

The Unconstitutional Truth about the Presidio
By John Farrell

When Congress established the Presidio Trust in 1996, they wanted to insure its financial stability. Congress believed taxing private tenants at the Presidio impeded the Trust's financial stability. Congress even enacted specific legislation in the Presidio Trust Act to insure that tenants were tax exempt. The only problem is that Congress doesn't have the power to tax exempt tenants under the Constitution of the United States of America.

In 1897, the State of California ceded to the United States exclusive jurisdiction on all lands held for military purposes which included the Presidio. Military installations are federal enclaves and are exempt from state authority. Per legal counsel of the State Board of Equalization, a "federal enclave" is a property over which the federal government holds exclusive jurisdiction.

In 1989 the federal government closed the Presidio as a U.S. Army Post. Since the Presidio was no longer being used for military use, the federal government transferred jurisdiction to the Golden Gate National Recreation Area (GGNRA) in 1994 to be used for natural, historic, cultural and recreational purposes.



“Because of this unconstitutional loophole the City is losing ... \$100 million from the Presidio Trust since inception. This amount doesn't include the loss of revenue from other taxes such as transfer tax. Further, if the Lucas Plan for a Presidio Museum is approved, the City will lose at least \$8.1 million annually in property tax revenue.”

Did this transfer to the GGNRA cause a retrocession of jurisdiction to the State of CA in order to permit the City to tax the third party beneficiaries at the Presidio? Did this transfer negate the concept of "federal enclave" and "exclusive jurisdiction" since the Presidio is no longer used for military purposes and the City could now tax those properties being used for private benefit which include Disney, a golf course, a sporting goods store, restaurants and housing for more than 3500 people. This issue has never been addressed.

The Presidio Trust was created by Congress in 1996 for a dual purpose: to rehabilitate and repurpose the Presidio's historic buildings and environmental resources, and to operate the site as a vibrant public park independent of annual taxpayer funds.

In the establishing of the Trust, Congress's concern

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A Bakery on West Portal

By Keith Burbank

Contrary to rumors, La Boulange Cafe & Bakery is planning to open in West Portal's former St. Francis Market. Some thought the company dropped its plans because they didn't see any construction activity at the site, but the company plans to open in March 2014. And despite being a retail chain store, La Boulange got approval from the Planning Commission earlier this year and has building permits for construction.

"It's a place that people have asked for," said Avrum Shepard, a local resident who is active in the community. "We recruited them. We got them to open up shop," Shepard said. The effort is one more step toward improving business along West Portal Avenue, an effort that began at least a year ago. At one time, food trucks were part of that effort.

Shepard cited results from a merchant's association survey that indicates residents want a La Boulange Cafe & Bakery in the neighborhood. The association distributed the survey to 500 or 600 people, and two-thirds of the 300 respondents mentioned La Boulange.

As a result, a community member called the company to ask if it would consider a store in the neighborhood. "We would like to rent a place here," Shepard recalls a representative of La Boulange saying.

The new – and what will be the only bakery in West Portal – will be located at 16 West Portal Avenue, around the corner from the library. Shepard said St. Francis Market decided to move because it didn't want to pay the higher rent the landlord was asking.

La Boulange has 20 locations in the Bay Area. To be considered a retail

chain store – also known as formula retail – a company must have 11 or more locations in the United States, according to planning department guidelines. As required by the planning department, the company sought and obtained a conditional use authorization earlier this year.

Had the company sought to open in the Castro/Upper Market area of the City, it may have found more opposition to its plans. Surrounding neighborhoods in that area – with the help of the San Francisco Planning Department – have placed limits on the amount of formula retail in the area. Castro/Upper Market neighborhoods successfully stopped both a Chipotle restaurant and a Starbucks from opening.

Not only is La Boulange a retail chain store, but the company is now owned by Starbucks, which as of August 2012, had 18,000 retail locations in 60 countries, according to company information. Starbucks purchased La Boulange in June 2012, according to Starbucks' website.

"It's been a positive," said Cara Smith, retail operations and customer

Cont. p. 6



16 West Portal is the new site for La Boulange Bakery—ETA March 2014

Here Come Da In-Laws

By George Wooding

Supervisor David Chiu introduced secondary-unit legislation that will permanently change San Francisco's zoning code to allow in-law units to become legalized throughout the City.

Although Chiu may be operating under the best of intentions, his legislation needs several amendments and adjustments before anyone will take it seriously. Most single-family homeowners of RH-1 or RH-2 homes will either hate this legislation or will not abide by it.

A secondary unit, as defined in Chiu's legislation, is an additional, self-contained dwelling unit in an existing residential building. Secondary units are commonly referred to as "in-law" units because they allow extended family members and tenants to live together in separate, but attached, units.

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Turf Burn

By Susan Gerhard

As the Beach Chalet fields debate continues, it's time to take a close look at the disintegrating artificial turf fields with which we're already saddled.



On one of San Francisco's once-premiere artificial turf fields, I stood next to a puddle filled with black rubber pellets on a warm September afternoon watching my son's team play a soccer match. Nearby, a small mound of these little used tire pieces had been assembled by a small child playing in "the dirt," which wasn't dirt as we once knew it, but a combination of materials that, when heated, break down to constituent and potentially hazardous gases, heavy metals and oils. As halftime approached, requests for additional water came in, because the temperature was palpably warmer on this surface than on the nearby grass. A few days later, when a number of players called in sick to practice reporting respiratory infections, I thought back to the heat and fumes of that afternoon.

I remember the excitement of players and families as we first viewed and played on these new fields that were going to change the face of soccer in San Francisco. Early fashionable fields were Garfield, Youngblood Coleman, Silver Terrace and the field mentioned above, Franklin.

Their debuts were accompanied, in many cases, by ribbon cuttings and photo ops (the Ghana Women's National Team arrived at one) followed by eager signups of teams paying to play in the space. Now these fields are in various states of disrepair and disintegration and, among my circle of players, last on our lists to rent.

Why are we accepting "planned obsolescence" in the case of fields? When Monsanto convinces farmers to buy seeds that short-circuit the natural life cycle and force dependency on their corporate benevolence, many of us get angry. When the artificial turf industry convinces our Parks department to replace its living fields with materials that need to be hauled off to specialized dumps every eight years and replaced with new carpets of polyethylene fibers and styrene-butadiene crumbs, we rejoice.

ARTIFICIAL TURF: At What Cost?

Cost to renovate Polo Field's seven fields of grass: \$1 million

Cost projected for Beach Chalet renovation of four fields of artificial turf with landscaping: \$10 million

I've been playing, coaching or watching soccer on San Francisco fields nearly every day for the past ten years. Complaining about field conditions was once considered not in the spirit of team sport. My fondest memories in San Francisco soccer have to do with rugged conditions: Rainy games in the mud, brave but not so brilliant falls on challenging surfaces. But complaints about grass field conditions and upkeep, fueled by paid lobbyists making their case at many playing fields in San Francisco and promoting a unified voice to politicians and the media, are what have gotten us into the situation we are in today, with plans for many more grass fields in the City to be replaced with perishable plastic and pellet rather than, say, renovated grass and improved drainage/irrigation systems.

What happens when "imperfect" grass is replaced with "perfect" plastic and pellet? Over time, the pellets spread and the carpet thins. Amenities also seem to

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Lake Merced Update

Progress or Paint-Job at the Boathouse?

By Keith Burbank

West side residents want to help their children. But two local government agencies don't seem to share the same concerns. With the rowing clubs at Lake Merced sending kids to top schools, such as Berkeley and Yale, resident Dick Allen is asking when the San Francisco Recreation & Parks Department will get serious about additional boat storage for the rowers.

"Why is this sport not being addressed," Allen asked. "It's been ten years and counting."

Currently, high school rowing clubs store their boats at the Lake Merced Boathouse, but storage is at capacity.

"We've maxed out this facility," said Joe Mees, general manager, Pacific Rowing Club, speaking about his club's storage space. Pacific Rowing is one of the two high school rowing clubs that use the lake. The other is St. Ignatius, a club from St. Ignatius College Preparatory in San Francisco. St. Ignatius's storage space appeared full as well.

Mees said Pacific Rowing wants to expand the club to include junior school high students. "Just can't do it," Mees said. "Every boat here's used two times a day."

Allen and others also wonder why the Rec & Parks Department decided to renovate the current boathouse when a \$560,000 study recommended a new boathouse. "Given its condition, it is generally believed that the building will need to be replaced rather than rehabilitated," the Lake Merced Watershed



Experienced rowers are in high demand by top colleges and universities, and savvy SF youngsters flock to the water to earn the scholarships they seek



The new paint-job looks great, but what about the real problems?

Report says on page 43. The report was written by the San Francisco Public Utilities Commission, which co-manages the lake with the Rec & Parks Department. The City is spending \$2.6 million to rehabilitate what it said it needed to be rebuilt, Allen and others argue.

In response, the Rec & Parks Department and the SFPUC said, "While the 2011 Watershed Report did note the preference of Lake Merced advocates for replacement over renovation, the report also emphasized that any new boathouse strategy must also include consideration of phasing to ensure that existing facilities are sufficient until replacement facilities can be built, and most importantly, that sufficient financing of any new facilities is in place. For both the renovation project and the 2012 [Park] bond, RPD and SFPUC have determined that available funds were not sufficient for the construction of a new boathouse facility."

Allen would argue otherwise. "We're talking about building a warehouse," Allen

Cont. p. 9

Let's Get Geary Moving!

Join the SFCTA and SFMTA for a Geary Corridor Bus Rapid Transit (BRT) Project Update!

The Geary BRT Project is a cost-effective way to improve bus service and enhance street conditions for Geary from Downtown to the Outer Richmond. Based on community input and ongoing technical evaluation, staff is recommending specific design options for BRT on the Geary corridor.

Come to an upcoming community meeting for a project update:

- Learn about the project evaluation process
- View design options for different segments of the corridor
- Provide your feedback

Richmond Recreation Center

Date: Monday, December 9th from 6:00–8:00 p.m.

Address: 251 18th Avenue

SF Main Public Library

Date: Tuesday, December 17th from 5:30–7:30 p.m.

Address: 100 Larkin Street

Japantown/Fillmore meeting being planned for early 2014



(The same information will be presented at each meeting)

For special accommodations or language assistance, please call 415.593.1655 at least 72 hours in advance.



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RUMINATIONS FROM A FORMER SUPERVISOR By Quentin Kopp



A *Wall Street Journal* article last month about New York City taxicab medallions, permits to operate a taxicab, reminded me of the somewhat common aphorism “No good deed goes unpunished.” A combined debt of over \$2,500,000 for two medallions in New York City at the taxicab permit auction by New York City parallels the 35-year past history of taxicab medallions in San Francisco. Until the advent of Willie Brown as Mayor, with then-Supervisor Gavin Newsom as his Board of Supervisors spear carrier, taxicab medallions were issued by the Police Department. The application and grant procedure was simple, requiring about \$500 worth of police department personnel time and a resultant application fee. That resulted from a ballot measure (Known as Proposition K) approved by San Francisco voters in June 1978. It had been initiated by then-Supervisor John J. Barbagelata and me. It ended the practice of Yellow Cab and other taxicab mogul companies treating public property, the taxicab permit, as a private asset, selling at that time for \$40,000 to \$50,000 to neophyte supplicants, who, under the law didn’t even need to drive the cab. Thus doctors, lawyers, storeowners, nurses, and other non-drivers could, and did, own permits, renting them at profitable prices to actual drivers. Proposition K changed the law. It treated a taxicab medallion as a public, not a private, asset. It required all holders of a medallion to operate the taxicab for a minimum number of hours per year, rather than use the medallion as a device to profit from its rental. To obtain a permit, an applicant completed a simple application form, and the Police Department verified his or her driving ability and record together with the condition mechanically of the taxicab he or she wanted to operate. Taxicab moguls who actually owned permits were “grandfathered” until the requisite minimum taxicab operation by them was no longer possible. The medallion was then returned to the Police Department and issued to the next driver applicant on the waiting list.

In the 1990’s, however, Newsom fostered an amendment to Proposition K which transferred administration from the Police Department and Police Commission to a newly conceived Taxicab Commission, comprised of specified categorical members such as a cab company representative, an actual driver, and others. Almost all

of them possessed some financial interest in taxicab operations and enforcement of Proposition K and related industry rules, unlike the independent Police Commission. Previously, taxicab companies had sponsored 8 unsuccessful ballot measures and at least 5 constitutional lawsuits to repeal or weaken Proposition K from 1978 to 1998, claiming Proposition K deprived them of due process of law by seizure of their personal property, the City permit. Thereafter, as Mayor, Newsom sponsored a Charter amendment establishing the Metropolitan Transportation Authority (MTA) primarily for operation of the Municipal Railway. It, however, included an obscure clause transferring administration of taxicab medallions and industry rules to the MTA and permitted the MTA to establish new rules, thus enabling abolition of Proposition K and allowing treatment of a taxicab medallion once again as a private asset for purchase by non-taxicab drivers who could afford a purchase price of hundreds of thousands of dollars. Newsom even signed a letter with then-Board of Supervisors Chairman Aaron Peskin declaring that the MTA would never change Proposition K rules. Thereafter, the MTA nullified Proposition K and began a practice last year of selling taxicab medallions for \$250,000 each and abolishing minimum annual driving requirements. That inevitably creates pressure for higher taxicab fares, which encourages competition from new methods of providing transportation for hire, such as a technology company that matches passengers to automobile owners. Passive ownership of a medallion is again permitted by the MTA. The venal system has been restored by City Hall though stealth and mayoral lie.

Salmon P. Chase, who died in 1873, was Governor of Ohio, a U.S. Senator, Secretary of the Treasury, and Chief Justice of the Supreme Court. He once observed: “The fundamental principal of all just legislation is that the legislature shall not take the property of A and give it to B.” The recent predicament of the Bay Area Rapid Transit District (BART) Board of Directors grappling with a permissible “days off” clause in the vaunted contract concluded with employee unions in September raised that thought of financial waste. Readers may recall that BART hired and paid about \$400,000 to an alleged labor negotiation expert from out of town. The BART board late last month, after all unions approved the final contract with a \$68,000,000 cost in employee days off, attempted to correct such searing carelessness by voting final approval of a form of contract which deleted the wasteful clause. The unions charge impropriety and the outcome

is unclear as I write. It appears clear, however, that such malpractice by an alleged labor negotiation expert will be ignored by BART. Suppose your attorney neglects to read all clauses in a proposed contract and allows you to sign such contract with a clause costing you millions of dollars. That’s negligence, a legal malpractice claim waiting to be asserted by you. Thus far, the so-called labor negotiation expert has been paid without consequence to his carelessness.

That pales in comparison with Transbay Terminal Joint Powers Authority and U.S. Department of Transportation waste locally. As part of President Obama’s ballyhooed American Recovery and Rehabilitation Act in February 2009, commonly called the “Stimulus Act”, the Transbay Terminal Project snagged \$400,000,000 to build a so-called “train box” underneath the terminal. The idea was founded upon extending Cal Train tracks 1.3 miles from Fourth and King streets to the Transbay Terminal, together with California High Speed Rail tracks. Now, the California High Speed Rail Authority has been thwarted by two Sacramento County Superior Court decisions finding the current 2012 project plan illegal under the 2008 High Speed Rail Ballot Measure known as Proposition 1A for failure to authenticate financial sources for completion of the first section from Merced to the San Fernando Valley and obtain environmental clearance for the entire section. The court also ruled against the State on its bond validation case, commenced by the High Speed Rail Authority to enable sale of \$8,000,000,000 of State General Obligation Bonds. A second part of the case, alleging six other High Speed Rail Authority violations of Proposition 1A, will be tried next spring in the same court. The Transbay Terminal Joint Powers Authority claims the cost to extend its tracks from Fourth and King Streets to First and Mission Streets is about \$2,500,000,000. That’s based, however, upon a 2006 estimate, which includes a supposed inflationary rate. As noted previously in this column, the current cost is probably over \$4,000,000,000. There’s no money for such an extension, but work has already begun on the “train box” thus causing expenditure of \$400,000,000 of taxpayer money for a purpose never to be consummated.

On that lugubrious note, I bid readers a Happy Holiday season, which includes the early eight days of Chanukah and infinite days of Christmas and New Year’s celebration. Happy 2014.

Retired former Supervisor, State Senator and Judge Quentin Kopp lives in District 7

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SSIP and a Share of the Pie

By Steve Lawrence

As one who writes about SFPUC—water, sewer and (public) power—I’ve tried to get my mind around the program called SSIP: Sewer System Improvement Program. This is now a \$6.9 billion, twenty-year endeavor. The first ten years is Phase One, during which time about \$2.7 billion, 40%, is to be spent.



But back then SFPUC needed voters to approve bond funded work. Today no voter approval is needed. So no set of projects, with cost and schedule, need be presented today. SFPUC does as it wishes; the sheep are corralled.

It is not easy to understand the SSIP. In all about \$10,000 per person is to be spent, \$500 per year.

One thing is clear: much has changed in a dozen years. Back then the program to update the water system was being launched. (Now it is more than three-quarters done.) There was a definite set of projects, with a cost and schedule for each.

But back then SFPUC needed voters to approve bond funded work. Today no voter approval is needed. So no set of projects, with cost and schedule, need be presented today. SFPUC does as it wishes; the sheep are corralled.

The goals of the water program were to supply more water, and to keep it flowing after a sizable earthquake. After the program was funded, the goal of supplying more water was abandoned. Instead, demand (water use) is being ratcheted down.

The goals of the sewer program are harder to discern. Despite a budget nearly seven times what it was in 2002, today’s goals seem amorphous: renew the city’s sewage treatment system, especially on the east side of town. There is no set of projects (they will evolve), no expert’s report about what is needed, no blessing by gray hairs confirming that the program is a good one and the right one. All of these were there for the water program. But none of that is needed now that voters are corralled.

Speaking of spending freely without constraint, SFPUC spends rate payer money on Lake Merced. The theory is that the lake is an emergency water source. But if an earthquake and tsunamis occur, the ocean may flood into the lake. Here’s an emergency water source that could fail in an earthquake.

Perhaps “emergency water source” is merely a justification of convenience, a way to get the money from rate payers rather than from the city’s over-subscribed General Fund. Raising rates is easy.

Looking now at our national economy, until the early 1980s labor and capital divided the “pie,” the value created, often called GDP, in the same proportions: about two-thirds to labor, and about one-third to capital. The pie grew, expanding even faster than population, so that standard of living rose.

While there is no consensus about why, it seems likely that machines are replacing people as workers. Fewer workers are required. Leveraged by better machines—especially computers—workers produce more.

In the early ‘80s, labor’s share of pie began to decline. While the pie continued to enlarge for another generation, labor’s per-person take remained about constant; labor’s proportionate share declined.

Then in the 2000s expansion of the pie began to slow. After the financial crisis of 2008, expansion of the pie approached stoppage. Now labor’s share is closer to three-fifths.

Even worse, the share of labor’s bottom 99% has dropped from about 60% to not much over 50%.

This same phenomenon happened all over the world. It is pronounced in Norway and Sweden, countries known for equality.

Why has this happened, and what can be done about it?

While there is no consensus about why, it seems likely that machines are replacing people as workers. Fewer workers are required. Leveraged by better machines—especially computers—workers produce more. Give machines a smart, hard-working few, and enough will be produced.

Where does this leave the former workers?

Demanding a remedy is where. Upon losing their jobs, unemployment, or disability, maybe food stamps, maybe a buy-out, is their lot. Former workers look to government for help.

And government is here to help. Poles who wish to be re-elected spread the wealth.

Poles whine “ain’t it awful,” and they point accusing fingers at the (greedy) wealthy, banks and Wall Street firms, all while raking in “contributions” from those same wealthy donors, wink, wink. Poles pontificate about the importance of education and training, and make token efforts.

But the harsh truth is education and training, while essential for supplying the ever fewer workers that are required, are not efficiently spent on the surplus masses. It is far more efficient to send bread and circuses. Today, make that take-out and Hollywood.

There are plenty of smart, hard-working young, often from far-away places.

Politicians don’t know what to do. They do know that they play a role in keeping the great Machine churning, and that the grit of too much unrest would surely slow it. None of that. Hard enough it is to keep the masses fed and entertained, and themselves in office, while both lambasting the rich, and exacting contributions from them.

When a majority of the populace is no longer engaged in producing the wealth, then what? How does society, so long used to spreading work around, adapt?

This space customarily addresses local issues—diving not into the deep end. San Francisco is lucky to attract young, smart, workers—mostly from elsewhere. From the blossoming of efficient Machines we benefit. No Detroit, no Stockton here. Keep that golden goose happy.

Steve Lawrence is a Westside resident and SF Public Utility Commission stalwart. Feedback: lawrence@westsideobserver.com

TWILIGHT ZONE



My 2¢ • Will Durst

THANKSGIVING 2013

Ahh. Thanksgiving. Best Holiday Ever! Love it all. The fact that a national holiday falls not on a Monday but a Thursday. How wacky is that? A regular Thursday in dead solid center fall. Where the weather could be 80 and sunny or 20 and snowing. Or, in certain parts of the Midwest, both.

Love the fact that its all about food, family, friends and football. 4 of the 5 Fs. Remain seriously amused by the winking obsessive conspiracy that binds an entire nation together concerning the specifics of the ritual burning of a large flightless bird. Free range. Brine. Air chill. To stuff or not to stuff. Seriously, is that the question?

You’d have to be a third stage tertiary Grinch not to love a parade featuring 80-foot helium filled balloons. Snoopy bouncing off a light pole. Ending with the season’s first appearance of the corpulent bearded one in the scarlet suit.

Don’t forget the silly creeping madness of Black Friday, which now begins early Thursday and threatens to encompass the entire week. People camping out for days. To save, what... six bucks? But for those tented hours, they are adventurous pioneers. Marvel Super Consumers.

And love the way that though this pageant of greed and gluttony lasts 4 whole days, when all is said and done, even amidst the drunken family brawling, sometimes moments for reflection can still be found. And you can bet that this round-headed political comic has much to be thankful for. Among them being:

The 113th Congress, which has the unique ability to make hysterical lunacy seem so ordinary.

Barack Obama for finally making the Presidency mock-worthy again.

Sarah Palin who refuses to shut up no matter how tightly irrelevancy embraces her.

Vice President Joe Biden for gaining immeasurable respect just by shutting up.

The Cheney family who apparently feel about each other the same way the rest of us do.

Ted Cruz for not only grabbing the national right-wing nut job baton from Michele Bachmann but waving it high.

Pope Benedict for his inability to hide

a scowl whenever Pope Francis does... anything.

Chris Christie for so generously providing such a large target rich environment.

The Tea Party for waving their arms in the air like they just don’t care.

Alec Baldwin for truly embodying the phrase... “he who lives by the sword, dies swallowing the sword.”

Mitt Romney for disappearing so completely, we’re left to wonder if he really ever existed at all.

John Boehner, Harry Reid, Nancy Pelosi and Mitch McConnell for their strict adherence to the musical advice, “don’t go changing.”

Obama Care because who can’t appreciate a website rollout that “could have gone smoother.” An anvil studded with titanium spikes could have rolled smoother.

Walter White for altering the calculus of what it means to go out on your own terms.

The NRA and the NSA for just being themselves.

Anthony Weiner for his series of continuing comebacks. May he experience many more.

Rob Ford for proving that California is not the source of all political wackiness in the world.

The GOP, waging an internal war for it’s very soul. GOP Soul. Short book. Put it on the shelf right next to Barack Obama Leadership Skills. Paula Deen at the Apollo.

Vladimir Putin for proving that Toronto is not the source of all political wackiness in the world.

Will Durst’s new one- man show “Boomer-aging: From LSD to OMG” in its final 3 Tuesdays at the Marsh. San Francisco. Through December 17th. themarsh.org Or willdurst.com to find his calendar.

WESTSIDE OBSERVER

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Sunshine Breaks Through a Very Cloudy Season

By Patrick Monette-Shaw

In a democracy predicated on the principle that citizens have inherent rights to know what their government is doing, should the Ethics Commission be permitted to flout orders to produce public records required by State and local laws, and rack up thousands of dollars in expenses from preventable lawsuits?

When Allen Grossman’s first Superior Court case against the Ethics Commission and John St. Croix was settled in his favor in February 2010, it represented a reversal of the Ethics Commission’s assertion of exemptions for its investigative records. Grossman was awarded \$24,900 in legal fees and costs.

The City Attorney spent an additional \$13,062 fighting Grossman’s case, pushing the tab to nearly \$40,000. In the end, the Ethics Commission was required to provide 150 improperly withheld documents, including its un-redacted and complete investigative files on approximately 14 cases referred by the Sunshine Ordinance Task Force (SOTF) for enforcement, which Ethics had simply dismissed.

Second Superior Court Victory

The *Observer’s* November 2013 editorial, “Court to Ethics’ St. Croix: Cough Up the Records,” announced Grossman’s second victory against St. Croix and the Commission noting that Grossman, not Ethics, was right on the law.

For years, Ethics used regulations developed to address campaign finance and disclosure laws to rule on access to public records violations. Advocates had long argued that those regulations didn’t govern Sunshine violations, and that the Commission needed new, separate regulations tailored to Sunshine matters.

In 2009—ten years after the voter-mandated Sunshine Ordinance took effect—the Ethics Commission finally agreed, and began drafting new stand-alone regulations.

Grossman requested information about the final draft, in October 2012, as well as the Commission’s staff report. Ethics withheld an untold number of other documents, citing attorney-client privilege and attorney work-product protections.

But St. Croix failed to identify the withheld records, failed to justify withholding, and asserted instead a privilege. Grossman filed a complaint with the Sunshine Task Force in November 2012.

The Task Force’s June 2013 hearing ruled that St. Croix violated the Sunshine Ordinance by improperly withholding records subject to disclosure.

Again Grossman sued in Superior Court. He asserted that none of the records were exempt from disclosure under either the California Public Records Act (CPRA) or the Sunshine Ordinance.

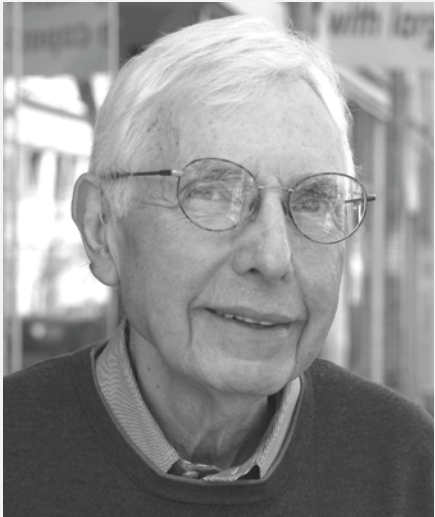
The City Attorney responded that Grossman’s case “raises the question of whether a municipality’s voters—acting in their legislative capacity—may, by ordinance, override the laws of attorney-client privilege and work product doctrine set forth in state statutes and rules of professional conduct incorporated into a City charter.”

Deputy City Attorney Andrew Shen’s Opposition brief then asserted the City Attorney couldn’t fulfill his obligations to protect client confidentiality if a “mere” ordinance could bar City officials from asserting attorney-client privilege or from asserting attorney work-product privilege.

Shen ignores that seven states have already abolished government attorney-client privilege, particularly when it only involves communications between a government attorney and his government client.

Shen admitted St. Croix had withheld 28 documents from Grossman, and announced that upon further review four of the 28 — 14.3 percent — were “determined not to be subject to” either attorney-client privilege or attorney work-product privilege. The four documents were then provided to Grossman.

Shen launched an all-out attack on a particular section¹ of the Sunshine Ordinance which simply states that any City Attorney communications providing “advice on, compliance with, analysis of, or an opinion” concerning CPRA, the Brown Act, SFs Ethics Code, or the Sunshine Ordinance are public records subject to disclosure. Shen claimed this section “purports to bar,” the City from asserting attorney-client privilege, when in fact, this section only stipulates any such legal advice to City officials is, by definition, a public record



Retired lawyer Allen Grossman, who won twice at court against the Ethics Dept. for Sunshine violations

Grossman’s two Superior Court lawsuits have cost the City nearly \$100,000, and mounting — all because of St. Croix’s and Herrera’s needless battles ... in the name of government secrecy.”

that must be disclosed. It doesn’t prohibit the City Attorney from anything.

But Shen’s twisted logic also asserted that the section attempts to “alter or limit the provisions of” the City Charter, and cannot be enforced. In the Court Order handing Grossman his second victory against St. Croix, Judge Goldsmith denied Shen’s request to strike down the provision, noting that this issue was not properly before the Court.

Ng to the Rescue

In stark contrast to Shen’s rambling opposition brief, Grossman’s lawyer Michael Ng’s rebuttal began by noting Shen’s claim that voters are powerless to adopt laws requiring public officials disclose public records involving communications with the City Attorney is unfounded, and untenable; Ng notes voters are the ultimate authority and can exercise plenary power over the City’s legislative affairs.

Ng then noted CPRA expressly authorizes local governments to adopt requirements providing greater access to public records.

Ng observed the City has not challenged other provisions that also preclude San Francisco agencies from asserting other CPRA exemptions. To most observers St. Croix and Herrera’s concerns that the section might prevent Herrera from carrying out his City Attorney duties is a gross exaggeration.

Why the City is suddenly seeking to strike a provision from its administrative code 20 years after it was added to the Sunshine Ordinance in August 1993 and adopted by voters in November 1999 isn’t known. Maybe it’s because Grossman appears to be the first to successfully sue for its enforcement in Superior Court.

At issue here is that the drafting of procedural regulations — such as the Ethics Commission regulations — is a legislative function. As such, it’s a process that should be open to the public.

The SOTF’s Order of Determination against St. Croix and the Ethics Commission was a lawful, binding order, which the Superior Court had authority to enforce. So it did, handing St. Croix and Dennis Herrera an embarrassing public spanking.

City Appeals the Order to Comply

Judge Goldsmith’s Order states “the record shows that [St. Croix and the Ethics Commission] had not met their burden [proving] that the withheld documents are exempt under the [CPRA] and the San Francisco Sunshine Ordinance” [emphasis added].

Goldsmith ordered St. Croix to deliver the remaining 24 documents and denied Shen’s request to strike the provision in question.

The City filed a motion to stay Goldsmith’s order in the Court of Appeals on November 22. The Appeals Court granted the stay, pending resolution of the writ proceedings on the same date. Grossman’s response is due on December 23, and the City’s reply is due on January 7, so check back in two months.

Meanwhile, St. Croix’s Superior Court costs continue to balloon. A records request has revealed that in Grossman’s second Superior Court case, the City Attorney’s Office has already racked up 213.5 hours of time at the Superior Court level, at a cost of \$51,178 plus \$145 in expenses, fighting Grossman over a mere 24 documents. So far that’s \$2,138 per withheld document — and growing.

To date, Grossman’s two Superior Court lawsuits have cost the City nearly \$100,000, and mounting — all because of St. Croix’s and Herrera’s needless battles against access to public records. It’s an obscene amount for City Attorney Herrera to spend in the name of government secrecy.

Monette-Shaw is an open-government accountability advocate, a patient advocate, and a member of California’s First Amendment Coalition. Feedback: monette-shaw@westsideobserver.com

¹ §67.24(b)(1)(iii).

This is an abbreviated version of the full text that may be found at westsideobserver.com

NO OVERSIGHT OF WATER PLAN

By Brian Browne

The most worrisome aspect of the SF Public Utility Commission’s immense spending programs is that there is no real oversight and no viable Long Term Strategic Plan (LTSP). The Commission is fully politicized and the Revenue Bond Oversight Committee(RBOC) has been willingly high-jacked.

Prior to Tom Ammiano’s 2002 Proposition E, the voters had to approve all major SFPUC revenue bond issuances. After its passage this oversight was removed and entrusted to the Commission, RBOC, and the Board of Supervisors. This gave the illusion of oversight.

Brief History

Three Propositions (A, E, and P) in 2002 called for the SFPUC to have a long term strategic plan (LTSP). A LTSP asks: Where have you been? Where are you now? Where do you plan to go and how? This article takes a look at the progress of the SFPUC in planning and implementing its \$4.6 billion Water Supply Improvement Program (WSIP).

Had the 81 MGD assurance... been in place during this period, rationing would have been imposed on the City 80 percent of the time.

Strategic Moves By Our Peninsula Customers

In 2002 the wholesale customers had California AB1823 passed to ensure eventual control over the Hetch Hetchy system. AB1823 stated: “Schedule [WSIP] shall require that projects representing 50 percent of the total program cost be completed on or before 2010 and that projects Representing 100 percent of the total program cost be completed on or before 2015.” The Bay Area Water Supply and Conservation Agency (BAWSCA), representing the wholesale customers, reinforced 2002 AB123 by putting the 2015 WSIP deadline in the 2009 Master Water Sales Agreement (MWSA) between SFPUC and BAWUA.

A review of June 2013 SFPUC data produced the following summary of WSIP financial progress:

| WATER SUPPLY IMPROVEMENT PROGRAM SCOREBOARD | |
|---|-----------------|
| Finance Costs | \$613,083,457 |
| Spent | \$2,493,470,479 |
| Total bonds Issued | \$4,146,885,194 |
| Total bond money spent | \$2,493,470,479 |
| Required by AB1823 | \$4,600,000,000 |
| Negative arbitrage | \$1,653,414,715 |
| Bond Issuance Cost/Issued | 14.78% |
| Total Months 2003-2015 | 156 |
| Total Months 2003-2013.6 | 126 |
| Percent AB1823 Time expired | 80.77% |
| Percent spent of \$4.6B/WSIP | 54.21% |

Some numbers jump out from this table, especially the amount of appropriated but not spent funds amounting to \$1,653,414,715. These funds earn less than 1 percent while the average weighted coupon rate for funding bonds is approximately 4.5 percent. This disparity is known as negative arbitrage. Negative arbitrage is when municipalities issue more bonds than are required for actual ongoing work. They do this by rationalizing that available liquidity and financial efficacy will offset the cost of interest-rate differentials. The actual cost-benefit calculations supporting this assumption have not been forthcoming. The near 15 percent of bond revenues going to issuance costs means that without discounting bureaucratic inefficiency, only eight-five cents on the dollar of bond revenues is available for actual projects.

Learning to Count

The 2009 Master Water Sales Agreement is a follow up on the 1984 MWSA. The 1984 MWSA had a major and admitted flaw. It assumed that the Hetch Hetchy system could deliver 285 MGD (million gallons per day). This was changed to another overestimation of 265 MGD for the 2009 MWSA. BAWSCA received an ad infinitum assurance of 184 MGD and San Francisco assurance was cut to 81 MGD. Approximately 4 MGD of San Francisco’s assurance is to be acquired from non-traditional Hetch Hetchy augmented sources (aquifers).

| 1985 - 2008 Annual Hetch Hetchy Water Deliveries | | | |
|--|---------------|--------------------|--------------|
| | San Francisco | Peninsula (BAWSCA) | System Total |
| Mean | 86 | 163 | 250 |
| Standard Deviation | 6 | 18 | 23 |

Hidden Gems of San Francisco

THE HIDDEN NIGHTCLUBS OF CHINATOWN

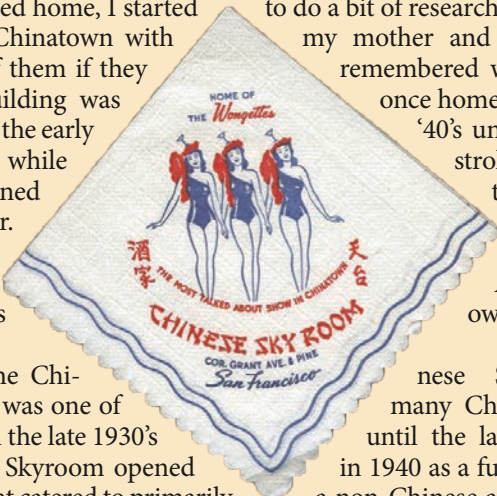
By Dan Chew

On a recent walk through Chinatown, someone asked me about the stained glass windows adorning the top floor of a non-descript hotel at the south-west corner of Grant Avenue and Pine Street. I didn't know much other than what I had heard growing up, which is that it belonged to an old "bar" that used to be on the top floor. What bar it was and why they would spend so much on windows nagged at me, so when I returned home, I started to do a bit of research.

Having lunch in Chinatown with my mother and uncle the next day, I asked the two of them if they remembered what it was. My Uncle told me the building was once home to Andy Wong's Chinese Skyroom from the early '40's until around 1960. As luck would have it, while strolling through Chinatown, we happened to run into a friend of my mother. Her name is Jan, and she along with her mom, Penny told me that Andy Wong's Chinese Skyroom was owned by Jan's dad,

nese Skyroom (now the Grant Plaza Hotel) was one of many Chinese nightclubs that flourished between the late 1930's until the late 1950's. Much more than a "bar", the Skyroom opened in 1940 as a full nightclub with an all-Chinese revue that catered to primarily a non-Chinese audience. Dinner, drinks and a song, dance and variety floor show were all part of the Golden Age of the Chinese-American nightclub.

On Grant Avenue alone, there were many well known clubs including Eddie Pond's Kubla Khan (at 414 Grant Ave., now a camera shop), Club Shanghai/Shanghai



Low (453 Grant Ave. now a souvenir shop), the Dragon's Lair (521 Grant Ave. Look for the City of Hong Kong sign), and the Lion's Den (950 Grant Ave. most recently the Grand Palace Restaurant). Other noted nightclubs not on Grant Avenue included Shanghai Lil's (1020 Kearny Street, an office building) and the most famous of all the Chinese-American clubs, Charlie Low's Forbidden City (363 Sutter Street, now renumbered to 369 Sutter Street).

Looking down Grant Avenue on a cool foggy evening, if one were to squint (and use your imagination), you can almost put yourself into Chinatown circa 1945, with the well

dressed patrons spilling into and out of these many glamorous, long gone venues. Listen carefully, and you can still hear the music and laughter as you stroll the streets and alleys of Chinatown.

Explore San Francisco is a locally owned co-op of guides who help us explore and discover the City's "hidden gems." Info: www.ExploreSan-Francisco.biz or 415.793.1104



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La Boulange(Cont. from p. 1)

service coordinator, La Boulange, of the purchase by Starbucks. Smith said Starbucks has guided La Boulange and allowed the company to maintain its core values. Currently, residents can find La Boulange bakery items in many, if not all, Bay Area Starbucks.

Although San Franciscans have a distaste for formula retail, no one expressed opposition to La Boulange's conditional use authorization. "The [Planning] department has received numerous communications in support of the project, including approximately 140 letters from neighborhood organizations and neighbors," a July 3, 2013, Planning Department report reads. "The department has not received any communications in opposition to the proposal," the report says.

La Boulange will hire 20 to 25 employees for the West Portal store. Advertisements for the jobs will be posted in existing stores and on Craigslist. The Craigslist advertisement will provide

information about the job fair the company is planning to hold during the first two weeks of January 2014.

Dishwashers, prep cooks, line cooks, cafe leads, cashiers and baristas are on the list of employees La Boulange is looking to hire. Cooks with experience have a better chance of getting hired than those without experience, Smith said, but everyone receives training. The company prefers employees with a friendly nature who care about the position.

In addition to the new location in West Portal, La Boulange is opening a store in the Sunset, at 1266 9th Avenue. "Multiple requests from customers to open new stores in these areas of San Francisco, as well as other factors, like the availability of retail spaces, have resulted in the openings of La Boulange de Sunset and La Boulange de West Portal," Smith said.

Keith Burbank is a local journalist.

In-Law Units (Cont. from p. 1)

| Legalization of Secondary Units 2000-2008 | | |
|---|-----------------|-----------------------|
| Year | Units Legalized | Illegal Units Removed |
| 2000 | - | 12 |
| 2001 | 8 | 22 |
| 2002 | 9 | 36 |
| 2003 | 11 | 33 |
| 2004 | 8 | 22 |
| 2005 | 16 | 38 |
| 2006 | 9 | 12 |
| 2007 | 11 | 10 |
| 2008 | 8 | 19 |
| TOTALS | 80 | 204 |

Source: SF Housing Authority

Chiu's legislation wants to provide a mechanism to grant legal status to illegally-constructed dwelling units zoned for residential use. These secondary units will continue to be rented, but cannot be sold. Chiu's trying to frame his legislation as an immigrant, lower class issue. In reality, Chu secondary unit legislation will adversely impact zoning throughout the city and have a severe impact on San Francisco families.

Secondary units are supposed to be the magical answer to San Francisco's affordable housing problems as they are small — usually around 750 square feet — have cheaper rent, nicer units, and stay within the confines of a home's structure.

According to the West of Twin Peaks Central Council's (WTPCC) policy statement on secondary units, "the division of single-family units into multiple, smaller units actually represents an anti-family policy since the vast majority of secondary units are quite small and often remove considerable living space from the primary unit. This further reduces the amount of housing that is suitable for families in San Francisco (which is already one of the least family-friendly cities in the Bay Area with less than 1/3 of San Francisco housing occupied by families vs. 2/3 in neighboring cities)."

Further (WTPCC) policy states, "the Division of RH-1 units into multiple, separate units often requires waiving the 25% open-space requirement. This will result in the Manhattanization of San Francisco. It will significantly reduce the amount of

green open space available for trees and other plants and increase the "hard-scaping" of San Francisco."

A Dog With No Teeth

Chiu's legislation will change the character of RH-1 and RH-2 neighborhoods by increasing traffic, population density and reducing neighborhood parking. Traffic problems will explode as house garages are turned into living units. Both the home owner and the tenant will be forced to park their cars on the street.

Secondary-unit legislation proposed in 2003 by former Board of Supervisors president Aaron Peskin was much better written than Chiu's proposal, as it allowed for units under 750 square feet to be built in existing buildings if they met one of three requirements: 1) they

lie within a quarter-mile of a major transportation corridor; 2) were designed and constructed specifically for the elderly or persons with physical disabilities; or 3) were located within a qualified historical building with owners who agreed to adhere to preservation guidelines.

According to Chiu's legislative Aide, Amy Chan, homes built before 1979 would still be subject to rent control, but the new secondary units would pay current market rates.

Once a unit is legalized, the building cannot revert to being a single-family home.

Home owners with secondary units must continue to be landlords and cannot sell the secondary unit. Single family homes generally have a premium value when they are sold.

Chiu's secondary unit plan will also damage neighborhood Home Owners Associations (HOA's) throughout the City. Many of these associations are based on covenants, conditions, and restrictions (CC&R's). The CC&R's specifically state that the homes in their geographic area are to remain single-family dwellings. Once secondary units are allowed, the HOA will no longer be able to protect their neighborhood character.

Given the choice of converting a secondary unit or simply building an illegal unit, homeowners will build illegal units. Chiu's proposed legislation includes tacking on permit costs, inspection costs,

Cont. p. 11

Watchdogs & Whistleblowers Dr. Maria Rivero & Dr. Derek Kerr

BLOWING OFF WHISTLEBLOWERS: THE ETHICS COMMISSION

The scandal encircling the Georgia State Ethics Commission is a wake-up call for San Francisco¹. Two top Ethics investigators were removed after inspecting Governor Nathan Deal's campaign finances. Ethics staffers were told to alter documents about the case, and met retaliation when they refused. Investigating wrongdoing can be as perilous as reporting it. Dodging tips about governmental wrongdoing can extend careers for staff and Commissioners alike.

Our own Ethics Commission (Ethics, EC) has steadfastly deterred and dismissed whistleblower complaints. Whatever triage system Ethics devised to manage its workload, whistleblower tips moldered under the pile. Since 2004, Ethics Regulations have been serially amended to reduce risks and burdens for staff — by raising barriers for complainants.

“Until reforms are implemented, justice is best served if whistleblowers obtain legal counsel, then expose misconduct publicly.”

One example is the handling of formal and informal complaints. Starting in 2006, Ethics decided to accept formal complaints only — “in writing and submitted on a form specifically provided by the Commission staff.” That's posted in their *How to File a Complaint* guidelines. Further, formal complaints must identify “the provision(s) of law allegedly violated.” Few tipsters have this legal knowledge. All other complaints, whether delivered in person, by phone, letter or e-mail are declared informal. And, we are warned, Ethics has “no obligation... to process or review informal complaints.” They can be tossed. Even if complaints do reach the Factual Investigation stage, prospects are dim. There's no requirement to interview complainants — the gold standard for investigations. Instead, Ethics emphasizes an “interview of the respondent and any witnesses.” The reason for this bias, as Director St. Croix admitted in 2009, is that respondents are more likely to provide “exculpatory information.”

Empowering staffers at the expense of whistleblowers was a weird outcome of demands for more transparency and oversight by Commissioners Eileen Hansen and Joe Lynn in 2005. Because of confidentiality, they argued that; “the public has no assurances that staff is carrying out its mandate.” In his July 2005 response, St. Croix agreed to publicly disclose dismissed and settled cases in Enforcement Summaries, and to categorize incoming complaints in his monthly Director's Report. However, St. Croix's July 2006 follow-up report, *Investigations/Enforcement Review*, reversed course. It lobbied for “streamlining the process” via more staff autonomy and less transparency - to ease the staff's workload! The Commission approved the plan 4 to 1 in August 2006, with Hansen dissenting and Lynn gone. Now, Ethics Regulations include goal #6; “Delegating to the Commission staff the maximum discretion in the handling and resolution of complaints at staff level, while retaining oversight of staff activities.” As explained in last month's *Westside Observer*, that oversight is illusory.

Given maximum discretion, staff explain *How to File a Complaint* on the Ethics website: “Complainants should be aware that the Ethics Commission's Regulations... provide that a person accused of a violation (the respondent) *must be provided with a copy of the complaint.*” Reassuring? Not for whistleblowers. Plus it's disinformation. Ethics Regulations, Sec. XII.B.3, state that

the Director “*may provide a copy of the complaint to the respondent...if necessary to the conduct of the investigation.*” Importantly, the City Charter Appendix C3.699-13 requires Ethics to provide respondents with “a summary of the evidence” — not a “copy of the complaint.” Big difference. A copy of a complaint can identify whistleblowers by the details given and the grammar used. Although the option of filing anonymously is offered, it comes with the off-putting proviso that Ethics staff are “not required to process or respond to anonymous complaints.”

Equally inhospitable from the current Ethics brochure: Ethics “investigates complaints alleging retaliation to *complaints filed with the Ethics Commission.*” Not so. When the Whistleblower Protection Ordinance was amended in February 2002 — as recommended by the Commission itself — Ethics took responsibility for investigating retaliation against whistleblowers who filed complaints within their own departments, as well as to the Controller, the City Attorney, the DA and the Ethics Commission. By wrongly shrinking Ethic's jurisdiction, the brochure deters retaliation complaints. Worse, Ethics staffers may be dismissing valid retaliation claims based on this misrepresentation of their duties. Maybe that's why Ethics averages just 18 investigations a year. For example, the Annual Report for 2010-11 tells us that “staff resolved 20 cases” and, “This number does not include the myriad of other cases...that are determined to not be within the jurisdiction of the Commission.” By declaring most retaliation complaints out of bounds, they can be ignored or referred out — and thereby dismissed.

Another side-effect of maximum staff discretion is delayed investigations, as noted in the 2010-11 Civil Grand Jury report, *San Francisco's Ethics Commission – The Sleeping Watchdog*. Our complaints about tainted DPH contracts were referred, buried, exhumed, and then dismissed after 26 months. Lead Hazard Program whistleblower Rita O'Flynn (*Westside Observer*, May 2013) has also noted how slow-walking investigations into the statute of limitations can bar avenues for legal redress. Delays boost dismissals as complainants give up, witnesses forget, and documents are lost. After referring tips to the City or District Attorneys, St. Croix has waited up to 9 months — supposedly to avoid “duplicate law enforcement investigations.” However, the passage of Proposition E in 2001 authorized Ethics to “investigate complaints before investigations by the City Attorney or District Attorney are concluded.” Therefore, action by the DA or City Attorney does not prevent Ethics from investigating concurrently; political considerations may do so.

In sum, the Ethics Commission deters reporters of government wrongdoing. Until reforms are implemented, justice is best served if whistleblowers obtain legal counsel, then expose misconduct publicly.

¹<http://shar.es/Efc6k>

Dr. Maria Rivero and Dr. Derek Kerr were senior physicians at Laguna Honda Hospital where they repeatedly exposed wrongdoing by the Department of Public Health. Contact: DerekOnVanNess@aol.com



WEST OF TWIN PEAKS CENTRAL COUNCIL By Mitch Bull



Matt Chamberlain calls the November meeting to order

President Matt Chamberlain brought the final meeting of 2013 of the WOT-PCC to order at 7:35 on Monday, November 25th at the Forest Park Clubhouse in front of a group of 30 attendees.

Following the officers' reports, the largest portion of the meeting featured a presentation by **Carla Johnson**, representing the Mayor's Office on Disabilities, and **Bob Plantold**, a local Disability and Pedestrian Advocate. The duo gave a presentation on the recommendations from the SF Accessible Parking Policy Advisory Committee on Improving the Parking Access for Drivers with Disabilities.

A 16 person committee has been working to consider steps that will increase accessibility for **disabled drivers** to find **parking** in the city that is close to their destinations. One of the major challenges is that there is not enough curbside parking for disabled drivers and the parking turnover is very low with people using the disabled placards, as they are allowed to park for extended periods. Parking in general in the city is very difficult without the ambulatory challenges of dealing with a disability. In looking at the situation in San Francisco, the committee looked at policies and results in other cities in the U.S. and Canada before coming up with 6 major policy recommendations to be considered for implementation. Some of the recommendations listed below are already in the planning stages.

The major policy recommendations are: (1). Increase Blue Zones by 70% to bring the total percentage of metered disabled parking spots to 4% of the total spaces. This would require the city to install at least 470 new zones. (2). Improve enforcement of placard misuse. This could necessitate the increase in the number of parking control officers, who enforce the use and misuse of the placards. It was suggested by the committee that the DMV could make photos of approved placard users available to the parking control officers. (3). Increase oversight of placard approvals. A request that the DMV update their database to include information about the medical providers who are certifying the placard applications, to ensure that the applications are legitimate, was made by the committee. (4). Allow communities to remove the meter payment exemption. Based on the experiences of other cities, requiring everyone to pay at the meter is the most effective way to reduce placard misuse and open up spaces. The committee recommended that this option should only be allowed as an option in jurisdictions that offer accessible payment options. (5). Direct revenue collected to accessibility improvements. The SFMTA should work with the disability community to channel funds from the metered blue zones into accessibility improvements that would enhance mobility for those with disabilities. And (6). Allow communities to establish reasonable time limits. In order to help open up spaces, placard holders should have four-hour time limits at regular and blue meters, unless the posted time is longer. Holders should be able to stay up to 30 minutes at green short-term zones, not including time getting in and out of the vehicle. Paid for by qualifying merchants, the green zones are intended to support local business and reduce double parking.

Many of these recommendations will require a change to state law and as a result, at the earliest ones that are approved could be introduced in 2014 and go into effect sometime in 2015. These changes could help to alleviate the challenges for parking in the city. Currently there are 29,000 metered curbside parking spaces in the city, but 60,000 issued placards for disabled drivers (in SF alone). In the entire Bay Area the number of placards increases to 450,000.

Other topics covered at the meeting included the “taking” of property from residents of **Murrieta Drive** for reforestation areas for the supposed “endangered in nature” **Franciscan Manzanita** plant, as well as the upcoming legislation proposed by Board of Supervisors' President David Chiu to grandfather and legalize current **RH2 secondary housing units**. The WOTPCC has opposed legalizing these types of units in the past and will draft a letter on this topic restating the group's opposition to the legalization of thousands of these types of units in the Westside of the City. For more information visit the WOTPCC website below.

The next meeting of the WOTPCC will be on Monday, January 27th at 7:30 PM at the Forest Hills Clubhouse. For more information see the WOTPCC website (www.westof-twinpeaks.org).

Panel on Privatization Promises to be Rousing

Did you go to the Arboretum with family members from out-of-town during the holidays and learn, to your dismay, that although you could get in free (assuming you remembered your ID), your family members were all going to have to pay — and pay handsomely — to enter a once-public garden that you are already paying for with your tax dollars? (Ten out of the 11 Strybing Arboretum gardeners are paid out of City funds.) Did you know that the private Arboretum Society can now keep the public out of the gardens, when it closes them for its own events? Just a few years ago such City services and benefits were considered part of the public good that we all receive for our tax dollars and were also considered a contribution to the quality of life in a thriving city. Now they are viewed by the politicians as a source of revenue. Free access by the public is of little value to our elected officials.

In January, the California Commonwealth Club will feature a five-star panel on the future of privatization and the threat to our urban environment. One of the speakers will be the *Westside Observer's* own George Wooding. A few years ago, Wooding was part of a panel exploring the increasing privatization of Golden Gate Park. The Department of Recreation and Park tried to have that panel cancelled and refused to share e-mails about their actions. The whole fiasco ended in hearings before the Sunshine Task Force and a slap on the wrist by the Ethics Commission — even after one

Cont. p. 9

Check Us Out On The Web



www.westsideobserver.com

MONEY MATTERS • By Brandon Miller and Joanne Jordan

Begin Preparing for 2013 Tax Filing Today

Although Tax Day may seem like it’s a long time from now, it’s never too early to evaluate your current tax situation. Doing so can enable you to take a few last-minute steps to ensure that you’re approaching your tax planning in the most efficient way.

Last-minute tax-savings strategies

The end of the year is just around the corner, but there are still a few things you can do to ensure your upcoming tax bill isn’t higher than expected. Consider:

Increasing your employer-sponsored retirement plan contribution — The money you contribute to your plan (if it’s not a Roth) is excluded from your taxable income. So, if you aren’t on track to max out your 401(k) contribution, consider directing extra dollars to your retirement plan today. Over the course of a year (in 2013), you can contribute up to \$17,500 — or 100 percent — of your compensation, whichever is less. If you are age 50 or older before the end of the calendar year, you may contribute up to \$23,000.

Boosting your withholding — If it looks like you’ll likely owe taxes, you can increase your withholding now to help take the bite out of the amount you’ll pay later.

Looking for losses — If you have taken capital gains on sales of stock or other assets, you may consider offsetting those gains by taking losses elsewhere in your portfolio. Year-end is a good time to review your portfolio with your tax advisor to see if sales of depreciated assets now can benefit you on tax day. Remember, mutual funds can pay long-term capital gain dividends at year-end, so you may want to check on any fund investments to see if this is right for you.

Gifting to your favorite charities — If you itemize your deductions, you can write off your charitable contributions, whether you donate clothing and household items in good used condition or give a gift of cash or appreciated securities, such as stocks or mutual fund shares that you’ve owned for at least one year (IRS rules and restrictions apply). If you are wondering whether an organization you’re giving to is approved by the IRS, visit Search for Charities at www.irs.gov.

Simple ways to get organized

When it comes to tax preparation, organization is key and the earlier you start the easier it is. Your best bet is to have a filing system that you keep in a secure location. It should include the following information:

Personal information file — List the birthdates and Social Security Numbers for you, your spouse and any children or other dependents.

Deductions file — Include the receipts for any items that may qualify for deductions, such as paid medical and dental invoices, charitable donations or monetary gifts, and child-care, educational and business expenses. If you have multiple deductions in several areas, consider keeping an individual file for each subject. To get a jump-start on next year’s taxes, have your filing system in place at the start of the year so that you can file as you go.

Incoming tax documents — Put all the documents that begin rolling in after the first of the year recording your annual earnings, gains and losses in a file as they arrive so you don’t misplace them or have to hunt for them later.

Depending on your financial situation, there may be additional opportunities for you to reduce the amount you owe or include tax efficiency as part of your overall financial plan. For help assessing your tax situation or identifying strategies that may benefit you, consult your tax professional or financial advisor.

Brandon Miller, CFP and Joanne Jordan, CFP are financial consultants at Jordan Miller & Associates, A Private Wealth Advisory Practice of Ameriprise Financial Inc. in San Francisco, specializing in helping LGBT individuals and families plan and achieve their financial goals.



Senior Smarts By Anise J. Matteson
Celebrating the Holidays

During the holiday season the elderly or ill, family members, friends and caregivers will experience a more hectic schedule.

When I decided to write the October 2013 Elder Caregivers NEWSLETTER to help with holiday planning, I asked health care professionals for suggestions to help with caring for your loved ones.

Mobility

The tips of assistive devices are well maintained and in good condition.
Have someone with you for transferring to car and buildings.
Wear good safe shoes.
Get plenty of rest before and after.
Have a wheelchair when needed.
Use safety ramps and access, if possible.
Watch floors for wet spots.
Avoid peak shopping hours.
Have someone with you.
Have an emergency system to call for help (e.g. cell phone).
Keep Oxygen safe, transportable. Check the equipment. Make sure you have enough oxygen.

Decorating

Can a step stool be handled safely.
Packages under the Christmas tree are not in walkways.
Another option for placing packages: a table in another room.
Allow room for turning, if in a wheelchair.
Adhesive backing on throw rugs and doormats.
Traveling
Call ahead for airline assistance on and off plane.
Let public transportation services know that they will have an individual that needs special assistance.
Use an alternative to public transportation (e.g., Ready Wheels).
©Suggestions provided by Sharol, Physical Therapist.

Commentary

Wear shoes that are appropriate for weather conditions, comfortable, and appropriate heel height, for a lot of walking.
Caregivers, family members and friends may want to consider a fanny pack or backpack to carry necessary items so that your hands are free if pushing a wheelchair or providing ambulatory assistance.
Raincoat and rain boots in lieu of an umbrella.

NUTRITION

Strategies to Handle Holiday Eating

Try not to overeat.
Eating should not be “all or nothing.”
Eat low-fat tasty snacks in lieu of holiday candy.
Try to prevent yourself from gaining a lot of weight by trying to balance special treats with lower fat foods.
Be careful when prioritizing—do not overdue. Have a treat on Christmas, not the day before or the day after. (Prioritize—choosing the foods that are important to you and choosing these items as your “treats” for the event.)
Do not just take one of everything—you will get extra fat and calories you do not even care about.
Exercise.

Party Tips: Attending a Party

Never go hungry—eat a snack before you go to the party to prevent being too hungry.
Take one, but not one of everything.
Watch the portion size.
Do not overeat. Try to eat slowly and move away from the food so that you do not get too tempted by “seconds.”
Do not rush up to the food and start eating—chat with family and friends first.
Fill up on the low fat items such as salads, fruit, fresh vegetables, etc.
If you like to drink, try alternating each drink with a mineral water, or drink Spritzers that have only a little wine.

Party Tips: Hosting a Party

Prepare both low fat choices and high fat treats.
Do not prepare lots of extra, potentially left-over food.
Make sure you eat properly yourself on the day of the party so that you will not

overdo it while chatting with your guests.
Try to modify your own traditional recipes to be lower in fat without sacrificing the taste: *substitute* some fat; *eliminate* some fat; *reduce* the amount of fat.

©Suggestions provided by Judith Levine, RD, MS, Nutritionist, National Heart Assn.

Commentary

While enjoying the holidays remember to follow dietary regimen prescribed by your primary care physician and other health care professionals involved in your treatment plan. If you are taking medications, remember to follow the instructions on the prescription.

Dentures

Corn or cream corn.
Sweet potato pie with marshmallows.
What dentures can tolerate.
Offer choices.

Cook dishes that all (elderly, ill or caregiver, guests) can enjoy (e.g., pot pie).
©Suggestions provided by Barbara, Occupational Therapist.

PSYCHOSOCIAL

Family Involvement

The holidays are stressful and tend to fatigue one party or the other. The key to managing: Planning. Anticipate where conflict can evolve.

Caregiver

Plan to get needs met by someone else (e.g., a facility).
Plan festivity around the patient’s best time of day when he/she is able to participate, then family members can have their own festivities.

Caregiver’s family

Plan to make it as much as possible not to seem an additional burden.
Take over some of the holiday duties.
Realize how much the caregiver has given and give to them.

Patient

Listen to the person’s reason for not participating.

How to cope with the holidays

Practice assessment and planning.
Hold a family meeting—give other members something to do (e.g., someone cooks the turkey, someone cooks dessert).
Move the dinner to a room that is comfortable for the patient (e.g., family gathers in the bedroom, if the family member is semi-bedridden).
Bring the party to wherever it needs to be brought to.
Be creative (in the living room—use the coffee table for a buffet table, in the bedroom—use the dresser for a buffet table).
With planning and forethought, the holiday festivities need not be all or nothing.
Consider: patient, primary caregiver, rest of the family.

©Suggestions provided by John Bogardus, LCSW.

MEDICAL MANAGEMENT

Medication & Treatment

Maintain medication and treatment schedule.
Change of Condition
Medications and medical responses should follow the usual pattern prescribed by the doctor.
©Suggestions provided by Herbert Lints, MD, Internist.

CHEF’S CORNER: HOLIDAY RECIPES

Boomer and seniors, share your favorite holiday recipes and their history for easy to prepare meals for the seniors and caregivers at http://forums.delphiforums.com/elder_care. Nutrition. Click: Holiday Recipes.
Anise Matteson is an elder care consultant, retired Registered Health Information Technician, and writer of reference books for seniors, “Coping with the Holidays: Excerpts from Elder Caregivers NEWSLETTER,” ©2007, included in this article. Contact: cfaalo@yahoo.com.



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Water Supply (Cont. from p. 5)

For the years prior to the secret 2009 MWSA negotiations, San Francisco used water in excess of 81 million gallons on 17 occasions. Only on 4 occasions did San Francisco use 81 MGD or less. Had the 81 MGD assurance, as negotiated in the 2009 MWSA, been in place during this period, rationing would have been imposed on the City 80 percent of the time.

During this 1985-2008 period BAWSCA customers only exceeded 184 MGD on three occasions, or 14 percent of the time. These deliveries are summarized above. Under the 2009 MWSA, if the total water demand for all BAWSCA entities is less than 184 MGD, BAWSCA members do not have to share this excess with the City, but can reallocate among peninsula water districts, whose individual demands were in excess of their individual contractual allocations. Excess Hetch Hetchy water available in the suburbs is not reallocated to San Francisco under this 2009 arrangement.

The concept of standard deviation is introduced in the above table, to show that between plus one and minus one standard deviation is where 68 percent of all water demands are expected. Looking at ranges and expected flow probabilities appear to have been ignored by the secret negotiators. This has resulted in a very unfair and unjustifiable allocation for San Francisco. The system has never produced 265 MGD over a statistically significant period. The 265 number is a figment of someone’s imagination, probably to increase BAWSCA’s share of Hetch Hetchy flows from their average of 163 MGD to 184 MGD, while cutting San Francisco back from its average of 86 MGD of Hetch Hetchy water to 78 MGD from Hetch Hetchy and 3 MGD from aquifer water.

These secret negotiators clearly failed to review a thorough 2000 joint study by SFPUC and BAWUA (Bay Area Water Users Association), the BAWSCA predecessor, which estimated Hetch Hetchy system long-term reliability, based on overall system integrity and historic hydrology, to be 239 MGD. This failure was compounded when the secret negotiators failed to use probabilistic techniques to look at expected turn-aways (demand exceeding contractual constraints) in making these illogical and unfair water assurances.

There are plans afoot to use part of San Francisco’s Hetch Hetchy water allocation to recharge the South Westside Groundwater Basin (Daly City, San Bruno, and California Water Services) during wet and normal use. Extracted water from these wells will require disinfection and additional treatment facilities.

A major overlook by these planners is that state law will disallow major developments if the water supply availability forecast is not reliable. The CEQA (California Environmental Quality Act) forecast used to justify the 2009 MWSA appears very challengeable

Rates

Utilities set rates to recover all reasonable and allowable costs. What is reasonable and what is allowable in a bureaucratic setting defies definition. Investor owned utilities in California are regulated by the California Public Utilities Commission (CPUC). Municipal entities are self-regulating. If utility costs equal \$X then revenues must equal \$X. This is the numerator in the rate quotient where volumes (V) are the denominator. This gives a generalized/average rate (R) quotient of R = \$X/V.

Wholesale rates are now set using the cash method versus the utility method for capital components. The two systems are similar but significantly different especially as to identifying ownership. The utility method allows for a weighted return on debt and equity capital for rate base. Rate base was defined as being the historical investments less accumulated depreciation plus an allowance for working capital. This approach meant that clearly defined SFPUC assets were receiving a return based on an agreed weighted

average cost of debt and equity capital. The cash approach seems to have opened the field for opportunistic financial transactions, clouded the concept of ownership, and disconnected water from its real valuation.

The following table shows how BAWSCA wholesale rates have been developed by the SFPUC for FY 2012-13 and FY 2013. Under the utility approach SFPUC would have charged BAWSCA a weighted average cost of capital on rate base. Following the 2009 MWSA the peninsula customers were to pay a depreciation component of \$25.1 million per year for 25 years at 5.3 percent for capital charges (formerly a return on rate base). BAWSCA, recently issued its own bonds, and paid \$365 million as full payment on the Hetch Hetchy depreciated asset use, and as shown these pre-2009 capital charges no longer enter into their rate calculation. This is represented by the zero in their FY-13-14 revenue requirements estimate for the item “Capital Pre 2009 Asset.”

| SFPUC Post 2009 MWSA Wholesale Rate Calculation | | | |
|---|----------------|----------------|--------------------------------------|
| | SFPUC – CASH | SFPUC - CASH | USING - Utility/ Replacement Cost |
| BAWSCA | FY 12-13 | FY 13-14 | FY 13-14 |
| Operating Cost | 87.7 | 88.1 | 88.1 |
| Capital Pre-2009 | 28.2 | 0 | 149 |
| Debt Service | 53.1 | 73.5 | 73.5 |
| Capital: Revenue Funded | 11 | 18.2 | 18.2 |
| New Balancing Account | 7.8 | -13.9 | -13.9 |
| Old Balancing Account | 5 | 4.2 | 4.2 |
| Debt Service Coverage | 2.4 | 5.3 | 5.3 |
| Total Requirement | 195.2 | 175.4 | 323.9 |
| Estimated Water Demand MGD | 137 | 143 | 143 |
| Water gallons per year | 50,005,000,000 | 52,195,000,000 | 52,195,000,000 |
| Water Units Per Year 748 gallons (CCF) | 66,851,604 | 69,779,412 | 69,779,412 |
| \$/CCF | \$2.92 | \$2.51 | \$4.64 |

SFPUC – Post 2009 MWSA – Wholesale Rate Calculation

The question - Does a depreciated account represent the true value of the asset? Should the secret negotiators have used a replacement (opportunity) cost versus a subjective accounting approach to more closely quantify the real value of water? To check a replacement (opportunity cost) approach, shown in the above table, instead of zero for capital costs a very modest \$5 billion dollar replacement for the Hetch Hetchy Water System was used and a weighted average cost of capital (WACC) of 4.5 percent was charged. BAWSCA was allocated 66% of these capital costs amounting to an annual capital charge of \$149 million.

It appears in the 2009 MWSA that SFPUC-BAWSCA valued the entire Hetch Hetchy water system at approximately \$606 million. There should have been greater consideration for replacement costs in addition to WSIP work.

Using the modest replacement cost approach and charging a 4.5% weighted average cost of capital (WACC), the unit of water (748 gallons) increased from \$2.51/CCF to \$4.64/CCF. This is shown in the far right column above. This higher price, while unwelcome to many, would probably bring about a more optimal use of our scarce water resources. It is important that society accurately value these public assets. Using public resources in their highest use value must be followed where possible. Many question if Los Angeles would be the current Los Angeles if it had to full cost its water.

Many ancient water systems are still operational and productive. They survive because of their functionality and immense cost for replacing. The longevity of these type capital items is food for thought as to how to value them, and thus the value of their end product, and question the applicability of a depreciation account on truly ad infinitum type assets.

Conclusion

Voters must again have the right to approve all significant issuances of revenue bonds (repeal 2002 Proposition E) and the 2009 Master Sales Agreement (2009 MWSA) must be renegotiated.

Brian Browne was coauthor of 2002 Prop P and former member of the Revenue Bond Oversight Committee it created.

Boathouse (Cont. from p. 2)

said. He said Butler Steel Buildings makes warehouses for less than \$2 million, the amount of the 2012 Park Bond.

Mees said he is grateful to be able to use the boathouse, but he said there is enough demand to supply another boathouse. Currently the two rowing clubs are putting about 250 kids in the water, Mees said.

In addition, Allen said the high schools need more space for boats. Most of the training is done in eight-person boats, but college coaches recommend training in two-person boats. The high school clubs have only a few two-person boats. And if a college coach wants a student for their rowing team, the student may have a chance to attend an elite school.

Jerry Cadagan, a Lake Merced activist, said an ideal location for a new boathouse is easternmost acre of land currently occupied by the Pacific Rod & Gun Club.

The Rec & Parks Department and the SFPUC may agree. In their combined response to the *Observer’s* questions, the two agencies said, “One potential location for a new boathouse is on the property that is currently occupied by the Pacific Rod and Gun Club. However, any future uses of that property won’t be discussed until the cleanup plan for that site is possibly approved in the summer of 2014.”

“It comes back to the kids of our City,” Allen said. The SFPUC and the Rec & Parks Department has no reason to ignore these kids.

Keith Burbank is a local journalist.

Turf Burn (Cont. from p. 1)

disappear. At Franklin field, 16th St. and Bryant, there’s no restroom, so adults and children scatter to nearby bushes or walk city blocks to sneak into a Safeway or Starbucks. At Youngblood Coleman in Bayview, there is a bathroom, but it’s often occupied with non-legal and non-soccer related activities, while the condition of the field has deteriorated even further than Franklin’s into rubber pellets that lodge into your hair, clothing and mouth as you play. Even the Crocker Amazon complex, idyllic in many ways with its pupusa stand and ample adjoining natural landscaping, kicks up a wild amount of pellets in the dry season of static and is disintegrating into that tacky upholstery feel as the years go by.

Even if we were trying to raise professional soccer players in the most predictable environment possible, it’s worth considering the stamp these experiences are leaving on this generation of players spending long days on these lifeless fields. Yes, distractions are diminished: The birds that might have landed on the fields occasionally swoop in to find a rubber pellet instead of a worm, and don’t return. Challenges are leveled. The surface is even (though I have seen nascent threads of the artificial grass tangle on a shoe and take a player down) and so less physical conditioning and effort is required to maintain balance. Surprises are few: Push-passes more reliably hit their targets rather than mole hills. The soccer is less variable, and the experience is arguably much less interesting.

Remember the smell of freshly cut grass? Your children won’t. I’ve seen kids at all-day camps desperately seeking out living matter — any they can find, even if it’s just the twelve tiny shrubs left on the field’s border — as a break from the relentless conformity of this “improved” surface. If we are, as so many coaches have told me, teaching them about life through the game of soccer, what pedagogical purpose does destroying a living environment in order to create a field serve? I’ve been told one would need to plant a forest (thousands of trees) to compensate for the climate damage a set of three fields plastic “replacements” of grass fields would create. In the past year alone in my family’s school and club soccer life, I’ve been to dozens of acres of these fields in the greater Bay Area.

It’s just odd to me how the word “grass” next to the word “field” has become demonized within this city’s soccer-playing groups while there’s no small amount of dust being kicked up by soccer professionals who refuse to play on plastic. For the child “student of soccer” and the adult rec-soccer enthusiast, there is value to playing on grass and a very limited amount of it remaining in San Francisco. The desire to create money-making opportunities from our shared “commons” has brought people who should be working together to improve San Francisco into combat.

Yes, artificial turf fields with lights at Beach Chalet could be a popular rental for adult San Franciscans on Ultimate Frisbee and soccer teams. One can only imagine what this complex will look like in its brand-new state as photos are taken for further industry marketing materials. It takes not a lot of imagination to see what it will look like eight years down the road. Try visiting Youngblood Coleman. As more fields are planned and pushed through in the few remaining plant-growth areas (including the former grass fields of local public and private schools) in one of the country’s most densely populated urban areas, we have to wonder: When will enough new plastic fields be enough?

Susan Gerhard is a journalist as well as a soccer player, coach and “soccer mom” in the city.

Rec & Park Panel (Cont. from p. 7)

Rec and Park employee admitted that she deleted all of her emails every day. It will be interesting to see what Rec and Park tries to do when they learn about this program!

But this panel is about more than Rec and Park shenanigans. When asked about what he would be discussing in January, Wooding said, “Part of San Francisco burned down in 1906 after the Big Earthquake, in part because the [private] Spring Valley Water Company hadn’t kept up its lines and thus was unable to provide enough water for fire-fighting. A few years later, in one of the greatest privatization scandals in American history, PG&E stole what was supposed to be the City’s publicly owned electricity, costing the local coffers untold hundreds of millions over the past 80 years.”

Former Planning Commissioner Dennis Antenore said, “Privatization is an invitation to corruption. Instead of public service, private parties are looking out for their own interest. Even if it appears like it is

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In-Law Units (Cont. from p. 6)

architectural fees, and property tax costs. All of these stipulations will greatly increase rental costs, and may actually increase tenant's rent.

Chiu's current secondary unit proposal has no penalties for people who have illegal units and no mechanism for finding illegal units. His current proposal is like a dog with no teeth.

Chiu can't even prove his proposal will make units more affordable. The laws of unintended consequences will dictate higher costs for tenants and landlords, and possibly more tenant evictions. While Chui is claiming that he is creating "affordable" housing, the same market-forces that are driving up San Francisco's rents will push lower income people out of their secondary units.

Chiu's secondary-unit proposal will certainly get his name in the newspapers and lure the uninformed into believing he's doing a great job, but even he admits that he can't accurately predict how many secondary units there currently are in San Francisco. Chiu claims there are 20,000 to 25,000 secondary units, but the San Francisco Chronicle is estimating that there are between 30,000 and 40,000 in-law units.

San Francisco has worked hard not to stop the construction of illegal secondary units. No real information is available on the number of illegal secondary units that have been added to the City's housing stock since 1990. However, a total of 80 units have been legalized between 2000 and 2008, and another 204 illegal units were removed in the same period (Table I-29).

Rosemary Bosque, the Department of Building Inspection's, (DBI) Chief Housing Inspector stated that the DBI issued the following Notices of Violations (NOV's): 2010: 127; 2011: 96; 2012: 90; and 2013: 83.

As can be seen from the chart in the 2009 Housing Element report, almost no new secondary units have been legalized, averaging just a paltry 10 per year. Without a diligent search for illegal secondary units, Chiu's proposal looks more like a public relations campaign to be elected to the state legislature than a serious attempt to legalize secondary units.

It may seem counterintuitive that the City — which is so focused on creating more small, affordable units — should enact so many impediments to legalization of existing units. David Chiu’s attempt to legalize secondary units will not work as currently proposed and is not the answer.

City Hall should just leave private residences alone.

George Wooding

Philippines: Reaching Out to Isolated Communities

As the people of the Philippines struggle to recover from the devastation of Typhoon Haiyan, the plight of the population in many rural and isolated areas of the islands has gone largely unreported. Reaching out to these communities is a top priority for Doctors Without Borders

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December 2013

Thanksgiving Turkeys and Holiday lights... it is hard to believe that we are in the midst of the holiday season and the end of the year is again staring us down. Weren't the Giants just playing baseball? It seems that some people had their holiday lights up even before the candy corn had become stale. Plus Thanksgiving was late this year and now it's December and there's so much to do...

Let's keep it local... with the ease of online retailing and the crushing number of catalogs that we receive during this time of year, it's important to not forget the amaz-

ing "brick and mortar" stores that line our shopping districts and make us a neighborhood. From BookShop West Portal and The Music Store, to Ambassador Toys, FULL MOON fashions and the Art of Style, to Harmony A/V and Music, we have a terrific number of places to fulfill our holiday gift lists. And how about a



Kudos for “Batkid” and SF!!!!...I would be remiss without mentioning the recent community outpouring of love and support in San Francisco for “Batkid” (Miles Scott), the 5 year old boy who has battled leukemia since the age of 18 months and realized his dream of being a super hero through the help of the Make A Wish Foundation, the City and County of San Francisco, and the thousands of people who got involved through the magic of the social media network. It generated a tremendous amount of good will throughout the world for San Francisco and our region, and (for a change) gave the television news programs and the periodicals something seriously heartwarming to report. Anyone who wasn’t moved to being teary while watching “Batkid” save SF should check their pulse. Thank you to Mayor Lee, Police Chief Suhr, the folks at the Make a Wish Foundation and everyone else who worked to make this happen. It is a perfect way to start the holiday season and remind us of the things that are truly important. Check it out on YouTube or Netflix, and keep a handkerchief or two handy...

364 days of Healthy Eating... a local Bay Area resident has completed an amazing culinary ebookbook for those who wish to rid their meals of processed ingredients, gluten, sugar, etc. Karen Cunningham has produced this ebook entitled 364 Days of Healthy Eating, by designing menus, cooking the dishes, recording the recipes and photographing them in color all in Cunningham's kitchen in Brisbane. Sections highlight appetizers, soups, salads, entrees and even desserts that are brought to life with the accompanying photos. The recipes look to be pretty easy to prepare and the variety of dishes are extensive. The book is available through the iTunes program or the website www.364daysofhealthyeating.com

Say it Ain't So...Joe's... we just learned that one of the best places to eat in the Bay Area, Joe's of Westlake has been sold by the family and will be closing on January 26th. A mainstay for a great bar, the open-kitchen style of cooking, good food, and wonderful staff members, Joe's has been keeping diners happy since 1956. The rumor is that it is being purchased by the folks at Original Joe's and will undergo an almost yearlong renovation and remodel, opening again in 2015. Truly the end of an era.

Do you have an event, a neighborhood fact, or just an observation to share? Drop us a line at mitch@westsideobserver.com and share your ideas or just let us know what you think.



San Francisco's *Unique* Nutcracker

December 11-29 • War Memorial Opera House

On Christmas Eve, 1944, the audience at San Francisco's War Memorial Opera House experienced the American premiere of Nutcracker. An instant sensation, the ballet launched a national holiday tradition.

San Francisco Ballet, the country's oldest professional company presents 2013's sparkling production of Nutcracker,



Frances Chung and Jaine Garcia Castilla in Tomasson's Nutcracker
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set here in our own "City by the Bay," has introduced audiences of all ages to the magnificent world of ballet. This holiday season, experience the beauty and athleticism of SF Ballet's international cast of world-class dancers in Nutcracker, a San Francisco tradition since 1944.

Nutcracker Interactive Storybook App

San Francisco Ballet, the country's oldest professional company and the first to perform the full-length Nutcracker in America, today announced the launch of a Nutcracker interactive storybook application. Designed for children ages 6-10 and their families, the animated iPad app allows users to not only experience SF Ballet's production of Nutcracker through original illustrations and storytelling, but to explore and engage with the world of classical dance and music through groundbreaking new interactive technology.

Key features of the app, now



Val Caniparoli and San Francisco Ballet School students in Tomasson's Nutcracker. Photo: © Erik Tomasson

available on the App Store for \$4.99, include original artwork by Kate Garchinsky; audio clips of Tchaikovsky's renowned Nutcracker score that accompany each scene; as well as playful animations, and pop-up information pages featuring fun facts about ballet, Nutcracker, and SF Ballet's production. In addition, the app offers

videos and photos that take young readers behind the scenes. Users have the option of reading the story themselves or listening to a narration.

Nutcracker is best enjoyed by children ages 5 and older. Out of courtesy to your fellow audience members, SF Ballet request no infants or toddlers, please.

❖ DECEMBER ❖ EVENTS

EVERY SUNDAY • FARMERS MARKET

Farmers Market | Every Sun | 9 am–1 pm | Stonestown rear parking lot: at Stonestown Galleria (19th Ave @ Winston).

EVERY MON & TUE • JOB SEEKERS LAB

Mon 11 am–2pm & Tue 10 am–1 pm Internet-ready computers are available for independent work creating or updating your resume, preparing job applications and/or searching for jobs. Some staff assistance. Bring a flash drive. Main Library, 100 Larkin, 5th Fl.

EVERY TUES • QUE SYRAH HAPPY HOUR

Every Tue Happy Hour | 4–8 pm | Que Syrah Wine Bar. Take \$1 off each glass, 10% off each bottle (consumed on site). 230 West Portal Ave 731-7000

EVERY WED • FEAR OF PUBLIC SPEAKING?

Every Wed | 7-8 am | Toastmasters helps you become a confident public speaker. Tennessee Grill, 1128 Taraval. RSVP 564-6069.

EVERY THURS - NIGHTLIFE

Every Thu | 6–10 pm | The Academy of Sciences is transformed with live music, provocative science, mingling and cocktails. GG Park \$12 (\$10 Members). calademy.org/nightlife.

JAZZ FRIDAYS @ THE CLIFF HOUSE

Every Fri | 7–11 pm | The Balcony Lounge at the Cliff House hosts jazz every Fri night. 1 Seal Rock. cliff-house.com/home/jazz.html.

FRIDAY NIGHTS @ THE DEYOUNG

Every Fri | 5–8:45 pm | Music, poetry, films, dance, tours and lectures. Cafe: special dinner, no-host bar. Art-making children/adults. deYoung Museum, GG Park. deyoung.famsf.org/deyoung/fridays

WED • AFFORDABLE CARE WORKSHOP

Wed Dec 4 | 7-8:30 pm | Confused by your new health insurance options? A presentation by Covered CA community educators on what you need to know about the new healthcare exchange marketplace and how expanded healthcare coverage works in California – for you and your family. Merced Branch Library, 155 Winston Dr.

SAT • PACIFIC ISLAND MUSIC

Sat Dec 7 | 7:30pm | Pacific Currents: Music from the Pacific Islands. The International Orange Chorale (iocsf) At St. Matthew's Lutheran Church 3281 16th St.

WED • BLUE SUEDE JEWS II

Wed Dec 11 | 6:30 pm | SF historian Richie Unterberger, author of numerous rock history books, shows '60s & '70s clips of major Jewish stars — Lou Reed, Bob Dylan, Simon & Garfunkel, Carole King, Leonard Cohen. This is entirely different than the first program presented last year. Merced Library, 155 Winston Dr.

SAT/SUN • 7TH SF CRAFTS BAZAAR

Sat-Sun Dec 7-8 | 11am to 6pm | One of the

longest-running craft fairs in the Bay Area at Concourse Exhibition Ctr. at 8th & Townsend. Over 200 artists, designers and crafters selling their handmade goods. It's committed to local artists who live and work in the Bay Area, giving back to the community and providing a showcase for local nonprofits. The first 200 people (Sat & Sun) receive a tote bag filled with goodies.

WED/THU • HANDEL'S MESSIAH

Wed Dec 11 - Thu Dec 12 | 7:30pm – 10pm | Handel's Messiah at Grace Cathedral. Following last year's greatest attendance marks in the history of this beloved tradition, 1100 California St.

THU • AMAZING SPIDER MAN

Thu Dec 12 | 6 pm | Ortega movie night is the 2nd Thurs each month. Movies are based on books. This month: The Amazing Spider-Man starring Andrew Garfield and Emma Stone. Ortega Branch Library, 3223 Ortega St.

SAT • CREATE A CARD

Dec 14 | 3 pm | Come make a seasonal card to give to a loved one. Gingerbread cookies will be serve. For ages 4-13. Parkside Branch Library, 1200 Taraval St. Info: jrockwell@sfpl.org

SAT/SUN • 43RD KPFA CRAFTS FAIR

Sat- Sun Dec 14-15 | 10 am to 6 pm | Inspired Creative Gifts. Beloved holiday tradition benefiting KPFA Public Radio. Juried crafts fair showcasing 200 exhibitors presenting affordable art & crafts. Food court, live music & 'Edible Tastings'. \$10 (one ticket & guest gets in for free). Free shuttles - Civic Center BART/MUNI Stations (8th & Market) & from Caltrain (4th & King). www.kpfa.org/craftsfair - 510-848-6767. SF Design Center: Concourse Exhib Ctr. 8th & Townsend

THU • DIST COALITION MEETING

Thu Nov 14 | 7 pm –9 pm | Meets 2nd Thu each month. Info: 586.8103 or ssuval@sbcglobal.net Taraval Station, 2345 24th Ave.

FRI • AUTHOR STEPHEN KINZER

Mon Dec 16 | 6:30 pm | Buddy was a baby who stowed away in Santa's toy bag. The elves raise him as one of their own, but when he begins to notice how different he is. Will Ferrell. West Portal Library, 190 Lenox Wy, 355-2886. Popcorn!

TUE • COMMUNITY SAFETY MEETING

Tue Dec 17 | 7 pm | Meet with Captain Curtis Lum. 3rd Tue of the month. Taraval Community Room, located at 2345 - 24th Ave. 759-3100.

TUE • COMMUNITY SAFETY MEETING

Tue Dec 17 | 1:15-2 pm | Come get help with setting up email accounts, word processing and other basic computer related tasks. Most Tuesdays at this time. Ask questions and learn the basics of using a computer! Main Library, 100 Larkin St.

TUE • COMMUNITY SAFETY MEETING

Tue Dec 17 | 7 pm | Meet with Captain Curtis Lum.

3rd Tue of the month. Taraval Community Room, located at 2345 - 24th Ave. 759-3100.

WED • LOST LANDSCAPES OF SF

Wed Dec 18 | 6:30pm |Benefit for Internet Archive which suffered a major fire. Rick Prelinger's Lost Landscapes of SF—already sold out the Castro Theater this year. Catch an additional showing at the Internet Archive, 300 Funston (Richmond Dist). Info: (415) 561-6767. Price \$25 - \$100

THU • ANNIE HALL

Thu | Dec 19 | Woody Allen's up and down relationship of two mismatched New York neurotics. Alvy Singer (Allen) ponders the modern quest for love and his past romance with tightly-wound WASP singer Annie Hall (Diane Keaton, née Diane Hall). Thursdays @ Noon Films Koret Auditorium, Main Library 100

Larkin St.

SAT • SANTA VISITS THE LIBRARY

Sat Dec 21 | 11-12 noon | Santa's back. Just as last year, come check out some books for the winter holidays and have your photo taken with Santa! For all ages. West Portal Library, 190 Lenox Wy, 355-2886.

MON • CENTRAL COUNCIL

Mon Jan 27 | 7:30 pm | West of Twin Peaks Central Council meets to discuss topics of interest to Westside residents. Last Monday each month. Forest Hills Clubhouse, 381 Magellan Ave.

Local event? editor@westsideobserver.com

Priority: Westside Events

HAPPY HOLIDAYS!



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At the Theater • By Flora Lynn Isaacson & Linda Ayres-Frederick

The Weir

Off Broadway West’s production of Conor McPherson’s play *The Weir* opens in a rural Irish pub with proprietor Brendan (Adam Simpson) and Jack (Keith Burkland), a car mechanic/garage owner discussing their respective days, soon joined by Jim (Brian O’Connor), Jack’s assistant. They are just talking of Valerie (Jocelyn Stringer) a pretty young woman from Dublin who has rented a nearby old home when she enters with businessman Finbar (Shane Fahy)

Aided by drink, the banter of these men who have a shared upbringing turns to ghost stories. After they have finished, Valerie tells hers: why she left Dublin that shocks the men into being softer and kinder. Jack admits his haunting story of personal loss is not a ghostly tale at heart.

Like many a bittersweet Irish play, *The Weir* points out lack of close relationships and missed connections. The title is drawn from the hydro-electric dam on a nearby waterway that flows like the stories they tell.

The cast brings refreshingly, solid meaning to the phrase “ensemble” acting. OBW’s Richard Harder’s direction is precise and effective. Bert van Aalsburg’s pub set suggests its locale where the Guinness beer flows along with old friends and ghost stories: a perfect way to spend a cold autumn night!

The Weir runs thru Dec 7, Thurs-Sat 8 pm at the Phoenix Theatre, 414 Mason Street, Suite 601, SF (near Geary). Tickets 1-800-838-3006 www.offbroadwaywest.org. Next at the Phoenix: Jan 9-Feb 8 Brisk Weather Productions’ Pardon My Invasion by Joy Cutler 1-800-838-3006 www.phoenixtheatresf.org **Flora Lynn Isaacson**

Harvey

Ross Valley Players present Mary Coyle Chase’s *Harvey*, (Pulitzer Prize & Best Play 1944-45). *Harvey* was adapted in 1950 for film starring James Stewart.

Elwood P. Dowd is an affable man who has a friend—a six foot, three and one-half-inch tall pooka—named Harvey who Elwood alone can see. Elwood introduces Harvey to everyone he meets. His social climbing sister Veta-Louise finds his eccentric behavior embarrassing and persuades a family friend and Judge to have him committed.

When they arrive at the sanitarium, a comedy of errors ensues. The doctors commit Veta instead of Elwood. When Elwood shows up looking for Harvey, his delusion has a strange influence on the staff and eventually on sister Veta.

This nostalgic production directed by RVP Artistic Director Robert Wilson, is old home week for many RVP Players: Stephanie Saunders Ahlberg (Betty Chumley) Norman Hall (Dr. Chumley); Wood Lockhart (Judge Gaffney); Robyn Grahm (Myrtle Mae); Robin Wiley (Ethel Chauvenent); legendary stage director James Dunn (E.J. Lofgren); Pamela Ciochetti (Veta Louise); Philip Goleman (Dr. Sanderson) and Steve Price as Elwood P. Dowd. RVP newcomer Lydia Singleton is impressive as Nurse Ruth Kelly.

Truly amazing sets by Ken Rowland work well with Michael A. Berg’s authentic period costumes.

Audiences still find this timeless masterpiece hilarious.

Thru Dec 15, 2013, Thurs 7:30 pm, Fri-Sat 8 pm, Sun 2pm, Barn Theatre 30 Sir Francis Drake Blvd. Ross. Tickets: 415-456-9555 www.rossvalleyplayers.com Next: Journey’s End by R.C. Sherriff directed by James Dunn, Jan 17-Feb 16, 2014. Flora Lynn Isaacson

Arlington

Directed by Jackson Gay, *Arlington* is nearly a solo show featuring Analisa Leaming as Sara Jane and Jeff Pew as piano accompanist and her occasionally- speaking husband Jerry. This one hour stream of consciousness of Sara Jane’s attempts to remain cheerful while waiting for her soldier husband’s return is sung primarily with dips into Sprechstimme and brief patches of spoken monologue and dialogue. With Jeff Pew prominently placed in full view at his grand piano upstage, there is no mistaking his importance as the never forgotten mate whose military judgment hovers over Sara Jane. What is not so clear is why his wife’s monologue needs to be sung or how she could just be realizing war is painful, horrific and deadly for those near or on the battlefield.

Ms. Leaming’s lovely soprano voice modulates from cheerful innocence to worried concern for her unborn male child as future cannon fodder. She questions her military family’s values, deals with her facelift obsessed mother, responds to her husband’s disquieting sexual fantasies, is haunted by the atrocities her husband has committed against women and children and more.

Jeff Pew is equally convincing as her husband on the front and as an ever-present force she can’t control. His skill as a pianist is exemplary, as is his acting talent in his few spoken interjections. Here the difficulty isn’t with the performing artists themselves, but with the material they are given to work with that leaves one wanting more.

Arlington continues thru December 8 at Magic Theatre www.magictheatre.org or 415.441.8822 **Linda Ayres-Frederick**

Peter/Wendy

Pre-show, the lost boy and girls of Never-Never Land ask the audience what they did today and write the answers in chalk on the floor. Dressed in vari-colored striped pyjamas, the cast continues this energetic process until the space is filled. Then begins this stripped to its bare elements tale of a boy who goes back to find his shadow and fly away with the girl who sews it back on to a faraway place “second star to the right and straight on ‘til morning.”

Guest Director Jeremy Bloom talks about the show: “I have been developing this project in various incarnations off and on for ten years or so. Technically longer, because the story of Peter Pan pervades our culture and minds even in ways we’re not aware of. When I read J.M. Barrie’s prose version, I was newly awakened to the depth of the story and its characters. While the story is marketed towards children, the book was clearly told from the perspective of an adult who acutely understands how fleeting youth and life are... not in a depressing way, but in a hopeful and lyrical way. One passage I remember not really seeing as a kid, is the heartbreaking journey of the parents left behind in the nursery to mourn the disappearance of their child. I wanted to stage Peter Pan with a ton of heart, focusing on the dynamics of its archetypal characters and strip the play of its iconic costumes and swinging wires to emphasize the story.”

“The text speaks so profoundly about imagination, it is only fitting to use super low-tech and minimal objects at a fast pace. The play is 75 minutes with music throughout and not a single blackout.”

The ensemble includes: Tinkerbelle (the astonishing Anya Kazimierski), Hook & Mr. Darling (a remarkable Terry Bamberger), Mrs. Darling/Smee (Kim Saunders), Peter (Sam Bertken), Wendy (Elissa Beth Stebbins), A Tiger Lilly (Jessica Jade Rudholm) and A Lost Boy/A Mermaid (Jeunee Simon) on Joshua Saulpaw’s and Nicola McCarthy’s multilevel Set with Lighting by Colin Johnson and Sound Design by Liz Ryder.

Peter/Wendy Thurs-Sat 8pm. Sun 7pm thru Dec 15 at Gough Street Playhouse, 1620 Gough Street (at Bush), www.custommade.org Next at Custom Made: The Pain and The Itch by Bruce Norris directed by Dale Albright Jan 10-Feb 9, 2014 **Linda Ayres-Frederick**



Linda Ayres-Frederick



Flora Lynn Isaacson

Now At the Movies • By Don Lee Miller

ABOUT TIME

Red-headed Brit Tim: Domhnall Gleeson (Oscar-winner Greer Garson was his Great Aunt) learns from his father Bill Nighy on his twenty-first birthday that the men in their family can travel back in time to incidents within their own lives, but not to liaise with Cleopatra or Madame Pompadour. Moving from Cornwall to London, Tim has a rerun of his first meeting with Mary: Rachel McAdams and they hit it off, eventually marrying and having four kids. Mum: Lindsay Duncan (veteran British TV actress) keeps a stiff upper lip as the men fly off. Wacky playwright-author Harry: Tom Hollander opens his London home to share with Tim as he studies law. Writer/director Richard Curtis fails to flush out characters other than Tim. Gleeson scores a bulls-eye in his first lead. Brief nudity. Profanity.

DALLAS BUYERS CLUB

Ron Woodruff: Matthew McConaughey, an AIDs activist from 1985, fights the Food and Drug Administration, which refused to approve of potentially life-saving drugs for patients diagnosed as terminally ill. Ron is an electrician who bets on rodeo events, but engages in heterosexual group sex activities, blasting homosexuals. When he collapses on the job, his blood tests reveal he’s HIV-Positive. His doctors, including sympathetic Dr. Eve Saks: Jennifer Garner, give him but 30 days to live. He starts researching the drugs that do not have FDA approval in foreign countries; flying there and bringing back quantities for other HIV+ patients whom he charges \$400/mo. membership fee with no charge for the drugs, bypassing the legal statutes that would convict him. They battle seizures of drugs by local authorities and doctors, including Dr. Sevard: Denis O’Hare, that are getting rich from approved drugs. Ron’s partner-in-crime Rayon: Jared Leto is a transsexual whom we see only once as a man when he has a meeting with his father. Both actors are getting lots of Oscar buzz; rightly so, McConaughey lost 50 lbs. to play Ron and it’s his best performance to date. Director Jean-Marc Vallée is inspired by Craig Borten and Melisa Wallack’s screenplay. Pervasive profanity. Strong sexual content. Nudity. Drug use.

DIANA

Diana, Princess of Wales: Naomi Watts is here seen to have had a secret two-year relationship not known to many Americans, although ultimately covered by the London tabloids. Her lover was a Pakistani heart surgeon, Dr. Hasnat Khan: Naveen Andrews (The English Patient, Lost). Despite having two guards with her almost 24/7, she goes to Pakistan to meet his family and finds she will never get Mama’s approval, being 35 and a divorced Protestant. Di is seen to control some of the paparazzi attention, though much of it she loathes. Both leads deliver spot-on work. Director Oliver Hirschbiegel converts screenwriter Stephen Jeffreys’ sumptuous adaptation of the dramatic romantic biography source by Kate Snell. Mild profanity. Some sensuality. Smoking.

ENDER’S GAME

Brilliant youth Ender Wiggin: Asa Butterfield is recruited by Col. Graff: Harrison Ford of the battle academy. Ender hates leaving his sister Valentine: Abigail Breslin. Ender’s leadership abilities surface as Petra: Hailee Steinfeld and other fellow students flock under his wings to conquer the enemy: genocidal 6 ft. ant-like aliens called Formics. Mazar Rackham: Ben Kingsley renders strong support. Screenwriter/director Gavin Hood adapts the Orson Scott Card novels. Violence. Sci-fi action. Thematic material.

ENOUGH SAID

Message therapist Eva: Julia Louis Dreyfus meets Albert: the late James Gandolfini at a garden party, as well as a new client, Marianne: Catherine Keener. Both divorced parents prepare for their daughter’s impending departure for college. After their relationship develops, Eve learns who her new client is to Albert. Eve’s best friend and confidante is Sarah: Toni Collette. Screenwriter/director Nicole Holofcener has a real feel for the woman’s p.o.v. Sexual content. Brief profanity. Some thematic material.

FREE BIRDS

The one-note storyline of turkeys returning via space ship to time travel back before the first Thanksgiving to have another bird selected as the holiday sacrifice gets worn out all too quickly. Da boids (voices of Owen Wilson, Woody Harrelson and Amy Poehler) try too hard. The animation doesn’t inspire very much. Director/co-writer Jimmy Hayward and his three other writers can shoulder the blame. Some action/peril. Rude humor.

GREAT EXPECTATIONS

Dickens’ famous novel gets yet another screen adaptation. Magwitch: Ralph Fiennes threatens Young Pip: Toby Irvine to get some food and a file for his prison bracelets. When Pip is apprenticed to London he leaves Joe: Jason Flemyng and shrewish Mrs. Joe: Sally Hawkins behind. Pip lives at Miss Havisham’s: Helena Bonham Carter rotting mansion. Her ward Estella: Holliday Grainger tells Pip, “You know, Pip, I have no heart.” Because of Miss Havershim’s wedding day disappointment, she has trained Estella to make men suffer. Pip ages to become Jeremy Irvine (War Horse), who wants more than anything to become a gentleman. When Magwitch returns secretly from Australia, he tells Pip, “I’ve made a gentl’mán of you.” Pip had no idea that his sponsor has been Magwitch who made a lot of money Down Under. Director Mike Newell adapts David Nicholls’s screenplay from the source novel. Violence. Disturbing images.

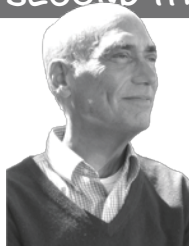
HUNGER GAMES: CATCHING FIRE

Katniss: Jennifer Lawrence and Peeta: Josh Hutcherson return home after winning the 74th games, before embarking on the Victor’s Tour of the districts. Pres. Snow: Donald Sutherland begins preparations for the 75th Annual Hunger Games. (Sutherland based his villain on Stalin, Hitler and LBJ!) Katniss discovers much unrest in the district of Paneem, which could be changed forever by the 75th Games. Her hometown b.f. Gale: Liam Hemsworth completes the love triangle. Effie Trinket: Elizabeth Banks, Haymitch: Woody Harrelson, and Caesar: Stanley Tucci rejoin the tributes. Director Francis Lawrence introduces new characters who fail to stand out much: Plutarch Heavensbee: Philip Seymour Hoffman, Beetee: Jeffrey Wright, Johanna: Jena Malone, and Wiress: Amanda Plummer. Screenwriters Simon Beaufoy (Slumdog Millionaire) and Michael Arndt (aka the Little Miss Sunshine Oscar winner Michael deBruyn) adapt the source novel by Suzanne Collins at a creeping snail’s pace. Though the budget has doubled from the first one, it’s gone into the sets, special fx and busy action scenes. Did Lawrence win her Oscar to be fit in a skintight bodysuit so she can wrestle monkeys?? There are an additional two sequels coming, including the two chapter Mockingjay. Intense violence and action. Some frightening images.

Cont. p. 15



SECOND THOUGHTS / By Jack Kaye



Our Man in Moscow: What If?

For the past few months, we have been subjected to daily news accounts of secret government spying as revealed by a 29 year-old, high school drop-out who was given the highest security clearance to view America’s computer spy network. This so-called “leaker” has been considered by many to be a bitter and angry traitor to his country. The leaks provided us with insight into the breadth and depth of America’s spy capability, including gaining access to all phone and internet transmissions at home and abroad. The NSA, our master spy agency, was even able to access the phones of several heads of state.

Some of us, especially those who feel that our nation should be cut down to size and not continue to tower in influence over the entire world, feel the revelations indicate outrageous violation of the fourth amendment because someone told us so. How dare the NSA have access to information that could prevent another terrorist attack. Whatever happened to the notion of a level playing field? Aren’t we at too great an advantage over terrorists?

The young “spy” announced to the world that it was he who leaked this embarrassing information and immediately left for China, probably not because it is so nearby. He then, after not being welcomed there, left for another not nearby country, Russia. He has been there for a few months, treated very well by what many consider America’s arch enemy. He has even been offered a job there. But winter is coming and Russia gets terribly cold. It now appears that the young leaker wants to come home and requests forgiveness without maximum prison time.

But what if none of this were true? What if, in the tradition of all great spy fiction, this is all a brilliant scheme?

What if America, and NSA in particular, wanted to neutralize China’s massive computer spy system? It is believed to have tapped into our largest corporations and stolen industrial secrets that would allow them to make products almost as good as ours. Could that be why the young leaker went there first? Was China wise to the plan? Is that why they deported him so quickly?

Russia also has a massive computer spy system. NSA wants to disrupt it. Could it be that our alleged spy is actually our man in Moscow? Could this be a brilliant plot to win Russia’s confidence by disclosing embarrassing but trivial spy information about NSA and making our young computer geek look like America’s public enemy number one? Could Russia be fooled into thinking that the enemy of their enemy is their friend?

But there’s more. What if the administration had even loftier goals?

As most of us are painfully aware, we have been without a budget for four years now. The Republican-led House has put forth moronic, partisan schemes that they called budgets. These budgets would have enlarged our military beyond its current bloat; lowered taxes to the rich, so they can be even richer; and cut programs to help

the poor, so that they can be even poorer. And they wanted to end the Affordable Care Act to help the uninsured end their lives of suffering sooner. What’s not to like?

The Democrats want the rich to pay higher taxes and would love to dramatically cut our spending for defense, which amounts to about one trillion dollars a year or half of the actual General Fund of \$2 trillion. These costs include staffing our more than 700 foreign military bases in friendly countries throughout the world, and our spy network, which was dramatically enlarged after 9/11. The Democrats and White House would love to reduce the annual federal budget deficits by not only raising taxes on the rich, but also by cutting defense spending, including our spy network. But how could they do it?

The Republican-led House would never allow us to spend less on defense. They want it increased.

Our allies might be willing and ready to let us withdraw troops from their sovereign land, but can’t ask, perhaps fearing their people might object to losing free security.

What if the White House, desperate to cut our defense costs, used this noble alleged spy to inform our allies that we have been spying on them? The leaders probably knew and didn’t care. But they could act publicly outraged and demand that we reduce our surveillance and that we quit our bases in their country.

The administration would then be “forced” to close at least 700 bases, saving \$100 billion a year, and would “have to” reduce our expenditures for spying, much of which is a waste of time and money much more than being a privacy issue.

So, could our young ex-pat “traitor” actually be our bravest and most inventive master spy? Could he really be an MIT-trained genius who can quickly destroy Russia’s computer spy capability while also enjoying free room and board in one of Russia’s many luxurious residences (think YMCA or Motel Six)?

And will he ever be able to come in out of the cold, like a John Le Carre character? With Russia and perhaps China on its knees, spy wise, will we credit this so maligned young hero his just desserts, or will he be trapped in not-so-sunny Russia for the rest of his days?

How will this story end? What if it never does?

Feedback: kaye@westsideobserver.com

Do you have a pinched nerve? We can help.

Dear friend,
It’s hard to believe, I know, but it’s true. Last year more Americans were killed by prescription drugs than by guns, AIDS, suicides and terrorists combined...But we’ll get to that in a minute.

Let me start by explaining the photo in this letter. You know when I meet people in town they usually say, “ Oh yeah, I know you, you are Doctor Meakim. You have been on the corner of Beach and Jones for years..... “ Well, that’s me. I’m also the woman hugging her niece at the jersey shore in the picture.

17 years ago something happened that changed my life forever. I was a young woman living in Philadelphia when it happened. I was driving with a friend when she missed a stop sign and rammed into the side of another car. We were all shaken up. The police were called and we all went to the hospital. No one was bleeding, so the doctors took some x-rays of our neck, gave us pain meds and sent us on our way. The next day I woke up with pain everywhere and it just kept getting worse. For years I tried everything that I could find. For an escape from the pain, I went to medical doctors, physical therapists, acupuncturists, I tried special pillows, and anything I thought might help. I spent a lot of time and money. Along the way I had two more car accidents and the pain kept getting worse and worse. I had developed fibromyalgia, neck pain, mid-back pain and low-back pain with tingling and numbness down my right arm and leg. I was scared that something was really wrong with me. This could not be normal. I was only 33 years old and felt like I was 100. That is when someone told me about a chiropractor that they thought could help. As a matter of fact, after the first person told me about him, two more people did that same week. So I made an appointment with the chiropractor. Thank goodness that they took the time to help me! I went to his office where he asked me about my problems, did an exam, and took some x-rays of my head and back. After that he pointed out where my nerves were pinched and adjusted them. The adjustment was so light I barely felt it. I began crying as I felt the pain leave my body for the first time in years. It may sound strange, but I was so happy and grateful for the relief that I still thank him every day! After that, I knew what I had to do. I had to become a chiropractor, and that’s how it happened!

I have adjusted many children within the first 15 minutes after birth. They obviously didn’t complain of neck pain or back pain; I adjust them to keep them healthy... as with all the hundreds of children I care for in my office.

You see, it’s not normal for kids to get ear infections, asthma, allergies or a number of other illnesses we see clear up in our office everyday.

When the nervous system is working correctly your internal resistance and healing powers are enhanced.

A healthy family does NOT rely on medication to make them well. My family does not turn to medication to seek health and we don’t have a “medicine chest” in our home. Due to years of advertising saturation from the pharmaceutical companies most Americans do seek health from outside- in and most families have a “medicine chest” filled with an average of 16 different medications.

In an average year, the World Health Organization (WHO) reports over 1.5 million hospitalizations due to medication. Last year the WHO reported 350,000 deaths due to medication people took... and 160,000 were when the drugs were prescribed correctly. More people died last year from medication than at Pearl Harbor and Vietnam. Amazing huh?

If drugs make people well, then those who take the most should be the healthiest, but this simply isn’t the case.

Many people are beginning to understand that health comes from within. This is why chiropractic helps so many people. You see, your body can heal itself. Your body doesn’t need any help; it just can’t have any interference. With chiropractic, we don’t add anything to the body or take anything from it. We find interference in the nervous system and remove it thus enhancing the healing capacities of the body.

We get tremendous results... it really is as simple as that.

For the past eight years, people from San Francisco and the surrounding area have come to see me with their pinched nerve problems.

- Headaches •
- Migraines •
- Chronic Pain •
- Neck pain •
- Shoulder/arm pain •
- Whiplash from car accidents •
- Backaches •
- Numbness in limbs •
- Athletic injuries just to name a few.

Here is what some of your neighbors have said:

“I had back pain for 15 plus years and two back operations. Now I play tennis, sit at my computer and enjoy an active pain free life! Thank you Dr. Meakim!” — A. McGrath

“All possible medicines and doctors, you made a miracle taking away my pain!! I am a happy wife and mother again!” — L Igudesman

“I have had chronic neck, shoulder and arm pain for the last 4 years. After seeing Dr. Meakim I can now twist off caps, button/zip my own pants and there is no longer a need for me to ice my arm in the morning and night! I feel more energetic, and can move my arm and neck pain free!” — C. Brubaker

Now...Find out for yourself and benefit from an AMAZING OFFER- Look, It should not cost you an arm and a leg to correct your health. You are going to write a check to someone for your health expenses, you may as well write a lesser one for chiropractic. Anil know you’re smart. You want to get to the cause of the problem, and not just cover it up with drugs. When you are one of the first 20 people to call and schedule a new patient exam (by October 24th) you will receive that entire exam for \$37. That’s with a consultation with the doctor, examination and x-rays... the whole ball of wax, and there are no hidden fees. But call right away because we expect to be flooded with calls as this exam costs \$317.Again there are only 20 of these slots so don’t miss out. I hope that there’s no misunderstanding about the quality of care just because I have a lower exam fee. You’ll get great care at a great fee. I just offer that low exam fee to help more people who need care.

My qualifications:

I am a graduate of Palmer College of Chiropractic, I have published articles in leading chiropractic journals and taught chiropractic to chiropractors! I’ve been helping your neighbors in San Francisco since 2004. I’ve been entrusted to take care of tiny babies to athletes that you may know.

My assistant is Karen and she is friendly and ready to assist you to set up an evaluation. Our clinic is both friendly and warm and we try our best to make you feel at home. We have wonderful service at an exceptional fee. Our clinic is called San Francisco Family Spinal Care and it is at 505 Beach Street (we are at the corner of Beach and Jones on the edge of North Beach). Our phone number is 415-771-7071. Call today for an appointment. We can help you. Thank you. — Dr. Christina Meakim D.C.

P.S. When accompanied by the first, I am also offering the second family member this same examination for only \$17.

P.P.S. Can you imagine not having to wait at a doctor’s office? Well, your time is as valuable as mine. That’s why we have a no-wait policy. You will be seen within minutes of your appointment.

P.P.P.S. Of course, all people respond differently to care.



NOIR CITY HOLIDAY

By Tom Mayer

The Film Noir Foundation once again offers the gift of film noir for the holidays. Historic Castro Theatre once again hosts on December 18 for Noir Xmas. Allen Baron’s independent crime drama *Blast of Silence* (1961) followed by the ultra-rare *Christmas Eve* (1947). Mr. Baron will introduce his legendary cult classic, and at the intermission will be signing copies of his new book, *Blast of Silence: A Memoir*. Eddie Muller and the reigning Ms. Noir City, Audra Wolfmann, will host.

BLAST OF SILENCE

Celebrate the Noir Xmas with one of the bleakest films ever set during the Christmas season. Hitman Frankie Bono returns to his childhood haunts in New York for a quick contract job, only to be tormented by ghosts of Christmases past. A low-budget indie that’s a bridge between classic ‘40s’ film noir and the cinema verité style of the ‘60s. Produced, written, directed, and starring Allen Baron. (1961, 77 min.)

CHRISTMAS EVE aka SINNER’S HOLIDAY

Our yuletide gift to NOIR CITY fans is a one-time only screening of this ultra-rare comedy-drama hybrid, shown in the only surviving 35mm print! A wealthy widower will be swindled out of her fortune by an evil executor unless her three sons all make it home by Christmas. George Raft, Joan Blondell, and Randolph Scott head an all-star cast of film noir favorites. (1947, 90 min.)

Tickets for NOIR CITY XMAS, \$10 for the double feature, are available starting December 1 at BrownPaperTickets.com. Tickets will also be available at the Castro box office day of the program.

Movies (Cont. from p. 13)

Thematic elements. A suggestive situation. Profanity.

LAST VEGAS

Three sixty-something buddies (sourpuss Paddy: Robert deNiro, Archie: Morgan Freeman, and Sam: Kevin Kline) throw a bachelor party in Las Vegas at the Adia Hotel for their wealthy friend who's finally marrying, Billy: Michael Douglas. Just about anything you can imagine happening, does. The penthouse with five rooms includes a round bed that revolves. In their slumming around town, they meet forty-something lounge singer, Diana: Mary Steenbergen who steals all of her scenes. All five leads have Oscar credentials and know how to have a good time. Fun for all! Jon Turteltaub directs the Dan Fogelman screenplay. Sexual content. Profanity.
Pool girls in mini-kinis.

THOR: THE DARK WORLD

Thor: Chris Hemsworth has been gone for two years from Jane Hudson's: Natalie Portman life. It has taken him this long to try to bring peace to the nine realms, one of which is Earth. When she breaks through the energy field when the planets align, Jane becomes infected with the Aether. Thor brings her back to Asgard to heal her. Loki: Tom Hiddleston has been arrested for his evil doings. King Odin: Anthony Hopkins has reason to trust no one. Frigga: Rene Russo is killed. The cast is populated with Malekith: Christopher Eccleston, Dr. Erik Selvig: Stellan Skarsgård, Volstag: Ray Stevenson, Sif: Jaimie Alexander, and Fandral: Zachary Levi. Darcy: Kat Dennings pops up with her own apprentice. Stick around for the two mid-credit stingers. Alan Taylor and James Gunn direct the fact-filled screenplay by Christopher Yost and Christopher Marcus (+6). The 3-D added precious little. Thor has a shirtless bathing scene. Selvig acts weird while his nudity is blurred. Violence and Gore. Some Profanity. Disturbing scenes.

12 YEARS A SLAVE

A free black man Solomon Northup: Chiwetel Ejiofor is conned into going from his NYC home in 1841 to Washington, D.C. to play piano with two musicians. He is abducted and sold into slavery in New Orleans in this fact-based historical drama. He serves under ruthless, sadistic Southern landowners Edwin Epps: Michael Fassbender and Ford: Benedict Cumberbatch. Mistress Epps: Sarah Paulson is very jealous of her husband's preference for the loving from slave Patsey: Lupito Nyong'o; she rips out an earring and claws her cheek. Solomon's friendship with Canadian carpenter Bass: Brad Pitt (also a co-producer who puts in his ten minutes) starts his road back to his freedom. Ejiofor's work is getting Oscar buzz. Steve McQueen directs from John Ridley's screenplay from Northup's autobiography. Sexual content. Nudity. Profanity. Some disturbing images. Cruelty.
Awards nominations: 7 Spirit Awards: Director: McQueen; Actor: Etifor; Sup. Actor: Fassbender; Sup. Actress: Nyong'o; Screenplay; Cinematography; and Producers.

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Golden Gate Heights - Pacheco Street wall at 15th Avenue - pouring concrete .Date May 10,1927 By permission of the San Francisco History Center, San Francisco Public Library.

BRAIN FÜD

Replace each word or words in parentheses with a one-word synonym to decipher a common holiday. (The first holiday is only one word long. The second and third are two words long.)

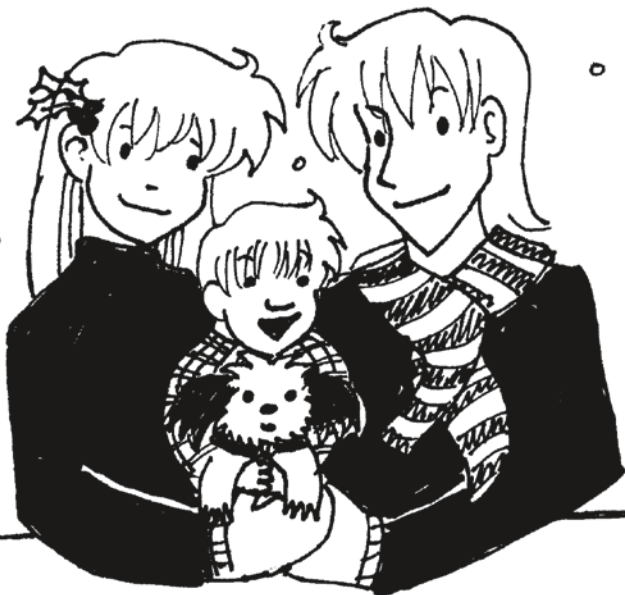
- 1. (Right of north) (she)
- 2. (Hotel) D (ink stick) (boogie) (24 hours)
- 3. (Work) (24 hours)

Answer

- 1. Easter (east + her)
- 2. Independence Day (inn + d + pen + dance + day)
- 3. Labor Day

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By Julie Casson

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Sudoku-fun!

Rules:
Each puzzle is a 9 by 9 grid of squares divided into nine 3 by 3 square blocks, with some of the numbers filled in for you.
The Object:
Fill in the blank squares so that each of the numbers 1 to 9 appears exactly once in each row,column and block.
Answer:
The answer appears below.

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 6 | 4 | 1 | 9 | 5 | 2 | 5 | 8 | 7 |
| 2 | 5 | 5 | 7 | 8 | 6 | 4 | 9 | 1 |
| 7 | 9 | 8 | 4 | 5 | 1 | 2 | 6 | 5 |
| 5 | 1 | 9 | 2 | 4 | 5 | 8 | 7 | 6 |
| 4 | 2 | 7 | 1 | 6 | 8 | 9 | 5 | 5 |
| 5 | 8 | 6 | 5 | 9 | 7 | 1 | 4 | 2 |
| 9 | 6 | 4 | 5 | 2 | 5 | 7 | 1 | 8 |
| 1 | 5 | 2 | 8 | 7 | 4 | 6 | 5 | 9 |
| 8 | 7 | 5 | 6 | 1 | 9 | 5 | 2 | 4 |

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| 432 Magellan Ave | Forest Hill | 3 | 2.5 | 1 | 1,450,000 | 1,600,000 | 110.34 |
| 6 San Pablo Ave | St. Francis Wood | 5 | 5.5 | 1 | 1,795,000 | 1,750,000 | 97.49 |
| 1600 Monterey Blvd | St. Francis Wood | 4 | 3.5 | 2 | 2,675,000 | 2,725,000 | 101.87 |
| 334 Los Palmos Dr | Miraloma Park | 2 | 2 | 1 | 799,000 | 841,000 | 105.26 |
| 190 Miraloma Dr | Sherwood Forest | 3 | 4 | 2 | 1,780,000 | 1,950,000 | 109.55 |
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It's Wine Time with Susan By Susan Hartman

It's the most wonderful wine time of the year!

This time of year is busy for everyone, with office parties, family gatherings, holiday shopping, and the year winding down. It's a cold morning as I look out my window and see the frost on our pines and rosemary bushes. Two things come to my mind food and more food. Many people serve a prime rib or a roast; some serve ham or lamb. It is all personal preference and family traditions. The wine I am going to suggest for this Month is a "Cabernet Sauvignon" it is one of the world's most widely recognized red wine grape varieties and pairs very nicely with roasted meats. What is nice is that you can also serve a nice aged Gouda cheese with this varietal. Here are a few Cabernets with varying prices.



St. Supery 2005 Limited Edition Estate Rutherford Cabernet Sauvignon. A Napa Valley cabernet, this wine is priced at \$95.00 per bottle. It was rated with 96 Points from Robert Parker and 90 points from Wine Spectator. My tasting notes: The flavors were long and I really tasted anise, tobacco and a hint of dark cherry with this wine. I recommend drinking this wine now through 2014.

2010 Seavey Cabernet Sauvignon, which received a rating of 97 points in The Wine Advocate of Oct. 2013 A little history about the Vineyard; in 1979 William and Mary Seavey purchased the historic estate originally founded by the Franco-Swiss Farming Company in 1881. Located in St. Helen, CA - Napa Valley. Their phone number is (707) 963-8339. Price can vary depending on if purchased online or from a specialty shop. The price is \$ 90.00 per bottle.

In tasting this wine I found it to be full bodied with just the right amount of blackberries and fruit. Firm and engaging tannins. This was a very pleasant surprise! This would pair nicely with a Cabernet au Jus. As a quick recipe combine 2 Cups Cabernet Sauvignon, a Pinch of Salt and ¼ Cup water or beef drippings. Presto, you have an excellent au Jus.

Now for my Grand Finale; Dominus Estate Winery in Napa Valley, CA

The Dominus 2010 Estate bottled wine this vintage is composed of 95% Cabernet Sauvignon and 5% Petit Verdot. It was rated at 100 points., and was released in June 2013.

My favorite part about this wine was its finish, which is eloquently long. The notes of cedar and plum are a pleasant surprise. This is a higher price point at \$149.00 per bottle.

This wine is perfect with with a horseradish cream sauce and prime rib.

Susan Hartman is a Northern California based writer and wine aficionado.

Game Changer

By Carol Kocivar©2013

Sorry if it looks like there is a little sweat along the edges of this column. I know. I know. I should not say sweat. Maybe there is a glow along the edges.

Whatever you call it...it is a reflection of a little life change on my part.

I used to be champion of too much sitting. But an intriguing headline changed all that.

Sitting Is The Lethal Equivalent Of Smoking.

There is a great info graphic at <http://visual.ly/sitting-killing-you> that gives you all the frightening statistics.

Sitting increases your risk of death by up to 40 per cent. Now this is not just the occasional sit down. It is sitting up to six hours a day—even if you exercise. It should come as no surprise that people with sitting jobs have twice the rate of cardiovascular disease as those with jobs that keep them active.

And now the obvious: Sitting makes you fat.

So I read the headline...filed it away in my "information is interesting" folder. Then two things happened:

First,someone took video of me running in a tee shirt and shorts.

Warning—if you are over 50, do this kind of thing sparingly. I instantly recognized the finding of the study as I jiggled along on the film. Sitting makes you fat.

Second, I got one of those gadgets that sets exercise goals and measures your day-to-day output and used it. (The "and used it" is the important part.)

For me...compulsive, competitive and a little pudgy, this gave me the daily motivation to not only exercise but to reach a goal every day.

Now there are a few lifestyle changes that go along with this.

It takes a lot longer to write a column since I get up every five minutes to walk around my computer.

You can read your email in a prone position—not sitting—as in "Why are you still in bed?"

You can double dip by combining conference calls with the morning walk. (This is why they invented the "mute" button.)

You finish the day off by dancing in the moonlight.

Sorry if this is a little short. Just checked my numbers and have to get up and take another walk to the gym.

Feedback: kocivar@westsideobserver.com



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THE REAL ESTATE ANSWER MAN By Kevin Birmingham



Q: What is the average price to remodel a bathroom?
Caroline D.

A: There are quite a few variables to obtain an accurate answer to this question. These include the condition of your bathroom, the finishes you prefer and the contractor that you choose. You may want to check out the new Real Cost Finder, www.houzz.com/remodeling-costs/bath that Houzz.com launched. It has costs for remodeling based on actual projects that homeowners recently completed - it shows a bath remodel in SF averages \$25k with the most expensive 5% costing \$69k.

Q: If I order a credit report, will it hurt my credit score? Also, if multiple lenders check my credit will that also reduce my score?
Rob P.

A: When you pull your own credit it does not reduce your score. When a 3rd party pulls your credit, it does reduce your score. Having your credit pulled by more than one lender will affect your score, but shouldn't affect you qualifying for a loan.

Q: What should I know about asbestos?
Alison H.

A: Your question is best answered by an asbestos professional, here is a good resource www.dir.ca.gov/dosh/Asbestos.html

Ask local real estate expert Kevin Birmingham: kevin@kevinbirmingham.com

BUSINESS CORNER

Chiropractic Care without Twists and Pops

By Mitch Bull

It may sound funny, NUCCA that is, but it is a method of chiropractic treatment that is completely different from anything you know about traditional chiropractic care. There are no drop tables, tilting tables, or techniques involving twisting or popping the vertebra. In fact it's so gentle you wonder how it works, but work it does.

N.U.C.C.A. is an acronym for Neuro-Upper-Cervical-Chiropractic Association, and it's the trained doctors of this association that have transformed the way that chiropractic care is performed. Dr. Christina Meakim has been treating patients using NUCCA for 10 years and explained how NUCCA works.

The doctor explained a benefit of periodic adjustments, "Chiropractic is not just something you do when you are in pain.



Dr. Meakim and Kaya – SF Family Spine Clinic

To optimize and maintain your health and well being it really pays to be adjusted on a regular basis, and not just when your body is in crisis. Regular adjustments and sessions can keep your spinal, muscle and nerve systems in tune, and help to avoid more serious problems down the road. Prevention is the key to optimal health."

SF Family Spine Center is located at 505 Beach Street. Mon-Fri from 9am to 8pm, Sat from 9am -1pm. 415.771.7071

Presidio Trust (Cont. from p. 1)

was with the City's potential assessment of possessory interests (property tax). In California, any private party that leases, rents or makes payments for use of government owned property is subject to property tax.

In order to curtail the possible assessment of property tax, Congress enacted legislation that was signed into law by President Clinton on November 29, 1999. Public Law 106-113 (HR 3194) includes specific language providing that, "The Trust and all properties administered by the Trust and all interest created under leases, concessions, permits and other agreements associated with the properties shall be exempt from all taxes and special assessments of every kind in the State of California, and its political subdivisions, including the City and County San Francisco."

Our City Attorney, as well as our Congressional Representative, has the opinion that all third party interests for private benefit under the Presidio Trust's jurisdiction are tax exempt since Congress enacted this legislation specifically in the Presidio Trust Act.

This language confirms Congressional intent that private tenants at the Presidio are exempt from all forms of state and local property taxes. The only problem is that if Congress enacted the Presidio Trust Act to exempt third party use for private benefit in the Presidio, they do not have the authority to do so per Article 1 Section 8 of Constitution, which provides the Powers of US Congress. This is Unconstitutional.

Because of this unconstitutional loophole the City is losing at least \$10 million annually in property tax revenue and well over \$100 million from the Presidio Trust since inception. This amount doesn't include the loss of revenue from other taxes such as transfer tax. Further, if the Lucas Plan for a Presidio Museum is approved, the City will lose at least \$8.1 million annually in property tax revenue.

The City is losing an additional \$12.5 million from the recent sale of Lucasfilm's to Disney in 2012. (This \$12.5 is based on a 2.5% transfer tax rate on a conservative \$500 million assessment value.) An

ownership transfer in CA includes a lease of 35 years or more. Lucasfilm had a 66 year lease at the Presidio that was transferred to Disney. I would love to see the opinion on this transfer by the State Board of Equalization, which governs Assessors Offices in the State, since it is a legal change in ownership with no transfer tax charged.

Why should private users on other government owned properties be subject to property tax while those using the Presidio properties to their private benefit are not? For example, housing on Treasure Island, managed by John Stewart Property Management, is subject to property tax. However, housing in the Presidio, also managed by John Stewart, is exempt from property tax per the Presidio Trust Act.

The City has made the decision to adhere to the legislation by Congress to tax exempt tenants, even though it is unconstitutional.

Contact the Mayor's Office to have the City reconsider their decision to not tax private users at the Presidio, since it is unconstitutional and could result in at least \$100 million in revenue to the City from current and back taxes, and increase tax revenue annually to the City by a minimum of \$10 million. The City should work closely with the Presidio management and our Congressional representative to correct this unconstitutional situation and to insure that current and future tenants at the Presidio pay their fair share of taxes like everyone else.

Further, the Assessor's Office should immediately impose a transfer tax on the sale of Lucasfilm's property in the Presidio to Disney, resulting in at least \$12.5 million to the City and, if challenged by the terms of the Presidio Trust Act, have a court decide if a transfer tax is due. Per the CA Rev & Taxation Code, this is a legal transfer with which the State Board of Equalization will concur. There is no rationale why there is not a transfer tax imposed.

Everyone should pay their fair share.

John Farrell Broker/Realtor MBA, Former Assistant Assessor-Budget and Special Projects, Westside resident*

Rec & Park Panel (Cont. from p. 9)

working well, in the end services will cost more, because private parties usually have a fiduciary responsibility to make money. In addition, private parties are not subject to open government regulations . . . non-government agencies can do things secretly without public discussion." Antenore said that at least one non-profit with considerable influence on the use of public land has bragged publicly about not being subject to open meeting laws.

Added to the mix on the panel are Tim Redmond (Manager of the SF Progressive Media Center and former editor of the SF

Bay Guardian) and Aaron Peskin (Executive Director of Great Basin Land & Water and former President of the SF Board of Supervisors). This promises to be a sell-out, dynamite evening!

Contact the Club directly for tickets — and bring your questions for Q and A!

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Katherine Howard, ASLA, Landscape Architect, Golden Gate Park Preservation Alliance, www.goldengateparkpreservation.org

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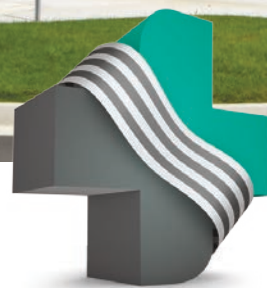
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Real Travel *By Sergio Nibbi*



The One That Got Away

With the media blitz surrounding the 50th anniversary of the assassination of President John F. Kennedy, Cuba keeps coming up, not only with the failed Bay of Pigs debacle but with countless conspiracy theories. The 13 day stand-off that came perilously close to triggering Armageddon a half century ago is now history and Cuba is once again open to tourism and welcoming the Yankee dollar. Having strongly considered an invitation to join our friends, Rochelle and Harrison, on an 8 day “Discover Cuba” adventure, our final decision was to pass on this one, which turned out to be a big mistake.



After our friends returned we got the opportunity to hear all about their trip and enjoyed countless photos and stories about all the nice people they met, how good the food was and how one exists without a cell phone for a week. The trip left from San Francisco with a direct flight to Miami. An overnight stay and an early morning charter flight got them safely to Havana’s Jose Marti Airport.

The first stop: the Bocay Rum Factory, where samples were generously provided and fortified them for a visit to the Plaza of the Revolution as they gazed at portraits of Che Guevara and Camilo Cienfuegos while hearing about the long and rambling speeches of Fidel Castro. Tourists are allowed to purchase and enjoy the local rum as long as it’s enjoyed while in Cuba, but no taking it back home. That also holds true for Cuban cigars. A walking tour of Old Havana, a UNESCO World Heritage Site, a tour of the Cathedral de la Havana and a Tropicana Cabaret Show topped the day. Their tour guide pointed out that cruise ships no longer visit Cuba, and unlike our country, guns are not allowed, and even the police and military leave their weapons behind before heading home. Interesting fact: each person is allowed only four ounces of coffee per month. No wonder rum is so popular!

The following day started with a walking tour

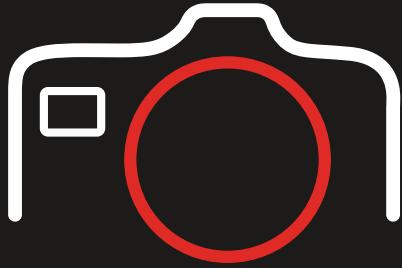
of the Colon Cemetery, named after Christopher Columbus, a tour of the Museum of the Revolution with countless artifacts of the revolution, as well as detailed information about the CIA trained Cuban exiles and rebel forces. The museum is housed in the former Presidential Palace whose interior was designed by Tiffany’s, and speaking of money, the local currency is the Peso Convertible, used mostly by tourists and known as the CUC which is almost equal to the US dollar.

One would not think that health care and education would be a driving force in the area but with Fidel Castro’s insistence the program prospered and many professionals are now sent to other neighboring countries to help in their needs. Following a display of Flamenco dancing at the Lizt Alfonso Dance Studio the group moved on to the National Museum of Fine Arts to view an extensive art collection from painters of the earliest colonizers.

Their first sojourn out of Havana brought them to the Vinales Valley, where Pinar del Rio is known for its stunning scenery of flat top mountains, tobacco plantations, caves and rivers. Old cars are always associated with Cuba, and a visit to the Museum of Guanabacoa of Santeria Orishas gave them the opportunity to see an early 1900’s Cadillac. One of the last stops was probably the most

interesting as they visited the home of Ernest Hemingway, where he lived for 21 years with his 3rd wife Martha. Still on display is his yacht Pilar, which he used to patrol for Nazis in the Caribbean waters. Last stop was at Morro Castle, built in 1589 to protect the mouth of Havana Harbor.

A farewell dinner and it was time to pack it up and head for home. Are we sorry we missed it? You bet! Would be go next time? In a heartbeat! With all that history and so much to see we’re so thankful that first nuke didn’t get lobbed over the ocean and plunked down in the middle of Biscayne Bay. Grateful indeed, but so sad that one of our greatest presidents had to be taken away from us so suddenly and so sadly. I would love to see Cuba, but for me it will always remain bitter-sweet.



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Divorce Options is a 3 hour educational workshop offered on the 1st Saturday of each month, equally appropriate if you are married or a state registered domestic partner, and with or without children. **Divorce Options** is presented by a panel of collaboratively trained attorneys, financial professionals and mental health professionals, who are members of:
Collaborative Practice San Francisco.

Jewish Community Center of San Francisco (JCCSF)
3200 California Street
San Francisco, CA 94118

Dates and Times:

Tuesday, July 9, 2013, 6:30 p.m. – 8:30 p.m.
Saturday, August 3, 2013, 9:30 a.m. – 12:30 p.m.
Saturday, September 7, 2013, 9:30 a.m. – 12:30 p.m.

\$45 per person • No pre-registration required.



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DEPT. OF JOURNALISM

All courses are available on the online schedule

Spring 2014
Classes start
January 10



Jour 19: Contemporary News Media 3.0 units

T 6:30 - 9:20 p.m. Mission/Rm. 217 Graham

Jour 21: News Writing and Reporting 3.0 units

MWF 10:10 - 11:00 a.m. BNGL 715 Gonzales

Jour 22: Feature Writing 3.0 units

R 6:30 - 9:20 p.m. Mission/Rm. 218 Rochmis

Jour 23: Electronic Copy Editing 3.0 units

W 6:30 - 9:20 p.m. Mission/Rm. 218 Rochmis

Jour 25: Editorial Management 3.0 units

MWF 12:10 - 1:00 p.m. BNGL 615 Gonzales

Jour 26: Fundamentals of Public Relations 3.0 units

W 6:30-9:20 p.m. Mission/Rm. 217 Graham

Jour 29: Magazine Editing & Production 3.0 units

M 6:30 - 8:45 p.m. Mission/Rm. 218 Graham

Jour 31: Internship Experience 2.0 units

MWF 9:10 - 10:00 a.m. BNGL 708 Gonzales

Jour 35: Internet Journalism 3.0 units

T 6:30 - 9:20 p.m. Mission/Rm. 218 Rochmis

Jour 36: Advanced Reporting 3.0 units

M 6:30 - 9:20 p.m. Mission/Rm. 217 Gonzales


Jour 37: Intro to Photojournalism 3.0 units


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Questions? Call Juan Gonzales at 415-239-3446
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