Measure AA will work.**

**Vote YES on Measure AA to keep the region moving.** Whether you ride BART or not, a BART shutdown will affect everyone. Experts say a BART shutdown will add 310,000 more trips to Bay Area roadways. Each weekday, BART carries 150,000 transbay trips. During peak commutes, BART carries as many trips as the Bay Bridge.

**Vote YES on Measure AA to make critical earthquake safety improvements.** Earthquakes are inevitable in the Bay Area. Measure AA will ensure BART is prepared.

**Vote YES on Measure AA to protect the Bay Area's investment in BART.** Engineering experts say a major earthquake on the Hayward fault, for example, would dramatically affect BART's ability to transport com-

muters for up to 2½ years. BART's estimated value is conservatively \$15 billion – 15 times the cost of Measure AA.

**Measure AA** will reduce damage to the system, save billions in repair costs and help BART get the region moving again, while highway commuters contend with freeway and bridge reconstruction.

**Measure AA protects your tax dollars.** It is an earthquake insurance policy for the entire Bay Area. It will allow state-of-the-art advances in earthquake safety technology and construction techniques to increase safety, save money and reduce gridlock after a major quake.

**Vote Yes on Measure AA.**

**California Seismic Safety Commission**

*L. Thomas Tobin, Former Executive Director*

**Earthquake Engineering Research Institute**

*Keith Knudsen, President*

*Charles C. Plummer, Sheriff*

**East Bay League of Conservation Voters**

*Ruth C. Abbe*

**Bay Area Rapid Transit District Board**

*James Fang, President*

## REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION AA

Earthquake safety, rapid service recovery, and repair-cost savings should be priorities for BART PASSENGERS, too – including tourists and other riders from outside BART's District area! Yet Measure AA demands more tax dollars just from *property owners (and indirectly, renters)* – BART riders or not – in San Francisco, Alameda County, and Contra Costa County only.

- Presuming BART's updated seismic studies to be valid, *responsible budgeting* + small passenger-fare surcharges on 91,300,000 current passenger trips annually could fund seismic retrofits. BART itself says fares "have increased less than the rate of inflation since 1997."
- Taxes and bridge tolls funded BART's construction. Property and sales taxes *still* fund over 40% of every BART ticket! (Actual: 41.7% of BART's \$461 Million operating budget)
- In 32 years, earthquakes haven't caused significant BART interruptions. But strikes by BART's richly compensated employees have – 6 days in 1997, 3 months in 1979.
- During 1989's Loma Prieta quake, BART engineers reported, "All BART facilities performed well," having been constructed "to a higher level of seismic resistance than prevalent practice." Transbay Tube passengers "didn't even sense there had been a major earthquake."

- Seeing this ballot's relentless hit parade of new tax schemes, voters should challenge BART's large public-fund expenditures, beginning last July, to promote Measure AA.

Anticipating similarly cozy special-interest funding of BART's Measure AA campaign, we hope you'll join our grassroots effort, and...

**Vote NO on AA**

**More information: [www.ACCTaxpayers.com](http://www.ACCTaxpayers.com), (800) 947-ACCT**

**City Councilman, Antioch**

*Arne Simonsen*

**Coalition for San Francisco Neighborhoods (for identification only)**

*Barbara R. Mescunas, President*

**Concord Association of Taxpayers**

*Marla J. Kaste, Co-Founder*

**Community Activist, Richmond**

*Mary Lopez*

**Citizens Opposing Unreasonable New Taxes, San Francisco**

*Elsa Cheung, Chairwoman*

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



# BART Earthquake Safety Bond

# AA

## OPPONENT'S ARGUMENT AGAINST PROPOSITION AA

As the *Oakland Tribune* warned in 2002: "Bay Area residents and commuters be aware. BART is setting its sights on our pocketbooks." Now, BART again seeks taxpayer subsidies, anticipated principal + interest cost = \$2.1 Billion.

- In 2001, BART "knuckled under to union demands in a ridiculous contract" (Contra Costa Times, 8/5/02). The result? Anticipated 2005 total compensation costs averaging \$93,091 annually, for 3329 employees – with new contract negotiations next spring.
- By May 2002, BART's general manager, facing predictable deficits, reported having "to defer many new projects... including system rehabilitation... and seismic improvement" (FY 2003 Preliminary Budget).
- Two months later, BART's bureaucrats rolled out a large seismic improvement bond measure, expected to cost Alameda, Contra Costa, and San Francisco County taxpayers \$2.2 Billion (principal + interest) if passed. Fortunately, it failed.
- As the *Times* editorial continued: [BART,] "You have increased fares... cut back services... laid off... union workers because of the contract you signed..." (Expect Voter Backlash," 8/5/02).
- New bridge-toll increases, paid mostly by commuters who seldom ride BART, will hand BART \$389,000,000 – including \$143,000,000 toward Transbay Tube seismic retrofits.

BART-tax promoters advertise Measure AA's "minor cost." But notice:

- Taxes already consume *half* the next dollar earned by many Bay Area families. That happened bit by bit.

- So now, "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, 3/27/02).
- Taxpayers cannot continue financing every out-of-control program, or imagined solutions to every contingency. Regarding BART's demands, the *Tribune* wisely advised "looking at alternatives that include paybacks of funds Californians have already sent to Washington."

**BONDS = TAXES! SPECIAL-INTEREST BENEFICIARIES OF BART'S SPENDTHRIFT HABITS WILL RICHLY FUND BART'S CAMPAIGN FOR HIGHER TAXES. IN CONTRAST, WE ARE GRASSROOTS CAMPAIGNERS FOR FISCAL SANITY.**

**PLEASE VOTE NO ON BART BONDS!**

**Alliance of Contra Costa Taxpayers**  
*Kenneth E. Hambrick, Chairman*

**Citizens for Responsible Government**  
*Kenneth Arras, Chairman*

**Save El Sobrante**  
*Marilynne Mellander, Coordinator*

**East Bay Libertarian Party**  
*Curt Cornell, Chair*

**Waste Watchers Inc.**  
*Kenneth D. Steadman, President*

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION AA

Measure AA is a good deal for taxpayers. It makes necessary safety improvements as soon as possible, before costs go up. By strengthening the BART system now, we will avoid far greater rebuilding costs after an earthquake.

Measure AA will speed BART back into service while highways and bridges are being reconstructed. **It will save lives, maintain economic vitality, and avoid gridlock.** And an independent oversight committee will protect taxpayers' investment.

"BART kept the Bay Area moving after the 1989 earthquake," says A. Lee Blitch, president and CEO of the San Francisco Chamber of Commerce. "Next time, we need BART back quickly to transport safety workers, to get people to their jobs and to help the Bay Area recover faster."

Earthquake safety technology has advanced rapidly in the 15 years since the Loma Prieta quake. The BART system is getting older. **Experienced engineers and scientists say strengthening the BART system will work.** Measure AA will increase safety, reduce damage, save money and keep the Bay Area moving.

BART carries 45% of peak transbay traffic. In Alameda County, 20 million trips a year are on BART. In Contra Costa County, 50% of all transit rides are on BART. Even people who don't use BART enjoy the

benefits. Without BART, commute times would double or more. The Bay Area can no longer function without BART.

Earthquakes are a very real problem for the Bay Area. **When a reasonable solution is presented to a very real problem, we should vote for it.**

**Vote Yes on Measure AA.**

**Alameda County Fire Department**  
*William J. McCammon, Fire Chief*

**Pacific Earthquake Engineering Research Center**  
*Jack P. Moehle, Ph.D., P.E., Director*

**Bay Area Council**  
*Jim Wunderman, President & CEO*

*Virginia Hamrick, Rossmore Homeowner*

**Oakland Metropolitan Chamber of Commerce**  
*Joseph J. Haraburda, President & CEO*

