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Photo: Luke Thomas



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# WHAMO!—Car Drivers Hit Again At the Parking Meter

*It's official, cars—the great Satan of greenhouse gas emissions—are now the only real way that the San Francisco Metropolitan Transportation Agency (SFMTA) can balance its upcoming two year budget.*

By George Wooding

The new SFMTA budget includes: activating parking meters on Sundays; \$70 parking ticket rates; the installation of 500 more parking meters; increased parking meter rates ranging from \$.25 to \$6.00 per hour; extending parking meter hours and enforcement until at least 10:00 pm in different parts of town; and free MUNI rides for “low income youth.”

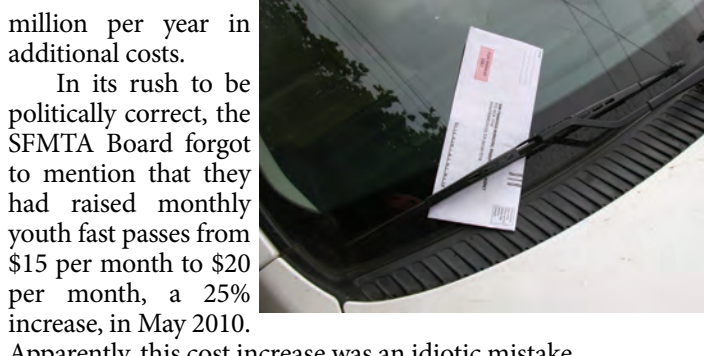
The SFMTA is terrified of raising MUNI rates as the agency fears that higher fares will cause a huge decline in ridership.

These controversial proposals were approved on April 17th by the SFMTA's Board of Directors, which unanimously passed a two-year \$1,661.5 billion SFMTA budget plan that calls for spending \$821 million in the new fiscal year that begins July 1, and \$840.5 million in the following fiscal year. The newly-approved budget was supposed to close a \$53.2 million dollar budget shortfall.

Nothing like a little social engineering to help increase a projected \$53.2 million SFMTA budget deficit over the next two years. Led by Supervisor David Campos and a host of self-interested San Francisco children, parents, and community advocates who either classify themselves as needy, entitled or people who just want to feel good about themselves, the SFMTA Board dutifully pandered to the crowd. Taking money from car owners is a mentally lazy and easy position for the SFMTA board to take. Citizens who talked about fiscal responsibility or increased budget deficits were studiously ignored and reviled.

The definition of who qualifies to be a low-income child has yet to be determined so no one knows the number of San Francisco children who will qualify for this new entitlement.

Campos and company originally wanted all children 4 - 17 to use MUNI for free. This entitlement would have cost a minimum of \$7.9 million per year. The low-income children entitlement, which was agreed upon, will only add an estimated \$4.7



million per year in additional costs.

In its rush to be politically correct, the SFMTA Board forgot to mention that they had raised monthly youth fast passes from \$15 per month to \$20 per month, a 25% increase, in May 2010.

Apparently, this cost increase was an idiotic mistake.

In San Francisco, free entitlements have always trumped fiscal responsibility. The pro-entitlement crowd believes that the fiscal crowd “doesn't understand,” is “cold hearted,” or just plain “stupid” because it disagrees with the entitlement crowd's feel-good position. Meanwhile, car drivers—supposedly all members of the hated 1%—will be paying for the free rides of low income children. 32% of the SFMTA's revenue currently comes from

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“32% of the SFMTA's revenue currently comes from cars, and with approved changes, about 35% of the SFMTA's budget will come from traffic parking fees and fines.

Without the revenue from cars, San Francisco's SFMTA and transit first policies would collapse.”

## Best of the Net

### Inside the Willie L. Brown Money Machine

By Larry Bush (in Paper Trails) citireport.com

For several generations of San Franciscans, the mention of a political machine meant one thing: the Burton Machine. Under the auspices of Phil Burton, a loose coalition of liberals united on issues as diverse as opposition to the Viet Nam war and urban poverty, along with environmentalists and disenfranchised minorities, began to cooperate on an agenda to wrest power away from San Francisco's traditional Republican establishment.

It gained control of the city's Democratic County Central Committee, helped launch careers for George Moscone, Willie Brown, Art Agnos and sent Phil's brother John first to the state legislature and then to congress to serve alongside Phil.

Phil Burton's signature statement is inscribed on his statue, where a paper peeks out of his pocket with the scrawl, “Terrorize the Bastards.” They were fearless in taking on powerful interests (in Congress Phil Burton's Democratic Study Group used the same tactics to move the House against a Democratic President over the Vietnam War).

But what made the Burton machine recognizable to all was its issue-driven agenda: human rights, health care, the environment, unions with job protection and decent working conditions, and an urban renaissance in the face of a decline affecting many cities.

There was one other recognizable feature of the Burton Machine: it was about empowering people who had little or no say in the decisions that affected them.

And it certainly wasn't about helping the rich get richer.

While elder John Burton continues the tradition, Willie

Cont. p. 8

## Open Government

### Budget Analyst Harvey Rose Short-Circuits Supervisor Wiener

By Patrick Monette-Shaw

Scott “The Tinkerer” Wiener is at it again, tinkering with San Francisco's Sunshine Ordinance, our local open government law that voters adopted in November 1999.

Of the 41 City Departments that responded to the Board of Supervisors' Budget and Legislative Analyst Survey of Costs of Compliance With the Sunshine Ordinance, a preliminary analysis reveals that City Departments first claimed expenses of approximately \$8.2 million.

A sample follow-up records request resulted in the Elections Dept. revising its initial submission, 28,013 hours down to just 3,886 hours, and removing un-recouped photocopying expenses, eliminating \$2 million in costs wrongly attributed. Of the remaining \$6.16 million claimed across City departments, another \$2.24 million to \$3.36 million in costs were dubiously reported, potentially reducing total costs to approximately \$2.8 million.

Luckily the Budget Analyst released his analysis on April 25, concluding that the costs directly attributed as unique to the SF Sunshine Ordinance were less than a million dollars (of a \$7 billion City budget), and just \$4.2 million for compliance with local and state open records laws. Clearly the original \$8.2 million figure was the result of City departments wildly overestimating costs. Rose has short-circuited Wiener's attack on Sunshine, if only temporarily.

Former Sunshine Ordinance Task Force (SOTF) Chair Richard Knee, a freelance journalist, is deeply concerned about the survey of the costs of sunshine law compliance being conducted at Wiener's surreptitious request.

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A Department of the City and County of San Francisco



# Golden Gate Park Garage Won't Pay Its Bills

By Anmarie Mabbutt

**O**n February 16, 2012, Music Concourse Community Partnership President Martha Kropf appeared before the Recreation and Park Commission to seek approval of yet another increase in parking fees at the Music Concourse Parking Garage. If approved by the Board of Supervisors, this will be the third increase in three years. In 2009, the Controller applied a 25-cent cost of living increase. In 2010, the Board of Supervisors approved increases ranging from 27% to 40% for hourly rates, a 20% increase in the evening rate and a 60% increase in the monthly rate. The latest fee increases, contained in File #120274, would increase weekday hourly and evening rates another 25% and weekend hourly rates another 28%.



**“Since the beginning, the Garage has been operating at a loss. According to its first two full fiscal year tax returns, the Garage expenses exceeded revenues by more than \$5 million...”**

At the Commission meeting, Ms. Kropf insisted that increased rates were needed for the Garage to combat a serious net operating deficit. Now that both the De Young Museum and the Academy of Science have passed through their post renovation “honeymoon” stages, parking at the Music Concourse Garage has declined. She noted that revenues for December 2011 and January 2012 are down 36% and 27% respectively from a year ago. Ms. Kropf also mentioned that the MCCC is in arrears to the garage operator, City Park. In early March, I spoke to the financial director for City Park, Jack Krasner. I asked him to confirm the amount the MCCC was currently in arrears and whether or not interest was being paid on the delinquent amount. He refused to reveal any details. He said he did not want to say anything that would be “embarrassing to Martha.” Via email, the MCCC Managing Director, Jan Berckefeldt, also refused to confirm any details of the City Park arrangement. Instead, she wrote “This is a cash flow issue that we are taking strategic steps to correct.”

The current financial condition of the Music Concourse Garage is much more than a cash flow issue. Since the beginning, the Garage has been operating at a loss. According to its first two full fiscal year tax returns, the Garage expenses exceeded revenues by more than \$5 million, a \$5,413,837 deficit for FY 2006 and a \$5,425,720 deficit for FY 2007. For FY 2009, the MCCC Form 990 shows a net deficit of \$1,804,688. For FY 2009, the MCCC Form 990 also shows Accounts Payable and accrued expenses of \$2,980,335 as of June 30, 2010. When asked how much of this figure was in arrears to City Park, Ms. Berckefeldt refused to comment. She also refused to comment on the complete absence of any contractor information for City Park on the MCCC Form 990 tax returns.

If City Park was paid more than \$100,000 per fiscal year, detailed information, including the amount paid, should be included on Form 990, but the 2006-2009 Form 990s for the MCCC contain no contractor information for City Park. The MCCC monthly financial statements for June, September and December 2011 and January 2012 indicate an average of \$94,676/month for labor operating expenses, or approximately \$1,130,000/year. Averaged across five full years of operation, City Park has earned more than \$4,000,000 operating the Music Concourse Garage. Yet, according to MCCC's federal tax returns, City Park has received less than \$400,000 in payments.

The Music Concourse Garage is the product of Prop J, otherwise known as the “Golden Gate Park Revitalization Act.” The Act, passed by 58% of the voters on June 2, 1998, provided for the construction of an 800-space parking garage underneath the Music Concourse. The Act specifically prohibited the use of any public funds in the construction and operation of the garage, so when the City announced plans in late 2003 to issue a 30-year ground lease to private non-profit foundation MCCC that would be used as leverage for a multi-million dollar revenue bond issue, a citizens' lawsuit soon followed. It seemed both illegal and illogical for the City and

the MCCC to argue that parking revenues, fees paid by the public per Park Code Section 12.35 for a service provided on public park property, were private funds, but the 2003 lawsuit failed to stop the construction of the Music Concourse Garage or the use of the Ground Lease as leverage for a massive revenue bond issue.

In June 2005, Board President Aaron Peskin sponsored File #050947, the legislation that unanimously approved \$26,500,000 in lease revenue Bond Anticipation Notes from the California Statewide Communities Development Association. These BANs were for a term of 5.5 years and were set to expire on December 1, 2011. Without the cash or financial reserves to pay off the notes, the MCCC had always intended to seek refinancing of these Notes. So when given the option to refinance the notes under provisions of the American Recovery and Reinvestment Act of 2009, the MCCC jumped at the chance. The ARRA provisions, which were set to expire on December 30, 2010, allowed nonprofits like the MCCC to seek up to \$30 million in financing thru Bank Qualified Tax Exempt Revenue Bonds.

In December 2010, the Board of Supervisors unanimously approved File #101125 which allowed the MCCC, in accordance with the provisions of the ARRA, to refinance the 2005 BANs with \$30,000,000 in lease revenue bonds from the California Economic Development Association for a 28-year term at a fixed rate of 5.5%. In her staff report in support of the bond refinancing, Public Finance Director Nadia Sesay claimed the program was a “great opportunity for the MCCC to refund the Notes.” She wrote it “requires no public underwriting, rating, trustee or ongoing public disclosure or financial information.”

Less than eighteen months after these new bonds were issued, the MCCC continues to operate the Garage at a deficit. The latest financials, included as part of File #120274, show that even with the approval of the proposed rate increases, “there would still be an estimated budgetary shortfall of \$1,188,754 in FY 2011-12.” In addition, the MCCC still owes Swinerton, the original contractor, more than \$1,080,000 in construction payments. The MCCC also owes \$1,350,000 to the Fine Arts Museum and the Academy of Sciences for loans taken out in July 2007 to make additional payments to Swinerton. These loans became necessary in the wake of the embezzlement by former MCCC CFO Greg Colley of \$3.6 million in Garage reserve funds. The MCCC also owes the RPD \$200,000 in back rent payments.

No matter how much the Board of Supervisors increases the fees for the Music Concourse Parking Garage, it appears the only real solution to the financial troubles at the MCCC is greater accountability and a massive influx of philanthropic donations. Contrary to what the Controller's Office and the Mayor's Office of Public Finance may claim, more not less oversight and public disclosure is needed at the MCCC.

Anmarie Mabbutt is a California attorney and former longtime San Francisco resident now living on Maui. She is currently writing a book on the privatization of San Francisco's public park space.

## RUMINATIONS FROM A FORMER SUPERVISOR By Quentin Kopp

### Break the Garbage Monopoly and Other Election Reflections

**T**he June 5, 2012 California and San Francisco elections present an uncommonly mere four ballot propositions, two of which are statewide and two of which are local.

San Francisco's **Proposition A** constitutes the compelling measure to enable voters to save money and even save city services. It will for the first time in history require, in conformity with 71 other Bay Area cities, competitive bidding for garbage services in San Francisco and a franchise agreement. Because of a 1932 initiative ordinance approved at a time in which 97 individual persons collected garbage in different San Francisco neighborhoods, and mergers and acquisitions the current conglomerate, which operates as a monopoly in San Francisco, has been permitted to escape a competitive bidding process required of all city contracts of such size. The garbage contract is immense, taking in over \$220,000,000 per year from San Francisco ratepayers. Moreover, it's done without any franchise contract or agreement with city government. Even the discredited Pacific Gas & Electric operates in San Francisco pursuant to a franchise fee agreement. Not our current garbage collection operation, which, in contradiction to Oakland, a city with one-half the population of San Francisco, receives a \$24,000,000 franchise fee to support its general fund and, in turn, city services. Experts estimate that garbage service companies should pay approximately \$40,000,000-\$50,000,000 as a San Francisco franchise fee.

San Franciscans now pay more than twice as much per capita population for garbage and recycling as San Jose with its 1,100,000 population. Moreover, residential garbage rates have risen 136% in San Francisco in the last 11 years, and that's for residences, because commercial property garbage collection rates are unregulated by City Hall. The corporate garbage monopoly boasts of its “discounts” to commercial ratepayers; in fact, it grants such “discounts” to commercial ratepayers on a regular basis if a commercial ratepayer objects to the claimed rate. That's the reason the San Francisco Chamber of Commerce and Building Owners and Managers Association oppose Proposition A. They don't care about residents. And the Chamber of Commerce, which supported a San Francisco sales tax increase rejected by voters in November, 2011, should be exposed

for its complicity in ignoring the plight of residential ratepayers. Additionally, the corporate garbage monopoly intends after the June 5, 2012 election to file a request with City Hall for yet another tremendous rate increase. It would have applied for such an increase last summer; it didn't do so only because it hoped to prevent and impede collection of sufficient voter signatures to qualify Proposition A for the ballot. City Hall, however, gave away the monopoly's secret intent to obtain another rate increase after the June election by advertising requests last month for services of so-called consultants to evaluate on a pro forma basis the proposed garbage rate increase.

Proposition A modifies the 1932 garbage collection ordinance by creating competitive bidding for residential



Photo: fogcityjournal.com

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## Whistleblower Advocates Watchdogs Beware

By Derek Kerr, MD and Maria Rivero, MD

**O**n 4/11/12 a Federal Court jury awarded \$262,000 to whistleblowers Jane Doe and Anne Raskin for retaliation by the City's Department of Emergency Management.

In 2010, Doe and Raskin exposed a variety of workplace irregularities at the 9-1-1 Call Center that resulted in shunning by coworkers, invasion of privacy, intentional infliction of emotional distress, and retaliation. The City was held liable for “a failure to prevent harassment and retaliation.”<sup>1</sup> This is not an isolated case.



**“... Davis Ja & Associates received a \$1.2 million contract on behalf of Community Behavioral Health Services. That contract was revoked and the City recovered some \$430,000 after whistleblowers reported a conflict of interest.”**

In a scathing report titled “Whistleblowing in the Dark – The San Francisco Whistleblower Program”, the 2010-2011 Civil Grand Jury (CGJ) noted that exposure to “bad press” and “liability from costly lawsuits” occurred “when legitimate complaints are ignored or dismissed.” Although the CGJ was unable to determine the actual cost to the City because of confidentiality conditions of the settlements, it determined: “A program that properly addresses and resolves allegations of malfeasance ‘in house’ can significantly reduce the City's exposure.” The City's Whistleblower Program was failing.<sup>2</sup>

Mayor Art Agnos started the Whistleblower Program in 1989. It fell under the Ethics Commission from 1993-2003, where it withered. After a Port corruption scandal, 71% of voters approved Proposition C that added a City Services Auditor (CSA) function to the Controller's duties, including a reinforced Whistleblower Program. Prop C also granted the CSA 0.2% of the City budget, now \$12 million annually, to audit departments, monitor City services, oversee contracts and manage the Whistleblower Program. A selling point was the claim that the Controller's Office was politically “independent.”

Despite new management, the Controller's Whistleblower Program has been hobbled by recurrent staff turnover, few investigators, bureaucratic secrecy, fealty

to power, disregard for whistleblowers, and lax oversight.

Ironically, although the Controller's CSA conducts innumerable audits and reviews, the Whistleblower Program itself was never assessed — until the CGJ report in July 2011. Predictably, Controller Ben Rosenfield pooh-poohed its findings. Those who exposed misgovernment — professional journalists, whistleblowers and Sunshine advocates — praised the report. Of the 14 recommendations issued by the CGJ, most were rejected by City Hall. However, in a nod to transparency, the 2010-2011 Annual Whistleblower Program report was revised. It now lists *all* substantiated complaints, rather than a trivial “sample.” The time taken to resolve investigations was also added.

The “Controller's Whistleblower Complaints Program” is a misnomer. Barely one-third of the cases are true whistleblower complaints involving fraud, waste and abuse. The program primarily serves City officials, rather than whistleblowers or the public. It was designed by high-level officials to address low-level misconduct. By keeping tabs on whistleblowers and City hot-spots, embarrassing events are contained. With complaints involving high-level City officials, the program falters. These are some of the reasons why no performance audit had ever

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# Purple Planning is a Curse on the Purse

By Steve Lawrence

On April 17 our water sewer and power people, SFPUC, reached out to talk about the latest plan to fill the City's purple pipes. Purple piping conveys recycled water, which is used mainly for irrigation. But in San Francisco you may be excused if you misspeak and say "for irritation."

It's been twenty years since ordinances required developers to install purple piping. Still no recycled water flows through those pipes.

Not that our officials have been idle—there have been many plans. But all have dried up like a shallow pond in the desert sun.

Before the iteration recently introduced, the plan was to produce recycled water in Golden Gate Park. At the far west end, south of the soccer fields, there is a dump.

**Perhaps "boondoggle" is too strong a word here, but when costs rise as they have, and purple piping stays dry for as long as it has and will, what is the better word?"**

Officials figured they'd improve on that by spending a hundred million and change on a state of the art plant producing high grade recycled water that even our picky Rec & Park Department would accept. But Park neighbors objected. "No Factory in our Park" became the war-cry, although 7/8ths of the irrigation water will be used in the Park.

As officials lately explained, rather than face a certain lawsuit and endless resistance with uncertain outcome, they returned to the drawing board. They found that while space for their proposed purple plant was somewhat lacking at Oceanside Wastewater Treatment facility near the Zoo, it could be found at the Armory next door. They approached the California National Guard about taking a bit of that space, and cobbled together enough in which to stuff the proposed plant to produce recycled water.

What is recycled water, anyway? Briefly, recycled water is what comes out when sewage goes through three processing steps. Sewage is treated to primary level (step one) by simply allowing solids to sink, and lighter stuff (scum) to rise, skimming those off. Under the Clean Water Act of 1972 sewage must be further treated to "secondary" levels, and then the "effluent" is discharged into the Bay and ocean. Alternatively, it can be treated to a tertiary level and become "recycled water," usable for irrigation. In San Francisco's case—ever special—the level of treatment will be "advanced tertiary," which adds a process called "reverse osmosis" (don't ask), included because there are "sensitive plants" and pools, etc. in Golden Gate Park. Yes, it's as expensive as it sounds.

So will all of the purple pipe finally be filled? No, actually much will stay as empty as it has been these past twenty years. Goals have been downsized.

Ten years ago the plan for the Westside was to build a plant generating ten million gallons per day (mgd), a whole lot, for the estimated cost of \$110 million,

or 11 million of capital cost per mgd. Six years ago the plan became to produce 4.4 mgd at a higher capital cost of about \$200 million. More recently the plan became to generate 2 mgd—one-fifth of which is surplus capacity—for a capital cost of \$156 million. If the surplus goes unused, the capital cost per unit (mgd) will be almost \$100 million, about nine times what it was to have been a decade ago. As reconfigured, the new plant will be a two story affair, and will have underground storage. SFPUC believes it can negotiate for the Armory slice.

The outreach meeting was notable for all that is yet unknown. At the new location, will the cost rise? Which streets now need to be torn up for a pipeline to the Park (avoidable under the old plan)? Will operating costs rise? How many permanent employees are required? What is the cost of the "lease" from the Armory? Cost concern seems an orphan—officials just want it done, at any price.

Even before this latest change to plans, recycled water was to cost multiples of what groundwater and Hetchy water costs. Ratepayers will pay dearly to satisfy 2% of the City's water demand. To date, planning the Westside Recycled Water project has cost about \$10 million. That doesn't include master plans of the 1990s and last decade.

So when will the Westside Recycled Water project be done? One thing that is known is that the schedule slips. The environmental review process re-starts, and is expected to take 2.5 years. Commencement of construction slips about three years, until 2016. While it's a guess, construction of the Westside Recycled Water plant should finish up in 2019.

Perhaps "boondoggle" is too strong a word here, but when costs rise as they have, and purple piping stays dry for as long as it has and will, what is the better word?

Steve Lawrence follows water and sewer issues. [lawrence@westsideobserver.com](mailto:lawrence@westsideobserver.com)



## MY TWO CENTS By Will Durst

### PRECISELY PIVOTING POLLS

Now the general election has unofficially begun, you and I and pretty much everyone dear to us, except of course, beleaguered Kansas City Royal fans who eat BBQ at least twice a week, are about to be buried under such a blizzard of polls, we'll be lucky to evade frostbite burns.

The two campaigns are poised to pivot like a fat kid on roller skates clutching an expiring candy store coupon-based on whatever data they receive from their intensely studied focus groups of potential voters. Because of ongoing leaps in technology and research, this time around, the polling community has gravitated towards something called micro-demographics.

Small nimble groups have replaced the old lumbering matrices of yesteryear. No longer does America have to duck while designations of Soccer Moms and NASCAR Dads are thrown our way: having become hopelessly outdated and appallingly unwieldy due to their exceptionally large sampling. These are tinier tastes, which can be more easily targeted like lasers taking out flies on Wisconsin barn roofs a mile and a half away.

For instance, according to 2008 exit polls, unmarried men unable to program their own DVRs, were 3 percent of the electorate: a group Barack Obama won by 56 percent to 51 percent. But among tall red headed women who wore green on purpose, he lost by a daunting 59 percent to 40 percent. Obviously, you can see the trend, one that does not seem to have abated during this election cycle.

Much has been made, and rightfully so, of President Barack Obama's commanding lead over Mitt Romney amongst men whose elder brothers entered the military after getting remarried in June, but what must be even more distressing to the challenger is the amount of single divorcees over 50 who Dutch-dated men named Henry and never touched a bite of their entree that prefer the President over the former Governor of Massachusetts.

Interestingly, the widest gap between those who view Obama favorably and those who don't, lay in the seam populated by shoe salesmen driving 10+ year old Chevy Impalas with rebuilt engines, a figure almost identical to the numbers reflected by Mississippi hairdressers who have taken out restraining orders against bus drivers who are predominantly bald. That these two groups share a margin of error has to be both intimidating and disheartening for the President.

As a point of curiosity, one of the few demographic groups in which Romney's approval rating is higher than his favorability rating is among seniors living at home who have lost significantly more of their hearing than their teeth. By comparison, 66 percent of seniors in care facilities who suffer from shingles and a history of plantar fasciitis harbor diametrically opposed opinions. Pollsters are still trying to figure out what to make of that.

A seemingly insurmountable hill the president needs to climb lies amongst crotchety old Wyoming heart-transplant recipients with daughters who could bite your head off in a minute. Similar obstacles appear in the numbers of home gardeners whose corn crop has been decimated in the last five years by rootworm beetles, and left-handed tax accountants who refuse to drive in the dark. So, as you can see, it is becoming increasingly apparent which campaign has the upper hand right now. But whether or not they can keep this momentum churning-is anybody's guess.

The New York Times says Emmy-nominated comedian and writer Will Durst "is quite possibly the best political satirist working in the country today." Check out the website: [Redroom.com](http://Redroom.com) to buy his book or find out more about upcoming stand-up performances. Or [willdurst.com](http://willdurst.com). Every Tuesday. Elect to Laugh! The Marsh. San Francisco. [themarsh.org](http://themarsh.org). Special \$10 tix. Use code "vote."

## WESTSIDE OBSERVER

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### SF Municipal Transportation Agency (MTA) Board | May 1, Central Subway revenue bonds, of undetermined amount, to plug a large hole that has developed in the Central Subway budget.

A shortfall of between \$61.3 million and \$140 million has now appeared in the project budget previously anticipated from State of California funding, the MTA staff is asking its Board and the Board of Supervisors to approve a revenue bond sale of undetermined amount.

### Lake Merced: SFPUC Tuesday, May 8 at 1:30pm City Hall, Room 400.

The most recent draft of a proposed Memorandum of Understanding (MOU) between SFPUC and SF Rec & Park. The purpose of the MOU is supposed be to divide up management responsibilities at Lake Merced between the two agencies. The agenda for the meeting should be posted late the day of Friday, May 4 at - <http://sfwater.org/index.aspx?page=167>

### Soccer Field : Planning & Rec & Park Commission May 17th City Hall, Rm 400

The Environmental Impact Report for the Beach Chalet Fields will be published May 9. This sports complex will replace over 7 acres of grass in GGP with over 7 acres of artificial turf. In addition, the project will install 60 light standards with sports lights — 150,000 watts of light — right across the Great Highway from Ocean Beach. The parking lot will be expanded by 33%, seating for over 1,000 spectators will be installed, and more paving and lights will cover the once-living landscape.

The joint hearing for the Final Comments and Responses is tentatively scheduled for May 17th. Info: [sfoceanedge.org](http://sfoceanedge.org) for time confirmation.





**Rose's survey instrument was deeply flawed.**

**The survey makes no attempt to discover how much our local Sunshine ordinance has saved the City by exposing or preventing backroom deals, and furthermore, it's difficult if not impossible to measure how much the Task Force has saved the City in legal expenses by eliminating the need to take Sunshine-related complaints to court. . ."**



*Budget Analyst/Scott Wiener (Cont. from p. 1)*

"There is a good deal of concern among Sunshine advocates that Wiener and/or at least one of his fellow supervisors might be planning a ballot measure that would abolish the Task Force and/or weaken the Sunshine ordinance in some other way," Knee said.

Sunshine advocates worry that Rose's survey instrument was deeply flawed. "The survey makes no attempt to discover how much our local Sunshine ordinance has saved the City by exposing or preventing backroom deals, and furthermore, it's difficult if not impossible to measure how much the Task Force has saved the City in legal expenses by eliminating the need to take Sunshine-related complaints to court," Knee said.

He's not alone. Ethics professional Allen Grossman notes, "Much of the data being fed to Harvey Rose in the Legislative Analyst's office was based on differing assumptions made by City departments and the lack of critical eyes when pulling their data together. They mixed apples and oranges, along with pears and bananas."

"Grossman is a retired attorney noted for forcing the Ethics Commission to divulge its records of complaints referred for enforcement by the SOTE," as *CitiReport.com* publisher Larry Bush reported in March 2011, "Grossman ... ultimately filed suit in Superior Court to force the Ethics Commission to comply with the California Public Records Act (CPRA); Ethics eventually settled the case, provided the documents, and awarded attorney fees to Grossman, needlessly costing the City over \$25,000."

Of the 47 City departments asked to complete the survey, only 41 did (notably the Board of Supervisors itself did not respond to the survey by the initial deadline). There were seven departments who either reported no costs for providing "Sunshine-related information" (a.k.a., "public records") distinct from formal Sunshine requests, or simply lumped those costs together with costs of responding to formal requests. Rose's April 12 report indicates that "caution" should be considered in light of flawed reporting; he threw out costs that smelled of double-reporting.

Rose concluded a total of \$4.27 million was attributable to complying with local and state open records legislation. Of that \$4.27 million, he concluded just \$997,676 of the costs were attributable "uniquely" to the Sunshine Ordinance; the balance would have been required under CPRA, even if there was no Sunshine Ordinance.

In effect, Rose acknowledges that 76.7% of open records costs for San Franciscans to know what their government is doing on their behalf is attributable to the state's CPRA laws, and just 23.3% is attributable to our local Sunshine Ordinance.

As the *Westside Observer* reported last month, Wiener didn't ask for any benefits (as in a cost-benefit analysis) of either CPRA or our local Sunshine Ordinance, including the "benefit" of restoration of \$350,000 in misappropriated funds to Laguna Honda Hospital's patient gift fund (which was the result of records requests), nor the benefit of pursuing Superior Court recovery of \$70 million in "change orders" related to the \$183,000 million cost overrun to rebuild Laguna Honda Hospital, change orders also uncovered via Sunshine.

Rose did toss out over \$3 million in unsupported costs, including a \$640,102 "typo" wrongly reported by the Children and Families Commission, \$1.2 million the City Attorney claimed, and \$812,692 Muni (MTA) tried to tack on, among other over-reporting.

To his credit, Rose indicates his office reviewed costs submitted on the initial 5-page forms, and "returned them to departments for clarification" when the reported amounts didn't seem reasonable

or were well above or below costs submitted by other Departments.

Some City departments noted in personal communications that they had contacted the Mayor's Office regarding responses to the survey instrument. Elsewhere, there is news the Mayor's Office was involved placing follow-up calls to City departments about their survey responses. Many City managers labor under the misbelief that the Sunshine Ordinance is far broader than CPRA requirements, which isn't true. These managers assume that when records requests are placed that invoke neither the Sunshine Ordinance nor CPRA, that the records sought are magically and automatically assumed to be Sunshine requests, when more often than not, they may be CPRA requests.

They labor under this misconception from City Attorney Dennis Herrera's so-called "*Good Government Guide*," which mistakenly fails to instruct City managers and all City employees that in 76.7% of records requests, they must still comply with CPRA, even while they attempt to obstruct Sunshine requests.

#### Sunshine Trumps Secrecy

Where would we be without an administrative appeal route? The Sunshine Ordinance is a non-judicial enforcement mechanism to comply with open government requirements. If Supervisor Wiener attempts to weaken or eliminate it, City officials will still be required to comply with the Brown Act and California's Public Records Act. In addition Section (b)(1) of Article 1 of California's constitution stipulates that "people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny."

By tinkering with, or eliminating the Sunshine Ordinance, Wiener would deprive complainants alleging public records and public meeting violations of any administrative remedy other than Superior Court lawsuits. The Ordinance is the only available administrative forum San Franciscans have to resolve public access disputes, and to deter City bureaucrats from obstructing public access.

Grossman may be right: We may be being fed fruit salad — apples and oranges, pears and bananas — in a bald attempt by Wiener to obfuscate the true costs and benefits of our local Sunshine laws. The price we pay for transparent government may include the price of eternal vigilance over Supervisor Scott "Tinkerbell" Wiener, to short circuit whatever motives compel his actions.

*Monette-Shaw is an open-government accountability advocate, a patient advocate, and a member of California's First Amendment Coalition. He received the Society of Professional Journalists-Northern California Chapter's James Madison Freedom of Information Award in the Advocacy category in March 2012. Feedback: mailto:monette-shaw@westsideobserver.*

## WEST OF TWIN PEAKS CENTRAL COUNCIL *By Mitch Bull*



Caltrans defends the restriping of Sloat Blvd. and apologizes for the lack of community involvement.

The "slimming" of Sloat Boulevard and the Proposition A debate took center stage at the April 23 meeting of the West of Twin Peaks Central Council. Approximately 30 people were on hand when WOTPCC Vice President George Wooding dropped the gavel to start the meeting, as President Matt Chamberlain was out of town.

First up on the agenda was a discussion and question period on the Caltrans Sloat Boulevard "slimming" project. The project, described by multiple attendees as a "disaster" is an attempt by Caltrans to improve pedestrian safety by reducing the number of lanes from 3 to 2 in each direction. Caltrans cited traffic reports and studies showing the reduction of lanes is still able to handle the traffic flow. Members of the audience decried the lack of public involvement, a severe lack of public outreach to the neighborhood associations by Caltrans, and the fact that at peak drive times, it is very dangerous to merge onto Sloat from any of the side feeder streets (such as Riverton Drive) because of the increased density of the traffic.

The Caltrans representatives apologized for the lack of public discussion and gave information out about the traffic studies and upcoming meetings to discuss both the Sloat project as well as the upcoming Great Highway / Skyline Boulevard realignments. During questioning, the representatives from Caltrans stressed the point that the bike lane painting was not part of a larger bike lane effort, but just a way to demark the lane that had been closed to traffic. The residents of the neighborhoods adjacent to Sloat were still visibly upset even after the explanations and Q & A. This project is one that will be discussed for a long time.

Following the Caltrans presentation, representatives from both sides of the "Garbage Bidding Proposition," Prop A, took to the floor to explain their respective sides of the issue.

District 7 Supervisor Candidate Joel Engardio started the discussion, by explaining that although he likes Recology and that they do a very good job, it's time to update the process from its 1932 origins and re-craft the law to modernize the statute to take into account the recycling process and the changing process of waste management, which is far different than the "garbage pickup processes" of the 1930s and 40s. He stated that Prop A has nothing to do with Recology, but mostly to do with getting a mandate in place to ensure that SF gets a franchise fee and has bidding in place.

Co-sponsor Tony Kelly followed Engardio and also stated that he expects Recology to win the bid contract for the 4 of the 5 sectors that are to be put up for public bidding. The Proposition will mandate that a company will not be able to handle all of the garbage pickup, recycling, and most importantly, landfill management portions of the contract. Kelly believes that having one company handle all aspects is a conflict of interest. He also discussed that San Francisco's contract is much larger than in Oakland and San Jose, but the city receives no franchise fee from Recology. He cited two City Hall studies showing that of 71 cities, most have franchise fees and competitive bidding.

A Recology consultant, and former NorCal Waste President Leonard Stefanelli countered with the opinion that any franchise fee collected by any city is no more than a "tax" that will be passed through to the ratepayers and will not result in lower garbage costs. Citing a history of good performance by the various groups that were responsible for collecting and managing the City's waste stream since 1932, he noted that San Francisco has been named America's Greenest City due to the recycling programs and push to have "Zero Waste."

Stefanelli also addressed the cost of moving San Francisco garbage out of the city to out-of-town landfills and feels that having separate companies for collection, recycling and landfill management will result in increased costs and performance problems. He also scoffed at the concept of having a new transfer station at the Port of SF, then moving landfill-destined garbage by barge to other landfills.

Both groups had chances to have rebuttal arguments and to field questions from the meeting attendees. With both sides giving high marks to the performance of Recology it will be interesting to see what voters think when they go to the polls in June.

In other WOTPCC actions, the approval of the by-law revisions was delayed, as a two-thirds majority of neighborhood groups were not present to vote as called by the rules in effect. The vote will be considered again at the next meeting, to be held on May 21<sup>st</sup> due to the Memorial Day holiday.

Finally, Estelle Smith of the Sunnyside Neighborhood Association addressed the attendees. Now that the Sunnyside neighborhood has been consolidated into District 7, instead of split, the SNA is interested in engaging the WOTPCC and possible applying for membership in the council as its 21<sup>st</sup> member.

*The next meeting of the WOTPCC will be on Monday, May 21<sup>st</sup> at 7:30 PM at the Forest Hills Clubhouse.*

In a few final points, Wooding again noted that the WOTPCC Anniversary committee is busy collecting volunteers interested in assisting on the WOTPCC 75<sup>th</sup> Anniversary event. The event will be held on June 25<sup>th</sup> and Roger Ritter is looking for volunteers to serve on the planning committee.

*For more information see the WOTPCC website (www.westoftwinpeaks.org).*



Tony Kelly, of Prop A argues for garbage monopoly.



## Time Is Running Out To Protect Golden Gate Park!

By Kathy Howard

**T**he Final Comments and Responses (C&R) for the Environmental Impact Report for the Beach Chalet Athletic Fields will be published on May 9, 2012. This sports complex will replace over 7 acres of grass in Golden Gate Park with over 7 acres of artificial turf. In addition, the project will install 60 light standards with sports lights — 150,000 watts of light — right across the Great Highway from Ocean Beach. The parking lot for the fields will be expanded by 33%, seating for over 1,000 spectators will be installed, and more paving and lights will cover the once-living landscape.

**Tell them that you want real grass and NO sports lights in Golden Gate Park. Act now! Once this project is built, the western end of Golden Gate Park will be destroyed forever."**

The joint hearing for the Final C&R is tentatively scheduled for May 17th. This hearing will involve both the Planning Commission and the Recreation and Park Commission. If the EIR is certified and the project is approved at this hearing, and if SF Ocean Edge and their partner groups feel that this is the wrong decision, then those groups will consider filing an appeal with the Board of Supervisors. That appeal would take place in June and would also involve a public hearing.

There will be very little time between certification of the Final EIR and a Board of Supervisors appeal hearing. If you want real grass and no sports lights in Golden Gate Park, you need to let City officials know right now!

Send an email to:

Jane.kim@sfgov.org	Christina.Olague@sfgov.org	plangsf@gmail.com
mayoredwinlee@sfgov.org	Carmen.chu@sfgov.org	wordweaver21@aol.com
Board.of.Supervisors@sfgov.org	David.chiu@sfgov.org	cwu.planning@gmail.com
Eric.l.mar@sfgov.org	Mark.farrell@sfgov.org	rodneymuseum.com
John.avalos@sfgov.org	Scott.wiener@sfgov.org	mooreurban@aol.com
Malia.cohen@sfgov.org	Recpark.Commission@sfgov.org	hs.commish@yahoo.com
David.campos@sfgov.org	rm@well.com	john.rahaim@sfgov.org
Sean.elsbernd@sfgov.org		Linda.Avery@sfgov.org

Tell them that you want real grass and NO sports lights in Golden Gate Park.

Act now! Once this project is built, the western end of Golden Gate Park will be destroyed forever.

Contact SF Ocean Edge to be put on their alert list: [www.sfoceanedge.org](http://www.sfoceanedge.org). Check their website regularly for public hearing advisories.

Katherine Howard, ASLA, is a certified landscape architect. Feedback: [sfoceanedge@earthlink.net](mailto:sfoceanedge@earthlink.net) or website: [www.sfoceanedge.org](http://www.sfoceanedge.org)

## Lake Merced Update

## We're Really Not Making This Up

By Jerry Cadagan

**I**n our April Lake Merced update we jokingly invoked the name of humorist Dave Barry when we said that we "were not making it up" when SFPUC staff delayed taking a Lake Merced management proposal to its Commission's March 27 meeting with the lame explanation that, "Staff needs more time to work with Recreation and Park staff on item." We pointed out that staffs of the two agencies had supposedly been working on the issue since January 2007. But, it gets even better (and we're really not making this up). On April 10, SFPUC staff released a revised draft of the five-page MOU in question saying that the revised draft would be brought to the Commission's May 8 meeting, even though there was an April 24 meeting scheduled. Then, on April 20, SFPUC released a calendar explaining that the matter was not going to the April 24 meeting because it was "not ready for approval" at the April 24 meeting. Confused? So are we. It was ready on April 10, but then became "unready" on April 24. Go figure.

But a more serious problem is that the revised draft released on April 10 is no improvement over the draft that the Commission declined to approve on November 8, 2011. Then, Commissioners used words like "specificity" and "accountability" in asking staff to do better. Yet the most recent draft continues to lack either specificity or accountability, while using nebulous, ambiguous terms and phrases such as "recreational uses" (without defining the term); "agreed upon tasks" (without describing the tasks, or who agrees upon them or when); "the levels of operations and maintenance funding will be discussed and agreed upon by the General Managers of both SFPUC and RPD" (what happens if they don't agree, assuming they ever get around to the discussion?); revenues received by Rec & Park will be used, "to support responsibilities related to Lake Merced" (without any provision requiring Rec & Park to account to anyone for how those revenues, currently \$77,000 a year, are actually utilized).

But even all of that is not the real problem. The fundamental problem is that SFPUC and Rec & Park continue to insist that management at Lake Merced be a joint effort, or more accurately, a two-headed monster, to

use the term in an October 2011 op-ed on the subject in the SF Chronicle. Two-headed monsters, or "two in a box management", the term used by organizational experts, seldom work. The experts say that it might work in those rare instances where the two managers have mature management, mutual trust, and good communications, none of which are hallmarks of things at SFPUC or Rec & Park.

We encourage Observer readers to send a message to SFPUC Commissioners (email to Commission Secretary [dhood@swater.org](mailto:dhood@swater.org) and request that your email be given to the five Commissioners) insisting that SFPUC take over full management responsibility at Lake Merced. Point out that SFPUC owns the lake and surrounding area and that Rec & Park has done a very poor job since the limited delegation of responsibility to them back in 1950. Hopefully, by the time this is published, the current sorry draft MOU will have been posted on the SFPUC website ([sfwater.org](http://sfwater.org)) and Observer readers can judge its inadequacy.

Jerry Cadagan, Co-founder, Committee to Save Lake Merced



City & County of San Francisco Department of Elections

# Be A Voter

# June 5

## Presidential Primary Election

Register to vote by **May 21**

Apply to vote by mail by **May 29**

Vote early at City Hall **May 7- June 5**

Polls open 7:00am - 8:00pm **June 5**



## Questions?

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# Sunnyside—A Great Place to Live!

By Don Price



The Sunnyside neighborhood of today is vastly different, yet still similar, to that of the old. Presently Sunnyside boundaries run from Baden to Ridgewood and Circular to Mangels and are the result of an 1891 subdivision. In the 1890s, The Sunnyside Land Development Company divided our neighborhood into lots for sale. Behrend Joost was a part owner of the company. The Company took cabbage fields and converted them into lots, serviced by a new streetcar line that took residents down San Jose Avenue to downtown. The streets were named alphabetically to the west. Acadia (cut in half by freeway development in the 1960s) was first and Hamburg (now Ridgewood) was last. The streets to the north were named after significant people. Initially, the lots sold slowly until the Great Earthquake of 1906 and then filled quickly until the Great Depression. After World War II, the final lots were sold to build badly needed housing for returning service people. City College was built in the 1930s on the old San Francisco Jail land. From the 1920s

**The 1960s brought a huge gash to our neighborhood with the development of the 280 Freeway. Many blocks were bulldozed with hundreds of residents being displaced via eminent domain."**

through 1970s, Monterey Boulevard (which was originally Sunnyside Avenue) still had vacant land, as well as many shops including a bakery, butcher, sewing store, etc. Safeway was built in the 1940s. The 1960s brought a huge gash to our neighborhood with the development of the 280 Freeway. Many blocks were bulldozed with hundreds of residents being displaced via eminent domain. The Sunnyside Neighborhood Association (SNA) was formed in 1975 to assist with the urban decline of the area, post freeway existence, as well as to save the Sunnyside Conservatory, the pride of our neighborhood. SNA has been the voice of the neighborhood continually ever since. Today Sunnyside is truly diverse and a hidden gem. Sunnyside Neighborhood Association (SNA) is a valuable tool that brings residents together to preserve, enhance and empower the livability of Sunnyside. SNA is a non-profit community organization providing a place for discussing local and citywide issues. SNA also sponsors neighborhood activities, including the Halloween party and garage sale, which directly benefit the area. For more information on SNA, visit [www.sunnysideassociation.org](http://www.sunnysideassociation.org).



## Dutch Queen’s Day at Golden Gate Park Windmills

Crowds dressed in orange, the Dutch national color honoring the Dutch royal House of Orange, gathered near the Dutch Windmills in Golden Gate Park on Saturday, April 28 to celebrate Queen’s Day, the Dutch national holiday honoring the birthday of the Queen. Highlights of the day included a commemoration of the newly-restored Murphy Windmill, with special access to the interior of the mill and the Millwrights Cottage; a “Market to Mill” bike ride, organized by the San Francisco Bike Coalition; and Dutch delicacies served by SF food truck vendors. The newly-restored Murphy Windmill and the adjacent Millwright’s Cottage were opened for visitors to explore during the Queen’s Day celebration on April 28. To commemorate the completion of the first phase of the windmill’s restoration, Consul General Bart van Bolhuis made welcome remarks. Lucas Verbij, the Dutch millwright who managed the restoration process in the Netherlands, was on hand to speak about the windmills. In addition, an exhibition of photographs by Ron Henggeler, documenting the restoration process, were on view inside the Murphy Windmill.



## THE REAL ESTATE ANSWER MAN By Kevin Birmingham



**Q:** How often should you have a house located in such a foggy, wet climate that can change to such a warm climate, checked out for dry rot due to the elements?

**John Demakas**

**A:** The western side of San Francisco has a foggy climate, which allows moisture to penetrate into various parts of the home. Front and rear stairs, bays and the bases of door jams are the areas where dry rot is most likely to occur. Most homeowners obtain inspections only when they buy or sell a property.

**Q:** If you have OK credit not perfect not bad but somewhat OK, what are the chances of buying a house? Is my down payment going to be a lot?

**Jessica Traylor**

**A:** FHA loans are the perfect solution for the first time buyer with OK credit and a low down payment. With an FHA loan your down payment is as little as 3.5%. Most large lending institutions as well as local mortgage brokers offer FHA loans.

**Q:** Is it common to have a tree inspection before buying a home? We didn’t do it and it cost us 8K - YIKES!

**Shura Kelly**

**A:** The two inspections most homebuyer use are a pest/dry-rot inspection and a home inspection (known in SF as a contractor’s inspection). The home inspection may look at landscaping items but only if there is something that stands out. In San Francisco trees that are within 12 feet of a sidewalk need a permit to be removed. Tree removal is expensive and if you have a concern with a tree’s location, it is best to contact a local arborist prior to the close of escrow.

Kevin Birmingham is a licensed real estate broker, have a question for the Real Estate Answer Man? Submit them to [kevinb@zephyrsf.com](mailto:kevinb@zephyrsf.com)

## Car Drivers Hit again. (Cont. from p. 1)

cars, and with approved changes, about 35% of the SFMTA’s budget will come from traffic parking fees and fines. Without the revenue from cars, San Francisco’s SFMTA and transit first policies would collapse. MUNI’s current average rate of speed is at an all-time low of 7.25 miles per hour. While MUNI is blaming its reduced speed on traffic congestion, they might want to consider how much traffic congestion is being caused by MUNI buses. Many of the people financially trapped on MUNI would take a car if they could afford it. MUNI receives only 24% of its revenue from ridership fares. Roger Ritter, a member of the Balboa Terrace Homes Association, attended the SFMTA Board meeting and spoke in opposition to “free” Muni for all youths (ages 5 - 17). He said he would support free bus rides for low-income students and stated, “What disturbed me was that the MTA directors did not focus at all on taxpayer concerns. I did not even hear the word ‘taxpayer’ mentioned, nor were any concerns raised that a ‘free’ program—meaning, of course, that someone else pays for it—would encourage a sense of entitlement and a culture of dependency. In fact, all of the directors seemed to view free MUNI for youth as an entitlement, and that their task was merely to work out the details from a budgetary aspect.” The biggest hypocrites at the MTA board meeting were the board of education members who argued that free youth programs would equalize ridership and make the city more family friendly. This is the same Board of Education that has allowed San Francisco schools to become more segregated than ever before. The same Board of Education that promised to come up with a workable plan to allow children to attend schools located in their neighborhood and then separated San Francisco into geographic regions based on zip codes that forced/allowed children to attend schools far from their local neighborhood (thus the great need for transportation).

In fact, this was the same Board of Education that was spending \$5.65 million annually for 38 school buses in the 2011-12 school year and cut 13 buses to save only \$1.8 million dollars. The School Board is planning to cut even more buses in 2012-13. Only elementary and middle school children receive school bus rides. According to school district numbers, a majority of the affected students live in the southern and southeast side of the City. An estimated 22% of those students are black, 24% are Chinese, 24% are Hispanic and 11% are White. The “family friendly” school board is one of the major causes of the SFMTA’s

free low-income transportation mess. Instead of grandstanding for more “family friendly” transportation from the SFMTA, perhaps school board members should look in a mirror, put on dunce caps and go sit in a corner. If the SFMTA board, David Campos and the Board of Education could add, they might realize that it would be much less expensive to keep the school buses than to give low-income children free rides on MUNI. As Campos seems adept at creating financial entitlements, he may want to force the SFMTA board into subsidizing school buses and get rid of free rides for low-income children. The SFMTA would save at least \$2.9 million annually by making this one change. Ed Reiskin, the Director of Transportation for the SFMTA and a responsible manager states, “These proposals (SFMTA Budget) represent a significant investment in maintenance. For too long, our maintenance operation has been understaffed and underfunded, which adversely affects service reliability on a daily basis. These proposals will allow the SFMTA to invest in our infrastructure, including the buses and trains, the track and overhead lines, and other aspects of the system so that we can address any issues before service is impaired.” Muni finally has a Director who wants to fix the large amounts of deferred infrastructure maintenance that has been routinely ignored for years and his plans are being hijacked by political entitlements. The SFMTA’s total reliance on generating funding through cars and the elimination of fare revenues is destined to fail on several levels. It won’t take long for the SFMTA to be proposing a general obligation bond, parcel tax or certificate of participation that requires City taxpayers to pay for the SFMTA’s failed revenue policies. Taxpayers should be prepared and aware of this huge long-term debt. As currently structured, San Francisco’s transit system cannot support itself by giving away free rides and financially punishing car drivers. The SFMTA’s \$5.00 increase in parking tickets to \$70.00 per ticket will be the highest priced parking tickets in the country. The entire \$5.00 increase will be going to the State of California and will not benefit the SFMTA. The annual City meter revenue is \$40.5 million and the 500 new meters are expected to add approximately \$718 thousand, a 2% increase. No one knows how much revenue Sunday meters, extended meter hours, and extra tickets will generate, but this will certainly be another costly inconvenience to drivers. Muni fare



Preparing for One of Retirement’s Major Expenses – Taxes

As you plan for retirement, you’re likely considering the major expenses you may encounter, such as housing and health care. But are you overlooking something that may have a significant impact on your ability to achieve a financially secure retirement?

If the bulk of your retirement savings are in tax-deferred accounts (workplace plans and traditional IRAs), most or all of your distributions will be subject to ordinary income tax rates. This may leave you with less cash flow than you expect, which could impact your ability to meet your day-to-day expenses.

A starting point – spread your savings out  
So how can you reduce the impact of taxes on your retirement portfolio? Just as portfolio diversification is recognized as a good approach to investing, tax diversification can play an important role in helping you potentially enhance your retirement savings when the time comes to withdraw money from your accounts. You may have the ability to stretch your retirement dollars further if you can manage retirement distributions in a tax efficient way. Consider diversifying your savings into three different tax “buckets”:

- **Tax-deferred accounts** – workplace savings programs (including 401(k) and 403(b) plans), traditional IRAs and annuities.
  - **Tax-free accounts** – Roth IRAs, cash value life insurance, municipal bonds, if appropriate
  - **Taxable accounts** – savings and investments outside of tax-advantaged vehicles
- The biggest challenge is often directing enough

money into tax-free accounts such as Roth IRAs. Because there can be tax consequences in that event, Roth conversion is not always a viable option for investors to consider – so keep in mind that if you choose this process, the earlier you begin the better. Also be aware that you are not able to deduct any contributions to a Roth, as they are after tax dollars.

**In retirement – manage your distributions**  
Efficiently managing distributions from your tax-deferred accounts is important because most distributions from 401(k) plans and traditional IRAs are subject to ordinary income tax rates, and will increase your taxable income. Investors with a tax-diversified portfolio, comprised of assets in taxable, tax-deferred and tax-free accounts, are often best positioned to manage cash flow during retirement.

For example, let’s assume you expect to use your 401(k) plan to meet your annual income requirements. You will need to pull out more than what you need as annual income from your plan – or tap your bank account – to cover the taxes you’ll owe on this income. (The actual amount depends on your income tax rate.) If you didn’t account for this in advance, your savings may be depleted more quickly than you planned. And depending upon where you are in the tax brackets, the actual amount you



withdraw may push some of your income into a higher tax bracket, making it more important to manage your distributions.

If you have the ability to pull part of your necessary cash flow from a tax-free account, such as a Roth IRA, you may be able to reduce the amount of taxes you pay throughout your retirement, stretch out your qualified plan distributions and still meet your income needs. (Remember of course, that you did pay tax on the money that’s saved in your Roth account. You simply paid it before you invested it for retirement or at the time you converted it from a traditional retirement savings plan.)

Also keep in mind that there’s a common assumption that your income tax rate in retirement will be lower than it was during your working years. While that is true for some retirees, it is not true for all. Your individual retirement savings and distribution strategy needs to be based on how you intend to spend your retirement years, with the potential impact of taxes only being one piece of the puzzle.

Consider working with a financial advisor who can help you to plan for retirement and other long-term financial goals while keeping tax expenses in mind. Though your financial planner will not be able to give you direct tax advice, he or she will work with you and your tax advisor. By being proactive in the years when you are still accumulating wealth for retirement, you can achieve greater tax-diversification in your overall portfolio by the time retirement begins, giving you more flexibility with the money you’ve saved.

*Brandon Miller, CFP and Joanne Jordan, CFP are financial consultants at Jordan Miller & Associates, A Wealth Advisory Practice of Ameriprise Financial Inc. in San Francisco.*

*Kopp (Cont. from p. 3)*

collection, commercial collection, processing of waste, transportation to the landfill, and landfill operation itself. The reason for five different bids is to obtain the most value for ratepayers from each part of the contract; at most, there will be two companies collecting waste and recyclables, just like Norcal and Sunset Scavenger did a few years ago. Bidders can seek and obtain more than one of the five contracts, except that a garbage firm can’t have the processing contract so as to decide what goes to the landfill and also operate the landfill. The reason? There’s a clear conflict of interest which would threaten recycling goals of “Zero Waste.” Incidentally, Department of Environment studies in 2011 found no correlation between the rates we pay and the recycling rate of Bay Area cities or between rates we pay and franchise fees in the other Bay Area cities. Don’t believe the claim that the corporate garbage monopoly is responsible for the alleged San Francisco high recycling rate of 72% or more; like garbage collection firms in other cities, the current monopoly accounts for approximately 50% of recycling and city government claims the remainder from such deceitful acts as counting the cubic yards of sand removed from the Great Highway as “diversion” or “recycling.”

To ensure that the new system functions the way we want and expect, actual regulations governing competitive bidding will be prepared by the Director of Public Works and the universally-respected Board of Supervisors budget analyst. A five-year transition period will occur to accommodate operational changes. The current garbage corporate monopoly can, of course, bid, and if its protestations about local employment are true, the measure grants an advantage to it in the bidding process. Finally, Proposition A can be amended by the Board of Supervisors without returning to voters, so long as any amendment advances the goals of Proposition A. The only way to break the garbage monopoly is by **Proposition A. I recommend it — unqualifiedly.**

I also recommend voting for **Proposition B.** It’s a reflection of neighborhood knowledge and desires concerning Coit Tower. While not a binding ordinance, it’s a declaration of policy, which upon approval by voters should control the bureaucratic actions of the Department of Recreation and Parks, the Mayor, and the Board of Supervisors. Its declared policy will ensure money generated from tourist and visitor fees at Coit Tower will be used to preserve, maintain and even enhance the historical landmark in the future. The alternative consists of raids by the Department of Recreation and Parks of revenue

from activity at Coit Tower for other activities in the Department and even in other departments of city government. **Proposition B is a citizen and voter initiative. Let’s approve it.**

The two State propositions involve term limits on legislative service and a proposed significant increase in the tobacco tax. I was once a supporter of the term limit concept, which qualified for the November 1990 California ballot by reason of herculean efforts on the part of my friend, then-Los Angeles County Supervisor Pete Schabarum. Supervisor Schabarum wrote the term limit state constitutional initiative as a lifetime proposition, meaning a person could serve a maximum of three two-year terms in the California Assembly and two four-year terms in the California Senate. I thought a person should be allowed to run again for either the Assembly or State Senate after a two- or four-year hiatus. Supervisor Schabarum’s Proposition 140 also removed legislators from the state retirement system and contained a therapeutic reduction of 30% in the annual legislative budget, which may not exceed \$950,000 per member per fiscal year, or 80% of the money expended for legislative operating purposes in the preceding fiscal year, whichever is less. The measure was approved by voters resoundingly on November 6, 1990. Unfortunately, expectations of the sponsor and me have been thwarted. Upon election, almost every legislator begins planning for another legislative position at the end of the limited term. That’s given rise to the spectacle of a person serving in the Senate for eight years, then running for the Assembly for another six-year term, and vice versa. Term limits have degraded the quality of the legislature, its understanding of issues, its analysis of facts and desirable policies.

**Proposition 28** represents an improvement. It permits a person to serve a maximum of 12 (not 14) years in the legislature in either house. One could serve three terms in the Senate or six terms in the Assembly, or serve in both houses, but only for 12 years. The proposition does not restore retirement system membership to legislators or the budget reduction in their operating expenditures. Because of common voter embracement of the underlying notion of the term limit concept, namely, throw the rascals out of office, **Proposition 28 is probably the most feasible current method of trying to improve legislator quality and experience.**

**Proposition 29** is another matter, not withstanding my aversion to tobacco companies, cigarette smoking, and the sorrowful cancer and other diseases tobacco use creates. Proposition 29 represents yet another example of special funding budgetary balloting which causes much, if not

all, of California’s current fiscal condition. The California Voter Handbook contains on Page 13 an analysis of Proposition 29 by the State Legislative Analyst. It is instructive. The first state tobacco tax was enacted by the legislature, not by voter initiative, in 1959 for general support of the state budget. For more than 100 years, that’s the manner in which state excise taxes were treated, enabling the legislature and governor to appropriate money for various purposes, including specifically those which supposedly will result from Proposition 29, if it passes. A special fund, like the State Highway Fund, results from collection of the tax from those who use the streets and highways, in the instance of the gasoline tax, built from proceeds of that specific tax.

Commencing in 1988, however, with voter enactment of a \$0.25 per pack increase in the cigarette tax, the State General Fund was deprived of cigarette tax proceeds, which were instead directed to tobacco education and prevention, tobacco-related disease research programs, general healthcare services for low-income persons (not necessarily caused by cigarette smoking) and environmental protection and recreational resources. Despite linguistic contortion of the relationship between environmental protection and recreational resources, on the one hand, and cigarette smoking, on the other hand, by the special interest progenitors of 1988’s Proposition 99, obviously cigarette taxation was changed from a General Fund purpose to a special interest purpose.

The Legislature in 1993 succumbed to the special interest taxation trend by adding \$0.02 per cigarette pack tax for support of breast cancer screening programs for uninsured women and breast cancer-related research. Then, in 1998, another voter initiative (Proposition 10) increased by \$0.50 per pack the cigarette tax and

seized the proceeds to support early childhood development programs, not California’s General Fund or even activity related to tobacco-caused cancer!

Now comes Proposition 29, which effective October 1, 2012 would add \$1.00 per pack of tobacco taxation. The proceeds would, of course, be applied for special purposes. The tobacco tax increase would be deposited in a new special fund, called the California Cancer Research Life Sciences Innovation Trust Fund, allegedly dedicated to research on cancer and other tobacco-related diseases, and distributed among five newly created special funds with a new state bureaucracy and a Cancer Research Citizen’s Oversight Committee, appointed in part by the Governor, in part by the Director of the State Department of Public Health, and in part by the UC Santa Cruz, UC Berkeley, and UC San Francisco chancellors. Supposedly, the new tax would raise about \$735,000,000 per year. The new commission could spend an estimated \$15,000,000 annually on staff salaries and overhead, which means more pension and healthcare state employee obligations, plus \$110,000,000 annually on buildings and equipment. It exempts the chief executive officer from State hiring and salary requirements. I don’t object to raising the tobacco tax; I do object to diverting the proceeds from our State’s General Fund, which suffers a prospective deficit of over \$10,000,000,000 as I write. Logically, wouldn’t taxpayers use the estimated \$750,000,000 accretion from the \$1.00 per pack cigarette tax increase to defray that \$10,000,000,000-plus predicted deficit? **The question answers itself. Therefore, I recommend a vote against Proposition 29.**

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

**Brown Money Machine** (Cont. from p. 1)  
Brown left the machine and started a new one...the Willie Brown Money Machine.

Helping the rich get richer, primarily in order to make oneself richer, is exactly what the Willie Brown Money Machine is all about. In the classic words of Walt Kelly’s Pogo, “We have met the enemy and it is us.”

Brown’s money machine, like his mayoralty and his career in public or private life, relies on personal relationships and owed loyalty. Mayors at their best have an array of skills that make them effective. They combine an ability to see an opportunity with a vision that sets the pace and direction for change. They know what will be required and they learn to see in people things even their own mother never saw and how to use that. Sometimes

they know the rules and where the advantages can be gained through them.

Above all, the asset that makes those elements come together is a relationship built on a singular loyalty to the person at the top of the machine. More than a title or an office, that is the power that can keep a machine producing results in or out of office.

The network of former Brown aides and campaign workers now populate top positions in city agencies or have moved on to posts with major city contractors or as lobbyists.

They include Tiffany Bohee, new head of the “Redevelopment Successor Agency,” Linda Richardson, new President of the Treasure Island Development Authority, Naomi Kelly, newly named





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# AROUND THE TOWN

## COMINGS AND GOINGS • By Mitch Bull

The business of running the city never ceases to amaze me. Between the Board of Supervisors, city staff members, and members of the myriad commissions, task forces and panels, it seems that almost everyone you meet is involved in some facet

of contributing to the greater good for the citizens of the City and County of San Francisco. I mention this to highlight the work of some of these citizen-volunteers. The City Redistricting Task Force recently wrapped up their project to “balance” the districts so that each district will have approximately the same number of citizens. This process is revisited every ten years to ensure that as population growth evolves, the districts are realigned to stay on a (more or less) equal footage from a base number of residents. The task force heard thousands of comments and other input from the voters before making any decision. For District 7 the changes were relatively minor, with both sides of Ocean Avenue being included in D7, as well as the entire Sunnyside neighborhood being included in D7, whereas it had been split in the past. This is good for these neighborhoods and we welcome the “newcomers” to district 7. The whole redistricting challenge has been completed through the hard work and dedication of the task force volunteers. We owe them a big “Thank You” for their efforts. Another “thank you” goes out to all of the concerned citizens that took the time out of their busy schedules to speak with the task force and stand up for the concerns of the citizens and neighborhood that make up District 7.

SFMTA is still considering revising parking planning for the city and is looking at ways to raise revenue, including extending meter times during the evening and adding meter times on Sundays. The merchants in the retail districts (such as West Portal Avenue) are split on the Sunday proposal. Having meters operate on Sunday will make it more expensive to go to the movies, dinner, etc., but will possibly free up parking as some people just park on the avenue on Sunday and leave their cars all day while they jump on MUNI and go downtown. I can see the benefits of both sides of the debate. What about you? Make sure the MTA knows how you feel.

Speaking of MUNI, much has been written on the program to allow everyone under the age of 17 to ride free on MUNI. The commission voted to explore just applying the program to low-income children. How do you administer this? Or afford it? The City (and MUNI) are not flush with money, but continue to act as though they can just give away benefits with no real plan on paying for it (other than more taxes or bond measures, or taking it from another line item budget). It's a nice idea, but why exclude low income seniors, the disabled, those who have been recently laid off, etc. With other articles written on the number of fare-cheats that ride the system, shouldn't we be looking at ways to make sure that people pay for MUNI? Electronic scan cards for students, etc. I am all for discounting for those in need, but giving away the benefit just seems foolhardy in this time of budget constraints. Of course if children were assigned to their neighborhood schools maybe they wouldn't be required to ride for hours on MUNI each day, but that's another topic for another day.

Do you have an interesting story, idea, or some insights you'd like to get in the paper? Just drop it to us in the mail, or email me at: [mitch@WestsideObserver.com](mailto:mitch@WestsideObserver.com). Be sure to check out the Observer online @ [www.WestsideObserver.com](http://www.WestsideObserver.com), or on Facebook and Twitter.

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Now At the Movies • By Don Lee Miller

THE CABIN IN THE WOODS

This is a film where the less you know about it going in, the more it can be appreciated... perhaps. Joss Whedon, creator of Buffy, the Vampire Slayer, has wrought another spoof of slasher flicks with five young people ( Dana: Kristen Connolly, Kurt: Chris Hemsworth, Jules: Anna Hutchison, Marty: Fran Kranz, and Holden: Jesse Williams) going to a cabin in the woods for a week-end. Little do they know that there are hidden cameras everywhere; that they are part of some government experiment run by Sitter-son: J.K. Simmons (Juno) and Hadley: Bradley Whitford (The West Wing); and that some will spend their last night there. Directed with suspense by Drew Goddard from a screenplay co-written with Whedon. Crude sexual content. Profanity. Drug material. Teen drinking. Violence!



CHIMPANZEE

Filmed in the Ivory Coast, this DisneyNature documentary details how a 3-year-old chimp: Oscar, separated from his family, is adopted and raised by fully grown male chimpanzee of another tribe. Tim Allen narrates the rich animal film directed by Alastair Fothergill and Mark Linfield. Scary for kids under 10.

THE KID WITH A BIKE

His downbeat dad, Guy Catoul: Jeremie Renier, abandons 11-year-old, Cyril Catoul: Thomas Doret, who is placed in a state-run youth farm. He is rescued, on weekends at least, by local world-weary hairdresser, Samantha: Cecile De France, with whom he forms an unlikely friendship. Cyril searches for a new father figure and his missing bicycle. Cyril's story is presented without cheap sentiment, engrossing with great compassion. Belgian filmmaking brothers Luc and Jean-Pierre Dardenne (The Child, La Promesse) directed, winning the 2011 Grand Jury Prize at the Cannes Film Festival. In French with English subtitles. Adult themes.

MIRROR MIRROR

Exiled by the evil Queen: Julia Roberts (chomping scenery with delight), her unloved daughter, Snow White: Lily Collins enlists aid in regaining her kingdom from

AT THE THEATER • By Dr Annette Lust and Flora Lynn Isaacson

SPRING 2012 FRINGE OF MARIN

The Fringe of Marin is in its 29th season! Program One opened Friday, April 13th with seven new plays and solos.Talented playwright George Dykstra wrote and directed a clever, funny and poignant comedy, *Dirty Questions*, in which a very old prostitute, Flora Lynn Van Appledorn, is interviewed by Harold Delinsky to make sure she is being treated fairly, and she in turn introduces him to life. Under Dykstra's brilliant direction, the two make a dynamic duo.



Dr. Annette Lust

In three solo monologues, performed by Carol Sheldon and directed by Pamela Rand, *Three Old Ladies Talk About Sex*. The first old lady is British and has a very broad concept of sex. Sheldon has great animated facial expressions, a great sense of timing and interacts with her audience. In her second monologue, Wanda Lee, a southern lady with a walker, reminisces about her sexual encounter with a hired hand. She is quite believable here and brings her story to life. In her third, a French character with a musical introduction by Piaf, she uses her body quite well but has some difficulty with her French accent. In *All Gone*, written and directed by Pamela Rand, Pamela Rand and Burl Lampert perform Lisa and Jerry in a madcap farce about liposuction, with perfect timing and hilarious movement .



Flora Lynn Isaacson

Next was *Recipe for Life*, written and performed by Melinda E. Lopez, accompanied by Dale R. Carlson on the sax and flute, Suzanne Birrell on acoustic bass, Gifford Teeple on congas, and David Moltzen on percussion. Lopez, baking a cake for love, not hate, sings about passion, peace and freedom. The fine musical quartet sometimes drowned out the dialog.

*A Chance Encounter*, by David Hirzel and directed by Jim Colgan, introduced us to John (C. Conrad Cady) and Jane (Crystal Nezgoda), former lovers after a 12 year separation, who run into each other at an airport. Both talented actors have dialog that gets better and more believable as it goes on.

The next play, *Noah, The Play*, written and directed by Charley Lerrigo and starring Lynda Sheridan as Noah's wife, Na'amah, Byron Lambie as Noah, and Miyoko Schinner as God, offers Sheridan, who is perfectly cast as Noah's shrewish wife, and Lambie, a strong festival actor, a challenging role of Noah who questions who and what God is. Miyoko Schinner creates God as a beautiful woman who orders Noah to build his ark. In *The Gatekeeper*, written by Patricia L. Morin and directed by Suzan Lorraine, lawyer Camille (Terri Barker) meets with the gatekeeper, Ken Sollazzo, at Cemetery of Emotions to change getting rid of anger to getting rid of mistrust. This philosophical thought-provoking play with great dialog depicts the human emotions one experiences through life. Both Ken Sollazzo and Terri Baker give strong performances.

Brown Money Machine (Cont. fm. p. 8)

Chief Administrative officer overseeing all city contracts, Kelly's husband Harlan Kelly in charge of the multi-billion dollars PUC infrastructure program, the reappointments of Eleanor Johns, Brown's former chief aide and current Executive Director of the Willie L. Brown Institute, to the Airport Commission, her husband Richard Johns to the Historic Preservation Commission with the power to open doors to tax benefits, as well as others at the Public Utilities Commission, Recreation and Park Commission, and down the list.

Mohammed Nuru is only the latest in a list that also includes Supervisor Malia Cohen, Ron Vinson, a senior official with the Department of Technology, Bevan Dufty, Lee's new homeless coordinator and seeking to be elected chair of the San Francisco Democratic Party, among many others.

Add to the list of former staffers and

their partners those who have signed on either directly or through proxies like Rose Pak, and up comes Doreen Ho, newly elected President of the Port Commission with a hands-on role for the America's Cup.

The most important, of course, is Ed Lee, the mayor Brown shoehorned into office and who has done favors for Brown by retaining or naming Brown allies to key posts where they can continue to do favors for Brown clients and allies.

Brown made sure that he had a virtual army of loyalists when he increased the number of mayoral "special assistants" – hired and fired at will outside civil service – from the 119 he inherited to 521 with a request in the 2000 budget for an additional 100 special assistants.

The Corporate Boardroom Meeting It's a room where none of us are invited.

But on May 4, 2004, a dozen corporate

seven clever rebels who live in the woods. Prince Alcott: Armie Hammer is smitten by Snow, but is under a spell cast by the queen. Some humor is provided by the Queen's servant, Brighton: Nathan Lane. Directed by Tarsem Singh, the story has some slow moments, but spectacular sets and costumes. Writers Jason Keller and Marc Klein +3 can share some of the blame. Fantasy action. Mild rude humor.

SALMON FISHING IN THE YEMEN

When Sheikh Muhammed: Amr Waked desires to bring fly fishing to the desert, his British consultant Harriet: Emily Blunt recruits expert Dr. Alfred Jones: Ewan McGregor to help make his dream become a reality by damming water and releasing it under control for irrigating the desert. The whimsical comedy manages to overcome the many improbabilities. The Prime Minister's press secretary, Patricia Maxwell: Kristen Scott Thomas, convinces the powers who want it to happen that it's good publicity. Violence. Sexual content. Brief profanity.

TITANIC – IMAX, 3-D

Director James Cameron's 1997 Best Picture (+ 10 other Oscars) has been fine-tuned and enhanced for this rerelease. There's still the basic love story of First Class Rose: Kate Winslet and Third Class passenger, who won his tickets last minute in a card game, Jack Dawson: Leonardo di Caprio. Her rude, overbearing fiancé, Cal: Billy Zane has the financial approval of her mother, Ruth: Frances Fisher. By the time they get to the lifeboats, the most admirable commonsense survivor of all is Molly Brown: Kathy Bates. The present-day Rose is the frail, lovely Gloria Stuart. The large cast includes: Capt. Smith: Bernard Hill; explorer of the sunken Titanic, Brock: Bill Paxton; Cal's nasty asst., Spicer: David Warner; Thomas: Victor Garber; and Lizzy: Suzy Amis (now Mrs. Cameron in real-life). Profanity. Disaster-related peril and violence. Nudity. Sexual

THIN ICE

A Kenosha, Wisconsin insurance agent, Mickey: Greg Kinnear thinks he's stealing a Stradivarius violin worth \$1.5-million from Gorvy: Alan Arkin. The loony security installer, Randy: Billy Crudup displays his hair-trigger temper at retired farmer Gorvy's home. Jo Ann: Lea Thompson is Mickey's money-grabbing wife. Director Jill Sprecher's co-writer of this screwball dramedy is her sister, Karen Sprecher. Profanity. Intense violence. Sexual content. Disturbing images.

In Program Two, talented playwright Rod McFadden's Getting the Message is directed by award-winning Director Carol Eggers. Wife Christine Melocik teaches her husband, award-winning actor Rick Roitinger, how to play "Charades" so he can impress his boss, and then she leaves him. *There Are No Elephants at Costco*, written and directed by Michael Ferguson, is based on a child's dream about her stuffed animals delightfully, played by Maureen Coyne as Lucky the Mouse, Bill Chessman as Trunk the Elephant, and Velvet Harlow as Nibbles the Rabbit. This play is also perfect for child audiences.

Steve North's solo performance of *The Albatross* presents Steve North as a great stand-up comedian with outstanding stage presence in his take on The Rime of the Ancient Mariner.

*Identity Theft*, written and directed by William O. Chessman III, presents John (Ken Sollazzo) and Jack (George Doerr), who claim to have the same wife Jane (Anne Collins) and the same life The dialog of the Cop played by C. Conrad Cady was a lot of fun. However, this interesting play is a bit repetitive with an unresolved ending.

The second half of Program Two opened with *Point of View*, written and directed by Suzanne Birrell, based on Rashoman in which each character sees the same event in a different way. Lauren (Trungta Kae Kositchaimongkol) thinks of Andrew as a real gentlemen, while Clarice (Crystal Nezgoda) is defending Andrew, who is her brother, as playing the field, and Sarah (Lauren Arrow), who has broken up with Andrew, thinks of him as Shakespeare's Sir Andrew Aguecheek. This is such a clever idea and the actresses pull it off with big contrasts.

*Hitting the High Note*, written and performed by Valentina Osinski and directed by Lauren Lundgren, was a high point of the entire festival. This is a monologue about a singer who wants to be a rock star. The performer is a beautiful woman with excellent energy, wonderful facial expressions, and great stage presence. To accompany her performance, she illustrates it with clever cartoons on an easel. Her timing was right on target!

This was followed by *A Pantry Tale: How the Onion Was Nearly Scorched*, written by Dr. Annette Lust and directed by Suzanne Birrell. In this charming tale, we learn the genesis of French Onion Soup. This is another charming story for children, especially. Birrell does double duty as both cook and narrator with clever performances by Trungta Kae Kositchaimongkol as the Garlic, Crystal Nezgoda as a beautiful Carrot, and Lauren Arrow as the Onion. The blocking and movement of the actors was done with a great deal of wonderful pantomime.

The final production of the evening was Wallis and Finnie in *Cloud Cuckooland*, written by Gaetana Caldwell-Smith and directed by Eileen Tull. In this play, an upper class couple played by Steve North and Annette Oliveira lose their domestic help. These two talented actors play off each other very well in their desperate plight.

A memorable outcome of the Fringe of Marin is to discover fresh voices, and to bring in the community to participate either as an actor or as a spectator.

Flora Lynn Isaacson

leaders gathered around a conference table on the 25th floor of a downtown San Francisco office building.

They had been invited by Willie L. Brown, Jr. to hear his proposal for using his decades of government contacts to do them favors that would net multimillion dollar contracts and put a half million dollars in his own pocket to start.

Just four months earlier Brown had left the San Francisco mayor's office, ousted by term limits.

Brown told the corporate leaders – each had a potential financial interest in a proposed California high-speed rail effort – that he had the contacts to get the Legislature to start the approvals.

Among those gathered were the Parsons Brinkerhoff's CEO and three top officials of the California High Speed Rail Authority.

Brown, according to the Oakland Tribune's account at the time, took his seat at

the head of the table to propose that he, and his former colleagues former Los Angeles Assemblymember and Transportation Chair Richard Katz and former Assembly member – attorney Terence Goggin, a fixture in Brown's money machine, be paid \$1 million. Each of the dozen firms would provide \$100,000 to start.

"In return, they would steer a favorable budget into law by lobbying all the key state politicians. Then they'd launch a campaign to convince California voters to pass a \$10 billion rail bond," the paper reported.

Brown, Katz and Goggin followed three days later with a memo repeating the proposal.

"The memo, obtained by ANG Newspapers, confirms a picture that emerges from interviews with more than half of the participants and dozens of transportation sources familiar with high-speed rail," the paper told its readers.







## Let the Revenue Bond Oversight Committee Sunset

The *Westside Observer* (WSO) has been out front with articles, by multiple authors, criticizing the effectiveness of the Revenue Bond Oversight Committee (RBOC). The San Francisco Public Utilities Commission (SFPUC) has shown its serious sensitivity to these criticisms of both the RBOC and the SFPUC by direct or indirect rebuttals in the WSO. These rebuttals have not dented the stinging criticisms of the SFPUC/RBOC. There was always light: 2002 Prop P mandated the RBOC sunset on 1/1/13.

District 2 Supervisor, Mark Farrell, however, has proposed an ordinance to amend the SF Administrative Code Sec. 5A.36 to extend the sunset date of the RBOC to 1/1/2018 from its current and eagerly-sought demise date of 1/1/2013.

The RBOC was supposed to act as the independent ratepayers' advocate in the matter of revenue bond expenditures. It was placed on the ballot in 2002 by then-Supervisor Tony Hall. It passed with a significant majority. Tony has since disowned the RBOC as having no correlation with what he intended. During the mayoral debates he questioned its legality. Two authors of the enabling legislation describe it as a compliant lap dog of the SFPUC.

Nullification of a major city financial and supposedly independent oversight committee merits immediate, independent, and transparent investigation. It is hoped that the Civil Grand Jury will undertake this task. The Board of Supervisors should support such an investigation. The Board should also withhold revenue bond-funding power from the SFPUC until a proper investigation of the nexus (and impact) between the RBOC, SFPUC, Controller (CSA) and other government and private entities is conducted.

All who proclaim that this committee has been unswervingly true to 2002 Prop P should welcome this intense and open investigation. The Supervisors, by staying the revenue bond funding powers of the SFPUC during this period, will greatly relieve the increasing anxiety among ratepayers, who are becoming overwhelmed by utility rate hikes, spikes which appear to be the tip of the iceberg when all these billions, generated from the sale of revenue bonds, (some sitting in negative interest-bearing accounts), are properly amortized (versus innovative trading of income streams) into the rate structure.

The increasing issuance of revenue

bonds by all entities in San Francisco is a growing concern. Seems San Francisco is creating a TARP-type relief system, to be repaid by future user fees, to cover up past and current inattention to infrastructure problems, and also to act as a "Keynesian" employment multiplier for public-servant positions that have become redundant in the dynamics of recession and technological change.

The Ethics Commission has taken stage center in the very public Ross Mirkarimi hearing. But off camera, the Controller's City Services Auditor (CSA) has high jacked the contracting functions for the RBOC. The vehicle allowing this high jacking was a memorandum of understanding (MOU) between the RBOC and the Controller's CSA in which the SFPUC agreed to pay the CSA for time and effort spent doing so. An inquiry to the Ethics Commission asked: How can the SFPUC justify these expenditures as part of their rate structure? Rates should only include reasonable and allowable costs, not expenditures that make "independent oversight" a joke. The Ethics Commission referred the inquiry to the Whistle Blowers (CSA), the very organization who was benefitting from the funding. The Whistle Blowers referred the inquiry back to the SFPUC. An even darker cloud looms on the regulatory horizon when it is realized the CSA budget is a percent of all city departments, including the SFPUC.

We do need real, transparent, and most of all, independent revenue-bond expenditure oversight. Let this committee benevolently "pass" on 1/1/2013, but let its deeds be reviewed in light of the charter it was assigned in 2002, versus what it actually did 2003-2012. This is also known as public accountability.

Brian Browne is a former member of the RBOC, [browne@westsideobserver.com](mailto:browne@westsideobserver.com)



## SHARON THE HEALTH / By Sharon Caren

### Yoga – Try it for Stress and Pain Relief

According to the National Heart, Lung, and Blood Institute, heart disease is almost twice as likely to develop in physically inactive people. Whether you are 20 or 90, a couch potato or an athlete, yoga is perfect for you.

The yoga practice combines many deferent elements and is easily tailored to each individual. It's personal and non-competitive. You'll gain energy, improve self-image, and might even find exercise can be fun ☺.

Throughout time, yoga is mentioned in ancient texts without reference to the origin. We don't know for sure where it originated. In ancient India, Ayurveda was the system of health. Many yoga exercises were included in that system, designed to master the body and increase health. Yoga might have evolved from these practices.

Yoga was an important part of sacred rituals practiced by Indian holy men and an essential component of meditation. The poses (asanas) were handed down from teacher to student for centuries. Several thousands of years before the birth of Christ, a man named Patanjali began physically documenting information about yoga. This became their guidelines for living, and is now called Patanjali's "Eightfold Path". It's still used today as the quintessential yoga reference.



through the process.

#### Yoga Has Healing Powers

Yoga postures help to stretch, loosen, and align the spine so more energy flows freely throughout the body. It also has a cleansing effect on the body by moving blocked energy. The lymphatic system is the center of the immune system and is stimulated by yoga postures. This plays a big part in the building of a stronger immune system. You'll also enjoy better circulation, digestion, respiration, and

*If you are not flexible, start slow and it will come gradually over time. Before you know it, your joints will loosen, your muscles will stretch, and your body will take on a smoother shape. If you are naturally flexible, jump in. It won't necessarily be simple.."*

#### How did this ancient information get to America?

Nineteenth-Century America was unfamiliar with Eastern thought and tradition. In 1893, Swami Vivekananda addressed the Parliament of Religions. He quickly became popular. Many gurus followed him and brought the traditions west, where it quickly caught on. The Beatles, a popular rock group in the 1960s, became enamored with Eastern thought and visited India, befriending Maharishi Mahesh Yogi. George Harrison, the band's lead guitarist, actually took up playing the sitar (a Hindu stringed instrument that looks like a mandolin) on several Beatle recordings.

Yoga isn't a religion, but encourages the study of all religions and spiritual texts. However, it does offer guidelines for living, spirituality, and communion with the "divine". Yoga is not biased, prejudiced, or exclusive. You can be Hindu, Buddhist, Muslim, Christian, or Jewish. Or you can be agnostic or completely non-spiritual. The yoga practice will help to develop any belief system, or can be practiced completely apart from religion.

#### The three poplar types of Yoga practiced in the U.S. are Iyengar, Bikram and Hatha.

We'll focus on Hatha Yoga. Hatha is based on body control as the key to controlling the mind and freedom of spirit. Through postures (asanas), and breathing exercises (pranayama), it tones and strengthens the entire body. As you focus on physical fitness, mind and spirit also become engaged.

I've studied posture over the past 15 years and use Reposturing bodywork with clients. This one-on-one hands-on work might feel very similar to yoga. The client is guided into the stretch positions (like poses) on a massage table, and coached in breathing. The two most important components of Reposturing, as in yoga, are flexibility and deep breathing. These components allow the body to stretch from the inside out. Sometimes the body is not ready for yoga due to injury, illness or lack of flexibility. No worries....Reposturing bodywork will help you transition into your yoga practice. In the meantime, you'll have a personal coach to guide you

posture. The better it gets, the better it gets!

If you are not flexible, start slow and it will come gradually over time. Before you know it, your joints will loosen, your muscles will stretch, and your body will take on a smoother shape. If you are naturally flexible, jump in. It won't necessarily be simple. There's always a new pose to take you to the next level.

We have become a society looking for balance in a world that seems out of balance. The yoga practice helps us find our personal balance in so many valuable ways. Yoga techniques have been time-tested over centuries and are still going strong. What a testimonial!

#### Yoga Demo and Discussion Group – Free Event

##### Wednesday, May 16– 7:00 to 8:30 PM

If you'd like to learn more, please join Susan Grace, a Certified Yoga Teacher, trained under a physical therapist. You'll experience postures that awaken and strengthen the spine, as well as breath work that facilitates the movement of life energy. Susan will share how she used yoga to heal herself emotionally and physically. She is dedicated to helping others find yoga's multi-faceted benefits. Her style is appropriate for all people, regardless of age or ability.

Please RSVP- space is limited; 650.359.6579 or [Sharon@sharonthehealth.com](mailto:Sharon@sharonthehealth.com)

#### Put this date on your calendar: Yoga Demo and Discussion Group – Free Event

##### May 16, 2012 – Wednesday 7:00 to 8:30 PM

**Florey's Book Company**  
2120 Palmetto Ave.  
Pacifica, 650.355.8811

As always, I welcome your feedback. If you have any questions or comments, contact me at 650.359.6579 or email [Sharon@sharonthehealth.com](mailto:Sharon@sharonthehealth.com) . Also visit: [www.sharonthehealth.com](http://www.sharonthehealth.com)

The views expressed are those of the writer. If you have any questions about your health, you should always consult with your doctor.

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Remember When?



Abandoned cable cars on sand dunes in the Sunset. Not dated. Notes Written on back: "The beach sand dunes at the foot of the Sunset District was the dumping ground for outmoded horse and cable cars at the turn of the century. They were much in demand by enterprising citizens who converted the old cars into both beach houses and permanent homes [Carville]. A few exist even to this day." Permission: San Francisco History Center.

OPEN LATE

By Julie Casson

	1	6						4	
	4		7						1
			9				5		
		1		2		4			
	8			5			2		
		5		7		3			
		4			2				
9					3		7		
	6					2	1		

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.

4	1	2	7	6	5	8	9	3
8	7	9	3	4	1	2	5	6
5	6	2	8	9	5	1	7	4
9	6	5	1	7	4	8	2	3
7	5	8	4	3	6	9	1	2
2	1	3	6	5	4	7	8	9
3	8	7	9	2	6	4	5	1
6	9	4	5	1	3	8	7	2
1	3	8	2	9	7	5	4	6

Stories In The Sand:  
A New History of the Sunset from 1847-1964

By Harold Gilliam

Lorri Ungaretti

Let's face it. The Sunset is not San Francisco's most glamorous district. It lacks the panache of Telegraph Hill, Union Square, Nob Hill, or the Embarcadero. As a tourist destination it's hardly in the same league with Fisherman's Wharf, North Beach, Russian Hill, Chinatown, or even the newly transformed South of Market.

Yet the Sunset is a solid, substantial family neighborhood with its own history, traditions, institutions, and landmarks. Before moving here, I had lived in Pacific Heights, Telegraph Hill, and the Haight-Ashbury, and like many people I chose the Sunset to settle down and raise a family.

After 50 years in the Sunset, I thought I knew everything there was to know about it. I was wrong. Lorri Ungaretti, who grew up here, has done a years-long job of intensive research, pored over innumerable documents, interviewed dozens of old-time residents, and written what must be the Sunset's definitive history.

You will learn here, for example, about how the area was originally thought to be a desert of uninhabitable sand dunes and about the original settlers who nevertheless braved wind, fog, and sandstorms to "homestead" in the dunes. It was then federal land that was considered to be "out west" from San Francisco. The effort of the city to claim these "Outside Lands" was a decades-long legal battle with the federal government before the boundaries of the city were finally extended to the ocean.

It was Mike de Young, publisher of the *San Francisco Chronicle*, who envisioned the possibilities of the Sunset and promoted the idea of a world's fair in the new Golden Gate Park, at the Sunset's northern boundary. The fair drew millions of people in 1894 and encouraged commercial and residential building in the adjacent district. It was not until the 1930s and 1940s that the subdivisions were extended westward to Ocean Beach by such builders as Henry Doelger, who specialized in standard-design homes affordable to young families. Doelger showed his high opinion of the Sunset by building a home there for his own family.

A few sand dunes remained, however, through the 1950s, and Ungaretti remembers trudging through one of them as a child living across the street from Lincoln High School. Long-time residents told her that in the early days the roar of the lions at the San Francisco Zoo could be heard at night across the district. Some of them remembered how the kids used to play in the "mountains of sand" and frequented swimming holes at places where creeks from inland were dammed by the highest dunes en route to the ocean.

into original house deeds and discusses a statewide battle over whether racial minorities could legally be excluded from residential areas such as the Sunset. The practice involved a statewide election and ultimately became a test case in the courts.

Ungaretti profiles some of the people who lived in the Sunset years ago. For example, the award-winning tennis player Alice Marble grew up in the Inner Sunset and had an adventurous life. We also learn about the neighborhood's registered landmarks and other fascinating buildings, including St. Anne of the Sunset, the large church that can be seen for miles and features a frieze conceived and created by a Bay Area Dominican nun.

If you're a resident of the Sunset, I would recommend an observation by writer Wendell Berry: "You don't know who you are, until you know where you are." Read this book and find out who and where you are.

Harold Gilliam is a San Francisco based writer, newspaperman and environmentalist,, book author and former columnist for the *San Francisco Chronicle* and *Examiner* newspapers. The "Harold Gilliam Award for Excellence in Environmental Reporting", given by the Bay Institute of San Francisco, is named in his honor.

STORIES IN THE SAND

San Francisco's Sunset District, 1847-1964

Thu May 24 | 7 pm | Author Lorri Ungaretti discusses, her new book chronicling the years 1847 through 1964 in the city's largest neighborhood: The Sunset District. BookShop West Portal, 80 West Portal.

Lorri Ungaretti

**BRAIN FUD**

Inside each set of the following words, there are a pair of smaller words. By putting & between them, lo & behold, you'll make a familiar phrase. For example, "Thighbone/ Swallowtail" conceals "High & Low."

1. Skyrocketing/Trolleyman

2. Thermometer/Apoplexy

3. Delaware/Bordering

4. Surprised/Trashiness

5. Throughout/Stumblebum

Answers: Below

1. Rock & Roll

2. Mom & Pop

3. Law & Order

4. Rise & Shine

5. Rough & Tumble

Brain Fud Answer



## SECOND THOUGHTS / By Jack Kaye



## Why Do Bad Things Happen?

Since the beginning of time, bad things have happened. They happened in nature, and then Man came along and invented many more. There are hurricanes, tornadoes, earthquakes, floods, droughts, volcanoes, lightning-caused fires and predators hunting, frightening and killing their prey. There is also illness, aging, terrible physical pain and death. All these natural forces cause suffering.

With human acts there are so many more varieties of bad things. There are all of our favorite “sins” like murder, rape, theft, dishonesty, envy, jealousy, laziness, and arrogance, and there are all the specific kinds ranging from individual to group to culture. There are the people cheating on their spouses, there are the businessmen deceiving their customers, there are the adults abusing children, there are the politicians lying openly to further their limited cause and there are those who live off the work of others while contributing nothing themselves. There are the groups and organizations which condone acts of cruelty like hazing, discriminating and causing physical and emotional damage to others. Then there are the cultural cruelties like bull fighting, capturing rare animals to use parts of their bodies for aphrodisiacs, boxing, tyranny, fascism, mistreatment of women, wars, corruption and injustice.

The eternal question is why? Why is there so much suffering and loss? If there is a G-d and if He is infinite, omniscient, omnipotent and benevolent, why does He allow this to go on? (And if there is no G-d, who or what is to blame?)

Our Judeo-Christian teachings explain it as caused by original sin committed by Adam and Eve, our first family. The thesis is that an angel, almost as powerful as G-d, revolted against Him and formed his own kingdom based on evil and sin. This fallen angel (called the Devil, Satan, Beelzebub, or the Prince of Darkness) convinced Eve to partake of the forbidden fruit from the Tree of Knowledge. She did and convinced Adam to do the same. The forbidden fruit has been assumed to be a real fruit, like an apple or orange. It was most likely Eve herself who was the edible. G-d had warned that if they partake, they will die. Since they didn't die immediately, they thought it was a false alarm. What G-d seems to have meant was that they would die, eventually, instead of being eternal. Adam was given one of G-d's days to live. That equals 1,000 years in human terms. Or, at least, that's how the story goes.

So because Adam and Eve did partake in their forbidden fruit from the Tree of Knowledge or Duality, they created original sin and the morality that came with it. So when Adam “chose” to create new life, he chose to have life not only begin, but also to end. The question arises “why did they disobey G-d, their creator and provider?” If anyone ever had free will, you would think that they had. They were not influenced by the media (this was before T.V., radio, the Internet or even newspapers). It wasn't pressure from some peer group, because there was none. It wasn't financial considerations because there was no money and no place to spend it. And it wasn't the result of a poor upbringing because they weren't brought up and their only father figure was G-d himself.

And if they hadn't disobeyed and they had become immortal, they would have had no offspring and there would be no you reading this and no me writing it. But there would also no culture or civilization.

So if it isn't due to original sin, then why do bad things happen? Could there be a single cause, a simple explanation? Yes, I think there is.

### Entropy.

Entropy is a basic law of physics. It is the disorganization of energy. It is the agent of change. Einstein realized what mystics knew for thousands of years - that all matter is energy and that it cannot be lost in the universe, probably because there is nowhere and nothing outside of the universe to which to go. If nothing can be lost, then it must be changed into different forms otherwise life would be static. The mystics realized further that all energy is consciousness. Physics is slowly coming to this realization.

Most physicists would agree with this description of entropy, but few seem to realize its wide implications. I asked the wife of a famous American physicist if he ever talked about the impact of entropy in everyday life. She said that he says it every time he sees his son's messy room. Yes, messy rooms are a perfect example of entropy—a clean and neat room can quickly become disorganized and messy if it is not periodically organized. Physicists see it in sand castles when the tide rolls in and disorganizes the structures returning them to lumps of wet sand. But entropy is much more

pervasive and ubiquitous.

I see entropy as a constant force, much like gravity, pulling at every finite thing or activity. It is the reason we age, get ill, die as well as the cause of mental disorders including Alzheimer's and schizophrenia, and is the primary reason for machines breaking down, errors being made and everything that we think of as sin like lying, killing, stealing and even adultery being committed.

Does this mean that humans have no free will but act only because of the effects of entropy? I think that the answer is both yes and no. No matter what our will is, we will grow old and die. No matter what we do, our cells will die and be replaced by others. No matter how hard we try, we will make mistakes and we will never be perfect. And, I believe that it is because of entropy that Man has created cultures and civilizations with laws and mores reinforced by peer pressure, be they social, economic, political, spiritual or physical. Each culture is a different approach to dealing with the entropy that surrounds and penetrates our being. Some cultures are much better at it than others, cultural relativists notwithstanding.

Entropy causes humans and other animals to get sick and so each culture has its own system of cures and remedies. People and other creatures can harm others so each culture develops laws and enforcement policies to minimize this tendency. Societies set up systems to protect private property and personal well-being against infringement. Cars break down because of entropy so we have organizations to repair them and others to replace them with newer models. Entropy makes us grow tired of the same thing, so we produce new varieties and models. Entropy makes one culture want to dominate or destroy another, and so each country sets up defenses again being disorganized by its enemies. Entropy causes the mind to be disorganized, leading to various mental conditions. We create different strategies for dealing with this, from psychotherapy to meditation to organized religion to medications to tribal dances. Entropy causes us to die so we seek different ways of extending life and cheating death with acupuncture, homeopathy, medicine, surgery and/or prayer.

So entropy can be seen as a necessary evil that destroys in order to create. It is the cause of all our virtue as well. If there were no entropy, there would be nothing to fear and so courage would be unnecessary, we would have no heroes. There would be no poverty and so there would be no need for compassion, charity or hard work. We could not get sick and so there would be no need for medicine, healing or even healthy food and exercise, much less doctors or hospitals. If there were no entropy we wouldn't age and die so there would be no need for children, sex or even physical attraction, Viagra or Playboy. If there were no entropy, we would have little of use to do or be. If there were no entropy it would be hard for us to remember anything because there would be no cause to do so.

It's some consolation to know that although we cannot rid the world of entropy, we must continue to battle it in all of its painful forms knowing it won't disappear, (unless there is a messiah, savior or final Buddha who will bring a Golden Age—one without entropy) but that our efforts will help develop us as individuals, groups and cultures.

But it is little consolation to those of us witnessing the brutality of entropy in our personal lives. It does not relieve the parent whose grown child has been maimed or killed in some unnecessary war. It does not comfort those of us who see an elder loved one losing his ability to hear or see or walk or think or remember. It is of little solace to a person whose 15-, almost 16- year-old dog drags his hind legs as he walks, and collapses unexpectedly. Knowing that it is entropy, life's planned obsolescence, that will force his canine friend to a final rest, does not diminish the heart-breaking pain.

Life is brutal because of entropy, without which there would be no life at all.

In memoriam Corky Kaye-Nyne 9/3/96 - 04/11/12

Feedback: [kaye@westsideobserver.com](mailto:kaye@westsideobserver.com)

## Celebrate the Arts in Our Public Schools

By Carol Kocivar ©2012



One of the greatest assets of San Francisco is the support of arts education in our public schools. And if you live in the West of Twin Peaks area, you are lucky enough to be close to some wonderful opportunities to experience this in our own backyard.

Here is a quick run down of some “not to miss” events in May.

### Young at Art: May 12-20 at the de Young in Golden Gate Park

This 8-day celebration of student creativity in visual, literary, media and performing arts is hosted by the de Young Museum in Golden Gate Park from May 12-20, 2012 (*closed Monday, May 14, 2012*). Brought to you by the SF Unified School District, this unique San Francisco event displays the talent and artwork of students in schools throughout the City.

The 75th Anniversary of the Golden Gate Bridge is a theme of many pieces of artwork in the lobby of this year's festival. Celebrate the 75th Anniversary of the Golden Gate Bridge at the de Young Museum on Friday, May 11, 2012 from 5:00 to 8:00 PM!

This is one event I never miss. It includes a comprehensive Visual Arts Exhibition, Student Performances and a “Family Day” Celebration. You can find more info: [www.youngartsf.com/](http://www.youngartsf.com/)

If you would like to volunteer to help support this event, please call the San Francisco Unified School District's Visual and Performing Arts (VAPA) office at 415-695-2441 and ask to speak with our Volunteer Coordinator, Sylvia Walker. You may also contact email at [walkers2@sfsud.edu](mailto:walkers2@sfsud.edu)

### Ruth Asawa School of the Arts

555 Portola Drive, SF

Another great resource for families throughout the West of Twin Peaks area is the Ruth Asawa School of the Arts, and in May there are many performances to enjoy.

Tickets, times, and more information can be found at: [www.sfsota.org/sotaPerformances.cfm](http://www.sfsota.org/sotaPerformances.cfm)

A sampling of coming events:

### MUSICAL THEATRE CABARET

Monday, May 07, 2012 at 4:30 PM and 7:30 PM;

Drama Studio: Ruth Asawa San Francisco School of the Arts

### KEY NOTES

Thursday, May 10 at 7:30 pm  
\$12; Students/Seniors: \$5

### Brown Money (Cont. from p. 13)

“Over the next 60 days we propose to concentrate our considerable political resources and campaign experience,” the memo states. “This will require a substantial initial consultant retainer for our fees and expenses of \$400,000.”

“Another \$600,000 was needed to start the bond campaign, the memo said. Overall, Brown would get half of the \$1 million, while Katz and Goggin would split the rest.”

According to the article, at least some of the industry representatives viewed the proposal as a “classic shakedown” although trolling for money from potential beneficiaries of government spending is not illegal.

Brown called the group “Friends of California High Speed Rail,” and the meeting and memo appear to be its only event. The organization never registered nor did Brown, Katz or Goggin register as lobbyists. At that time, Brown's proposal appeared to be shelved.

In May 2010, a photograph of the groundbreaking for the first

### Spotlight Reception/Perf.: \$25

Dan Kryston Memorial Theater: Ruth Asawa School Arts

Student pianists will take you on a musical journey from the mathematical precision of the Baroque era, to the evocative rubato of the Romantics, and the Jazz influence of the modern era. Highlights include Brahms' “Hungarian Dances”; “Romance” from Arensky's two-piano Suite Op. 15; Milhaud's “Boeuf sur la Toit”; Gershwin's four-hand arrangement of “I've Got Rhythm”; and Brubeck's “Points on Jazz.”

### MEDIA NIGHT

Friday, May 11 & Saturday, May 12 at 7:30 pm Spotlight Reception on Saturday at 6:30 pm \$15 Students & Seniors: \$10 Spotlight Reception & Show: \$25

### Saturday's Spotlight Reception

with author, activist, and Salon.com founder **David Talbot**, who has been reporting on global and local issues for decades and is a staunch advocate for arts education in the district and beyond.

Dan Kryston Memorial Theater: Ruth Asawa School Arts

### 30 YEARS OF DANCE!

**Directed by Elvia Marta**

Friday, May 18, 2012 at 8:00 PM; Saturday, May 19, 2012 at 8:00 PM Advance purchase: Adults: \$25; Students/Seniors: \$15. At The Door: Adults: \$28; Students/Seniors \$18.

Palace of Fine Arts, 3301 Lyon St.

**30 Years of Dance!** is a dance concert celebrating the 30th anniversary of the Ruth Asawa School of the Arts and SOTA Dance program, performed by extraordinarily talented students.

### THEATRE TECH FASHION SHOW: UNDERLINED

Tuesday, May 22, 2012 at 7:30 PM Online: Adults: \$10; Students/Seniors: \$8. At the Door: Adults: \$15; Students/Seniors: \$10.

Design students showcase their creative style and skills. Dan Kryston Memorial Theater: Ruth Asawa School Arts

[kocivar@westsideobserver.com](mailto:kocivar@westsideobserver.com)

Bullet Train terminal showed that one of those wielding a shovel was Willie L. Brown, Jr. By then the Parsons Brinckerhoff government relations director was Stuart Sunshine, formerly Willie Brown's Director of Parking and Traffic.

One indication that this took place almost a decade ago comes from the report that Brown's cut was to be \$500,000. According to sources approached by Brown recently, his asking price is now double to \$1 million.

Brown's effort to make a handsome living from the contacts he developed as an elected official is nothing new in the world of post-politics.

Nor is it unusual for companies that might gain from public works projects to bankroll measures to first earmark public funds for those projects.

Funding a campaign to convince voters to put money into a project that in turn holds the promise of contracts is very much the way business is done. It was true of the November bond measure for street repair, where just over

Cont. p. 18



Car Drivers Hit (Cont. from p. 7)

revenue has been static and will now decrease by approximately \$4.7 million annually due to the low-income youth entitlement.

Another revenue problem will be constantly-declining ticket revenues. With 328 traffic control officers, 35 supervisors and 25 dispatchers, the SFMTA is issuing fewer tickets each year. The SFMTA issued 134,102 fewer traffic citations, \$7 million less in tickets, in 2009 even though parking meter rates and traffic control personnel were increased. Ticket issuance continues to decline while the cost of ticketing increases.

San Francisco drivers are not stupid and are quickly changing their parking behavior. Drivers are increasingly parking in the neighborhoods, obeying parking requirements or shopping at malls or stores that offer free parking. Many drivers are no longer even shopping in San Francisco as surrounding towns offer lower sales taxes, lower retail prices for goods and services, and—free parking.

Parking tickets and parking meters have become San Francisco's new form of taxation.

The City will lose revenue from both sales taxes and parking fines as people go elsewhere to shop. Parking tickets will also deter shoppers and diners from visiting the City. Who wants to park and pay three dollars in parking meter fees to buy a seven dollar sandwich and then receive a \$70 ticket?

How much is the SFMTA budget really costing San Francisco's neighborhood businesses in lost sales?

*The SFMTA's dirty secret:* only 17.6% of the agency's parking ticket revenue comes from

Brown Money (Cont. from p. 17)

\$150,000 in campaign contributions set the stage for more than \$250 million in spending. It was true for the BART extensions to the airport, and for the city of San Francisco's other bond measures. Unions whose members are most likely to get work also are among the campaign contributors. No law restricts donors to ballot measures, only to candidates for office.

Still, it surprised some to find that Brown was using his considerable network of contacts in the state legislature where he served for 16 years as Speaker of the Assembly and self proclaimed "Ayatolla" against the interests of San Francisco, the city he once led.

In 2009, Brown reportedly turned to the state legislature to overturn a San Francisco law that prevented Parsons from bidding on a city contract with terms it wrote. Parsons then sought to share in the \$26 million Public Utilities Commission contract.

Brown went behind the city's legislators to have the measure introduced by another members of the Assembly. Not satisfied with proposing that the San Francisco law be overturned, Brown had the measure written to take effect retroactively to allow Parsons to bid.

San Francisco's City Attorney already had deemed Parson's attempt to bid on the project to be a violation of state law.

Brown's end-run came as a surprise to the Board of Supervisors, where Brown's actions were viewed as an "attempt to strong-arm the city on behalf of a global conglomerate," according to a San Francisco Weekly article that first broke the news. A resolution opposing Brown's play quickly was introduced.

*The Chronicle* took a swing at the measure in an editorial.

"There is something inherently unfair about going back to rewrite a law after a possible infraction.

"AB746 is more than a technical clarification to the law. It's the type of special-interest lawmaking for the well-connected that gives Sacramento a bad name," opined the Chronicle.

*The Chronicle* noted that the "well-connected" in this case was their own columnist, but also admitted that the paper was unable to get its columnist to return calls.

"Brown, who writes a weekly column in *The Chronicle*, did not reply to messages seeking comment," stated the June 30, 2009 editorial.

The next day, the state senate pulled the bill for the year.

Today, the way into the office of the mayor handpicked by Brown to warm the seat until a new mayor could be elected, and then for a full four-year term, is out the elevator and through the atrium that now holds a bust of Willie Brown. It was moved up outside the mayor's door from its previous place in the basement.

parking meters. The majority of SFMTA ticket revenue, 34.4%, comes from street cleaning tickets. If all City drivers would simply move their cars on street cleaning days at least 134 traffic control officers would be out of work and this decline in workforce might actually allow MUNI to make some money.

Even worse, according to five-time Board of Supervisors President, Judge Quentin Kopp, "San Francisco has misused its share of state and federal gas taxes." Reports by legislative analyst Harvey Rose show that at least \$8.2 million in gas taxes was misused last year to pay for street cleaning. Rather than use gas taxes to pay for basic road repairs like almost every other city in America, San Francisco uses a large percentage of its gas tax revenue to pay directly for street cleaning.

Collecting street cleaning tickets to fund the SFMTA has become more important than basic services such as road repair. That's why voters had to approve last year's \$248 million dollar general obligation bond to pay for road repairs, for which our taxes had already paid.

The empty store fronts and small neighborhood businesses with 20% decreases in annual sales are being victimized by the SFMTA's predatory parking/tax policies. When Mayor Lee, who ran on a "Jobs, jobs, jobs" campaign platform was recently asked specifically how the SFMTA's parking policies were helping small neighborhood businesses create jobs, he could not give a serious answer and joked, "I know that we will be creating more jobs for traffic control officers on Sundays."

George Wooding. Feedback: wooding@westsideobserver.com.

City officials claim the move was necessitated by nothing more than a repair needed at the former location.

Brown does not register as a lobbyist or disclose his consulting contracts, hiding behind the attorney client loop hole, but in the past two years, he played a role in the sale of the Market Street building that now is Twitter's new offices, has ties to AECOM, the company involved in the Transbay Terminal, the Central Subway, the new Public Utilities Commission headquarters, with Recology and more.

San Francisco's lobbyist law, unlike Los Angeles and other jurisdictions, only counts those who directly contact city officials and not those paid to be "big game hunters." They help bag city contracts and permits by advising whom to contact, what persuasion to offer, how to work around any rules and to loom in the background as available muscle.

(San Francisco also leaves a loophole allowing contributions from those seeking development and other permits, banning only contractors from making contributions).

In fact, Brown maintains a higher profile than Mayor Lee as the go-to guy in San Francisco through his *San Francisco Chronicle* column of name-dropping and insider gossip featuring himself.

Raffling Hunters Point to Asian Investors

Last fall, as Brown protégé Ed Lee nailed down a four-year term as mayor, Willie Brown was also stepping into a new role.

He became a broker for pay-to-play overseas investors to obtain visas in exchange for funding projects, aimed first at Hunters Point and then at Treasure Island.

Brown became a principal in Golden State Renaissance Ventures that simultaneously launched the San Francisco Bay Area Regional Center approved by Washington to facilitate EB-5 visas for those willing to invest \$500,000 in disadvantage communities and \$1 million in other locales.

Brown's venture, headed by his longtime attorney Steven Kay, intends to generate \$300 million in its first five years.

"The first fund, which also will be marketed to potential investors in India and Russia, will seek \$27 million from 54 investors for the Hunters Point project's infrastructure," the San Francisco Business Times reported in its March 16 edition. "The next fund will support the residential phase of the project...[the] center also could get involved with the Treasure Island redevelopment project and a life sciences incubator, but those plans aren't yet solid," the

Business Times reported.

Participation in the program through a Center like Brown's carries one huge advantage, in addition to Brown's contacts. The program requires that the investment create 10 new jobs, but if it is arranged through a Center, the job count can be based on a real estate model rather than an actual job count so that things like taxi business and restaurant increases far from the disadvantaged neighborhood would count.

It's a loophole that would make Willie Brown proud.

Applicants will pay around \$40,000 each to Brown's Center for their work facilitating the match up on investment opportunities and the government paperwork for the visas.

After two years, the investor can apply for a green card for permanent residency for themselves and their families, including children they hope can enter American universities. Best of all, they go to the head of the line while poor and middle class applicants for visas wait.

Brown's connections to Bohee and Linda Richardson are like money in the bank.

*The Best of the Net is a monthly feature of the Observer in which we present an outstanding journalistic effort of particular local interest in our effort to assure that our readers are the best informed citizens of San Francisco. Our featured story is from www.citireport.com. If you have a suggestion for our "Best" feature, email: editor@westsideobserver.com*



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*Sergio Nibbi is on vacation (what a job!) He'll be back next month*

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From the Border Hilary Gordon

GARDEN/GUARDIAN

The April Gardener Is June-Minded

By Hilary Gordon©2012/Photos: Blair Randall

Spring is here, and the long-awaited rains are blessing the garden. By the south gate of the Garden for the Environment, I can look with satisfaction at the bright bursts of color from Harlequin Flower and Spring Star Flower blooming on one side of the pathway, while colorful grasses, rockroses, and irises light up the other side. But this is no time for a gardener to rest on her laurels.

Despite the good advice we get from spiritual teachers to live one day at a time,

Now is also my chance to fill this border with some plants which will go off in June and July. I have so many purple African daisies blooming now, I could sacrifice a few of them to make room for some drought-tolerant, summer blooming grasses. Tufted-Hair grass would be a good choice. It forms a neat, colorful clump followed by airy flowers in early summer. As an added bonus, these fade to buff and stay attractive until fall. Chances are, at this time of year I can find them in four-inch pots.



Various border plants

a gardener's mind must be on this question, "What will be blooming in this border three months from now?"

The flowers that are blooming today are the result of work done in fall and early winter. And today's work must plan for the upcoming months. Next to the South Gate a lovely New Zealand Tea Tree is in full bloom, loaded with pinkish buds and white flowers. But what will be beautiful here in late June when the tea tree is finished? Now is the time to clear some spaces, removing plants that didn't do well last year, pruning and shaping things that we do want to keep, and cutting back hard at things that bloomed in early winter and are now finished. Once some space is opened up, we can make some new choices.



New Zealand Flax

When I think of summer blooming choices for the summer-dry garden, I think of grasses, daisies, and sages. Verbenas and lavenders are also on the list. So now it is time to take an inventory of what will be happening here in June. The answer is, not very much. This particular bed, running along Lawton St., is full of plants which are winter and spring bloomers. By June, this bed will be full of dormant plants, resting



Lavender

in the dry season, and waiting for the first winter rains.

Two exceptions are a French lavender and a Copper Canyon Daisy bush. Both of these could be looking good and full of flowers in June, especially if I give them a good haircut today. That way they will be gleaming with new growth and fresh flowers several months from now. I don't have to worry about cutting them back, even though they do have flowers on them right now, because so many other things are blooming at the moment. It's a small sacrifice for a big reward when it is needed later in the summer.

toughen up a little before they are called upon to bloom.

Here's another important thing to keep in mind now. Our dry summer is naturally a resting time for most climate appropriate plants. To keep the border colorful and interesting during the quieter summer months, it is a good idea to include some plants in your nursery list which will rely on texture or foliage color for their beauty rather than on flowers. So along with my Tufted-hair Grass, I will be on the lookout for some small, colorful New-Zealand Flax, a neat, vigorous strappy plant that comes in a rainbow of colors. One word of advice. Check the label to see what the ultimate size of your plant will be. These flaxes are different cultivars which range from one to two feet at maturity right up to the ten-foot giants which are planted by our seventh-avenue gate. Make sure the plant you get is one you will still love several years from now, because it will not get too big for your garden.

With my new grasses and flax, and my refurbished lavender and daisy bush, I can rest in the knowledge that as the current crop of bud and blossom opens and celebrates and finally fades, something else will be waiting in the wings. The babies I plant today will step onstage when today's stars retire, and keep up the vigor and beauty of this section of the border throughout the dry summer months.

**Hilary Gordon** A life-long gardener, trained at the City College Horticulture program, she has worked as a professional landscape gardener from 1984 until the present. Have a question? Meet her in the garden Wed 10-2 and Sat 10-4.



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