

## **November 2010 San Francisco Ballot Measures**

### **(A) Already qualified as of July 12**

#### **(1) Promoting Good Government by Prohibiting Dual Office Holding in a City Elective Office and an Elected Board of a Political Party County Central Committee. Mayor. Initiative Ordinance.**

Mayor's proposal to prohibit dual election to the Board of Supervisors and the DCCC or RCCC.

#### **(2) Clarifying Who is Responsible for Collecting and Remitting Third-Party Taxes; Consolidating Definitions and Amending the Definition of "Permanent Resident". Mayor. Charter Amendment.**

Mayor's measure to close the hotel tax loophole. Specifically mandates that the hotel tax shall remain at 14%, and that if another measure on the ballot increases that rate, the Mayor's measure will prevail if it receives more votes.

#### **(3) Amending the San Francisco Police Code by Adding Section 168 to Promote Civil Sidewalks. Mayor. Charter Amendment.**

Makes it unlawful to sit or lie down on a public sidewalk, or place any object on a public sidewalk anywhere in San Francisco between 7 am and 11 pm. Makes exceptions for medical emergencies, wheelchairs and walkers, sidewalk commercial uses with a permit, events in compliance with a street use permit (parades, festivals, rallies, etc.), sitting on fixed public chairs or benches, sitting in line for goods or services (unless it impedes pedestrians), children in strollers, and designated Parks to Pavements areas. Police must give a warning before citing somebody. The first offense is an infraction punishable by a fine of \$50 to \$100 and/or community services. A subsequent violation within 24 hours is a misdemeanor punishable by a fine of \$300 to \$500 and/or community service, or imprisonment of up to 10 days, or both fine and imprisonment. A subsequent violation within 120 days is a misdemeanor, with a fine of \$400 to \$500 and/or community service, imprisonment of up to 30 days, or both. Requires the City to maintain a neighborhood outreach plan to provide the social services needed by those who chronically sit or lie on public sidewalks, including health care and social service capacity, evaluation of service delivery, and identification of areas for improved service delivery.

#### **(4) Additional Voting at Polling Places. Initiative Petition (Alex Tourk).**

Requires the Department of Elections to open about 400 polling places throughout the City on the Saturday before the November 2011 Tuesday election for Mayor. Would increase voter turnout and make it easier for working families to vote. If effective, the measure urges the Mayor and Board to figure out how to implement and pay for Saturday voting in future elections.

#### **(5) MUNI Charter Amendment. Initiative Petition (Supervisor Elsbernd).**

Currently, MUNI driver salaries are established each year via a formula embedded in San Francisco's City Charter that ensures they are paid the second highest wages in the country. As a result, their union has no incentive to bargain on other issues such as working rules, some of which operate to the detriment of MUNI riders. This measure requires that salaries and benefits be determined through collective bargaining. Drivers and their union are opposed, and blame MUNI shortfalls on lack of revenue.

### **(B) Initiative petitions pending signature verification**

#### **(6) Sustainable City Employees Benefits Reform Act. Initiative Petition. Charter Amendment. (Jeff Adachi).**

Requires city employees to contribute additional amounts to fund their pensions and health benefits. Finds that the City's pension and health costs for active and retired employees have increased by 85% over the past five years, from \$419 million in FY04 to \$776 million in FY09, and will exceed \$1.1 billion by FY12. Applies to all current and new employees as of January 2011, upon expiration of current MOUs. (1) Requires police and fire to pay 10% of compensation to the Retirement System (currently 7.5%), and other employees 9% (currently varies). Forbids the city from picking up any of the employee share.

(2) Prohibits the City from picking up more than 50% of the cost of dependent health care coverage, and limits the maximum amount paid for dependents to the lowest cost plan offered by the Health Service System. Limits the City contribution to 75% of dental coverage and 50% of dependent dental coverage.  
(3) Provides that if a court determines these provisions can't be enforced, there will be no increased in bargained compensation for a period of five years after current MOUs expire. Provides that if an arbitrator awards an increase in wages or benefits, or if the City is otherwise compelled to negotiate, any increases would be subject to voter approval for a period of five years.

**(7) Hotel Tax Loophole Close & Temporary Visitor Surcharge. Initiative Petition.  
HSN has already endorsed this measure. \*\* QUALIFIED FOR THE BALLOT AS OF 7/14 \*\***

Closes the hotel tax loophole and increases the hotel tax by 2%.

**(C) Measures pending before the Board of Supervisors (may or may not be on ballot)**

**(8) Earthquake Safety Retrofit Loan Program. General Obligation Bond (Mayor).**

Authorize general obligation bonded indebtedness of \$39,140,000 for loans to pay for seismic retrofits of multi-story wood structures at significant risk of substantial damage and collapse during an earthquake.

**(9) Increase the Real Property Transfer Tax. Ordinance (Avalos).**

Increases the rate for property valued at or above \$5 million. The current rate is \$7.50 for each \$500 of assessed valuation. The new rate will be \$10 for property valued at \$5 million to \$10 million, and \$12.50 for property over \$10 million. Based on past transactions, the measure would increase annual revenue by an average of \$54 million, but the amount would be volatile.

**(10) Establishing a Progressive Payroll Expense Tax Rate Structure and Reducing Selected Payroll Expense Tax Rates; Imposing a Gross Receipts Tax on the Rental of Commercial Real Property. Ordinance (Chiu).**

(1) The City currently imposes a payroll tax of 1.5%. Small businesses are exempt. The measure would reduce the payroll tax by giving each taxpayer a credit (\$250 in 2011, \$500 in 2012, then \$750). Second, between now and 2014, it would lower the tax rate employers pay for employees earning less than \$85,000 a year. The Controller would determine the amount of the reduction, based on the how much the City collects under the new commercial rent gross receipts tax, but the estimate is a rate of 1.3%.  
(2) The ordinance imposes a new gross receipts tax on commercial rents, to be phased in over a 3-year period beginning in 2011. The tax rate would be 0.665% in 2011, 1.330% in 2012, and then 1.995%. Commercial landlords with gross receipts under \$200,000 would be exempt. Landlords may exclude from gross receipts the amounts received from any tenant whose rent is less than \$65,000.  
(3) The estimated annual revenue increase is \$20 million in 2011, \$54 million in 2013, and \$34 million by 2016 and thereafter.  
(4) The commercial rent tax could impact nonprofits, both as tenants and as landlords. According to the Controller, the \$65,000 limit would exempt 85% of nonprofit tenants. The \$200,000 limit may not be enough to shield large affordable housing developers who collect rent from storefront businesses from the tax. HSN is working with Sup. Chiu's office, and hopes these issues will be addressed in the final version.

**(11) Parking Tax Increase and Tax on Valet Service. Ordinance (Mirkarimi).**

The City currently imposes a 25% tax on parking in most paid parking spaces. It does not apply to fees for valet parking services when the company doesn't pay for the use of the property where it parks the cars. This measure will increase the tax rate to 35%, and apply the 35% tax to valet parking. Revenues will go to the General Fund. It would raise an estimated \$17 to \$20 million.

**(12) Community Policing and Foot Beat Patrols. Ordinance (Mirkarimi)**

Requires the Police Commission to adopt a comprehensive policy on community policing, and requires the Chief of Police to create a Foot Beat Patrol Program in all stations.

**(13) Transferring the Police Department's Functions, Assets and Operations to the Sheriff. Charter Amendment (Daly).**

Would merge the Police Department and Sheriff, under the leadership of the Sheriff.

**(14) Amending the Charter's Definition of Voter. Charter Amendment (Mirkarimi).**

Current law defines "voter" in accordance with state law. This measure would include persons registered in accordance with municipal law. This would permit San Francisco to establish local voter registration procedures for exclusively municipal elections. One example is same day voter registration.

**(15) San Francisco Affordable Housing Fund. Charter Amendment (Daly)**

(1) Establish baseline appropriation and make an annual appropriation of the equivalent of 33% of any available general fund budget surplus for the next fifteen years to support affordable housing programs; (2) Require the Mayor's Office of Housing, in cooperation with the Departments of Public Health and Human Services, to prepare an affordable housing plan every three years and an annual affordable housing budget; (3) Affirm City policy urging the Redevelopment Agency to use at least 50% of its tax increment funds for low and moderate income housing; and (4) Set an expiration date of July 1, 2026.

**(16) Requiring the Mayor to Appear Personally at One Regularly-Scheduled Meeting of the Board of Supervisors Each Month to Engage in Formal Policy Discussions with Members of the Board. Charter Amendment (Daly)**

Question time with the Mayor.

**(17) Equal Access Commission and Department of Equal Access. Charter Amendment (Alioto-Pier)**

Establish an Equal Access Commission and Office on Equal Access. The commission would have authority over all city functions and programs that ensure equal access for people with disabilities, and would focus on compliance with ADA and similar laws and regulations.

**(18) Public Education Enrichment Fund. Charter Amendment (Alioto-Pier)**

Extend the automatic expiration of the Public Education Enrichment Fund from June 30, 2015, to June 30, 2016. Use any surplus returned from the Library Preservation Fund Baseline to fund part of the City's required disbursements under the Public Education Enrichment Fund for, among other things, library programs. Allow the City to use monies in the Fund to pay college tuition and fees for students attending City College or San Francisco State. Authorize the Youth Commission to review expenditure plans submitted by the School District and the First Five Commission. Require the City to recommend a Rainy Day Reserve policy for the San Francisco Unified School District covering local revenues and authorize the City to suspend disbursements from the Fund to the School District unless the District certifies that it has adopted and followed the policy.

**(19) Split Appointments to the Recreation and Park Commission. Charter Amendment (Mirkarimi)**

Split the power to make appointments to the Recreation and Park Commission between the Mayor and the Board of Supervisors. The Mayor currently appoints seven commissioners. Under this measure, the Board would appoint three, the Mayor three, and one jointly. The measure also authorizes the Board of Appeals to hear appeals of Rec and Park decisions regarding special event permits.

**(20) Health Service Board Terms and Elections. Charter Amendment (Elsbernd)**

Shorten, on a one-time basis, the term of one Health Service Board member from five years to three years, and the term of another member from five years to two years, so that Board terms will expire in pairs in the future and can be filled during the same Board election, saving \$30,000 a year.

**(21) Non-Citizen Voting in School Board Elections. Charter Amendment (Chiu)**

Authorize San Francisco residents 18 years of age or older who are the parents, legal guardians or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens.

**(22) Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members. Charter Amendment (Campos)**

The Rent Board currently consists of two landlords, two tenants, and one neutral person (using a homeowner that owns no residential rental property). Each regular member has an alternate. The Mayor appoints all members and alternates. Members serve at the Mayor's pleasure. This measure would establish the Rent Board in the Charter. It would increase the number of members to seven: two tenants, two landlords, and three neutrals. The Mayor and Board would each appoint three members and alternates. The Board President and the Mayor would jointly appoint one neutral member. Members would be subject to removal only for official misconduct.

**(23) San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures. Charter Amendment (Campos)**

(1) The Mayor currently appoints all seven members of the SFMTA Board of Directors. This measure provides for three by the Mayor, three by the Board, and one jointly. (2) The measure would allocate a share of property tax revenues to the Transportation Fund, estimated at \$37 million a year (2.5 cents for every \$100) – leaving less money for other services. (3) Requires the MTA to resubmit a budget if the Board of Supervisors rejects their budget. (4) Establishes an Office of the MTA Inspector General to oversee MTA finances. (5) Eliminates formulas governing driver wages and benefits, and subjects them to collective bargaining.