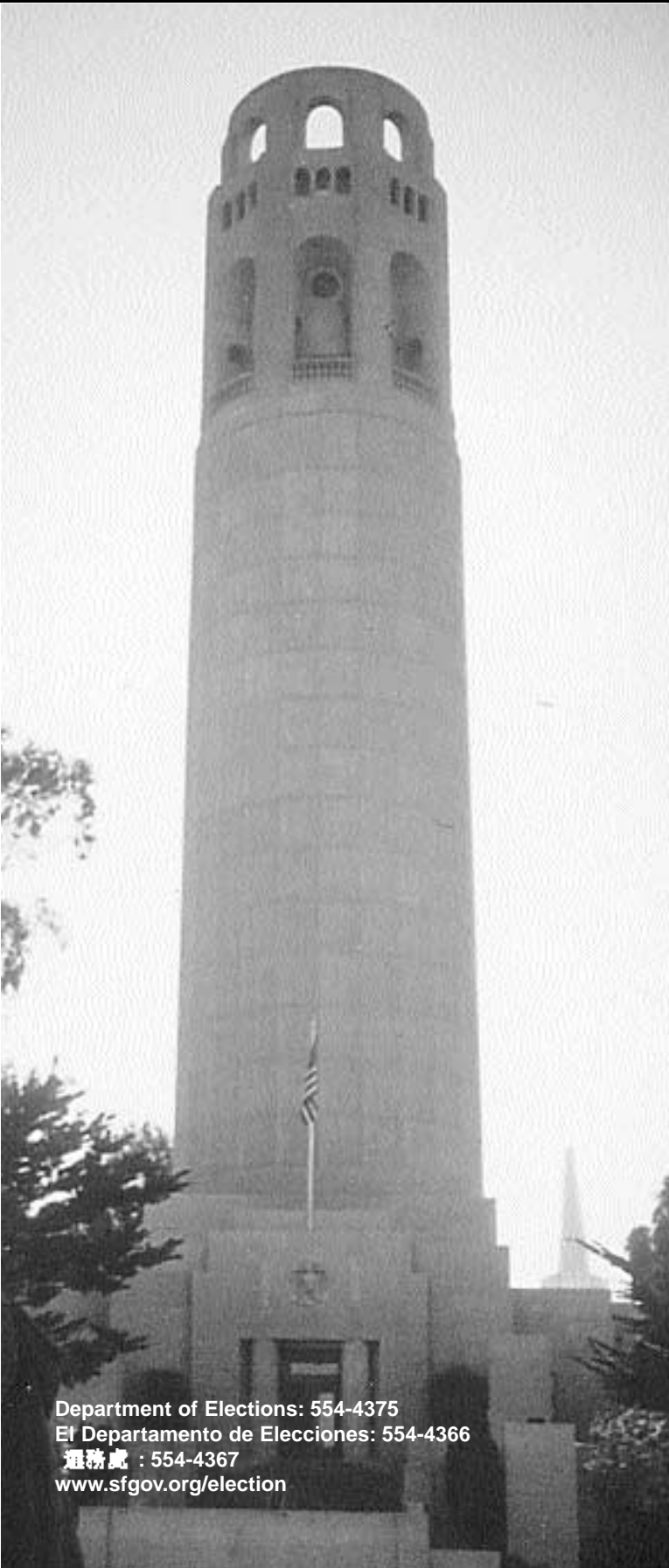


# City and County of San Francisco Voter Information Pamphlet and Sample Ballot



## Consolidated Municipal Election

**November 6, 2001**

## Web Version

**Check the back cover of this pamphlet for your polling place address**

**Encuentre la dirección de su lugar de votación en la cubierta trasera de este folleto**

**欲知您的投票站的地址 請查閱此手冊的封底**

Department of Elections: 554-4375  
El Departamento de Elecciones: 554-4366  
選務處 : 554-4367  
[www.sfgov.org/election](http://www.sfgov.org/election)

Prepared by the Department of Elections  
City and County of San Francisco

# Department of Elections



One Dr. Carlton B. Goodlett Place  
City Hall - Room 48  
San Francisco, CA 94102-4634  
Phone: (415) 554-4375  
Fax: (415) 554-7344

September 10, 2001

Dear Fellow San Franciscans:

The relationship between the Department of Elections and you, the voters of San Francisco, is one of dedication and trust. The Department of Elections is the trustee and steward of every citizen's right to participate in the democratic process. The Department's staff stands ready to insure that every San Franciscan's right to run for office, to advocate for issues, and to vote, are protected.

However, the Department of Elections cannot succeed without dedicated civic-minded San Franciscans: those offering their properties as poll locations, Poll Workers who work from 6:15 AM to 9:00 PM Election Day, and those who volunteer and monitor the Department's progress year round. For those of you that have signed up or are currently participating in one of these activities, thank you.

If you would like to participate, please call (415) 554-4375 or come directly to the Department of Elections. We are located on the ground floor of City Hall. We encourage you to become involved in this Fall's election.

Many of San Francisco's businesses provide their employees with the opportunity to take a day off to work in the community or participate in civic activities. There is no greater civic activity than working in our communities, ensuring that every San Franciscan has the opportunity to vote and that every vote is counted. Your San Franciscan spirit and determination is needed to make democracy work for everyone.

The November 7, 2000 election marked the debut of San Francisco's new optical scanning voting technology, the Eagle. This year we are taking out the Eagles and letting them fly again. Remember a few tips about the new technology:

- If you make an error while marking your ballot, please ask for a new ballot. Do not try to correct the error on the old ballot. The Eagle technology may misread a ballot where the voter has tried to correct an error. Your polling place will have extra ballots just for this purpose.
- Your vote is a private affair. While you may choose to tell someone how you voted, you have a right to cast your vote in privacy. At the polls, you will receive your ballot in a secrecy folder. Poll workers will be available to instruct you as to how to use the secrecy folder to protect the privacy of your vote.

The Department of Elections provides absentee ballots allowing you to vote in the privacy of your home. Absentee ballots may be obtained by either completing the request form found on the back cover of this Voter Information Pamphlet, or by writing to the Department of Elections at the address above. The request must include your name, address and signature. An absentee ballot will be sent to you. Complete the absentee ballot and return it to the Department of Elections before 8:00 PM November 6, 2001. Remember that only one ballot may be mailed in the return envelope. Hand delivered ballots will only be accepted if delivered by you or your spouse, child, parent, grandparent, grandchild, brother or sister.

The Department of Elections strives for excellence. We measure excellence in degrees of accuracy — accuracy of the results reported, accuracy of a well maintained voter registry and accuracy in the implementation of federal, state and local election laws. The Department of Elections strives to earn and maintain your confidence in this relationship every election, seeded and nurtured by repetitive, fair and reliable procedures and processes.

We continue to ask for your confidence and support. Please contact us if you have questions or concerns. (415) 554-4375

*Tammy Haygood*  
Director of Elections

## Ballot Simplification Committee

John M. Odell, Committee Chair  
*National Academy of Television Arts and Sciences,  
Northern California Chapter*  
Mary Hilton  
*League of Women Voters*  
Dr. Anthony Ramirez  
*San Francisco Unified School District*  
Betty J. Packard  
*Northern California Broadcasters Association*  
Maxwell Peltz, *Ex officio*  
*Deputy City Attorney*  
Tammy Haygood, *Ex officio*  
*Director of Elections*

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



## PURPOSE OF THE VOTER INFORMATION PAMPHLET

This Voter Information Pamphlet provides voters with information about the November 6, 2001 Consolidated Municipal Election. The pamphlet includes:

	Page
1. A <b>Sample Ballot</b> (a copy of the ballot you will see at your polling place or when you vote by mail). . . .	after page 15
2. The location of <b>your polling place</b> . . . . .	(see the label on the Back Cover)
3. An application for an <b>Absentee (Vote-by-Mail) Ballot</b> and for <b>permanent absentee voter status</b> . . . .	(Back Cover)
4. <b>Your rights as a voter</b> . . . . .	4
5. Information for <b>disabled voters</b> . . . . .	5
6. Definitions of the <b>words you need to know</b> ; and . . . . .	.40
7. Information about each <b>local ballot measure</b> , including a summary, how the proposition got on the ballot, the Controller’s Statement, arguments for and against the measure, and the legal text begins on page . . . . .	25



## Mail Delivery of Voter Pamphlets

The San Francisco Voter Information Pamphlet and Sample Ballot is scheduled to be mailed at the end of September. If you registered to vote on or before September 4, 2001 you should receive your Voter Information Pamphlet by the middle of October.

If you registered to vote or changed your registration after September 4, and before October 9, your Voter Information Pamphlet will be mailed after October 16.

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

# Your Rights as a Voter

by the Ballot Simplification Committee

**Q — Who can vote?**

**A —** U.S. citizens, 18 years or older, who are registered to vote in San Francisco on or before October 22, 2001.

**Q — My 18th birthday is after October 22, 2001 but on or before November 6. May I vote in the November 6 election?**

**A —** Yes, if your 18th birthday is on or before November 6, but after October 22, you can register to vote on or before October 22 and vote November 6 — even though you were not 18 at the time you registered to vote.

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

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

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

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

**OR**

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

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

**A —** Yes, but you must go to your new polling place and show proof of current residence.

**Q — When do I vote?**

**A —** Election Day is Tuesday, November 6, 2001. Your polling place will be open from 7:00 a.m. to 8:00 p.m.

**Q — Where do I go to vote?**

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

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

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

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

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

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

**A —** Yes. Deciding your votes before you get to the polls will help. You can locate your sample ballot on pages 15-23 of this voter pamphlet.

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

**A —** Yes, you can vote before November 6 if you:

Fill out and mail the Absentee Ballot application printed on the back cover of this book. Within three days after we receive your request, a vote-by-mail ballot will be sent to you. Your request must be **received** by the Department of Elections no later than 5:00 pm on October 30, 2001;

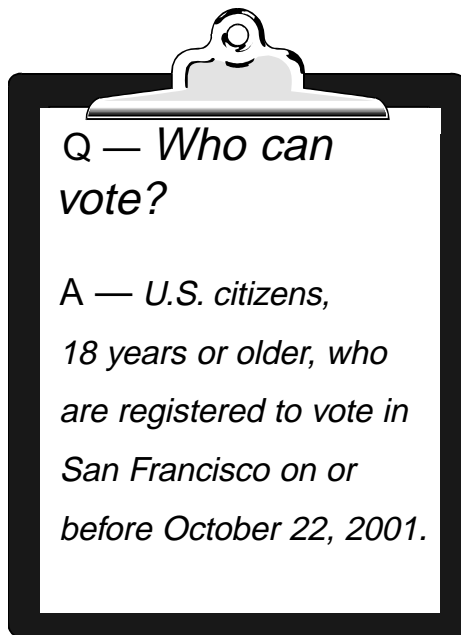
**OR**

Go to the Office of the Department of Elections at City Hall, One Dr. Carlton B. Goodlett Place, Room 48 from October 9 through November 6. The office hours are: from 8:00 a.m. to 5:00 p.m., Monday through Friday; from 10 a.m. to 4 p.m. every weekend starting October 13; and from

7 a.m. to 8 p.m. on Election Day, November 6.

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

**A —** You can send a note, preferably on a postcard, to the Department of Elections asking for a ballot. This note must include: your printed home address, the address where you want the ballot mailed, your birthdate, your printed name and your **signature**. Mail your request or fax it to (415) 554-4372. Your request must be received by the Department of Elections no later than 5:00 pm on October 30, 2001.





# Early Voting

(In person or by mail)

## EARLY VOTING IN PERSON

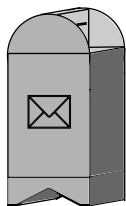
Office hours for early voting are as follows:

- **8 a.m. to 5 p.m., Monday through Friday**, (beginning October 9 at *City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48*);
- **10 a.m. to 4 p.m., every Saturday and Sunday starting October 13 and 14, through November 3 and November 4**;
- **7 a.m. to 8 p.m. on Election Day, November 6** at *City Hall, 1 Dr. Carlton B. Goodlett Place, Room 48*.

## EARLY VOTING BY MAIL

**Any voter may request an absentee ballot.** You can request a ballot by mail, using the application form provided on the back of this pamphlet. You may also request a ballot by sending a short note or postcard to the Department of Elections. When making such a request, remember to include your home address, the address to which you want the ballot mailed, your birthdate, name and **signature**. **Your signature must be included!** (Mail your request or fax it to (415) 554-4372.) This must be received by Department of Elections before 5:00 p.m. on October 30, 2001.

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



## HERE'S HOW TO GET YOUR BALLOT BY MAIL:

To request an absentee ballot by mail, **complete the application card on the back cover of this pamphlet**, or a signed written request, and return it to the Department of Elections so that it is received no later than 5 PM on October 30, 2001. Within three days after we receive your request, a vote-by-mail ballot will be sent to you.



# Access for the Disabled Voter

by the Ballot Simplification Committee

### BEFORE ELECTION DAY

**ABSENTEE VOTING** — All voters may request that an absentee ballot be mailed to them, or they may vote in person at the Department of Elections, City Hall, One Dr. Carlton B. Goodlett Place, Room 48, from October 9 through November 6. The office hours are:

- 8 a.m. to 5 p.m., Monday through Friday;
- 10 a.m. to 4 p.m., every Saturday and Sunday, starting October 13 and 14 through November 3 and 4.
- 7 a.m. to 8 p.m. on Election Day, November 6.

In addition, voters with at least one of the specified disabilities listed on page 6 may apply to become Permanent Absentee Voters. Ballots for all future elections will automatically be mailed to Permanent Absentee Voters.

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

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

### ON ELECTION DAY

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

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

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

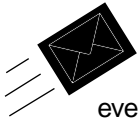
**READING TOOLS** — Every polling place has large-print instructions on how to vote and special sheets to magnify the type on the ballot.

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

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

# Permanent Absentee Voter Qualifications

(Permanent Vote-by-Mail Qualifications)



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

**To qualify as a “Permanent Absentee Voter,” you must meet at least one of the following conditions:**



- Have lost use of one or more limbs;
- Have lost use of both hands;
- Be unable to move about without the aid of an assistance device (e.g. cane, crutches, walker, wheelchair);
- Be suffering from lung disease, blindness, or cardiovascular disease;
- Have significant limitation in the use of the lower extremities;
- Be suffering from a diagnosed disease or disorder which substantially impairs or interferes with mobility;

**or**

- Be a spouse or family member who resides with and is the primary caregiver to a voter with any of the conditions described above.

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

If you move, re-register, or do not vote, you will need to re-apply for permanent absentee voter status. In all other cases, you do not need to re-apply.

## IMPORTANT NOTICE TO PERMANENT ABSENTEE VOTERS

If you have already registered as a permanent absentee voter, your ballot will be mailed on October 9. To find out if you are registered as a permanent absentee voter, please call the Department of Elections at 554-4411. If you have not received your absentee ballot by October 19, please call 554-4375.

## How to Locate Your Polling Place

**Back cover of this pamphlet (lower left corner):**

### NOTE:

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

Your precinct number

( ) \_\_\_\_\_  
( ) \_\_\_\_\_

I certify under penalty of perjury that this information is true and correct.

*Sign Here* ▶

*We must have your signature - Do Not Print*

**Your Polling Place Address Is:**

100 Collingwood Street  
Eureka Valley Playground  
P12345678 NP 9702  
PCT-3623

Polling Place Handicapped Accessible:

# CITY AND COUNTY OF SAN FRANCISCO

## OFFICES TO BE VOTED ON THIS ELECTION

### CITY ATTORNEY

The City Attorney is the lawyer for the City and County of San Francisco in all civil actions. The City Attorney serves as the legal advisor to the Mayor, the Board of Supervisors, all City departments and all City Commissions. The City Attorney prepares or approves the form of all City laws, contracts, bonds and any other legal documents that concern the City. The City Attorney appoints deputy city attorneys to assist with this work.

The term of office for the City Attorney is four years. The City Attorney is currently paid \$145,340 each year.

### TREASURER

The Treasurer is responsible for receiving, paying out and investing all City and County funds. The Treasurer manages the day-to-day cash flow of the City and County, directs the Office of the Tax Collector, works closely with City departments to ensure timely deposit of funds received, and is a major participant in the issuance of General Obligation Bonds, Revenue Bonds and Tax and Revenue Anticipation Notes.

The term of office for the Treasurer is four years. The Treasurer is currently paid \$130,598 each year.

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## STATEMENT OF QUALIFICATIONS LOCAL CANDIDATES

On the following pages are statements of qualifications from local candidates. They have been printed as submitted. Spelling and grammatical errors have not been corrected.

The statements are submitted by the candidates. They have not been checked for accuracy by any City official or agency.

<p>◆ <b><i>THE ABOVE CANDIDATE HAS AGREED TO VOLUNTARILY LIMIT CAMPAIGN SPENDING.</i></b> The above statement preceded by the diamond indicates candidates who have adopted voluntary campaign spending limits according to the Campaign Finance Reform Ordinance (CFRO) section 1.128.</p>
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# Candidates for City Attorney

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## DENNIS HERRERA

**My occupation is:** Attorney/Police Commissioner.

**My qualifications are:**

City Attorney Louise Renne leads her office with integrity and effectiveness. She knows best what the job requires.

I'm honored she's endorsed me.

I have experience leading my own law firm; directing 1,100 U.S. Maritime Administration employees; serving on San Francisco's Transportation and Police Commissions; and as a Deputy City Attorney.

I'll be an independent, impartial, public interest advocate.

I'll fight for San Franciscans when...

...tobacco companies, gun manufacturers and toxic polluters endanger us.

...energy companies profit unfairly.

...tenants need stronger health/safety protections.

...extremists challenge Equal Benefits laws.

...contractors defraud the City.

...citizens demand open, ethical and clean government.

My supporters include a cross-section of community leaders/organizations/distinguished lawyers:

Police Officers Association

FDR Seniors / Disabled Club

Clinton Cabinet Member Federico Peña

Assemblywoman Carole Migden

Lt. Governor Leo McCarthy

Supervisor Mark Leno

Treasurer Susan Leal

Educators: Natalie Berg, Johnnie Carter, Eddie Chin, Carlota delPortillo, Mary Hernandez, Rodel Rodis, Lawrence Wong, Jill Wynns.

Attorneys: Linda Alioto, Joe Cotchett, Sylvia Courtney, Mary Dunlap, Kamala Harris, Leslie Katz, John Kecker, Christopher Moscone.

Community leaders: Alice Bulos, Sidney Chan, Welton Flynn, Wayne Friday, Feysan Lodde, Rudy Nothenberg, Connie O'Connor, Sulu Palega, Mauri Schwartz, Jeff Sheehy, Benny Yee

I respectfully ask for your vote.

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

*Dennis Herrera*

## NEIL EISENBERG

**My occupation is:** Trial Lawyer.

**My qualifications are:**

I have a proven track record of 32 years of legal experience - encompassing 13 of the 14 areas of general law practiced by the City Attorney. I have more general law experience than all the other candidates combined.

- As a former Board member of California Common Cause, I have a long record of fighting for fair, honest and open government.

- I'm an environmentalist and Chair of the Oceanic Society. I have sued toxic polluters and won. I will double the efforts of the City Attorney's Office to preserve and protect our beautiful City.

- As the author of the MUD Proposition on this ballot, I will work diligently to bring public power to San Francisco to lower your utility bills and bring us clean and sustainable energy.

- I pledge to take strong actions against unethical landlords who abuse and evict tenants protected by rent control.

Civic leaders from Frank Jordan to Angela Alioto, Willie Ratcliff to Rose Tsai, Richard Goldman to Medea Benjamin, Mike Garza to Wendy Nelder, urge you to elect me City Attorney.

Last year you elected an independent Board of Supervisors. Now elect an independent City Attorney.

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

*Neil Eisenberg*

◆ THE ABOVE CANDIDATE HAS AGREED TO VOLUNTARILY LIMIT CAMPAIGN SPENDING.

◆ THE ABOVE CANDIDATE HAS AGREED TO VOLUNTARILY LIMIT CAMPAIGN SPENDING.

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# Candidates for City Attorney

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## STEVE WILLIAMS

**My occupation is:** Neighborhood Advocate/Attorney.

**My qualifications are:**

I am the only candidate with a proven record fighting power politics and special interests. I will bring political independence and public interest law to City Hall.

I have represented thousands of San Franciscans just like you and community and non-profit groups across The City, on matters ranging from the outrageous 41% garbage rate hike to stopping illegal development in our neighborhoods.

A common thread runs through my work: citizens go to City Hall to plead their cases, only to come away believing, "the fix is in," that special interests are more powerful than The Law.

As your City Attorney I can end that by rigorously and fairly enforcing our laws. I pledge to be the people's City Attorney--truly independent of the Mayor and downtown power structure.

I have practiced law here for 16 years. A USF graduate and two-time University General Counsel, I have broad legal experience in labor, contracts, discrimination, environment, land use, civil litigation and tort law — all work of the City Attorney.

Supporters include:

Supervisors:

Leland Yee

San Francisco Tomorrow

Bud Wilson

Jane Morrison

Hiroshi Fukuda

John de Castro

Dick Millet

*Steve Williams*

## JIM LAZARUS

**My occupation is:** State Director for Senator Dianne Feinstein.

**My qualifications are:**

I pledge to be a strong, non-political City Attorney, fighting toxic polluters, enforcing zoning laws, improving our quality of life.

The office requires a person with proven municipal law expertise. I've tried cases; drafted laws, labor agreements, contracts. I've helped prevent health care strikes, protect gay and minority employment rights, save the Giants; drafted our first rent control law, new Charter and MUNI reforms. I will use that experience to end favoritism in contracting and employment, defend open government laws, promote energy self-sufficiency.

With 25 years of public service – Deputy City Attorney, Deputy Mayor, labor negotiator, past president of my Richmond District neighborhood association, I'm the only candidate with the experience and integrity to manage an impartial, independent City Attorney's Office.

Please join Senator Feinstein,

Present/Past Supervisors Tony Hall, Gavin Newsom, Roberta Achtenberg, Sue Bierman, Annemarie Conroy, Barbara Kaufman, Jack Molinari  
BART Director Willie Kennedy  
Former Public Defender Jeff Brown  
Rev. Cecil Williams

Labor leaders Larry Mazzola, John Moylan, Stan Smith  
Environmentalists Amy Meyer, Isabel Wade  
Community leaders Claudine Cheng, Bill Coblentz, Libby Denebeim, Harold Hoogasian, Tom Horn, Mel Lee, Meagan Levitan, Janice Mirikitani, Sandy and Jeff Mori, Juanita Owens, Fred Rodriguez, Rita Semel  
in supporting my candidacy.

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

*Jim Lazarus*

◆ THE ABOVE CANDIDATE HAS AGREED TO VOLUNTARILY LIMIT CAMPAIGN SPENDING.

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# Candidates for Treasurer

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## SUSAN LEAL

**My occupation is:** City Treasurer.

**My qualifications are:**

As your City Treasurer for the past four years, I've worked hard to make you proud of my office:

- Earning a high yield on the City's investments. I manage the City's \$3 billion portfolio. We have earned \$449,000 for each day that I have been in office;
- Creation of City Payment Center, a one-stop shop for financial services: transit passes, water bills, passports, business and property taxes;
- Improved customer service. Surveys indicated that 93% of our customers rank our staff performance as "excellent;"
- Creation of City government's first financial transaction website. This website allows San Franciscans to conduct transactions online including paying business and property taxes;
- Creation of the nation's first audio ATM for the visually impaired. And no surcharge!

As a native San Franciscan, I share San Francisco's progressive values. That is why I've adopted a socially responsible investment policy while achieving a yield higher than that of Los Angeles and other major counties. I would be honored to have your support.

My supporters include Nancy Pelosi, Sophie Maxwell, Jim Hormel, Sonia Melara, Aaron Peskin, Gavin Newsom, Fiona Ma, and former City Treasurer Mary Callanan.

*Susan Leal*

## CARLOS PETRONI

**My occupation is:** Newspaper Editor.

**My qualifications are:**

I'm running on the Progressive Left Slate with and endorsed by MUD Board candidates Abel Mouton, Linda Perez and Chris Finn. As a union, community, immigrant rights organizer and a democratic socialist, my platform includes:

- Living on the average City worker's wage, not the present Treasurer's salary of \$130,598.
- Withdrawing all City and City workers' pension fund money (approximately \$12-billion annually) from corporate banks to create a democratically-administered Municipal Bank to invest in affordable housing, health care, education, create jobs for San Franciscans AND increase the General Fund.
- City workers should democratically decide how to invest their pension fund.
- Progressive taxation on big businesses; reassessing Downtown real estate to broaden the City's tax base, reduce taxes for working class homeowners and small businesses and recoup the \$100+ million in revenue lost over the present administration.
- Stop investing City money in anti-environment, union-busting corporations that super-exploit workers and peasants in other countries; bringing the anti-corporate movement of youth and workers initiated in Seattle against the WTO, IMF, World Bank to the City Treasury.
- A City Treasurer that serves the working class, not the political machine.

For information, complete platform, call (415) 452-9992, e-mail: [progress@ix.netcom.com](mailto:progress@ix.netcom.com)

*Carlos Petroni*

◆ THE ABOVE CANDIDATE HAS AGREED TO VOLUNTARILY LIMIT CAMPAIGN SPENDING.

◆ THE ABOVE CANDIDATE HAS AGREED TO VOLUNTARILY LIMIT CAMPAIGN SPENDING.

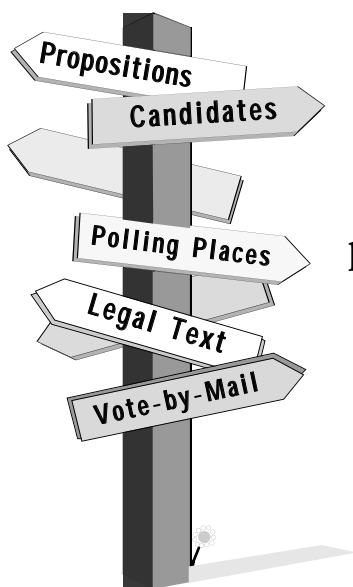
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Statements are printed as submitted. Spelling and grammatical errors have not been corrected.

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The Department of Elections makes every effort to print Candidate Statements and Proposition Arguments exactly as submitted - mistakes and all.



However, with all the items that are included in the Voter Information Pamphlet, it is possible that we ourselves have made a mistake of some kind in the printing and layout process. If we learn of any substantial errors on our part after the pamphlet has been printed and mailed out, we will publish a correction notice in three local newspapers in the days preceding the election.

Watch for our correction notices **October 26, 27 & 28** in the Public Notices sections of the *San Francisco Chronicle*, *San Francisco Examiner* and *San Francisco Independent*.

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# Telephoning the Department of Elections

The Department of Elections has special telephone lines for specific purposes:




- **To register to vote**, call 554-4375;
- **To request an Absentee Ballot application**, call 554-4375;
- **For information about becoming a Poll Worker**, call 554-4395;
- **For election results on Election Night**, call 554-4375;
- **For election information, including Election Night results, visit the Department of Elections web site at:** <http://www.sfgov.org/election>
- **For all other information**, call 554-4375

For your convenience and because of the huge number of calls during the weeks leading up to the election, the Department of Elections uses automated information lines in addition to regular operators. If all operators are busy, callers may hear recorded messages which will direct them to leave their name, address and telephone number. Callers with touch tone phones may be asked to press numbers to direct their calls to the right desk. Callers with rotary phones may wait on the line for an operator or to leave a message.



## Avoid Long Lines — Vote by Mail

**It's as easy as 1-2-3.**

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

**Applications must be received by the Department of Elections no later than 5:00 p.m. on Tuesday, October 30, 2001**

## Your Polling Place May Have Changed

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

# An Overview of San Francisco's Debt

## AN OVERVIEW OF SAN FRANCISCO'S DEBT

### BACKGROUND

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

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

**General obligation bonds** are used to pay for projects that benefit citizens but do not raise revenue (for example, police stations or schools are not set up to pay for themselves). The City's general obligation bonds must be approved by a two-thirds vote. When they are approved and sold, they are repaid by property taxes. The Community College bond on this ballot is a general obligation bond, however, Proposition 39 allows for this bond to be approved by a 55% vote.

**Revenue bonds** are paid back from revenues generated by bond-financed projects. For example, the airport can finance a major expansion through revenue bonds that will be paid back from landing fees charged to airlines that use the improvements. The solar energy projects bond on this ballot is a revenue bond.

**WHAT DOES IT COST TO BORROW?** The City's cost to borrow money depends on the interest rate on the debt and the number of years over which it will be repaid. Large debt is usually paid off over a period of 10 to 30 years. Assuming an average interest rate of 6%, the cost of paying off debt over 20 years is about \$1.74 for each dollar borrowed—\$1 for the dollar borrowed and 74 cents for the interest. These payments, however, are spread over the 20-year period. Therefore the cost after adjusting for inflation reduces the effective cost because the future payments are made with cheaper dollars. Assuming a 4% annual inflation rate, the cost of paying off debt in today's dollars would be about \$1.25 for every \$1 borrowed.

### THE CITY'S CURRENT DEBT SITUATION

**Legal Debt Limit.** The City Charter imposes a limit on the amount of general obligation bonds the City can have outstanding at any given time. That limit is 3% of the assessed value of property in the City—or about \$2.6 billion. Voters give the City authorization to issue bonds. Those bonds that have been issued and not yet repaid are considered to be outstanding. As of July 1, 2001, there were \$974 million in general obligation bonds outstanding, which is equal to 1.1% of the assessed value of property. There are an additional \$952 million in bonds that are authorized but unissued. If all of these bonds were issued and outstanding, the total debt burden would be 2.2% of the assessed value of property.

**Debt Payments.** During 2001-02 the City will pay \$109.9 million of principal and interest on outstanding general obligation bonds. This amounts to 12.6 cents per \$100 of assessed valuation or \$369 on a home worth \$300,000.

**Prudent Debt Limit.** Even though the City is well within its legal debt limit in issuing general obligation bonds, there is another "prudent" debt calculation used by bond rating agencies when they view the City's financial health. These agencies look at all debt using the City's tax base—our general obligation bonds, lease revenue bonds, and redevelopment agency debt. They then take that debt as a percentage of assessed value and the resulting percentage is called the debt ratio. Large cities in the United States have a median debt ratio of 4.4% — meaning half of the cities have less debt, half have more. The City currently has a debt ratio for all overlapping debt of 3.1%. **While this is under the median debt ratio of large cities, the City needs to set priorities for future debt to continue to maintain good credit ratings that, in turn, are a sign of good financial health.**

Prepared by *Ed Harrington*, Controller

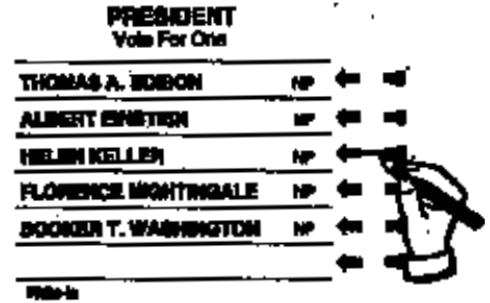
# VOTING IN SAN FRANCISCO



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

## HOW TO MARK YOUR BALLOT

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



## 在 三 藩 市 投 票

如 果 您 投 票 時 有 錯，請 向 投 票 站 職 員 要 求 一 張 新 的 選 票。

### 如 何 畫 選 票

1. 選 票 以 雙 面 印 製，並 且 兩 面 均 需 填 寫。請 確 保 在 選 票 的 兩 面 均 投 票。
2. 用 投 票 站 工 作 人 員 提 供 的 標 記 號 的 筆 或 號 的 鉛 筆，將 箭 頭 的 頭 和 尾 的 箭 尾 用 一 條 橫 線 連 接 起 來。
3. 將 選 票 逐 張 放 入 投 票 機 內，一 次 一 張，把 選 票 放 入 投 票 機 槽 內。

## CÓMO VOTAR EN SAN FRANCISCO

*SI SE EQUIVOCA AL VOTAR, simplemente pida otra balota.*

### CÓMO MARCAR SU BALOTA

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

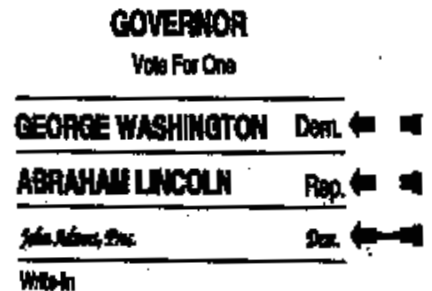
## HOW TO VOTE FOR A WRITE-IN CANDIDATE

To vote for a candidate not listed on the ballot:

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

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

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



## 如 何 投 寫 入 (WRITE-IN) 候 選 人 的 選 票

如 果 您 所 選 的 候 選 人 不 在 選 票 上，請 按 以 下 步 驟 投 票：

(不 要 選 已 在 選 票 上 的 候 選 人 寫 入 選 票 中 候 選 人)

1. 將 寫 入 候 選 人 的 名 字 寫 在 "寫 入" (Write-in) 的 空 位 上。
2. 您 必 須 將 箭 頭 向 您 所 選 的 寫 入 候 選 人 的 箭 頭 和 箭 尾 畫 線 連 接 起 來，您 投 給 此 寫 入 候 選 人 的 一 票 才 有 效。

記 住：只 有 選 給 合 格 寫 入 候 選 人 的 選 票 才 會 被 計 算 在 內。

## CÓMO VOTAR POR UN CANDIDATO NO LISTADO

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

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

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

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

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

注 意：選 民 應 認 準 每 個 職 位 的 候 選 人 的 數 量。如 果 您 投 票 的 候 選 人 的 數 量 超 過 規 定 的 數 量，則 您 投 票 該 職 位 的 選 票 將 無 效，不 會 被 計 算 在 內。

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

# Sample Ballot

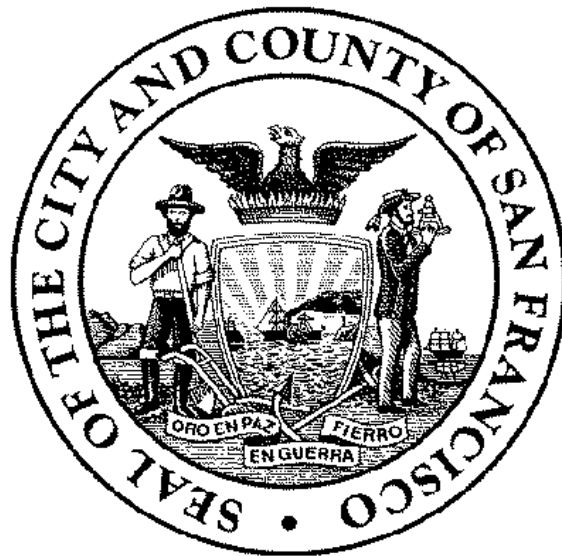
**Balota de Muestra**

**選票樣本**

City and County of San Francisco

Consolidated Municipal Election

November 6, 2001



**Sample Ballot not available in web version of  
Voter Information Pamphlet**

# Rules for Arguments For and Against Ballot Measures

## DIGEST AND ARGUMENT PAGES

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

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

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

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

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

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

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

### “PROPONENT’S ARGUMENT”

### “OPPONENT’S ARGUMENT”

1. The official proponent of an initiative petition; or the Mayor, the Board of Supervisors, or four members of the Board, if the measure was submitted by same.

1. For a referendum, the person who files the referendum petition with the Board of Supervisors.

2. The Board of Supervisors, or any member or members designated by the Board.



2. The Board of Supervisors, or any member or members designated by the Board.

3. The Mayor.

3. The Mayor.

4. Any bona fide association of citizens, or combination of voters and association of citizens, any individual voter.

4. Any bona fide association of citizens, or combination of voters and association of citizens, any individual voter.

## REBUTTAL ARGUMENTS

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

## PAID ARGUMENTS

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

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

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



# San Francisco Community College District General Obligation Bonds

# A

## PROPOSITION A

**SAN FRANCISCO COMMUNITY COLLEGE DISTRICT GENERAL OBLIGATION BONDS.** Shall the San Francisco Community College District issue, at interest rates within legal limits, bonds of \$195,000,000 to pay for capital improvements (including facilities to eliminate outdated bungalows; improved disabled accessibility; complete technology network, and new campuses in the Mission and Chinatown/North Beach neighborhoods) further described in the General Obligation Bond Project Report available from the Director of Elections and College?

YES  
NO



## Impartial Analysis

by Ballot Simplification Committee, approved by City Attorney

**THE WAY IT IS NOW:** City College of San Francisco has nine campuses in the City. The Governing Board of the Community College District has determined that City College needs to improve existing facilities, construct new facilities, and purchase equipment and land to enhance safety, reduce class size, and improve students' access to information technology.

**THE PROPOSAL:** Proposition A would authorize the Community College District to borrow \$195,000,000 by issuing general obligation bonds. The Community College District proposes to use the money for the following projects:

- seismic retrofitting of the campus facility at 1400 Evans;
- construction of new classroom/laboratory facilities at the Phelan Campus;
- completion of a district-wide computer technology network;
- construction of a new building for training in child development, community health care, and teacher training;
- renovation and remodeling of all District-owned facilities;
- improvement of access for disabled persons at every campus;
- acquisition of a parcel of land for inclusion within the Phelan

Campus;

- construction of new campus facilities for the Mission and Chinatown/North Beach neighborhoods;
- construction of a Community Health and Wellness Center and Community Cultural Performing and Media Arts facility; and
- improvements in the infrastructure of the Balboa Reservoir.

Principal and interest on general obligation bonds are paid from property tax revenues. Proposition A would require an increase in the property tax. A 55 percent majority vote is required for passage of Proposition A.

**A "YES" VOTE MEANS:** If you vote yes, you want the San Francisco Community College District to issue general obligation bonds in the amount of \$195,000,000 to construct and improve buildings and facilities and purchase equipment and land for City College.

**A "NO" VOTE MEANS:** If you vote no, you do not want the San Francisco Community College District to issue general obligation bonds for these purposes.

## Tax Rate Statement on "A"

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

Based on the best estimates of the Community College District, should the proposed \$195 million in bonds be sold and issued, the annual costs over the life of the bonds would vary as follows:

- In fiscal year 2002-03, the first year a portion of the bonds are issued, the estimated annual costs of debt service would be \$3.4 million and result in a property tax rate of 0.42¢ per \$100 of assessed valuation (or \$4.20 per \$100,000 of assessed valuation).
- In fiscal year 2008-09, the year the last series of bonds are expected to be issued and the year with the highest tax rate, the estimated annual debt service would be \$13.4 million and result in a property tax rate of 1.47¢ per

\$100 of assessed valuation (or \$14.70 per \$100,000 of assessed valuation).

- The best estimate of the average tax rate from fiscal year 2002-03 through 2032-33 is 1.20¢ per \$100 of assessed valuation (or \$12.00 per \$100,000 of assessed valuation).

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

Based on the Community College District's estimates, the highest estimated increase in annual property taxes for the owner of a home with an assessed value of \$300,000 would amount to approximately \$44.10.

**THIS MEASURE REQUIRES 55% AFFIRMATIVE VOTES TO PASS.**

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 28  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 40



# San Francisco Community College District General Obligation Bonds

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION A

### Support City College - rebuild and expand educational opportunities for all students

City College is asking for your vote in favor of Proposition A, an infrastructure improvement bond that will be used for the construction of permanent buildings to replace current substandard trailers used as classrooms. Funds will also be used to renovate and improve safety and disability access to City College campuses and classrooms that have not been improved in thirty years.

Specifically Proposition A will:

- Seismically upgrade classrooms and laboratories at the Evans Street Campus for earthquake safety.
- Construct a new classroom & laboratory facility, which will include a child development and teacher training center and expanded day care services for children of students, staff, faculty and the community.
- Complete a state of the art computer network to ensure all campuses are wired for Internet access.
- Replace a sixty-year-old gymnasium with a modern

community health and wellness center that can be used by students and all San Franciscans at no cost.

- Plan for construction of a new community cultural and performing arts center.
- Develop new campuses in both the Mission and Chinatown/North Beach.
- Renovate aging facilities and improve access for disabled students and faculty.

City College is the most affordable provider of education and job training, directly touching one out of every seven San Franciscans. Our primary goal is to offer educational opportunities to those students who don’t have access to a traditional four-year college or who require technical work-related training.

You can help our students, faculty and the community by voting YES on Proposition A.

*Chancellor Philip R. Day*  
City College of San Francisco

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

### PROPOSITION A WILL WASTE AT LEAST AN ESTIMATED \$127,611,000 IN BOND INTEREST DIVIDENDS:

Proposition A is an unnecessary \$195,000,000 bond issue that will waste an estimated \$127,611,000 in interest dividends over the next 20 years.

This \$127,611,000 is “lost” money: It could easily be saved if the San Francisco College Board started paying its repair and improvement bills on a “pay-as-you-go” basis out of its current tax revenue.

These bonds are a bad deal for the students and teachers of the San Francisco Community College District.

These bonds rip-off our San Francisco taxpayers. Why are these bonds being proposed in difficult economic times?

Why are these Proposition A bonds being urged when the College Board has not yet even issued all of its currently authorized bonds??

Is it because of politics and campaign contributions ??? : *You bet it is!*

Bond *are* a good deal for securities firms and their commission-earning salemen.

Bonds make *lots of money* for banks, transfer agents, and municipal bond lawyers.

All the political pressures on the Community College Board are in favor of these Proposition A bonds.

The \$127,611,000 in “lost” interest is the “*frosting on the cake*”.

Stop the interest drain!

Improve public education!!

Vote “**NO**” on Proposition A !!!

*Dr. Terence Faulkner, JD*  
Past State Secretary  
California Republican County Chairmen’s Association  
*Gail E. Neira*  
San Francisco Republican Committeewoman

# San Francisco Community College District General Obligation Bonds



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## OPPONENT'S ARGUMENT AGAINST PROPOSITION A

### **BONDS ARE "GOOD" FOR SPECIAL INTERESTS BUT "BAD" FOR THE TAXPAYERS:**

Bonds are the *most wasteful method* to make predictable future repairs and improvements to college facilities.

Such repairs should be financed on a "*pay-as-you-go*" basis out of current tax revenues.

Vast amounts of government money are spent on bond interest dividends, bond brokerage sales commissions, underwriting fees, legal drafting and tax opinion costs, official printers! bills, banking charges and transfer agent fees. Those involved in the marketing of our municipal bonds make *major profits* and are true economic "*special interest groups*."

While the public loses money on unnecessary bond issues, the "*special interests*" do very well indeed.

### **THE PROPOSITION A BONDS:**

The proposed \$195,000,000 Proposition A bonds of the Community College District would, in the opinion of San Francisco Controller Edward Harrington, require some 20 years of interest charges "at the current 5.45 percent interest rate" of as estimated \$127,611,000. Thus, the final "Debt Service

Requirement" of these Proposition A bonds will end up around "\$322,611,000."

Needless to say, that "lost" \$127,611,000 (of bond interest) is public tax money will *never* be used to build *anything* for the Community College District. Bonds are a bad deal except for the "special interest groups" (see above).

### **SINKING FUNDS ARE NEEDED:**

As a matter of good business judgment, the San Francisco College Board should have long ago established *cash sinking funds* to pay out of current tax revenues for the future repair of its educational facilities.

Common sense *governmental planning* is needed.

Vote "**NO**" on poorly planned Proposition A!

*Citizens For Election Law Reform*

*Dr. Terence Faulkner, JD*

Citizens For Election Law Reform Chairman

*Gail E. Neira*

Hispanic Image Leadership Development Director

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION A

### **Proposition A benefits ALL San Franciscans**

Proposition A, which would provide \$195 million for needed improvements to City College, does exactly what a bond should do.

The purpose of this bond is to provide City College with the funds it needs to make necessary infrastructure upgrades - which improves the quality of education. The proposed upgrades are critical to maintaining City College's goal of educating the citizens of San Francisco, many of whom gain the hands-on training they need to improve their lives.

City College is San Francisco's most diverse, affordable and largest post-secondary educational institution. Many of our city's public safety workers, hotel and restaurant laborers, health practitioners, computer technicians, and childcare providers have received their training from the college. We need Proposition A to pass in order to continue providing quality education, safer buildings and a strong economy for ALL San Franciscans.

Our current campus facilities are no longer adequate in accom-

modating demand. Additionally, the recent state community college budget cuts have left us with reduced funding. This forces us to do even more on the local level to ensure quality education for all.

City College has a 65-year tradition of effective education that has touched every community in San Francisco.

Join us in supporting Proposition A.

*City College Board of Trustees*

*Natalie Berg, President*

*Rodel Rodis, Vice President*

*Johnnie Carter*

*Anita Grier*

*Milton Marks III*

*Julio Ramos*

*Lawrence Wong*

*Toni Hines*

## TEXT OF PROPOSED BOND MEASURE PROPOSITION A

November 6, 2001, "Measure A", San Francisco Community College District

"Shall the San Francisco Community College District increase educational opportunities, raise student achievement, and improve conditions at each of its neighborhood campuses throughout San Francisco, by issuing at interest rates within legal limits, bonds in an amount not to exceed \$195,000,000 to pay for the seismic retrofitting of the campus facility at 1400 Evans; construction of new classroom/laboratory facilities to replace outdated, unhealthy, and unsafe bungalows at the Phelan Campus; completion of the district-wide computer technology network; construction of a new academic facility to provide for expanded child care services and training opportunities in the areas of Child Development, Community Health Care, and Teacher Training at the Phelan Campus; renovation and remodeling of all district-owned facilities including safety issues, building systems, building surfaces, and configurations, and improved access for the disabled at all District-owned facilities; acquisition of a parcel for inclusion within the Phelan Campus: construction of new campus facilities for the Mission and Chinatown/North Beach neighborhoods to replace outdated and leased facilities; construction of a Community Health and Wellness Center and Community Cultural Performing and Media Arts facility at the Phelan Campus, and improvements in the infrastructure of the Balboa Reservoir to prepare it for College use and thereby relieve crowded and outdated facilities at the Phelan campus, which projects the District certifies it has evaluated in terms of safety, class size reduction and information technology needs, as further described in the General Obligation Bond Project Report available from the Director of Elections and the District; provided the District appoint a citizens' oversight committee and conduct annual independent performance and financial audits to assure funds are spent only on the specified projects?"

Bonds - Yes      Bonds - No

# Solar Energy Revenue Bond

B

## PROPOSITION B

**SOLAR ENERGY FACILITIES AND EQUIPMENT, ENERGY CONSERVATION FACILITIES AND EQUIPMENT AND/OR RENEWABLE ENERGY FACILITIES AND EQUIPMENT REVENUE BONDS.** Shall the City and County of San Francisco (or one of its agencies, departments or enterprises) issue revenue bonds and/or other forms of revenue financing in a principal amount not to exceed \$100,000,000, to finance the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment for various agencies, departments and/or enterprises of the City?

YES ←    
NO ←  

## Digest

by Ballot Simplification Committee

**THE WAY IT IS NOW:** City evaluations have indicated that energy could be generated at many of its properties and facilities using renewable sources, such as solar panels and wind turbines. No city revenue bond money currently is set aside for developing renewable energy sources.

**THE PROPOSAL:** Proposition B would allow the City to borrow up to \$100,000,000 by issuing revenue bonds and/or other forms of revenue financing. The City proposes to use the money to build solar and other renewable energy facilities to supply electricity to City agencies. The money also would fund energy conservation facilities and equipment.

The City would repay the principal and interest on the

bonds from revenue generated and saved by the proposed facilities.

Bonds could not be issued to pay for a facility whose electricity would cost more than the expected cost of electricity from existing energy sources.

**A “YES” VOTE MEANS:** If you vote yes, you want the City to issue up to \$100,000,000 in revenue bonds to build solar and other renewable energy facilities and energy conservation facilities.

**A “NO” VOTE MEANS:** If you vote no, you do not want the City to issue up to \$100,000,000 in revenue bonds for these purposes.

## Controller’s Statement on “B”

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

Should the proposed proposition be approved, in my opinion, there could either be no cost to the City or actual savings over time. These bonds will be repaid from revenues raised by the projects funded by the bonds. The proposition further specifies that the cost of these bonds cannot result in power rates charged to City departments that exceed the power rates that are otherwise projected to be in effect.

## How Supervisors Voted on “B”

On July 23, 2001 the Board of Supervisors voted 10 to 1 to place Proposition B on the ballot.

The Supervisors voted as follows:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

**No:** Yee

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 38  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 40

# B

# Solar Energy Revenue Bond

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## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION B

### PROPONENTS ARGUMENT IN FAVOR OF THE SOLAR BOND

California's energy crisis has once again shown that overdependence on fossil fuels leads to skyrocketing prices, profiteering, and blackouts. San Francisco must develop a more reliable and diverse energy supply.

Proposition B would provide \$100 million to increase San Francisco's energy supply with clean and dependable new sources of electric generation, much of which could be installed in one to two years.

Our current dependence on PG&E and out-of-state energy suppliers cost San Francisco city government over \$30 million more than last year. Becoming more self-reliant by investing in proven renewable and clean energy technologies - solar panels and wind turbines - as well as cost effective energy efficiency, San Franciscans will save millions of dollars.

Instead of buying electricity, city government will produce more of it's own electricity from proven clean and renewable sources, and save money.

**Best of all, we can make this change at no cost to the taxpayers.** By using revenue bonds instead of general obligation bonds, the city repays the principal and interest on the bonds from revenue saved by the new facilities. This revenue bond will

pay for itself through energy savings - No property taxes will be used.

Solar energy technology generates electricity without producing pollution, making noise, or creating visual eyesores for neighborhoods. Furthermore, San Francisco will be doing its part to address global warming. Pollution from fossil fuel energy generation is the single largest contributor to climate change.

Join Environmental Defense and the Board of Supervisors in supporting this environmentally sound, fiscally responsible measure.

Be a part of the solution. Vote for the clean energy solar bond.  
Vote Yes on Proposition B

*Board of Supervisors*

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### How Supervisors Voted to Submit this Argument

The Supervisors voted as follows on August 20, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin

**No:** Yee

**Absent:** Sandoval

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

### UNWISE PROPOSITION B SURRENDERS THE RIGHT OF SAN FRANCISCO RESIDENTS TO VOTE ON THEIR SO-CALLED "RENEWABLE ENERGY BONDS":

Don't give up your right to vote on public bond issues.

Proposition B proposes to delegate the electors of San Francisco's right to vote on these bonds to our City's free-spending Board of Supervisors.

Heading into a possible local recession after the long-feared "dot com" real estate investment collapse, San Francisco can ill-afford this credit wrecking financial measure.

#### SPECIAL INTEREST CAMPAIGN DONATIONS:

Since many individual Supervisors have received large campaign donations from local securities firms, their commission-earning salesmen, transfer agents, bankers, and municipal bond lawyers - they have "vested interest" reasons to create more of these bonds.

These Proposition B bonds will make money for many of the above listed campaign donors and "special interests".

Everybody with their hands in the big cookie jar at City Hall is yelling: "Issue those municipal bonds! Who cares about the taxpayers? We want to make our cash profits **NOW!**"

Sorry if the truth hurts, but it is the truth.

Vote "**NO**" on Proposition B!

*Dr. Terence Faulkner, JD*

Past Member of Executive Committee  
California Republican Party

*Patrick Fitzgerald*

Former Secretary

San Francisco Democratic Party

*Gail E. Neira*

San Francisco Republican Committeewoman

# Solar Energy Revenue Bond

# B

## OPPONENT'S ARGUMENT AGAINST PROPOSITION B

### **DON'T GIVE UP YOUR RIGHT TO VOTE ON SAN FRANCISCO BOND ISSUES!**

If passed, Proposition B will give away *your right to vote* on “renewable energy” bonds. *Your lost voting rights* would be transferred to the San Francisco Board of Supervisors.

### **DON'T GIVE THE SAN FRANCISCO BOARD OF SUPERVISORS “A BLANK CHECK” ON ISSUING BONDS WITHOUT VOTER APPROVAL!**

If passed, Proposition B will give the San Francisco Board of Supervisors “a blank check” to spend as much as they choose – without voter approval – on “renewable energy” bonds, regardless of whether a particular “renewable energy” project makes “good” sense or “bad” business sense.

### **DEFEND YOUR RIGHT TO VOTE ON BOND ISSUES BY VOTING “NO” ON PROPOSITION B!**

The only way to **SAVE YOUR RIGHT TO VOTE** on the wisdom of particular “renewable energy” bond projects – and to halt unwise spending on some of the less practical projects by the Board of Supervisors – is to vote “**NO**” on Proposition B.

Local voters should never give up their right to vote on public bond issues.

Proposed Proposition B is extremely bad and dangerous legislation, which can easily lead to major financial losses by the City and County of San Francisco.

Public bond elections force greater financial review of the merits or demerits of individual spending projects, which often involve many tens if not hundreds of millions of dollars of City tax money.

Vote “**NO**” on unwise Proposition B!

*Golden Gate Taxpayers Association*

*Dr. Terence Faulkner, JD*

Golden Gate Taxpayers Association Chairman

*Gail E. Neira*

Hispanic Image Leadership Development Director

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION B

The opponent is clearly confused. Proposition B, the San Francisco Solar Revenue Bond, will provide a tax free source of clean energy for the City of San Francisco. This measure, when approved by the voters, will set San Francisco on the road to energy independence, paid for by energy savings, not taxes.

A YES vote on Proposition B will:

- Provide clean, renewable energy by financing facilities on city property to either generate or save approximately 25% of city government's total energy needs.
- Lower our dependence on PG&E and out of state energy corporations who have already gouged the city out of over \$30 million dollars in increased energy costs this past year.
- Save taxpayers the expense of paying for these new energy facilities. By using revenue bonds instead of the traditional general obligation bonds, all bond repayments will be paid from the energy savings, not from taxpayers.

If passed, Proposition B will NOT be a blank check, but will instead be a voter approved measure for a **specific** amount of funds for a **specific** purpose: to cut down on the City of

San Francisco's mounting energy costs by using renewable power instead of PG&E power.

Join the Sierra Club, San Francisco Planning and Urban Research, the American Lung Association, Greenpeace, the San Francisco Democratic Party and many others in supporting Proposition B.

Vote for a cleaner environment and energy independence at no cost to taxpayers.

Vote Yes on B.

*Board of Supervisors*

### **How Supervisors Voted to Submit this Argument**

The Supervisors voted as follows on August 27, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

**No:** Yee

**Absent:** Newsom

# B

# Solar Energy Revenue Bond

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

### Yes on B! YES on H!

Vote solar, vote yes! Prop B will reduce pollution, cut greenhouse gases, and save taxpayers millions by generating clean energy on city facilities and providing funding for energy conservation. Prop H is the the first step to doing the same for private facilities.

See [www.sflcv.org](http://www.sflcv.org) for more environmental endorsements.

*Amandeep Jawa*, President  
San Francisco League Of Conservation Voters

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

The three largest contributors to the true source recipient committee are 1. Johanna Wald 2. Amandeep Jawa 3. Jeff Henne.

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Propositions B and H let strong environmentalists and fiscal watchdogs like me have our cake and eat it too. They fund clean, renewable power that helps eliminate the need for polluting generators in Hunter's Point and Potrero. And, there's no risk to the general fund and other spending priorities. Bondholders will be repaid only out of revenue from the solar and wind power these investments generate.

*Joel Hornstein*  
MUD Candidate, Ward 2

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

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Let's cut air pollution and save the City money at the same time.

Prop B will develop solar power and other renewable energy sources to supply city buildings and services - and reduce our dependence on fossil fuels.

*San Francisco Tomorrow*

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

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Prudent investments in renewable energy will improve our environment.

*Joel Ventresca*  
City and County of San Francisco Environmental Commissioner (1994-97)

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

### Prop B is low risk and high potential.

Unlike General Obligation bonds, revenue bonds must prove attractive to financial markets to secure investor funding.

If the city can make these projects viable, it will be good for the city and the environment. If the bonds do not "pencil out," the money will not be spent.

### Vote yes on B.

*A. Lee Blich*  
President & CEO  
San Francisco Chamber of Commerce

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

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Yes on Props B and H! It's a Declaration of Energy Independence for ourselves and for a sustainable future. Through conservation, efficiency and renewable energy, we can save the Arctic National Wildlife Refuge from those who would exploit it.

*Sierra Club*

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

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Revenue bonds will finance solar and other renewable energy for city agencies and buildings – reducing costs for power and providing independent, reliable energy sources for the City. Yes on B

*Democratic Women's Forum*

The true source of funds used for the printing fee of this argument is Democratic Women's Forum.

The three largest contributors to the true source recipient committee are 1. Joan Simmons 2. Pat Montague 3. Jane Morrison.

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As a **Sierra Club** Chapter Director, I've developed solid expertise in energy and power issues. Passage of this solar energy bond will move our City toward environmental responsibility and away from reliance on polluting fossil fuels.

Join me in voting **YES on B.**

*Dan Kalb*  
Candidate, Municipal Utility District - Ward 1

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



# Solar Energy Revenue Bond

# B

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

We recommend a Yes vote on Proposition B - Renewable Energy Revenue Bonds.

San Francisco Democratic Party

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

The three largest contributors to the true source recipient committee are 1. John Burton 2. Jackie Speier 3. Tom Lantos.

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City departments can pay for energy from solar power and other renewable sources with the money they now spend on electricity created by air-polluting fossil fuels.

Yes on B

*Robin Levitt*

*Jeff Sheehy*

*Shawn O'Hearn*

*Dean Goodwin, San Francisco Democratic Party Vice Chair*

The true source of funds used for the printing fee of this argument is Dean Goodwin, Robin Levitt.

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Dear Voters:

The energy crisis of 2001 is not resolved! With an increasing California population, the writing is on the wall as far as reliance on oil and natural gas to generate electricity is concerned. **We cannot drill our way out of the energy crisis.** Let us follow the lead of advanced nations like Denmark, Switzerland, Germany and Japan. These countries are investing massively in Solar and Wind systems to generate electricity for residences and industry. Since the White House is not taking the lead, San Franciscans can show wisdom and forethought by passing Proposition B, the solar bond. This is a revenue bond, meaning that it will pay for itself, without increasing real estate taxes, without increasing bureaucracy and without giving more power to our various government boards. Additionally, this solar project will create jobs as solar panel manufacturers are drawn to this area to build and install the largest solar system ever constructed in the United States. Please help prove to the rest of the world that San Franciscans are on the leading edge of thinking in this nation! Vote yes on B!

(415) 586-1451

*Dan Weaver*

Environmental Committee Chair

Oceanview-Merced-Ingleside Neighbors-in-Action (OMI-NIA)  
Community Organization

The true source of funds used for the printing fee of this argument is OMI Community Organization OMI-NIA.

San Francisco voters have an historic opportunity to make San Francisco the solar capital of the world, without negatively impacting the City Budget. Measure B would fund the purchase and installation of solar electric panels on city facilities by authorizing the city to issue a low-interest bond to pay the up-front capital costs of buying solar panels. The power produced by these city-owned panels will reduce the city's obligation to purchase power for public buildings, and pay for the cost of the bond.

Additional benefits of city-owned solar electric generation will include:

- 1 Diversification of energy sources providing a hedge against astronomical spot market energy prices that cost the city about \$40 million over the last year
- 2 Avoidance of harmful emissions from fossil-fuel burning power plants that exacerbate respiratory illnesses and contribute to global warming
- 3 Demonstration of a national model for other cities to implement a sustainable, common-sense energy policy.

Solar electric power is generated from light (direct and indirect) from the sun - as such it is a reliable, affordable source of electricity generation, even for coastal cities such as San Francisco.

Berkeley-based PowerLight ([www.powerlight.com](http://www.powerlight.com)), the leading U.S. designer, manufacturer and installer of commercial and governmental solar electric systems, supports Measure B and applauds the City of San Francisco for its visionary leadership in pro-actively supporting solar electric generation at the local level.

*Gregory Rosen*

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

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Support this sustainable energy measure, a win-win solution to reduce air pollution and global warming.

*Elisa Lynch, Bluewater Network*

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

# B

# Solar Energy Revenue Bond

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

This year the UN Intergovernmental Panel on Climate Change confirmed that the planet is warming and that this trend has grave consequences in the form of reduced crop production, increased disease, rising sea levels, severe weather systems, and damage to coral reefs and sensitive habitats. Global warming poses the most serious threat to our world and its leading cause is pollution from energy generation.

In response, the Bush Administration has offered a dazzlingly shortsighted, misguided, environmentally bankrupt energy policy that increases, rather than reduces, our reliance on fossil fuels, revives the nuclear industry, ignores conservation and cuts the solar energy research budget by 50%.

In Proposition B, the largest solar energy bond in the nation, San Francisco has the opportunity to light the way toward a healthier future, immediately increase our city's energy self-reliance, reduce emissions, push the emerging solar industry forward and create a template that can be implemented by other cities.

Be a part of the pollution solution. Yes on B.

*David Hochschild*

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

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Pollution from energy generation is the largest contributor to global warming. Immediate, large scale investments in clean energy are necessary to reverse this trend. The solar bond represents the single biggest purchase of solar electricity in the nation and will help set us on a new course toward a cleaner, healthier future.

Prop B pays for itself entirely from energy savings (at no cost to taxpayers), increases our energy independence, reduces dependence on fossil fuels, and creates a model for other cities to follow.

Vote yes on Proposition B.

*Peter Barnes*

Co-Founder, Working Assets  
Former President, The Solar Center

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

### **Vote Yes for Renewable Energy**

It's time for San Francisco to move toward renewable energy. This \$100 million revenue bond authorization will allow the city to place solar panels and other renewable energy sources on public sites. Revenue bonds, unlike general obligation bonds, are designed to pay for themselves. This measure will make it easier for the City to develop financially responsible wind, solar, and other environmentally friendly energy sources.

### **Vote Yes on Proposition B**

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

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

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

The three largest contributors to the true source recipient committee are 1. John Weeden 2. Tay Via 3. David Gruber.

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Proposition B is a rational and timely response to a growing problem: soaring energy costs coupled with environmental destruction. It's a brilliant opportunity for San Francisco to enjoy reduced expenses and emissions while demonstrating an intelligent, economical solution to the rest of the world—at no additional cost to taxpayers. Vote yes on B.

*Doris Mitsch*

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

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The innovative, financially savvy Prop. B is an environmental no-brainer.

*Jonathan Schmidt*

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

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Greenpeace says Vote YES on Proposition B. This will make San Francisco a leader in the solar revolution while providing cheap and reliable electricity. We will reduce local air pollution and global warming emissions while jumpstarting the worldwide solar industry. See [www.cleanenergynow.org](http://www.cleanenergynow.org)

Greenpeace

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

# Solar Energy Revenue Bond

# B

## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

Fossil fuel power plants are harmful to low income communities of color and have led to increased rates of asthma among youth and the elderly. Prop. B will deliver safe power and move us closer to closing down polluting power plants in Hunters Point and Potrero Hill - at no cost to taxpayers.

YES ON B!

*Dana Lanza*

LEJ (Literacy for Environmental Justice)\*

*Laura Fauth*

RAN (Rainforest Action Network)\*

\* for identification purposes only

The true source of funds used for the printing fee of this argument is Dana Lanza, Laura Fauth.

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VOTE YES ON "B".

Reduce our dependence on fossil fuel, and its attendant pollution problems....

This Bond Measure pays for itself in the value of the electricity generated.

*Sunset Heights Association of Responsible People*

The true source of funds used for the printing fee of this argument is Sunset HTS Association of Responsible People and Twin Peaks Conservancy.

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Most of the day, the electric meter spins backwards at our Eureka Valley home. That's because, early last year, my wife and I installed solar panels on our roof. They generate the equivalent of almost all the electricity we use. During the daylight hours they take in far more energy than we need, and the excess electricity flows into the power grid. When the sun goes down, we draw power from the grid. Our electric bills have shrunk to a tiny fraction of what they were; in the sunny months we pay nothing at all. Why shouldn't all San Franciscans have the pleasure of knowing our city government's electric meter is spinning backwards while the sun is overhead? Generating energy this way is clean, it's quiet, it requires no maintenance, it does our part to reduce global warming—and it doesn't raise our taxes. A vote for Proposition B is a vote that says, loud and clear, that oil companies and electric utilities don't have to control national energy policy. It's a vote for an exciting, pioneering piece of legislation whose example can be copied around the country.

*Adam Hochschild*

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

Solar is here and ready to use. I bought a photovoltaic system for my house (on the panhandle) and since it was installed in January, my electricity bills have been zero. That's a nice feeling. Even better is realizing that during our energy crisis, I've been part of the solution rather than part of the problem. I put more energy into the grid than I take out. As I type this argument on my computer, I'm not burning fossil fuels, just using the sun's energy. But I'm just one private individual. Imagine what a difference it will make to have our whole city go solar. There are thousands of areas where the city can put panels without being an eyesore and as with my home it makes sense economically and ecologically.

Also as an SF public school teacher, I would love for my students to be able to learn about the solar systems on the roofs of their schools and to be proud that their city took the lead in clean energy.

This is the best proposition yet. Vote yes on B.

*Monty Worth*

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

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On July 19, our newly installed 20 solar panels began operation. We were thrilled to watch our electric meter slow its normally clockwise movement and begin to spin backwards. At that moment, we had become part of the solution to one of the world's most pressing problem by using clean energy from the sun rather than from CO2-producing power plants. Additionally, on an annual basis, our net payments for electricity should be zero. When our family, friends and neighbors ask us in surprise how we can go solar in the foggy Richmond, we just reply, "Ever gotten sunburned at the beach when its foggy?" The point is that solar power is not experimental. It works now, and the expense will come down dramatically if cities across the nation follow San Francisco' lead. This movement will both lessen our need for imported oil and help us meet the Kyoto Guidelines adopted by the rest of the world. Our investment, like the SF Solar General Revenue Bond, will pay us back in less than 10 years, and perhaps much sooner if energy prices spike as they did this past year. We hope that our City will do the same and assume a leadership role for our nation. Please vote "Yes" on the Solar Bond!

*Barbara Wilson*

*Chris Wilson*

The true source of funds used for the printing fee of this argument is Barbara Wilson, Chris Wilson.

# B

# Solar Energy Revenue Bond

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION B

Proposition B is good for San Francisco. This measure allows the City to immediately begin increasing our energy independence through clean, non-polluting energy technologies and energy conservation *without raising taxes or impacting the general fund.*

Prop B pays for itself from energy savings. Help San Francisco respond to the energy crisis in a way that fights global warming rather than worsens it.

Vote Yes on B.

State Senator Jackie Speier  
Congressman Tom Lantos

*U.S. Senator Dianne Feinstein*

*Congresswoman Nancy Pelosi*

*State Senator John Burton*

*Assembly Majority Leader Kevin Shelley*

*Treasurer Susan Leal*

*Sheriff Michael Hennessey*

*Assessor Doris Ward*

*Public Defender Kimiko Burton*

*District Attorney Terence Hallinan*

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

The three largest contributors to the true source recipient committee are 1. Episcopal Power Light 2. Adam Hochschild 3. Arlie Hochschild.

# Solar Energy Revenue Bond

B

## PAID ARGUMENTS AGAINST PROPOSITION B

Vote NO on Proposition B.

The San Francisco Republican Party believes in energy conservation and new technologies. But with this measure, the Board of Supervisors is asking for a blank check, without specifying how the money will be used.

In private business, investors do not put up money without seeing a viable business plan. Proposition B asks for up to \$100 million without telling the taxpayers exactly how it will be spent, other than to assure them of its general purpose.

No bank would lend on this basis. The City's loan committee – the voters – should not fund this dotcom type of experiment.

**VOTE NO ON PROP B.**

San Francisco Republican Party

*Donald A. Casper*, Chairman

*Elsa Cheung*

*Mike DeNunzio*

*Erik Bjorn*

*Howard Epstein*

*Albert C. Chang*

*Lee S. Dolson, Jr.*

*Harold M. Hoogasian*

*Sue Woods*

The true source of funds used for the printing fee of this argument is San Francisco Republican County Central Committee and the above signers.

The three largest contributors to the true source recipient committee are 1. Alfreda Cullinan 2. George W. Rowe 3. Sally L. Saunders.

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This fiscally irresponsible scheme will squander hundreds of millions to subsidize the installation of allegedly cost effective (but unproven) renewable energy projects. And require future generations to pay for their unsound schemes.

Require City Hall politicians first to establish demonstration projects that clearly demonstrate the alleged environmental and cost benefits.

**VOTE NO! ON PROPOSITION B!**

*John Bardis*

Former San Francisco Supervisor

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

# TEXT OF PROPOSED REVENUE BOND MEASURE

## PROPOSITION B

**Resolution calling and providing for a Special Election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 6, 2001 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the City and County of San Francisco (or one of its agencies, departments or enterprises) in a principal amount not to exceed \$100,000,000 to finance the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment; consolidating said Special Election with the General Municipal Election to be held on November 6, 2001; and finding the proposed project is in conformity with the priority of Planning Code Section 101.1 (b) and the City's General Plan.**

WHEREAS, The Board of Supervisors (the "Board") of the City and County of San Francisco (the "City") is authorized to provide for the issuance of revenue bonds subject to the revenue bond voter approval requirements of Section 9.107 of the City Charter; and,

WHEREAS, Solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment provide viable means to produce safe energy resources for various agencies, departments and enterprises of the City; and,

WHEREAS, Solar energy technology allows electricity to be generated at the source where it is consumed and consequently provides increased energy independence and diminishes the vulnerability of City facilities where it is installed from rolling blackouts or other failures of the electric grid; and,

WHEREAS, Solar energy offers a clean, silent and reliable source of energy and produces energy during peak demand; and,

WHEREAS, The City will identify, evaluate and prioritize qualifying projects proposed to be funded from the Bonds. Those projects with the highest benefit to cost ratio shall be given priority access to these funds, subject to the consent of those City departments, agencies and/or enterprises which own or control the facilities or lands on which the improvements and/or facilities are proposed to be sited; and,

WHEREAS, This Board finds that it is desirable to finance the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment for various agencies, departments and/or enterprises of the City; and,

WHEREAS, It is the intent of this Board to

protect the City from price volatility in energy markets and to provide for diversity in sources and fuels used to provide electricity while providing predictable City energy budgets; and,

WHEREAS, This Board hereby finds and determines that it is in the best interests of the City to submit to the qualified voters of the City, at an election to be held for that purpose on November 6, 2001, the proposition for the issuance of revenue bonds and/or other forms of revenue financing by the City (or one of its agencies, departments or enterprises) in the principal amount not to exceed \$100,000,000 (the "Bonds") to finance the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment for various agencies, departments and/or enterprises of the City; now, therefore, be it

RESOLVED By the Board of the City, as follows:

Section 1. A special election is hereby called and ordered to be held in the City on Tuesday, November 6, 2001, at which election there shall be submitted to the qualified voters of the City the following proposition:

**SOLAR ENERGY FACILITIES AND EQUIPMENT, ENERGY CONSERVATION FACILITIES AND EQUIPMENT AND/OR RENEWABLE ENERGY FACILITIES AND EQUIPMENT REVENUE BONDS.** Shall the City and County of San Francisco (or one of its agencies, departments or enterprises) issue revenue bonds and/or other forms of revenue financing in a principal amount not to exceed \$100,000,000, to finance the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment for various agencies, departments and/or enterprises of the City?

Section 2. The cost that City departments, agencies and/or enterprises will incur over the life of the technologies shall not exceed the amount that such entities would have otherwise paid for such absent the improvements and/or facilities to be financed with the proposed Bonds.

Section 3. The proposed improvements and facilities financed by the Bonds shall constitute a single, unified, integrated enterprise, and only the revenue produced and any costs avoided by said improvements and facilities shall be pledged to the repayment of the Bonds. The Board hereby finds and determines that the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation

facilities and equipment and/or renewable energy facilities and equipment is necessary and desirable to enable the City to exercise its municipal powers and functions, namely, to produce renewable energy facilities, to conserve energy, and to provide a reliable source of energy for any present or future beneficial use of the City. The purpose for which the proposed Bonds will be issued is to finance the acquisition, construction, rehabilitation, installation and/or improvement of solar energy facilities and equipment, energy conservation facilities and equipment and/or renewable energy facilities and equipment for agencies, departments and/or enterprises of the City, including, without limitation, to finance capitalized interest on the Bonds and any other expenses incidental thereto or connected therewith. The estimated cost of the facilities and/or equipment is \$100,000,000. Said estimated costs includes all costs and expenses incidental thereto or connected therewith, including engineering, inspection, legal and fiscal agent fees and costs of the issuance of the Bonds. The maximum principal amount of the proposed Bonds is \$100,000,000.

Section 4. The Board hereby submits to the qualified voters of the City at such Special Election the proposition set forth in Section 1 of this Resolution, and designates and refers to such proposition in the form of ballot hereinafter prescribed for use at said election. 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 results thereof ascertained, determined and declared as herein provided, and in all particulars not herein recited said election shall be held and the votes canvassed according to the applicable laws of the State of California and the Charter of the City and any regulations adopted pursuant thereto, providing for and governing elections in the City, and the polls for such election shall be and remain open during the time required by said laws and regulations.

Section 5. The Special Election hereby called shall be and hereby is consolidated with the General Election of the City to be held Tuesday, November 6, 2001, and the voting precincts, polling places and officers of election for said General Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of elections for such special election hereby called. The ballots to be used at the special election shall be the ballots to be used at the General Election.

Section 6. In addition to any other matter required by law to be printed on the ballots,

*(Continued on next page)*

## **LEGAL TEXT OF PROPOSITION B (CONTINUED)**

there shall appear thereon the proposition set forth in Section 1 of this Resolution.

Each voter to vote for the proposition hereby submitted and in favor of the issuance of the Bonds shall mark the ballot card in the location corresponding to a "YES" vote for the proposition, and to vote against the proposition and against the issuance of the Bonds shall mark the ballot card in the location corresponding to a "NO" vote for the proposition.

On absentee voter ballots, the voter to vote for the proposition and in favor of the issuance of the Bonds shall mark the ballot card in the location corresponding to a "YES" vote for the proposition, and to vote against said proposition and against the issuance of the Bonds shall mark the ballot card in the location corresponding to a "NO" vote for the proposition.

Section 7. If at such Special Election it shall appear that a majority of all the voters voting on the proposition voted in favor of and approve the issuance of the Bonds for the purposes set forth in this Resolution, then such proposition shall have been authorized by the electors, and the Bonds may be issued and sold for the purpose set forth in this Resolution. The rate of interest on such bonds shall not exceed 12% per annum, may be fixed or variable, and shall be payable at such times and in such manner as the Commission shall hereafter determine.

Section 8. The Bonds, if authorized, shall be special, limited obligations of the City, payable exclusively from and secured by a lien on the revenues of the improvements and facilities financed by the Bonds and such other funds as may be legally available and pledged for such purpose. The Bonds shall not be secured by the taxing power of the City, and shall be issued under Section 9.107 of the Charter of the City and any state law or any procedure provided for by ordinance. The principal of and interest on the Bonds and any premiums upon the redemption thereof shall not constitute or evidence a debt of the City, nor a legal or equitable pledge, charge, lien or encumbrance upon any of its property, or upon any of its income, receipts or revenues, except the revenues of the improvements and facilities financed by the Bonds and such other funds as may be legally available and pledged for such purpose.

Section 9. This Resolution shall be published in accordance with any state law requirements, and such publication shall constitute notice of said election and no other notice of the election hereby called need be given.

Section 10. The appropriate officers, employees, agents and representatives of the City are hereby authorized and directed to do everything necessary or desirable to the calling and holding of said Special Election, and to otherwise carry out the provisions of this Resolution.

Section 11. PROPOSITION M FINDINGS. The Board of Supervisors having reviewed the proposed legislation, finds and declares that the proposed Bond Special Election is in conformity with the priority policies of Section 101.1(b) of the City Planning Code and with the City's General Plan, and hereby adopts the findings of the City Planning Department, as set forth in the General Plan Referral.



# WORDS YOU NEED TO KNOW

by the Ballot Simplification Committee

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## LISTED BELOW ARE DEFINITIONS OF TERMS:

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

**BONDS** (PROPOSITIONS A, B) — A bond is a promise by the City to pay back money borrowed, plus interest, by a specific date. If the City needs to raise a large amount of money to pay for a library, sewer line, school, or other project or program, it may borrow the money by selling bonds.

**CHARTER AMENDMENT** (PROPOSITIONS C,D,E,F,G,H) — The Charter is the City's constitution. The Charter cannot be changed without a vote of the people.

**EMINENT DOMAIN** (PROPOSITION F) — The power of the government to take private property for public use provided that the property owner receives just compensation.

**GENERAL OBLIGATION BONDS** (PROPOSITION A) — These bonds are used to pay for large public projects that do not raise revenue. For example, these bonds have been used to construct museums, police stations, jails, libraries, and other public facilities. Normally, a two-thirds majority of the voters must approve the sale of general obligation bonds. If the bonds are issued by a school district, they require a 55% majority vote for approval. General obligation bonds are repaid by property tax money.

**PRINCIPAL** (PROPOSITIONS A, B) — The actual amount of borrowed money. Principal does not include interest charges.

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

**QUALIFIED WRITE-IN CANDIDATES** (RIGHTS OF VOTERS) A Qualified Write-in Candidate is a person who has turned in the required papers and signatures to the Department of Elections. Although the name of this person will not appear on the ballot, voters can vote for this person by writing the name of the person in the space on the ballot provided for write-in votes. The Department of Elections counts write-in votes only for qualified write-in candidates.

**RECALL** (PROPOSITION C) — The process by which voters can remove an elected official from office.

**REFERENDUM** (PROPOSITION E) — The process by which voters can overturn legislation enacted by a governing body such as the Board of Supervisors.

**REVENUE BOND** (PROPOSITIONS B, H) — If the City needs money to pay for something, such as a sewer line or convention center, the City may borrow the money by selling bonds. The City pays back the money with interest. Revenue Bonds are bonds that are paid back using money such as fees collected by the department which issued the bonds. These bonds are not repaid with property tax money. Revenue bonds require a majority vote for approval.

**SEISMIC** (PROPOSITION A) — Of, subject to, caused or relating to earthquakes.



# Elective Office Vacancies



## PROPOSITION C

Shall the rules for filling vacancies in elective offices be changed to shorten the time that a person appointed to fill a vacant office would serve before there is an election for that office?

YES ←   
NO ←

### Digest

by Ballot Simplification Committee

**THE WAY IT IS NOW:** If a vacancy occurs on the Board of Supervisors or in the office of the Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, or Treasurer, the Mayor appoints a person to fill the vacancy. If the office of Mayor becomes vacant, the President of the Board of Supervisors becomes Acting Mayor and serves until the Board of Supervisors appoints a person to fill the vacancy.

If less than 29 months remain in the term of the vacated office, the person appointed to fill the vacancy serves out the remainder of the term. If more than 29 months remain in the term of office, the person appointed to fill the vacancy serves only until the next scheduled election occurring at least 120 days after the appointment. At that election, the voters elect a candidate to complete the term.

If a vacancy occurs on the Board of Education or Governing Board of the Community College District, the Mayor appoints a person to fill the vacancy. That person completes the term regardless of how much time remains.

The Charter currently defines the circumstances that result in a vacancy as death, resignation, permanent disability, or the inability to carry out the responsibilities of the office.

**THE PROPOSAL:** Proposition C is a Charter Amendment that—in most cases—would shorten to no more than one year the length of time an appointee could serve before there is an election for the office. In general, a person appointed to an elective office would serve until an election occurring at least 120 days, and no more than 12 months, after the office becomes vacant. At that election, the voters would elect a candidate to complete the term. No special election would be called to fill the vacancy.

Vacancies occurring on the Board of Supervisors, Board of Education, Governing Board of the Community College District or in the office of the Mayor, Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, or Treasurer would be subject to these rules.

Proposition C would specify that a vacancy caused by recall of an elected official would be subject to these rules.

**A “YES” VOTE MEANS:** If you vote yes, you want to make these changes to the election rules for filling a vacated elective office.

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

### Controller’s Statement on “C”

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

Should the proposed Charter amendment be adopted, in my opinion, there will be no significant impact on the cost of government.

### How Supervisors Voted on “C”

On July 23, 2001 the Board of Supervisors voted 11 to 0 to place Proposition C on the ballot.

The Supervisors voted as follows:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 46  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 40

# C

# Elective Office Vacancies

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## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION C

San Francisco, which prides itself in letting the voters decide issues of importance to the City, is behind the times and out of step when it comes to filling vacancies to local office.

In California, if a vacancy occurs for the U.S. Senate, the Governor's appointee must face the voters within two years. Likewise, if a vacancy occurs for the U.S. Congress or for the California legislature, voters elect the successor within twelve months.

In San Francisco, however, appointees to City-wide office and for Supervisor may serve for up to 29 months, and to the Community College and School Boards for up to 48 months before they must face the voters.

With the exception of a vacancy for Mayor, which is filled by the Board of Supervisors, all other vacancies are filled by the Mayor.

From 1996 to 1999, the Mayor appointed six members to the Board of Supervisors - a majority of the old Board.

This tended to limit open debate at the Board on the issues of great importance to San Francisco, and undermine the independence of the Board as a co-equal branch of government.

The voters last Fall, stated, loud and clear, that they wanted to see balance restored to City government, and to make the Board

more accountable to the voters.

Proposition C would do just that.

In most cases, this Charter Amendment would limit the time to one year that appointees would serve without standing for election. The appointees would face the voters at elections already scheduled, resulting in no additional cost to administer elections.

Proposition C would restore balance to City Government, put San Francisco in step with the rest of the State, and shift power to fill all elective offices back to the voters where it rightfully belongs.

Vote Yes on Proposition C.

*Board of Supervisors*

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### How Supervisors Voted to Submit this Argument

The Supervisors voted as follows on August 20, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

**Absent:** Sandoval

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

**NO REBUTTAL TO PROPONENT'S ARGUMENT WAS SUBMITTED**

# Elective Office Vacancies



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## OPPONENT'S ARGUMENT AGAINST PROPOSITION C

**NO OPPONENT'S ARGUMENT WAS SUBMITTED**

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION C

**NO REBUTTAL TO OPPONENT'S ARGUMENT WAS SUBMITTED**



# Elective Office Vacancies

## PAID ARGUMENTS IN FAVOR OF PROPOSITION C

The voters should decide who holds an elective office – not one politician with the power of appointment. Vote Yes on C. Return the vote to the Voters.

*San Francisco Tomorrow*

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

Vacancies in elective office should not be left only to the Mayor to fill. Let the people choose at the next regular election.  
**Yes on C!**

*Asian American Political Coalition  
Chinese American Democratic Club*

The true source of funds used for the printing fee of this argument is Asian American Political Coalition.

The three largest contributors to the true source recipient committee are 1. Arthur Chang 2. Richard Ow 3. James Nakamura.

Proposition C will keep elected officials accountable to the voters rather than to the Mayor.  
Return the power to the people! Vote Yes on Proposition C!

*Harvey Milk LGBT Democratic Club*

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

Democratic accountability depends on filling vacancies in office by election. Keep city officials accountable to the people of our neighborhoods.

Vote Yes on Proposition C.

*Coalition for San Francisco Neighborhoods*

The Coalition for San Francisco Neighborhoods, is an umbrella organization of 33 neighborhood groups.

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

We recommend a Yes vote on Proposition C - Vacancy in Elective Office.

*San Francisco Democratic Party*

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

The three largest contributors to the true source recipient committee are 1. John Burton 2. Jackie Speier 3. Tom Lantos.

Vote YES on Proposition C.

The San Francisco Republican Party believes that voters who elect our officials should also elect their replacements when vacancies arise. This measure would shorten the time a mayoral appointee could serve in elective office before facing the voters.

Checks and balances are central to American democracy. This measure will restore checks and balances in our own City Hall.

*San Francisco Republican Party*

*Donald A. Casper, Chairman*

*Elsa Cheung*

*Mike DeNunzio*

*Erik Bjorn*

*Howard Epstein*

*Albert C. Chang*

*Lee S. Dolson, Jr.*

*Mike Fitzgerald*

*Harold M. Hoogasian*

*Gail Neira*

*Sue Woods*

The true source of funds used for the printing fee of this argument is San Francisco Republican County Central Committee and the above signers.

The three largest contributors to the true source recipient committee are 1. Alfreda Cullinan 2. George W. Rowe 3. Sally L Saunders.

Join the Coalition for San Francisco Neighborhoods, San Francisco Planning and Urban Research Association (SPUR), San Francisco Chamber of Commerce, San Francisco Republican Party, San Francisco Democratic Party, and every other organization which has endorsed this Good Government measure. Proposition C requires that nearly every appointee to local elected office must face the voters within one year of a vacancy occurring. This measure will make City Hall more accountable to San Francisco voters.

Vote Yes on Proposition C.

*Christopher L. Bowman, Member*

Citizens Advisory Committee on Elections, 1993-2001\*

\* for identification purpose only

The true source of funds used for the printing fee of this argument is Christopher L. Bowman.

# Elective Office Vacancies



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## PAID ARGUMENTS AGAINST PROPOSITION C

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## No Paid Arguments Were Submitted Against Proposition C

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# TEXT OF PROPOSED CHARTER AMENDMENT

## PROPOSITION C

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of said city and county by repealing Sections 2.102 and 6.107, amending Sections 3.102, 8.100 and 8.101 and adding Section 13.101.5 to shorten the period following a vacancy in an elective office before there is an election to fill the unexpired term.

The Board of Supervisors hereby submits to the qualified voters of said city and county at an election to be held on November 6, 2001, a proposal to amend the Charter of said city and county by repealing Sections 2.102 and 6.107, amending Sections 3.102, 8.100 and 8.101 and adding Section 13.101.5, so that the same shall read as follows:

Note: Additions are underline;  
deletions are ~~strikethrough~~

Section 1. The San Francisco Charter is hereby amended, by repealing Section 2.102 as follows:

### ~~SEC. 2.102. VACANCIES.~~

~~If a vacancy shall exist on the Board of Supervisors because of the death, resignation, permanent disability or the inability of a member to otherwise carry out the responsibilities of the office, the Mayor shall appoint a qualified successor. Should more than 29 months remain in the unexpired term, the appointee shall serve until the next general municipal or statewide election occurring not less than 120 days after the appointment, at which time an election shall be held to fill the unexpired term.~~

Section 2. The San Francisco Charter is hereby amended, by amending Section 3.102 to read as follows:

### SEC. 3.102. VACANCIES ABSENCE FROM STATE OR TEMPORARY DISABILITY.

If the Mayor is absent from the state or temporarily disabled without designating an Acting Mayor, the President of the Board of Supervisors shall act as Mayor until such time as the Mayor shall return to office.

~~If the Office of Mayor should become vacant because of death, resignation, permanent disability or the inability to carry out the responsibilities of the office, the President of the Board of Supervisors shall become Acting Mayor and shall serve until a successor is elected by the Board of Supervisors. Should more than 29 months remain in the unexpired term of the Mayor, the successor elected by the Board of Supervisors shall serve until the next general municipal or statewide election occurring not less than 120 days after the Board's action, at which time an election shall be held to fill the unexpired term.~~ In case of a disaster in which neither the Mayor nor the President of the Board of Supervisors is able to serve as Mayor, the order of succession shall be as designated by ordinance.

Section 3. The San Francisco Charter is hereby amended, by repealing Section 6.107 as follows:

### ~~SEC. 6.107. VACANCIES.~~

~~If the position of Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff or Treasurer shall become vacant because of death, resignation, permanent disability, or the inability of the respective officer to otherwise carry out the responsibilities of the office, the Mayor shall appoint an individual qualified under this Charter and state laws. Should more than 29 months remain in the unexpired term, the appointee shall serve until the next general municipal or statewide election occurring not less than 120 days after the appointment, at which time an election shall be held to fill the unexpired term.~~

Section 4. The San Francisco Charter is hereby amended, by amending Section 8.100 to read as follows:

### Sec. 8.100. UNIFIED SCHOOL DISTRICT.

The Unified School District shall be under the control and management of a Board of Education composed of seven members who shall be elected by the voters of the Unified School District. A student representative shall serve on the Board in accordance with state law. No member of this Board shall be eligible to serve on the Governing Board of the Community College District. ~~Vacancies occurring on the Board shall be filled for the unexpired term by the Mayor.~~ The compensation for each member shall be \$500 per month. The terms of office in effect for Board members on the date this Charter is adopted shall continue.

Section 5. The San Francisco Charter is hereby amended, by amending Section 8.101 to read as follows:

### SEC. 8.101. GOVERNING BOARD OF THE COMMUNITY COLLEGE DISTRICT.

The Community College District shall be under the control and management of a Governing Board composed of seven members who shall be elected by the voters of the Community College District. A student representative shall serve on the Governing Board in accordance with state law. No member of this Board shall be eligible to serve on the Board of Education. ~~Vacancies occurring on the Governing Board shall be filled for the unexpired term by the Mayor.~~ The compensation for each member shall be \$500 per month. The terms of office in effect for Board members on the date this Charter is adopted shall continue.

Section 6. The San Francisco Charter is hereby amended, by adding Section 13.101.5 to read as follows:

### SEC. 13.101.5. VACANCIES

(a) If the office of Assessor-Recorder, City Attorney, District Attorney, Public Defender, Sheriff, Treasurer, or Member of the Board of Supervisors, Board of Education or Governing

Board of the Community College District becomes vacant because of death, resignation, recall, permanent disability, or the inability of the respective officer to otherwise carry out the responsibilities of the office, the Mayor shall appoint an individual qualified to fill the vacancy under this Charter and state laws.

(b) If the Office of Mayor becomes vacant because of death, resignation, recall, permanent disability or the inability to carry out the responsibilities of the office, the President of the Board of Supervisors shall become Acting Mayor and shall serve until a successor is appointed by the Board of Supervisors.

(c) Any person filling a vacancy pursuant to subsection (a) or (b) of this Section shall serve until a successor is selected at the next election occurring not less than 120 days after the vacancy, at which time an election shall be held to fill the unexpired term, provided that (1) if an election for the vacated office is scheduled to occur less than one year after the vacancy, the appointee shall serve until a successor is selected at that election or (2) if an election for any seat on the same board as the vacated seat is scheduled to occur less than one year but at least 120 days after the vacancy, the appointee shall serve until a successor is selected at that election to fill the unexpired term.

(d) If no candidate receives a majority of the votes cast at an election to fill a vacated office, the two candidates receiving the most votes shall qualify to have their names placed on the ballot for a municipal runoff election at the next regular or otherwise scheduled election occurring not less than five weeks later. If an instant runoff election process is enacted for the offices enumerated in this Section, that process shall apply to any election required by this Section.

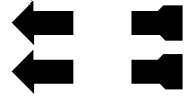
# Voter Approval Required for Bay Fill



## PROPOSITION D

Shall voter approval be required for any City project that would place 100 acres or more of fill in San Francisco Bay?

YES  
NO



## Digest

by Ballot Simplification Committee

**THE WAY IT IS NOW:** The City does not need voter approval to build a project that would place fill in San Francisco Bay. The placement of fill in the Bay does require approval of some federal, state and local agencies.

Voter approval would apply only to the project submitted to the voters. A substantial change or successful legal challenge to the project could require the City agency to resubmit it to the voters for approval.

**THE PROPOSAL:** Proposition D is a Charter Amendment that would require voter approval before any City agency could begin construction of a project that would place 100 acres or more of fill - including earth and structures - in San Francisco Bay. Once an environmental impact report (EIR) is certified and the City agency approves the project, notice would be sent to the Director of Elections. The measure then would be placed on the ballot at the next election, occurring at least 120 days after the notice.

**A "YES" VOTE MEANS:** If you vote yes, you want to require voter approval of any City project that would place 100 acres or more of fill in the Bay.

**A "NO" VOTE MEANS:** If you vote no, you do not want to require voter approval of any City project that would place 100 acres of fill or more in the Bay.

If voters do not approve the measure by a majority vote, the project would not be able to proceed.

## Controller's Statement on "D"

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

Should the proposed Charter amendment be adopted, and questions regarding Bay fill projects are placed on the ballot in future elections, in my opinion, there would be a minor increase in printing costs associated with including these questions in voter handbooks and materials. If the voters ultimately accept or reject future projects through this process there could be either costs or benefits to the City as a result, however, those costs or benefits cannot be estimated at this time.

## How Supervisors Voted on "D"

On July 23, 2001 the Board of Supervisors voted 11 to 0 to place Proposition D on the ballot.

The Supervisors voted as follows:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 58  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 40

# D

# Voter Approval Required for Bay Fill

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION D

VOTING YES ON D GIVES ALL SAN FRANCISCANS THE RIGHT TO VOTE ON MASSIVE LAND FILL DEVELOPMENT IN SAN FRANCISCO BAY.

**Over the years, land fill and development have devastated San Francisco Bay:**

- The Bay has been shrunk one-third in size
- 95% of the Bay's tidal wetlands have been destroyed
- Over 100 species of Bay fish and wildlife are extinct, endangered or threatened

Today, a new Bay fill development has been proposed for the expansion of San Francisco International Airport. It has called for destroying up to 1,400 acres, or two square miles, of the Bay – **the largest Bay fill development ever proposed.**

Scientists convened by the National Oceanic and Atmospheric Administration have warned that this development project could have a devastating impact on San Francisco Bay's waters and wildlife.

**But right now, this huge Bay fill project could be rubber-stamped by political appointees without the oversight and approval of San Francisco voters.**

The San Francisco Board of Supervisors voted unanimously for this Charter Amendment because we believe that massive Bay fill development projects should be decided by voters, not political appointees.

The power to destroy more of San Francisco Bay should not

remain in the hands of a few -- the public deserves a real voice on development that threatens our precious Bay.

On November 6, please join the Coalition for San Francisco Neighborhoods, Golden Gate Audubon Society, Sierra Club, Save The Bay, Bay Area business leaders and working people and Vote YES on D -- **Give the Bay a Vote.**

- Supervisor Aaron Peskin*
- Supervisor Tom Ammiano*
- Supervisor Gavin Newsom*
- Supervisor Chris Daly*
- Supervisor Matt Gonzalez*
- Supervisor Jake McGoldrick*
- Supervisor Tony Hall*
- Supervisor Mark Leno*
- Supervisor Sophie Maxwell*
- Supervisor Gerardo Sandoval*
- Supervisor Leland Yee*

### How Supervisors Voted to Submit this Argument

The Supervisors voted as follows on August 20, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee

**Absent:** Sandoval

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

**THE KEY ISSUES: HOW MUCH DAMAGE WILL BE DONE TO INTERNATIONAL AIRPORT SAFETY AND THE HOTEL AND TOURIST TRADE IF PROPOSITION D PASSES???**

If Proposition D passes anti-growth forces will be greatly strengthened in slowing down gravely needed San Francisco International Airport expansion. Our hotel, restaurant, and tourist trade will be hurt. Sadly, *many larger passenger jets* carrying 700 to 900 people will avoid our City's International Airport due to safety concerns.

To the extent that the large jets *do* use the International Airport, *safety standards* will be *seriously lowered*.

San Francisco is a world-class city. It surely deserves the safest possible landing environment for its airline crews and their passengers.

Passage of unwise Proposition D would *wrongfully endanger* users of our City's International Airport.

Air travel has enough problems even with the highest professional standards. Unmodified, the San Francisco International

Airport is an RMS Titanic waiting to happen:

In 1910, the Belfast construction firm of Harland and Wolff's Alexander Carlisle recommended to White Star Line's managing director Bruce Ismay that the Titanic and two sister ships each be equipped with 48 lifeboats. Ismay rejected the idea, noting that only 16 were legally required. Carlisle later testified: "We spent two hours discussing carpet for the First Class cabins and fifteen minutes discussing lifeboats." [Daniel Allen Butler's *Unsinkable*, Stackpole Books (1998).]

Vote "NO" on Proposition D!

- Dr. Terence Faulkner, JD*
- Past County Chairman
- San Francisco Republican Party
- Patrick Fitzgerald*
- Former Secretary
- San Francisco Democratic Party
- Gail E. Neira*
- San Francisco Republican Committeewoman

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



# Voter Approval Required for Bay Fill

## OPPONENT'S ARGUMENT AGAINST PROPOSITION D

### **DON'T WRECK THE SAN FRANCISCO INTERNATIONAL AIRPORT:**

It's no secret: San Francisco's most important industry is its hotel and tourist trade. Our thousands of restaurants, most of our Bay tour ships and much of our taxi services are supported by that business.

Even our cable cars are largely supported by tourists.

Proposition D is a serious danger to our hotel and tourist trade and to the rich culture of San Francisco.

Proposition D just proposes further red-tape and to cause additional time delays to slow down the needed enlargement of our San Francisco International Airport.

### **WHY CHANGE IS NEEDED:**

Proposition D was put on the ballot to slow down the needed minor filling-in of the 400-square-miles San Francisco Bay. Our International Airport has to extend its landing fields to safely and properly serve the much larger passenger jet aircraft of the future.

Airports all across the world are being modified for those new needs.

The new passenger jets will transport 700 to 900 persons per flight and will require longer landing fields.

Protect our San Francisco hotel and tourist trade. Our hotel tax supports all sorts of events, including Chinese New Year, and the St. Patrick's Day and Columbus' Day parades.

Keep San Francisco a world-class City.

Vote **"NO"** on Proposition D!

*Citizens for Elections Law Reform*

*Dr. Terence Faulkner, JD*

Citizens for Election Law Reform Chairman

*Gail E. Neira*

Hispanic Image Leadership Development Director

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION D

### **PROP D GIVES PEOPLE, NOT POLITICAL APPOINTEES, THE RIGHT TO DECIDE**

Don't be fooled. Proposition D does one thing - it gives you, the voter, the right to decide on large developments in San Francisco Bay. Proposition D is not for or against the airport.

SF League of Women Voters says YES on D

The San Francisco League of Women Voters says, "Because the Bay is such a crucial part of all our lives and because it is our position that citizens must have a meaningful participation in land use planning regulation in San Francisco, we support Proposition D."

Labor and Business groups say YES on D

Proposition D provides public accountability on large bay fill projects.

The SF Chamber of Commerce, Local 21—International Federation of Professional & Technical Engineers have endorsed it.

Community leaders say YES on D

The Bay belongs to all of us. That's why the Coalition for San Francisco Neighborhoods, State Senator Jackie Speier,

Assemblywoman Carole Migden, the San Francisco Democratic Party, the Harvey Milk LGBT Democratic Club and many, many other community organizations endorse it.

The Sierra Club, Save the Bay and Golden Gate Audubon Society say YES on D.

Opponents talk about "minor fill" of the Bay. In fact, any project that destroys 100 acres of the Bay would be the largest approved in 30 years.

That's why every leading environmental organization in the Bay Area urges you to vote YES on Prop D.

*Board of Supervisors*

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### **How Supervisors Voted to Submit this Argument**

The Supervisors voted as follows on August 27, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee

**Absent:** Newsom

# D

# Voter Approval Required for Bay Fill

## PAID ARGUMENTS IN FAVOR OF PROPOSITION D

For the past 30 years, the Bay Area has united to slow down Bay fill development and restore vital wetlands. Now, proposals for new development could destroy decades of hard work.

**Vote Yes on D to protect the Bay and empower people.**

See [www.sflcv.org](http://www.sflcv.org) for more environmental endorsements.

*Amandeep Jawa*, President  
San Francisco League Of Conservation Voters

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

The three largest contributors to the true source recipient committee are 1. Johanna Wald 2. Amandeep Jawa 3. Jeff Henne

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The public has a right to say  
What happens to the Bay  
Vote Yes on D!

*San Francisco Tomorrow*

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

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SPEAK is committed to protecting the Bay against excessive fill, such as proposed by SFO. A "Yes" on D gives both the Bay and the citizens of San Francisco a vote.

*SPEAK*  
Sunset-Parkside Education and Action Committee

The true source of funds used for the printing fee of this argument is Sunset-Parkside Education and Action Committee (SPEAK).

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Vote yes on Proposition D.  
Pity the ducks and geese, the egrets and herons, the fish, shellfish and all of the wondrous living creatures that depend on San Francisco Bay for their existence. They cannot speak out for themselves when their home, San Francisco Bay, is threatened.

As the Bay and its wildlife disappear so are our own lives diminished. Proposition D gives us, the people of San Francisco, a voice in what happens to our Bay so that we can ensure the continued existence of the wonderful creatures with whom we share our world.

*Arthur Feinstein*, Executive Director  
Golden Gate Audubon Society, Inc.

The true source of funds for the printing fee of this argument is Golden Gate Audubon Society, Inc.

Exercise your right to protect the Bay and the health of the people, fish and wildlife that depend on it.

Don't let the developers decide on the fate of this precious resource.

*Lena Brook*  
Clean Water Action

The true source of funds used for the printing fee of this argument is Clean Water Action.

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Today, 5 political appointees hold the future of our Bay and our airport in their hands. As neighbors and families who use SFO and the Bay, we also deserve a voice.

Vote Yes on D!

*Telegraph Hill Dwellers*

The true source of funds used for the printing fee of this argument is Telegraph Hill Dwellers.

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We have many concerns about filling the bay for additional airport construction. Proposition D will ensure that our concerns are addressed by giving the voters a voice in the decision.

Yes on D!

Richmond District Neighbors  
*Charlotte Breckenridge*                      *David Miles*  
*Jennifer Clary*                                      *Nancy Miles*  
*Frances Susan Hall*                              *Rebecca Richardson*  
*Michael Mooney*

The true source of funds used for the printing fee of this argument is Jennifer Clary, Rebecca Richardson, Charlotte Breckenridge.

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Let the people decide.

*Joel Ventresca*  
President, Coalition for San Francisco Neighborhoods (1992-94)

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

# Voter Approval Required for Bay Fill

## PAID ARGUMENTS IN FAVOR OF PROPOSITION D

### Stop the Delays!

SFO serves 40 million passengers annually.  
SFO has one of the worst on-time arrival records in the nation.  
Delays at SFO cause loss of valuable passenger time and millions of passenger dollars.  
Delays at SFO ruin long awaited family vacations and important business meetings and just about any occasion that requires planning and punctuality.  
Change to SFO must be made.  
Let voters decide which changes are the people's interest , support Prop D.

*A. Lee Blich*  
President & CEO  
San Francisco Chamber of Commerce

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

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San Francisco Bay is the single most important estuary on the west coast of North and South America. It is an economic treasure and environmental gem deserving of the greatest protection. Please join fishermen in protecting the Bay and voting for Proposition D.

*Allison Vogt,*  
*Nicole Brown*  
Pacific Coast Federation of Fishermen's Associations

The true source of funds used for the printing fee of this argument is Zeke Grader, and Pacific Coast Federation of Fishermens Associations.

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Prop D requires that any city proposal for major development on Bayfill go before the voters. A fully informed public can make the right decision.

Democratic Women's Forum  
The true source of funds used for the printing fee of this argument is Democratic Womens Forum.

The three largest contributors to the true source recipient committee are 1. Joan Simmons 2. Pat Montague 3. Jane Morrison.

BAY WATCHDOGS SUPPORT PROPOSITION D  
Prop D puts stewardship for our greatest environmental treasure where it belongs -- in the hands of the people. Please protect this jewel in our own backyard.

*Johanna Wald,* Natural Resources Defense Council  
*Jonathan Kaplan,* San Francisco Baykeeper  
*Elisa Lynch,* Bluewater Network

The true source of funds used for the printing fee of this argument is Johanna Wald, NRDC.

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The beauty of the Bay draws us to San Francisco. Those who paddle, surf and sail the Bay know it's home to birds, fish, seals and even whales.

Quality of life cannot be measured in dollars. The Bay should not be degraded for profit. 100 acres of fill can alter tides that nourish and cleanse the Bay.

The people, not political appointees, should decide if there is good cause to sacrifice the health of the Bay.

*Marian Henry,* Windsurfer     *Stephen Hiley,* Windsurfer  
*Mike Courson,* Surfer     *Demece Garepis,* Sea Kayaker

The true source of funds used for the printing fee of this argument is Marian Henry, Stephen Hiley, Demece Garepis.

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If there were a plan to fill a square mile of your neighborhood, wouldn't you want the right to decide if it was the right plan? Wildlife in S.F. Bay don't have that choice. Give them a voice. VOTE YES ON D.

*Sierra Club*

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

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As Presidio neighbors, we know that unsupervised government is bad government. Don't let bureaucrats decide on filling the Bay.

Give the people a vote.  
Yes on D- District 2 Residents

*Nia Crowder*  
*Daniela Kirshenbaum*  
*Joel Hornstein,* MUD Director Candidate

The true source of funds used for the printing fee of this argument is Nia Crowder, Daniela Kirshenbaum, Joel Hornstein.

# D

# Voter Approval Required for Bay Fill

## PAID ARGUMENTS IN FAVOR OF PROPOSITION D

A good government must be held accountable for its actions. Proposition D provides that accountability for massive bay fill projects.

Join District 3 neighbors in voting Yes on D!

*Arthur Chang*                      *Jonee Hacker*  
*Gerry Crowley*                    *Richard Ow*  
*Merle Goldstone*                *Ann Yuey*  
*Mary Nelson*, President, District 3 Democratic Club\*  
\* for identification purposes only

The true source of funds used for the printing fee of this argument are Arthur Chang, Richard Ow, Mary Nelson.

The **Environment** should be our priority. Let the people vote on filling of the Bay! Democracy means the consent of the people.  
**Yes on D!**

*Asian American Political Coalition*  
*Chinese American Democratic Club*

The true source of funds used for the printing fee of this argument is Asian American Political Coalition.

The three largest contributors to the true source recipient committee are 1. Richard Ow 2. Arthur Chang 3. Houston Zheng.

It's vitally important the citizens of San Francisco vote on the expansion of SFO runways. The bay's environmental sensitivity demands – and deserves – an unbiased decision by an informed electorate. The repercussions are too great to leave to special interests. Please vote yes on D.

District 4 Residents  
*Priscilla Eshelman*                *Mary Anne Miller*  
*Anne Clarke*                        *Arlene Enos*  
*Eileen Boken*

The true source of funds used for the printing fee of this argument are Priscilla Eshelman, Mary Anne Miller, Eileen Boken.

Prop D doesn't decide whether the City builds on massive Bayfill. It gives the voters the right to decide in a future election  
At present the city's decision is made solely by five political appointees.

*Wade Crowfoot*

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

By the 1960s developers had filled one-third of San Francisco Bay. There has been no major Bay fill since. The voters must now be the judge of any massive new project on the Bay.

District 5 Residents  
*Agar Jaicks*                        *Jim Rhoads*  
*Ed Dunn*                            *Catherine Rouse*  
*Tracey Baxter*                      *Jane Morrison*

The true source of funds used for the printing fee of this argument are Agar Jaicks and Jim Rhoads.

SFO's new runways could send 200 more flights over our neighborhood daily– That's 200 reasons why NEIGHBORS, not bureaucrats, should have the right to decide.

District 8 residents say Yes on D

*Raymond Berard*                    *James Gravanis*  
*Rona Dacoscos*                    *Veronica Oliva*  
*Lisa Herbinger*                    *Kathryn Buckley*  
*Ruth Gravanis*                      *Zoanne Nordstrom*

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

Why should a \$4 billion Bay development project have voter approval? So it doesn't become a \$4 billion boondoggle.

Vote Yes on D

*Excelsior District Improvement Association*

The true source of funds used for the printing fee of this argument is Excelsior District Improvement Association.

San Francisco citizens have a unique opportunity to give voice to how our precious resource, the Bay, is used. Our YES VOTE ON D determines its future for generations to come.

District 6 Residents  
*Denise D'Anne*, City Commissioner  
*Garrett Jenkins*, MUD Board Candidate

The true source of funds used for the printing fee of this argument is Denise D'Anne, Garrett Jenkins.

# Voter Approval Required for Bay Fill

## PAID ARGUMENTS IN FAVOR OF PROPOSITION D

Yes on D doesn't decide now on Bayfill.

It means City agencies must fully inform us and create the best possible proposal before putting it before us in a future election.

*Dean Goodwin*, San Francisco Democratic Party Vice Chair  
*Dan Kalb*, Sierra Club Chapter Chair  
*Rebecca Delgado-Rottman*, Filipino American Democratic Club  
*Henry Louie*, Democratic County Central Committee

The true source of funds used for the printing fee of this argument are Dan Kalb and Henry Louie.

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If a City agency wants to build on Bay fill, the public has a right to be fully informed and to vote in a future election on any proposal.

Why not? Yes on D.

*Alex Wong*, Chair  
*Jane Morrison*, Vice Chair  
San Francisco Democratic Party

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

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We recommend a Yes vote Proposition D - Right to Vote on Land Fill in San Francisco Bay

*San Francisco Democratic Party*

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

The three largest contributors to the true source recipient committee are 1. John Burton 2. Jackie Speier 3. Tom Lantos.

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San Francisco voters ought to have the opportunity to vote on any City proposal for major development on Bay fill.

*State Assemblywoman Carole Migden*

The true source of funds used for the printing fee of this argument is State Assemblywoman Carole Migden.

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Save the Bay! San Franciscans deserve the chance to vote yes or no on large-scale development projects that threaten our fragile ecosystem. **Yes on D!**

*San Francisco Green Party County Council*

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

The three largest contributors to the true source recipient committee are 1. Matt Gonzalas for Supervisor Campaign 2. William H. Travis 3. Marge Harburg.

San Francisco Bay is a great economic, environmental and recreational asset valued by everyone. Yes on D gives voters, in a future election, the right to decide what happens to the Bay.

*Robin Levitt*  
*Jeff Sheehy*  
*Shawn O'Hearn*  
*Eric Mar*, San Francisco Board of Education

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

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Why pay to pave the Bay? Prop D lets you, the taxpayer, decide whether the economic and environmental costs of huge San Francisco bayfill projects are worth it.

Vote YES on D.

District 7 Residents  
*Richard Bodisco*, Real Estate Broker  
*Amy Quirk*, Environmental Attorney  
*Bud Wilson*, Neighborhood Leader  
*Daniel Liberthson*, Consultant

The true source of funds used for the printing fee of this argument is Amy V. Quirk.

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### DISTRICT 9 WANTS BAY VOTE

Our neighborhoods have been devastated by out-of-control development approved behind closed doors. Don't let what happened to us happen to San Francisco Bay. Vote Yes on D.

*District 9 residents*

The true source of funds used for the printing fee of this argument is Charlotte Hill, Steven Krefting, Kathryn Morelli, and Bruce Balshone.

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Massive transportation projects, like runway expansion, have far-reaching consequences. Voter approval of these projects ensures government agencies thoroughly evaluate environmental, financial and transportation impacts.

Yes on D

*Tom Radulovich*, BART Director  
*Howard Strassner*, Sierra Club Transportation Chair

The true source of funds used for the printing fee of this argument is Bay Vote Yes!.

The three largest contributors to the true source recipient committee are 1. Save The Bay 2. Jane Morrison 3. Martin J. Rosen.

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

# D

# Voter Approval Required for Bay Fill

## PAID ARGUMENTS IN FAVOR OF PROPOSITION D

### GIVE THE BAY A VOTE

Right now, just five S.F. political appointees have the power to pollute our Bay with landfill. Don't allow massive destruction of fish, wildlife and water quality. Proposition D gives the Bay a voice and the people a vote. Protect the Bay for future generations. Vote Yes on D!

*Save The Bay*

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

### REPUBLICANS SUPPORT FISCALLY RESPONSIBLE PROPOSITION D

New runways may cost \$10 billion and take 10 years to build. Proposition D gives the public oversight and accountability on a massive project.

*SF Republican Central Committee Members Albert Chang, Mike Fitzgerald, Rita O'Hara, Gail Neira, Grace Norton Howard Lee*

*Former Republican Central Committee Member Christopher L. Bowman*

The true source of funds used for the printing fee of this argument is Bay Vote Yes!.

The three largest contributors to the true source recipient committee are 1. Save The Bay 2. Jane Morrison 3. Martin J. Rosen.

San Franciscans are vitally interested in their City government.

It's important that they have a say in any City proposal for major development on the waters of San Francisco Bay. Yes on D.

*Assemblyman Kevin Shelley*

The true source of funds used for the printing fee of this argument is Assemblyman Kevin Shelley.

The people should have the final say over whether huge development projects fill the San Francisco Bay. Proposition D takes this power away from political appointees influenced by developer campaign contributions and returns it to the people.

Vote Yes on D to protect your rights and protect your Bay.

*Harvey Milk LGBT Democratic Club*

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

Don't allow City Hall bureaucrats and/or commissioners unilaterally to propose schemes to fill in San Francisco Bay.

Require City Hall bureaucrats and/or commissioners first to seek your approval of their proposed schemes to fill San Francisco Bay.

**VOTE YES! ON PROPOSITION D!**

*John Bardis*

Former San Francisco Supervisor

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

Greedy airlines, out of town developers, and unaccountable bureaucrats shouldn't have the right to destroy our beautiful bay. WE NEED A SAY. Vote yes on D

Residents of District 10

*Wendy Brummer-Kocks*

*Greg Freeman*

*Jill Fox*

*Alex Lantsberg*

*Richard C. Millet*

*Pauline Peele*

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

The Coalition for San Francisco Neighborhoods, representing 33 neighborhood groups, unanimously supports Proposition D.

The people of San Francisco have demonstrated again and again they can be trusted to make informed decisions on complex matters. When it comes to things we love, OUR CITY and OUR BAY, we should respect the advice of our appointed officials-state, federal and local-but reserve the right to make OUR OWN DECISIONS that will affect our future and the future of our children.

*Coalition for San Francisco Neighborhoods*

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

# Voter Approval Required for Bay Fill



## PAID ARGUMENTS IN FAVOR OF PROPOSITION D

### Stop Delays - Join Mayor Brown and Vote Yes on D

As the citizens of San Francisco and residents of the entire Bay Area are already painfully aware, San Francisco Airport is among the five most delayed airports in the nation.

While there are few realistic alternatives available to solve the serious problems of delay, we continue to strive for complete and full disclosure, more opportunities for public input and additional outreach and public participation in **every phase** of the proposed airport expansion project. Efforts have included:

- **Five independent studies** to analyze critical issues, including no-build alternatives and techniques to reduce or completely avoid bay fill;
- **Dozens of well-attended forums** to address noise, alternatives and environmental mitigation;
- **Intense peer review** by more than two dozens independent scientists to assure that our scientific analysis is complete and thorough; and
- An **extensive environmental review** document, to be released next year.

I invite you to participate as this unprecedented public review process continues forward. Up-to-date studies, the times and locations of upcoming forums and hearings and the status of our environmental review can be found at [www.flysfo.com](http://www.flysfo.com).

With your help, we can all select the right alternative for San Francisco and the Bay.

*Mayor Willie L. Brown*

The true source of funds used for the printing fee of this argument is Bay Area Airport Coalition.

The largest contributor to the true source recipient committee is: DDF Y2K Family Trust.

### Yes on D to Save the Bay, Airport and Jobs

San Francisco Airport is an essential part of the Bay Area economy. Not only is Proposition D about expanding our runways to stop delays, but it will also help to create new Bay Area jobs, keep our economy on track and protect the Bay. Only by expanding the airport can we begin to seriously address improved safety and put an end to the agonizing delays that all Bay Area residents endure.

Proposition D can help us protect the economic vitality of the Bay Area. It will also help us ensure economic growth, trade and commerce, as well as provide job security and well paying jobs in the transportation sector. All of these things will help to bolster our Bay Area economy in these uncertain times, while also protecting the Bay, one of our most valuable resources.

Vote YES on D to build new runways and keep our economy strong.

*Kathleen Harrington*

Owner, Harrington's Bar & Grill

*Susan Lowenberg*

Lowenberg Corporation

*Nathan Dwiri*

President, Yellow Cab Cooperative

The true source of funds used for the printing fee of this argument is Bay Area Airport Coalition.

# D

# Voter Approval Required for Bay Fill

## PAID ARGUMENTS IN FAVOR OF PROPOSITION D

### **Vote to Improve the Airport and Save the Bay**

From its inception, the processes reviewing the obvious need – and possible options – for expansion at SFO have rigorously engaged the public, more so than any other such project. Every possible effort has been put forth to solicit public input and participation through public forums, round table discussions, regular public briefings and town hall-style forums all over the Bay Area.

The Commission is committed to making the Bay Area a better place to live by reducing aircraft delays and improving the environment.

We have also gone above and beyond that required by the 32 separate regulatory agencies that are involved in the review process, commissioning independent analysts and a panel of scientists from the National Oceanic and Atmospheric Administration to assess the potential impacts of any airport expansion.

Labor, business and environmentalists all agree that Proposition D provides a sensible balance between the environmental protection and the economic needs that the Bay Area so desperately requires in these uncertain times.

Please join us in voting YES on Proposition D, to improve the airport and preserve the Bay.

*San Francisco Airport Commission*

The true source of funds used for the printing fee of this argument is Bay Area Airport Coalition.

The largest contributor to the true source recipient committee is: DDF Y2K Family Trust.

### **Support our Bay and our Neighborhoods**

Proposition D recognizes the need to balance the economic and environmental factors regarding the future of the Bay and our communities. The Airport Commission has actively engaged communities from all over the Bay Area in the process of reviewing all possible options for expanding the airport. There have been town hall meetings and forums where people from every corner of the City have shared their ideas about the future of the airport and its impact on their own neighborhood. It has been unlike any other review process in the Bay Area.

Proposition D enables us to support the airport's runway expansion efforts and ensure the impact to our Bay is minimal. The proposed runways have been designed to build around our neighborhoods, making consideration of both noise and air pollution in the surrounding areas a central part of their plans. Proposition D will help protect our neighborhoods and our Bay.

Vote YES on D to support our airport, our Bay and our communities.

*Tom Hsieh*

*Roger Cardenas*

*Carole Cullum*

*August Longo*

*Sabrina Saunders*

*Dean Goodwin*

The true source of funds used for the printing fee of this argument is Bay Area Airport Coalition.

The largest contributor to the true source recipient committee is: DDF Y2K Family Trust.



# Voter Approval Required for Bay Fill



## PAID ARGUMENTS AGAINST PROPOSITION D

Vote NO on Proposition D.

Republicans passed the nation's first environmental laws, creating our national parks system. We will always protect San Francisco Bay from unsound developments, but common sense and balance must prevail. The beautiful Golden Gate and San Francisco-Oakland Bay bridges did not destroy the Bay – and neither will the limited expansion of two airport runways. San Francisco needs an airport that's both safe and convenient to serve our dynamic economy.

Don't be fooled. This proposition is not about democracy. It's an attempt by zealots to use the City Charter to block necessary airport improvements for the safety of millions who visit our City.

*San Francisco Republican Party*

*Donald A. Casper, Chairman*

*Elsa Cheung*

*Mike DeNunzio*

*Erik Bjorn*

*Howard Epstein*

*Albert C. Chang*

*Lee S. Dolson, Jr.*

*Harold M. Hoogasian*

*Sue Woods*

The true source of funds used for the printing fee of this argument is San Francisco Republican County Central Committee and the above signers.

The three largest contributors to the true source recipient committee are 1. Alfreda Cullinan 2. George W. Rowe 3. Sally L. Saunders.

# TEXT OF PROPOSED CHARTER AMENDMENT PROPOSITION D

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 adopting a new Section 16.122, to allow the qualified electors of said city and county the right to vote on any Project of said city and county that would place 100 acres or more of fill in San Francisco Bay.

For purposes of this new Section 16.122, "Project" shall mean any activity proposed, sponsored, initiated or funded by any department, board, commission, or other unit of government of the City and County of San Francisco, including any board, commission or other unit of the government of the City and County of San Francisco established by state or federal law that is subject to the provisions of the San Francisco 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 municipal election to be held on November 6, 2001, a proposal to amend the Charter of said city and county by adding Section 16.122 to read as follows:

NOTE: The entire section is new.

Section 1. The San Francisco Charter is hereby amended, by adding Section 16.122 to read as follows:

## **SEC. 16.122 RIGHT TO VOTE ON ANY PROJECT THAT WOULD PLACE 100 ACRES OR MORE OF FILL IN SAN FRANCISCO BAY.**

(a) The qualified electors of the City and County shall have the right to vote on any Project of the City and County that would place 100 acres or more of fill in San Francisco Bay.

(b) Notwithstanding any contrary provisions of the Charter, the approval of any Project that would place 100 acres or more of fill in San Francisco Bay shall be conditioned upon the affirmative vote of a majority vote of the electorate.

(c) Within three (3) business days of such conditional approval by any department, board, commission, or other unit of government of the City and County, including any board, commission or other unit of government of the City and County of San Francisco established by state or federal law that is subject to the provisions of the San Francisco Charter, of any Project that would place 100 acres or more of fill in San Francisco Bay, the approving entity shall provide written notice thereof to the Director of Elections who shall place the measure required by this Section on the ballot at the first general municipal or statewide election which occurs at least one hundred and twenty (120) days after

said notice is received by the Director.

(d) Ballot measures generated and placed on the ballot pursuant to this Section are not exempt from the California Environmental Quality Act nor any other federal, state or local environmental laws and regulations to which the Project may be subject. Before any action is taken by the City and County to approve a Project that is required by this Section to be submitted to the electorate, the Project must comply with the California Environmental Quality Act. If compliance requires the preparation, consideration and certification of an Environmental Impact Report, that process shall be finalized prior to project approval and the information contained in the final certified Environmental Impact Report shall be made publicly available to the electorate for its consideration prior to the election.

(e) The general statement of the ballot measure to be voted on, pursuant to this Section, shall read as follows:

Shall the voters approve (insert name of project) that would fill in (insert number) acres of San Francisco Bay? Yes or No

The name of the Project to be inserted into the general statement shall be determined by the City Attorney pursuant to Section 510 of the San Francisco Elections Code, or any subsequent amended or renumbered version of Section 510.

(f) Definitions. Words and phrases used in this Section shall have the meanings specified in the San Francisco Charter, except that the following words and phrases as used in this Section shall have the following meanings:

"Project" or "Project of the City and County" shall mean any activity proposed, sponsored, initiated, or funded by any department, board, commission, or other unit of government of the City and County of San Francisco including any board, commission or other unit of government of the City and County of San Francisco established by state or federal law that is subject to provisions of the San Francisco Charter.

"Place fill" or "fill in" shall mean to introduce, or cause to be introduced, earth or any other substance or material, including pilings or structures placed on pilings, and structures floating at some or all times and moored for extended periods.

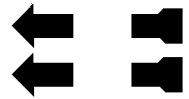
(g) If any part or provision of this Section, or the application thereof to any person or circumstance is held invalid, the remainder of this Section, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Section are severable.

# Elections, Ethics, Outside Counsel

## PROPOSITION E

Shall there be (1) a new Elections Commission to oversee the Department of Elections; (2) a rule prohibiting City employees outside the Department of Elections from helping with elections without Board of Supervisors approval; (3) new conflict-of-interest rules for the Elections Department, Elections Commission, Ethics Commission and City Attorney; (4) a reorganization of the Ethics Commission; and (5) new procedures for City agencies to retain outside legal counsel when the City Attorney has a conflict of interest?

YES  
NO



### Digest

by Ballot Simplification Committee

**THE WAY IT IS NOW:** The Department of Elections has exclusive authority over elections in San Francisco. The Director of Elections, appointed by the City Administrator, manages the Department. The Director serves until he or she resigns or is removed for cause.

City employees from other departments routinely assist the Department of Elections before, during, and after an election.

The Ethics Commission may not investigate a complaint of alleged violations of the Charter and City ordinances relating to campaign finance, lobbying, conflicts of interest and governmental ethics unless the District Attorney and City Attorney have declined to investigate the matter.

Ethics Commission members may serve only one four-year term. Commissioners and the Executive Director of the Commission are subject to rules prohibiting certain political activity.

The City Attorney is legal counsel to all City departments, boards, commissions, and officers. The City Attorney must obtain outside counsel when he or she has a conflict of interest prohibited under California law or the rules of the State Bar.

**THE PROPOSAL:** Proposition E is a Charter amendment that would create an Elections Commission to oversee the Department of Elections, change certain election procedures, modify the Ethics Commission, and change rules and procedures regarding City Attorney conflict of interest.

The Mayor, Board of Supervisors, City Attorney, Public Defender, District Attorney, Treasurer, and Board of Education each would appoint one member to the Elections Commission. Commissioners could serve only two successive five-year terms.

The Elections Commission would appoint the Director of Elections for renewable five-year terms. During any term, the Director could be removed only for cause.

Members and employees of the Elections Commission and employees of the Department of Elections would be subject to rules prohibiting certain political activity.

City employees from other departments would be prohibited from helping with elections, except on Election Day, if approved by the Board of Supervisors.

The Sheriff's Department would handle elections security and ballot transportation, except when the Sheriff was running for re-election.

A new Ethics Commission would be appointed. Proposition E would increase the term of Ethics Commissioners to six years. The Commission could investigate complaints independent of any action by the District Attorney or City Attorney.

Proposition E also would add new conflict of interest rules for members of the Ethics Commission and extend those rules to employees of the Commission. In addition, Commission members and management level employees would be prohibited from engaging in certain types of political activity for one year after ending service or employment with the Commission.

Proposition E would authorize any elected officer, department head, board or commission to retain outside legal counsel if the City Attorney was found to have a conflict of interest. The Elections Commission also could hire outside legal counsel on matters involving the election of a City Attorney.

The City Attorney would be prohibited from supporting candidates or measures on the City ballot.

**A "YES" VOTE MEANS:** If you vote yes, you want to adopt these changes to the Charter.

**A "NO" VOTE MEANS:** If you vote no, you do not want to adopt these changes to the Charter.

Depending on the number of hours used, the level of expertise, and the advice given by outside counsel, the City's costs for legal services could increase or decrease under these provisions. The city currently pays an average of approximately \$265 per hour for the services of outside counsel. The City Attorney's current billing rate, including overhead costs, for experienced attorneys is approximately \$152 per hour.

### How Supervisors Voted on "E"

On July 23, 2001 the Board of Supervisors voted 10 to 1 to place Proposition E on the ballot.

The Supervisors voted as follows:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

**No:** Yee

### Controller's Statement on "E"

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

Should the proposed Charter amendment be adopted, in my opinion, there would be an increased cost of government of approximately \$100,000 per year to provide an Elections Commission secretary and cover the cost of meetings, public notices, and other requirements of a Commission. The provisions which prohibit city employees from working on election-related tasks, and which require the Sheriff to provide security for ballot materials, would incur a minimum cost of approximately \$542,000 per year for a typical fiscal year with two elections.

The amendment establishes a process whereby City departments may hire outside counsel instead of using the services of the City Attorney.

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 65  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 40

# E

# Election, Ethics, Outside Counsel

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION E

Fair and impartial City elections are the foundation of responsive and responsible City government. That is why Proposition E deserves your support.

The Department of Elections needs the constant monitoring of a truly independent and non-partisan commission. Our present system has led to lawsuits brought by citizens, sluggish production of election results, suspicion of fraud, and a neglect of infrastructure.

Proposition E will create an appointed Elections Commission. The Commissioners will be selected by the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Treasurer, Board of Education, and the Mayor. Each elected official or body only gets one appointment to the Elections Commission thereby establishing a set of checks and balances that does not allow any official undue influence on the Commission.

These reforms will make the Department of Elections open, honest and accountable to the people of San Francisco.

Proposition E however, is not just about The Department of Elections.

Proposition E :

- Allows elected officials, department heads, boards or commissions to use lawyers other than the City Attorney to get impartial advice when a conflict of interest occurs.

- Bars the City Attorney from endorsing, opposing or contributing money to candidates or measures appearing on the San Francisco Ballot.
- Allows the Ethics Commission to investigate complaints independent of any investigation by the District Attorney or City Attorney.
- Establishes conflict-of-interest provisions for Department of Elections employees and Ethics Commissioners that would prohibit employment by or receiving gifts from a lobbyist or campaign consultant or political committee.
- Empowers the Sheriff's Office to handle ballot transportation and security on election day.

Proposition E helps guarantee honest and fair elections.

VOTE YES ON PROPOSITION E !

*Board of Supervisors*

### How Supervisors Voted to Submit this Argument

The Supervisors voted as follows on August 20, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin

**No:** Yee

**Absent:** Sandoval

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

**NO REBUTTAL TO PROPONENT'S ARGUMENT WAS SUBMITTED**

# Election, Ethics, Outside Counsel

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**E**

## **OPPONENT'S ARGUMENT AGAINST PROPOSITION E**

**NO OPPONENT'S ARGUMENT WAS SUBMITTED**

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## **REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION E**

**NO REBUTTAL TO OPPONENT'S ARGUMENT WAS SUBMITTED**

# E

# Election, Ethics, Outside Counsel

## PAID ARGUMENTS IN FAVOR OF PROPOSITION E

This political reform measure will protect your right to vote.

*Joel Ventresca*

City and County of San Francisco Environmental Commissioner  
(1994-97)

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

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We recommend a Yes vote on Proposition E - Elections, Ethics, Outside Counsel.

*San Francisco Democratic Party*

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

The three largest contributors to the true source recipient committee are 1: John Burton 2. Jackie Speier 3. Tom Lantos.

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For many years, the Department of Elections has been the unwanted step-child of City Government, the Ethics Commission has been ineffectual, and the City Attorney's office has become politicized.

Proposition E is the first major step to remedy these ills. It will professionalize the Department of Elections and Ethics Commission and its staff, provide closer public scrutiny of their activities, insulate both agencies from undue political influence or conflicts of interest, and require the City Attorney to stay out of local politics.

It will also allow the Ethics Commission to investigate scores of complaints which were referred to the District Attorney and City Attorney, per the current Charter, but have never been acted upon.

Although Proposition E is not perfect, the status quo is unacceptable. Additional reforms are likely to appear on the March, 2002 ballot.

I strongly urge you to vote Yes on Proposition E.

*Christopher L. Bowman*, Member

Citizens Advisory Committee on Elections, 1993-2001\*

\*for identification purposes only

The true source of funds used for the printing fee of this argument is Christopher L. Bowman.

San Francisco elections have been plagued by incompetence and corruption for years. Propositions E and G will clean up our elections system and ensure that every vote counts.

Vote Yes on E & G.

*Harvey Milk LGBT Democratic Club*

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

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Proposition E will reform a corrupted and dysfunctional elections process, provide strong conflict-of-interest protections, and strengthen the independence of the Ethics Commission.

Vote for Proposition E.

*Fred Ridel*

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

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Vote YES on Proposition E.

The Elections Department is in turmoil. Its lax procedures threaten the integrity of the election process. Oversight by an Elections Commission is necessary. Conflict of interest rules must be strengthened.

Proposition E is the key to fair elections.

*San Francisco Republican Party*

*Donald A. Casper*, Chairman

*Elsa Cheung*

*Mike DeNunzio*

*Erik Bjorn*

*Howard Epstein*

*Albert C. Chang*

*Lee S. Dolson, Jr.*

*Mike Fitzgerald*

*Harold M. Hoogasian*

*Gail Neira*

*Sue Woods*

The true source of funds used for the printing fee of this argument is San Francisco Republican County Central Committee and the above signers.

The three largest contributors to the true source recipient committee are 1. Alfreda Cullinan 2. George W. Rowe 3. Sally L. Saunders.

# Election, Ethics, Outside Counsel



## PAID ARGUMENTS IN FAVOR OF PROPOSITION E

Proposition E is the first critical step toward restoring public confidence in San Francisco's compromised and dysfunctional Department of Elections. An independent commission, beyond the grasp of the Mayor and the Board of Supervisors, will provide ethical oversight of, and policy guidance for, a department which has devolved into a patronage army of the Mayor's Special Assistants and intimidated civil servants that tolerates and promulgates missing ballots and dead voters.

Enough is enough. For honest elections in San Francisco, and for the sake of participatory democracy, please vote Yes on E.

*Coalition for San Francisco Neighborhoods*

An organization representing 33 neighborhood groups.

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

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Any observer of the Department of Elections would admit that one of the major problems of the Department has been its lack of independent leadership and direction. A "Yes" vote on Proposition E will correct this problem.

Both the Ethics Commission and the Department of Elections are entrusted with overseeing and ensuring the greatest privilege afforded to citizens in a democracy - the right to vote. I do not think that asking those personally responsible for guaranteeing the effectiveness of one's right to vote to be independent and to be free from outside political influence is too much to ask. If you agree, vote **yes on Proposition E**.

Join me on November 6 by voting **Yes on Proposition E!**

*Supervisor Tony Hall*

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

# E

# Election, Ethics, Outside Counsel

## PAID ARGUMENTS AGAINST PROPOSITION E

Is there anything wrong with our Ethics Commission? If not, why are we trying to fix it?

The Ethics Commission is charged with guarding the integrity, honesty, and the evenhandedness of city government. Civic watchdogs agree that the Ethics Commission has performed its task admirably.

Now, Proposition E will restructure the Ethics Commission. The so-called “reforms” were created without much public input and deliberation. Moreover, the Ethics Commission asked that Proposition E not move forward until the Commission had time to deliberate on the matter and evaluate its consequences.

The City Charter mandate that created this body vested it with the duty of advising our government of acceptable practices and reforms. We must allow the Ethics Commission sufficient time to examine changes and provide input.

If Proposition E passes, we will be left with an inadequate, inexperienced and ineffective Ethics Commission. That’s not reform.

There is a need for some reform at the Department of Elections. But this measure goes to far by including damaging changes at the Ethics Commission.

Please join me in voting **NO** on Proposition E.

*Leland Yee*  
Supervisor

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

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### **Don’t Politicize the Ethics Commission**

This measure tries to address some real problems. Unfortunately, it has thrown three entirely unrelated subjects into a grab bag measure that is difficult to make sense of. It takes aim at the well-known problems with the Department of Elections, perceived conflicts in the City Attorney’s office, and in addition makes a power grab for the Ethics Commission.

Some of the issues are real. But some, like the takeover of the Ethics Commission – a body that should be insulated from political considerations – are entirely wrong-headed.

The voters should reject this hodge-podge.

**Vote No on Proposition E**

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

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

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

The three largest contributors to the true source recipient committee are 1. John Weeden 2. Tay Via 3. David Gruber.

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# TEXT OF PROPOSED CHARTER AMENDMENT

## PROPOSITION E

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of said city and county by adding Sections 13.103.5, 13.104.5, 13.107.5, amending Sections 6.102, 13.104, 15.100, 15.101, 15.102, 15.105, C3.699-13 and C3.699-14, and repealing Section C3.699-15 to create an Elections Commission; to establish procedures for the Elections Commission to appoint the Director of Elections; to institute conflict-of-interest prohibitions applicable to members and employees of the Elections Commission and Department of Elections; to prohibit the use of City employees other than Department of Election employees to staff elections unless approved by the Elections Commission and Board of Supervisors; to charge the Sheriff with transporting and safeguarding voted ballots and memory packs and providing security for the Department of Elections; to require precinct boards to post an accounting of ballots upon the closing of the polls; to establish procedures for the Elections Commission and the Department of Elections to retain outside legal counsel when the City Attorney has a conflict of interest relating to his or her candidacy; to replace the Controller with the Assessor as an appointing authority for the Ethics Commission; to lengthen the term of Ethics Commissioners from four to six years; to strengthen conflict-of-interest prohibitions and establish revolving-door prohibitions applicable to members and employees of the Ethics Commission; to strengthen civil service protections for Ethics Commission employees; to amend the Ethics Commission's investigative process; to provide that the appointing authority, rather than the Mayor, may initiate removal of Elections and Ethics Commissioners; to establish a procedure whereby elected officers, Department heads, Boards and Commissions may retain outside counsel if the City Attorney has an ethical or financial conflict of interest regarding a particular matter; and to prohibit the City Attorney from participating in campaigns other than his or her own.

The Board of Supervisors hereby submits to the qualified voters of said city and county at an election to be held on November 6, 2001, a proposal to amend the Charter of said city and county by adding Sections 13.103.5, 13.104.5, and 13.107.5, amending Sections 6.102, 13.104, 15.100, 15.101, 15.102, 15.105, C3.699-13 and C3.699-14, and repealing Section C3.699-15, so that the same shall read as follows:

Note: Additions are underline;  
Deletions are ~~strikethrough~~

Section 1. The San Francisco Charter is hereby amended, by adding Section 13.103.5, to read as follows:

### **SEC. 13.103.5. ELECTIONS COMMISSION.**

An Elections Commission shall be established to oversee all public federal, state, district and municipal elections in the City and County. The Commission shall set general policies for the Department of Elections and shall be responsible for the proper administration of the general practices of the Department, subject to the budgetary and fiscal provisions of this Charter. These duties shall include but not be limited to approving written plans prior to each election, submitted by the Director of Elections, detailing the policies, procedures, and personnel that will be used to conduct the election as well as an assessment of how well the plan succeeded in carrying out a free, fair and functional election.

The Commission shall consist of seven members who shall serve five-year terms. No person appointed as a Commission member may serve as such for more than two successive five-year terms. Any person appointed as a Commission member to complete more than two and one half years of a five-year term shall be deemed, for the purpose of this section, to have served one full term. No person having served two successive five-year terms may serve as a Commission member until at least five years after the expiration of the second successive term in office. Any Commission member who resigns with less than two and one half years remaining until the expiration of the term shall be deemed, for the purposes of this section, to have served a full five-year term.

The Mayor, the Board of Supervisors, the City Attorney, the Public Defender, the District Attorney, the Treasurer, and the Board of Education of the San Francisco Unified School District each shall appoint one member of the Commission. The member appointed by the Mayor shall have a background in the electoral process. The member appointed by the City Attorney shall have a background in elections law. The member appointed by the Treasurer shall have a background in financial management. The members appointed by the District Attorney, Public Defender, the Board of Education of the San Francisco Unified School District, and the Board of Supervisors shall be broadly representative of the general public. In the event a vacancy occurs, the appointing authority who appointed the member vacating the office shall appoint a qualified person to complete the remainder of the term. All members initially appointed to the Elections Commission shall take office on the first day of January, 2002.

The initial terms of Commission members shall expire according to the following guidelines: the term of the members appointed by the Mayor and the Board of Education of the San Francisco Unified School District shall expire on January 1, 2003; the term of the members appointed by the Board of Supervisors and the Treasurer shall expire on January 1, 2004; the term of the member appointed by the City Attorney shall expire January 1, 2005; the term of the member appointed by the Public Defender shall expire January 1, 2006; and the term of the member appointed by the District Attorney shall expire January 1, 2007.

Members of the Commission shall serve without compensation. Members of the Commission shall be officers of the City and County, and may be removed by the appointing authority only pursuant to Section 15.105. During his or her tenure, neither a member nor an employee of the Commission may: hold any other public office or employment with the City, state or federal government, with a district governmental body, with the governing body of any political party, with any City, district, state or federal official, or with a member of the governing body of any political party; participate in, contribute to, solicit contributions to, publicly endorse or urge the endorsement of a campaign supporting or opposing a candidate for City, district, state or federal office appearing on the ballot in San Francisco, the governing body of any political party appearing on the ballot in San Francisco, or a City, regional or state ballot measure appearing on the ballot in San Francisco; be an officer, director or employee of or hold a policymaking position in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco; be a registered lobbyist or campaign consultant as defined under the City's lobbyist or campaign consultant ordinances; or employ or be employed by, or receive any gifts or other compensation from, a person required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, a person who employs someone required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, or a person who is employed by or holds office in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco. If a person appointed to the Elections Commission is, at the time of appointment, an officer, director or employee of or holds a policymaking position in an organization described herein, that person shall be

(Continued on next page)

## LEGAL TEXT OF PROPOSITION E (CONTINUED)

eligible to serve on the Elections Commission only if he or she resigns from his or her office or employment with that organization within thirty days of appointment.

For the purpose of this Section, "district" shall mean an existing or proposed public entity whose area includes any portion of the City and County of San Francisco or whose candidates or measures appear on the ballot in San Francisco. This Section is not intended to prohibit a member or employee of the Commission from serving with the federal or state military reserves.

Section 2. The San Francisco Charter is hereby amended, by amending Section 13.104, to read as follows:

### **SEC. 13.104 DEPARTMENT OF ELECTIONS.**

A Department of Elections shall be established to conduct all public federal, state, district and municipal elections in the City and County. The department ~~will~~ shall be administered by the Director of Elections, who shall be vested ~~exclusively~~ with the day to day conduct and management of the Department and of voter registration and matters pertaining to elections in the City and County. The Director shall report to the Elections Commission.

For purposes of this section, the conduct of elections shall include, but not be limited to: voter registration; the nomination and filing process for candidates to City and County offices; the preparation and distribution of voter information materials; ballots, precinct operations and vote count; the prevention of fraud in such elections; and the recount of ballots in cases of challenge or fraud.

The Director shall be appointed by the ~~City Administrator~~ Elections Commission from a list of qualified applicants provided pursuant to the civil service provisions of this Charter. The Director ~~may be removed by the City Administrator for cause, subject to appeal to the Civil Service Commission~~ shall serve a five-year term, during which he or she may be removed by the Elections Commission for cause, upon written charges and following a hearing. The Elections Commission shall present the written charges to the Director no less than thirty days before the hearing. If the Elections Commission votes to remove the Director, he or she shall have the right to appeal to the Civil Service Commission. On appeal, the Civil Service Commission shall be limited to consideration of the record before the Elections Commission; however, the Civil Service Commission may independently evaluate and weigh evidence and may in its discretion consider evidence proffered to the Elections Commission that the Commission excluded and may in its discretion exclude evidence that

the Elections Commission considered. The term of the Director shall expire five years after his or her appointment. No less than thirty days before the expiration of the Director's term, the Elections Commission shall appoint a Director for the next term, who may but need not be the incumbent Director. Subject to the civil service provisions of this Charter, the Director shall have the power to appoint and remove other employees of the Department of Elections.

In addition to any other conflict of interest provisions applicable to City employees, the Director of Elections and all other employees of the Department of Elections shall be subject to the conflict-of-interest provisions in Section 13.103.5. The Elections Commission may, upon the recommendation of the Director of Elections and a finding that the Department will not have adequate staffing to conduct an election, request from the Board of Supervisors a waiver of the conflict-of-interest provisions in Section 13.103.5 for employees working no more than thirty days in a single calendar year. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

~~For purposes of this section, the conduct of elections shall include, but not be limited to: voter registration; the nomination and filing process for candidates to City and County offices; the preparation and distribution of voter information materials; ballots, precinct operations and vote count; the prevention of fraud in such elections; and the recount of ballots in cases of challenge or fraud.~~

Section 3. The San Francisco Charter is hereby amended, by adding Section 13.104.5, to read as follows:

### **SEC. 13.104.5 USE OF OTHER CITY EMPLOYEES AND OFFICERS**

Except as provided below, no City employee or officer, other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission, may in any capacity perform any function relating to the conduct of an election that this Charter places under the Department of Elections. The Elections Commission may, upon the recommendation of the Director of Elections and a finding that the Department will not have adequate staffing to conduct an election, request from the Board of Supervisors a waiver of this prohibition so as to allow City employees and officers to assist the Department of Elections on the day of an election. The Board of Supervisors shall approve or deny such requests from the Elections Commission by motion.

The City Attorney shall serve as legal counsel to the Elections Commission and the Department of Elections. The Commission may, by a majority vote of its members, hire outside legal counsel to advise the Commission

and the Department on matters that directly involve the election or campaign of the City Attorney, if the City Attorney is standing for election. All outside legal counsel hired pursuant to this Section shall be a member in good standing of the California State Bar. In selecting outside legal counsel, the Commission shall give preference to engaging the services of a city attorney's office, a county counsel's office or other public entity law office with an expertise regarding the subject-matter jurisdiction of the Elections Commission. In the event that the Commission concludes that private counsel is necessary, it may, by a majority vote, engage the services of a private attorney who has at least five years' experience in the subject-matter jurisdiction of the Elections Commission. Any private counsel retained pursuant to this Section shall be subject to the conflict of interest provisions of Section 13.103.5. Any contract for outside legal counsel authorized by this section shall be paid for by the Commission and shall be subject to the budgetary and fiscal provisions of this charter.

The Sheriff shall be responsible for preserving the security and integrity of elections in all matters including but not limited to transporting all ballots and all other documents or devices used to record votes from the polls to the central counting location and providing security for the ballots until the certification of election results. This requirement shall not become operative following its adoption until the Sheriff has completed meeting and conferring required by state law. The Director of Elections shall develop and submit for the approval of the Elections Commission an alternative security plan if an incumbent sheriff is running for election. The Elections Commission shall send a copy of the approved security plan to the Board of Supervisors.

Section 4. The San Francisco Charter is hereby amended, by amending Section 13.107.5, to read as follows:

### **Sec. 13.107.5 POSTING OF BALLOT COUNTS AT POLLS**

After the closing of the polls, each precinct board shall cause to be posted outside of each polling place an accounting that includes the number of ballots delivered to that precinct board and the number of voted ballots, unused ballots, spoiled ballots, cancelled ballots, absentee ballots and provisional ballots returned to the Department of Elections by the precinct board at any time on election day. After the closing of the polls, each precinct board shall also post outside each polling place any computer record indicating the number of ballots cast for each candidate and for or

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION E (CONTINUED)

against each ballot measure.

Section 5. The San Francisco Charter is hereby amended, by amending Section 15.105, to read as follows:

### SEC. 15.105. SUSPENSION AND REMOVAL.

Any elective officer, and any member of the Airport Commission, Asian Art Commission, Civil Service Commission, Commission on the Status of Women, ~~Ethics Commission~~, Health Commission, Human Services Commission, Juvenile Probation Commission, Public Utilities Commission, Recreation and Park Commission, Fine Arts Museums Board of Trustees, War Memorial and Performing Art Center Board of Trustees, Board of Education or Community College Board may be suspended by the Mayor and removed by the Board of Supervisors for official misconduct, and the Mayor shall appoint a qualified person to discharge the duties of the office during the period of suspension. On such suspension, the Mayor shall immediately notify the Ethics Commission and Board of Supervisors thereof in writing and the cause thereof, and shall present written charges against such suspended officer to the Ethics Commission and Board of Supervisors at or prior to their next regular meetings following such suspension, and shall immediately furnish a copy of the same to such officer, who shall have the right to appear with counsel before the Ethics Commission in his or her defense. Hearing by the Ethics Commission shall be held not less than five days after the filing of written charges. After the hearing, the Ethics Commission shall transmit the full record of the hearing to the Board of Supervisors with a recommendation as to whether the charges should be sustained. If, after reviewing the complete record, the charges are sustained by not less than a three-fourths vote of all members of the Board of Supervisors, the suspended officer shall be removed from office; if not so sustained, or if not acted on by the Board of Supervisors within 30 days after the receipt of the record from the Ethics Commission, the suspended officer shall thereby be reinstated.

Members of the Building Inspection Commission appointed by the Mayor may be suspended and removed pursuant to the provisions set forth above. Members of the Commission appointed by the President of the Board of Supervisors may be suspended and removed pursuant to the same procedures, except that the President of the Board shall act in place of the Mayor. Members of the Elections Commission and Ethics Commission may be suspended and removed pursuant to the provisions set forth above, except that the appointing authority shall act in place of the Mayor.

The Mayor must immediately remove from

office any elective official convicted of a crime involving moral turpitude, and failure of the Mayor so to act shall constitute official misconduct on his or her part. Any appointee of the Mayor or the Board of Supervisors guilty of official misconduct or convicted of crime involving moral turpitude must be removed by the Mayor or the Board of Supervisors, as the case may be, and failure of the Mayor or any Supervisor to take such action shall constitute official misconduct on their part. Any member of the Elections Commission or Ethics Commission guilty of official misconduct or convicted of crime involving moral turpitude must be removed by the appointing authority, and failure of the appointing authority to act shall constitute official misconduct on his or her part.

Section 6. The San Francisco Charter is hereby amended, b58y amending Section 15.100, to read as follows:

### SEC. 15.100. ETHICS COMMISSION.

The Ethics Commission shall consist of five members who shall serve ~~four~~-six-year terms; provided that the first five commissioners to be appointed to take office on the first day of February, 2002 shall by lot classify their terms so that the term of one commissioner shall expire at 12:00 o'clock noon on each of the second, third, fourth, fifth and sixth anniversaries of such date, respectively; and, on the expiration of these and successive terms of office, the appointments shall be made for six-year terms.

The Mayor, the Board of Supervisors, the City Attorney, the District Attorney and the ~~Controller~~ Assessor each shall appoint one member of the Commission. The member appointed by the Mayor shall have a background in public information and public meetings. The member appointed by the City Attorney shall have a background in law as it relates to government ethics. The member appointed by the ~~Controller~~ Assessor shall have a background in campaign finance. The members appointed by the District Attorney and Board of Supervisors shall be broadly representative of the general public.

In the event a vacancy occurs, the officer who appointed the member vacating the office shall appoint a qualified person to complete the remainder of the term. Members of the Commission shall serve without compensation. Members of the Commission shall be officers of the City and County, and may be removed by the ~~Mayor~~ appointing authority only pursuant to Section 15.105.

No person may serve more than one six-year term as a member of the Commission, provided that persons appointed to fill a vacancy for an unexpired term with less than three years remaining or appointed to an initial term of three or fewer years less than four year terms shall be eligible to be appointed to one additional

~~four~~ six-year term. Any term served before the effective date of this Section shall not count toward a member's term limit. Any person who completes a term as a Commissioner shall be eligible for reappointment six years after the expiration of his or her term. Notwithstanding any provisions of this Section or any other section of the Charter to the contrary, the respective terms of office of the members of the Commission who shall hold office on the first day of February, 2002, shall expire at 12 o'clock noon on said date, and the five persons appointed as members of the Commission as provided in this Section shall succeed to said offices on said first day of February, 2002, at 12 o'clock noon; provided that if any appointing authority has not made a new appointment by such date, the sitting member shall continue to serve until replaced by the new appointee.

During his or her tenure, ~~neither~~ a member of the Commission ~~nor its executive director~~ may not: hold any other public office or ~~any~~ employment with the City, state or federal government, with a district governmental body, with the governing body of any political party, ~~or~~ with any City, district, state or federal ~~officer~~ official, or with a member of the governing body of any political party; participate in, ~~or~~ contribute to, solicit contributions to, publicly endorse or urge the endorsement of a campaign supporting or opposing a candidate for City, district, state or federal office appearing on the ballot in San Francisco, a City official seeking any elective office, the governing body of any political party appearing on the ballot in San Francisco, a City, regional or state ballot measure appearing on the ballot in San Francisco, or a City official seeking any elective office; be an officer, director or employee of or hold a policymaking position in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco; be a registered lobbyist or campaign consultant as defined under the City's lobbyist or campaign consultant ordinances; or employ or be employed by, or receive any gifts or other compensation from, a person required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, a person who employs someone required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, or a person who is employed by or holds office in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco. If a person appointed to the Ethics Commission is, at the time of appointment, an officer, director or employee of or holds a policymaking position in an organization described herein, that person shall be eligible to serve on the Ethics Commission only if

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## LEGAL TEXT OF PROPOSITION E (CONTINUED)

he or she resigns from his or her office or employment with that organization within thirty days of appointment.

For the purpose of this Section, "district" shall mean an existing or proposed public entity whose area includes any portion of the City and County of San Francisco or whose candidates or measures appear on the ballot in San Francisco. This Section is not intended to prohibit a member of the Commission from serving with the federal or state military reserves.

For a period of one year upon completing his or her service with the Commission, no member of the Commission may: be a lobbyist or campaign consultant as defined under the City's lobbyist or campaign consultant ordinances; or employ or be employed by, or receive any gifts or other compensation from a person required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, a person who employs someone required to register as a lobbyist or campaign consultant under the City's lobbyist or campaign consultant ordinances, or a person who is employed by or holds office in a committee, as defined under San Francisco Campaign and Government Conduct Code section 1.305.

The Commission may subpoena witnesses, compel their attendance and testimony, administer oaths and affirmations, take evidence and require by subpoena the production of any books, papers, records or other items material to the performance of the Commission's duties or exercise of its powers.

Section 7. The San Francisco Charter is hereby amended, by amending Section 15.101, to read as follows:

### **SEC. 15.101. EXECUTIVE DIRECTOR AND COMMISSION STAFF.**

The Commission shall appoint and may remove an Executive Director. The Executive Director shall have a background in campaign finance, public information and public meetings and the law as it relates to governmental ethics. The Executive Director shall be the chief executive of the department and shall have all the powers provided for department heads. ~~The Commission shall have the power to appoint auditors and investigators, who shall serve at the Commission's pleasure.~~ Subject to the civil service provisions of this Charter, the Executive Director shall have the power to appoint and remove other employees of the Commission and the Department. In addition to any other conflict of interest provisions applicable to City employees, the Executive Director and all other employees of the Commission shall be subject to the conflict of interest provisions in Section 15.100, except that the post-employment restrictions contained therein shall apply only to the Executive Director and management-level employees.

Section 8. The San Francisco Charter is hereby amended, by amending Section 15.102, to read as follows:

### **SEC. 15.102. RULES AND REGULATIONS.**

The Commission may adopt, amend and rescind rules and regulations consistent with and related to carrying out the purposes and provisions of this Charter and ordinances related to campaign finances, conflicts of interest, lobbying, campaign consultants and governmental ethics and to govern procedures of the Commission. In addition, the Commission may adopt rules and regulations relating to carrying out the purposes and provisions of ordinances regarding open meetings and public records. The Commission shall transmit to the Board of Supervisors rules and regulations adopted by the Commission within 24 hours of their adoption. A rule or regulation adopted by the Commission shall become effective 60 days after the date of its adoption unless before the expiration of this 60-day period two-thirds of all members of the Board of Supervisors vote to veto the rule or regulation.

The City Attorney shall be the legal advisor of the Commission. ~~If the City Attorney determines in writing that he or she cannot, consistent with the rules of professional conduct, provide advice sought by the Commission, the City Attorney may authorize the Commission to retain outside counsel to advise the Commission.~~

Any ordinance which the Supervisors are empowered to pass relating to conflicts of interest, campaign finance, lobbying, campaign consultants or governmental ethics may be submitted to the electors at the next succeeding general election by the Ethics Commission by a four-fifths vote of all its members.

Section 9. The San Francisco Charter is hereby amended, by amending Section C3.699-13, to read as follows:

### **C3.699-13 INVESTIGATIONS AND ENFORCEMENT PROCEEDINGS**

The commission shall conduct investigations in accordance with this subdivision of alleged violations of this charter and city ordinances relating to campaign finance, lobbying, conflicts of interest and governmental ethics.

#### **(a) Investigations.**

If the commission, upon the receipt of a sworn complaint of any person or its own initiative, has reason to believe that a violation of this charter or city ordinances relating to campaign finance, lobbying, conflicts of interest or governmental ethics has occurred, the commission immediately shall forward the complaint or information in its possession regarding the alleged violation to the district attorney and city attorney. Within ten working days, after receipt of the complaint or information, the district

attorney and city attorney shall inform the commission in writing regarding whether the district attorney or city attorney has initiated or intends to pursue an investigation of the matter. ~~Until such time as the district attorney and city attorney inform the commission that no investigation will be undertaken, the commission shall refrain from conducting any investigation or otherwise pursuing the matter.~~

~~If the district attorney and city attorney notify the commission that they do not intend to pursue an investigation, and~~ If the commission, upon the sworn complaint or on its own initiative, determines that there is sufficient cause to conduct an investigation, it shall investigate alleged violations of this charter or city ordinances relating to campaign finance, lobbying, conflicts of interest and governmental ethics. A complaint filed with the commission shall be investigated only if it identifies the specific alleged violations which form the basis for the complaint and the commission determines that the complaint contains sufficient facts to warrant an investigation.

Within 14 days after receiving notification that neither the district attorney nor city attorney intends to pursue an investigation, the commission shall notify in writing the person who made the complaint of the action, if any, the commission has taken or plans to take on the complaint, together with the reasons for such action or non-action. If no decision has been made within 14 days, the person who made the complaint shall be notified of the reasons for the delay and shall subsequently receive notification as provided above.

The investigation shall be conducted in a confidential manner. Records of any investigation shall be considered confidential information to the extent permitted by state law. Any member or employee of the commission or other person who, prior to a determination concerning probable cause, discloses information about any preliminary investigation, except as necessary to conduct the investigation, shall be deemed guilty of official misconduct. The unauthorized release of confidential information shall be sufficient grounds for the termination of the employee or removal of the commissioner responsible for such release.

#### **(b) Findings of Probable Cause.**

No finding of probable cause to believe that a provision of this charter or city ordinances relating to campaign finance, lobbying, conflicts of interest or governmental ethics has been violated shall be made by the commission unless, at least 21 days prior to the commission's consideration of the alleged violation, the person alleged to have committed the violation is notified of the alleged violation by ser-

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION E (CONTINUED)

vice of process or registered mail with return receipt requested, is provided with a summary of the evidence, and is informed of his or her right to be present in person and to be represented by counsel at any proceeding of the commission held for the purpose of considering whether probable cause exists for believing the person committed the violation. Notice to the alleged violator shall be deemed made on the date of service, the date the registered mail receipt is signed, or, if the registered mail receipt is not signed, the date returned by the post office. A proceeding held for the purpose of considering probable cause shall be private to the extent permitted by state law unless the alleged violator files with the commission a written request that the proceeding be public.

(c) Administrative Orders and Penalties.

(i) When the commission determines there is probable cause for believing a provision of this charter or city ordinance has been violated, it may hold a public hearing to determine if such a violation has occurred. When the commission determines on the basis of substantial evidence presented at the hearing that a violation has occurred, it shall issue an order which may require the violator to:

(1) Cease and desist the violation;

(2) File any reports, statements or other documents or information required by law; and/or

(3) Pay a monetary penalty to the general fund of the city of up to five thousand dollars (\$5,000) for each violation or three times the amount which the person failed to report properly or unlawfully contributed, expended, gave or received, whichever is greater. Penalties that are assessed but uncollected after 60 days shall be referred to the bureau of delinquent revenues for collection.

In addition, with respect to city officers other than those identified in Section 8.107 of this charter, when the commission determines on the basis of substantial evidence presented at the hearing that a violation has occurred, the commission may recommend to the appointing officer that the officer be removed from office.

When the commission determines that no violation has occurred, it shall publish a declaration so stating.

(d) In addition to any other penalty that may be imposed by law, any person who violates any provision of this charter or of a city ordinance relating to campaign finance, lobbying, conflicts of interest or governmental ethics, or who causes any other person to violate any such provision, or who aids and abets any other person in such violation, shall be liable under the provisions of this section.

Section 10. The San Francisco Charter is hereby amended, by amending Section C3.699-14, to read as follows:

### SEC. C3.699-14. COMMISSION FUNDING

The Ethics Commission may impose fees related to the administration and enforcement of ordinances and provisions of this charter related to campaign finance, lobbying, campaign consultants and governmental ethics. The fees shall become effective 30 days after their approval by the commission unless the board of supervisors, by a vote of two-thirds of all of its members, disapproves the fees within this 30 day period.

~~The commission shall not expend any funds prior to July 1, 1994.~~

Section 11. The San Francisco Charter is hereby amended, by repealing Section C3.699-15 as follows:

### ~~C3.699-15 LEGAL ADVISOR~~

~~The city attorney shall be the legal advisor of the commission. If the city attorney determines in writing that he or she cannot, consistent with the rules of professional conduct, provide advice sought by the commission, the city attorney may authorize the commission to retain outside counsel to advise the commission.~~

Section 12. The San Francisco Charter is hereby amended, by amending Section 6.102, to read as follows:

### SEC. 6.102. CITY ATTORNEY.

The City Attorney shall:

1. Represent the City and County in legal proceedings with respect to which it has an interest; provided that any elected officer, department head, board or commission may engage counsel other than the City Attorney for legal advice regarding a particular matter where the elected officer, department head, board or commission has reason to believe that the City Attorney may have a prohibited financial conflict of interest under California law or a prohibited ethical conflict of interest under the California Rules of Professional Conduct with regard to the matter, subject to the following limitations and conditions.

The elected officer, department head, board or commission shall first present a written request to the City Attorney for outside counsel. The written request shall specify the particular matter for which the elected officer, department head, board or commission seeks the services of outside counsel, a description of the requested scope of services, and the potential conflict of interest that is the basis for the request. Within five working days after receiving the written request for outside counsel, the City Attorney shall respond in writing to the elected officer, department head, board or commission, either consenting or not consenting to the provision of outside counsel. If the City Attorney does not consent to the provision of outside counsel, the City Attorney shall state in

the written response why he or she believes that there is no conflict of interest regarding the particular matter.

If the elected officer, department head, board or commission continues to believe there are adequate grounds for outside counsel despite the City Attorney's response that there is no conflict of interest, the elected officer, department head, board or commission may, within thirty days after receiving the City Attorney's response, refer the issue of whether the City Attorney has a prohibited conflict of interest regarding a particular matter to a retired judge or justice of the state courts of California for resolution. If the elected officer, department head, board or commission and City Attorney cannot agree on a retired judge to hear the matter, the retired judge shall be selected at random by an alternative dispute resolution provider. If the matter is referred to a retired judge, the elected officer, department head, board or commission, subject to the budgetary and fiscal provisions of the Charter, shall be entitled to retain outside counsel to represent it solely on the issue of whether the City Attorney has a conflict of interest regarding the particular matter.

In deciding whether the City Attorney has a conflict of interest regarding a particular matter, the retired judge shall be bound by and apply the applicable substantive law and Rules of Professional Conduct as if he or she were a court of law. To the extent practicable, the retired judge shall hear the matter within 15 days after its assignment to the retired judge, and within 15 days after the hearing, shall issue a written opinion stating the basis for the decision. The retired judge, but not the City Attorney or elected officer, department head, board or commission, shall have the power to subpoena witnesses and documents in this proceeding.

The retired judge may request that the City Attorney secure written advice from the California Fair Political Practices Commission, the State Bar of California, or the California Attorney General on the question of whether the City Attorney has a conflict of interest regarding the particular matter. Upon such a request by the retired judge, the City Attorney shall secure such written advice. The retired judge may consider, but is not bound by, written advice so secured. The decision of the retired judge shall be final for the limited purpose of determining whether or not the elected officer, department head, board or commission may retain outside counsel for the particular matter.

If the retired judge decides that the City Attorney does not have a conflict of interest regarding the particular matter, the City Attorney shall continue to be the legal adviser

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION E (CONTINUED)

to the elected officer, department head, board or commission for such matter. If the retired judge decides that the City Attorney has a conflict of interest regarding a particular matter, the elected officer, department head, board or commission shall be entitled to retain outside counsel for legal advice regarding the particular matter, and the City Attorney shall thereupon cease to advise the elected officer, department head, board or commission on such matter. Any such finding of a conflict of interest shall not affect the City Attorney's role as legal advisor to the elected officer, department head, board or commission on all other matters.

If at any time after the retention of outside counsel, the City Attorney believes that there is no longer a conflict of interest, the City Attorney shall state in writing to the elected officer, department head, board or commission why he or she believes that there is no longer a conflict of interest. Within five working days after receiving the written statement from the City Attorney, the elected officer, department head, board or commission shall respond in writing, either agreeing or disagreeing that there is no longer a conflict of interest. If the elected officer, department head, board or commission agrees that there is no longer a conflict of interest regarding a particular matter, the elected officer, department head, board or commission shall cease employing outside counsel for legal advice regarding the matter, and the City Attorney shall serve as legal adviser to the elected officer, department head, board or commission regarding that matter. If the elected officer, department head, board or commission states in its written response that it believes the conflict of interest still exists, the City Attorney may, within ten working days after receiving the response of the elected officer, department head, board or commission, elect to refer the issue of whether the conflict of interest regarding the particular matter continues to exist to the same retired judge who originally heard the matter, if available. The same procedures as established herein shall apply thereafter.

In selecting outside counsel for any purpose described in this Section, the elected officer, department head, board or commission shall give preference to engaging the services of a city attorney's office, a county counsel's office or other public entity law office with an expertise regarding the subject-matter jurisdiction of the elected officer, department head, board or commission. If the elected officer, department head, board or commission concludes that private counsel is necessary, that attorney must be a member in good standing with the Bar of California who has at least five years' experience in the subject-matter jurisdiction of the elected officer, department head, board or commission. Any private counsel retained pursuant

to this Section shall be subject to the conflict of interest provisions of Section 13.103.5. The cost of any of the services of outside counsel and of the alternative dispute resolution process authorized by this Section, shall be paid for by the elected officer, department head, board or commission, subject to the budgetary and fiscal provisions of this Charter.

2. Represent an officer or official of the City and County when directed to do so by the Board of Supervisors, unless the cause of action exists in favor of the City and County against such officer or official;

3. Whenever a cause of action exists in favor of the City and County, commence legal proceedings when such action is within the knowledge of the City Attorney or when directed to do so by the Board of Supervisors, except for the collection of taxes and delinquent revenues, which shall be performed by the attorney for the Tax Collector;

4. Upon request, provide advice or written opinion to any officer, department head or board, commission or other unit of government of the City and County;

5. Make recommendations for or against the settlement or dismissal of legal proceedings to the Board of Supervisors prior to any such settlement or dismissal. Such proceedings shall be settled or dismissed by ordinance and only upon the recommendation of the City Attorney;

6. Approve as to form all surety bonds, contracts and, prior to enactment, all ordinances; and examine and approve title to all real property to be acquired by the City and County;

7. Prepare, review annually and make available to the public a codification of ordinances of the City and County then in effect;

8. Prepare and make available to the public an annual edition of this Charter complete with all of its amendments and legal annotations; and

9. Establish in the Office of the City Attorney a Bureau of Claims Investigation and Administration which shall have the power to investigate, evaluate and settle for the several boards, commissions and departments all claims for money or damages. The Bureau shall also have the power to investigate incidents where the City faces potential civil liability, and to settle demands before they are presented as claims, within dollar limits provided for by ordinance, from a revolving fund to be established for that purpose. The City Attorney shall appoint a chief of the Bureau who shall serve at his or her pleasure. The chief of the Bureau may appoint, subject to confirmation by the City Attorney, investigators who shall serve at the pleasure of the chief.

10. During his or her tenure, not partici-

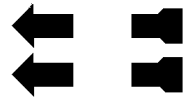
pate in, contribute to, solicit contributions to, publicly endorse or urge the endorsement of a candidate for public office, other than his or her own candidacy for public office, appearing on the ballot in San Francisco or of a ballot measure appearing on the ballot in San Francisco; or be an officer, director or employee of or hold a policymaking position in an organization that makes political endorsements regarding candidates or ballot measures appearing on the ballot in San Francisco.

# Municipal Water & Power Agency

## PROPOSITION F

Shall the San Francisco Public Utilities Commission be replaced with a new Municipal Water and Power Agency, governed by an elected board, whose goals would be to provide electricity to San Francisco and to develop renewable energy and conservation projects?

YES  
NO



### Digest

by Ballot Simplification Committee

**THE WAY IT IS NOW:** The San Francisco Public Utilities Commission (PUC) oversees the City's water, sewer, and electric power utilities. It is governed by five commissioners appointed by the Mayor.

The PUC provides water and sewer services to all San Francisco residents and businesses and supplies electricity to City government and some others. Electricity to San Francisco residents or businesses is supplied by Pacific Gas & Electric Company (PG&E).

The PUC's budget is subject to approval by the Mayor and Board of Supervisors. The Board of Supervisors may transfer surplus revenues from the PUC's electricity sales to other City uses.

The PUC needs voter and/or Board of Supervisors approval to issue revenue bonds for capital improvements.

The PUC recommends water and sewer rates, which are set by the Board of Supervisors, subject to a voter-approved rate freeze.

The PUC can ask the Board of Supervisors to exercise its power of eminent domain to enable the PUC to acquire private property for its utility operations. The Mayor can veto such an exercise of eminent domain.

The Board of Supervisors must approve any large or long term PUC contract for a project other than a public works construction.

The City Attorney is the legal counsel for the PUC.

**THE PROPOSAL:** Proposition F is a Charter amendment that would replace the Public Utilities Commission with a new City agency called the Municipal Water and Power Agency (the Agency). Beginning May 1, 2002, the Agency would take over the City's water, sewer, and electric power utilities. The Agency could take steps to replace PG&E's electricity service with a City-run power system. The Agency also would pursue development of renewable energy sources and conservation programs.

The Agency would be governed by a seven-member Board of Directors, elected by district and serving four-year terms.

All PUC employees would be transferred to the Agency. If the Agency acquired a privately held utility such as PG&E, Proposition F would establish procedures for allowing utility employees to become City employees.

The Agency would adopt its own budget. By a two-thirds vote, the Agency could issue revenue bonds without approval by the Board of Supervisors or the voters. Only bond issues over \$100 million would be subject to voter referendum. The Board of Supervisors, by a two-thirds vote, could transfer Agency revenues to other City uses, but no sooner than five years after Proposition F takes effect.

The Agency would set utility rates without Board of Supervisors approval, subject to the voter-approved rate freeze. The Agency would have authority to enter into large and long-term contracts without Board of Supervisors approval.

The Mayor no longer could veto an exercise of eminent domain approved by the Board of Supervisors for the Agency.

The Agency would be able to use legal counsel other than the City Attorney.

If the voters approve both Proposition F and a measure creating a Municipal Utility District (MUD), a process would begin, to establish whether the Agency or the MUD would provide power to San Francisco residents and businesses.

**A "YES" VOTE MEANS:** If you vote yes, you want to replace the San Francisco Public Utilities Commission with a new Municipal Water and Power Agency.

**A "NO" VOTE MEANS:** If you vote no, you do not want to replace the San Francisco Public Utilities Commission.

### Controller's Statement on "F"

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

Should the proposed Charter amendment be adopted, in my opinion, there could be costs and benefits to the City and County. The impacts would vary widely depending on how the new Agency implements the amendment. There will be estimated one-time costs of between \$1.75 million and \$3 million relating to the creation and early activities of the new Municipal Water and Power Agency. This figure includes feasibility studies analyzing costs and benefits of providing public utilities such as electricity and natural gas, and the cost of conducting elections for the seven members of the Board of Directors.

The most significant cost or savings related to this or any similar proposal would occur if the Agency purchases or builds power generation and/or distribution facilities. The proposal requires that this step would only be taken if studies show that the project would be cost effective. While the amounts should be substantial, there are several possible methods for costing the purchase or construction of these facilities. Using one approach, a disputed 1997 study commissioned by the Public Utilities Commission estimated the value of local PG&E distribution facilities to be approximately \$800 million. It should be noted that the

Municipal Water and Power Agency would have the authority to issue revenue bonds to fund these costs.

Other costs or savings to be considered would come from the avoidance of profits and certain taxes for private companies that would not be incurred by the City, the relative value of labor contracts and other efficiencies that might favor public or private power providers. Specific savings or costs cannot be determined at this time for other proposed objectives for the Agency such as conserving energy, generating renewable energy, and closing the Hunters Point power plant.

Finally, the Agency's acquisition of facilities which are now privately owned could reduce revenues to the City and County by the loss of property, business and franchise taxes; however, the proposition also specifies that utility surcharges will be set to replace these lost revenues.

### How "F" Got on the Ballot

On July 23, 2001 the Board of Supervisors voted 6 to 5 to place Proposition F on the ballot.

The Supervisors voted as follows:

**Yes:** Ammiano, Leno, Maxwell, McGoldrick, Peskin, Sandoval

**No:** Daly, Gonzalez, Hall, Newsom, Yee

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

**ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 82  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 40**

## PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION F

Residents in Sacramento and Los Angeles share one thing in common: they haven't seen large increases in their electricity bills, because they are both served by public power agencies. The energy crisis has taught us not to count on large energy companies, state regulators or the Federal Energy Regulatory Commission to look after consumer interests: we must develop local solutions instead.

Prop F will establish a Municipal Water and Power Agency to bring our electricity service under municipal control, away from PG&E. **Municipal power is cheaper for consumers because:**

- municipal utilities don't pay investor dividends;
- municipal utilities don't pay federal, state and local taxes; and
- municipal utilities can borrow money for capital improvements at much lower interest rates.

The San Francisco Public Utilities Commission (PUC) currently delivers water and sewer service to the entire city, and already serves City departments like MUNI and the Airport with electricity from city-owned hydroelectric generation facilities. Prop F will add the rest of the community to its electricity service much like the Los Angeles Department of Water and Power, whose customers were protected against the massive rate increases and blackouts of the energy crisis.

The Municipal Water and Power Agency will be governed by a 7-member board of directors, elected by district, and will be managed by a professional general manager.

The Agency's charter contains several major goals including the development of renewable energy like solar and wind power, energy efficiency programs for residents and businesses, and measures to ensure that San Francisco's aging water system can withstand a major earthquake.

Prop F is a companion to measure I, the proposed San Francisco-Brisbane Municipal Utility District. **For an energy-independent San Francisco, vote Yes on F and I.**

*Board of Supervisors*

### How Supervisors Voted to Submit this Argument

The Supervisors voted as follows on August 20, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin

**No:** Yee

**Absent:** Sandoval

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

**Proposition F proponents** will lead you to believe that F is a companion measure to SFMUD-Measure I. **Companion meaning duplicate**, two independently elected bodies with overlapping responsibilities resulting in higher utility rates. Companion, meaning three city employees watching one work.

Members of the Board of Supervisors are dependent on Organized Labor for campaign contributions, endorsements, and volunteers in every election. I overheard a Supervisor say that Labor showed up at a Monday Board meeting and demanded Prop. F. The Supervisors put it on the ballot and the voters are being misled. **This is not a companion measure; it's political corruption.**

Most union workers provide good customer service and many labor unions in the private sector do a good job protecting employees from unfair labor practices. Municipal employee unions, who control the politicians who negotiate their contracts, often do not provide equally good customer service.

Los Angeles and Sacramento Municipal Utility Districts provide reasonable priced electricity because they are not locked into unresponsive MUNI-like labor unions, as Prop F will mandate.

Be careful what candidates you elect to the new MUD Board. Big Labor has several members running for the Board, in case voters defeat Prop. F. Candidates, who support both measures, are most likely receiving campaign contributions, endorsements, and/or volunteers from Labor and will not provide you independent representation.

**For a list of labor-independent candidates visit: [www.SFMUD.net](http://www.SFMUD.net)**

**Vote No on F and Yes on Measure I - SFMUD**

*Jim Reid*

Candidate for SFMUD Director, Ward 4



# Municipal Water & Power Agency



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## OPPONENT'S ARGUMENT AGAINST PROPOSITION F

### **Proposition F - the Municipal Water and Power Agency**

If you would like MUNI's labor unions to take over PG&E and be responsible for providing reliable service and reasonable electric rates in San Francisco, then Prop. F is the one for you. Prop F will create hundreds more City employees protected by Civil Service with lots of overtime and \$100,000.00 yearly pensions paid for by ratepayers like you and I. Prop F is Big Labors alternative to a Municipal Utility District. Supervisors indebted to Civil Service employee unions, put this on the ballot. It will result in higher utility bills and unaccountable service, just like the Municipal Railway.

Big Labor had a mandatory meeting for SFMUD Candidates in August to advise us that we should support both measures or loose the support of Organized Labor. Supporting both measures will give us two utility agencies with duplications of effort and two paid Boards of Directors and confusion over who is in charge of what.

You will see Big Labor campaigning hard to get Prop. F passed and to defeat MUD candidates, like myself, for stepping

out of line and oppose their ballot measure. Read who is supporting this measure. They are the same people who oppose MUNI reform.

Measure I – the San Francisco Brisbane Municipal Utility District measure is a much better measure. It is a model that has been effective around the State in lowering utility rates. It will allow its Board to negotiate fair labor contracts that serve the needs of both our employees and you, the ratepayers. Measure I will give you the likes of Sacramento MUD that has some of the lowest utility rates in the state.

### **Vote No on F and Yes on Measure I – SFMUD**

[www.SFMUD.net](http://www.SFMUD.net)

*Jim Reid*

Candidate for SFMUD Director, Ward 4

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION F

The real opponent of Prop F is PG&E, not Mr. Reid, who is a frequent local candidate.

**Ratepayers have had enough.** Prop F will address the failed California deregulation scheme (supported by PG&E in the legislature) and fix a poorly functioning City PUC.

In 1999, City voters restructured the Municipal Railway. Michael Burns was also hired to run MUNI. The result: steady improvement in service and fewer complaints.

Prop F is modeled on the successful MUNI reform. In 2001, voters can reform the PUC, which delivers water service and sewer service to residents and power to City departments. Prop F is a companion measure to Measure I establishing a San Francisco-Brisbane Municipal Utility District. Clearly Mr. Reid has not read Prop F, because it expressly avoids any overlapping or duplication of services with the MUD.

Environmentalists, business owners, property owners, tenants, labor and consumer advocates helped draft Prop F. Mr. Reid worries about labor. The reason public power is cheaper has nothing to do with labor costs: PG&E employees currently earn the same

or more than their government counterparts.

The savings from public power – on average 18% less expensive than power from investor-owned utilities – comes from not paying stockholder dividends, executive bonuses or federal and state taxes and from the cheaper cost of municipal, tax-free debt.

**Prop F is endorsed by the Sierra Club, SF Democratic Party, SF League of Conservation Voters, Democratic Women's Forum and San Francisco Tenant's Union. Vote Yes on F and I.**

*Board of Supervisors*

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### **How Supervisors Voted to Submit this Argument**

The Supervisors voted as follows on August 27, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval

**No:** Yee

**Absent:** Newsom

# F

# Municipal Water & Power Agency

## PAID ARGUMENTS IN FAVOR OF PROPOSITION F

Power companies pay lip service to conservation but the fact is they make more money when consumers use more power. Public power agencies don't have that conflict of interest.

**Vote Yes on F to get real about conservation.**

See [www.sflcv.org](http://www.sflcv.org) for more environmental endorsements.

*Amandeep Jawa*, President  
San Francisco League Of Conservation Voters

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

The three largest contributors to the true source recipient committee are 1. Johanna Wald 2. Amandeep Jawa 3. Jeff Henne.

San Francisco's power and water infrastructure is in dire need of repair. Passage of Prop F will create an accountable elected body with the responsibility and authority to restore our aging systems.

Vote Yes on F.

*San Francisco Tomorrow*

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

An elected governing board is always superior to an appointed board.

*Joel Ventresca*  
Chair, Coalition for Lower Utility Bills

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

Vote Yes on Proposition F.  
Vote Yes on the MUD initiative Measure I.  
The **Coalition for Lower Utility Bills**, author and proponent of Measure I, has endorsed the following candidates:

- Ward 1            Rose Tsai
- Ward 2            Joe Alioto Veronese
- Ward 3            Joel Ventresca
- Ward 4            Medea Benjamin
- Ward 5            Garrett Jenkins & Bob Boileau

*Coalition for Lower Utility Bills*

The true source of funds used for the printing fee of this argument is Coalition for Lower Utility Bills.

San Francisco is ready to integrate water and power, protect natural resources, and prevent pollution.

Only an agency governed by an accountable, citizen-elected board can ensure that these goals are achieved.

*Lena Brook*  
Clean Water Action

The true source of funds used for the printing fee of this argument is Clean Water Action.

**VOTE YES ON F AND THE MUD INITIATIVE.** To achieve energy independence, we must change how decisions are made, and give the people a voice in those decisions.

*Sierra Club*

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

The current **PUC** has no control over the cost of electricity or reliable sources of power. **"F"** provides elected commissioners an environmentally sound and economically reasonable **public utility system.**

**Yes on F!**

*Asian American Political Coalition*

The true source of funds used for the printing fee of this argument is Asian American Political Coalition.

The three largest contributors to the true source recipient committee are 1. Richard Ow 2. Arthur Chang 3. Houston Zheng.

We recommend a Yes Vote on Proposition F - Municipal Water and Power Agency.

*San Francisco Democratic Party*

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

The three largest contributors to the true source recipient committee are 1. John Burton 2. Jackie Speier 3. Tom Lantos.

# Municipal Water & Power Agency



## PAID ARGUMENTS IN FAVOR OF PROPOSITION F

San Francisco can best solve the power crisis by establishing its own Municipal Water and Power Agency. Yes on F means reliable, low-cost water, sewer and electric power services.

*Sue Bierman*

*Jeff Sheehy*

*Dean Goodwin, San Francisco Democratic Party Vice-Chair*

*Dan Kalb, Sierra Club Chapter Director*

The true source of funds used for the printing fee of this argument are Dan Kalb, Dean Goodwin, Sue Bierman.

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We'll use more solar and other renewable energy sources when San Francisco City creates its own Municipal Water and Power Agency. Prop F will work well with MUD Prop I for public control of utilities.

*Jeff Sheehy*

*Robin Levitt*

*Shawn O'Hearn*

*Eric Mar, San Francisco Board of Education*

The true source of funds used for the printing fee of this argument is Eric Mar, Jane Morrison.

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Propositions F and I work in tandem to provide water and electrical power to customers in a reliable, low-cost fashion. The time is long overdue for an accountable, publicly-run municipal utility agency. For energy independence, reliability and environmental responsibility, I support YES votes on Propositions F and I.

As a M.U.D. Director, I will work hard toward sensibly implementing measures F and I while making the new M.U.D. agency the most ENVIRONMENTALLY RESPONSIBLE utility in the country! Please vote Yes on F and YES on I.

*Dan Kalb*

*Candidate, Municipal Utility District - Ward One*

*Director, Environmental Organization*

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

Private utilities will never be serious about conservation because it cuts into their profit from power generation. They also prefer gas, coal and nuclear power plants over smaller scale renewable energy.

Public power agencies are accountable to ratepayers, not profit margins. The Sacramento MUD is a statewide leader in promoting energy conservation and solar power. Vote for F and I to get real about conservation and renewable energy.

*Harvey Milk LGBT Democratic Club*

The true source of funds used for the printing fee of this argument is Harvey Milk Lesbian Gay Bisexual Transgender Democratic Club.

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Like most tenants, you probably pay for electricity. If so, you know how rates have risen. Meanwhile, landlords have little incentive to install insulation, double-paned windows or weather-stripping to reduce electric bills.

We can't count on PG&E or federal regulators to protect our interests. Let's stop the spiral of rate increases with public power. Vote Yes on F and Yes on I.

*San Francisco Tenants Union*

*Housing Rights Committee*

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

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As San Francisco moves toward public power we see movement in the opposite direction toward privatizing management of multi-billion dollar capital improvement programs for our water-related infrastructure.

A vote for Proposition F is a message that San Francisco will retain public control over our valuable municipal assets. **Yes on MUD (public power) works well with Yes on F (keep San Francisco's hydropower and water resources public).**

Prop F is good public policy and good legislation.

**YES ON PROPOSITION F**

*Professional & Technical Engineers, Local 21 (IFPTE/AFL-CIO)*

*Howard Wong*

*President*

*Ron K. Dicks*

*Vice President, Legislative & Political Action*

*Kathleen Price*

*San Francisco Vice President*

The true source of funds used for the printing fee of this argument is Professional & Technical Engineers, Local 21 (IFPTE/AFL-CIO).

## PAID ARGUMENTS IN FAVOR OF PROPOSITION F

I wholeheartedly support Public Power, and I pledge that as City Attorney I will commit the full resources and staff of my office to implement the will of the voters should Proposition F and/or Proposition I pass.

I strongly endorse Proposition F as the fastest, least expensive way to make public control over our energy production and distribution a reality.

*Dennis Herrera*

Candidate for City Attorney

The true source of funds used for the printing fee of this argument is Herrera for City Attorney.

The three largest contributors to the true source recipient committee are 1. José M. Herrera 2. Patricia J. Herrera 3. Daniel J. Herrera.

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Vote to establish local control over San Francisco's energy policies. Stop profiteers from cashing in on human necessities.  
**Yes on F and I!**

*San Francisco Green Party County Council*

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

The three largest contributors to the true source recipient committee are 1. Matt Gonzales for Supervisor Campaign 2. William H. Travis 3. Marge Harburg.

# Municipal Water & Power Agency

## PAID ARGUMENTS AGAINST PROPOSITION F

### We're not convinced.

A lot of promises are being made about public power. **But without a plan**, that addresses the following, San Franciscans are being asked to take a **potentially devastating gamble**.

Consider:

- **We've heard about lower rates.** If the city pays an estimated \$1 billion to buy the electric system, **how will they lower rates and pay off the new debt?**
- **Blackouts are ordered by the state**, we won't ever control that.
- **The problem is power generation**, state and nationwide. Distribution is working. Buying the distribution system changes very little – but will **cost a lot**.
- Even if it did work, a take-over won't solve anything for years to come. The **Sacramento MUD took 23 years** from voter approval to implementation. Who would make **needed investments during this time?**
- Few city departments treat San Franciscans as valued customers. Let's not create another customer-unfriendly service.
- **Hetch Hetchy produces 25 percent** of the city's electrical needs (all used by the city itself). **We still need to buy 75 percent of our power.** Where is the guarantee that a city-run water & power agency could buy power cheaper or distribute it more efficiently?

We believe:

Utilities should be **affordable, reliable and clean**.

Utilities that operate efficiently and reliably are **critical to the well being of every San Franciscan**.

Utility services **should not be politicized**.

We're not ready to support a **billion-dollar expenditure until there are facts and not just hopes and promises**. We urge a no vote on take-over of utilities.

Vote no on F and I.

*A. Lee Blitch*

President & CEO

San Francisco Chamber of Commerce

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

Vote NO on Proposition F.

This is another attempted power grab by politicians. It will mean more debt and costly bureaucracy for San Franciscans. Don't get stuck with poor services, higher utility bills and more taxes. Do not be deceived. Don't give a blank check to the politicians on the Board of Supervisors.

### VOTE NO ON PROP F.

*San Francisco Republican Party*

*Donald A. Casper, Chairman*

*Mike DeNunzio*

*Howard Epstein*

*Albert C. Chang*

*Mike Fitzgerald*

*Sue Woods*

*Elsa Cheung*

*Erik Bjorn*

*Denis J. Norrington*

*Lee S. Dolson, Jr.*

*Harold M. Hoogasian*

The true source of funds used for the printing fee of this argument is San Francisco Republican County Central Committee and the above signers.

The three largest contributors to the true source recipient committee are 1. Alfreda Cullinan 2. George W. Rowe 3. Sally L. Saunders.

### BE PRUDENT ! VOTE NO ON F !

Proposition F is dangerously deceptive. It throws out the *existing* City Charter mandated order of priorities for spending our water and sewer revenues. It deletes from the Charter the *existing* mandate for a replacement and reconstruction fund for Hetch Hetchy and our water and sewer utilities. It goes even further: it eliminates entirely all the *existing* ratepayer protections contained in Charter Section 16.103! Additionally, it puts the City in the electricity, gas and steam businesses without these ratepayer protections!

Proposition F actually allows the City to **extend** our existing utilities infrastructure to profit new development and to venture into the electricity business **before** making needed repairs and replacements to our existing systems! It creates a massive new City bureaucracy and gives it authority to issue revenue bond debt **not only without voter approval, but even without the appropriations oversight of the Board of Supervisors and without review by the California Public Utilities Commission!** Proposition F asks you the ratepayer to sign a big blank check.

It is simply bad public policy to amend the City Charter to create a huge new utility superpower, while eliminating *existing* ratepayer protections contained in our City Charter since 1932.

*Coalition for San Francisco Neighborhoods*

Representing 33 neighborhood associations

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

## PAID ARGUMENTS AGAINST PROPOSITION F

Runaway prices for wholesale power are driving up electric bills. Proposition F is no solution. In fact, Prop F will mean higher rates, and could jeopardize service reliability.

Prop F will expand bureaucracy, with city ratepayers picking up the tab. This bureaucracy can issue an unlimited amount of bonds without voter approval. Not even the Board of Supervisors can issue bonds without voter approval. It will have sweeping authority to build power plants and transmission lines in City neighborhoods, regardless of local sentiment. Meanwhile, the City will have to buy power in the volatile wholesale electric market. City ratepayers will pick up the tab.

What's worse, Prop F contains no meaningful provisions to retain a stable, experienced utility workforce.

Prop F is an expensive experiment, not sound policy. We've already suffered through one hugely expensive electric experiment. Let's not rush into another one.

*Hunter Stern*, Business Representative  
IBEW Local 1245\*

\*for identification purposes only

The true source of funds used for the printing fee of this argument is IBEW Local 1245.

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Proposition F is a flawed measure that will open the door to the most expensive boondoggle in San Francisco history. Proposition F, like Proposition I, creates an entirely new bureaucracy, endowed with virtually unlimited power to issue bonds. These bonds may be issued without voter approval, up to \$100 million.

This risky proposition does not allow, or at the very least makes inconvenient, voter scrutiny and approval of a controversial, important and enormously expensive matter.

A bond issue for a takeover of the electric system, which Proposition F proponents have repeatedly stated they will pursue should this initiative pass, could exceed \$1 billion - the largest bond measure in San Francisco history.

Who would bear the cost of this enormous debt? The ratepayers – on top of the cost of their electricity. They should have a voice in the decision. Proposition F silences that voice. **Vote No on Proposition F.**

*Supervisor Tony Hall*

The true source of funds for the printing fee of this argument is Mr. Richard Bodisco.

Despite the rhetoric put forward by the proponents of Proposition F, the Water and Power Agency initiative spells disaster for San Francisco ratepayers and taxpayers. Proposition F will not result in cheaper electricity. Common sense and simple arithmetic put the lie to the pie-in-the-sky vision offered up by the proponents of this simple-minded, risky scheme.

Under Prop F, San Francisco will continue to buy most of its power on the spot market because San Francisco does not generate enough electricity on its own to cover the demand. There's no price break there. The out-of-state price gougers will charge a Water and Power Authority the same steep prices they charge everyone else.

In addition, under Prop F, each and every ratepayer will have to cover the cost of acquiring the distribution system – the substations, poles and wires that bring the electricity into your home – on top of the cost of the electricity. This acquisition will cost upwards of \$1 billion. Indeed, that acquisition is written into the language of the measure – along with an unlimited capacity to issue bonds, without approval from the voters, to pay for it.

So, on top of the market price for electricity, the ratepayers under a Water and Power Authority would have to cover the \$1 billion cost of acquiring the electricity distribution system. It doesn't add up to cheaper electricity. It adds up to poor public policy. Vote No on F.

*Claudine Cheng*

The true source of funds used for the printing fee of this argument is Coalition for Affordable Public Services.

The largest contributor to the true source recipient committee is: PG&E.

# Municipal Water & Power Agency



## PAID ARGUMENTS AGAINST PROPOSITION F

### Bad Law, Bad Government

The Water and Power Agency, Proposition F, together with the proposed Municipal Utility District (MUD) Measure I, would subject our gas and electric utility services to ill-conceived, poorly drafted law. There would be chaos and conflict: full-time work for lawyers, accountants and courts but no good news for local utility customers.

- Proposition F would create a new, separate Water and Power Agency in addition to the proposed MUD. Instead of having one energy bureaucracy, we'd have two. While Proposition F bids these two new governmental agencies to try to agree on electric service, there is no such direction as to which bureaucracy should provide natural gas services - chances are they will spend time and money fighting over who is in charge rather than giving us good utility service.
- The MUD would be a creature of state law. Its board members would not be subject to San Francisco's open government Sunshine and disclosure laws.
- These additional bureaucracies are unnecessary. The present city charter already empowers the City to provide these services to city residents.
- If Prop F passes, the Agency will be authorized to issue hundreds of millions of dollars in revenue bonds to take over local wires and poles without prior voter approval.
- Sadly, as Californians have learned during the last year, the energy crisis is a regional and statewide problem of supply and demand, not one that will be solved by a local government bureaucracy.

For the aforementioned reasons, I urge you to vote NO on both Proposition F and Measure I.

*Judge Jack Ertola, Retired*

The true source of funds used for the printing fee of this argument is Coalition for Affordable Public Services.

The largest contributor to the true source recipient committee is: PG&E.

### More Debt, More Bureaucracy, More Solution

The energy crisis confronting California presents a confounding problem, but one thing is crystal clear: Proposition F is not the answer. Indeed, this Water and Power Agency initiative, like the MUD proposal, is an irresponsible measure that leads not to improvements in the electric system, but to higher costs, more bureaucracy and massive debt for every San Francisco ratepayer.

Proposition F does not solve the problem, which is one of electricity supply, not transmission. Instead, Prop F creates a new bureaucracy and invests it with the power to issue an unlimited amount of revenue bonds without approval from the voters, a power not even the Board of Supervisors currently enjoys.

Taking over the electrical transmission system now owned and operated by PG&E would cost more than \$1 billion. The proponents of Prop F have stated many times that they will issue the bonds to do so. The cost of this debt will be borne directly by the ratepayers, on top of the cost of electricity. Yet, the basic problem – not enough electricity to meet demand – will still exist.

As a result, whether you are radical, liberal or conservative, Prop F is inadequate. We need a legitimate solution to our electricity crisis, the product of an informed public discourse, not a last-minute, half-baked measure put on the ballot after some back-room, political arm-twisting, which is exactly what Prop F represents. Half-baked ideas are what created the California energy crisis in the first place.

Vote No on F. The politicians have had their chance with the electricity system.

*Rebecca Delgado-Rottman*

Treasurer, Filipino-American Democratic Club

The true source of funds used for the printing fee of this argument is Coalition for Affordable Public Services.

The largest contributor to the true source recipient committee is: PG&E.

## PAID ARGUMENTS AGAINST PROPOSITION F

The proposed Municipal Water and Power Agency is risky business. The State put its finances at risk to buy electricity. What makes supporters of a City electric utility think a new local agency can do any better?

- **The City would be at risk.** The City would have to buy 75 percent of its electricity on the open market which is fraught with dangerous price changes. The City's Hetch Hetchy dam in the Sierras produces only 260 megawatts—less than that in a dry year. Even if all that electricity were used in San Francisco, the City would be far short of the 1,000 megawatts it needs.
- **The voters would be at risk.** Under Prop F the Power Agency's board could issue bonds without getting prior voter approval. We would be responsible for paying for all these bonds and interest on our utility bills.
- **Utility customers would be at risk.** Utility rates would be increased by a vote of the Agency's board, without voter approval and without the approval of the Mayor or the Board of Supervisors. The same people who spend the money would decide how much they can charge us for their power projects.

Today the State of California is buying electricity. It is using our tax dollars, hoping it can sell bonds to free those tax funds for education, housing, transportation and other programs allocated in the state budget. There is no reason for San Francisco to risk its taxpayers or its utility customers funds to do the same thing.

The energy problem is a state problem. Let's not put our taxpayer and utility customer funds at risk.

Vote NO on F and vote NO on its companion proposition, Measure I.

*Coalition for Affordable Public Services*

The true source of funds used for the printing fee of this argument is Coalition for Affordable Public Services.

The largest contributor to the true source recipient committee is: PG&E.

Proposition F, the Water and Power Authority initiative, is poor public policy, drafted behind closed doors and placed on the ballot at midnight after its supporters engaged in some of the most blatant political armtwisting City Hall has ever seen. Prop F does not offer a solution to our electricity crisis, it offers politics as usual: more bureaucracy, more city employees and bigger electric bills.

We don't need Prop F. We need real and comprehensive solutions to our energy problems that take into account the needs of every San Franciscan, not the political agendas of a few. Just ask the people in the Southeast part of the city, who live every day in the shadow of noxious power plants, what power politics has done for their neighborhood. Prop F is more of the same.

We need a solution that is the product of open, honest debate and thoughtful consideration, not closed-door politics where only the privileged few get a seat at the table. We don't need Prop F. Vote No on F.

*Douglas S. Chan*

Member, California Small Business Board\*

\*for identification purposes only

The true source of funds used for the printing fee of this argument is Coalition for Affordable Public Services.

The largest contributor to the true source recipient committee is: PG&E.



# Municipal Water & Power Agency



## PAID ARGUMENTS AGAINST PROPOSITION F

### Vote NO on Proposition F (and also Measure I) for the following reasons:

1. No reliable cost estimate exists for purchasing existing facilities and building new facilities so that the Agency could provide electric power to San Francisco consumers. Many costs are presently unknown.

2. Environmental restrictions would severely hamper building new power plants and transmission facilities.

3. The Hetch Hetchy Water & Power system was primarily built for water supply to San Francisco, and the system is operated to optimize water supply. Electric power production is of secondary importance. Hetch Hetchy generation is only a fraction of San Francisco's demand (see tabulation below), and power available to San Francisco is reduced by certain requirements of the Modesto and Turlock Irrigation Districts, which have prior rights under the 1913 Raker Act.

<i>Peak Generation or Demand</i>	<i>Total Energy (Year 2000)</i>
HH Generation (min/max) 158/402 MW	1,949,604 MW-hours
SF Total Load (max) 950 MW	5,500,000 MW-hours (est.)

4. The City has no experience in owning, operating or maintaining electrical distribution or generation systems in urban areas. We can expect unreliability of service and huge increases in Civil Service employees (and their costs) if Prop F wins.

Vote NO on Prop F and Measure I in order not to aggravate the present energy mess any more for San Francisco consumers. We will do much better, in the long run, to let the utility handle electrical distribution in San Francisco, as they have done so well for many years, after the State of California finally lets them get back on their feet.

*Winchell T. Hayward*

Retired Hetch Hetchy Electrical Engineer

The true source of funds used for the printing fee of this argument is Coalition for Affordable Public Services.

The largest contributor to the true source recipient committee is: Pacific Gas & Electric.

Keep San Francisco out of the electrical distribution business by voting NO on Propositions F and I. Here are some problems you will find by looking closely at the texts of these propositions:

1. The Agency's Board of Directors could issue "single issue" revenue bonds up to \$100 million each, without voter or Supervisors' approval. No limit is set on the number of such bond issues that the Agency could unilaterally issue.
2. Agency funds could be transferred (after 5 years) to the General Fund by a 2/3 vote of the Board of Supervisors, without approval of the Agency's Board of Directors. Thus the Supervisors could plunder Agency funds. Section 16.103, which clearly shows how the PUC's funds are to be handled, should not be deleted.
3. Cutting off the utility exposes the City financially to the same power market gyrations that the State is dealing with.
4. "Affordable and stable rates" (Sec. 8B101 (a)1) will probably be unattainable because of high and ever-changing costs.
5. The prohibition against the Agency's dealing directly with the utility is unreasonable and impractical, and is unfair to City consumers who will eventually have to pay for the total cost of this colossal boondoggle.
6. The specified 100MW reduction in SF's demand within 3 years may lead to some very expensive load reduction expedients, such as paying some consumers for reducing their power consumption. Then other customers will have to pay more to recoup that cost.
7. The specified 100MW additional generation within 10 years from various "alternative energy generation facilities" is completely unrealistic.

San Francisco has enough problems and demands on its financial resources without getting into this very capital-intensive business. Vote NO on Propositions F and I.

Babette Drefke

Member, Citizen's Advisory Task Force-Potrero Power Plant\*

\* for identification purposes only

The true source of funds used for the printing fee of this argument is: Pacific Gas and Electric Company.

# TEXT OF PROPOSED CHARTER AMENDMENT

## PROPOSITION F

Describing and setting forth a proposal to the qualified voters of the City of San Francisco to amend the Charter of the City by repealing sections 4.112, 16.103, and A8.508, amending sections 9.107, 13.101, and A8.500, and adding a new Chapter 8B, to: (1) eliminate the Public Utilities Commission; (2) form a Municipal Water and Power Agency, which shall succeed to all powers and responsibilities of the Public Utilities Commission and, for the generation, sale and transmission of electricity, steam and other energy and for proposing ordinances setting energy and water efficiency goals and standards to the Board of Supervisors; (3) adopt a two year budget; and, (4) permit the transfer of excess surplus utility funds to the City's General Fund after 5 years only upon a two-thirds vote of the Board of Supervisors.

The Board of Supervisors hereby submits to the qualified voters of the City at an election to be held on November 6, 2001, a proposal to amend the Charter of the City by repealing sections 4.112, 16.103 and A8.508, amending sections 9.107, 13.101, and A8.500, and adding a new Chapter 8B, to read as follows:

Note: Additions are underline;  
deletions are ~~strikethrough~~.

Section 1. Section 4.112 of the San Francisco Charter is hereby repealed.

### ~~SEC. 4.112. PUBLIC UTILITIES COMMISSION~~

~~The Public Utilities Commission shall consist of five members appointed by the Mayor, pursuant to Section 3.100, for four year terms. Members may be removed by the Mayor only pursuant to Section 15.105.~~

~~The Public Utilities Commission shall have charge of the construction, management, supervision, maintenance, extension, operation, use and control of all water and energy supplies and utilities of the City as well as the real, personal and financial assets, which are under the Public Utilities Commission's jurisdiction on the operative date of this Charter, or assigned pursuant to Section 4.132.~~

Section 2. Section A8.508 of the San Francisco Charter is hereby repealed.

### ~~A8.508 PACIFIC GAS & ELECTRIC COMPANY EMPLOYEES~~

~~The board of supervisors shall have the power to provide by ordinance retirement benefits for persons who become employees of the City of San Francisco under any lease, or other temporary arrangement, entered into between said City and the Pacific Gas & Electric Company, and because of their employment by said company at the effective date of said lease, or other temporary arrangement. The effect of said ordinance shall be to provide essentially the same retirement benefits for said employees~~

~~on account of service rendered under said lease, or other temporary arrangement, as if said persons had been employees of said company throughout the term of said lease.~~

~~The further effect of said ordinance shall be to provide for permanent retirement rights for said persons, in the event they become employees of said City upon purchase or other permanent acquisition of the properties of said company, essentially the same benefits on account of service rendered as employees of said City, as they would have received if they had been members throughout said service of the San Francisco City Employees Retirement System on the same basis as other employees of said City, except members of fire or police departments.~~

Section 3. The San Francisco Charter is hereby amended by adding a new Article VIII B, to read as follows:

### SEC. 8B.100. MUNICIPAL WATER AND POWER AGENCY

(a) There is hereby established a Municipal Water and Power Agency ("Agency") as an department of the City. The Agency shall have charge of the construction, management, supervision, maintenance, extension, operation, use and control of all water, water pollution control, and energy supplies and utilities of the City, wherever located. The Agency shall integrate the management of water, power, water pollution control and natural resources into its operations.

(b) Effective May 1, 2002, the Agency shall succeed to and assume all powers and responsibilities of the Public Utilities Commission, including responsibility for the supplies and utilities of the City, as well as all real and personal property and financial assets that are under the Public Utilities Commission's jurisdiction. The Agency shall have power and responsibility over all supplies, utilities, real and personal property, financial assets and any other assets related to water, water pollution control and energy subsequently acquired by the City.

(c) It is the intent of this Article to end Pacific Gas & Electric Company's monopoly in San Francisco, to revoke Pacific Gas & Electric Company's franchise, and to create a full-service public power system in the City to sell power directly to consumers, consistent with the U.S. Supreme Court's 1940 interpretation of the Raker Act.

### SEC. 8B.101. AGENCY GOALS AND OBJECTIVES.

(a) After public review and hearing, the Agency shall adopt and periodically update goals consistent with the following:

(1) To provide water, water pollution control and electric service to San Francisco residents, businesses and

City departments consistent with the Raker Act at rates that are both affordable and stable for ratepayers;

(2) To provide reliable water, water pollution control and electric service and optimize the system's ability to withstand natural and manmade disasters. The Agency shall work with its wholesale customers, potentially affected communities and other agencies to develop a Crisis Management Plan to prepare for extended outages of San Francisco's regional water system following a major earthquake or other catastrophic event;

(3) To protect and manage lands and natural resources used by the Agency to provide utility services consistent with applicable local, state and federal laws. The operation of hydroelectricity facilities shall be conducted in a manner such that generation of hydroelectricity power causes no reasonably anticipated adverse impacts on water service;

(4) To provide for and protect the health and safety of residents, customers and employees;

(5) To maintain beneficial uses consistent with applicable state and federal laws.

(b) After public review and hearing, the Agency shall adopt and periodically update goals consistent with the following objectives:

(1) To develop and implement programs to integrate the management of water, power, water pollution control and natural resources into Agency operations;

(2) To develop and implement energy conservation and efficiency programs resulting in one hundred Megawatts of reduction in local power consumption within three years of the effective date of this Section;

(3) To develop and implement one hundred Megawatts of renewable wind, solar, fuel cell and/or other alternative energy generation facilities within ten years of the effective date of this Section;

(4) To develop and implement programs to increase and to monitor water use efficiency systemwide through a variety of cost-effective programs accompanied by public education/outreach and incentives, including but not limited to, increasing recycled water use; reducing residential use by increasing the use of water efficient fixtures; and, studying the feasibility of adopting commercial, industrial and institutional (CII) cost effective water use efficiency measures;

(5) To develop and implement

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION F (CONTINUED)

programs to reduce, subject to and consistent with applicable local, state and federal laws and regulations, the incidence of street flooding resulting from storm water overflow or other events, which may include programs for constructing wetlands, riparian corridor restoration and onsite stormwater drainage and detention;

(6) To develop and implement programs that result in complete odor control at the property line of all water pollution control facilities within three years of the effective date of this Section. Such programs may include development of decentralized sewage treatment facilities to better meet demand from new residential and commercial developments;

(7) The construction, acquisition, and operation of facilities for the provision of energy to public and private users within the City, including the implementation of energy generation or system reliability measures that result in the closure of Hunters Point power plant and the clean-up of electricity generation at the Potrero power plant, consistent with the requirements of Ordinance 124-01 and any subsequent ordinances of the City; and,

(8) To preserve the beneficial uses of the Bay and safeguard public health through the Agency's pollution prevention, toxicity reduction and nonpoint source control programs subject to and consistent with applicable local, state and federal law.

(9) To develop and implement a comprehensive set of environmental justice guidelines to be used for evaluating Agency policy and projects, including but not limited to:

a. The upgrade and/or siting of power generation facilities, transmission lines, water pollution control infrastructure and facilities and other major capital projects.

b. System-wide operational impacts

c. Long-range strategic plans.

### **SEC. 8B.102. GOVERNANCE AND DUTIES.**

(a) A seven-member board of directors shall govern the Agency. The initial directors shall be elected at the March 2002 statewide primary election according to districts adopted by the Board of Supervisors no later than November 7, 2001. The initial terms of office of all directors shall begin at 12:00 noon of the first day of May 2002. Subsequent terms shall commence at 12:00 noon on the eighth day of January as provided by Section 13.101 of this Charter. Commencing with the general municipal election in November 2003, the directors

shall be elected by district for a term of office of four years, in the same manner as the members of the Board of Supervisors, as provided in Charter Section 13.110. The districts shall be set and adjusted, the residence of voters established, and the qualifications and election of directors shall be governed in the same fashion as set forth in Charter Section 13.110, except that whenever that section refers to the Board of Supervisors it shall be deemed for purposes of this section to refer to the board of directors of the Agency and whenever that section refers to eleven districts it shall be deemed for purposes of this section to refer to seven districts. In order to provide for the staggering of terms of office, the Executive Secretary of the Agency shall determine, by lot, which of the initial members elected in 2002 from the even- and odd- numbered districts shall have terms of office expiring at 12:00 noon on the eighth day of January 2004 and which shall have terms of office expiring at 12:00 noon on the eighth day of January 2006. Commencing with the general municipal election in November 2003 and the general municipal election in November 2005, the terms of office of the directors elected from all districts shall be for a term of four years and shall continue as such thereafter. The provisions of Section 13.102 of this Charter governing runoff elections for members of the Board of Supervisors or any successor provision thereto shall govern runoff elections for members of the board of directors of the Agency.

(b) In the event that both this measure and a measure establishing a Municipal Utility District (MUD) that includes San Francisco is adopted by voters at the November 6, 2001 election, the following provisions shall take effect:

(1) Within sixty (60) days of its first meeting, the Agency board of directors shall invite the board of directors of the MUD to participate in one or more duly-noticed public meetings to determine whether the Agency or the MUD is better equipped to deliver cost-effective electric utility service to residents and businesses within the shortest period of time.

(2) The Agency board shall seek an agreement with the MUD board to ensure that only one of the two agencies shall endeavor to provide electric utility services to San Francisco residents and businesses. Absent such agreement or in the event that MUD is determined to be the agency best equipped to deliver electric utility services under subsection (1), the Agency shall not pursue any plan to provide electric utility service to San Francisco residents and shall refrain from competing to provide electric utility services with the MUD.

(3) Notwithstanding subsections (1) and (2), the Agency may implement the public power plan as prescribed by Section 8B.105(d) if any of the following conditions occurs:

(A) A court issues a final judgment restraining the MUD from studying and/or providing electric utility services in San Francisco;

(B) Any necessary state or local approvals required for the MUD to provide electric utility services in San Francisco are denied; and/or

(C) The MUD has not fulfilled statutory requirements to become an electric utility by January 1, 2004.

(c) The Civil Service Commission shall determine the annual compensation to be paid to members of the Agency board of directors based on an independent survey of the compensation of directors of other publicly held utility corporations located in the nine-county Bay Area that most closely resemble the Agency in size, mission, and complexity; provided however that for any director who will be subject to the ban on dual office holding under Charter Section 15.106, the Civil Service Commission shall determine this compensation subject to an annual maximum of \$2,500.

(d) Notwithstanding Section 3.100, the board of directors shall appoint persons to fill vacancies on the board of directors for the unexpired term of office of the director vacating office.

(e) A person appointed to fill a vacancy shall relinquish their right to run for a seat on the board of directors at the first election following his or her appointment.

(f) Elected officials of the City of San Francisco, except members of the MUD board of directors, are prohibited from being candidates for or serving on the Agency board of directors.

(g) Campaigns and candidates for board of directors of the Agency shall be subject to all City ordinances and regulations and applicable state and federal laws governing campaign contributions and campaign financing.

(h) Except as otherwise expressly provided in this Section, the Agency shall be subject to the provisions of this Charter applicable to boards, commissions, and departments of the City except that Charter Sections 4.126 (general provisions regarding departments) and 4.132 (executive branch reorganization) shall not apply to the Agency. Charter Section 10.104(15) shall apply.

(i) The provisions of Charter Section 4.102 shall not apply except that the board of directors of the Agency, and its individual directors, shall deal with administrative matters

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION F (CONTINUED)

solely through the general manager or the general manager's designee. Any interference by a director in the administrative affairs of the Agency, other than through the general manager, shall constitute official misconduct; provided, that nothing contained in this Section is intended to restrict the authority of the board of directors to conduct hearings and inquiries as otherwise provided in Section 8B.100 et seq.

(j) The board of directors of the Agency shall:

(1) Elect a president of the board of directors from among its members to preside over all meetings of the board. The president shall serve for a term of two years, and may not serve as president for more than two consecutive terms. The board of directors may appoint such other officers as may be necessary or convenient for the conduct of the board's business. The board of directors shall adopt bylaws governing its affairs and the conduct of its meetings.

(2) Appoint a general manager, who shall serve at the pleasure of the board of directors. The board of directors shall adopt minimum qualifications for the position of general manager. His or her compensation shall be comparable, with regional cost of living adjustments, to the compensation of chief executive officers of public water and power agencies in the United States, which the directors, after an independent survey, determine most closely resemble the Agency in size, mission, and complexity.

(3) Notwithstanding Section 6.102, appoint general counsel for the Agency, who shall serve at the pleasure of the board of directors. The board of directors may appoint the City Attorney to serve as general counsel for the Agency. Upon recommendation of the general counsel and the approval of the Agency board of directors, the general counsel may compromise, settle or dismiss any litigation, legal proceedings, claims, demands or grievances in connection with any matter or property solely under the jurisdiction of the Agency. Unlitigated claims or demands for or against the Agency shall be handled as set forth in Charter Section 6.102. Any payment pursuant to the compromise, settlement, or dismissal of such litigation, legal proceedings, claims, demands, or grievances shall be made from the funds under the control of the Agency.

(k) There shall be a comprehensive accounting of the Agency's budget, determination of rates, issuance of bonds and such other financial and economic matters as determined by the board of directors or general manager.

(l) The administrative duties of the board of directors shall include:

(1) Enter into or renew long-term contracts for the provision of energy outside of the City and for the expan-

sion of existing wholesale water delivery contracts outside of the City only if the board of directors of the Agency in each instance finds that the provision of such extraterritorial service will not materially impair the provision of such service to municipal, residential and business users located within the City and the general manager certifies this finding in writing. All provisions of such contracts shall be consistent with Section 8B.102. This authority includes consideration of all possible means of modifying or terminating long-term energy contracts in existence as of the date of adoption of this measure with the Modesto and Turlock Irrigation Districts and Pacific Gas & Electric Company, or their successors, if such action would be beneficial to the City. For purposes of this subsection, "long-term" shall mean the provision of service for a period of two years or more, inclusive any options to renew or extend the term of the contract.

(A) The Agency may enter a joint powers agreement solely for the purpose of providing electric services within the geographical limits of the separate public agencies that executed the joint powers agreement; provided, however, the terms and conditions of providing electric service to areas outside of San Francisco do not detrimentally affect the reasonable, reliable and affordable provision of electric services to residents and businesses of San Francisco.

(B) For purposes of subsection (A), the Agency may be advised on issues pertaining to water service and rates by the Suburban Representatives, a five-member body representing suburban water purchasers, as set forth in Section 8.13 of the 1984 Settlement Agreement and Master Water Sales Contract.

(2) The Agency may, with two-thirds approval of the Agency board of directors and without voter approval, issue revenue bonds and/or any other forms of indebtedness to be repaid from revenues of the Agency in accordance with State law. Notwithstanding the provisions of Section 9.107, the Agency board of directors shall not be required to obtain the approval of the Board of Supervisors to do so. The Agency may not issue any revenue bond or other form of indebtedness unless and until the Controller certifies in writing that sufficient unencumbered Agency revenues will be available to timely meet all of its obligations arising from such issuance.

Any single issuance of revenue bonds and/or other forms of indebtedness of the Agency that exceeds \$100 million shall, regardless of the type of legislative action of the Agency, be subject to the referendum requirements of Section 14.102 of this Charter. The Agency action shall

not become effective until 30 days after its adoption

(3) Set rates for the provision of water, water pollution control and, if applicable, electricity and natural gas service to residents, businesses and City departments.

(4) Notwithstanding the requirements of Section 9.118 of this Charter, execute contracts without Board of Supervisors approval, provided however, that any service contracts shall be submitted to the Board of Supervisors and any service contracts not acted upon by the Board of Supervisors within 60 days of the Agency's action recommending approval of such contract shall deemed valid.

(5) Recommend the exercise of eminent domain to the Board of Supervisors for the acquisition of property and facilities necessary or convenient for the Agency to achieve the objectives and perform the functions of the Agency provided, however, that the Agency may independently exercise eminent domain if applicable state law provides for such powers. Resolutions approving the exercise of eminent domain by the Board of Supervisors shall not be subject to mayoral approval.

(6) Recommend to the Board of Supervisors the adoption of water, water pollution control and energy impact development fees and/or connection fees upon new development within the City related directly to the incremental financial burden on the Agency both for initial capital outlay for the acquisition of water, water pollution control and energy generating capacity and the construction of related facilities, and for the long-term operation, maintenance and replacement of those facilities once they are in place.

(7) Undertake all actions necessary or convenient to the full exercise of the powers granted to the Agency by this Charter or other law.

(8) Exercise such other powers and duties as may be prescribed by ordinance of the Board of Supervisors provided that voter approval at a general or special election shall be required for the Agency to provide any utility service other than water, water pollution control, and energy supplies and utilities.

(m) The general manager shall have all the powers and duties of a department head. The general manager may: (i) appoint qualified individuals to fill all positions within the department that are exempt from the Civil Service provisions of this Charter; (ii) adopt rules and regulations governing matters within the Agency's jurisdiction, and (iii) subject to approval of the board of directors, reorganize the Agency.

(n) After five years from the effective date of this Article Agency funds may be trans-

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION F (CONTINUED)

ferred to the general fund of the City only by a two-thirds vote of the Board of Supervisors. Only funds of the Agency transferred to the general fund under this Section may be used for purposes other than achieving the objectives and performing the functions of the Agency, including capital improvement and maintenance projects and as set forth in 8B.103(a).

### **SEC. 8B.103. BUDGET.**

The Agency shall establish its own Office of Finance. The general manager shall appoint a finance manager, who shall serve at the pleasure of the general manager. The Agency shall be exempt from the budget provisions of Article IX of this Charter. Each year the board of directors shall enact or update a ten-year capital and long-range financial plan, a five-year business plan, and a two-year budget as follows:

(a) Not later than March 1 each year, the board of directors shall enact a ten-year capital and long-range financial plan that:

(1) Includes a prioritized schedule of capital projects designed to meet or exceed Agency goals and objectives provided by Section 8B.102;

(2) Provides the Agency with the most cost effective and stable bond rating to ensure low-cost issuance of debt;

(3) Prioritizes use of annual rate revenue to finance capital improvements and eliminate use of long-term debt to finance maintenance activities;

(4) Identifies the anticipated sources of funding for each capital project; and,

(5) Includes narrative descriptions of plans that allow the public to clearly understand the capital projects proposed for each operating division.

(b) Not later than March 1 each year, the board of directors shall enact a five-year business plan that:

(1) Details proposed programs designed to meet or exceed Agency goals and objectives for each operating division set according to Section 8B.102;

(2) Details projected capital and operating budgets, personnel requirements, and contract obligations sufficient to implement the Agency's ten-year capital plan;

(3) Provides a five-year schedule of water, water pollution control and power rates sufficient to finance the Agency's operations and capital plan, avoid sudden increases in rates and stabilize rates for consumers; and

(4) Includes narrative descriptions of programs that allow the public to clearly understand proposed operations and projects.

(c) Not later than July 1 of each year, the

board of directors shall enact a two-year budget and a two-year rate schedule for provision of water, water pollution control and power service, provided however that if the Agency board of directors finds after a public hearing an emergency requiring a change in any or all of the rate schedule then in effect, rates may change prior to the termination of the two year period.

The two-year budget shall be developed and submitted for public review according to the following schedule:

(1) Not later than February 1 of each year, the Agency shall submit its proposed appropriation and rate schedules to the Controller for review and certification that the revenue estimates are sufficient to meet proposed expenditures. Not later than March 1 of each year, the Controller shall submit an opinion to the board of directors regarding the accuracy of economic assumptions underlying the revenue estimates and the reasonableness of such estimates and revisions.

(2) Not later than March 1 of each year, the Agency shall hold public hearings on its proposed two-year budget. The budget shall contain a description of the financial records required by Section 3.105 of this Charter and contain information relating to the types and extent of services to be delivered, anticipated revenues and proposed expenditures in a manner that, to the extent feasible, allows comparison of revenue and rate trends and expected expenditures over time. The budget shall also contain proposed performance measures for each operating division of the Agency, including but not limited to: (i) progress toward and costs incurred completing proposed capital projects compared to previously proposed costs and schedules for completion; (ii) proposed rates compared to projected rates from prior Agency five-year business plans and utility rates charged statewide by public and private utilities; (iii) current bond ratings and proposed levels of indebtedness compared to prior ratings and indebtedness; (iv) employee, health, safety and satisfaction; (v) compliance with environmental laws and regulations; (vi) customer satisfaction and reliability of service; and (vii) progress toward meeting such other goals and objectives as may be established by the Agency.

(3) Not later than April 1 of each year, the Agency shall submit its proposed two-year budget for accounting review and analysis. Not later than June 1 of each year, such accounting analysis shall be provided to the board of directors as detailed recommendations for spending

consistent with the Agency's most recently adopted five-year business plan. At least every two years there shall be an audit of the Agency furnished to the board of directors.

(4) Not later than June 1 of each year, the Agency shall hold public hearings in each board of directors district, at a transit-accessible location noticed at least 30-days in advance in utility bill mailings and in local print media, to consider public comment on its proposed ten-year capital and long-range financial plan, its proposed five-year business plan, its proposed two-year budget and accounting recommendations.

(5) Not later than July 1 of each year, and after consideration of public comment received on the proposed budget and accounting recommendations, the Agency shall adopt a balanced two-year budget, with a certification that rate and other revenues are sufficient to meet expenditures and that proposed operating and capital programs are sufficient to meet or exceed the goals and objectives articulated in its most recently adopted five-year business plan.

### **SEC. 8B.104. RATES.**

(a) Rates, fees and charges shall be fixed by the Agency at a level sufficient to meet any rate covenant relative to any bonded indebtedness issued by the Agency or any of the Agency's predecessors, to meet operating and long-term capital costs and maintain a prudent reserve. The Agency may adopt rate structures for each utility service designed to induce conservation and deter waste by providing (i) discounts for industrial, commercial and residential users that consume less than the average annual consumption of their user category and (ii) surcharges for industrial, commercial and residential users that consume more than the average annual consumption of their user category.

(b) After an analysis of potential rate impacts using generally accepted accounting principles, the Agency may establish water and/or water pollution control rate surcharges designed to fund implementation of water conservation, environmental and public health, odor control and/or alternative water pollution projects. After an analysis of potential rate impacts of enacting a low income discount rate for water and/or water pollution control service, the Agency may adopt low income rate discounts for provision of water and water pollution control service to low-income ratepayers, subject to and consistent with applicable state and federal laws.

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## LEGAL TEXT OF PROPOSITION F (CONTINUED)

(c) After an analysis of potential rate impacts, the Agency may establish energy and/or natural gas rate surcharges designed to fund implementation of conservation and/or renewable energy generation projects.

(d) If the Agency enters retail energy or natural gas markets, the Agency shall provide rate discounts to low-income ratepayers subject to and consistent with applicable state and federal law.

(e) If the Agency acquires energy distribution systems or power generation facilities that previously produced tax or franchise revenue to the City, the Agency shall establish rate surcharges to collect revenue sufficient to compensate the greater of the (i) loss of such tax and franchise revenue to the City general fund, the Community College District, the Bay Area Rapid Transit District (BART), the Bay Area Air Quality Management District (BAAQMD) and the San Francisco Unified School District or (ii) amount equal to the percentage of local tax contributions required under state law for municipal utility districts. The Agency shall give the appropriate amount of tax revenue to City Treasurer for disbursement provided however that the Board of Supervisors may by ordinance, waive the Agency's obligation to reimburse the City general fund for all or part of such lost revenue.

(f) If the Agency adopts any rate increase applicable to general fund departments, the Agency shall transfer to general fund departments the revenue equal to the difference between the current rates and the new rates. In succeeding fiscal years a general fund department that received such a transfer from the Agency shall continue to do so during every year that the Agency maintains a rate above the current level. The Board of Supervisors may, by ordinance, waive the requirement to reimburse the City general fund for all or part of such lost revenue. As a conservation incentive to general fund departments, the Agency may determine that general fund departments that reduce energy consumption over a fiscal year may retain as revenue the funds transferred from the Agency pursuant to this subsection.

(g) Nothing in this measure is intended to modify the provisions of Proposition H, adopted by the voters on June 2, 1998, regarding the setting of rates, fees and charges for water and sewer service.

### **SEC. 8B.105 PUBLIC POWER FEASIBILITY AND MANDATE.**

(a) Within two months of the effective date of this measure, the Agency shall initiate feasibility studies to determine the costs and benefits of providing public power to residents and businesses in the City of San Francisco, consistent with the Raker Act, including detailed analyses of the following public power alternatives:

(1) Agency acquisition and/or construction and operation of electric distribution facilities inside and outside the City;

(2) Agency acquisition and/or construction and operation of power generation facilities inside or outside the City; and/or

(3) Community aggregation of power.

(b) Within ten months of the effective date of this measure, the Agency shall hold no fewer than three public hearings to consider draft findings of such feasibility studies.

(c) The Agency may not enter into any contract to analyze the costs and benefits of any public power alternatives with Pacific Gas & Electric Company, their subsidiaries or affiliates. In lieu of or in addition to contracting for such feasibility studies, the Agency may use studies performed by the San Francisco Local Agency Formation Commission for the same purposes.

(d) Consistent with Section 16.101 of this Charter and the feasibility studies, not later than one year after the effective date of this measure, the Agency shall implement a public power plan to provide residential and/or commercial electric service via generation, distribution or aggregation in the City. If feasibility studies performed under subsections (a) or (c) indicate that either Agency acquisition and/or construction of power generation capacity or Agency acquisition and/or construction of distribution facilities will be cost-effective, the Agency shall undertake to acquire such generation capacity or distribution facilities.

(e) Within two years of the effective date of this measure, the Agency shall initiate feasibility studies to determine the costs and benefits of acquiring and/or constructing and operating natural gas distribution facilities in the City.

### **SEC. 8B.106 LABOR RELATIONS.**

(a) All employees under the jurisdiction of the Public Utilities Commission shall be transferred to the Agency without any loss or reduction of compensation, seniority, benefits or other employee rights and protections as of the effective date of this Section. All such employees shall continue to be assigned to their existing bargaining units and shall continue to be covered by the applicable Memorandum of Understanding or Collective Bargaining Agreement.

(b) In conjunction with Agency action to acquire generation or distribution facilities of privately-held utilities, all employees of facilities acquired by the Agency who become City employees shall be granted civil service status consistent with the provisions of the Charter and Civil Service Commission Rules. The City shall assign the employees to civil service clas-

sifications consistent with job function and qualifications under the procedures established by the Civil Service Commission.

(1) Employees of acquired facilities employed in occupational classifications that are comparable in job function and required qualifications with city classifications shall be assigned to the comparable city classification and shall be represented by the employee organization that represents the bargaining unit to which the classification is assigned.

(2) Employees of acquired facilities in occupational classifications for which there is no comparable city classification shall be assigned to new classifications. New classifications shall be assigned to new bargaining units under procedures established by the City's Employee Relations Ordinance provided, however, that employees assigned to new bargaining units shall continue to be represented by any employee organization that represented them at the privately-held utility.

(3) Unrepresented employees of acquired facilities in occupational classifications for which there is no comparable city classification shall be assigned by the City to new classifications that shall be allocated to the appropriate City bargaining units under procedures established by the City's Employee Relations Ordinance or applicable memoranda of understanding with employee organizations.

(4) Unresolved disputes regarding the bargaining unit allocation of employees of acquired privately-held utilities shall be submitted to final and binding arbitration by a neutral person appointed through the procedures of the State Mediation and Conciliation Service.

(c) Employees of acquired facilities who become city employees shall be granted by the City the date of hire seniority they possessed with the privately held utility on the date of the city's acquisition for purposes of calculating vacation and sick leave.

(d) If the City acquires a privately-held facility with a pension plan in operation, members and beneficiaries of such pension plan shall not involuntarily forfeit any accrued rights, privileges, benefits, obligations or status with respect to such established system.

(1) The persons entitled to pension benefits and the benefits that are provided under the acquired facility's pension plan shall be specified in the agreement or order by which any privately held facility is acquired by the City. The out-

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION F (CONTINUED)

standing obligations and liabilities of such privately held facility by reason of such pension plan must be considered and allowance made for in the purchase price of such facility.

(e) Employees of acquired facilities who become city employees shall be covered by Charter Section A8.587 (or its successor miscellaneous plan) effective on the first date of city employment.

(1) As set forth in Charter Section A8.500, the Board of Supervisors is empowered to provide, by ordinance, for the transfer of service credit to the Retirement System for service earned as an employee of an acquired facility. Any such ordinance shall not allow credit for the same service under more than one pension plan.

Section 4. Section 9.107 of the San Francisco Charter is hereby amended to read as follows:

### **SEC. 9.107. REVENUE BONDS.**

The Board of Supervisors is hereby authorized to provide for the issuance of revenue bonds. Revenue bonds shall be issued only with the assent of a majority of the voters upon any proposition for the issuance of revenue bonds, except that no voter approval shall be required with respect to revenue bonds:

1. Approved by three-fourths of all the Board of Supervisors if the bonds are to finance buildings, fixtures or equipment which are deemed necessary by the Board of Supervisors to comply with an order of a duly constituted state or federal authority having jurisdiction over the subject matter;

2. Approved by the Board of Supervisors prior to January 1, 1977;

3. Approved by the Board of Supervisors if the bonds are to establish a fund for the purpose of financing or refinancing for acquisition, construction or rehabilitation of housing in the City;

4. Authorized and issued by the Port Commission for any Port-related purpose and secured solely by Port revenues, or authorized and issued for any Airport-related purpose and secured solely by Airport revenues;

5. Issued for the proposes of assisting private parties and not-for-profit entities in the financing and refinancing of the acquisition, construction, reconstruction or equipping of any improvement for industrial, manufacturing, research and development, commercial and energy uses or other facilities and activities incidental thereto, provided the bonds are not secured or payable from any monies of the City or its commissions.

~~6. Issued for the purpose of the reconstruction or replacement of existing water facilities or electricity power facilities or combinations of water and electricity power facilities~~

~~under the jurisdiction of the Public Utilities Commission, when authorized by resolution adopted by a three fourths affirmative vote of all members of the Board of Supervisors.~~

7. Approved and authorized by the Board of Supervisors and secured solely by an assessment imposed by the City.

Except as expressly provided in this Charter, all revenue bonds may be issued and sold in accordance with state law or any procedure provided for by ordinance.

Section 5. Section 13.101 of the San Francisco Charter is hereby amended to read as follows:

### **SEC. 13.101. TERMS OF ELECTIVE OFFICE.**

Except in the case of an appointment or election to fill a vacancy, the term of office of each elected officer shall commence at 12:00 noon on the eighth day of January following the date of the election.

Subject to the applicable provisions for municipal runoff elections, the elected officers of the City shall be elected as follows:

At the general municipal election in 1995 and every fourth year thereafter, a Mayor, a Sheriff and a District Attorney shall be elected.

At the statewide general election in 1996 and every fourth year thereafter, four members of the Board of Education and four members of the Governing Board of the Community College District shall be elected.

At the general municipal election in 1997 and every fourth year thereafter, a City Attorney and a Treasurer shall be elected.

At the statewide primary election in 1998 and every fourth year thereafter, an Assessor-Recorder and Public Defender shall be elected.

At the statewide general election in 1998 and every fourth year thereafter, three members of the Board of Education and three members of the Governing Board of the Community College District shall be elected.

Sections 8B.102 and 13.110 shall govern the election and terms of office of members of the Municipal Water and Power Agency board of directors.

The election and terms of office of members of the Board of Supervisors shall be governed by Section 13.110.

Section 6. Section A8.500 of the San Francisco Charter is hereby amended to read as follows:  
A8.500 RETIREMENT SYSTEM FOR OFFICERS AND EMPLOYEES

In order to continue in force provisions already existing for retirement and death benefits for officers and employees of the City, the San Francisco City Employees' Retirement System, hereinafter referred to as the retirement system or the system, is hereby continued. The enactment of Sections 12.100, 12.103 and Sections A8.500 to A8.581, and Chapter 8B

inclusive, of this charter is not intended to, and shall not in any way, alter or modify the rights, benefits, or obligations of any member or beneficiary of the retirement system or of the City with respect to that system as they exist at the time this charter becomes effective.

Ordinance provisions already existing with respect to the retirement system shall continue in force until amended or revoked by the board of supervisors as provided in this section. The board of supervisors is hereby empowered to enact, by a vote of three-fourths of its members, any and all ordinances necessary to carry into effect the provisions of Sections 12.100 - 12.103, Sections A8.500 through A8.588-15 and Chapter 8B inclusive of this charter; provided that the board of supervisors shall secure, through the retirement board, an actuarial report of the cost and effect of any proposed change in the benefits under the retirement system, before enacting an ordinance or before voting to submit any proposed charter amendment providing for such change.

Subject to the vested rights rule, the board of supervisors is further empowered to enact, by a vote of three-fourths of its members, ordinances to conform the provisions of the retirement system to any changes in the tax laws of the United States to the extent necessary to maintain the qualified tax status of the retirement system provided that the board of supervisors shall first secure, from the retirement board, an actuarial report of the cost and effect of any such change and the recommendation from the retirement board that such an ordinance is necessary.

The board of supervisors is further empowered to enact, by a vote of three-fourths of its members, ordinances to allow Internal Revenue Code section 414(h)(2) tax treatment of members' contributions to the retirement system provided that the board of supervisors shall first secure from the retirement board an actuarial report which certifies that such ordinances will not increase costs, other than administrative costs, for the City.

Section 7. Section 16.103 of the San Francisco Charter is hereby repealed.

### **~~SEC. 16.103. UTILITY REVENUES AND EXPENDITURES.~~**

~~(a) Receipts from each utility operated by the Public Utilities Commission shall be paid into the City treasury and maintained in a separate fund for each such utility. Appropriations from such funds shall be made for the following purposes for each such utility in the order named, viz:~~

~~1. For the payment of operating expenses, pension charges and proportionate payments to such compensation and other insur-~~

(Continued on next page)

## LEGAL TEXT OF PROPOSITION F (CONTINUED)

~~ance and accident reserve funds as the Commission may establish or the Board of Supervisors may require;~~

~~2. For repairs and maintenance;~~

~~3. For reconstruction and replacements as hereinafter described;~~

~~4. For the payment of interest and sinking funds on the bonds issued for acquisition, construction or extension;~~

~~5. For extensions and improvements; and~~

~~6. For a surplus fund.~~

~~(b) For the purpose of providing funds for reconstruction and replacements due to physical and functional depreciation of each of the utilities under the jurisdiction of the Commission must create and maintain a reconstruction and replacement fund for each such utility, sufficient for the purposes mentioned in this section, and in accordance with an established practice for utilities of similar character, which shall be the basis for the amount necessary to be appropriated annually to provide for said reconstruction and replacements.~~

~~1. If, at the end of any fiscal year, the Controller certifies that excess surplus funds of a utility exist, then such excess surplus funds may be transferred by the Board of Supervisors to the General Fund of the City, and shall be deposited by the Commission with the Treasurer to the credit of such General Fund. For the purposes of this subsection, excess surplus funds shall exist if the utility has unappropriated, unencumbered funds in excess of 25 percent of the total expenditures of such utility in the previous fiscal year for costs of operation, repair and maintenance.~~

~~2. If, as part of the budgeting process, the Controller estimates that there will exist, at the end of the budget year, excess surplus funds of a utility, the Board of Supervisors may budget such excess as revenue to the General Fund for that budget year. During the budget year, the Commission shall deposit with the Treasurer a pro rata portion of the then estimated excess surplus funds no less frequently than quarterly. For the purposes of this subsection, excess surplus funds shall exist if the utility has unappropriated, unencumbered funds in excess of 25 percent of the total expenditure of such utility in the previous fiscal year for costs of operation, repair and maintenance.~~

~~3. At any time, the Commission may, with the concurrence of two thirds of the Board of Supervisors, authorize the transfer of any portion of a utility's surplus funds to the General Fund upon making all of the following findings of fact and judgment:~~

~~(A) That a surplus exists or is projected to exist after meeting the requirements of this section;~~

~~(B) That there is no unfunded operating or capital program that by its lack of funding~~

~~could jeopardize health, safety, water supply or power production;~~

~~(C) That there is no reasonably foreseeable operating contingency that cannot be funded without General Fund subsidy; and~~

~~(D) That such a transfer of funds in all other respects reflects prudent utility practice.~~

~~The Commission shall make such findings having received reports from the manager of utilities and a public hearing which shall have received no less than 30 days of public notice.~~

~~4. The provisions of subsection (b) above shall not be applied in a manner that would be inconsistent with the provisions of any outstanding or future indentures, resolutions, contracts or other agreements of the City relating to bonded indebtedness issued in connection with the utility, or with any applicable state or federal laws.~~

Section 8. The rights and responsibilities of the Public Utilities Commission set forth in Section 3.104, 14.103, 15.105, 16.101, A8.346 and B3.581 of this Charter shall hereafter be read as referring to the rights and responsibilities of the Municipal Water and Power Agency. The City Attorney shall hereafter substitute the Municipal Water and Power Agency for the Public Utilities Commission when printing those Sections. The functions of the General Manager of Public Utilities as set forth in Section 18.101 with respect to the Initiative Refuse Collection and Disposal Ordinance are hereby transferred to the General Manager of the Agency.

Section 9. If any part or provision of the amendments to the Charter provided herein, or their application to any person or circumstance is held invalid, the remainder of the amendments, including their application to other persons or circumstances, shall not be affected by such a holding and shall continue in force and effect. To this end, these amendments are severable.

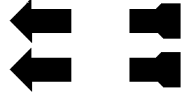


# Redistricting

## PROPOSITION G

Shall the rules for redrawing Board of Supervisors district lines be changed to require the use of adjusted census data and to establish deadlines for beginning and completing redistricting?

YES  
NO



### Digest

by Ballot Simplification Committee

**THE WAY IT IS NOW:** San Francisco has 11 supervisorial districts. The district lines must comply with federal, state, and local law, including a requirement that each district be approximately equal in population.

After the publication of the federal census every ten years, the Director of Elections must report to the Board of Supervisors whether or not the existing supervisorial districts continue to comply with the law. If the Director of Elections determines that any of the districts do not meet legal requirements, the Board of Supervisors must convene an Elections Task Force. The Elections Task Force is responsible for redrawing the supervisorial district lines based on the federal census data.

The Elections Task Force has nine members. The Board of Supervisors, the Mayor, and the Director of Elections each appoints three members.

The Charter does not set a deadline for convening the Elections Task Force, nor does it set a deadline for redrawing the district lines.

Based on the 2000 census, the existing district lines must be redrawn.

**THE PROPOSAL:** Proposition G is a Charter amendment that would change procedures for redrawing district lines. Proposition G would require that the Elections Task Force be appointed by January 8, 2002 and complete redrawing

the district lines before April 15, 2002.

After the publication of the 2010 federal census and each subsequent census, the Task Force would have to be appointed within 60 days after the Director of Elections reports that the districts do not comply with legal requirements. The Elections Task Force would have to complete redrawing the district lines before April 15th preceding the next supervisorial election.

The Elections Task Force would be required to use federal census data that has been adjusted to correct for any undercount or overcount of a segment of the population if that information is available. If that data were not available for the first election after the census, but became available before the second election, district lines might have to be redrawn.

If the voters approve a separate Charter amendment to create an Elections Commission (Proposition E), the Elections Commission, rather than the Director of Elections, would appoint three members to the Elections Task Force.

**A "YES" VOTE MEANS:** If you vote yes, you want to make these changes to the Charter.

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

### Controller's Statement on "G"

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

Should the proposed Charter amendment be adopted, in my opinion, there will be no significant impact on the cost of government.

### How "G" Got on the Ballot

On July 23, 2001 the Board of Supervisors voted 10 to 1 to place Proposition G on the ballot.

The Supervisors voted as follows:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

**No:** Yee

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 94  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 40



# Redistricting

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION G

District elections work. For the first time in twenty years, all of our neighborhoods are represented at City Hall. This year, the lines must be redrawn to make sure each district contains an equal number of residents and that the new districts preserve the integrity of our neighborhoods.

This Charter amendment clarifies the redistricting process in three ways. First, it sets a deadline for the process to begin and to be completed. Second, it specifies that statistically adjusted Census data will be used to make sure that every person is counted and that the diversity of San Francisco is reflected in our district lines. Finally, if voters approve a separate Charter amendment to reform elections and ethics, an independent Elections Commission would make three appointments to the nine-member committee that redraws the district lines.

Other communities across California have already completed local redistricting. This Charter amendment requires that San Francisco appoint the redistricting committee by January 8, 2002 and complete the process by April 15, 2002—nearly seven months before the next supervisorial elections. In future years, the deadline to begin the process is earlier.

San Francisco has long held that the Census count fails to count every person. In fact, the City recently joined a lawsuit to

require the Bush Administration to use more accurate numbers adjusted for any overcount or undercount of a segment of the population. Members of the bipartisan Census Monitoring Board contend that 6.4 million people may have been missed nationwide. This Charter amendment requires that if adjusted data becomes available, the redistricting task force will use it to draw district lines.

San Francisco deserve a redistricting process free of undue political influence that uses the best available information and that has clear deadlines. We urge you to vote yes on Proposition G.

*Board of Supervisors*

### How Supervisors Voted to Submit this Argument

The Supervisors voted as follows on August 20, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin

**No:** Yee

**Absent:** Sandoval

## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION G

### VOTE AGAINST PROPOSITION G (AS IN UNFAIR “GERRYMANDERING”)

As most students of political science quickly learn, “GERRYMANDERING” is the unfair redistricting of an elected legislative body.

A “gerrymander” is successfully accomplished when a multi-area governmental committee has its various election districts redrawn to favor one political population and to slant representation against a second group being discriminated against.

#### MASSACHUSETTS GOVERNOR GERRY:

The word “gerrymander” is derived from the name of controversial early-American Governor Elbridge Gerry, whose supporters unfairly reapportioned the districts of the Massachusetts State Legislature.

#### WHAT’S WRONG WITH PROPOSITION G? :

Passage of proposition G might well open the door for the “gerrymandering” of the eleven (11) districts of the San Francisco Board of Supervisors.

Proposition G would allow those reapportioning the eleven (11) districts to disregard the official population figures of the United States Census for 2000 and later years, instead permitting

the use of “Political Dreamland” population “estimates” every ten (10) years.

#### A FUNNY “SECOND REAPORTIONMENT”

Worse yet, Proposition G would allow a second reapportionment of the eleven (11) districts after the first election in any given ten (10) year period – based on so-called later population “estimates”.

Old Governor Gerry is alive and well here in San Francisco...so is his nasty “gerrymandering” process.

Vote “NO” on Proposition G!

*Dr. Terence Faulkner, JD*

Past State Secretary

California Republican County Chairmen’s Association

*Patrick Fitzgerald*

Former Secretary

San Francisco Democratic Party

*Gail E. Neira*

San Francisco Republican

Committeewoman

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

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## OPPONENT'S ARGUMENT AGAINST PROPOSITION G

### PROPOSITION G ALLOWS FOR THE SUBJECTIVE MODIFICATION OF UNITED STATES CENSUS DATA AND A POSSIBLE POLITICALLY-ORIENTED SECOND REAPPORTIONMENT OF SUPERVISORIAL DISTRICT IN A GIVEN TEN YEARS PERIOD

Proposition G opens the door to the playing of political "games" with United States Census population data, supposedly "estimating" the so-call "error factor" in official census figures. This "modified" population data – *not the official United States Census Figures* – would then be used to redistrict the San Francisco Board of Supervisors' eleven districts every ten years.

Worse yet, Proposition G allows for a second politically - oriented redistricting of Supervisorial districts within a given ten years period because of so-called "newly discovered" subjective estimates and/or population guesses.

As the San Francisco Ballot Simplification Committee correctly noted, controversial Proposition G allows for: "census data that has been adjusted to correct for any [claimed] undercount or overcount of a segment of the population if that information is

available. If that [claimed] data were not available for the first election after the census, but become available before the second election, [Supervisorial] district lines might have to be redrawn."

Proposition G is a *political witchdoctor's dream legislation*: It allows for the outrageous modification of official census population figures based on political guesses. Based upon later and further political estimates, a second redistricting of the Board of Supervisors' districts may be suddenly ordered within a given ten years period.

Proposition G is **BAD** legislation

Vote **NO** on Proposition G.

*Citizens for Election Law Reform*

*Dr. Terence Faulkner, JD*

Citizens for Election Law Reform Chairman

*Gail E. Neira*

Hispanic Image Leadership Development Director

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## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION G

### Neighborhoods Agree: YES ON G AND E!

The way it works now, Mayor Willie Brown and his Elections Department will select six of the nine members of the Elections Task Force charged with redrawing the district lines. The Board of Supervisors appoints just three San Franciscans to represent neighborhood interests and concerns. The Coalition for San Francisco Neighborhoods, a citywide organization representing neighborhood groups, joins the Board of Supervisors in urging your support for Propositions G and E.

By approving Propositions G and E, voters will establish independence in the elections and redistricting processes. If both measures pass, the three appointees of the Elections Director would instead be appointed by an Elections Commission independent of both the Mayor and the Board of Supervisors.

The nine-member panel could use only numbers generated by official government agencies—the U.S. Census Bureau or the California Department of Finance—that document a significant undercount or overcount. A deadline of April 15th, 2002 to complete the process will bring quick resolution and provide

prospective candidates with plenty of time to engage in the political process.

Join the Coalition for San Francisco Neighborhoods, San Francisco Democratic County Central Committee and the Board of Supervisors in bringing independence to elections and redistricting. Vote Yes on G and E!

*Board of Supervisors*

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### How Supervisors Voted to Submit this Argument

The Supervisors voted as follows on August 27, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

**No:** Hall, Yee

**Absent:** Newsom



# Redistricting

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## PAID ARGUMENTS IN FAVOR OF PROPOSITION G

We recommend a Yes vote on Proposition G - Redistricting

*San Francisco Democratic Party*

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

The three largest contributors to the true source recipient committee are 1. John Burton 2. Jackie Speier 3. Tom Lantos.

## PAID ARGUMENTS AGAINST PROPOSITION G

Proposition G is nothing more than an empty promise and a “politician protection act” for incumbent Supervisors. I strongly urge San Franciscans to reject it.

I am in favor of adjusted data in our redistricting process. There is an undeniable need to account for traditionally ignored subsets of the population. However, Proposition G’s requirement to use adjusted data is an empty promise. Our existing guidelines for redistricting already allow for the use of adjusted data.

More importantly, Proposition G will delay the redistricting process, rob the public of input into the process and give incumbent politicians an unfair advantage.

Other communities throughout California have already begun their redistricting process. Passage of Proposition G will allow a short timeline for redistricting, beginning January 2002 and concluding April 2002. This is insufficient time to solicit and deliberate on input from the public and appropriate parties.

If Proposition G passes, new candidates will not even know which district they are running in until late in the election cycle. This poses a huge obstacle, especially for minority candidates who raise less money and have lower name identification. No wonder the politicians on the Board support this, they will benefit by it!!!!

San Franciscans deserve a redistricting process and government that respects and reflects their interests and opinions.

A NO vote will guarantee a sufficient timeline for public comment and insure fair elections. All San Franciscan communities have the right to representation; your opinion can not be ignored.

**VOTE NO ON PROPOSITION G**

*Leland Yee*  
Supervisor

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

# TEXT OF PROPOSED CHARTER AMENDMENT

## PROPOSITION G

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of said city and county by amending Section 13.110 to provide that the Elections Commission, rather than Director of Elections, shall appoint three members to the Elections Task Force; to require the use of adjusted census figures in redistricting Supervisorial districts; and to set deadlines for creation of the Elections Task Force and for completion of redistricting.

The Board of Supervisors hereby submits to the qualified voters of said city and county at an election to be held on November 6, 2001, a proposal to amend the Charter of said city and county by adding amending Section 13.110, so that the same shall read as follows:

Note: Additions are underline;  
deletions are ~~strickethrough~~

Section 1. The San Francisco Charter is hereby amended, by amending Section 13.110, to read as follows:

### **SEC. 13.110. ELECTION OF SUPERVISORS.**

(a) The members of the board of supervisors shall be elected by district as set forth in this section.

(b) The city and county shall be divided into 11 supervisorial districts as set forth in this section. Beginning with the general municipal election in 2000, and until new districts are established pursuant to this section, these districts shall be used for the election or recall of the members of the board of supervisors, and for filling any vacancy in the office of member of the board of supervisors by appointment. Once new districts are established, those districts shall be used for the same purposes. No change in the boundary or location of any district shall operate to abolish or terminate the term of office of any member of the board of supervisors prior to the expiration of the term of office for which such member was elected or appointed.

(c) The 11 supervisorial districts shall be bounded and described as follows:

FIRST SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of the shoreline of the Pacific Ocean and a straight-line extension of Lincoln Way; thence easterly along Lincoln Way to Arguello Boulevard; thence northerly along Arguello Boulevard to Kezar Drive; thence easterly along Kezar Drive to Waller Street; thence easterly along Waller Street to Stanyan Street; thence northerly along Stanyan Street to Fulton Street; thence easterly along Fulton Street to Parker Avenue; thence northerly along Parker Avenue to Lone Mountain Terrace;

thence westerly along Lone Mountain Terrace to Stanyan Boulevard; thence northerly along Stanyan Boulevard to Geary Boulevard; thence westerly along Geary Boulevard to Arguello Boulevard; thence northerly along Arguello Boulevard to Lake Street; thence westerly along Lake Street to Twenty-Seventh Avenue; thence southerly along Twenty-Seventh Avenue to California Street; thence westerly along California Street to its point of intersection with the eastern boundary of Lincoln Park; thence northerly along said boundary to the shoreline of the Pacific Ocean; thence westerly and southerly along said shoreline to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

SECOND SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of the shoreline of the Pacific Ocean and the eastern boundary of Lincoln Park; thence southerly along said boundary to California Street; thence easterly along California Street to Twenty-Seventh Avenue; thence northerly along Twenty-Seventh Avenue to Lake Street; thence easterly along Lake Street to Arguello Boulevard; thence southerly along Arguello Boulevard to Geary Boulevard; thence easterly along Geary Boulevard to Stanyan Boulevard; thence southerly along Stanyan Boulevard to Lone Mountain Terrace; thence easterly along Lone Mountain Terrace to Parker Avenue; thence southerly along Parker Avenue to Fulton Street; thence easterly along Fulton Street to Masonic Avenue; thence northerly along Masonic Avenue to Turk Boulevard; thence easterly along Turk Boulevard to St. Joseph's Avenue; thence northerly and northwesterly along St. Joseph's Avenue to Geary Boulevard; thence westerly along Geary Boulevard to Presidio Avenue; thence northerly along Presidio Avenue to California Street; thence easterly along California Street to Laguna Street; thence southerly along Laguna Street to Geary Boulevard; thence easterly along Geary Boulevard to the center point of the intersection of Geary Boulevard and Starr King Way; thence southeasterly and easterly along Starr King Way to Van Ness Avenue; thence northerly along Van Ness Avenue to Green Street; thence easterly along Green Street to Leavenworth Street; thence northerly along Leavenworth Street and a northerly straight-line extension thereof to the point of intersection with the shoreline of San Francisco Bay; thence generally westerly and southerly along

said shoreline to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

THIRD SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of a northerly straight-line extension of Leavenworth Street and the shoreline of San Francisco Bay; thence easterly and southerly along said shoreline to the point of intersection with a northeasterly straight-line extension of Mission Street and including all piers north of said intersection; thence southwesterly along said straight-line extension of Mission Street to the Embarcadero; thence northwesterly along the Embarcadero to the intersection with a northeasterly straight-line extension of Market Street; thence southwestwesterly along Market Street to Sutter Street; thence westerly along Sutter Street to Van Ness Avenue; thence northerly along Van Ness Avenue to Green Street; thence easterly along Green Street to Leavenworth Street; thence northerly along Leavenworth Street and a straight-line extension thereof to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

FOURTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of the shoreline of the Pacific Ocean and a straight-line extension of Lincoln Way; thence easterly along Lincoln Way to Nineteenth Avenue; thence southerly along Nineteenth Avenue to Sloat Boulevard; thence westerly along Sloat Boulevard and a straight-line extension thereof to the point of intersection with the shoreline of the Pacific Ocean; thence northerly along said shoreline to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

FIFTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of Lincoln Way and Nineteenth Avenue; thence easterly along Lincoln Way to

*(Continued on next page)*

## LEGAL TEXT OF PROPOSITION G (CONTINUED)

Arguello Boulevard; thence northerly along Arguello Boulevard to Kezar Drive; thence easterly along Kezar Drive to Waller Street; thence easterly along Waller Street to Stanyan Street; thence northerly along Stanyan Street to Fulton Street; thence easterly along Fulton Street to Masonic Avenue; thence northerly along Masonic Avenue to Turk Boulevard; thence easterly along Turk Boulevard to St. Joseph's Avenue; thence northerly and northwesterly along St. Joseph's Avenue to Geary Boulevard; thence westerly along Geary Boulevard to Presidio Avenue; thence northerly along Presidio Avenue to California Street; thence easterly along California Street to Laguna Street; thence southerly along Laguna Street to Market Street; thence southwesterly along Market Street to Duboce Avenue; thence westerly along Duboce Avenue to Buena Vista Avenue East; thence southwesterly along Buena Vista Avenue East to Buena Vista Avenue West; thence northerly along Buena Vista Avenue West to Frederick Street; thence westerly along Frederick Street to Ashbury Street; thence southerly and southwesterly along Ashbury Street to Clayton Street; thence southerly along Clayton Street to Twin Peaks Boulevard; thence southwesterly along Twin Peaks Boulevard to Clarendon Avenue; thence westerly along Clarendon Avenue and a straight-line extension thereof to Stanyan Street; thence northerly along Stanyan Street to the intersection of Stanyan Street and Seventeenth Street; thence westerly to the intersection of a straight-line extension of Seventeenth Street with the eastern boundary of the campus of the University of California San Francisco; thence generally northerly, northwesterly and westerly along the eastern and northeastern boundary of said campus to Parnassus Avenue; thence westerly along Parnassus Avenue to Nineteenth Avenue; thence northerly along Nineteenth Avenue to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

SIXTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the point of intersection of a northeasterly straight-line extension of Mission Street and the shoreline of San Francisco Bay; thence southwesterly along said straight-line extension of Mission Street to the Embarcadero; thence northwesterly along the Embarcadero to the intersection with a northeasterly straight-line extension of Market Street; thence southwesterly along Market Street to Sutter Street; thence westerly along Sutter Street to Van Ness Avenue; thence southerly along Van Ness Avenue to Starr King

Way; thence westerly and northwesterly along Starr King Way to the center point of the intersection of Geary Boulevard and Starr King Way; thence westerly along Geary Boulevard to Laguna Street; thence southerly along Laguna Street to Market Street; thence northeasterly along Market Street to Guerrero Street; thence southerly along Guerrero Street to Seventeenth Street; thence easterly along Seventeenth Street to Pennsylvania Street; thence northerly along Pennsylvania Street to Sixteenth Street; thence easterly along Sixteenth Street and a straight-line extension thereof to the shoreline of San Francisco Bay; thence generally northerly along said shoreline to the point of commencement and including all piers and rows of vessels. The Sixth Supervisorial District shall include Yerba Buena and Treasure Islands. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

SEVENTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of the southern boundary of the city and county and the centerline of Junipero Serra Boulevard; thence northerly along Junipero Serra Boulevard to Holloway Avenue; thence easterly along Holloway Avenue to Ashton Avenue; thence northerly along Ashton Avenue to Ocean Avenue; thence generally southeasterly and easterly along Ocean Avenue to the intersection of the Southern Freeway (Interstate Route 280); thence generally northeasterly along the centerline of the Southern Freeway (Interstate Route 280) to San Jose Avenue; thence northeasterly along San Jose Avenue to Bosworth Street; thence northwesterly along Bosworth Street to O'Shaughnessy Boulevard; thence generally northwesterly along O'Shaughnessy Boulevard to Portola Drive; thence northeasterly along Portola Drive to Twin Peaks Boulevard; thence generally northerly along Twin Peaks Boulevard to Clarendon Avenue; thence westerly along Clarendon Avenue and a straight-line extension thereof to Stanyan Street; thence northerly along Stanyan Street to the intersection of Stanyan Street and Seventeenth Street; thence westerly to the intersection of a straight-line extension of Seventeenth Street with the eastern boundary of the campus of the University of California San Francisco; thence northerly, northwesterly and westerly along the eastern and northeastern boundary of said campus to Parnassus Avenue; thence westerly along Parnassus Avenue to Nineteenth Avenue; thence southerly along Nineteenth Avenue to Sloat Boulevard; thence westerly along Sloat Boulevard and a straight-line extension thereof to the point of intersection with the shoreline of

the Pacific Ocean; thence southerly along said shoreline to the southern boundary of the city and county; thence easterly along said boundary to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

EIGHTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of San Jose Avenue and Bosworth Street; thence northwesterly along Bosworth Street to O'Shaughnessy Boulevard; thence generally northwesterly along O'Shaughnessy Boulevard to Portola Drive; thence northeasterly along Portola Drive to Twin Peaks Boulevard; thence generally northerly along Twin Peaks Boulevard to Clarendon Avenue; thence easterly along Clarendon Avenue to Twin Peaks Boulevard; thence northeasterly along Twin Peaks Boulevard to Clayton Street; thence northerly along Clayton Street to Ashbury Street; thence northeasterly and northerly along Ashbury Street to Frederick Street; thence easterly along Frederick Street to Buena Vista Avenue West; thence southerly along Buena Vista Avenue West to Buena Vista Avenue East; thence northeasterly along Buena Vista Avenue East to Duboce Avenue; thence easterly along Duboce Avenue to Market Street; thence northeasterly along Market Street to Guerrero Street; thence southerly along Guerrero Street to San Jose Avenue; thence southwesterly along San Jose Avenue to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

NINTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of the centerline of the Southern Freeway (Interstate Route 280) and San Jose Avenue; thence northeasterly along San Jose Avenue to Guerrero Street; thence northerly along Guerrero Street to Seventeenth Street; thence easterly along Seventeenth Street to the centerline of the James Lick Freeway (State Route 101); thence generally southerly along the centerline of the James Lick Freeway (State Route 101) to the interchange with the Southern Freeway (Interstate Route 280); thence generally southwesterly along the centerline of the Southern Freeway (Interstate Route 280) to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways con-

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## LEGAL TEXT OF PROPOSITION G (CONTINUED)

tained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

TENTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of the southern boundary of the city and county and the centerline of Carter Street; thence northerly along Carter Street to Geneva Avenue; thence northwesterly along Geneva Avenue to the point of intersection with a southerly straight-line extension of the boundary between Crocker Amazon Playground and John McLaren Park; thence generally northerly along the western boundary of John McLaren Park to Burrows Street; thence easterly along Burrows Street to Harvard Street; thence southerly along Harvard Street to Bacon Street; thence easterly along Bacon Street to Oxford Street; thence southerly along Oxford Street to Wayland Street; thence easterly along Wayland Street to Cambridge Street; thence northerly along Cambridge Street to Felton Street; thence easterly along Felton Street to Amherst Street; thence northerly along Amherst Street to Silver Avenue; thence easterly along Silver Avenue to Colby Street; thence northerly along Colby Street to Sweeny Street; thence easterly along Sweeny Street to Bowdoin Street; thence northerly along Bowdoin Street and a northerly straight-line extension thereof to the centerline of the Southern Freeway (Interstate Route 280); thence northeasterly along the centerline of the Southern Freeway (Interstate Route 280) to the point of interchange with the James Lick Freeway (State Route 101); thence generally northerly along the centerline of the James Lick Freeway (State Route 101) to Seventeenth Street; thence easterly along Seventeenth Street to Pennsylvania Street; thence northerly along Pennsylvania Street to Sixteenth Street; thence easterly along Sixteenth Street and a straight-line extension thereof to the point of intersection with the shoreline of San Francisco Bay; thence generally southerly along said shoreline to the southern boundary of the city and county and including all piers south of said intersection; thence along the southern boundary of the city and county to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

ELEVENTH SUPERVISORIAL DISTRICT, shall comprise all of that portion of the city and county commencing at the intersection of the southern boundary of the city

and county and the centerline of Junipero Serra Boulevard; thence northerly along Junipero Serra Boulevard to Holloway Avenue; thence easterly along Holloway Avenue to Ashton Avenue; thence northerly along Ashton Avenue to Ocean Avenue; thence generally southeasterly and easterly along Ocean Avenue to the intersection of the Southern Freeway (Interstate Route 280); thence generally northeasterly along the centerline of the Southern Freeway (Interstate Route 280) to the intersection with a northerly straight-line extension of Bowdoin Street; thence southerly along that straight-line extension and Bowdoin Street to Sweeney Street; thence westerly along Sweeny [sic] Street to Colby Street; thence southerly along Colby Street to Silver Avenue; thence westerly along Silver Avenue to Amherst Street; thence southerly along Amherst Street to Felton Avenue; thence westerly along Felton Street to Cambridge Street; thence southerly along Cambridge Street to Wayland Street; thence westerly along Wayland Street to Oxford Street; thence northerly along Oxford Street to Bacon Street; thence westerly along Bacon Street to Harvard Street; thence northerly along Harvard Street to Burrows Street; thence westerly along Burrows Street to its end; thence generally southerly along the western boundary of John McLaren Park and a southerly straight-line extension of the boundary between Crocker Amazon Playground and John McLaren Park to the point of intersection with Geneva Avenue; thence southeasterly along Geneva Avenue to Carter Street; thence southerly along Carter Street to the southern boundary of the city and county; thence along the southern boundary of the city and county to the point of commencement. Unless specifically designated to the contrary, all references to streets, boulevards, drives, avenues, terraces and ways contained in the foregoing description shall refer to the centerlines of said streets, boulevards, drives, avenues, terraces and ways, respectively.

Voters residing within the boundaries of the City and County as established in Government Code Section 23138 but not on the San Francisco Peninsula or on Yerba Buena and Treasure Islands shall be deemed for the purpose of supervisorial elections to reside in the supervisorial district on the Peninsula closest to the voter's place of residence.

(d) Within 60 days following publication of the decennial federal census in the year 2000 and every decennial federal census after that, the Director of Elections shall report to the Board of Supervisors on whether the existing districts continue to meet the requirements of federal and state law and the criteria for drawing districts lines set in the Charter.

The criteria for drawing districts

lines are:

Districts must conform to all legal requirements, including the requirement that they be equal in population. Population variations between districts should be limited to 1 percent from the statistical mean unless additional variations, limited to 5 percent of the statistical mean, are necessary to prevent dividing or diluting the voting power of minorities and/or to keep recognized neighborhoods intact; provided, however, that the redistricting provided for herein shall conform to the rule of one person, one vote, and shall reflect communities of interest within the city and county. Census data, at the census block level, as released by the United States Census Bureau, statistically adjusted by the Bureau to correct the unadjusted census counts for any measured undercount or overcount of any subset of the population according to the bureau's Accuracy and Coverage Evaluation or other sampling method, shall be used in any analysis of population requirements and application of the rule of one person one vote. In the event such adjusted census data, at the census block level, are not released by the Bureau, population data, at the census block level, adjusted by the California Department of Finance for any measured undercount or overcount may be used.

If it is determined that the districts are in compliance with all legal requirements, including the requirement that they be equal in population, the current districts as drawn will be valid for the next decade. If it is determined that any of the districts are not in compliance, the Board of Supervisors by ordinance shall convene and fund a nine-member Elections Task Force. Three members shall be appointed by the Board of Supervisors, three members shall be appointed by the Mayor, and three members shall be appointed by the Director of Elections, unless an Elections Commission is created in which case the appointments designated to the Director of Elections shall be made by the Elections Commission. Task Force shall be appointed by January 8, 2002, and following the publication of each decennial federal census thereafter, shall be appointed within sixty days after issuance of a report by the Director of Elections to the Board of Supervisors that the districts are not in compliance, pursuant to this subsection.

Members of the Task Force previously appointed by the Director of Elections shall serve on the Task Force until the Elections Commission, if established, appoints three members to the Task Force, whereupon, the terms of the members appointed by the Director of Elections shall expire.

The Director of Elections shall serve ex offi-

*(Continued on next page)*



## **LEGAL TEXT OF PROPOSITION G (CONTINUED)**

cio as a non-voting member. The Task Force shall be responsible for redrawing the district lines in accordance with the law and the criteria established in this Section, and shall make such adjustments as appropriate based on public input at public hearings.

The Task Force shall complete redrawing district lines before the fifteenth day of April of the year in which the first election using the redrawn lines will be conducted. The Board of Supervisors may not revise the district boundaries established by the Task Force.

If the Task Force determines that the adjusted population data to which this subsection refers are not available a sufficient period of time before the fifteenth day of April in order to use the adjusted population data in redrawing the district lines for the following supervisorial election, and the adjusted population data demonstrate more than a five percent variance from the figures used in redrawing the district lines for that supervisorial election, the Task Force shall by the fifteenth day of April immediately preceding the next supervisorial election redraw the district lines for that supervisorial election in accordance with the provisions of this section. The procedures for redrawing supervisorial lines following the publication of every subsequent decennial federal census shall follow the procedures established by this Section.

The City Attorney shall remove the description of district lines found in this subsection from the Charter after the Elections Task Force has completed redrawing the district lines as set forth above. Following each redrawing of the district lines thereafter, the City Attorney shall cause the redrawn district lines to be published in an appendix to this Charter.

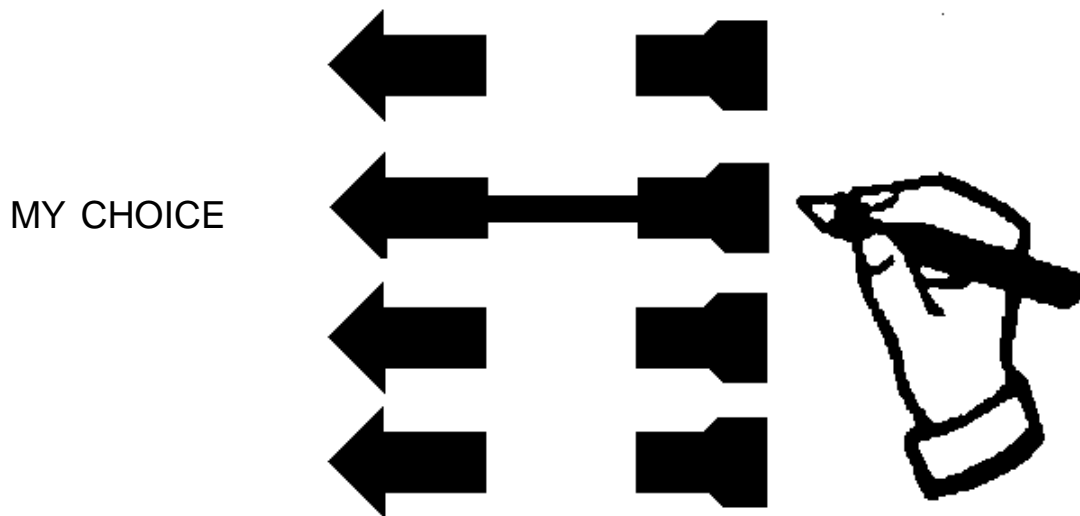
(e) Each member of the board of supervisors, commencing with the general municipal election in November, 2000, shall be elected by the electors within a supervisorial district, and must have resided in the district in which he or she is elected for a period of not less than 30 days immediately preceding the date he or she files a declaration of candidacy for the office of supervisor, and must continue to reside therein during his or her incumbency, and upon ceasing to be such resident shall be removed from office.

(f) Notwithstanding any provisions of this section or any other section of the charter to the contrary, the respective terms of office of the members of the board of supervisors who shall hold office on the eighth day of January, 2001, shall expire at 12 o'clock noon on said date and the 11 persons elected as members of the board of supervisors at the general election in 2000 shall succeed to said offices on said eighth day of January, 2001. At that time, the clerk of the board of supervisors shall determine by lot whether the supervisors elected from the even- or odd-numbered supervisorial districts at the general municipal election in

2000 shall have terms of office expiring at noon on the eighth day of January, 2003, and which shall have terms of office expiring at noon on the eighth day of January, 2005; commencing, however, with the general municipal election in November, 2002, the terms of office of the supervisors elected from the even- or odd-numbered supervisorial districts, as the case may be, shall be for a term of four years and shall continue as such thereafter. Those members of the board of supervisors elected at the general election in 1998, and those elected at the general election in 2000 who only serve an initial two-year term, shall not be deemed to have served a full term for purposes of the term limit established in Section 2.101.

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choice, using the pen supplied at your polling  
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JM

# Board Authorization of Solar Power & Energy Conservation Revenue Bonds



## PROPOSITION H

Shall the list of projects for which the City may issue revenue bonds without voter approval be expanded to include renewable energy facilities, such as solar power systems, and energy conservation facilities?

YES  
NO



## Digest

by Ballot Simplification Committee

**THE WAY IT IS NOW:** Before a City agency can issue a revenue bond, the Board of Supervisors must authorize the issuance of the bond. In addition, voter approval is generally required before a City agency can issue a revenue bond. The Charter includes a number of specific exceptions to this voter-approval requirement.

**THE PROPOSAL:** Proposition H is a Charter amendment that would add another exception to the voter-approval requirement for issuing revenue bonds. Under the proposed exception, the Board of Supervisors could authorize the issuance of revenue bonds to buy, build, or improve renewable energy facilities or energy conservation facilities without voter approval.

**A “YES” VOTE MEANS:** If you vote yes, you want to amend the Charter to allow the Board of Supervisors to authorize the issuance of revenue bonds to pay for renewable energy or energy conservation facilities without voter approval.

**A “NO” VOTE MEANS:** If you vote no, you do not want to amend the Charter to allow the Board of Supervisors to authorize the issuance of such revenue bonds without voter approval.

## Controller’s Statement on “H”

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

Should the proposed Charter amendment be adopted, in my opinion, there could be costs or savings to the City which cannot be determined at this time. Any bonds issued under this proposal will be repaid from revenues raised by the projects funded by the bonds.

## How “H” Got on the Ballot

On July 23, 2001 the Board of Supervisors voted 9 to 2 to place Proposition H on the ballot.

The Supervisors voted as follows:

**Yes:** Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

**No:** Hall, Yee

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

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 105  
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 40



# Board Authorization of Solar Power & Energy Conservation Revenue Bonds

## PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION H

**Want solar panels on your roof? Blackout protection? Vote yes on Proposition H** to bring affordable solar power, wind power and conservation programs to the neighborhoods of San Francisco, including residents, businesses and city government buildings.

Proposition H is a charter amendment that allows the Board of Supervisors to issue revenue bonds specifically for renewable energy projects like solar, wind, and energy conservation. The Board already can issue revenue bonds for other kinds of project such as affordable housing and port related developments. Prop H would add renewable energy and conservation projects to the list.

Revenue bonds are different than General Obligation bonds – they don’t cause increased property taxes. Before investors buy municipal revenue bonds, they must be assured that the projects funded will generate enough revenue to pay back the bond issue. Prop H will not raise taxes.

By passing Proposition H, voters will enable the City to share its purchasing power and low municipal rates of finance with residents and businesses, offering our neighborhoods and local economy a real solution to the energy crisis. Solar, wind and conservation city-wide can protect our local economy from future

blackouts and rate hikes by making residents, businesses and the government less dependent on volatile electricity markets.

The other proposal (Prop B) for a \$100 million solar bond (which we support) is restricted to government facilities only. Proposition H will create renewable energy financing for the residents, businesses and neighborhoods of San Francisco.

A plan for solar neighborhoods has already been proposed at the Board of Supervisors; Prop H would provide the funding mechanism, both to bring energy security to our community and to tackle global warming, of which electricity is the largest single cause. Please join the Sierra Club and the Chamber of Commerce in voting Yes on H.

*Board of Supervisors*

### **How Supervisors Voted to Submit this Argument**

The Supervisors voted as follows on August 20, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin

**No:** Yee

**Absent:** Sandoval

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## REBUTTAL TO PROPONENT’S ARGUMENT IN FAVOR OF PROPOSITION H

### **SAN FRANCISCO NEEDS PROPOSITION H LIKE IT REQUIRES A RENDEZVOUS WITH A “KILLER ASTEROID”:**

Some 65,000,000 years ago the Cretaceous-Tertiary (K-T) Extinction occurred. K-T wiped out the dinosaurs and 50% to 75% of earth’s animal species.

High iridium levels in K-T geological boundary formations and the 110-miles-across “Chicxulub” impact crater structure above the Yucatan Peninsula point towards a possible “Killer asteroid” striking the future Gulf of Mexico and sending a fire storm across North America. [See: J. David Archibald’s “Extinction, Cretaceous”, *Encyclopedia of Dinosaurs*, Academic Press (1997).]

### **“KILLER SPENDING”:**

Proposition H and the other wild spending measures on our current local ballot might well hit San Francisco’s financial structure like the K-T asteroid struck the earth.

San Francisco has only limited credit-carrying capacity, but the spending orgy at City Hall refuses to halt. Many fairly large nations owe less money than the City and County of San Francisco. Mayor Willie Brown and the Board of Supervisors throw City funds to every special interest group without any hint of moderation.

San Francisco doesn’t need to get hit with a “killer asteroid” nor unwise Propositions A, B, D, F, G, and H...The “Worst Six” ballot measures.

Vote **“NO”** on “killer” Proposition H!

*Dr. Terence Faulkner, JD*

Past County Chairman

San Francisco Republican Party

*Gail E. Neira*

San Francisco Republican Committeewoman

# Board Authorization of Solar Power & Energy Conservation Revenue Bonds



## OPPONENT'S ARGUMENT AGAINST PROPOSITION H

### BONDS ARE "GOOD" FOR SPECIAL INTERESTS BUT "BAD" FOR THE TAXPAYERS:

Municipal bonds are a wasteful method for funding San Francisco civic projects.

Vast amounts of governmental funds are expended on bond interest checks, bond brokerage sales commissions, underwriting fees, legal drafting and tax opinion costs, official printers' bills, banking charges, and transfer agent fees. Those involved in marketing our municipal bonds are true "special interest groups." While the public loses money on unnecessary bond issues, the "special interests" make big profits.

### IN BANK OF AMERICA WE TRUST:

For many years, the Bank of America served as a transfer agent and as a distributor of bond interest payments for many California counties and cities. The Bank quietly "pocketed" those bond dividends that for one reason or another could not be delivered to their rightful owners. This fraudulent practice went on for many years and involved bonds from San Francisco and communities all across California.

Since poor records were kept by the Bank of America of these "pocketed" bond dividends nobody knows for sure how many tens or hundreds or millions of dollars were taken over the decades.

An unhappy former Trust Department employee of the Bank finally exposed what was happening to unclaimed bond dividends.

Massive lawsuits resulted.

Bank of America prudently settled to avoid jury trial.

### "NO" ON PROPOSITION H:

*These bonds are unnecessary.*

Normal public spending projects should be financed from tax revenues on a "pay-as-you-go" basis. *Municipal bonds waste resources.*

Every governmental dollar spent should buy taxpayers a full dollar's worth of improvements — with no bond interest or other costs being lost.

End tax waste.

Vote "NO" on unneeded Proposition H!

*Citizens Against Tax Waste*

*Dr. Terence Faulkner, JD*

Citizens Against Tax Waste Chairman

*Gail E. Neira*

Hispanic Image Leadership Development Director.

## REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION H

If you support local investment in solar power and energy conservation, support Prop H.

The opponent of Prop H is fixated on bonds: since 1997 he has filed 5 arguments against bond proposals. Cities, like businesses, must sometimes borrow to finance projects. It's a basic rule of municipal finance.

**Unlike General Obligation bonds, by law revenue bonds do not raise taxes and are not backed by the General Fund.** Projects funded by revenue bonds must generate enough revenue to repay the bonds *or the bonds won't sell*. Interest rates on recent local issues have been as low as 3.9%.

The authority proposed by Prop H to pay for solar, wind power, and energy conservation **already exists** in the charter for other public works projects like airport projects and port projects. Prop H would add renewable energy and conservation to this list of projects that can be financed.

Here's why San Francisco needs this authority:

- to reduce the need for new health-threatening power plants in city neighborhoods;

- to reduce our economy's exposure to rising electricity costs and blackouts; and
- to use low interest financing to make solar power and energy efficient technology affordable to San Franciscans.

Residents need an alternative to rate hikes, blackouts and climbing natural gas prices. Prop H offers low interest financing for energy security and sustainability in our local economy. That's why H is endorsed by diverse groups like Greenpeace and the San Francisco Chamber of Commerce. Vote Yes on H.

*Board of Supervisors*

### How Supervisors Voted to Submit this Argument

The Supervisors voted as follows on August 27, 2001:

**Yes:** Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval

**No:** Hall, Yee

**Absent:** Newsom



# Board Authorization of Solar Power & Energy Conservation Revenue Bonds

## PAID ARGUMENTS IN FAVOR OF PROPOSITION H

We salute Supervisor Ammiano, Supervisor Leno and the Board of Supervisors for their commitment to renewable energy and energy conservation. Solar power, wind power and energy efficiency are the clean technologies that will fuel local economic growth. When cities like San Francisco make a large investment in these technologies, industry responds with better prices for everyone.

**The best way to contribute to a clean urban environment is to vote on November 6th. Please vote Yes on H and Yes on B.**

See [www.sflcv.org](http://www.sflcv.org) for more environmental endorsements.

*Amandeep Jawa, President*  
San Francisco League Of Conservation Voters

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

The three largest contributors to the true source recipient committee are 1. Johana Wald 2. Amandeep Jawa 3. Jeff Henne.

Solar power and other renewable energy sources can save the people of San Francisco money – and reduce air pollution from the currently favored energy source, fossil fuels.

Yes on H makes sense and save cents.

*San Francisco Tomorrow*

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

Renewable energy is the key to a sustainable energy future.

*Joel Ventresca*  
City and County of San Francisco Environmental Commissioner (1994-97)

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

**YES ON H! YES ON B!** Let's declare our energy independence, and send a beacon toward a sustainable future where power is generated by wind, solar, and other renewable sources, and use that energy efficiently.

*Sierra Club*

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

Prop H will make solar power and other renewable energy sources available to more homes and businesses in San Francisco. This will reduce use of fossil fuels and thus reduce air pollution.

*Democratic Women's Forum*

The true source of funds used for the printing fee of this argument is the Democratic Women's Forum.

The three largest contributors to the true source recipient committee are 1. Joan Simmons 2. Pat Montague 3. Jane Morrison.

We recommend a Yes vote on Proposition H - Revenue Bonds, Renewable Energy and Energy Conservation Projects.

*San Francisco Democratic Party*

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

The three largest contributors to the true source recipient committee are 1. John Burton 2. Jackie Speier 3. Tom Lantos.

Proposition H will save us money and reduce air pollution.

Creating energy from solar power and other renewable energy sources is the best way to power our homes and businesses.

*Robin Levitt*  
*Jeff Sheehy*  
*Shawn O'Hearn*  
*Criss Romero*

The true source of funds used for the printing fee of this argument are Robin Levitt, Shawn O'Hearn.

As a Sierra Club Chapter Director, I work on energy conservation, efficiency, and promotion of renewables (e.g. solar). Passage of this revenue measure boldly moves us forward in solving our energy needs.

Join me in voting YES on H.

*Dan Kalb*  
Candidate, Municipal Utility District - Ward 1

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

# Board Authorization of Solar Power & Energy Conservation Revenue Bonds



## PAID ARGUMENTS IN FAVOR OF PROPOSITION H

Solar bonds mean new jobs and safe, clean electricity for San Francisco. Support investing our energy dollars locally because the sun never raises its rates. **Yes on H!**

*San Francisco Green Party County Council*

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

The three largest contributors to the true source recipient committee are 1. Matt Gonzales for Supervisor Campaign 2. William H. Travis 3. Marge Harburg.

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### **Vote Yes for Renewable Energy**

This simple measure allows the city to issue revenue bonds to finance renewable energy on public and private buildings without a separate vote of the people on each bond - the same policy we already have for affordable housing, the Port, and the Airport among other public works. It will help remove barriers to the development of wind, solar, and other sustainable energy resources.

#### **Vote Yes on Proposition H**

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

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

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

The three largest contributors to the true source recipient committee are 1. John Weeden 2. Tay Via 3. David Gruber.

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Renewable energy is the only way to save our environment and end domination by private energy generators. Propositions B and H will enable San Francisco to lead the nation in renewable energy.

Vote Yes on B & H.

*Harvey Milk LGBT Democratic Club*

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

Greenpeace says Vote YES on Proposition H. This will further San Francisco's leadership role in bringing about a solar revolution. It uses San Francisco's purchasing power to acquire cheap solar panels for residents and businesses - and provides low-cost monthly leases for installations. Bring on the sun! For more [www.cleanenergynow.org](http://www.cleanenergynow.org)

*Greenpeace*

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



# Board Authorization of Solar Power & Energy Conservation Revenue Bonds

## PAID ARGUMENTS AGAINST PROPOSITION H

Vote NO on Proposition H.

The Republican Party brought direct voter participation to California by means of the initiative and referendum. We believe that the voters must have the last word. The Board of Supervisors wants to issue energy-related bonds without the voters' approval, which in most cases is required under our current City Charter.

Renewable energy conservation is important. However, don't give these politicians a blank check.

**VOTE NO ON PROP H.**

*San Francisco Republican Party*

*Donald A. Casper, Chairman*

*Mike DeNunzio*

*Howard Epstein*

*Lee S. Dolson, Jr.*

*Sue Woods*

*Elsa Cheung*

*Erik Bjorn*

*Albert C. Chang*

*Harold M. Hoogasian*

The true source of funds used for the printing fee of this argument is San Francisco Republican County Central Committee and the above signers.

The three largest contributors to the true source recipient committee are 1. Alfreda Cullinan 2. George W. Rowe 3. Sally L. Saunders.

Don't surrender your authority to City Hall politicians to pass revenue bonds, especially for unproven, hair brained renewable energy and energy conservation projects!

Require City Hall politicians to be fiscally responsible. Require City Hall politicians to first demonstrate to you the merit of a proposed renewable energy or conservation project.

**VOTE NO! ON PROPOSITION H!**

*John Bardis*

Former San Francisco Supervisor

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

While pursuing alternative energy for San Francisco is laudable, the League of Women Voters of San Francisco believes that democracy depends upon the informed participation of its citizens. In this case, because the costs to the City cannot yet be determined and because we believe that the citizens of San Francisco should have the right to vote on revenue bonds involving such large sums, we vote No on H.

*The League of Women Voters of San Francisco*

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

The three largest contributors to the true source recipient committee are 1. The San Francisco Foundation 2. Walter and Elise Haas Fund 3. Lisa and Douglas Goldman Fund.

Proposition H is a power grab by the Board of Supervisors. Do not fall victim to it. Do not give away your right to vote on the issuance of certain bonds.

Should the Board be able to issue these bonds without first going to the voters? Should the Board be able to bypass the people when incurring debt on behalf of the City?

I answer a resounding "No" to both of these questions, and urge you to do the same by joining me on November 6 by voting "**No**" on **Proposition H**.

*Supervisor Tony Hall*

The true source of funds used for the printing fee of this argument is Dr. Michael Antonini, DDS Inc.



# TEXT OF PROPOSED CHARTER AMENDMENT PROPOSITION H

Describing and setting forth a proposal to the qualified electors of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 9.107 to provide for the financing of the acquisition, construction, improvement, reconstruction or replacement of renewable energy facilities and energy conservation facilities.

The Board of Supervisors hereby submits to the qualified electors of the City and County at an election to be held on November 6, 2001, a proposal to amend the Charter of the City and County by amending Section 9.107 to read as follows:

Note: Additions are underline;  
Deletions are ~~strike through~~

Section 1. Section 9.107 of the San Francisco Charter is hereby amended to read as follows:

## **SEC. 9.107. REVENUE BONDS.**

The Board of Supervisors is hereby authorized to provide for the issuance of revenue bonds. Revenue bonds shall be issued only with the assent of a majority of the voters upon any proposition for the issuance of revenue bonds, except that no voter approval shall be required with respect to revenue bonds:

1. Approved by three-fourths of all the Board of Supervisors if the bonds are to finance buildings, fixtures or equipment which are deemed necessary by the Board of Supervisors to comply with an order of a duly constituted state or federal authority having jurisdiction over the subject matter;

2. Approved by the Board of Supervisors prior to January 1, 1977;

3. Approved by the Board of Supervisors if the bonds are to establish a fund for the purpose of financing or refinancing for acquisition, construction or rehabilitation of housing in the City and County;

4. Authorized and issued by the Port Commission for any Port-related purpose and secured solely by Port revenues, or authorized and issued for any Airport-related purpose and secured solely by Airport revenues;

5. Issued for the purposes of assisting private parties and not-for-profit entities in the financing and refinancing of the acquisition, construction, reconstruction or equipping of any improvement for industrial, manufacturing, research and development, commercial and energy uses or other facilities and activities incidental thereto, provided the bonds are not secured or payable from any monies of the City and County or its commissions.

6. Issued for the purpose of the reconstruction or replacement of existing water facilities or electric power facilities or combinations of water and electric power facilities under the jurisdiction of the Public Utilities Commission,

when authorized by resolution adopted by a three-fourths affirmative vote of all members of the Board of Supervisors.

7. Approved and authorized by the Board of Supervisors and secured solely by an assessment imposed by the City.

8. Issued to finance or refinance the acquisition, construction, installation, equipping, improvement or rehabilitation of equipment or facilities for renewable energy and energy conservation.

Except as expressly provided in this Charter, all revenue bonds may be issued and sold in accordance with state law or any procedure provided for by ordinance.

# **DO YOU KNOW WHERE TO GO TO VOTE?**

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

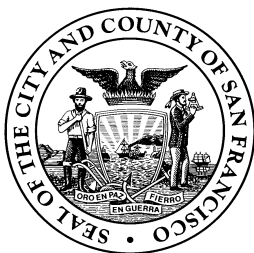
**Your polling place is listed on the  
back cover of this pamphlet**

**or you can check online at:**

**[www.sfgov.org/election](http://www.sfgov.org/election)**

**or call 415-554-4375.**

**San Francisco Department of Elections**



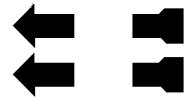
# Proposed San Francisco-Brisbane Municipal Utility District



## MEASURE I

Shall the “San Francisco-Brisbane Municipal Utility District” be created and established?

YES  
NO



### SAN FRANCISCO LOCAL AGENCY FORMATION COMMISSION EXECUTIVE OFFICER’S IMPARTIAL ANALYSIS ON THE CREATION AND MAINTENANCE OF A MUNICIPAL UTILITY DISTRICT

Measure I would create a municipal utility district (MUD) with the same exterior boundaries as the City and County of San Francisco and the City of Brisbane. The petition states that public interest and necessity demand the creation and maintenance of the municipal utility district. The municipal utility district would be known as “San Francisco-Brisbane Municipal Utility District.”

A MUD is a public agency which may be formed upon voter approval, to acquire, construct, own, operate, control, or use any utility which supplies the inhabitants of the district with light, water, power, heat, transportation, telephone service, or other means of communication, or means for the collection, treatment, or disposition of garbage, sewage, or refuse matter, and may do all things necessary or convenient to the full exercise of its powers. The district may also purchase any such commodities of services from any other district, public agency, person, or private company, and distribute them, pur-

suant to the California Public Utilities Code Section 12801.

The proponents for the formation of the MUD, San Francisco Coalition for Lower Utility Bills, a locally organized group, filed a petition with the City and County of San Francisco, which contained approximately 24,456 signatures.

The proposed MUD would be governed by a locally elected, five member board of directors which would be elected by the voters of the district who vote on the question of whether or not the district is formed. If the district is formed, one director will be elected from each of the five wards established by the Board of Supervisors.

*Neil Eisenberg*  
Chairperson,  
San Francisco Local Agency Formation Commission

# Proposed San Francisco-Brisbane Municipal Utility District

## ARGUMENT IN FAVOR OF MEASURE I

Measure I creates a Municipal Utility District (MUD) in San Francisco and Brisbane. Once created, the MUD has the authority, under state law, **to deliver public nonprofit electricity.**

**Public power is 18% cheaper than private utility power on average in California because:**

- MUDs don't pay investor dividends;
- MUDs are exempt from taxes; and
- MUDs can borrow funds for capital improvements more cheaply.

On average, compared to privately owned utilities, MUDs contribute more than twice the amount of local government revenue and other economic benefits to local communities.

San Francisco was mandated by the 1913 federal Raker Act and the U.S. Supreme Court to utilize our Hetch Hetchy water and power resources for the benefit of San Francisco residents and businesses. For over 80 years, PG&E's influence has kept San Francisco from realizing this public power mandate, forcing City residents to buy PG&E's expensive power.

On November 6, vote for lower utility bills, energy self-sufficiency and an end to pollution impacts on our southeast neighborhoods.

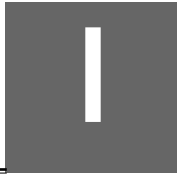
The primary opponent to public power is PG&E, a corporation that has given its executives unprecedented bonuses while saddling consumers with \$8 billion in debt. **PG&E and its allies are trying to scare ratepayers by arguing that a MUD can't work in San Francisco: but Los Angeles, Sacramento, Palo Alto, and dozens of other California cities already enjoy the benefits of public power.**

Please vote Yes on Measure I to establish a MUD and Yes on San Francisco Proposition F to ensure public power.

Please join State Senators John Burton and Jackie Speier, State Assembly Member Carole Migden, former Mayor Frank Jordan, Board President Tom Ammiano, former Board Presidents Angela Alioto and Harry Britt, the Sierra Club, and the SF Labor Council and visit [www.SFBMUD.org](http://www.SFBMUD.org) for information on MUD Board candidates.

*San Francisco Board of Supervisors*

# Proposed San Francisco-Brisbane Municipal Utility District



## ARGUMENT AGAINST MEASURE I

### Labor, Businesses and Policy Experts Against the Billion Dollar Bill

Measure I will create a powerful new bureaucracy with the authority to condemn property, raise utility rates and levy new taxes. It would place this power with a new group of politicians exempt from San Francisco's sunshine, ethics and campaign finance laws.

This initiative was placed on the ballot in the name of the electricity crisis, but it doesn't contain one word about providing electricity. It is so broad, it grants this new bureaucracy the power to seize any utility business in San Francisco – including telephone, gas, electricity, cable and water – and to raise taxes and rates to pay for the seizures.

This initiative will not lower your utility rates. **In fact, it may be the most expensive proposal in the history of the San Francisco ballot.** For example, the cost of seizing the electrical distribution network in San Francisco alone will cost at least \$800 million, according to the City Controller's own estimates. The cost of seizing or building new power plants, gas lines, transmission lines, phone and cable lines will cost billions more. This infrastructure would be funded by you - through your utility rates and your tax dollars.

Not a single study has been done on the feasibility of a MUD.

**No one knows how a MUD would operate or exactly how much it will cost residents of San Francisco and Brisbane.**

That is why San Francisco's labor leaders, business community and SPUR, San Francisco's oldest and most respected public policy institution, all agree that Measure I is a bad idea.

**Please vote NO. Refuse to pay the Billion Dollar Bill!**

*Perry Zimmerman*

Business Manager

International Brotherhood of Electrical Workers, 1245

*Michelle Noia*

President

Communications Workers of America, Local 9410

*Lee Blich*

President & CEO

San Francisco Chamber of Commerce

# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 1

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## RON K. DICKS

**My occupation is:** Housing Inspector.

**My qualifications are:**

- worked for the City & County of San Francisco for 17 years.
- worked as Housing Inspector for 15 years.
- Vice President of Political & Legislative Action for IFPTE Local 21 for 3 years.
- a B.S. degree from Cornell University in Urban Planning

I believe we in San Francisco/Brisbane are presented with a phenomenal opportunity: we can have, by voting, the ability to empower ourselves and implement the Supreme Court decision concerning Hetch Hetchy (Raker Act) and provide cheaper, cleaner power to our citizens. As a candidate for working families, seniors and individuals, I am excited about the possibilities before us and I will prioritize these concerns. We can, and will, ensure that San Franciscans be removed from future blackouts and astronomical rate increases which burden an already overburdened electorate. San Franciscans already experience some of the highest cost of living in the nation in areas such as housing, transportation and gas. It is time to reign in the beast of energy and restore control to the citizens.

*Ron K. Dicks*

## CHRIS FINN

**My occupation is:** Train Operator/Student.

**My qualifications are:**

I'm a trade union activist, a member of the rank-and-file caucus Transit Worker Frontlines. I'm on record supporting public power and workers' and consumers' control of essential social resources since 1996.

I'm running on the Progressive Left Slate with and endorsed by MUD Board candidates Linda Perez, Abel Mouton, and candidate for Treasurer, Carlos Petroni. The Progressive Left is building a workers' organization against big business' domination of politics.

Working families have a right to cheap and efficient utilities. Essential resources should not be used to make profits for corporations, but to serve working class consumers.

Our platform calls for:

- Workers' and Consumers' democratic control of production and distribution of electricity in the MUD.
- Public ownership of all generation and distribution of electricity in and for the MUD.
- Utility workers to be guaranteed employment under their present contracts and wages or better.
- No compensation for the energy barons!
- Big corporations to pay much more for utilities than residential and small business consumers.
- Closing the polluting Hunters Point Power Plant.
- A sustainable energy plan designed with community input at every step.
- A strategic plan to create energy from pollution-free sources.

Information or complete platform, call (415) 452-9992 or e-mail [progress@ix.netcom.com](mailto:progress@ix.netcom.com)

*Chris Finn*

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

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# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 1

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## ROSE TSAI

**My occupation is:** Radio Host/advocate.

**My qualifications are:**

I am an attorney and neighborhood advocate with a long track record of community service.

The current system of deregulation and private ownership of utilities is broken. We cannot allow skyrocketing prices and rolling blackouts to endanger the health and safety of city residents and businesses. Let's end the outrageous disruption caused by market manipulation of power.

Over the last century, 2,009 U.S. cities, including Sacramento, Los Angeles, Palo Alto, and Alameda, have switched to public power. On average, municipal ratepayers spend 18% less for energy. Residents receive good reliable services. Local government decides where and what kind of power plants are built. Crucial policies aimed at conservation and development of renewable energy sources supersede short term profits for stockholders.

I support public power. As director of the MUD, I will:

- Promote efficient establishment of public power
- Foster professional teamwork without politicization of the process
- Ensure a reliable energy supply at reasonable rates
- Make conservation and renewable energy (i.e., solar, wind, geothermal) top priority.

My sponsors are:

Sup. Jake McGoldrick	Mara Kopp
Sup. Leland Yee	Joel Ventresca
Sup. Gerardo Sandoval	Doug Comstock
Sup. Aaron Peskin	
Angela Alioto	Neil Eisenberg
Clint Reilly	Bud Wilson
Henry Louie	Gerry Crowley
Jeff Adachi	
Frank Jordan	

– rosetsaid1@yahoo.com

*Rose Tsai*

## HOWARD ASH

**My occupation is:** Energy Economist/Consultant.

**My qualifications are:**

I am the only energy and utility industry professional running for Municipal Utilities District Director in any ward. With over 15 years' experience in the energy utility business (in industry, government, and consulting), I bring the expertise that is essential in managing San Francisco's and Brisbane's utility services and infrastructure.

San Francisco and Brisbane spend hundreds of millions of dollars annually on gas and electricity, so the MUD Director positions are too important to be filled by political hacks, anti-PG&E ideologues, or well-meaning beginners. I will insist on top-quality, professional, independent technical economic, financial, legal, and environmental analysis of San Francisco-Brisbane's energy options before any action is taken. The MUD's first action should be to establish a Mission Statement and a set of Policy Goals, Principles and Objectives, to establish its priorities and guide its actions.

**Background:**

- San Francisco resident since 1988.
- B.S., Engineering & Applied Science, Yale University.
- M.S., Engineering-Economic Systems, Stanford University.
- Over 15 years of professional experience in the energy and utilities industries, focusing on economics, supply planning, regulation, marketing, finance, and business development.
- Board of Directors, Western Addition Neighbors Association.
- Board of Directors, Hebrew Free Loan Association of San Francisco.

[www.ash4mud.org](http://www.ash4mud.org)

*Howard Ash*

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# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 1

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## DAN KALB

**My occupation is:** Sierra Club Chapter Director.

**My qualifications are:**

Experience • Integrity • Environmental Protection

As a Sierra Club staffer, I've worked on energy issues and become knowledgeable on energy/power matters that impact people's lives. From consumer protection to energy efficiency, I have developed valuable experience necessary for M.U.D. directors.

College degrees:

- Conservation of Natural Resources (U.C. Berkeley)
- Master of Public Administration (USF)

My priorities include:

- Provide low-cost, reliable power to San Francisco/Brisbane residents in an environmentally responsible fashion.
- Create strong customer/consumer ethic to guide M.U.D. operations.
- Upgrade energy efficiency/conservation programs; increase use of clean, renewable power.

I am former:

- Vice-chair SF Ethics Commission
- San Francisco Director, Common Cause.

As your M.U.D. director, I will hold our agency to high ethical standards.

The M.U.D. ballot initiative is a positive move by San Francisco/Brisbane voters. Electing qualified directors is essential to ensure that M.U.D. will work well for all.

I have been involved in community affairs my entire adult life. While volunteering for years as a neighborhood mediator through Community Boards, I've gained skills that will prove valuable on the M.U.D. Board. I look forward to continue working for you now as a M.U.D. Director. I would be honored if you gave me that opportunity with your vote.

*Dan Kalb*

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# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 2

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## JOEL D. HORNSTEIN

## JOE ALIOTO VERONESE

**My occupation is:** business executive.

**My occupation is:** Law Firm Employee.

**My qualifications are:**

- Extensive Wall Street experience in valuing corporate assets and pricing long-term energy contracts - critical skills for MUD as it considers acquiring PG&E's assets and contracting for power purchases.
- Experience in energy venture capital, where I became familiar with technologies that enable delivery of power in ways that are both less expensive and better for the environment.
- Undergraduate and graduate work in public sector economics at Harvard University, where my mentor was Lawrence Summers (later President Clinton's Secretary of the Treasury). Law degree from Yale Law School, where I was Senior Editor of the Yale Journal on Regulation.
- Long record of service to our community: Big Brother mentor; fundraiser for the San Francisco AIDS Foundation; volunteer with Hands On San Francisco; active member of the Sierra Club.

I'm running for MUD because I love our city and believe that contributing my energy expertise is a valuable public service I can offer. Public power is too important to be left to political opportunists who view MUD as just a stepping-stone to higher office. It's critical that MUD be led by directors who understand the complex issues surrounding public power and have the expertise to ensure reliable services.

*Joel D. Hornstein*

**My qualifications are:**

I'm employed with the Law Offices of Mayor Joseph Alioto and Angela Alioto.

As a third generation San Franciscan, I have watched our City go through many changes. I have had what many consider a front-row seat. My family has a rich history of service to the people of San Francisco. My grandfather, Joseph Alioto, was Mayor; my mother, Angela Alioto, served on the Board of Supervisors. I, myself, have served San Francisco as a San Francisco Reserve Police Officer and as a Senior Investigator in the Special Investigations Unit of the District Attorney. I graduated from the U.S.F. Law School and passed the California Bar. I was the President/CEO of PreLit, Employment Technology; a legal resource for employees seeking to eliminate workplace discrimination.

I have the legal skills and business knowledge necessary to provide San Francisco and Brisbane with the leadership to make the M.U.D. work. My platform is one of independent and educated decision-making to achieve lower rates, efficient distribution, and greener power. My priorities are people, the environment, and sound economic policy.

I am honored to have the support of many San Franciscans, including Supervisor Gavin Newsom and Supervisor Aaron Peskin. I would be grateful to have yours...

*Joe Alioto Veronese*

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# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 2

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## **LUIGI BARASSI**

**My occupation is:** Small Business Owner.

**My qualifications are:**

I am running for the Municipal Utilities District Board because the health of our economy is dependent on cheap power. Under deregulation, power companies are free to maximize profit, even if it hurts ratepayers and the economy as a whole. This is not in the public interest, and we need an alternative to the current system.

As a member of the MUD Board I would support:

- Annexation of the Hetch Hetchy dam,
- Construction of small local power plants to be used during periods of peak demand (this would minimize expensive "spot market" purchases),
- Use of long term purchase contracts, with preference given to renewable energy,
- Sale of power to San Francisco customers on a not-for-profit basis only,
- A rate structure that is the low cost leader of the industry.

I own a small business in the Chinatown/North Beach area, and serve on the design review board for the new City College Chinatown/North Beach campus. I graduated from UC Berkeley in 1989 with a degree in History and English. I focused on the economic history of the United States from 1900 to 1940, with a special emphasis on utility regulation and rural electrification. I am 36 years old.

*Luigi Barassi*

# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 3

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## PANSY P. WALLER

## JOEL VENTRESCA

**My occupation is:** Employment Coordinator.

**My qualifications are:**

The time is right for the people of San Francisco and Brisbane to take control over their own energy destiny.

The cause of today's energy crisis is a deregulation scheme that put unregulated out of state generators in control of prices and production. This deregulation scheme and the greed of the power industry have bankrupted PG&E and they now are draining governmental budgets.

San Francisco deserves the reliable, low cost and responsive electric service that a MUD can provide.

San Francisco can achieve a secure energy independent future by:

- Taking over PG&E's operation and all private electric generation within our Municipal Utilities District;
- Using those resources to build a publicly owned utility that would favor ratepayers over higher stockholder profits.

As a Municipal Utilities District Director I pledge to work diligently to:

- Provide reliable, not-for-profit electricity at a lowest cost while acting as a steward of the environment;
- Aggressively promote renewable sources of electric generation like solar power;
- Ensure there is a just transition and protections for the men and women who make and deliver our electricity.

Electricity and gas are essential social resources, not commodities. Please join me in this effort to secure energy independence.

*Pansy P. Waller*

**My occupation is:** City and County of San Francisco Airport Commission Warranty Management Program Coordinator.

**My qualifications are:**

Since 1979, I have been a volunteer working to bring the benefits of public power to San Francisco.

Experience:

- Administrator with the fifth largest airport in the United States over the last 14 years.
- Neighborhood and environmental leader for 25 years.

Current Positions: • Chair, MUD Now • Chair, Coalition for Lower Utility Bills • Chair, San Franciscans for Public Power

Former Positions: • City and County of San Francisco Environmental Commissioner • President, Coalition for San Francisco Neighborhoods • Director, San Francisco Tomorrow • Executive Board Member, SEIU 790

Education: Master of Public Administration, USF

Accomplishments:

- Saved taxpayers \$1 billion.
- Founded or led 11 not-for-profit organizations.
- Received San Francisco Bay Guardian "Local Hero" Award.
- Helped draft the City's first adopted comprehensive landmark Sustainability Plan.

Media Characterizations: "incorruptible", "honest", "principled", "courageous", "tough", "independent", "knowledgeable".

Objectives:

- Least cost, reliable electric service.
- Renewable energy, energy efficiency, environmental management, business operation, and customer service programs that are the best in the nation.
- Set and maintain the highest industry standards.
- 100% consumer ownership of generation, transmission, and distribution facilities.
- Work toward a sustainable energy future.
- Rates 15% less than PG&E.

Endorsements: Leland Yee, Angela Alioto, Frank Jordan, Lawrence Wong, John Riordan, Rose Tsai, Neil Eisenberg, George Kosturos, Ron Dudum, Bud Wilson, Marc Duffett, James Rhoads, Rebecca Silverberg.

(415) 731-1434

ventrescaj@aol.com

*Joel Ventresca*

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# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 3

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## RENNIE O'BRIEN

**My occupation is:** Health Care Practitioner.

**My qualifications are:**

I am a hardworking, successful businessman who has the skills to serve the community in an elected capacity. I understand the needs of our community from my many years of experience in community organization and building bridges within diverse groups. I am a native San Franciscan and I am highly motivated to do my best for the place that has been my home for so many years.

My background in San Francisco city politics allows me to comfortably deal with the challenges as MUD Director of Ward 3. Today mismanagement and wasteful spending threaten our power resources.

However, this is an exciting time because the opportunity for change is here. The new Municipal Utility District (MUD) can help reduce the cost of power delivered to the San Francisco and Brisbane area, as well as increasing the reliability of that power. It also allows for the generation and distribution of power to become a more environmentally sound process.

I know I can make a difference as a Ward Director. I will be leading the charge, working my hardest to lower and stabilize your power costs. Utilizing renewable energy is beneficial to each and every one of us.

*Rennie O'Brien*

## PHIL TING

**My occupation is:** University Administrator.

**My Qualifications are:**

As a homeowner in the Inner Sunset, I share your concern about the rising utility costs, which plague our city and state. Out of control prices and obscene corporate profits threaten our livelihood.

However--we the citizens of San Francisco--aren't powerless in the face of this energy crisis. We have a chance to take control over our natural resources.

By electing me to the Municipal Utilities District, you will have an effective advocate and problem solver on your side. I have a history of community involvement and a track record of success.

Currently, I serve at San Francisco State University as associate director of community relations. On a day-to-day basis, I work with community residents to make SFSU responsive to the people it serves. Previously, as a senior consultant with Arthur Anderson, I helped make government more efficient and responsive.

As a graduate of Harvard University's Kennedy School of Government, I have been trained and educated in effective policy making. In times of crisis, we cannot risk the public trust with unsound policies or special interest politics.

I consider public service a sacred trust—one that I will not break. I hope I have earned your trust and vote.

*Phil Ting*

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# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 4

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## JIM REID

**My occupation is:** Building Contractor.

**My qualifications are:**

I am a building contractor, who applies creativity and common sense to complicated building problems.

I ran for Mayor in 1999, addressing issues of public transit, homelessness, and building housing that people can actually afford.

I believe that an elected official needs to lead by action, not just talk. I have given up my polluting pickup truck and now drive a one-person electric vehicle that I recharge with the small wind generator that I installed on the roof of my house. My actions reduce the neighborhood parking space I use, while improving air quality.

We need a twenty-year master plan to systematically replace all underground utilities: sewer, water, recycled water, gas, electric, cable, fiber, and telephone all at one time.

I propose a twenty-year plan to build 33 clean mini power plants around the City with underground lines to compete with PG&E's obsolete dirty overhead lines.

Please visit my web sites: [www.SFMUD.net](http://www.SFMUD.net) and [www.SFMayor.org](http://www.SFMayor.org) or call me at 415-826-6106 to help.

The complex problems we face in the 21st century need to be solved holistically with creativity and common sense. Public transit, housing, and energy need simultaneous interrelated solutions.

Please vote for Jim Reid on November 6th.

*Jim Reid*

## ROBIN DAVID

**My occupation is:** Retired Utility Worker.

**My qualifications are:**

Vote for Robin David, long-standing advocate of public power, union member and shop steward with seventeen years experience operating and repairing power plant equipment.

Vote for Robin David who is committed to:

- taking over PG&E's operation and all private electric generation within the MUD service area;
- using those resources to build a publicly owned utility that would be democratically controlled by the community it serves.

Vote for him because he is committed to making that system provide:

- the lowest-cost, most reliable electric service possible;
- environmental responsibility, especially in the communities surrounding power plants; close Hunters Point Power Plant, guaranteeing jobs or full compensation to all who work there;
- an aggressive policy promoting solar power and other renewable sources of electric generation;
- protection for the union jobs and standards of the men and women who make and deliver our electricity. It is their skill and dedication that keeps the lights on. Full compensation for any jobs lost in the transition;

Vote MUD "YES!" Vote for five MUD directors who are strong advocates of the public power alternative to PG&E.

Vote City Water and Power Agency "YES!" Two roads to public power!

*Robin David*

# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 4

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## CRYSTAL CHAMNESS

**My occupation is:** Water Quality Engineer.

**My qualifications are:**

I am an engineer for San Francisco's existing Water and Power Agency. I've witnessed ancient riveted steel pipe from the 1930's that's eroded away to the thickness of tin-foil, falling apart at the touch. I've walked inside large pipelines for miles and seen linings peeling away as soft-ball-sized pieces of rust accumulate on the bottom. I've seen the awesome power of the water and heard the deafening white noise as millions of gallons of life-sustaining water flow towards San Francisco. I've dedicated my education and career to water. I hold a Masters degree in Civil and Environmental Engineering from UC Berkeley and understand the complexities of our water and power system.

San Francisco provides water to over 2.2 million people and generates enough electricity to light half a million homes. It's an incredible system, but it's a system that needs major repair. It's the Board who decides which projects get the money and which projects are more important than others. I believe that San Francisco needs someone like me on the Board, someone who's been there, to oversee the allocation of those funds and to make sure that the water from our taps keeps flowing as we build a new future.

*Crystal Chamness*

## MEDEA SUSAN BENJAMIN

**My occupation is:** Consumer Advocate and Non-Profit Founding Director.

**My qualifications are:**

I am an experienced environmental and consumer advocate with a proven record working on behalf of consumers, seniors and low-income families. I'm Founding Director of Global Exchange, a non-profit with a staff of 50 working on social justice issues. I worked as an economist for the United Nations for 10 years, and have masters degrees in economics and public health.

I've lived in San Francisco for almost 20 years with my husband Kevin Danaher and two daughters. Like most of us, I'm frustrated by the arrogance and incompetence of PG&E. That's why I've been a tireless consumer advocate before the Public Utilities Commission, state legislature and PG&E bankruptcy hearings. I fought the unjustified, excessive rate hikes and opposed the multimillion dollar bonuses for PG&E top management.

I want to represent you on the board to:

- Ensure affordable rates
- Dramatically increase solar and other renewable energy sources
- Enforce the Raker Act
- Free us from PG&E's gross mismanagement
- Give the public a voice in running our energy system.

I'm endorsed by a broad coalition, including:

MUD campaign director Ross Mirkarimi  
Supervisor Matt Gonzalez  
Supervisor Aaron Peskin  
Supervisor Gerardo Sandoval  
School Board Member Mark Sanchez

*Medea Susan Benjamin*

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# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 4

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## LINDA PEREZ

**My occupation is:** Bilingual Teacher.

**My qualifications are:**

I campaigned hard against the privatization of Edison School. Gas and electric services to my family's home were cut off in June when our bill doubled from one month to the next.

I'm running on the Progressive Left Slate with and endorsed by MUD Board candidates Chris Finn, Abel Mouton, and candidate for Treasurer, Carlos Petroni. The Progressive Left is building a workers' organization against big business' domination of politics.

Working families have a right to cheap and efficient utilities. Essential resources should not be used to make profits for corporations, but to serve working class consumers.

Our platform calls for:

- Workers' and Consumers' democratic control of production and distribution of electricity in the MUD.
- Public ownership of all generation and distribution of electricity in and for the MUD.
- Utility workers to be guaranteed employment under their present contracts and wages or better.
- No compensation for the energy barons!
- Big corporations to pay much more for utilities than residential and small business consumers.
- Closing the polluting Hunters Point Power Plant.
- A sustainable energy plan designed with community input at every step.
- A strategic plan to create energy from pollution-free sources.

Information or complete platform, call (415) 452-9992 or e-mail [progress@ix.netcom.com](mailto:progress@ix.netcom.com)

*Linda Perez*

# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 5

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## LEANNA LOUIE

**My occupation is:** Educator.

**My qualifications are:**

My name is Leanna Louie. I decided to run for Municipal Utility District President for Ward 5 because I care about the future of your quality of life. Three points I would like to bring awareness to are 1) renewable energy, 2) discounts for seniors, household with children, low-income families, and 3) focusing on employment for qualified San Franciscan residents.

Today, our environment is polluted with all kinds of cancer causing agents. It is important that the community look into alternatives to help save the environment. I support the President of Board of Supervisor's request for \$1 million to be dedicated to installation of residential solar panels. The benefits are self-reliance, lower energy bills, and environmental friendly.

I have been a San Franciscan since 1979. I achieved a BA in Chinese Studies and US History and an AA in technology. I served in the US Army for a total of 10 years including college ROTC. Upon honorable discharge, I accepted employment with District 1 Supervisor in January 2001. As former legislative aide, I handled numerous phone calls expressing frustration with utility companies. San Franciscan residents want change to this broken system. I am ready to provide the leadership.

*Leanna Louie*

## ABEL MOUTON

**My occupation is:** Investigative Journalist.

**My qualifications are:**

I've been active in community struggles since 1998. I was a campaign manager for the Bayview-Hunters Point Reparations Act. I helped found the Living Wage for Student Workers at City College campaign.

I'm running on the Progressive Left Slate with and endorsed by MUD Board candidates Chris Finn, Linda Perez, and candidate for Treasurer, Carlos Petroni. The Progressive Left is building a workers' organization against big business' domination of politics.

Working families have a right to cheap, efficient utilities. Essential resources should not be used to make profits for corporations, but to serve working class consumers.

Our platform calls for:

- Workers' and Consumers' democratic control of production and distribution of electricity in the MUD.
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- A strategic plan to create energy from pollution-free sources.

Information or complete platform, call (415) 452-9992 or e-mail [progress@ix.netcom.com](mailto:progress@ix.netcom.com)

*Abel Mouton*



# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 5

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## **BOB BOILEAU**

**My occupation is:** Operating Engineer.

**My qualifications are:**

I believe the energy industry manipulated the deregulated power market for their profit and will continue to, unless we control our own system.

The Municipal Utility District and Supervisor Ammiano's public power Charter Amendment will let us negotiate contracts for dependable lower cost electricity for everyone in San Francisco. I've been doing collectively bargained contracts for 25 years.

We'll pursue solar and wind generation, conservation, and recapturing all of our Hetch Hetchy power. If feasible, we'll buy PG&E's distribution system in the City. I served six years on a San Francisco public agency's Board. I'm serving on the California Uniform Construction Cost Accounting Commission, appointed by the State Controller. I know how to manage bureaucrats to get the public's will done.

My endorsers include:

Art Agnos: "As Mayor I appointed Bob to one of San Francisco's toughest Commissions. He did a terrific job and he'll do a great job on the MUD Board too."

Tom Ammiano: "Bob's help drafting my Public Power and residential solar power Charter Amendments was extremely valuable. He'll be equally valuable to all San Franciscans on the MUD Board of Directors."

Walter Johnson: "I enthusiastically endorse Bob's candidacy. He knows this subject and he'll make public power work."

*Robert J. Boileau*

## **CALVIN B. WEBSTER**

**My occupation is:** Consulting Electrical Engineer.

**My qualifications are:**

Since 1968 I have been registered by the State as a professional electrical engineer. My work has included feasibility studies, engineering economics, and utility rate analysis.

The office of MUD director demands an independent professional held to the highest ethical standards. To maintain this independence, I have not - and will not - accept any contributions for this election. Similarly, I have not sought endorsements from any corporations, politicians, or special interest groups. As a director, I will not tolerate conflict of interest at any level.

To deliver affordable power to the ratepayers, a lean professional MUD administration is required. It should be free from political influence and patronage appointments. A fat bureaucracy will cost the consumer.

To keep rates low, conservation should take precedence over costly new facilities wherever possible to maintain reliable service. Where new facilities are required, they should be clean renewable resource types wherever economically feasible.

If the voters approve creation of the MUD, and they elect me, I would be honored to represent the interests of the residents of the district and diligently execute the duties of the non-paying office of director.

*Calvin B. Webster*

# Proposed San Francisco-Brisbane Municipal Utility District Candidates for Board of Directors, Ward 5

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## DAVY JONES

**My occupation is:** President Cancer Corporation.

**My qualifications are:**

I am President of a prostate cancer corporation.  
Executive member of a North of Market Planning Coalition.  
Former member of Local 1100.  
A community activist dedicated to lower energy rate.  
A moderate with no political baggage.  
My campaign is about improving the quality of life for seniors, homeowners, tenants, hard working families, disabled, small business owners.  
Voters are tired of high energy bills. Tired of rolling black-outs.  
I support abolishing the Public Utilities Commission.  
I support renewable energy sources such as solar power.  
I support conservation and 20/20 rebate.  
I am a professional with experience and credentials.  
I am committed to alternative energy sources and lower energy rate for residents.  
I am not afraid to roll up my sleeves to make them happen.  
I have the endorsement of local community leaders like Roy Bouse, President of Tenants Association, Alma Animo, seniors advocate, Ann Green, veteran community leader.  
My vote on MUD will not be for sale.  
Give me a chance to work for you.  
Give yourself a chance to experience lower rates.  
Vote Davy Jones. I promise no monkey business on MUD.

*Davy Jones*

## GARRETT JENKINS

**My occupation is:** President, Nonprofit Organization.

**My qualifications are:**

I am an unpaid public power advocate, and as a member of Coalition for Lower Utility Bills/MUDNow's Executive Committee, I have been working other activists to bring public power to the people of San Francisco and Brisbane for over a year.  
I will advocate for and work diligently to ensure that the collective bargaining agreements that union workers have struggled for, the Equal Benefits Ordinance that San Francisco's LGBTQ community have fought hard to achieve, and the Sunshine Ordinance that San Francisco put in place are adopted by the SFBMUD. I will promote energy conservation efforts; as well as work to devise and implement reasonable sustainable energy projects that are environmentally friendly and sound. I will strive to correct the socio-environmental injustices that Bay Area residents, specifically the southeast side of San Francisco and Brisbane, have suffered at the hands of numerous public and private industries.  
Endorsers: Tenants Associations Coalition, Supervisor Leland Yee, Angela Alioto, Bernard Choden, Bonnie Baron, Cecil Williams, Devin Richardson, Donna Lisa Stewart, Doug Comstock, Evelyn Crane, Hong Huynh, Howard Wong, Houston Zheng, Jamey Medors, Jeff Adachi, Joel Ventresca, JR Manuel, Kathleen Price, Linda Richardson, Lynne Brown, Michael Kwok, Neil Eisenberg, Phillip Faight, Robert Planthold, Suzanne Dumont, Tariq Alazraie.

*Garrett Jenkins*

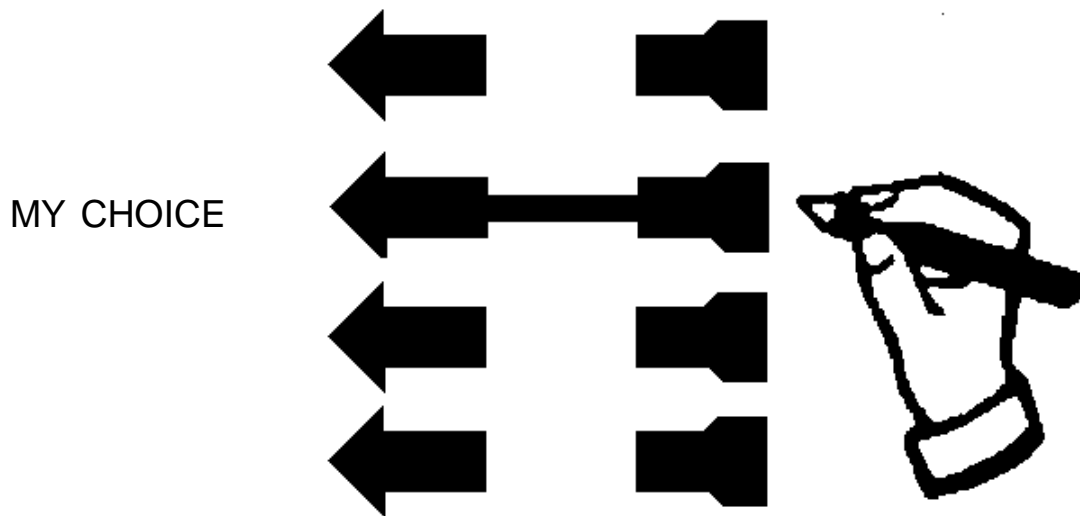
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# Voting for your choice is easy with the NEW optical-scan BALLOTS!

*Just **complete the arrow** that points to your  
choice, using the pen supplied at your polling  
place.*



JM



# Telephoning the Department of Elections

The Department of Elections has special telephone lines for specific purposes:




- **To register to vote**, call 554-4375;
- **To request an Absentee Ballot application**, call 554-4375;
- **For information about becoming a Poll Worker**, call 554-4395;
- **For election results on Election Night**, call 554-4375;
- **For election information, including Election Night results, visit the Department of Elections web site at:** <http://www.sfgov.org/election>
- **For all other information**, call 554-4375

For your convenience and because of the huge number of calls during the weeks leading up to the election, the Department of Elections uses automated information lines in addition to regular operators. If all operators are busy, callers may hear recorded messages which will direct them to leave their name, address and telephone number. Callers with touch tone phones may be asked to press numbers to direct their calls to the right desk. Callers with rotary phones may wait on the line for an operator or to leave a message.

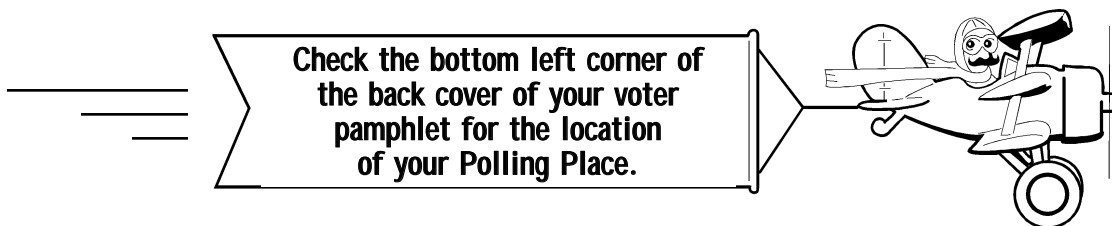


## Avoid Long Lines — Vote by Mail

It's as easy as 1-2-3.

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

**Applications must be received by the Department of Elections no later than 5:00 p.m. on Tuesday, October 30, 2001**



## Your Polling Place May Have Changed

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

**Poll Workers**

**Needed**

**call: 415-4395**

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## SAN FRANCISCO VOTER INFORMATION PAMPHLET

