

**PROPOSED**  
**CHARTER AMENDMENTS,**  
**ORDINANCE AND**  
**BOND PROPOSITIONS**

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**TO BE SUBMITTED**  
**NOVEMBER 4, 1930**

**ISSUED IN ACCORDANCE WITH SECTION 9,  
CHAPTER III, ARTICLE XI OF THE CHARTER OF  
THE CITY AND COUNTY OF SAN FRANCISCO**

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*Issued by Order of the*  
**BOARD OF ELECTION COMMISSIONERS**



**Attest:**

A large, stylized handwritten signature in black ink, appearing to read "J. Hollins".

**Registrar of Voters and Secretary of the  
Board of Election Commissioners.**

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# CHARTER AMENDMENTS

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## Charter Amendment No. 27.

### BOARD OF EDUCATION TO BE ELECTED.

Providing that the members of the Board of Education shall be elected commencing at the general election to be held in 1931.

## CHARTER AMENDMENT NO. 27

Providing that the members of the Board of Education shall be nominated and elected in the same manner as elective officers of the City and County of San Francisco.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the Charter of said City and County by amending Section 1 of Chapter 1 of Article VII thereof, relating to the School Department.

The Board of Supervisors of the City and County of San Francisco submits to the qualified electors of said City and County of San Francisco, to be voted on at the general election to be held November 4, 1930, a proposal to amend the Charter of said City and County by amending Section 1, Chapter 1 of Article VII thereof, so as to read as follows:

Section 1. The School Department shall be under the control and management of a Board of Education composed of seven school directors, who shall be elected by the qualified voters of the City and County of San Francisco after having been nominated as hereinafter provided. They shall be citizens of the United States, and shall be not less than thirty years of age at the time of becoming candidates for the office of School Director, and shall have been residents of the City and County of San Francisco for at least five years prior to becoming such candidates. Except as herein otherwise provided, the term of office of each of the School Directors shall be four years, commencing at noon on the first Monday after the first day of January next following the election at which they were elected.

Any person possessing the qualifications hereinabove prescribed may be nominated and become a candidate for the

office of School Director. The persons so nominated shall be candidates for said office at the general State or municipal election next following their nomination.

The provisions of this Charter relative to the nomination and election of elective officers of the City and County shall apply to candidates for the office of School Director.

A vacancy in the office of School Director shall be filled by an ad interim appointment by the Mayor of a qualified citizen. Such appointee shall exercise the powers of the office until the general State or municipal election next following his appointment, at which time a qualified citizen nominated as aforesaid shall be elected to fill the unexpired term.

The School Directors shall each receive, as compensation, \$100 a month.

All the provisions of this Charter relating to the recall, suspension and removal of elected officers shall apply to School Directors.

The School Directors in office when this amendment takes effect shall continue in office until the commencement of the term of the persons elected to succeed them, as next hereinafter provided.

At the general municipal election to be held in 1931 seven School Directors shall be elected to succeed the School Directors then in office; the two directors receiving the highest number of votes shall serve for the term of four years; the two directors receiving the next highest number of votes after the first two shall serve for the term of three years; the two directors receiving the next highest number of votes after the first four shall serve for the term of two years, and the one director receiving the seventh highest number of votes shall serve for the term of one year.

At the general State election to be held in 1932, and every four years thereafter, one School Director shall be elected, and at each of the general State or municipal elections to be held in 1933, 1934, 1935, and every four years, respectively, thereafter, two School Directors shall be elected.

If any subsection, sentence, clause or phrase of this section is for any reason held to be unconstitutional, or inapplicable by reason of any State law, such decision shall not affect the validity of the remaining portions of this section which would have been adopted irrespective of the fact that any one or more of such subsections, sentences, clauses or phrases should be declared unconstitutional or inapplicable.



This amendment shall take effect immediately upon its approval by the Legislature.

Ordered Submitted—Board of Supervisors, San Francisco, September 8, 1930.

Ayes: Supervisors Andriano, Canepa, Gallagher, Havenner, Hayden, McGovern, McSheehy, Power, Roncovieri, Rossi, Shannon, Toner.

Noes: Supervisors Colman, Miles, Peyser, Spaulding.

Absent: Supervisors Stanton, Suhr.

J. S. DUNNIGAN, Clerk. |

**Charter Amendment No. 28.**  
**CIVIL SERVICE AMENDMENT.**

**Providing for the extension of Civil Service provisions to employees of the City and County, and those employed one year are appointed thereunder.**

**CHARTER AMENDMENT NO. 28.**

**Improvement of Civil Service.**

**Article XIII.**

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by repealing Sections 10 and 11 of Article XIII of said Charter and substituting therefor new sections, to be designated Nos. 10 and 11, providing for the method of appointment of persons to the classified service of the City and County for the period of probation and their tenure of office, and for the appointment of emergency appointees to avoid the stoppage of public business, and setting forth the departments of the government which shall be subject to the provisions of the Civil Service, and for the confirmation of certain employees in their positions.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the general election to be held on the 4th day of November, 1930, a proposal to amend the Charter, as follows:

That Sections 10 and 11 of Article XIII be amended to read as follows:

**Appointments on Probation. Conditions of Discharge. Emergency Appointments.**

Section 10. The appointing officer shall notify the Commissioners of each position to be filled separately, and shall fill such place by the appointment of one of the persons certified to him by the Commissioners therefor. Such appointment shall be on probation for a period to be fixed by the rules of the Commissioners; but such rules shall not fix such period at exceeding six months. The Commissioners may strike off names of candidates from the register after they have remained thereon more than two years. At or before the expiration of the period of probation the head of the department or office in which a candidate is employed may, by and with the consent of the Commissioners, discharge him upon assigning in writing his reasons therefor to the Commissioners. If he is not then discharged his appointment shall be deemed complete. To prevent the stoppage of

public business, or to meet extraordinary exigencies, the head of any department or office may, with the prior approval of the Commissioners, make emergency appointments, to remain in force not exceeding four months, and only until regular appointments under the provisions of this article can be made; provided that the same person shall not be appointed to or permitted to occupy any position or positions under such emergency appointments for a period exceeding four months; and the appointment of any emergency appointee who has served in the aggregate a period of four months in any such position shall not be renewed. No person shall receive compensation for more than four months within one year for services performed under emergency appointment, and the Commissioners shall not approve, nor shall the Auditor audit, nor the Treasurer pay, the demand for services of any person who shall serve under emergency appointment in any position subject to the provisions of this article for more than four months within one year. Whenever authorization is issued by the Commissioners for such emergency appointment the Commissioners shall forthwith take steps to create a list of eligibles for said position, as elsewhere provided in this article.

The Commission shall provide by rule for the regulation of requisitions, certifications and appointments of eligibles for permanent, seasonal, and temporary positions, for the tenure of such positions, and for lay-offs or reductions of force in such positions.

#### **Departments Governed by This Article.**

Section 11. Subdivision A. The provisions of this article shall apply to all officers and employees of all boards, commissions, departments, bureaus or offices of the City and County which may now exist or which may hereafter be created by this Charter or by ordinance of the Board of Supervisors; and also shall apply to all officers or employees of all boards, commissions, departments, bureaus or offices which may now exist or which may hereafter be created by virtue of any act of the Legislature of the State of California, where the compensation of such officers or employees is paid by the City and County of San Francisco, but the following officers and employees shall be exempted from the provisions of this article: Officials elected by the people, members or commissioners of any board or commission authorized by this Charter; all appointees of the Mayor, of the City Attorney, of the District Attorney and of the Public Defender; attorneys and physicians appointed to perform the duties of their professions; the manager or superintending head of each public utility; the directing heads of the California Palace of the Legion of Honor and the directing heads and employees of the M. H. deYoung Memorial Museum; the directing head of the County Welfare Department; the Clerk of the Board of Supervisors, and

the accountant appointed by the Finance Committee of the Board of Supervisors; the Purchaser of Supplies; the Chief of Police; the Chief Engineer of the Fire Department, and the Secretary of the Fire Commission; the City Engineer; the Registrar of Voters; the chief deputy or principal assistant of each official elected by the people; the Chief of the Department of Electricity; the Chief Examiner and examiners appointed by the Civil Service Commission; the Superintendent of Parks and the Secretary of the Park Commission; the Secretary of the Board of Library Trustees, the Librarian and employees of the Public Library; the Secretary of the Board of Education; the Superintendent of Schools and all deputy superintendents of schools, and all teachers engaged in teaching or in the supervision of teaching in the School Department; persons appointed by the Board of Supervisors with the approval of the Civil Service Commission for temporary service in positions requiring high technical skill; persons employed in positions having a confidential relation to the head of the department in which the employment is held, but not more than one such position shall be established in any department, and then only with the approval of the Civil Service Commission, who shall determine the necessity for such confidential employment; persons employed outside the City and County on the construction of public work of the City and County; all institutional and inmate help employed by the Department of Public Health where the monthly salary of any individual so employed shall not exceed the sum of fifty (\$50) dollars per month, and all employees of the Playground Commission where the monthly salary of any individual so employed shall not exceed the sum of fifty (\$50) dollars per month, where such persons are specifically exempted from the provisions of this article, by rule or resolution of the Civil Service Commission. Any persons, not specifically exempted from the provisions of this article, who, at the time of the ratification of this amendment by the Legislature, has served within the meaning of the rules of the Civil Service Commission for a period of one year continuously, next preceding such ratification, in any position in any office, department or board heretofore subject, or by this section made subject, to the provisions of this article, and who at the time of such ratification shall be actually employed in said position, is hereby declared to be appointed to the said position, and shall thereafter be subject to the provisions and entitled to the benefits of this article, and shall be classified by the Civil Service Commission in accordance with his respective duties.

#### **Appointments in Operating Service of Public Utilities.**

Subdivision B. Persons employed in the operating service of any public utility heretofore or hereafter acquired by the City

and County, and not exempted by this article from its provisions, who have been so employed in their respective positions or assignments, wherever located, for not less than one year prior to such acquisition, shall continue in their positions or employments, and shall be entitled to the benefits of this article; and all vacancies thereafter occurring in such positions and employments shall be filled in accordance with the provisions of Article XIII of this Charter.

#### **Political Activity Prohibited.**

Subdivision C. No person employed in the classified civil service of the City and County shall levy, collect, receive or pay any money or its equivalent, or shall attempt to control or influence the action of any fellow employee or subordinate, for the purpose of favoring or hindering the candidacy of any person for an elective or appointive public office. No elective official or appointive official not in the classified civil service shall levy or collect or receive any money or its equivalent as an assessment or contribution, or shall attempt to control the action of any member of the classified service, for purposes of favoring or hindering the candidacy of any person for public office. The Civil Service Commission, upon receipt of verified written charges made by any citizen, or upon its own volition, shall investigate alleged violation of these provisions by any appointive official or employee and after hearings may order the suspension or dismissal of any such official or employee found guilty of violating any of the provisions of this subdivision. Violations of the provisions of this subdivision by any elective official shall be considered good cause for his removal under the provisions of Sections 18, 19 and 20 of Article XVI of this Charter.

#### **Appointments Under This Article.**

Subdivision D. All officers, courts, boards or heads of departments vested in this Charter with the power to appoint deputies, clerks, stenographers or other employees of any designation whatsoever shall make appointments only in accordance with the provisions of this article and the rules adopted thereunder, and any appointments not so made shall be void.

**Ordered Submitted**—Board of Supervisors, San Francisco, September 19, 1930.

Ayes: Supervisors Andriano, Colman, Gallagher, Havenner, Hayden, McGovern, McSheehy, Roncovieri, Rossi, Shannon, Suhr, Toner.

Noes: Supervisors Canepa, Miles, Peyser, Power, Spaulding.

Absent: Supervisor Stanton.

J. S. DUNNIGAN,  
Clerk.

**Charter Amendment No. 29.**

**EMPLOYEES OF PUBLIC UTILITIES—CIVIL SERVICE.**

**Employees of public utilities acquired by the City and County to be entitled to all the benefits of Civil Service providing they have been employed by said public utility one year prior to such acquisition.**

**CHARTER AMENDMENT NO. 29.**

**Entitling Employees of Acquired Public Utilities of the City and County to All the Benefits of Article XIII.**

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend Subdivision B, Section 11 of Article XIII of the Charter of said City and County, providing that persons employed in the operating service of any public utility heretofore or hereafter acquired by the City and County shall be entitled to all the benefits of Article XIII of the Charter.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County, at the general election to be held on the 4th day of November, 1930, a proposal to amend the Charter as follows:

Subdivision B, Section 11, of Article XIII of this Charter is hereby amended to read as follows:

Subdivision B. Persons employed in the operating service of any public utility heretofore or hereafter acquired by the City and County, and not exempted by this article from its provisions, who have been so employed in their respective positions or assignments, wherever located, for not less than one year prior to such acquisition, shall continue in their positions or employments, and shall be entitled to the benefits of this article; and all vacancies thereafter occurring in such positions and employments shall be filled in accordance with the provisions of Article XIII of this Charter.

**Ordered Submitted—Board of Supervisors, San Francisco, September 19, 1930.**

**Ayes:** Supervisors Andriano, Canepa, Colman, Gallagher, Havenner, Hayden, McGovern, Peyser, Power, Roncovieri, Rossi, Suhr.

**Absent:** Supervisors McSheehy, Miles, Shannon, Spaulding, Stanton, Toner.

**J. S. DUNNIGAN,**  
Clerk.

**Charter Amendment No. 30.**

**PUBLIC ADMINISTRATOR TO BE PLACED  
ON SALARY.**

**Providing that the Public Administrator and his Attorney shall be placed on a salary basis of \$8,000 per year each, effective January 1, 1932.**

**CHARTER AMENDMENT NO. 30.**

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by amending Chapter IV of Article V to read as follows:

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the general election to be held on the 4th day of November, 1930, a proposal to amend the Charter as follows:

That Chapter IV of Article V of this Charter is hereby amended to read as follows:

Section 1. The Public Administrator shall be elected by the people and shall hold office for four years. He shall have all of the powers conferred, and shall discharge all of the duties imposed upon, Public Administrators of Counties by the general laws of the State, except as in this Charter otherwise specifically provided. He shall receive an annual salary of Eight Thousand Dollars, which shall be in full compensation for all official duties required of him by law. He shall collect all fees and compensation allowed to him by law or by the order of any court, as provided in the general laws of the State, and pay the same into the Treasury of the City and County.

Section 2. The Public Administrator may appoint a deputy public administrator and a chief bookkeeper or accountant, which appointments shall be exempt from the provisions of Article XIII of the Charter, and subject to the provisions of said article, such clerical assistants, including stenographers, as may be necessary for the conduct of his office, the compensation of all appointees to be fixed by the Board of Supervisors. Any person who has served in a clerical capacity or as a stenographer in the office of Public Administrator for a period of one year continuously prior to the approval of this amendment by the Legislature, and who shall be actually employed in said office either in a clerical capacity or as a stenographer at such time, is hereby declared to be appointed within the provisions of said Article XIII of the Charter to the said position, and shall thereafter be entitled to all the benefits of said article.

Section 3. The Public Administrator may also appoint an attorney who shall be the attorney for said Public Administrator in all proceedings relative to the administration of estates coming under his charge, which said attorney shall receive an annual salary of Eight Thousand Dollars, which shall be in full compensation for services of every kind and nature rendered to said Public Administrator or rendered in the administration of any of the estates coming under his charge. Said attorney shall collect all fees allowable by law or by the order of any court for services rendered to said Public Administrator in the matter of the administration of said estates coming under the charge of said Administrator, and forthwith pay said fees into the Treasury of the City and County of San Francisco.

Section 4. This amendment shall become effective on the 1st day of January, 1932, and prior to that time the Public Administrator and his attorney may retain any fees allowed by law or by the order of any court to either of them in the matter of the administration of any estate of which said Public Administrator may have been appointed administrator prior to the said 1st day of January, 1932.

**Ordered Submitted**—Board of Supervisors, San Francisco, September 17, 1930.

Ayes: Supervisors Canepa, Colman, Gallagher, Havenner, Hayden, McGovern, Power, Roncovieri, Rossi, Shannon, Suhr, Toner.

Noes: Supervisors Andriano, McSheehy, Miles, Peyser, Spaulding.

Absent: Supervisor Stanton.

J. S. DUNNIGAN,  
Clerk.



## **Charter Amendment No. 31.**

### **DETECTIVE SERGEANTS.**

**Amendment No. 31 provides that Detective Sergeants, detailed under the merit system, established by the Chief of Police, shall be entitled to a hearing before the Board of Police Commissioners before removal from the detail. This procedure will insure tenure of office for trained detectives and removal from political influence, and entails no additional expense to the taxpayers. The Bureau of Detectives is designated the Bureau of Inspectors.**

## **CHARTER AMENDMENT NO. 31.**

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the Charter of said City and County by amending Section 6 of Chapter V of Article VIII thereof, providing for the detail by the Chief of Police of members of the Police Department of the City and County of San Francisco for detective duty therein, limiting the number thereof, describing the rank and fixing the salary of members of said department so detailed, providing for their removal from such detail, providing for definition of their duties. And providing for designation by the Chief of Police of a Captain of Police to act as Captain over the members of said department so detailed and providing for his salary, and describing his rank and for definition of his duties. And providing for the detail by said Chief of Police of members of said department for traffic duty, and providing for designation by said Chief of Police of a Captain of Police to act over the members so detailed and providing for the salary of such captain.

That Section 6 of Chapter V of Article VIII of the Charter of the City and County of San Francisco be amended to read as follows:

There is hereby established a Bureau of Inspectors of the Police Department of the City and County of San Francisco. Members of said Bureau shall be known as and hold the rank of inspector in said Bureau and in said department. Each member of said department now detailed for detective duty in said department, who at the time this amendment becomes effective shall hold the position of Detective Sergeant as described in said Section 6 of said Chapter V of said Article VIII of said Charter, is hereby declared permanently appointed to the rank of Inspector in said Bureau of said department. There shall be not to exceed one Inspector for each eighteen (18) members of said

department. The Chief of Police may detail from time to time members of said department, in addition to said Inspectors, for performance of duty in said Bureau, who shall while so detailed be known as Assistant Inspectors. Said members of said department, so detailed for duty in said Bureau as Assistant Inspectors, may be removed therefrom at the pleasure of the Chief of Police. An appointment as Inspector shall not be subject to competitive examinations provided for by Article XIII of said Charter. Vacancies in said rank of Inspector shall be filled by the Chief of Police from the members of said department detailed as Assistant Inspectors in said Bureau, at the time such vacancy is filled. Nothing herein shall be construed to prevent an Inspector or Assistant Inspector from taking the competitive examinations provided for by Article XIII of said Charter. The duties of Inspectors and Assistant Inspectors shall be defined by the rules and regulations of the Board of Police Commissioners, by the orders of said Chief of Police and by the orders of the Captain of Inspectors, hereinafter provided for. Each Inspector shall receive an annual salary of \$2,760.00. Each Inspector and each Assistant Inspector shall, for the purpose of receiving a pension, be subject to present and future provisions, and be entitled to present and future benefits of Chapter X of Article VIII of said Charter. An Inspector of said Bureau, guilty of any offense or violation of the rules and regulations of said Bureau or of said Police Department, shall be punished by reprimand, or by fine to be fixed by said Board of Police Commissioners, or by removal from said Bureau or by dismissal from said Police Department. Upon such removal said Inspector shall revert to his former rank in said Department. No fine exceeding one month's salary shall be imposed at any one time. No Inspector of said Bureau shall be punished, as aforesaid, except after a fair and impartial trial before said Board of Police Commissioners, upon verified charges filed with said Board, setting forth specifically the acts complained of, and after such reasonable notice to him of the time and place of hearing, as said Board may by rule prescribe. The accused shall be entitled, upon such hearing, to appear personally and by counsel; to have a public trial; and to secure and enforce, free of expense to him, the attendance of all witnesses necessary for his defense.

The Chief of Police shall designate a Captain of Police to act as Captain of said Bureau, who shall receive an annual salary of \$5,000.00. Said Captain shall be known as Captain of Inspectors. His duties shall be defined by said Board of Police Commissioners and by the Chief of Police. Said Captain shall be in addition to the number of Captains specified in Section 2 of Chapter V of Article VIII of said Charter. Said Captain may be removed from the Captaincy of said Bureau by and at the pleasure of said Chief of Police.

Said Chief of Police may detail for traffic duty such members of the Department as he may select and shall designate a Captain of Police to act as Captain over the members so detailed, who shall receive an annual salary of \$4,000.00.

Ordered submitted—Board of Supervisors, San Francisco, September 20, 1930.

Ayes—Supervisors Canepa, Colman, Gallagher, Havenner, Hayden, McGovern, McSheehy, Miles, Power, Roncovieri, Rossi, Spaulding, Suhr, Toner.

Absent—Supervisors Andriano, Peyser, Shannon, Stanton. 11

J. S. DUNNIGAN, Clerk. 1

**Charter Amendment No. 33.**

**PUBLIC UTILITIES COMMISSION.**

**Providing for the establishment of a Public Utilities Commission, fixing the salary of its members and prescribing the duties of said Commission.**

**CHARTER AMENDMENT NO. 33.**

**Public Utilities Commission—Creating and Defining the Powers and Duties of a Public Utilities Commission for the Management of Municipal Water, Transportation, Power and Other Utilities.**

Creating and defining the powers and duties of a Public Utilities Commission and for the management of municipal water, transportation, power and other utilities.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding a new article thereto, to be designated as Article XII-A, relating to the operation, maintenance, control and construction of municipally owned public utilities.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County, at the general election to be held on the 4th day of November, 1930, a proposal to amend the Charter as follows:

That a new article be added to said Charter, to be designated Article XII-A, to read as follows:

**ARTICLE XII-A.**

**Public Utilities Commission.**

Section 1. The construction, management, supervision, maintenance, extension, operation and control of all public utilities and other properties used, owned, acquired, leased or constructed by the City and County of San Francisco, as well as all extensions, additions and betterments thereto, for the purpose of supplying to the said City and County and to its residents and inhabitants, and to territory outside the limits of said City and County and to the residents and inhabitants thereof, with water, light, heat, power or transportation, shall be exclusively vested in a Public Utilities Commission of three members, anything in this Charter to the contrary notwithstanding.

And the Board of Supervisors may, by ordinance, commit to said Public Utilities Commission the construction, management, maintenance and operation of any airport owned, acquired or operated, or hereafter to be owned, acquired or operated, and when so committed the said Public Utilities

Commission shall have the same power, jurisdiction and authority over the said airport and over the construction, management, maintenance and operation of said airport as if the same was committed to said Public Utilities Commission by this article. The Commission shall have power to make all rules and regulations not inconsistent with the provisions of this article which it deems necessary or proper for the conduct of its business and the regulation of the matters herein committed to its charge. The Commission shall observe all City and County ordinances, and the regulation of the Department of Public Works relative to utility openings, structures and poles in streets and other public places, as well as all ordinances and regulations relative to barricades, construction lights, refilling excavations and replacing and maintaining street pavements; and in connection with all of such matters the said Commission shall be subject to the same inspection rules and pay fees to the proper department in the same manner and at the same rates as any private person or corporation.

### **Appointment and Election.**

Section 2. Members of the Public Utilities Commission shall be elected by the people, one member thereof to be elected every two years at the general municipal election held in the City and County of San Francisco; provided, however, that within ten days after this Charter provision shall become effective, the Mayor shall appoint to said Commission three persons, who shall constitute the membership of said Commission until their successors are elected, as hereinafter set forth. The term of one of said persons so appointed shall expire at noon on the first Monday after the 1st day of January, 1932; the term of another of said Commissioners shall expire at noon on the first Monday after the 1st day of January, 1934; and the term of the third of said Commissioners shall expire at noon on the first Monday after the 1st day of January, 1936; and in making such appointments the Mayor shall designate the date of the expiration of the term of said appointees as herein provided.

At the general municipal election held in the City and County in 1931 the successor to the Commissioner whose term shall expire in January, 1932, shall be elected; and at the general municipal election held in 1933 the successor to the Commissioner whose term shall expire in January, 1934, shall be elected; and at the general municipal election held in 1935, the successor to the Commissioner whose term shall expire in January, 1936, shall be elected. And that the term of each of said Commissioners shall be six years, commencing at 12 o'clock noon on the first Monday after the 1st day of January following their respective elections, and continuing until noon

on the first Monday after the 1st day of January six years thereafter. Vacancies occurring on said Commission, except by reason of expiration of term or recall, shall be filled by appointment to be made by the Mayor for the unexpired term of the person to whose place said appointment is made.

All persons appointed or elected to said Commission shall at the time of their election or appointment be electors of the City and County of San Francisco, and shall have been such for at least five years prior to the date of their said election or appointment.

The salary of each of said Commissioners shall be six thousand (\$6,000) dollars per year, payable in monthly installments, and each of said Commissioners shall, before assuming the duties of his office, file bond in the sum of twenty-five thousand (\$25,000) dollars for the faithful performance of said duties, the premium on said bond, as well as the salaries of said Commissioners, being payable from the funds of the utilities under the jurisdiction of the Commission and to be prorated equitably by the Commission.

#### **Recall and Removal.**

Section 3. Any member elected to the Commission shall be subject to recall in the same manner as any other elected official of the City and County, and all provisions of this Charter relative to "the recall" shall apply to the recalling of any elected member of said Commission. At any election held for the recall of any member of said Commission, if a majority of the votes cast on said recall are in favor of the recall of said member, the person receiving the highest vote to succeed him shall become a member of said Commission for the unexpired term of the person recalled.

**Removal.** Members of the Commission shall be subject to removal from office for cause in the same manner as any other elective official, and the provisions of this Charter relative to the removal of elective officials by the Mayor shall apply to the removal of members of the Commission.

No person recalled or removed from membership on the Commission, or who resigns pending the hearing of charges against him, or pending recall proceedings, shall be eligible to membership on the Commission for a period of two years after the expiration of the term for which he was elected.

#### **Organization and Meetings.**

Section 4. Immediately after it is first constituted and thereafter on the 10th day of January of each year, the Public Utilities Commission shall meet for the purpose of organization. At such meeting the Commission shall elect one of its members as president, who shall hold such office for the ensuing year and until

the election of his successor. The Commission shall thereafter hold regular weekly public meetings at a designated time and place. The Commission shall adopt its own rules of procedure and shall keep a record of its proceedings and the name of each member attending each meeting held. A majority of the Commission shall constitute a quorum for the transaction of business. The Commission may appoint a secretary, subject to the civil service provisions of this Charter, and shall prescribe the duties of such secretary and fix his compensation. Special meetings may be called by the president or by two members of the Commission on twelve hours' written notice, which shall be served personally on each member or left at his usual place of residence, which notice shall state the subjects to be considered at the special meeting, and no other subjects shall be there considered.

### **Subordinates, Assistants and Employees**

Section 5. (a) The Commission may appoint a manager of utilities, who shall be the chief executive of the Commission. He shall hold office at the pleasure of the Commission, and shall, subject to the control of the Commission, have the management of all utilities under its jurisdiction. Each separate utility shall be designated as a department, and in addition the Commission may create a Bureau of Engineering and a Bureau of Public Relations, and such other bureaus as it deems necessary for the handling of matters that do not pertain exclusively to any one utility or department. The manager, subject to the ratification of the Commission, shall have the power of appointment and dismissal of heads of departments and bureaus. Neither the manager nor the heads of departments or heads of bureaus shall be subject to the civil service provisions of the Charter.

(b) The Commission shall appoint such other employees, subordinates and assistants as may be necessary for the proper conduct of the affairs and properties under its jurisdiction, and all of such appointments shall be made in conformity with, and said appointees shall be entitled to the benefits of Article XIII of the Charter, except as otherwise in this article provided. All employees of the Board of Public Works who are engaged in public utility work at the time this amendment becomes effective and who have been permanently appointed to their respective positions in conformity with the provisions of said Article XIII, shall be taken over by the Commission, under the classification held by them at said time, or under classification equivalent thereto. All persons employed in the operating service of any public utility hereafter acquired by the City at the time that the same is taken over by the City, and who have been so employed for at least one year prior to said time, shall be continued in their respective positions and shall be deemed appointed thereto in



conformity with the provisions of said Article XIII, and shall be entitled to all of the benefits thereof. Provided, however, that no person who is not a citizen of the United States shall be so continued in, or appointed to, his position, and that all persons residing outside of the county, claiming the benefit of this provision, shall be allowed by the Commission a reasonable time, not exceeding one year, to become residents of the City and County.

(c) Employees engaged in construction work on any utility outside of the limits of the City and County shall be exempt from the civil service provisions of this Charter, and provided, further, that the Civil Service Commission may, upon the request of the Utility Commission, permit the hiring of non-civil service employees while engaged on temporary repair or maintenance work, and such employees shall be retained only with the approval of said Civil Service Commission. Employees whose duties are performed outside the City and County shall not be subject to the Charter provisions as to residence therein.

(d) The salaries, wages or other compensation of all persons employed by the Commission or engaged in work under its direction shall be fixed by the Commission, and the Commission may also fix and determine working conditions of said employees, provided that all regulations provided by law and by this Charter relative to hours of labor shall apply to all employees of said Commission, and provided, further, that no compensation to any of said employees shall be less than is paid in the case of similar employments in the service of the City and County.

(e) The Commission may require a bond in such amount as it shall deem proper from any employee, which said bond shall be duly conditioned for the faithful performance of the duties of such employee, and the Commission may provide that the premium on said bond be paid out of the revenues of the particular utility in which said employee is serving, and where said employee is rendering service to more than one utility, the cost of said bond shall be equitably prorated among the utilities receiving the benefit of said service.

#### **Powers and Duties of Managers and Department Heads.**

Section 6. (a) The Manager of Utilities shall possess the necessary executive, administrative and technical qualifications and shall have been a resident of California for five years prior to his appointment and shall have full power to administer the affairs of his department as chief executive officer, and may, with the consent of the Commission, act as the head of any department or bureau created by the Commission. He shall, when possible, attend all meetings of the Commission, and shall, at least once in each month, and more frequently if required by the Commission, make a report in writing to the Commission of all matters



connected with the work of the Commission. He shall execute all orders of the Commission when directed to do so and supervise the work of all departments and bureaus under the jurisdiction of the Commission. He may suspend any employee of the Commission, save the secretary and auditor, for cause or for disciplinary purposes, and shall report said suspension and the reasons therefor to the Commission at its meeting immediately following said suspension, and said Commission may, on the report of said manager, order that charges be filed against said person so suspended, or may continue said suspension in force for a period of not more than thirty days from the date thereof, for disciplinary purposes, and said order as to said suspension shall be final. Should charges be ordered filed against said suspended employee, the said manager shall file the same, and the same shall be heard and determined by the Commission after reasonable opportunity to the accused to be heard, and all of Article XIII of the Charter relative to trials and appeals shall apply to said hearing.

(b) Department and bureau heads shall possess the necessary executive and technical qualifications to qualify them for their respective departments or bureaus, and shall conduct the affairs of their respective departments or bureaus under the order and direction of the Manager of Utilities, and shall, as often as required by said manager or by the Commission, make reports in writing to said manager or to the Commission on all matters pertaining to said departments.

#### **Legal Department.**

Section 7. The City Attorney shall be the legal adviser of the Commission and shall render such legal advice and services as the Commission may deem necessary, and shall prosecute and defend, as the Commission may require, any and all actions and proceedings involving matters under its jurisdiction. He shall have authority, with the prior approval of the Commission, to compromise, settle or dismiss any litigation or proceedings which may be pending for, or on behalf, or against said Commission relative to any matter or property under its jurisdiction.

As compensation for his services as attorney for said Commission he shall be allowed, in addition to the compensation elsewhere provided in this Charter, the sum of four thousand dollars per annum, payable from the revenues of said utilities under the jurisdiction of said Commission, which said sum shall be prorated by the Commission, as it shall see fit, among the several utilities under its jurisdiction.

He shall appoint and detail to the Commission such attorneys as the Commission may deem necessary to conduct its legal work, and the compensation of said attorneys so detailed shall be fixed by the Commission, and shall be paid from the revenues

of the utilities under its jurisdiction. Said attorneys, when so appointed, shall be deputies of the City Attorney, and shall be in addition to the deputies and assistants now allowed to him by Charter or by ordinance.

### **Purchases and Contracts.**

Section 8. Purchases of supplies, materials and equipment required by the Commission, or by any utility under its jurisdiction, shall be made in accordance with the provisions of Chapter IV, Article II of this Charter, and of such ordinances as may be enacted by the Board of Supervisors by virtue of said chapter. Provided, however, that specifications may be prepared by the Manager of Utilities and approved by the Commission, for any and all equipment required by any utility under the jurisdiction of the Commission, or for materials or supplies peculiar to any of said utilities, and not in common use in other departments of the City and County government, and it shall be the duty of the Purchaser of Supplies of the City and County to purchase said equipment or materials as provided for the purchase of supplies for other departments.

The Purchaser of Supplies of the City and County, upon the recommendation of the Commission, may sell, in the manner provided by this Charter, any materials, supplies or equipment under the control of the Commission, and which are no longer used or useful for its purposes. Or, when any of such supplies, materials or equipment can be advantageously used by any other department of the City and County government, the same may be transferred to said department upon a proper allowance being made to the Commission therefor. The proceeds of said sale or transfer shall be placed to the credit of the utility controlling said supplies, materials or equipment sold or transferred.

All construction work shall be done by public contract unless the Commission, upon recommendation of the Manager of Utilities, shall determine that the work in question can be more advantageously carried on by the Commission's employees.

The Commission may prescribe rules of procedure which it shall follow in letting contracts for the purchase of materials, supplies and equipment, and for construction work, and amend the same from time to time as it may deem proper; provided, that such rules shall provide for not less than five days' public advertisement, for sealed bids on such contracts, for the award of contracts to the lowest responsible bidder, and shall require of all contractors adequate surety bonds in an amount to be fixed by the Commission in each case for the protection of the City and County in the performance of such contracts and for the protection of all persons, firms or corporations furnishing labor or materials in connection with the same. Suitable provision may also be made for the rejection of all bids and readvertisement

and for the rejection of the proposal of any bidder who, in the opinion of the Commission, is not competent to fulfill the contract if awarded. All contracts shall be signed by the president or acting president, and secretary or acting secretary, of the Commission.

#### **Additions, Betterments and Extensions.**

Section 9. The Commission shall locate and determine the character and type of all construction and additions, betterments and extensions to utilities under its control, and shall determine the policy for such construction or the making of such additions, betterments and extensions out of public funds under its jurisdiction; provided, that in each such case it shall secure the recommendation of the Manager of Utilities, which recommendation shall be presented in writing and shall include analysis of cost, service and estimated revenues of all proposed or feasible alternatives in cases where it is deemed that such alternatives exist.

#### **Accounts and Reports.**

Section 10. Proper accounts shall be maintained separately for each utility under the jurisdiction of the Commission. Monthly statements showing all receipts and disbursements shall be made by the Commission to the Mayor and to the Board of Supervisors, which said accounts shall also show the number of persons employed by the Commission at the end of the preceding month, as well as the number employed during the month for which said report is made. An annual report showing in detail the financial condition of each utility shall be filed as provided in Subdivision 3 of Section 16 of Article XII of the Charter, and all of the provisions of said section shall apply to the keeping of accounts, the examination thereof, and the making of reports unless otherwise herein provided. The salaries and general expenses of the Commission or bureaus thereof, not chargeable to a specific utility, shall be apportioned fairly among the utilities under the control of the Commission in such manner as the Commission may deem proper, and such apportionments shall be shown as expenses of such utilities.

#### **Budget and Appropriations.**

Section 11. The Manager of Utilities shall, not later than March 15th of each year, file with the Public Utilities Commission a budget estimate for the ensuing fiscal year of anticipated revenues and needed appropriations, separately for each utility department and bureau under the control of the Commission. These shall be submitted in such detail as to furnish a basis and guide for accounting and expenditure control during the succeeding fiscal year. The Commission may modify such budget estimates in any manner that it may deem proper and shall give

all interested persons an opportunity to be heard at one or more meetings of the Commission, with reference to the amounts and purposes of expenditure to be included in such budget. Upon completion of said hearings the Commission shall, by resolution, adopt a budget for each utility department and bureau under its jurisdiction and transmit copies thereof to the Mayor, the Board of Supervisors and the City and County Auditor. The budgets so adopted shall govern the expenditures for the fiscal year covered thereby, and any additions thereto or changes therein shall require the unanimous vote of the Commission and shall be reported to the Mayor, the Board of Supervisors and the Auditor. Under no circumstances shall the budget of any utility, including a proper proportion of the expenses of the Commission and bureaus thereof, include a total of items of expenditure and reserves in excess of the estimated revenues to be derived from said utility during the succeeding fiscal year, except as authorized by Section 15 of this article; provided, also, that this limitation on expenditures shall not apply to expenditures which may be lawfully paid out of the proceeds of bond sales or accumulated surpluses or reserves under the Commission's jurisdiction. The funds of one utility shall not be diverted to any other utility. The Commission may, by resolution approved by vote of all its members, adopt and, having adopted, may amend by adding thereto, or subtracting therefrom, a program for the accumulation of a surplus for each utility, to cover a period not exceeding five years, for the purpose of financing extensions and additions to such utility out of said surplus, the annual increment to which shall not exceed ten per cent of the gross operating revenue of such utility in any fiscal year. When such a program is so adopted or added to, the Commission shall notify the Board of Supervisors thereof. Funds set aside for such purpose shall be carried as reserves in the accounts of the Commission and appropriations shall be made to such reserve accounts from time to time to meet the contemplated expenditures under such program, and no part of such accumulated funds shall be used for any purpose other than that provided for in said program except on the recommendation of the Commission, expressed by resolution, and the approval of the Board of Supervisors, expressed by ordinance authorizing such other use.

If any accumulation in the surplus fund of any utility, exclusive of such reserves for extensions and additions as in this section provided, shall in any fiscal year exceed twenty-five per cent of the total expenditures of such utility for the preceding fiscal year for operation, repairs and maintenance, as defined in subdivision (a) of Section 14 of this article, such excess may be transferred by the Board of Supervisors to the general fund of the City and County, and such amount shall be deposited by the

Commission with the Treasurer to the credit of such general fund.

### **Bond Sales.**

Section 12. Whenever any bonds have been authorized by a vote of the electors of the City and County for the acquisition, construction, extension or completion of any public utility by the City, and the Commission desires to have said bonds, or any part thereof, sold for the purposes for which they have been issued, said Commission shall, in writing, make demand upon the Board of Supervisors that said Board offer said bonds for sale, and with said demand shall certify to said Board that the interest and any payments to become due upon the principal of said bonds, for the current as well as for the succeeding fiscal year, can be paid from the revenues of said utility, or that provision has been made for the payment of said interest from the principal thereof as provided in the next section, and that the payments on principal can be made from said revenues. If the Board of Supervisors is satisfied that the facts as certified are substantially correct, it shall forthwith cause said bonds to be advertised for sale, and sell the same as elsewhere provided in this Charter for the sale of bonds. Nothing in this section contained shall prevent the Board of Supervisors from selling any bonds issued for the acquisition, construction, extension or completion of any utility when said Board shall make due provision for the payment of the interest and principal of said bonds from the General Fund of the City and County or by money raised by taxation.

### **Provision for Interest and Sinking Fund.**

Section 13. In any case where bonds have been authorized for the acquisition, construction or completion of a public utility or of extensions thereto, interest which may become due on said bonds during the actual period of construction of said utility, or of extensions to an existing utility, as the case may be, and during the period of six months immediately following the completion of the same, shall be paid by the Commission out of the proceeds of sale of the bonds authorized and sold for such purposes, if such method of payment of interest be expressly provided for in the proceedings authorizing such bond issue. When the revenues on hand in the Treasury to the credit of any bond interest and redemption fund of a utility for which bonds have been authorized, and which issue provides for the payment of interest and redemption out of proceeds are insufficient to meet all interest and redemption charges on said bonds for the balance of the fiscal year, no sale of bonds shall be made by the Commission unless and until the Commission shall have allotted out of the proceeds to be realized from the sale of said bonds a sum sufficient to meet the interest and sinking fund requirements for such

balance of such fiscal year; provided, further, that nothing contained in this article shall in any way relieve the City and County from liability to the holders of bonds issued on the faith and credit of the City and County and for which the Supervisors, by the provisions of Section 12 of Article XII of this Charter, are required to levy an annual tax for the payment of interest and principal thereof when and as the same become due, and in the event of any failure, refusal or neglect on the part of the Commission to make provision for payment of bond interest and redemption on bonds issued for utility purposes the Commissioners so failing, refusing or neglecting shall be forthwith removed from office and the Board of Supervisors shall provide for the same as required by other provisions of this Charter.

### **Operating Expenses and Reserves.**

Section 14. The receipts from each utility operated by the Commission shall be paid daily into the City Treasury and maintained in a special fund set aside for such utility. The Commission shall make appropriations at least monthly from said fund for the following purposes in the order named, viz.:

(a) For the payment of the operating expenses of such utility, including repairs and maintenance, pension charges, compensation and other insurance and accident reserves.

(b) For the payment of interest and sinking fund on the bonds issued for the acquisition or construction of such utility and extensions thereto.

(c) For depreciation.

(d) For extensions and improvements.

(e) For a surplus subject to the provisions of Section 11 of this article.

The Commission may maintain proper reserves for the payment of all amounts to become due under the Workmen's Compensation, Insurance and Safety Act of the State of California, and to cover any other contemplated liability for each utility, and should it so do, shall cause an estimate to be made annually of the proper amount to be allotted to each of said reserves, and any surplus in such reserves may be transferred to the surplus mentioned in subdivision (e) of this section. Should, however, the Commission deem it advisable to carry compensation or liability insurance in lieu of setting up said reserves, it may do so, and for the purpose of providing for said compensation and liability insurance the Commission may obtain said insurance from any agency of the State of California or from any corporation or association authorized by the laws of the State of California to issue said insurance.

For the purpose of providing the cost of replacements due to a realized depreciation, the Commission shall cause an appraisal to be made of the several classes of property involved in each



utility under its jurisdiction, as to life and the amount of accrued depreciation, and determine the amount of the reasonable annual depreciation requirements necessary in order to provide properly for repairs or reconstruction due to realized physical and functional depreciation. Provided, however, that at least every five years the Commission shall cause an examination to be made of the depreciation reserve funds of each utility and the replacement expenditures therefrom and a reappraisal of the properties and the probable useful life of each of the several kinds of properties of the utilities, and on the basis of such reappraisal shall determine the amount of the reasonable annual depreciation requirements to provide properly for repairs or reconstruction due to realized physical and functional depreciation. That for the purpose of meeting the cost of said depreciation, as hereinbefore provided, the Commission shall set up a depreciation reserve for each utility, and pay into the same monthly one-twelfth of the estimated annual amount necessary to meet said depreciation, and that pending the appraisement of the properties, as herein provided, there shall be paid each month one-twelfth of the estimated annual amount necessary in order to provide properly for repairs or reconstruction due to realized physical and functional depreciation, based on the past experience of each utility.

#### Rates.

Section 15. Subject to the limitations provided in this Charter, the Commission shall have power to fix, change and adjust rates, charges or fares for the furnishing of service by any utility under its jurisdiction, and to collect, by appropriate means, all amounts due for said service, and to discontinue service to delinquent consumers, and to settle and adjust claims of or against any of said utilities or in favor of, or against the Commission. Rates may be fixed at varying scales for different classes of service, or consumers. The Commission may provide for the rendition of utility service without the limits of the City and County, which may include proportionate compensation for interest during the construction of the utility rendering the service.

Before adopting or revising any schedule of rates or fares the Commission shall publish, in the official newspaper of the City and County, for five days, notice of its intention to so do, and shall fix a time for a public hearing or hearings thereon, which said hearing or hearings shall not be less than ten days after the publication of said notice, and at which any person, on behalf of himself or others interested, may present his objection to, or views on the proposed schedule of rates, fares, or charges, and may submit such evidence in support of the same as he may desire.

Rates for each utility shall be so fixed that the revenue there-

from shall be sufficient to pay, for at least the succeeding fiscal year, all expenses of every kind and nature incident to the operation and maintenance of said utility, together with the interest on and sinking fund for any bonds issued for the acquisition, construction or extension of said utility; provided, that should the Commission desire to fix a rate for said utility which will not produce such revenue, it may do so with the consent of the Board of Supervisors, and it shall thereupon be incumbent to provide by tax levy for the additional amount necessary to defray said operating and maintenance expenses, bond interest and sinking fund charges.

#### **Appropriations for Utility Purposes.**

Section 16. The budget of and the expenditures for any utility, as authorized and required by Section 11 of this Article, shall not exceed the amount of estimated revenue of such utility for the succeeding fiscal year, nor shall a schedule of rates as authorized and required by Section 15 of this Article be established for any utility on a basis that will produce a total estimated revenue of less than the total cost of the utility service, including all charges for operation, maintenance, debt and reserves, unless the Board of Supervisors approve such budget or rate schedule, and appropriate or provide for the funds to make up such deficiency; provided, however, that no budget of expenditures in excess of estimated revenues and no schedule of rates estimated to produce less than estimated total costs shall be so approved to provide for and include proposed expenditures for additions, extensions, acquisition or other capital costs in excess of annual revenues and which, by other provisions of this Charter, require financing by the authorization and sale of bonds.

#### **Lease and Sale of Lands.**

Section 17. The Commission may, with the approval of the Board of Supervisors, lease, for purposes not in conflict with public utility uses, any lands controlled by it or placed in its charge, for terms not exceeding ten years. The Commission may, in the name of the City and County, acquire and take by purchase, lease, condemnation or otherwise, and hold any or all property situated within or without the limits of the City and County that it may determine to be necessary for the construction, maintenance, extension or operation of the works under its jurisdiction and control. It shall be the duty of the Board of Supervisors, upon its receipt of a resolution of the Commission that the acquisition of any property or properties is necessary for the conduct, operation, maintenance or extension of any utility under the jurisdiction of the Commission, to take the necessary legislative action by resolution or ordinance determining that public interest and necessity require the taking of



said property or properties for the purpose specified in said resolution of said Commission, and that said property or properties are necessary for said utility, and the said resolution of said Commission shall be deemed to be conclusive proof to the Board of Supervisors as to the necessity of said property for the said use specified therein.

The Commission may, with the prior approval of the Board of Supervisors, expressed by ordinance, on terms to be expressed in said ordinance, sell such lands or other property under its control as are no longer used or useful for its purposes, or may, upon like authority, transfer such lands or other property to any other department of the City and County government, upon there being transferred to the special fund of the utility concerned such funds as will represent proper and adequate consideration for the land or other property transferred, as determined in the ordinance authorizing the same. The Commission shall have **full power and authority** to enter into such arrangements and agreements as it shall deem proper for the joint use with any other person, firm or corporation owning the same, or having jurisdiction of the same, of poles, conduits, towers, stations, aqueducts reservoirs and tracks for the operation of any of the utilities under its jurisdiction, and may make such arrangements as it shall deem proper for the exchange of transfer privileges with any privately owned transportation company or system which will tend for the betterment of its service.

#### **Pensions.**

Section 18. All employees of the utilities under the jurisdiction of the Commission shall be entitled to the benefits of the provisions of Article XVII of the Charter, relative to the retirement of aged and disabled employees, and for the purpose of enjoying the benefits provided for in said article, all employees of said utilities shall be deemed to be public employees of the City and County, and all amounts to be contributed to said fund to equal the amounts contributed by said employees thereto shall be paid from the particular utility to which said employee is attached, and should any employee be rendering service to more than one utility, the amount contributed to equal said employees' contribution shall be divided among the utilities in which he is serving, in such proportion as the Commission shall determine.

#### **Additional Powers.**

Section 19. The Board of Supervisors, by ordinance, may confer additional and other powers on said Commission incident to those herein conferred, or incident to the powers of the City and County relative to any utility service, and may empower the Commission to regulate, superintend and control, subject to the annual appropriations made for such purposes, the lighting of

public streets, parks, buildings and other public places, and to that extent this section shall supersede the provisions of Section 1, Chapter II, of Article II, and Section 9, Chapter I, of Article VI, and Section 6, Chapter III, Article II of this Charter.

#### **Deposits of Surplus Money.**

Section 20. At any time that there is on deposit in the office of the Treasurer of the City and County funds belonging to said Commission or to the utilities under its control in an amount greater than is necessary for the immediate needs of said utilities, the said Treasurer shall, upon the direction of the Commission, offer so much of said funds as said Commission shall direct for deposit in such bank or banks as shall accept the same, said deposits to be made only upon the security provided for by law.

#### **Borrowing Money.**

Section 21. The Commission shall have power, when authorized to so do by an ordinance of the Board of Supervisors, to borrow money upon such terms and conditions and under such procedure as may be prescribed by such ordinance, for the purpose of constructing, reconstructing, repairing or extending any utility which may have been owned or operated by the City for at least one year, and to issue notes, certificates, or other evidences of indebtedness therefor, subject to the provisions of this section.

(a) The principal and interest of any indebtedness so created shall be payable only out of the revenue fund of the particular utility for which said money is borrowed or said indebtedness created.

(b) Any such indebtedness so created shall be payable in not to exceed ten (10) years from and after the time of contracting the same, and the same may be made payable as a whole or in such installments as may be provided in said ordinance, provided that all of said installments shall be payable within the said period of ten (10) years, and provided further, that any such indebtedness or part thereof made payable after one year from the time of contracting the same shall be subject to the right of the Commission to pay the same, with accrued interest thereon, on any interest due date after said one-year period.

(c) The total outstanding indebtedness incurred under the provisions of this section shall not exceed one-half of the gross revenue for the preceding fiscal year of the utility during which said indebtedness is created.

(d) No such indebtedness as provided in this section shall be created unless it shall be determined by said ordinance authorizing the creation of the same that the revenues of the utility for which said indebtedness is created will be sufficient to pay the principal sum of said indebtedness and the interest to ac-

crue thereon according to the terms of the ordinance authorizing the creation of said indebtedness, together with all other expenses and reserve appropriations, including the interest and redemption charges on any bonds issued for the acquisition, construction, extension or completion of said utility; and when any such indebtedness is created, as authorized by this section, the rates to be charged for the service of said utility shall be fixed and maintained so as to produce all of said amounts.

(e) That, in the ordinance authorizing the creation of said indebtedness, the Board of Supervisors shall, in addition to declaring the necessity for the creation of the same, fix the amount of said indebtedness to be created, the time or times within which the same shall be paid, and the interest to be charged thereon.

(f) That nothing herein contained shall prevent the creation of a bonded indebtedness, as authorized by law, to pay for the construction, reconstruction, repairing, extending or improving of any municipally-owned utility, or to pay any indebtedness which may be created by virtue of this section.

(g) That any indebtedness created by virtue of this section shall be payable wholly out of the revenue of the particular utility for which the same was created, and not out of any other funds of the City and County, unless general obligation bonds shall be authorized in the manner provided by law for the payment of said indebtedness.

### Constitutionality.

Section 22. If any section, subsection, sentence, clause or phrase of this article is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this article. The people of the City and County of San Francisco hereby declare that they would have ratified and adopted, and the Legislature hereby declares that it would have approved this article and each section, subsection, sentence, clause and phrase thereof as an amendment to the Charter of the City and County of San Francisco, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

### Name and Service of Process.

Section 23. The Commission created herein shall be known as the "Public Utilities Commission of San Francisco," and may sue and be sued under said name. Service of process in all matters affecting said Commission, or any of the utilities under its jurisdiction, may be made by the service upon any one Commissioner and on the secretary of said Commission. Provided, however, that any action commenced or prosecuted for the re-

covery of damages for any injury to any person or property by reason of the negligence of said Commission or of any of its agents, servants or employees, shall be commenced and prosecuted against said Commission. And no action shall be maintained for the recovery of any such damage unless a written statement, verified by the oath of the claimant, setting forth the nature and items of the claim, and the time and place where the alleged injury may have occurred, or where said damage was sustained, shall have been filed with said Commission within six months after the date of the sustaining of said injury or damage; otherwise there shall be no recovery on said claim.

#### **Repeal of Conflicting Provisions.**

Section 24. All provisions of the City Charter in conflict with this article are superseded by the provisions hereof to the extent of such conflict. Subdivision 8 of Section 9 of Chapter I of Article VI and Section 16 of Article XII of this Charter are hereby repealed. All functions now required to be performed under Article XII of the Charter by the Board of Public Works shall, upon ratification of this amendment, devolve upon and be performed thereafter by the Public Utilities Commission. All duties required to be performed by the City Engineer under the provisions of Article VI and Article XII, in so far as they relate to public utilities, shall, upon ratification of this amendment, devolve upon and be performed by the Manager of Utilities herein provided for, or upon the Bureau of Engineering, as herein provided for.

Ordered submitted—Board of Supervisors, San Francisco, September 20, 1930.

Ayes—Supervisors Andriano, Canepa, Gallagher, Havenner, Hayden, McGovern, McSheehy, Power, Roncovieri, Suhr, Toner.

Noes—Supervisors Colman, Miles, Peyser, Rossi, Spaulding.

Absent—Supervisors Shannon, Stanton.

J. S. DUNNIGAN, Clerk.

**Charter Amendment No. 34.**

**PARKING STATIONS UNDER PUBLIC PARKS.**

**Authorizing the Park Commission to lease the subsurface area of public parks for automobile parking stations.**

**CHARTER AMENDMENT NO. 34.**

Authorizing the Park Commission to lease to the highest bidder subsurface area in public parks for automobile parking stations.

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding a new section to Article XIV to be designated as Section XV relating to the leasing of subsurface area of public parks for parking stations.

The Board of Supervisors of the City and County of San Francisco hereby submits to the qualified electors of said City and County at the general election to be held on the 4th day of November, 1930, a proposal to amend the Charter as follows:

That a new section be added to Article XIV to be designated as Section XV to read as follows:

Section 15. The Board of Park Commissioners may lease to the highest responsible bidder for a term not to exceed fifty (50) years and upon such other terms, conditions and provisions as it may determine the subsurface space and the right and privilege to conduct and operate therein, a public automobile parking station under any public park, provided that the said construction when completed and the operation will not be in any material respect or degree detrimental to the original purpose for which said park was dedicated, or in contravention to the conditions of any grant under which said park may have been received. The revenues derived from any such lease shall be credited to the Park Fund.

Ordered submitted—Board of Supervisors, San Francisco, Sept. 20, 1930.

Ayes—Supervisors Canepa, Colman, Gallagher, Havenner, Hayden, McSheehy, Miles, Power, Rossi, Spaulding, Suhr, Toner.

Noes—Supervisors McGovern, Roncovieri.

Absent—Supervisors Andriano, Peyser, Shannon, Stanton.

J. S. DUNNIGAN, Clerk.

**Charter Amendment No. 35.**

**STREET RAILWAY TWENTY-FIVE YEAR OPERATING PERMIT.**

**Granting privately operated railways twenty-five years operating permit which may be cancelled at will of the citizens on payment of value of operating properties.**

**CHARTER AMENDMENT NO. 35**

(Submitted by Initiative.)

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco, State of California, to amend the Charter of said City and County by adding two new sections to Chapter II of Article II thereof, to be known as Sections 6a and 6b, respectively, relating to street railway franchises in the City and County of San Francisco.

That Chapter II of Article II of the Charter of the City and County of San Francisco be amended by adding thereto two new sections to be known as Sections 6a and 6b, respectively, to read as follows:

Section 6a. Any person, firm or corporation (hereinafter called declarant) engaged in operating a street railway in the City and County of San Francisco, may, at any time within twelve months after this section takes effect, make and file with the Clerk of the Board of Supervisors of said City and County a written declaration of surrender to the City and County of San Francisco of all rights, franchises, privileges, permits or resolutions theretofore granted to or held by declarant, or its predecessors in interest, to operate said street railway under said rights, franchises, privileges, permits and resolutions over the streets, avenues and highways in the City and County of San Francisco set forth in said declaration of surrender, and, in consideration and by reason thereof, declarant shall, upon making and filing such declaration of surrender as aforesaid, immediately and automatically by operation of law and without further act on the part of such declarant or by the City and County, have and hold, in place thereof, an operating permit from the City and County giving and granting unto such declarant, its successors or assigns, the right, until such operating permit is revoked in the manner hereinafter set forth, to operate its cars by means of the overhead electric system, by cables running under the ground and moved by stationary engines, or electric motors, or by such other means as the law may permit, and buses, over the streets and highways in the

City and County set forth and enumerated in said declaration of surrender, whether under then existing franchises, or otherwise, and to conduct in the City and County the same railway business theretofore conducted therein by such declarant and, for that purpose, to have the use of the streets, roads, highways and avenues in the City and County and of the same or like tracks, roadbeds, and other structures and rights of way therein, but upon all the terms and conditions contained in the rights, franchises, privileges, permits, and resolutions existing as of February 15th, 1929, and in the orders, resolutions and ordinances referred to in such declaration of surrender except that the term or condition as to the period of duration of any right, franchise, privilege, permit or resolution applicable to any operating permit or to any right thereunder, shall be for twenty-five years from the date of the filing of the declaration of surrender by declarant herein referred to. Said permit shall apply only to streets, avenues or highways over which the declarant operated its railway at any time during the calendar year in which the election for the adoption of this amendment by the people of said City and County was held for that and/or other purposes.

The provisions of this section shall not apply to the franchises granted under the following named ordinances of the City and County, namely, Ordinance Number 288 (New Series) approved October 17, 1907, and Ordinance Number 425 (New Series) approved May 12, 1908, commonly known as the Parkside franchises, and Ordinance No. 1196 (New Series) approved June 14, 1910, commonly known as the Gough Street franchise, and Ordinance Number 1460 (New Series) approved January 23, 1911, commonly known as the Parnassus and Ninth Avenue franchise, nor to that portion of the franchise granted under Order No. 1532, approved November 28, 1879, for the operation of a railway on Howard Street from Stuart Street to Twenty-sixth Street, nor to that portion of the franchises granted under Order No. 1890, approved December 27, 1886, for the operation of a railway commencing at the intersection of Post Street with Market Street, thence along and upon Post Street to Leavenworth Street.

Such declaration of surrender shall be executed by the declarant and acknowledged and certified in the manner provided by law for the conveyances of real property. Upon the presentation to the Clerk of the Board of Supervisors of such declaration of surrender executed, acknowledged and certified, as aforesaid, it shall be the duty of the Clerk of the Board of Supervisors to file the same and to endorse thereon the fact and date of such filing and to sign such endorsement, and to deliver to the declarant a true and correct copy of such declara-



tion of surrender so filed with him, with his certificate attached thereto signed by him and attested by the seal of the City and County to the effect that the same is a true and correct copy of the declaration of surrender so filed with him and stating therein the date of such filing and the name of the declarant executing such declaration and such certificate shall be conclusive evidence of the facts therein recited.

Every permit, given and granted as in this section provided, shall be for the period of twenty-five years, as hereinbefore stated, and shall be subject always to the right of the City and County at any time to acquire and possess the operative railway property of the holder of said permit upon paying the fair value therefor, hereinafter referred to as compensation.

The compensation to be paid for the property to be acquired, as aforesaid, shall be fixed and determined by agreement by and between the owner of such property and the Board of Supervisors, authorized by ordinance, or by the owner of such property and any other governmental body with legal and proper authority, and, in case of their failure to agree, the said compensation to be paid as aforesaid shall be fixed in any manner provided by law, whether by condemnation proceedings in the exercise of the power of eminent domain or otherwise. The compensation herein referred to shall not include any claim for going concern value or any other like intangible by any declarant.

Whenever the City and County desires to acquire said railway property, the City and County shall give the holder of said permit written notice, duly authorized by ordinance, of its intention to take over and acquire said properties on a date to be stated in said notice, but in no event less than three months nor more than fifteen months from the date of said notice; and, upon payment or tender of said compensation on the date so noticed, together with compensation for the cost of any additions or betterments to said property since the date of filing said declaration of surrender, said permit shall be thereby revoked and the holder thereof shall immediately deliver said property to the City and County, and transfer the same by appropriate deeds of grant, bargain and sale, and other assurances of title.

Failure of the City and County to pay or tender said compensation, as aforesaid, shall not prevent said City and County from thereafter, at such time as it shall deem proper, taking proceedings to purchase, acquire and possess said operative properties, as in this section provided.

None of the provisions of this Charter concerning or relating to the granting of franchises to operate street railways shall be applicable to the permits given and granted under the provisions of this section or under the provisions of section 6b of



this Chapter or to any right thereunder, it being the purpose and intention of said two sections to provide for permits and rights thereunder which can be used and exercised by the holder thereof, its successors or assigns, without reference to any of the terms or conditions under which franchises may be granted under this Charter, until such time as the City and County shall purchase, take over and acquire the operative railway property of such holder.

Section 6b. The Board of Supervisors shall have power to grant by ordinance to any holder of a permit, secured as provided in Section 6a of this Chapter, supplemental permits authorizing such holder, its successors or assigns, to construct and operate in conjunction with its existing lines upon, over or under any of the streets, roads, highways, and avenues of the City and County, an extension or extensions of an existing street railway or bus line in the same manner and subject to the same terms and conditions under which the said line from which it is proposed to make the extension, is operated, when such supplemental permit is granted. Every such supplemental permit shall expire concurrently with the permits granted upon the filing of the declaration of surrender provided for in Section 6a of this Chapter, and shall be subject always to the aforesaid right of the City and County to acquire and possess the operative railway property of the holder of such supplemental permit as provided in Section 6a of this Chapter. No line of street railway in the City and County, or any portion thereof, operated under authority of any permit, authorized by the provisions of this Chapter, shall be abandoned unless the holder of such permit shall, by written petition to the Board of Supervisors, request authority to make such abandonment, and unless the Board of Supervisors, upon receiving such a petition, shall authorize such abandonment by ordinance and shall first find that the public interest will not be injured or suffer by such abandonment and shall so recite in the ordinance authorizing such abandonment.

**Ordered submitted**—Board of Supervisors, San Francisco, September 19, 1930.

Ayes: Supervisors Andriano, Canepa, Colman, Havenner, Hayden, McGovern, McSheehy, Miles, Peyser, Power, Roncovieri, Rossi, Spaulding, Suhr, Toner.

Absent: Supervisors Gallagher, Shannon, Stanton.

J. S. DUNNIGAN, Clerk.

# **ORDINANCE**

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## **Ordinance No. 36.**

### **REFERENDUM ORDINANCE FIXING MUNICIPAL RAILWAY CAR-FARE.**

**Fixing maximum car-fare on Municipal Railway at Five Cents and providing that if deficits occur, they be met by taxes.**

## **ORDINANCE NO. 36.**

**Bill No. —, Ordinance No. — (New Series): REGULATING THE MAXIMUM AMOUNT OF FARE TO BE CHARGED UPON THE MUNICIPAL RAILWAY WITHIN THE CITY AND COUNTY OF SAN FRANCISCO, AND DIRECTING THE BOARD OF PUBLIC WORKS TO FIX THE FARES TO BE CHARGED FOR A SINGLE RIDE ON THE LINES OF THE MUNICIPAL RAILWAY WITHIN THE CITY AND COUNTY OF SAN FRANCISCO, AND PROVIDING THE MANNER IN WHICH ANY DEFICIENCY ARISING FROM THE OPERATION OF SAID RAILWAY SHALL BE PAID.**

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

Section 1. The Board of Public Works of the City and County of San Francisco is hereby directed to fix and maintain a fare of five cents for each passenger per single ride, riding upon the Municipal Railway within the present limits of the City and County of San Francisco, and said Board of Public Works is hereby forbidden to fix any rate of fare in excess of the amount herein specified, provided the said Board of Public Works shall fix and maintain a fare of one-half the amount herein specified for the transportation of pupils under the age of eighteen years who attend the public or private schools in the City and County of San Francisco.

Section 2. The Board of Public Works is hereby directed to provide tickets for the transportation of pupils as aforesaid, which said tickets shall be sold in packages of twenty tickets each, each of said tickets to be received on the cars of the Municipal Railway in payment of a single ride for any pupil under the age of eighteen years attending the public or private schools in the City

and County of San Francisco; said tickets to be sold and distributed and to be accepted in payment of the transportation of said pupils under such rules and regulations as may be provided by resolution of the Board of Public Works.

Section 3. Should the rate of fares herein provided not be sufficient to produce the revenue necessary to pay the cost of operating and maintaining said railway, together with the cost of repairs and reconstruction necessary for the operation of said railway and depreciation charges, together with the interest and principal of the bonds issued for the acquisition, construction and extension of said railway, then, in that event, the Board of Supervisors at the time of levying the annual tax for the City and County of San Francisco, shall include in the tax rate a rate to produce the necessary amount to make up such deficiency, and any tax so levied or included shall be exclusive of the limitations provided in Section 11, Chapter I of Article III of the Charter.

Section 4. This ordinance shall take effect immediately upon its approval by the people.

Section 5. All ordinances or parts of ordinances in conflict with the provisions hereof, are hereby repealed, in so far as said conflict exists.

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We, the undersigned members of the Board of Supervisors of the City and County of San Francisco, do hereby propose the foregoing ordinance and direct that the same shall be submitted to the electors of the City and County of San Francisco at the general election to be held in said City and County on the 4th day of November, 1930.

Dated: September 22, 1930.

FRANCK R. HAVENNER,  
ALFRED RONCOVIERI,  
ANDREW J. GALLAGHER,  
JAMES E. POWER,  
VICTOR J. CANEPA,  
FRANK J. MCGOVERN.

# **BOND PROPOSITIONS**

## **Bond Proposition No. 38.**

### **COUNTY JAIL BONDS.**

**To incur a bonded debt of the City and County of San Francisco to the amount of \$850,000 for the purchase of a site and the erection thereon of a County Jail.**

## **BOND PROPOSITION NO. 38.**

**Bill No. 9343. Ordinance No. 8847 (New Series): CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY AND COUNTY OF SAN FRANCISCO ON TUESDAY, THE FOURTH DAY OF NOVEMBER, 1930, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN FRANCISCO A PROPOSITION TO INCUR A BONDED DEBT OF THE CITY AND COUNTY OF SAN FRANCISCO TO THE AMOUNT OF EIGHT HUNDRED AND FIFTY THOUSAND DOLLARS (\$850,000) FOR A PERMANENT IMPROVEMENT, TO-WIT: THE ACQUISITION, CONSTRUCTION AND EQUIPMENT BY THE CITY AND COUNTY OF SAN FRANCISCO OF A COUNTY JAIL, AND FOR THAT PURPOSE THE ACQUISITION BY THE SAID CITY AND COUNTY OF A TRACT OF LAND SUITABLE TO BE USED AS A SITE FOR SAID COUNTY JAIL, AND THE IMPROVEMENT AND GRADING OF SAID SITE AND THE CONSTRUCTION THEREON OF THE NECESSARY BUILDING OR BUILDINGS FOR SAID JAIL, AND THE EQUIPMENT AND FURNISHING OF THE SAME, AND THE BUILDING OF SUCH ROADS, STREETS OR WAYS ON OR TO THE SAID JAIL SITE AS MAY BE NECESSARY OR CONVENIENT FOR THE USE THEREOF, AND THE ACQUISITION AND INSTALLATION IN SAID BUILDING OR ON SAID SITE OF SUCH MACHINERY, FURNISHINGS OR OTHER EQUIPMENT AS MAY BE NECESSARY FOR THE CONSTRUCTION, OPERATION OR USE OF SAID JAIL.**

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

Section 1. A special election is hereby called and ordered to be held in the City and County of San Francisco on Tuesday, the fourth day of November, 1930, for the purpose of submitting to the electors of said City and County the following proposition, to-wit: To incur a bonded debt of the City and County of San Francisco to the amount of Eight hundred and fifty thousand dollars (\$850,000) for a permanent improvement, to-wit: The acquisition, construction and equipment by the City and County of San Francisco of a county jail, and for that purpose the acquisition by said City and County of a tract of land suitable to be used as a site for said county jail, and the improvement and grading of said site and the construction thereon of the necessary building or buildings for said jail, and the equipment and furnishing of the same, and the building of such roads, streets or ways on or to the said jail site as may be necessary or convenient for the use thereof, and the acquisition and installation in said building or on said site of such machinery, furnishings or other equipment as may be necessary for the construction, operation or use of said jail.

Section 2. The estimated cost of the acquisition, construction and equipment of the permanent improvement described herein was by plans and estimates of the Board of Public Works procured through the City Engineer and filed with the Board of Supervisors on the 28th day of August, 1930, and was and is fixed by Resolution No. 33082 (New Series), in the sum of Eight hundred and fifty thousand dollars (\$850,000).

Section 3. By Resolution No. 33082 (New Series) it was declared that no part of the said sum of Eight hundred and fifty thousand dollars (\$850,000) could be paid out of the annual revenue of the City and County in addition to the other necessary expenses thereof, or other funds derived from taxes levied for that purpose, and will require the incurring of a bonded debt to the amount of Eight hundred and fifty thousand dollars (\$850,000) for the purposes herein recited. The method and manner of payment of the estimated cost of said described permanent improvement are by the issuance of bonds of the City and County of San Francisco to the amount required therefor, and the application of the proceeds arising from the sale thereof to defray the cost of the acquisition, construction and equipment of said permanent improvement herein described.

Section 4. The special election hereby called and ordered to be held shall be held and conducted, and the votes thereat received and canvassed, and the returns thereof made and the result thereof ascertained, determined and declared as herein

provided and according to the laws of the State of California providing for and governing elections in the City and County of San Francisco, and the polls for such election shall be and remain open during the time required by said laws.

Section 5. The ballots to be used at said special election shall be such as may be required by law to be used thereat, and in addition to any other matter required by law to be printed thereon shall appear thereon the following:

"To incur a bonded indebtedness in the sum of Eight hundred and fifty thousand dollars (\$850,000) for a permanent improvement, to-wit: The acquisition, construction and equipment by the City and County of San Francisco of a county jail, and for that purpose the acquisition by said City and County of a tract of land suitable to be used as a site for said county jail, and the improvement and grading of said site and the construction thereon of the necessary building or buildings for said jail, and the equipment and furnishing of the same, and the building of such roads, streets or ways on or to the said jail site as may be necessary or convenient for the use thereof, and the acquisition and installation in said building or on said site of such machinery, furnishings or other equipment as may be necessary for the construction, operation or use of said jail."

To vote for the proposition and thereby authorize the incurring of a bonded indebtedness to the amount of and for the purpose stated in said proposition, stamp a cross (X) in the blank space to the right of the word "YES." To vote against the proposition and thereby refuse to authorize the incurring of a bonded indebtedness to the amount of and for the purpose stated in such proposition, stamp a cross (X) in the blank space to the right of the word "NO."

YES	
NO	

Bonds issued for the acquisition, construction and equipment of the permanent improvement herein described shall bear interest at the rate of 4½ per cent per annum, payable semi-annually.

Section 6. Where voting machines are used at said special election the said voting machines shall be so arranged that any

qualified elector may vote for the proposition by pulling down a lever over the word "YES" under or near a statement of the proposed proposition appearing on cardboard, paper or other material placed on the front of the machine, and said act shall constitute a vote for the proposition, and by pulling down a lever over the word "NO" under or near a statement of the proposed proposition appearing on cardboard, paper or other material placed on the front of the machine, shall constitute a vote against the proposition. Said voting machines and the preparation of the same are to be used in accordance with the provisions of Chapter 96 of the Statutes of 1923.

Each cross (X) stamped in the square to the right of the word "YES" appearing on the printed ballot, where printed ballots are used, shall constitute a vote in favor of and to authorize the incurring of a bonded indebtedness for the purpose set forth in the proposition, and each cross (X) stamped in the square to the right of the word "NO" shall be counted as a vote not in favor of, and a refusal to authorize the incurring of a bonded indebtedness for the purpose set forth in the proposition.

Section 7. The election precincts and the numbers, names and boundaries thereof for said special election, and the places of voting, and the officers to conduct such election, and all other necessary proceedings in that behalf, shall be respectively defined, designated, selected, appointed and had by the Board of Election Commissioners of the City and County of San Francisco, and said Board is hereby authorized and directed to procure and provide all supplies that may be necessary to properly and lawfully conduct such special election.

When the polls are closed the officers of election shall count the ballots cast at such election, and canvass the votes cast, respectively, for and against the proposition herein stated, and make returns thereof in time, form and manner required for the counting, canvassing and returning of votes cast at other municipal elections held in the City and County of San Francisco. The Board of Election Commissioners shall, as soon as the said returns and ballots have been received by said Board, canvass said returns and declare the result thereof in the manner provided by law for canvassing returns and declaring results in other elections, and shall also certify said results to the Board of Supervisors.

Section 8. If, at such special election, it shall appear that two-thirds of all the votes cast thereat were in favor of and authorized the incurring of a bonded debt for the purpose set forth in said proposition, then such proposition shall be deemed to have been accepted by the electors, and bonds will be issued to defray the cost of the permanent improvements described



therein. Such bonds shall be of the form and character known as "serials."

All of said bonds shall be dated January 1, 1931, shall bear interest at the rate of  $4\frac{1}{2}$  per centum per annum, payable semi-annually, shall be of the denomination of \$1,000 each, and the principal and interest thereof shall be payable in gold coin of the United States. Said bonds shall be called "County Jail Bonds, 1931."

Bonds issued for the purpose stated shall be numbered from 1 to 850, both inclusive, and shall be payable \$50,000 thereof 5 years from the date of said bonds, beginning with the lowest numbers, and \$50,000 thereof of the next higher numbers on the same day in each succeeding year until all of said bonds shall be paid.

Section 9. Said bonds and coupons shall be in substantially the following form:

UNITED STATES OF AMERICA

State of California,

City and County of San Francisco

"COUNTY JAIL BOND, 1931"

No.....

\$1,000.00

For value received, the City and County of San Francisco, a municipal corporation organized and existing under the laws of the State of California, hereby acknowledges itself indebted and promises to pay to the bearer on the first day of ....., 19...., one thousand dollars, with interest thereon at the rate of  $4\frac{1}{2}$  per centum per annum, payable semi-annually, January 1 and July 1, on presentation and surrender of the coupons hereto attached, as they respectively become due, both principal and interest being payable in gold coin of the United States at the office of the Treasurer of said City and County, or, at the option of the holder, at the fiscal agency of said City and County of San Francisco in the City and State of New York.

This bond is issued under and pursuant to the Constitution and statutes of the State of California and the Charter of said City and County of San Francisco, and amendments thereto, and under and pursuant to ordinances and proceedings of said City and County, duly adopted and taken, and a vote and assent of more than two-thirds of all the qualified electors of said City and County voting at a special election duly and legally called and held for that purpose.

It is hereby certified, recited and declared that all acts, conditions and things required by law to exist, happen and be performed precedent to and in the issuance of this bond have ex-

isted, happened and been performed in due time, form and manner as required by law, and that the amount of this bond, together with all other indebtedness of said City and County, does not exceed any limit prescribed by the Constitution or statutes of said State or Charter of said City and County, and that provision has been made, as required by the Constitution and statutes of said State and the Charter of said City and County, for the collection of an annual tax sufficient to pay the interest on this bond as it falls due, and also provision to constitute a sinking fund for the payment of the principal of this bond on or before maturity. The full faith and credit of said City and County are hereby pledged for the punctual payment of the principal and interest of this bond.

This bond may be converted into a registered bond upon presentation to the Treasurer of the City and County of San Francisco, in which event such Treasurer shall cut off and cancel the coupons of this bond and shall sign a statement stamped, printed or written upon the back or face of the bond to the effect that this bond is registered in the name of the owner, and that thereafter the interest and principal of this bond are payable to the registered owner. Thereafter, and from time to time, this bond may be transferred by such registered owner in person or by attorney duly authorized on presentation of this bond to the Treasurer, and the bond be again registered as before, a similar statement being stamped, printed or written thereon.

This bond is exempt from all taxation within the State of California.

In witness whereof, said City and County of San Francisco has caused this bond to be executed under its corporate seal, signed by its Mayor and Treasurer, and countersigned by its Auditor, and has caused the interest coupons hereto attached to be signed with the engraved or lithographed signatures of its Treasurer, and this bond to be dated the first day of January, 1931.

.....  
Mayor.

.....  
Treasurer.

Countersigned:

.....  
Auditor.

FORM OF COUPON

No. .... \$.....

On ..... 1, 19...., the City and County of San Francisco, California, will pay to bearer at the office of the

Treasurer of said City and County, or, at the option of the holder, at the fiscal agency of the City and County of San Francisco in the City and State of New York, ..... dollars (\$.....) in gold coin of the United States, being six months' interest then due on its bond dated January 1, 1931, No. ....

.....  
Treasurer.

## FORM OF REGISTRATION

San Francisco, ....., 19....

This bond is registered pursuant to Charter of the City and County of San Francisco, State of California, in the name of ..... and the interest and principal thereof are hereafter payable to such owner.

.....  
Treasurer.

Section 10. The amount of tax levy to be made for the payment of said \$850,000 bonds shall be the sum of \$38,250 per annum for the first 5 years from the date of said bonds to pay the annual interest on said bonds, and in season to pay such interest as it becomes due, and for the sixth year after the date of said bonds the sum of \$36,000 to pay and in season to pay the interest on such of said bonds as remain outstanding after the \$50,000 thereof due 5 years from their date have been paid, and for the seventh year after the date of said bonds the sum of \$33,750 to pay and in season to pay the interest on such of said bonds as remain outstanding after the \$50,000 thereof due 6 years from their date have been paid, and so on, a sum each year for 14 succeeding years until said bonds are all paid, sufficient for interest and in season to pay interest on all of said bonds outstanding, which sum for interest will diminish each year by the amount of \$2,250 by reason of the payment each year beginning 5 years from the date of said bonds of \$50,000 of said bonds, and the sum of \$50,000 each year beginning 4 years from the date of said bonds to pay and in season to pay the principal on such bonds as they respectively become due, and continuing each succeeding year for 16 years until the principal of all of said bonds has been paid.

The purpose and intent of the foregoing tax provisions are, and it is hereby expressly provided, that at the time of levying the municipal tax, and in the manner provided for such tax levy, the Supervisors shall levy and collect annually a tax sufficient to pay the annual interest on such bonds, and also such part of the bonded indebtedness as will fall due within the succeeding fiscal year. Such taxes shall be in addition to all other taxes

levied for municipal purposes, and shall be collected at the same time and in the same manner as other municipal taxes are collected.

Section 11. This ordinance shall be published for at least ten days in the official newspaper, and, at the expiration of said ten days, notice of such special election shall be given and published as required by law.

Section 12. This ordinance shall take effect immediately.

Finally passed—Board of Supervisors, San Francisco, Sept. 22, 1930.

Ayes—Supervisors Andriano, Canepa, Gallagher, Havenner, Hayden, McGovern, Miles, Rossi, Spaulding, Suhr, Toner.

Absent—Supervisors Colman, McSheehy, Peyser, Power, Roncovieri, Shannon, Stanton.

J. S. DUNNIGAN, Clerk.

Approved, San Francisco, Sept. 23, 1930.

ANGELO J. ROSSI, Acting Mayor.

**Bond Proposition No. 39.**

**GARBAGE INCINERATOR BONDS.**

**To incur a bonded debt of the City and County of San Francisco to the amount of \$1,200,000 for the acquisition, construction and equipment of a garbage incinerator by the City and County of San Francisco.**

**BOND PROPOSITION NO. 39.**

**Bill No. 9346. Ordinance No. 8849 (New Series): CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY AND COUNTY OF SAN FRANCISCO ON TUESDAY THE FOURTH DAY OF NOVEMBER, 1930, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN FRANCISCO A PROPOSITION TO INCUR A BONDED DEBT OF THE CITY AND COUNTY OF SAN FRANCISCO TO THE AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) FOR A PERMANENT IMPROVEMENT, TO-WIT: THE ACQUISITION, CONSTRUCTION AND EQUIPMENT OF A GARBAGE INCINERATOR BY THE CITY AND COUNTY OF SAN FRANCISCO, AND FOR THAT PURPOSE THE ACQUISITION BY SAID CITY AND COUNTY OF A TRACT OF LAND TO BE USED AS A SITE FOR SAID INCINERATOR, AND THE IMPROVEMENT AND GRADING OF SAID SITE, AND THE CONSTRUCTION THEREON OF THE NECESSARY BUILDINGS FOR SAID INCINERATOR, TOGETHER WITH THE INSTALLATION THEREIN AND THERETO OF ALL MACHINERY AND EQUIPMENT NECESSARY OR PROPER FOR THE INCINERATION OF GARBAGE, TOGETHER WITH THE CONSTRUCTION OF THE NECESSARY STREETS, WAYS AND APPROACHES TO SAID SITE OR TO SAID BUILDING OR BUILDINGS.**

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

**Section 1. A special election is hereby called and ordered to be held in the City and County of San Francisco on Tuesday,**

the fourth day of November, 1930, for the purpose of submitting to the electors of said City and County the following proposition, to-wit: To incur a bonded debt of the City and County of San Francisco to the amount of One million two hundred thousand dollars (\$1,200,000) for a permanent improvement, to-wit, the acquisition, construction and equipment of a garbage incinerator by the City and County of San Francisco, and for that purpose the acquisition by said City and County of a tract of land to be used as a site for said incinerator, and the improvement and grading of said site, and the construction thereon of the necessary buildings for said incinerator, together with the installation therein and thereto of all machinery and equipment necessary or proper for the incineration of garbage, together with the construction of streets, ways and approaches to said site or to said building or buildings.

Section 2. The estimated cost of the acquisition, construction and equipment of the permanent improvement described herein was by plans and estimates of the Board of Public Works procured through the City Engineer and filed with the Board of Supervisors on the 28th day of August, 1930, and was and is fixed by Resolution No. 33081 (New Series) in the sum of One million two hundred thousand dollars (\$1,200,000).

Section 3. By Resolution No. 33081 (New Series) it was declared that no part of the said sum of One million two hundred thousand dollars (\$1,200,000) could be paid out of the annual revenue of the City and County in addition to the other necessary expenses thereof, or other funds derived from taxes levied for that purpose, and will require the incurring of a bonded debt to the amount of One million two hundred thousand dollars (\$1,200,000) for the purposes herein recited. The method and manner of payment of the estimated cost of said described permanent improvement are by the issuance of bonds of the City and County of San Francisco to the amount required therefor, and the application of the proceeds arising from the sale thereof to defray the cost of the acquisition, construction and equipment of said permanent improvement herein described.

Section 4. The special election hereby called and ordered to be held shall be held and conducted, and the votes thereat received and canvassed, and the returns thereof made and the result thereof ascertained, determined and declared, as herein provided and according to the laws of the State of California providing for and governing elections in the City and County of San Francisco, and the polls for such election shall be and remain open during the time required by said laws.

Section 5. The ballots to be used at said special election shall be such as may be required by law to be used thereat, and in

addition to any other matter required by law to be printed thereon shall appear thereon the following:

"To incur a bonded indebtedness in the sum of One million two hundred thousand dollars (\$1,200,000) for a permanent improvement, to-wit, the acquisition, construction and equipment of a garbage incinerator by the City and County of San Francisco, and for that purpose the acquisition by said City and County of a tract of land to be used as a site for said incinerator, and the improvement and grading of said site, and the construction thereon of the necessary buildings for said incinerator, together with the installation therein and thereto of all machinery and equipment necessary or proper for the incineration of garbage, together with the construction of streets, ways and approaches to said site or to said building or buildings."

To vote for the proposition and thereby authorize the incurring of a bonded indebtedness to the amount of and for the purpose stated in said proposition, stamp a cross (X) in the blank space to the right of the word "YES." To vote against the proposition and thereby refuse to authorize the incurring of a bonded indebtedness to the amount of and for the purpose stated in such proposition, stamp a cross (X) in the blank space to the right of the word "NO."

YES	
NO	

Bonds issued for the acquisition, construction and equipment of the permanent improvement herein described shall bear interest at the rate of  $4\frac{1}{2}$  per cent per annum, payable semi-annually.

Section 6. Where voting machines are used at said special election the said voting machines shall be so arranged that any qualified elector may vote for the proposition by pulling down a lever over the word "YES" under or near a statement of the proposed proposition appearing on cardboard, paper or other material placed on the front of the machine, and said act shall constitute a vote for the proposition, and by pulling down a lever over the word "NO" under or near a statement of the proposed proposition appearing on cardboard, paper or other material placed on the front of the machine, shall constitute a vote against the proposition. Said voting machines and the preparation of



the same are to be used in accordance with the provisions of Chapter 96 of the Statutes of 1923.

Each cross (X) stamped in the square to the right of the word "YES" appearing on the printed ballot, where printed ballots are used, shall constitute a vote in favor of and to authorize the incurring of a bonded indebtedness for the purpose set forth in the proposition, and each cross (X) stamped in the square to the right of the word "NO" shall be counted as a vote not in favor of, and a refusal to authorize the incurring of a bonded indebtedness for the purpose set forth in the proposition.

Section 7. The election precincts and the numbers, names and boundaries thereof for said special election, and the places of voting, and the officers to conduct such election, and all other necessary proceedings in that behalf, shall be respectively defined, designated, selected, appointed and had by the Board of Election Commissioners of the City and County of San Francisco, and said Board is hereby authorized and directed to procure and provide all supplies that may be necessary to properly and lawfully conduct such special election.

When the polls are closed the officers of election shall count the ballots cast at such election and canvass the votes cast, respectively, for and against the proposition herein stated, and make returns thereof in time, form and manner required for the counting, canvassing and returning of votes cast at other municipal elections held in the City and County of San Francisco. The Board of Election Commissioners shall, as soon as the said returns and ballots have been received by said Board, canvass said returns and declare the result thereof in the manner provided by law for canvassing returns and declaring results in other elections, and shall also certify said results to the Board of Supervisors.

Section 8. If, at such special election, it shall appear that two-thirds of all the votes cast thereat were in favor of and authorized the incurring of a bonded debt for the purpose set forth in said proposition, then such proposition shall be deemed to have been accepted by the electors, and bonds will be issued to defray the cost of the permanent improvement described therein. Such bonds shall be of the form and character known as "serials." All of said bonds shall be dated January 1, 1931, shall bear interest at the rate of  $4\frac{1}{2}$  per centum per annum, payable semi-annually, shall be of the denomination of \$1000 each, and the principal and interest thereof shall be payable in gold coin of the United States. Said bonds shall be called "Incinerator Bonds."

Bonds issued for the purpose stated shall be numbered from 1 to 1200, both inclusive, and shall be payable \$60,000 thereof 5 years from the date of said bonds, beginning with the lowest

numbers, and \$60,000 thereof of the next higher numbers on the same day in each succeeding year until all of said bonds shall be paid.

Section 9. Said bonds and coupons shall be in substantially the following form:

THE UNITED STATES OF AMERICA

State of California,

City and County of San Francisco

"INCINERATOR BOND"

No.....

\$1,000.00

For value received, the City and County of San Francisco, a municipal corporation organized and existing under the laws of the State of California, hereby acknowledges itself indebted and promises to pay to the bearer on the first day of....., 19...., one thousand dollars, with interest thereon at the rate of  $4\frac{1}{2}$  per centum per annum, payable semi-annually, January 1 and July 1, on presentation and surrender of the coupons hereto attached as they respectively become due, both principal and interest being payable in gold coin of the United States at the office of the Treasurer of said City and County, or, at the option of the holder, at the fiscal agency of said City and County of San Francisco in the City and State of New York.

This bond is issued under and pursuant to the Constitution and statutes of the State of California and the Charter of said City and County of San Francisco, and amendments thereto, and under and pursuant to ordinances and proceedings of said City and County duly adopted and taken, and a vote and assent of more than two-thirds of all the qualified electors of said City and County voting at a special election duly and legally called and held for that purpose.

It is hereby certified, recited and declared that all acts, conditions and things required by law to exist, happen and be performed precedent to and in the issuance of this bond have existed, happened and been performed in due time, form and manner as required by law, and that the amount of this bond, together with all other indebtedness of said City and County, does not exceed any limit prescribed by the Constitution or statutes of said State or Charter of said City and County, and that provision has been made, as required by the Constitution and statutes of said State and the Charter of said City and County for the collection of an annual tax sufficient to pay the interest on this bond as it falls

due, and also provision to constitute a sinking fund for the payment of the principal of this bond on or before maturity. The full faith and credit of said City and County are hereby pledged for the punctual payment of the principal and interest of this bond.

This bond may be converted into a registered bond upon presentation to the Treasurer of the City and County of San Francisco, in which event such Treasurer shall cut off and cancel the coupons of this bond and shall sign a statement stamped, printed or written upon the back or face of the bond to the effect that this bond is registered in the name of the owner, and that thereafter the interest and principal of this bond are payable to the registered owner. Thereafter, and from time to time, this bond may be transferred by such registered owner in person or by attorney duly authorized on presentation of this bond to the Treasurer, and the bond be again registered as before, a similar statement being stamped, printed or written thereon.

This bond is exempt from all taxation within the State of California.

In witness whereof, said City and County of San Francisco has caused this bond to be executed under its corporate seal, signed by its Mayor and Treasurer, and countersigned by its Auditor, and has caused the interest coupons hereto attached to be signed with the engraved or lithographed signature of its Treasurer, and this bond to be dated the first day of January, 1931.

.....  
Mayor.

.....  
Treasurer.

Countersigned:

.....  
Auditor.

#### FORM OF COUPON

No..... \$.....

On.....1, 19...., the City and County of San Francisco, California, will pay to bearer at the office of the Treasurer of said City and County, or at the option of the holder at the fiscal agency of the City and County of San Francisco, in the City and State of New York, .....dollars (\$.....) in gold coin of the United States, being six

months' interest then due on its bond dated January 1, 1931,  
number.....

.....  
Treasurer.

## FORM OF REGISTRATION

San Francisco,.....19....

This bond is registered pursuant to Charter of the City and  
County of San Francisco, State of California, in the name of  
.....and the interest and principal  
thereof are hereafter payable to such owner.

.....  
Treasurer.

Section 10. The amount of tax levy to be made for the pay-  
ment of said \$1,200,000 bonds shall be the sum of \$54,000 per  
annum for the first 5 years from the date of said bonds to pay the  
annual interest on said bonds, and in season to pay such interest  
as it becomes due, and for the 6th year after the date of said  
bonds the sum of \$51,300 to pay and in season to pay the interest  
on such of said bonds as remain outstanding after the \$60,000  
thereof due 5 years from their date have been paid, and for the  
7th year after the date of said bonds the sum \$48,600 to pay and  
in season to pay the interest on such of said bonds as remain  
outstanding after the \$60,000 thereof due 6 years from their date  
have been paid, and so on, a sum each year for 17 succeeding  
years until said bonds are all paid, sufficient for interest and in  
season to pay interest on all of said bonds outstanding, which  
sum for interest will diminish each year by the amount of \$2,700  
by reason of the payment each year beginning 5 years from the  
date of said bonds of \$60,000 of said bonds, and the sum of \$60,-  
000 each year beginning 4 years from the date of said bonds to  
pay and in season to pay the principal of such bonds as they  
respectively become due, and continuing each succeeding year  
for 19 years until the principal of all of said bonds has been paid.

The purpose and intent of the foregoing tax provisions are, and  
it is hereby expressly provided, that at the time of levying the  
municipal tax, and in the manner provided for such tax levy, the  
Supervisors shall levy and collect annually a tax sufficient to pay  
the annual interest on such bonds, and also such part of the  
bonded indebtedness as will fall due within the succeeding fiscal  
year. Such taxes shall be in addition to all other taxes levied for  
municipal purposes, and shall be collected at the same time and  
in the same manner as other municipal taxes are collected.

Section 11. This ordinance shall be published for at least ten  
days in the official newspaper, and, at the expiration of said ten

days, notice of such special election shall be given and published as required by law.

Section 12. This ordinance shall take effect immediately.

**Finally passed**—Board of Supervisors, San Francisco, Sept. 22, 1930.

Ayes—Supervisors Andriano, Canepa, Gallagher, Havenner, Hayden, McGovern, Miles, Peyser, Rossi, Spaulding, Suhr, Toner.

Absent—Supervisors Colman, McSheehy, Power, Roncovieri, Shannon, Stanton.

J. S. DUNNIGAN, Clerk.

Approved, San Francisco, Sept. 23, 1930.

ANGELO J. ROSSI, Acting Mayor.

**Bond Proposition No. 40.**

**AIRPORT BONDS.**

**To incur a bonded debt of the City and County of San Francisco to the amount of \$4,000,000 for the extension and improvement of the Municipal Airport at Mills Field.**

**BOND PROPOSITION NO. 40.**

**Bill No. 9344. Ordinance No. 8848 (New Series): CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY AND COUNTY OF SAN FRANCISCO ON TUESDAY, THE FOURTH DAY OF NOVEMBER, 1930, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN FRANCISCO A PROPOSITION TO INCUR A BONDED DEBT OF THE CITY AND COUNTY OF SAN FRANCISCO TO THE AMOUNT OF FOUR MILLION DOLLARS (\$4,000,000) FOR A PERMANENT IMPROVEMENT, TO-WIT: THE ACQUISITION, CONSTRUCTION AND EQUIPMENT OF AN AIRPORT BY THE CITY AND COUNTY OF SAN FRANCISCO, AND FOR THAT PURPOSE THE ACQUISITION BY SAID CITY AND COUNTY OF A TRACT OF LAND IN THE COUNTY OF SAN MATEO SUITABLE TO BE USED AS AN AIRPORT, AND THE LEVELING AND DRAINING OF SAID LAND AND THE CONSTRUCTION THEREON OF ALL NECESSARY HANGARS, MACHINE SHOPS, AND OTHER BUILDINGS TO BE USED IN CONNECTION WITH SAID AIRPORT, AND THE CONSTRUCTION OF THE NECESSARY ROADS, RUNWAYS, DRAINS AND LIGHTING FACILITIES, AND THE CONSTRUCTION AND ACQUISITION OF SUCH OTHER DEVICES, MACHINERY AND EQUIPMENT AS MAY BE NECESSARY OR CONVENIENTLY USED IN THE CONDITIONING, CONSTRUCTION, OPERATING OR CONDUCTING OF SAID AIRPORT, ALL TO BE USED BY THE CITY AND COUNTY OF SAN FRANCISCO AS AN AIRPORT TO ACCOMMODATE COMMERCIAL, CHARTER, AND PASSENGER AIR LINES, PRIVATE,**

PLEASURE AND SIGHTSEEING TRANSPORTATION  
AIRPLANES, HYDROPLANES, AND AMPHIBIAN  
PLANES, AND ALL OTHER CLASSES OF AIR  
TRAVEL, THAT MAY NOW OR MAY HEREAFTER  
BE DEVELOPED.

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

Section 1. A special election is hereby called and ordered to be held in the City and County of San Francisco on Tuesday, the fourth day of November, 1930, for the purpose of submitting to the electors of said City and County the following proposition, to-wit: To incur a bonded debt of the City and County of San Francisco to the amount of Four million dollars (\$4,000,000) for a permanent improvement, to-wit, the acquisition, construction and equipment of an airport by the City and County of San Francisco, and for that purpose the acquisition by said City and County of a tract of land in the County of San Mateo suitable to be used as an airport, and the leveling and draining of said land and the construction thereon of all necessary hangars, machine shops, and other buildings to be used in connection with said airport, and the construction of the necessary roads, runways, drains and lighting facilities, and the construction and acquisition of such other devices, machinery and equipment as may be necessary or conveniently used in the conditioning, construction, operating or conducting of said airport, all to be used by the City and County of San Francisco as an airport to accommodate commercial, charter, and passenger air lines, private, pleasure and sightseeing transportation airplanes, hydroplanes, and amphibian planes, and all other classes of air travel that may now or may hereafter be developed.

Section 2. The estimated cost of the acquisition, construction and equipment of the permanent improvement described herein was by plans and estimates of the Board of Public Works procured through the City Engineer and filed with the Board of Supervisors on the 28th day of August, 1930, and was and is fixed by Resolution No. 33083 (New Series) in the sum of Four million dollars (\$4,000,000).

Section 3. By Resolution No. 33083 (New Series) it was declared that no part of the said sum of Four million dollars (\$4,000,000) could be paid out of the annual revenue of the City and County in addition to the other necessary expenses thereof, or other funds derived from taxes levied for that pur-



pose, and will require the incurring of a bonded debt to the amount of Four million dollars (\$4,000,000) for the purposes herein recited. The method and manner of payment of the estimated cost of said described permanent improvement are by the issuance of bonds of the City and County of San Francisco to the amount required therefor, and the application of the proceeds arising from the sale thereof to defray the cost of the acquisition, construction and equipment of said permanent improvement herein described.

Section 4. The special election hereby called and ordered to be held shall be held and conducted, and the votes thereat received and canvassed, and the returns thereof made and the result thereof ascertained, determined and declared, as herein provided and according to the laws of the State of California providing for the governing of elections in the City and County of San Francisco, and the polls for such election shall be and remain open during the time required by said laws.

Section 5. The ballots to be used at said special election shall be such as may be required by law to be used thereat, and in addition to any other matter required by law to be printed thereon shall appear thereon the following:

"To incur a bonded indebtedness in the sum of Four million dollars (\$4,000,000) for a permanent improvement, to-wit, the acquisition, construction and equipment of an airport by the City and County of San Francisco, and for that purpose the acquisition by said City and County of a tract of land in the County of San Mateo suitable to be used as an airport, and the leveling and draining of said land and the construction thereon of all necessary hangars, machine shops, and other buildings to be used in connection with said airport, and the construction of the necessary roads, runways, drains and lighting facilities, and the construction and acquisition of such other devices, machinery and equipment as may be necessary or conveniently used in the conditioning, construction, operating or conducting of said airport, all to be used by the City and County of San Francisco as an airport to accommodate commercial, charter, and passenger air lines, private, pleasure and sightseeing transportation airplanes, hydroplanes, and amphibian planes, and all other classes of air travel that may now or may hereafter be developed."

To vote for the proposition and thereby authorize the incurring of a bonded indebtedness to the amount of and for the purpose stated in said proposition, stamp a cross (X) in the blank space to the right of the word "YES." To vote against the proposition and thereby refuse to authorize the incurring of a bonded indebtedness to the amount of and for the purpose

stated in such proposition, stamp a cross (X) in the blank space to the right of the word "NO."

YES	
NO	

Bonds issued for the acquisition, construction and equipment of the permanent improvement herein described shall bear interest at the rate of  $4\frac{1}{2}$  per cent per annum, payable semi-annually.

Section 6. Where voting machines are used at said special election the said voting machines shall be so arranged that any qualified elector may vote for the proposition by pulling down a lever over the word "YES" under or near a statement of the proposed proposition appearing on cardboard, paper or other material placed on the front of the machine, and said act shall constitute a vote for the proposition, and by pulling down a lever over the word "NO" under or near a statement of the proposed proposition appearing on cardboard, paper or other material placed on the front of the machine, shall constitute a vote against the proposition. Said voting machines and the preparation of the same are to be used in accordance with the provisions of Chapter 96 of the Statutes of 1923.

Each cross (X) stamped in the square to the right of the word "YES" appearing on the printed ballot, where printed ballots are used, shall constitute a vote in favor of and to authorize the incurring of a bonded indebtedness for the purpose set forth in the proposition, and each cross (X) stamped in the square to the right of the word "NO" shall be counted as a vote not in favor of, and a refusal to authorize the incurring of a bonded indebtedness for the purpose set forth in the proposition.

Section 7. The election precincts and the numbers, names and boundaries thereof for said special election, and the places of voting, and the officers to conduct such election, and all other necessary proceedings in that behalf, shall be respectively defined, designated, selected, appointed and had by the Board of Election Commissioners of the City and County of San Francisco, and said Board is hereby authorized and directed to procure and provide all supplies that may be necessary to properly and lawfully conduct such special election.

When the polls are closed the officers of election shall count the ballots cast at such election and canvass the votes cast, respectively, for and against the proposition herein stated, and make returns thereof in time, form and manner required for the counting, canvassing and returning of votes cast at other municipal elections held in the City and County of San Francisco. The Board of Election Commissioners shall, as soon as the said returns and ballots have been received by said Board, canvass said returns and declare the result thereof in the manner provided by law for canvassing returns and declaring results in other elections, and shall also certify said results to the Board of Supervisors.

Section 8. If, at such special election, it shall appear that two-thirds of all the votes cast thereat were in favor of and authorized the incurring of a bonded debt for the purpose set forth in said proposition, then such proposition shall be deemed to have been accepted by the electors, and bonds will be issued to defray the cost of the permanent improvements described therein. Such bonds shall be of the form and character known as "serials." All of said bonds shall be dated January 1, 1931, shall bear interest at the rate of  $4\frac{1}{2}$  per centum per annum, payable semi-annually, shall be of the denomination of \$1000 each, and the principal and interest thereof shall be payable in gold coin of the United States. Said bonds shall be called "Airport Bonds."

Bonds issued for the purpose stated shall be numbered from 1 to 4000, both inclusive, and shall be payable \$160,000 thereof 5 years from the date of said bonds, beginning with the lowest numbers, and \$160,000 thereof of the next higher numbers on the same day in each succeeding year until all of said bonds shall be paid.

Section 9. Said bonds and coupons shall be in substantially the following form:

UNITED STATES OF AMERICA

State of California,

City and County of San Francisco

"AIRPORT BOND"

No. .... \$1,000.00

For value received, the City and County of San Francisco, a municipal corporation organized and existing under the laws of the State of California, hereby acknowledges itself indebted and promises to pay to the bearer on the first day of ....., 19...., one thousand dollars, with interest thereon at the rate of  $4\frac{1}{2}$  per centum per annum, payable semi-annually, January 1 and July 1, on presentation and surrender of the coupons hereto

attached, as they respectively become due, both principal and interest being payable in gold coin of the United States at the office of the Treasurer of said City and County, or, at the option of the holder, at the fiscal agency of said City and County of San Francisco in the City and State of New York.

This bond is issued under and pursuant to the Constitution and statutes of the State of California and the Charter of said City and County of San Francisco, and amendments thereto, and under and pursuant to ordinances and proceedings of said City and County, duly adopted and taken, and a vote and assent of more than two-thirds of all the qualified electors of said City and County voting at a special election duly and legally called and held for that purpose.

It is hereby certified, recited and declared that all acts, conditions and things required by law to exist, happen and be performed precedent to and in the issuance of this bond have existed, happened and been performed in due time, form and manner as required by law, and that the amount of this bond, together with all other indebtedness of said City and County, does not exceed any limit prescribed by the Constitution or statutes of said State or Charter of said City and County, and that provision has been made, as required by the Constitution and statutes of said State and the Charter of said City and County, for the collection of an annual tax sufficient to pay the interest on this bond as it falls due, and also provision to constitute a sinking fund for the payment of the principal of this bond on or before maturity. The full faith and credit of said City and County are hereby pledged for the punctual payment of the principal and interest of this bond.

This bond may be converted into a registered bond upon presentation to the Treasurer of the City and County of San Francisco, in which event such Treasurer shall cut off and cancel the coupons of this bond and shall sign a statement stamped, printed or written upon the back or face of the bond to the effect that this bond is registered in the name of the owner, and that thereafter the interest and principal of this bond are payable to the registered owner. Thereafter, and from time to time, this bond may be transferred by such registered owner in person or by attorney duly authorized on presentation of this bond to the Treasurer, and the bond be again registered as before, a similar statement being stamped, printed or written thereon.

This bond is exempt from all taxation within the State of California.

In witness whereof, said City and County of San Francisco, has caused this bond to be executed under its corporate seal, signed by its Mayor and Treasurer, and countersigned by its Auditor, and has caused the interest coupons hereto attached

to be signed with the engraved or lithographed signature of its Treasurer, and this bond to be dated the first day of January, 1931.

.....  
Mayor.

.....  
Treasurer.

Countersigned:

.....  
Auditor.

### FORM OF COUPON

No. .... \$.....

On ..... 1, 19...., the City and County of San Francisco, California, will pay to bearer at the office of the Treasurer of said City and County, or, at the option of the holder, at the fiscal agency of the City and County of San Francisco in the City and State of New York, ..... dollars (\$.....) in gold coin of the United States, being six months' interest then due on its bond dated January 1, 1931, No. ....

.....  
Treasurer.

### FORM OF REGISTRATION

San Francisco, ....., 19....

This bond is registered pursuant to Charter of the City and County of San Francisco, State of California, in the name of ..... and the interest and principal thereof are hereafter payable to such owner.

.....  
Treasurer.

Section 10. The amount of tax levy to be made for the payment of said \$4,000,000 bonds shall be the sum of \$180,000 per annum for the first 5 years from the date of said bonds to pay the annual interest on said bonds, and in season to pay such interest as it becomes due, and for the 6th year after the date of said bonds the sum of \$172,800 to pay and in season to pay the interest on such of said bonds as remain outstanding after the \$160,000 thereof due 5 years from their date have been paid, and for the 7th year after the date of said bonds the sum of \$165,600 to pay and in season to pay the interest on such of said bonds as remain outstanding after the \$160,000 thereof due 6 years from their date have been paid, and so on, a sum each year for twenty-two succeeding years until said bonds are all paid, sufficient for interest and in season to pay interest on all

of said bonds outstanding, which sum for interest will diminish each year by the amount of \$7,200 by reason of the payment each year beginning five years from the date of said bonds of \$160,000 of said bonds, and the sum of \$160,000 each year beginning four years from the date of said bonds to pay and in season to pay the principal of such bonds as they respectively become due, and continuing each succeeding year for twenty-four years until the principal of all of said bonds has been paid.

The purpose and intent of the foregoing tax provisions are, and it is hereby expressly provided, that at the time of levying the municipal tax, and in the manner provided for such tax levy, the Supervisors shall levy and collect annually a tax sufficient to pay the annual interest on such bonds, and also such part of the bonded indebtedness as will fall due within the succeeding fiscal year. Such taxes shall be in addition to all other taxes levied for municipal purposes, and shall be collected at the same time and in the same manner as other municipal taxes are collected.

Section 11. This ordinance shall be published for at least ten days in the official newspaper, and, at the expiration of said ten days, notice of such special election shall be given and published as required by law.

Section 12. This ordinance shall take effect immediately.

Finally passed—Board of Supervisors, San Francisco, Sept. 22, 1930.

Ayes—Supervisors Andriano, Canepa, Gallagher, Havenner, Hayden, McGovern, Miles, Peyser, Rossi, Spaulding, Suhr, Toner.

Absent—Supervisors Colman, McSheehy, Power, Roncovieri, Shannon, Stanton.

J. S. DUNNIGAN, Clerk.

Approved, San Francisco, Sept. 23, 1930.

ANGELO J. ROSSI, Acting Mayor.

**THE RECORDER PRINTING AND PUBLISHING COMPANY**  
**460 Fourth Street, San Francisco**





# VOTE "NO" ON AMENDMENT 27

## Save Public Education From Petty Politicians Give San Francisco Children a Square Deal

During the past ten years San Francisco's educational system has been steadily rising in rank among the cities of the United States. This city is now recognized by authorities as one of the leaders in educational thought and practice in the country. This enviable position has been earned as a direct consequence of the present plan of school government, which has kept politics very largely out of the department and made it possible for decisions as to matters of policy to be reached upon a basis of reason, justice and efficiency.

Now comes a small group of malcontents who have not been able to force their desires upon the Board of Education, bent upon killing the present plan of school government. If their Charter Amendment No. 27 is carried on November 4th, it will throw our educational system directly into the political cauldron. Influence will supersede efficiency; handshaking ability will take the place of mental caliber; and the coarseness of the political huckster will prevail in places where intelligence and dignity should be constantly before the children in our schools. Surely such a price is too high to pay for the doubtful satisfaction of voting for self-nominated candidates seeking prestige and power *at the expense of the children of San Francisco.*

The amendment presented by these malcontents is poorly drawn up, ill considered, and can be of no possible help in solving our educational problem. *It will not reduce taxes! It will not in any way change the State law concerning the power of the Board of Education with respect to taxes,* and it will result in chaos in the fixing of the annual municipal budget. The elective type of school government which it contemplates has been unfavorably regarded for large centers of population throughout the country because the mass of voters cannot possibly know the candidates. Persons possessing the proper qualifications to fill the position of a School Director refuse to submit themselves to the conditions under which a campaign must be conducted. A financial incentive is held out to incompetents to present themselves for the office which control the future of our children, the Municipality, the State and the Nation.

Those who have the good of the schools at heart must not wither under the assault of the politicians. The sham of their position must be clear to all thoughtful people and the hodgepodge they present must be defeated in the interest of educational progress for the city.

PUBLIC EDUCATION SOCIETY

AMENDMENT 27 WILL NOT REDUCE TAXES

VOTE "NO"

**VOTE**  
**YES-27**

**Make the  
Board of Education  
*ELECTIVE***

The proposed amendment makes no change in the administration of the School Department. The sole purpose of the amendment is to put the FISCAL power in an ELECTIVE Board of Education, so that the people can select the men who levy one-third of their taxes.

# **VOTE**

# **YES** **ON** **AMENDMENT** **27** **NUMBER**

## **Make the Board of Education ELECTIVE**

The Board of Supervisors have submitted a proposed Charter Amendment (No. 27), making the Board of Education elective. The vote authorizing its submission was twelve to four, two members being absent.

### **Nature of Proposed Amendment:**

The proposed amendment makes the following changes:

(1) It provides for the election of members of the Board of Education by the people, instead of their appointment by the Mayor. It makes the Board of Education subject to the provisions of the Charter relative to the nomination and election of municipal officers;

(2) It reduces the term of members of the Board of Education from seven years to four years, thereby making their term the same length as the terms of like municipal officers;

(3) It makes the Charter provisions relative to the suspension, removal and recall of municipal officers applicable to members of the Board of Education. So that in this respect the members of the Board of Education will stand on the same basis as other municipal officers. At present the members of the Board of Education may not be suspended, removed or recalled.

The opponents misrepresent the amendment. In a card circulated by them they state that it "permits a person who is not even a voter in San Francisco to be a member of the Board of Education." The fact is that the provisions of the proposed amendment prescribe precisely the same qualifications for members of the Board of Education as the present Charter; they were copied verbatim from the present Charter.

The proposed amendment makes no change in the administration of the school department. If the amendment is

adopted the schools will continue to be administered by an appointive superintendent and his assistants. The sole purpose of the amendment is to place the fiscal power of the school department in the hands of an elective Board of Education so that the people can select the men who levy one-third of their taxes. It is a vindication of the underlying principle of American government, viz., **No Taxation Without Representation.**

### **History of Present System:**

From the date when our present Charter took effect, i. e., January 8, 1900 (and even prior thereto) until 1921, the Board of Supervisors of the City and County of San Francisco was the **only** tax-levying body in San Francisco. The school department, in the same manner as every other department of the city government, submitted each year to the Board of Supervisors a budget of estimated expenses for the ensuing fiscal year. This budget was of precisely the same nature as the budgets of all other departments of the city government, i. e., it was **advisory** to and not **controlling** upon the Board of Supervisors.

In 1921, however, the Legislature of California passed a law (Section 1612a of the Political Code) by which it empowered the trustees of school districts and city boards of education to adopt budgets of school expenses, the amount whereof was to be raised by taxation. In 1927, the Supreme Court of California held that budgets of the Board of Education must be raised by taxation and that the Supervisors had no power to amend or revise these budgets.

### **Why the Appointive System Should Be Changed:**

The Board of Education, responsible to no one but itself, can and does reach into the pockets of the taxpayer and take therefrom whatever sum or sums it may arbitrarily decide upon.

The amount of taxes annually expended for education in the City and County of San Francisco is approximately one-third of the total municipal expenditures for all purposes. Therefore, the Board of Education exercises approximately one-third of the taxing power of the city. It is contrary to the spirit of American institutions for an appointed body to exercise this tremendous power of taxation.

From the foundation of our national government, all bills for raising revenue have originated and, by the Constitution of the United States, are required to originate in the House of Representatives. This is because the members of the House of Representatives are elected by the people every two years

and, at the time of the adoption of our Constitution, were believed to be closer to the people than the Senators who held for six years and were selected by the State Legislatures rather than by the people directly. More than two-thirds of the States have similar provisions in their Constitutions requiring revenue measures to originate with the elected representatives of the people in the lower house of the Legislature.

In the State of California there are approximately 3350 elementary and high school districts, including city school districts, which, under Section 1612a of the Political Code, exercise the power of taxation in school matters similar to that exercised by the Board of Education of San Francisco. Of this number only three—San Francisco, Sacramento and Alameda—are governed by appointed boards of education; in all others, the governing trustees or directors are elected.

The elective method is the democratic method of selecting tax-levying bodies.

Our War of Independence was fought to vindicate the principle that "taxation without representation is tyranny." This principle is violated whenever taxes are levied except by the elected representatives of the people.

Two eminent and disinterested political economists and students of political history recently addressed the Board of Freeholders. One said: "It is unusual and un-American for an appointive body to levy taxes. The sound philosophy is to vest the taxing power in the direct representatives of the people." The other said: "Were I making a charter I would have the board of education elective, especially where they have the power of taxation."

Since the Legislature, which is supreme in the matter of education and in the matter of levying taxes for school purposes, has given to city boards of education an uncontrolled power with respect to taxation, it is proper that these boards should be elected and made directly responsible to the people whose money they take through the exercise of their power, because, as Chief Justice Marshall has truly said, "The power to tax involves the power to destroy."

#### **Conditions Under Present System:**

In the past ten years the number of pupils in average daily attendance in our public schools has increased only 36½ per cent. During the same period our school costs have increased 139 per cent. This is in addition to construction costs totaling \$23,310,000 and interest on school bonds, also paid by taxes—exceeding \$6,000,000.

The cost of "administration," i. e., the Superintendent's salary and salaries and expenses incident to supervisory depart-

ments has jumped from \$92,216.95 in the fiscal year 1920-21 to \$270,811.59 in the fiscal year 1929-30—an increase of 193 per cent.

While school costs have advanced, the efficiency of the School Department has decreased. This is proved by the 1929 report of Superintendent Gwinn, which shows that 30.4 per cent of the pupils in our elementary schools, and 46.6 per cent of the pupils in our junior high schools fail. On the other hand, the average of the failures throughout the country generally is only 12 per cent.

### **Fallacy of Arguments Against Amendment:**

Four objections are urged against the proposed amendment. No one of them is sound. We will consider them in order:

**First:** It is contended that the appointive method of selecting public officers is superior to the elective method and will bring about the selection of better qualified members of the Board of Education.

There are many answers to this argument. A few, however, will suffice. The advocates of the appointive method of selecting public officers are usually persons who will not concede to the people the power of a discriminating choice when selecting public officers. Experience, however, teaches us that the people are usually capable of making an intelligent choice. The subject of education is closer to the people than any other. It is the one with which they are most familiar. To deny that the people can make an intelligent choice in matters affecting the education of their children is to deny that they can make an intelligent choice in any matter—a contention which the opponents of the proposed amendment are not likely to make.

For mere purposes of argument, it may be conceded that in some cases an appointive system has advantages over an elective system. Reasonable men have differed with respect to the merits of the rival systems as generally applied. But there never has been any dissent by reasonable or right-thinking persons from the cardinal principle of American government that a tax-levying body should be elected by and be directly responsible to the people.

Our republican form of government has been built upon the foundation premise that the power to tax, which, let it be repeated, "involves the power to destroy," shall not be exercised, except by the chosen representatives of the people whose money is taken through the exercise of the power.

**Second:** It is argued by the opponents of the proposed amendment that the men best equipped by education, experi-

ence and training to be members of a school board will not enter political lists and become candidates under an elective system, although they might consent to serve if appointed.

The history of the United States, and particularly of San Francisco, refutes this contention. One of the speakers who addressed the Board of Supervisors in favor of the proposed amendment, in answer to this argument, listed the names of former members of the Board of Education who were chosen under an elective system. To San Franciscans who were familiar with the names, the list sounded like an honor roll of San Francisco's ablest and best citizens. It is inconceivable that any finer or better qualified or more representative citizens could have been secured under an appointive system.

**Third:** The opponents of the proposed amendment argue that the selection of the Board of Education by election rather than by appointment will not deprive the Board of Education of the power of taxation given to it by State law, and, therefore, that the proposed amendment will not accomplish the principal purpose for which its adoption is sought.

It is true that the power of taxation given by State law to the Board of Education will be exercised by an elective board just as it has been exercised by an appointive board. But, under the proposed amendment, members of the elective board will hold office for four years and not for seven years. Except in one year (when one member only shall be elected) two of their body will be elected each year. Each year, then, the elective board will be compelled to render an account of their stewardship to the people who elected them. To argue that an elective system of selection is not a check upon a tax-making body is to ignore all political history, including that of San Francisco. When the Board of Education becomes an elective body, selected by and responsible to the people directly, it will become responsive to the will of the people and will cease to adopt budgets which unreasonably increase the people's taxes.

**Fourth:** The opponents state that they will induce the Legislature to exempt San Francisco from the general rule which permits boards of education to levy taxes for school purposes. This statement is both a confession of weakness and a pose to fool the unwary. They have no such power. In addition, they made similar false promises in 1927 and 1928. If you heed them they will betray you again.

**Fifth:** It is urged that since the people have chosen a Board of Freeholders to prepare a new Charter for San Francisco, no action should be taken on any matter of municipal government in advance of the submission of the Freeholders' Charter.



The Freeholders' Charter cannot become effective until it is ratified by the people.

It will be subjected to attack by the proponents and the opponents of diverse governmental theories. If one provision of the Freeholders' Charter is contrary to the views of a majority of the electors, the entire Charter may be imperiled. It is proper, therefore, and in fact essential, that the method of selecting the Board of Education, i. e., whether by election or by appointment, should be determined by the people in advance of the preparation and submission of the Freeholders' Charter, so that this subject may not be an obstacle, but rather an aid, to the ratification of the Charter.

The Board of Freeholders undoubtedly will adopt whatever method the people approve; it would be rash to assume otherwise. With this controversial subject decided by the people and provided for in the Charter in accordance with the people's decision, the proposed Freeholders' Charter's chances of ratification will be greatly increased.

#### **Conclusion:**

No one desires to curtail, hamper or hinder the schools. Every right minded San Franciscan wants to see the city's schools grow and flourish. They are the people's most precious possession. They affect most vitally the people's lives. It will be a sad day when they are wrested out of the control of the people who pay for them. The whole and sole purpose of this proposed amendment is to bring the schools nearer to the people; to prevent them from falling into the hands of any clique; to make them responsive to the people's wishes and the people's needs, and to do away with the present un-American system of subjecting the people of San Francisco to taxation without representation.

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*The foregoing argument is submitted by the Northern Federation of Civic Organizations and the Taxpayers' Defense League of San Francisco, which advocate and urge the adoption of Amendment number 27.*

**VOTE**

**YES-27**

**Make the**  
**Board of Education**  
***ELECTIVE***

The elective method is the democratic method of selecting tax-levying bodies. The Board of Education of San Francisco is a tax-levying body.

The Recorder Ptg. and Pub. Co., San Francisco



**VOTE**  
**NO on 28**  
**SPOILS SYSTEM AMENDMENT**

Don't be fooled into appointing for life some 250 political holders of civil service positions carrying high salaries. Charter amendment 28 is advocated by beneficiaries of the spoils system.

**Their total annual payroll approximates SIX HUNDRED THOUSAND DOLLARS, the individual salaries ranging as high as \$600 per month.**

Some of these incumbents succeeded civil service employees under a preceding administration, who were thrown out by subterfuge. As \$600,000 per year is the prize, large sums will be spent to carry the amendment, and an attempt made to persuade you that it is exclusively a civil service amendment. For years these political appointees have been instrumental in blocking the examinations required by the Charter. This situation was denounced by the 1930 Grand Jury, by a preceding Grand Jury and by a Committee of the Commonwealth Club. At the request of the present Grand Jury the Supervisors provided funds to hold examinations for these positions, which will be done this year, unless you are fooled into blanketing in the incumbents for life. Every citizen is entitled to compete for many of these positions which have been filled by political preference. Politicians resent civil service. Civil service means efficiency in the city government. The spoils system means jobs for politicians who hustle for votes.

Some of these political appointees have already several times sought to be blanketed in by charter amendment, but you have always voted them down. The undersigned association is made up of civil service employees of all departments of the city government.

**SAN FRANCISCO MUNICIPAL CIVIL  
SERVICE ASSOCIATION.**

**VOTE**  
**NO on 28**

NORTON PRINTING CO. 5715 GEARY STREET

# VOTE YES-27

## Make the Board of Education *ELECTIVE*

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**VOTE**  
**NO on 28**  
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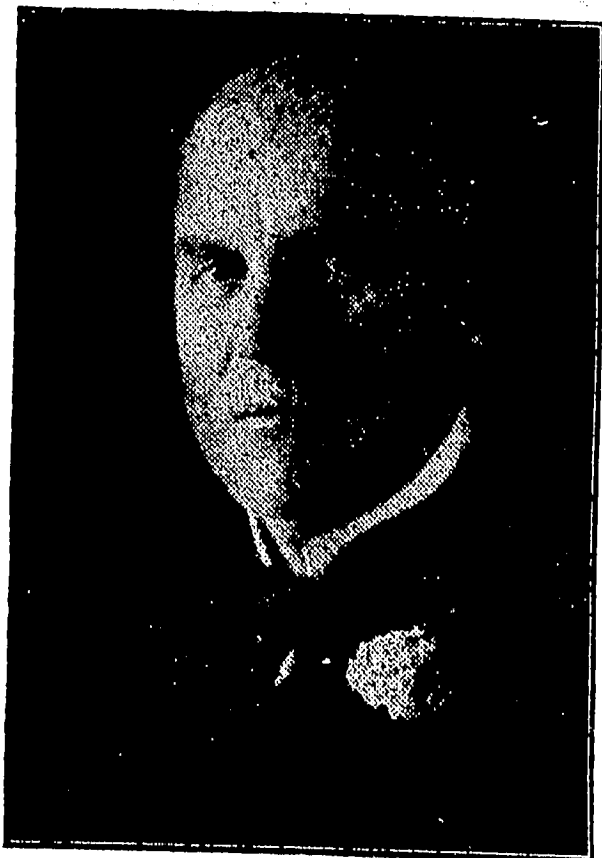
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**SAN FRANCISCO MUNICIPAL CIVIL  
SERVICE ASSOCIATION.**

**VOTE**  
**NO on 28**

NORTON PRINTING CO. 5715 GEARY STREET



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# Vote **YES**

## on Charter Amendment No. 28

---

TO MY FELLOW CITIZENS:

Charter Amendment No. 28 will extend Civil Service to several hundred city employees not now enjoying its privileges. Most of these are men and women who have satisfactorily served the City for many years in various capacities. Of these some five hundred are employed in our beautiful park system, and one hundred and fifty in the playgrounds. Men and women doing a similar character of work in other departments have been under Civil Service for years.

Two years ago this same amendment was only defeated by a narrow margin. The vote being: Yes, 70,044, No, 73,760. With a better understanding of its purpose, this year I feel confident that it will be overwhelmingly carried.

Quite recently four hundred and fifty employees of the Spring Valley Water Company were taken over by the City and given full Civil Service standing with all its privileges.

Now, I am asking you, my fellow citizens, as a matter of simple justice to do for these experienced city workers what was done for the four hundred and fifty Spring Valley employees who had not previously worked a day for the City.

*James Leese Jr.*

# VOTE "YES"

## *Amendment*

# 35

## A n d W h y

For years the City has been trying to get much needed extensions and improvements to its transportation service.

But the citizens show more and more that they do not want to increase the public debt for this purpose.

### *Why?*

Because the Municipal Railway is operating at a deficit which threatens to increase the tax rate on your property.

The privately owned companies have been stopped from going ahead by the City Charter which bars transportation extensions privately financed because the charter now provides that such extensions shall belong to the City **WITHOUT COMPENSATION** at the end of twenty-five years.

Nobody can invest money on such terms.

(Over)



Charter Amendment **35** will correct the charter in this respect. Your vote, YES, for Amendment **35** will grant the privately owned companies a limited twenty-five year operating permit, which can be revoked at any time at the will of the people, and, under which the Market Street Railway has agreed with the Citizens' Transportation Committee to provide new service in the next five years as follows:

1—New line from Turk and Divisadero Streets westerly over Balboa St.

2—New line from Silver Avenue and San Bruno Avenue over Silver Avenue and Oakdale across Third Street toward Hunter's Point.

3—Bus line from the vicinity of 16th and Vermont Streets to the vicinity of Wisconsin and 23rd Streets for Southern Heights.

4—Crosstown line from Lincoln Way to Sloat Boulevard through the Sunset in the neighborhood of 35th Avenue; street to be determined in conference with property holders.

5—Crosstown line in the Park Presidio District in the neighborhood of 25th Avenue across Golden Gate Park to the Sunset; details would have to be worked out with the City concerning Golden Gate Park operation.

The Market Street Railway Company has also agreed with your Citizens' Transportation Committee to make extensive improvements in the next five years as follows:

On Market Street from McAllister to Castro;

On Sutter Street from Stockton to Fillmore;

On California Street from Walnut to 6th Avenue;

On Guerrero Street from 14th to 30th;

On Mission Street from 6th to 26th;

On Haight Street from Buchanan to Stanyan;

On Fulton Street from Clayton to Stanyan;

On Hayes Street from Broderick to Masonic;

On Stanyan Street from Haight to Frederick;

On Oak Street from Divisadero to Stanyan where needed;

On Clement Street from Arguello to 6th Avenue;

On Kansas Street from 16th to 17th;

On Cortland Ave., Mission to Bonview.

More than 100 new easy riding comfort cars to be built in San Francisco by San Francisco workmen.

Also, they have agreed to put in expensive replacements at eleven important locations in the City where needed.

When you look over the foregoing progress program you will see how it  
**ENCOURAGES CITY GROWTH;**

**PROVIDES NEW JOBS FOR SAN FRANCISCO'S UNEMPLOYED;**

**WILL INCREASE PROPERTY VALUES;**

**WILL INVITE MORE INDUSTRIES BY EXTENDED SERVICE.**

Unless Amendment **35** is voted YES the hands of the privately owned companies are tied. They are willing to keep up their good service and to provide more service but they can not do it without a workable operating

permit. Amendment 35 gives them that permit.

Read the membership list of the Citizens' Transportation Committee. You will recognize that they are men and women who have the best interests of San Francisco at heart. They have studied and approved **AMENDMENT 35** as a **PROGRESS MEASURE** for San Francisco. You will make no mistake in following their leadership.

Come out on Election Day and do your part. Help your City grow by letting its transportation system grow without voting more city bonds.

When you go to vote you will be faced by a long list of propositions. Number 35 is the most important to the development of San Francisco.

**Vote on 35 First!**

**LET'S GO AHEAD. FOR PROGRESS**

**VOTE YES AMENDMENT 35**

## **CITIZENS' TRANSPORTATION COMMITTEE**

**MARSHAL HALE, Chairman**

**DR. ADOLPH E. SCHMIDT, Secretary**

### *Campaign Committee*

**B. BERLE PAGE, Chairman**  
**T. A. HAYS - TIMOTHY HEALY**  
**PAUL M. NIPPERT - J. J. TYNAN**

### *Legal Committee*

**H. U. BRANDENSTEIN**  
**SYLVESTER MATEE**  
**DONZEL STONEY**  
**ALLEN G. WRIGHT**

### *Finance Committee*

**CHAS. R. BLYTH, Treasurer**  
**D. G. DAVIS**  
**CHAS. K. McINTOSH**

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Chairman, Public Utilities Committee.  
Down Town Association  
**AUGER, C. J.**  
Jeweler, 178 Geary Street  
**BAUMANN, G. H.**  
Divisadero Merchants Association  
**BERTOLA, DR. MARIANA**  
Past Grand President, Native Daughters  
Past President, California State Federation  
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Blyth & Co.  
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**BOECKMANN, FRED C.**  
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**BRADLEY, F. W.**  
Crocker Building  
**BRANDENSTEIN, H. U.**  
Attorney, Mills Building  
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**CADERO, A. J.**  
Publisher, Community News  
**CALEGARIS, A.**  
Calegaris Pharmacy, 950 Kearny St.  
**CAMES, FRANK**  
285 Bartlett Street  
**CARPENTER, R. D.**  
General Manager, I. Magnin & Co.  
**CHASE, EUGENE J.**  
Publisher, Inter-City Ledger  
**COFFEY, DR. W. B.**  
Chief Surgeon, Southern Pacific Hospital  
**COLLONAN, CON F.**  
Past President, Mission Optimist Club and  
Past President, South of Army Merchants'  
Association  
**COSTELLO, R. W.**  
President, O'Connor Moffatt & Co.

**CUMMINGS, J. M.**  
Secretary, Down Town Association  
**CUTLER, LELAND W.**  
President, Chamber of Commerce  
**DAILEY, MISS MARGARET**  
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Chairman, Women's Section American  
Institute of Banking  
**DAVIES, EVAN**  
Vice-President, Haight-Ashbury  
Improvement Association  
**DAVIS, D. G.**  
President, The White House,  
Raphael Weill & Co., Inc.  
**DAWSON, KEN B.**  
Commander United Veterans of the Republic  
**DEAL, DR. LOUISE B.**  
69 Fair Oaks Street  
**DOWLING, W. J.**  
President, Roosevelt Way Improvement  
Association  
**EASTON, MRS. D. E. F.**  
Past Grand Matron, Eastern Star  
Past President, State Federation  
Women's Clubs  
Director, Western Women's Clubs  
**EASTON, ERWIN C.**  
Secretary, North Central Improvement  
Association  
**ELLIS, BRUCE D.**  
General Manager, Argonaut Publishing Company  
**FAY, PHILIP J.**  
Past President, Chamber of Commerce  
**FENNIMORE, A. R.**  
Vice-President, California Optical Company  
**FRENCH, J. E.**  
J. E. French & Co.  
**FRITZ, EUGENE N.**  
President, Apartment House Owners'  
Association  
**GALLWEY, DR. JOHN**  
1195 Bush Street

# CITIZENS' TRANSPORTATION COMMITTEE

*Continued*

- GARVEY, CLAYTON  
Past Secretary, Ingleside Terrace  
Improvement Association
- GERHARDT, PETER C.  
President, Gerhardt, Katz & Wankowski, Inc.
- GIACOMINI, N. T.  
President, Portola Merchants' Association
- GIBSON, T. D.  
Florist, 1224 Polk Street
- GRANT, JOSEPH D.  
114 Sansome Street
- GROSSO, DR. ROBERT  
Past President, Unione Sportiva Italiana Virtus
- GUNST, MORGAN  
1 Powell Street
- HADELER, HENRY  
Divisadero Merchants' Association
- HALE, MARSHAL  
President, Down Town Association
- HARBOUR, J. H.  
522 De Young Building
- HAYS, T. A.  
Member Advisory Committee,  
Southern Promotion Association
- HEALY, TIMOTHY  
Attorney, Crocker First National Bank Bldg.
- HIGGINS, M. R.  
Chairman, Executive Committee  
Crown Zellerbach Corporation
- HIND, GEO. U.  
Hind Rolph & Company
- HUETER, ERNEST C.  
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- JONES, C. W.  
Insurance Broker, 206 Sansome Street
- KENNEY, EDWARD A.  
Past President, Geary Street Merchants'  
Association
- KING, FRANK  
Secretary, Junior Chamber of Commerce
- KOSTER, FRED J.  
100 Bush Street
- LANSING, FRANK P.  
Past President, Haight-Ashbury  
Improvement Association
- LEBOIRE, LEON N.  
Secretary, Ellis & Leavenworth  
Improvement Association
- LEE, JAMES J.  
Investments, Financial Center Building
- LEVY, LOUIS  
Past President, Polk-Van Ness-Larkin  
Improvement District Association
- LEWIS, JOS. S.  
Jos. S. Lewis Company, 133 Kearny Street
- LIVINGSTON, E.  
Livingston Bros.
- LYONS, EDWIN J.  
Past Secretary, Electrotypers and  
Stereotypers' Union
- MADDEN, LANGTON A.  
369 Pine Street
- MAHONEY, ANDREW  
1 Drumm Street
- MANWARING, HALSEY E.  
Chairman, Executive Committee,  
California Hotel Men's Association,  
Palace Hotel
- MARKOWITZ, SAM M.  
Insurance Counselor, Phelan Building
- MARKT, WM. R.  
Visitation Valley Improvement Club
- MASON, J. W.  
President, Western Investment Co.
- McATEE, SYLVESTER  
Attorney, 111 Sutter Street
- McINTOSH, CHAS. K.  
President, Bank of California
- McKEE, SAM  
President, Sam McKee & Company
- McKINLEY, DR. HOWARD M.  
323 Geary St.
- McMAHON, WM. G.  
119 Kearny Street
- MEACHAM, F. E.  
President, Haight-Ashbury Improvement  
Association
- MEEKER, MISS F.  
President, San Francisco Housewives' League
- MOORE, C. C.  
Chas. C. Moore & Company
- MORRITT, DR. WALTER  
74 Carmelita Street
- NIPPERT, COL. P. M.  
President, Paul M. Nippert Company
- PAGE, B. BERLE  
Hobart Building
- PEISER, SOL  
Past President, Park-Presidio  
Improvement Association
- PETRY, ADOLPH  
President, Haight and Fillmore District Inc.,  
and Delegate to Central Council of Civic  
Clubs
- PFAEFFLE, EUGENE E.  
Secretary, Merchants' Protective Association
- POWER, COL. NEAL  
Attorney, Mills Building
- RAAS, ALFRED E.  
100 Locust Street
- REISNER, JAMES  
Past President, Central Council of  
Improvement Clubs
- ROLPH, GEORGE M.  
California & Hawaiian Sugar Company
- ROTHSCHILD, JOHN  
John Rothschild & Co., 105 Market Street
- SALE, MRS. W. H.  
President, Progressive Business Girls' Club
- SANBORN, IRVING H.  
President, North Central Improvement  
Association
- SCHARFF, BENJ.  
Secretary, Point Lobos Improvement Assn.
- SCHMIDT, DR. ADOLPH E.  
President, Divisadero Merchants' Association
- SHAINWALD, R. S.  
President, Paraffine Company
- SHERMAN, FRED R.  
Sherman Clay & Company
- SMITH, STUART F.  
Vice-President, Bank of California
- SOMERS, FRANK A.  
President, San Francisco Grain Trade Assn.
- SPENGLER, EDWARD P.  
Insurance Broker, Russ Building
- STEINMANN, FRED A.  
Chairman, Excelsior Merchants Committee  
to Central Council of Improvement Clubs
- STETTHEIMER, W. W.  
President, Neustadter Bros.
- STONE, DONZEL  
Attorney, 130 Montgomery Street
- SWAIN, MRS. MINERVA N.  
Director, Judge Wilbur's Public Welfare Club
- TAYLOR, FELTON  
Past State President,  
Apartment House Owners' Assn.
- THRELKELD, J. H.  
President, Junior Chamber of Commerce
- TOBIN, RICHARD M.  
McAllister and Jones Streets
- TYNAN, J. J.  
Vice-President, Bethlehem Shipbuilding  
Corporation, Ltd.
- VEDOVI, R. E.  
Insurance and Real Estate Broker,  
9 Columbus Avenue
- WALSH, J. W.  
E. F. Hutton & Company,  
160 Montgomery Street
- WEIDENMULLER, L. A.  
President, Real Estate Board
- WIEL, ELI H.  
President, Buckingham & Hecht  
25 First Street
- WILLSON, HAL D.  
Insurance Broker, 341 Kearny Street
- WOBBER, WM.  
President, Wobbers, Inc.
- WRIGHT, ALLEN G.  
Attorney, Mills Building
- WRIGHT, J. W.  
Real Estate, Mills Building

# **VOTE "NO"**

— ON —

## **Amendment No. 35**

No. 35 on the November ballot is the **MARKET STREET RAILWAY CHARTER AMENDMENT** through which the people of San Francisco are asked to surrender control of their streets, and to surrender also their power to work out their own solution of the city's transportation problem to the city's best advantage.

Here are some of the effects—and defects—of this amendment, which is virtually the same proposal as the notorious "Amendment No. 24" emphatically rejected by the people two years ago—

**1 AMENDMENT NO. 35 WOULD GIVE THE MARKET STREET RAILWAY A NEW LEASE OF LIFE THROUGH A "25-YEAR OPERATING PERMIT," UNDER TERMS THAT MAKE IT VIRTUALLY AN INDETERMINATE OR PERPETUAL FRANCHISE.**

It confers no rights or benefits upon the people of San Francisco. On the contrary, it takes away from the people very valuable rights and benefits, and makes a free gift to the Market Street Railway Company of privileges easily worth \$20,000,000 to \$25,000,000.

While the terms of the amendment appear to limit the new franchise to a period of 25 years, the conditions set down for its revocation and the purchase of the company's lines by the city are so involved, difficult of fulfillment, and so indefinite that the permit in effect becomes an indeterminate or perpetual franchise.

**2 AMENDMENT NO. 35 TURNS OVER CONTROL OF THE CITY STREETS, SO FAR AS TRANSPORTATION RIGHTS ARE CONCERNED, TO A PRIVATE COMPANY.**

This control, involving rights of almost incalculable value, is given away to the Market Street Railway Company, owned by Eastern financial interests, and the city gets nothing in return.

Should the company later determine to transfer its rights to some other company or financial group, responsible or irresponsible, neither the people nor their elected representatives would have any control over the transaction, or the subsequent operation of the city's principal street car system.

**3 IT PAVES THE WAY FOR THE ABOLITION OF THE FIVE-CENT CAR FARE.**

The five-cent car fare is one of San Francisco's greatest assets. If Amendment No. 35 should pass, the Market Street Railway Company would be at liberty to seek an increase in fares from the Railroad Commission and the federal courts,

on the basis that the present fare is "confiscatory," and it would undoubtedly be able to override the wishes of the people in this respect, as has been done in the case of Los Angeles and other cities.

The Byllesby interests, owning the Market Street Railway Company, also own the street car lines in Chicago and Pittsburgh, Pa. In Chicago the fare is 8 cents. In Pittsburgh it is 10 cents.

In view of its practice in these cities and its desire and determination to increase its earnings in San Francisco it is practically certain that a demand for such an increase would be made here.

An increase of 1 cent in car fare would cost the average San Francisco family of four about \$40 a year. An increase to 10 cents would place an additional burden of \$200 a year upon the average family of four.

During the last fifteen years the people of San Francisco, with a 5c fare, have been saved \$80,000,000, as compared with Oakland, where the fare is 40% higher. Every man, woman and child has shared in this saving.

## **4 AMENDMENT NO. 35 SPECIFICALLY WIPES OUT THE PRESENT PROTECTIVE PROVISIONS OF THE CITY CHARTER GOVERNING THE ISSUANCE OF FRANCHISES.**

Among these provisions are the following:

That lines franchised by the city shall revert to the city at the termination of the franchise.

That the 8-hour day shall prevail among the employees of the lines so franchised. (The employees of the market Street Railway now have a ten-hour day, but the actual hours of work are much longer.)

That the franchised company shall pay a percentage of its annual receipts to the city.

That a company obtaining a franchise shall post a bond to abide by its conditions.

That the Board of Supervisors shall have wide regulatory powers over franchise holders.

It is obviously the purpose of the Market Street Railway Company in offering Amendment No. 35, to escape these and other provisions of the city charter, which were written into that document by the people of San Francisco years ago as measures of protection for the city after many bitter experiences at the hands of grasping street railway interests.

## **5 AMENDMENT NO. 35 REVIVES EXPIRED AND EXPIRING FRANCHISES.**

Such franchises cover at least 50 per cent of the lines now operated by the Market Street Railway Company.

Under some of the company's franchises the properties revert to the city at the franchise expiration. Thus the company has already lost its rights to a considerable portion of its former operative properties.

Some of the original franchises were granted with the understanding that, at their termination, the company was to have no further rights in the streets covered, but could be compelled by the city to take up the tracks and repave. In other words, it agreed to recover its entire investment in roadbed within the period of the franchise.

The city is, therefore, under no legal or moral obligation to pay the company for such roads, but No. 35 would require it to pay many millions for them should the city determine to buy out the company in the future.

## **6 AMENDMENT NO. 35 DEPRIVES THE CITY OF ITS PRESENT ADVANTAGE IN NEGOTIATING FOR PURCHASE OF THE PRIVATE LINES.**

The city now enjoys a favorable bargaining position in any purchase negotiations.

Since many of the company's franchises have lapsed, or will expire shortly, the company is in the position of a seller seeking a purchaser—provided No. 35

does not pass. Should that amendment be adopted, however, the company being given a new lease of life, could exact a much higher price from the city and could itself determine when it would sell.

Furthermore, the mere issuance of the general franchise called for in No. 35 would immediately add millions of dollars to the "value" of the company's properties and securities.

Most of the company's present equipment is antiquated and much of it can be classified as "junk." It has made no considerable improvements and no extensions in many years. With No. 35 in effect the city would probably have to pay a purchase price based on "reproduction cost." It would also have to pay the cost of any future extensions built by the company, without depreciation allowance, according to City Attorney J. J. O'Toole.

It was because the Company refused to build necessary extensions that the city was required to build the Municipal Railway.

## **7 AMENDMENT NO. 35 LAYS DOWN CONDITIONS OF PURCHASE THAT COULD BE MADE PROHIBITIVE BY THE COMPANY.**

The city would be required to complete all of the negotiations for purchase—valuation proceedings, bond election, issuance and sale of the bonds, etc., etc.—within fifteen months of giving notice to the company of its intention to purchase.

Within that period conditions might easily arise to prevent completion of the purchase—for instance, defeat of the bond issue election by the company, as it has done in the past.

If, for any reason, the purchase were not completed within the specified time, the city would have to start purchase proceedings all over again.

Thus the company would be able to forestall purchase indefinitely or forever, if it desired.

## **8 AMENDMENT NO. 35 WOULD POSTPONE INDEFINITELY—POSSIBLY FOREVER—THE ESTABLISHMENT OF A UNIFIED TRANSPORTATION SYSTEM.**

It is virtually agreed in all quarters that San Francisco's greatest transportation need is a unified system, giving adequate service to all sections of the city with universal free transfer privileges.

Amendment No. 35 would place the Market Street Railway Company in a position to prevent the consolidation of the several systems now operating.

In other words, the company, and not the city, would be able to dictate San Francisco's transportation policy, even in the event that subways, elevated lines or other means of transportation should become desirable in place of the present means.

Why should the people of San Francisco surrender this right to a foreign financial group?

## **9 AMENDMENT NO. 35 VIOLATES ONE OF THE FUNDAMENTAL PRINCIPLES OF OUR MUNICIPAL GOVERNMENT BY WRITING INTO THE CHARTER SPECIAL PRIVILEGES FOR A SINGLE CORPORATION.**

The present charter provides for the issuance of franchises on the basis of competitive bids, and that any particular franchise shall go to the bidder offering the city the highest return in percentage of annual earnings.

No other group or company (excepting the California Street Cable Company) would enjoy the special rights and privileges thus donated to the Market Street Railway Company.

# **10 AMENDMENT NO. 35 WOULD REQUIRE THE CITY TO PURCHASE ALL OF THE MARKET STREET RAILWAY PROPERTIES IF IT DESIRED TO PURCHASE ANY PART OF THEM.**

At present the city is in a position to purchase any particular part of the system it desires to take over and operate as part of the Municipal Railway system.

Since Amendment No. 35 would require the purchase of ALL the properties the city would even be debarred from carrying out any comprehensive city planning project, or even from the construction of additional boulevards involving streets used by the Market Street Railway Company—without purchasing the entire system.

# **11 THE COMPANY COULD NOT BE REQUIRED TO BUILD NECESSARY EXTENSIONS.**

As one of the arguments for No. 35, in the present campaign, the company is indicating that it will build many extension lines.

As a matter of fact, there is nothing in the charter amendment that would HOLD the company to any such promises.

Many years ago the company made similar promises in order to get certain of its present franchises. These promises were not fulfilled.

In fact, the company, notwithstanding such promises, is operating a smaller mileage than it was 25 years ago, although the population of the city has increased fifty per cent since then.

Most of the population increase since 1905 has been in districts, formerly undeveloped, into which the Municipal Railway has built extensions out of its earnings on the five-cent fare.

# **12 THERE IS NO NECESSITY WHATEVER FOR THE ADOPTION OF AMENDMENT NO. 35.**

The present charter provides amply for any franchise or permits the city might choose to issue.

The amendment is designed to permit the company to escape the present provisions of the charter and to gain for it special privileges and rights. Furthermore, it deprives the people and the city of very valuable rights which would be conferred on the private company for no good and valid reason whatever.

*These Are Only a Few of the Very Compelling Reasons Why—*

# **Amendment No. 35 Should be Defeated! Vote "NO"**

**CITIZENS CAMPAIGN COMMITTEE,  
S. F. TRANSPORTATION LEAGUE**

**761 Phelan Building  
Telephone GARfield 7592**



# Vote "YES" on 36 for the 5-Cent Fare!

~~~~~

**THIS ORDINANCE WILL MAKE IT IMPOSSIBLE TO RAISE THE CAR FARE ON THE MUNICIPAL RAILWAY ABOVE 5 CENTS UNLESS THE PEOPLE THEMSELVES VOTE FOR A CHANGE.**

Proposition Number 36 on the ballot places the issue of the 5-cent street car fare squarely before the people of San Francisco.

It provides that no fare in excess of 5 cents shall be charged for a continuous ride on the Municipal Railway within the limits of the City and County.

Number 36 is the only proposition on this year's ballot which deals directly and unmistakably with the question of the street car fare. The assertions of certain proponents of Proposition Number 35, which would grant a 25-year franchise to private street car companies, that that proposition is designed to preserve and perpetuate the 5-cent fare in San Francisco, are entirely false and misleading, as a reading of Proposition Number 35 will prove. Number 35 makes no reference whatever to car fares. As a matter of fact, the heads of the Market Street Railway Company, which is seeking to obtain new franchises, have definitely and specifically refused, in response to questions asked by members of the Board of Supervisors, to guarantee or even promise a continuation of the 5-cent fare on their lines.

## **PEOPLE WILL CONTROL 5-CENT FARE**

If Proposition Number 36 is approved by the voters at the coming election it will be impossible in the future to increase the rate of car fare on the Municipal Railway above 5 cents unless the people themselves should vote for the increase.

The people of San Francisco have abundant reasons to appreciate the fact that the 5-cent car fare has been a great asset to our city. In the first place, it is a most important municipal advertisement, and tends to attract new population, new industries and new payrolls to this community. It is a big factor in the establishment of all kinds of property values, business and industrial, as well as residential. It contributes, in a marked degree, to the total volume of business done by all kinds of merchants. It is the source of very large savings to the rank and file of the people. As an illustration of this fact, a simple calculation will show that if the street car fare in San Francisco

during the past year had been 7 cents, as in Oakland, instead of 5 cents, the people of San Francisco would have been obliged to spend \$5,200,000 more than they actually did spend under the 5-cent fare for street car service during the year.

## **TAX ARGUMENT PROVED FALLACIOUS**

The principal argument of the opponents of the 5-cent car fare is that in the future it may not produce sufficient revenue to cover the gross operating expenses of the street car lines. They contend, for instance, that it may be necessary during the next few years to levy an annual tax of about 5 cents in order to maintain the 5-cent fare on the Municipal Railway.

If we assume, for the purposes of this argument, that the contentions of these opponents of the 5-cent fare are correct, it can, nevertheless, be proven that there is a great financial advantage to the average citizen of San Francisco in preserving the 5-cent fare on the Municipal Railway, even at the cost of a small tax subsidy.

## **INCREASED FARES COSTLY TO PEOPLE**

Let us take, as an example, the case of a citizen who owns \$10,000 worth of taxable property. With the present average rate of assessment in San Francisco this person's property would be assessed for not more than \$4,500. At the present annual tax rate of \$4.04 his total tax bill for a year would be \$181.80. The suggested 5-cent tax for maintaining the 5-cent fare would represent about \$2.25 per year.

If, on the other hand, the street car fare should be raised to 7 cents, as in Oakland, every round-trip ride on the street cars would cost 4 cents more than at present. Assuming that this property owner's family average only one round-trip ride a day for 300 days of the year, his increased expense for car rides would be \$12 per year, as compared with the suggested tax of \$2.25 for the maintenance of the 5-cent fare. For all persons owning less than \$10,000 worth of taxable property, the comparative saving would be greater. For the sake of his own pocket book, therefore, the average citizen of San Francisco must vote to maintain the 5-cent fare, even if it should entail a small tax subsidy.

## **TRAFFIC DECREASES UNDER HIGH FARES**

The State Railroad Commission of California has recently made a very interesting and significant study of the effect of fare changes on street railway operations in California. This report was compiled by J. G. Hunter, Transportation Engineer for the Railroad Commission. The report shows that during the past decade many California cities have increased the basic rate of street car fare from 5 cents to as high as 10 cents. It also develops the startling fact that in nearly all of the cities where the fare has been increased there has been a big decrease in the gross volume of passenger traffic and, furthermore, in most instances, an actual decrease in gross revenue.

## **GROSS REVENUES ALWAYS DECLINE**

The following statements are taken from the Railroad Commission's report:

"The Key System Transit Company of Oakland increased its 6-cent fare to 7 cents on January 15, 1926. Travel fell off about 9%. In 1928 the revenue was actually 3% less than in 1925.

"The increase of fares on the Sacramento Street Railway on August 15, 1928, from 5 cents to 7 cents, with 4 tokens for 25 cents, resulted during the first few months in a decrease in travel of 16%. After 12 months, revenues were not as great as before the increase in fare and over one-fourth of the travel had disappeared.

"In San Jose the 6-cent fare was increased on June 1, 1928, to 10 cents, with 4 tokens for 25 cents. The downward trend of travel has continued with the result that at the present time (when this report was made) both travel and revenues are declining at the rate of about 6%.

## **INCREASES DO NOT SOLVE PROBLEM**

"The Stockton Electric Railway Company increased its 6-cent fare on September 1, 1928, to 7 cents with 4 tokens for 25 cents. Immediately after the increase in fare there was a decrease in travel of 12% and an actual decrease in revenue of 3%.

"It is apparent," the report states, "from these figures, that the increased fare was of practically no benefit from an increased revenue standpoint. Immediately after the increase, all travel dropped about 10%. Subsequent figures show a continuing decline in travel and revenue."

The Railroad Commission's report also deals with conditions in Fresno, Pasadena, Bakersfield, Santa Barbara, Los Angeles, Long Beach, Glendale, and San Bernardino. In Los Angeles, a recent experiment in reducing car fares, which had been previously raised, resulted in an increase of traffic.

## **5-CENT FARE IS MOST PROFITABLE**

The report states in conclusion:

"In reviewing the records of 17 street car companies during recent years, the conclusion seems clear that private automobile competition is the dominating influence on revenues at this time. The operators who have met this competition by increasing city-wide fares have seen substantial portions of their patrons turn to walking or to the use of the automobile, and in many cases have not secured the anticipated increased revenue. Some of the results obtained in smaller communities, by reducing the city-wide fare to 5 cents without a zone system, seem to indicate that the financial status of these companies has not been impaired and some business has been recovered."

These studies by the State Railroad Commission of the street car problem in the principal cities of California show clearly that the increase of car fares has not solved the financial problem, nor the problem of service to the communities. On the contrary, the studies show that higher fares have produced a large decrease in passenger traffic and, in most instances, an actual decrease in gross revenues as compared with the revenues under the old five-cent fare.

## **BUSINESS HURT BY HIGH RATES**

Higher fares have driven a large number of people to walk and others to the use of the automobile or taxicab.

Business men, merchants and property owners must be deeply concerned in these results. Decreases in passenger traffic on the street cars inevitably mean decreases in the patronage of stores and other business places, which must affect adversely property values in the business centers. Such increases must also affect adversely property values in the outlying residential districts, because people who cannot afford to ride on the street cars at increased fares will, obviously, not live in outlying districts where street car service is essential.

Every sound argument for the future welfare of San Francisco seems to lie on the side of maintaining and perpetuating the five-cent street car fare.

## PRIVATE COMPANIES PLAN RAISES

If the privately owned street car companies are permitted to have their way they will undoubtedly do in San Francisco what they have done elsewhere and attempt to raise the car fare. This will only result in financial hardship upon the people at large and will not, as has been shown, ultimately solve the problem of satisfactory street car service in San Francisco.

Proposition Number 36 places the issue of the five-cent fare on the Municipal Railway unequivocally before the people. There is no subterfuge or evasion of the plain wording of this ordinance. If you desire to guarantee the continuation of the five-cent fare on the Municipal Railway vote "Yes" for Number 36. One thing seems reasonably certain—that if the people of San Francisco let the five-cent fare get away from them there is small chance that they will ever get it back.

The issue is up to you, voters of San Francisco.

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# Vote "YES" on 36 for the 5-Cent Fare!

**CITIZENS CAMPAIGN COMMITTEE**

**759 Phelan Building**

**Telephone GARfield 7592**

36

# Do Not Let the Board of Supervisors Pass Their Responsibility in the Five-Cent Fare to the People

VOTE

**"NO"** On Number **36**

The referred ordinance, if adopted, will fix five cents as the permanent carfare on the municipal lines only. It will not apply to the privately owned lines.

Under the charter, the Board of Supervisors can maintain the five-cent fare on the municipal lines as long as they wish. There is, therefore, no necessity for such an ordinance.

The maintenance of such a fare on those lines will impose a tax burden on the people of this City, in the next four years, of \$2,000,000—equivalent to a sum of between six and nine cents on the tax rate. Street railway revenues have in the past been steadily diminishing, and there is every reason to believe they will continue to drop.

The only effect of adopting this proposed five-cent fare ordinance is to tie the hands of future boards of supervisors in the administration of the municipal street car lines. If the City should hereafter acquire and operate the present privately owned lines, it would mean a further tax subsidy of approximately \$3,000,000 per year or about 35 cents on the tax rate—a huge tax to pay for the political management of street car lines.

So long as the responsibility of fixing the rate of fare remains with the Board of Supervisors, they will be under some restraint against permitting the costs of municipal operation from mounting too fast or too high. If the people relieve the Board of that responsibility by approving this ordinance, they will probably find their tax bills growing. Let the responsibility for the five-cent fare rest where the charter places it.

VOTE

**"NO"** On Number **36**

SAN FRANCISCO REAL ESTATE BOARD.  
SAN FRANCISCO CHAMBER OF COMMERCE.  
DOWN TOWN ASSOCIATION.



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SAN FRANCISCO REAL ESTATE BOARD.  
SAN FRANCISCO CHAMBER OF COMMERCE.  
DOWN TOWN ASSOCIATION.



# **VOTE YES ON BOND PROPOSITION 38 COUNTY JAIL BONDS**

Without question on the November ballot there are many laudable propositions, but none are so immediately necessary, so absolutely essential, so humane and with as much at stake as proposition 38, for the county jail bonds.

“For if a fire started at the Ingleside County Jail”, to quote Sheriff William J. Fitzgerald, “the inmates, in the main, not hardened criminals but minor offenders, would die like rats, we would have another Columbus penitentiary holocaust in San Francisco.

For here in our own city we are confining our minor offenders in a prison which from a structural standpoint is almost an exact replica of that Columbus penitentiary where 322 men were smothered and burned to death last Easter Monday.

A new county jail must be had, if not now then at a near future date. Because of the ever present fire danger we should not further delay its acquisition. Also present conditions make this an opportune time to build a new jail, not only is the bond market favorable, but it will provide work for many now out of employment.

A jail built in 1872, shortly after the Civil War, condemned as a death trap, a fire hazard, a health menace, over-crowded in the winter necessitating 150 or more prisoners being crowded into an improvised and makeshift quarters in an old storeroom of the county jail; condemned by the Grand Jury, condemned by the Health Department, by the Fire Department and by Civic Clubs and associations without number, this is what we have now and that is why we believe every voter should and will vote YES on proposition 38.

**CITIZENS COUNTY JAIL COMMITTEE**

**JAMES ROLPH, JR., Honorary Chairman.**





# VOTE "YES"

## Garbage Incinerator Health Bonds

### PROPOSITION 39 ON THE BALLOT

San Francisco must have a new incinerator. The one in use was built in 1897, and was declared to be a nuisance by a Superior Court writ, issued by Judge Mogan. The present disgraceful structure is only operating by tolerance. Should Judge Mogan issue a restraining order preventing operation of the old incinerator—and we cannot see how he can defer such action much longer—the only alternative left to the City will be to dispose of its garbage by the fill-and-cover method, which is a grave health menace and which the people have already decisively disapproved of.

Vote "YES" on 39 and end this dangerous health menace.

In the election of November 5, 1929, the voters decided that the city garbage must be disposed of by burning. Plans and specifications have been prepared by the city engineer's office for a modern incinerator plant to carry out this mandate of the voters of San Francisco. Funds must be provided. A small bond issue of \$1,200,000 will take care of this.

Vote "YES" on 39.

The sanitary disposal of garbage is as much a public necessity as the disposal of sewerage. The incineration method is favored by health authorities of the federal, state and city governments. It is a definite protective measure against the spread of disease and the dangerous possibilities of pestilence that any seaport must face.

Vote "YES" on 39.

Toronto, Canada, and New York City are striking examples of successful garbage disposal by burning. Though the incinerator plants are located near hospitals and school buildings in both these cities, they have been operating for years without neighborhood complaint.

The voting of bonds for this incinerator does not make it mandatory for the city to operate it. The Board of Supervisors, in conjunction with the Board of Health, when the bond money is available, will determine whether it will be most advantageous to operate by the city, itself, or grant the privilege to some company engaged in the incineration of garbage.

Vote "YES" on 39.

San Francisco is an unusually healthy city. The shocking conditions at the condemned burning place now in use are a constant menace to its reputation.

The new incinerator is not a luxury but a dire necessity. Protect your fellow citizens and your own family.

Vote "YES" on proposition 39 on November 4.

BOARD OF HEALTH

By Wm. C. Hassler, M. D.,

Health Officer

BOARD OF SUPERVISORS

By Health Committee

Dr. J. M. Toner, Chairman

James B. McSheehy

Alfred Roncovieri

# **VOTE "YES"**

## **INCINERATOR HEALTH BONDS**

# **Proposition 39**

San Francisco must have an incinerator to replace the old one built in 1897, which Judge Mogan on June 5, 1929, held to be a nuisance.

In the election of November 5, 1929, the citizens voted that the City should dispose of its garbage by incineration. I have prepared plans and specifications for an incinerator to carry out that purpose, and it is necessary now that you vote funds to build it.

Disposal of garbage and refuse is a duty of the City just as much as is the disposal of sewage.

Incineration is favored by health authorities of the United States, of the State, and of the City. It will never create a health menace, nor invite disease or pestilence. Toronto, Canada and New York City are striking examples of successful garbage disposal by incineration. The incinerators in those cities, though located near hospitals and school buildings, are operated without neighborhood complaint.

For the good of your City, the health of your family

## **VOTE "YES" On Incinerator Bonds**

## **Proposition 39 On The Ballot**

M. M. O'SHAUGHNESSY, City Engineer.

Mission Enterprise 1173 Valencia Street

**"AN AIRPORT TO MATCH OUR SEAPORT"**

**VOTE**

**YES-40**

**SAN FRANCISCO AIRPORT BONDS — PROPOSITION NO. 40**

San Francisco **MUST** have an adequate airport. Aviation's millions in pay-rolls are seeking proper facilities in the West.

The peninsula site is the best available and the logical point in the bay vicinity; it is served by an arterial highway and by the Southern Pacific and Western Pacific railways; it is on land already purchased by the city, on which \$650,000 has already been expended; it is one truly municipal enterprise.

San Francisco's airport development will bring employment to thousands. Major airports on national airways are now operated on a profitable basis.

Los Angeles has six major airdromes. San Francisco **MUST** have **ONE**. San Francisco has **NO** seaplane port; this plan provides for one.

San Francisco must provide for the new-born commerce of the air or relinquish its claim to being the "Gateway of the West." Vote "Yes" on Proposition No. 40 as a step of progress and a vote of faith in San Francisco.

... "air mail carriers will land the air mail where they are ordered to land it." ... "Seventy-five per cent of westbound air mail is destined for San Francisco" ... "whenever you provide the necessary facilities, you are going to get the air mail landed in San Francisco."  
—HARRY TODD Postmaster.

... "your program creates a new Golden Gate to fresh opportunities and a new-born commerce ..."  
—HANS ADAMSON, Assistant to the Secretary of War.

... "we have to look to the fourteen industries which really spring from aviation ..."  
—WILLIAM G. MARVIN, International Lawyer.

... "If Mills Field isn't a good one, we should all quit flying."  
—COLONEL CHARLES LINDBERGH.

... "if it does nothing else than enable San Francisco to get recognition in world aviation, then it is worth while for San Francisco."  
—HAROLD DEAL, Advertising Club.

... "I have always maintained that Mills Field was a good airport; the best available site to serve San Francisco."  
—E. E. MOUTON, Aeronautics Division,  
Department of Commerce.

... "Commercial aviation is, in effect, the nation's secondary line of defense, always one of the major considerations of the American Legion. We are behind it 100 per cent."  
—H. W. GLENSOR, County Council Commander, American Legion.

... "this is the first time a bond issue has been presented by the City and County of San Francisco on a solid business basis right from the start ..."  
—J. E. SMITH, Pile Drivers' Union.

**Vote "YES" for Our AIRPORT  
Proposition No. 40**

**"AN AIRPORT TO MATCH OUR SEAPORT"**