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Fire Destroys Squat & Gobble, Vin Debut, Neighboring Buildings Damaged

By Keith Burbank

A fire burned Squat & Gobble, 1 West Portal Avenue, as well as Vin Debut, 9 West Portal Avenue, the West Portal Medical-Dental Building, 15 West Portal Avenue, and 823 Ulloa Street, a mixed use, residential and commercial building next to 1 West Portal Avenue, said Mindy Talmadge, public information officer, San Francisco Fire Department. The West Portal Medical-Dental Building is home to Warren Orthodontics.

Four days after the fire, with plywood removed from at least two windows on the north side of 1 West Portal Avenue, a passerby could see the fire burned the inside of the building and the roof. Little of the roof appeared to be intact.



The Fire Department reported two minor firefighter injuries in the blaze. No civilians sustained injuries, nor was anyone displaced from a residence, Talmadge said.

A passerby reported the fire to the San Francisco Fire Department at 4:40 a.m. Friday, October 12, 2012, according to information released by the fire department.

The fire department estimates Squat & Gobble suffered property damage of \$900,000 and content damages of \$1 million. For Vin Debut and Warren Orthodontics, the fire department estimates property damages total \$1.1 million and contents damages total \$3.5 million. At 823 Ulloa Street, the fire department estimates \$750,000 in property damages and \$100,000 in content damages.

Squat & Gobble has been able to absorb the employees from the West Portal store into its other establishments in San Francisco. "Yes, we've already done that," said J.J., the manager at the store on Fillmore Street in the Lower Haight. "We did that last week." J.J. said he is aware of the fund to help employees of the West Portal store, and he said employees will be able to take advantage of the fund. But he said he doesn't yet know how the fund works.

The San Francisco Fire Department's media relations office has said the fire is still under investigation and the point of origin and cause may not be known.

Four days after the fire, with plywood removed from at

least two windows on the north side of 1 West Portal Avenue, a passerby could see the fire burned the inside of the building and the roof. Little of the roof appeared to be intact. At 823 Ulloa, the City and County of San Francisco's Department of Building Inspection had posted a notice on the window that said "enter the top floor with caution" and only "brief entry allowed for access to contents." At 9 and 15 West Portal Avenue, metal gates surrounded the entrances, and little could be seen from the street.

A fire inspector was on the scene October 16.

Fund established to help employees

The West Portal Merchants Association has established an account with Bank of America to help employees of the businesses that burned in the fire at the southeast corner of West Portal Avenue and Ulloa Street.

"We're not trying to sustain them, but trying to show them that we care," said West Portal Merchants Association president, Maryo Mogannam, owner of The Postal Chase on West Portal Avenue. The name of the fund is West Portal Avenue Association Fire Fund. "Any teller can look it up," Mogannam said. Donations can be made at any Bank of America branch; all the branches in Northern California received notice of the fund.

All of the employees have insurance and will be getting
Cont. p. 6



Photo: Luke Thomas -fogcityjournal.com

Sheriff Ross Mirkarimi, his wife, Eliana Lopez, and son, Theo, at his inauguration Jan. 8, 2012

In 1995, San Francisco voters approved adding a definition of "official misconduct" to the City Charter, which was again expanded in 2003. These newly-created and expanded definitions of "official misconduct" became so vague as to be almost meaningless. The Ethics Commission, in effect, became arbitrators of what the vague and confusing "official conduct" terminology meant.

For example, does "official misconduct" only apply to what you do at work, but not at home? Like Mirkarimi, what if you had not yet sworn an oath of office? What is "conduct that falls below the standard of decency, good faith, and right action"?

Mayor Lee initially had the unspoken support of the five Ethics Commissioners who had been appointed by the Mayor, the Board of Supervisors, the City Attorney, the District Attorney, and the City Controller — the same appointing officials who determine the Ethics

Commission's budget.

The Ethics Commissioners are all attorneys, with the exception of Beverly Hayon, a retired public relations professional appointed by Mayor Lee. Chairperson Benedict Hur, Dorothy Liu, Paul Renne, and Jamieenne S. Studley — along with Hayon — were primed and ready to convict Mirkarimi.

One nagging question throughout the Mirkarimi trial had been whether Mayor Lee was after Mirkarimi — an elected public official — for political reasons, or was he trying to actually uphold domestic violence laws? Clearly, Mayor Lee does not like Ross Mirkarimi or Mirkarimi's politics. Would Lee have acted the same, had Sheriff candidates Chris Cunnie or Paul Miyamoto won the election and found themselves in the same predicament as Mirkarimi?

Mayor Lee said all of the right things regarding domestic violence, but the Mirkarimi case gave the Mayor an

Cont. p. 6

Jettison the Ethics Commission

By George Wooding

The quasi-judicial Ethics Commission has failed the citizens of San Francisco once again. After it's latest performance in the Ross Mirkarimi trial, the Commission should be abolished. (Editor: This is Part 2 of George Wooding's Report).

Mayor Lee's attempt to get rid of an elected official — Sheriff Ross Mirkarimi — for "official misconduct" has only served to weaken Lee's already fading political capital and popularity, and demonstrate how useless the Ethics Commission really is.

Originally, the 1993 Proposition "K" that created the Ethics Commission, was placed on the ballot and was supported by a 7 - 4 vote by the Board of Supervisors. The Commission was established by the voters to serve citizen's interests. Now, due to the Commission's funding and selection process, the agency only serves the interests of politicians and the politically influential.

City Charter § 15.105(e)

"Official misconduct means any wrongful behavior by a public officer in relation to the duties of his or her office, willful in its character, including any failure, refusal or neglect of an officer to perform any duty enjoined on him or her by law, or conduct that falls below the standard of decency, good faith and right action impliedly required of all public officers and including any violation of a specific conflict of interest or governmental ethics law. When any City law provides that a violation of the law constitutes or is deemed official misconduct, the conduct is covered by this definition and may subject the person to discipline and/or removal from office."

LAKE MERCED UPDATE

And the Beat (and Stalling Game) Goes On

By Jerry Cadagan

To understand what's currently happening (or not happening), this article begins with a brief summary of the management debacle at Lake Merced.

The San Francisco Public Utilities Commission (SFPUC) owns the lake. It is not a park within the meaning of the city's Park Code or Charter. In 1950, SFPUC made a grievous mistake and delegated to the Recreation and Park Department (RPD) limited authority to be involved at the lake for "park and recreational purposes". RPD's performance at the lake has left much to be desired, to be charitable. So, in 2007 the Board of Supervisors requested the two agencies work out a better management arrangement with SFPUC taking on more management responsibility. The two agencies did nothing until community activists applied pressure in 2010 and 2011. In November 2011 the Commission of the SFPUC rejected a proposed MOU between the two agencies. The MOU presented by SFPUC staff essentially just perpetuated the dual management situation, which has been a dismal failure. In May 2012 SFPUC staff took another draft MOU to the Commission. It was virtually identical to the one rejected in November 2011. Again it was rejected and the Commissioners showed some annoyance, and asked that within six months staffs of both agencies bring back something more specific. The Commissioners' comments included words and phrases like "plan and budget numbers," "MOU of a narrower scope," and "how financial resources will be secured and concession contracts developed." In other words, the Commissioners gave the staff very specific instructions on what they wanted to see six months later.



RPD's performance at the lake has left much to be desired, to be charitable. So, in 2007 the Board of Supervisors requested the two agencies work out a better management arrangement with SFPUC taking on more management responsibility.

Now, let's fast forward to early October this year. For months, the Lake Merced matter has been scheduled to be before the SFPUC Commission on November 13. In early October I sent an email to senior SFPUC staff asking what they had planned for that meeting. The response incredulously said, "Based on the Commission's comments at the May 8 meeting, we have done no further work regarding an MOU between the SFPUC and Rec and Park." We're not making that up! After specifically being

told that the Commissioners wanted an MOU of a narrower scope, with a plan and a budget, and explanation of how RPD was going to handle finances and concession contracts, the staff at SFPUC keeps a straight face in telling the activist community that they are not doing any more work on the MOU.

But it gets better. Having had since May 8 to do a better job sorting out responsibilities, the SFPUC staff just delayed the November 13 appearance

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St. Luke's Women's Center Meet & Greet

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Politics or the Will of the Voters

By Former Supervisor Tony Hall

Prior to 2002, all Revenue Bonds issued in San Francisco were subject to voter approval. In 2002, Supervisor Tom Ammiano sponsored and passed Proposition E, which essentially took away the voters' right to approve revenue bonds.

In anticipation of this disaster, in November of 2002, I authored and sponsored Proposition P, which established a Revenue Bond Oversight Committee (RBOC). The measure passed overwhelmingly at the ballot box. The purpose of this committee was to provide citizen oversight of how the billions of dollars in revenue bond monies would be managed by the San Francisco Public Utilities Commission and the City Administration.

True to form and as politics in this City would have it, when Gavin Newsom was elected Mayor in November of 2003, he immediately conspired with the Controller at that time, Ed Harrington (who eventually became the general manager of the SFPUC), and Patricia Martel, then the general manager of the SFPUC, to undermine the mission of the RBOC in order to have full control of the management and dispersion of all revenue bond monies relating to the Capitol improvement Programs of the SFPUC. What was at stake here was the billions of dollars of contracts that the City would be issuing for improvements to our water, power and sewer services. Within a year and a half of the passage of Prop P, they were successful in thwarting the will of the voters and the intent of the legislation by stacking the RBOC with staff members from the very agencies that the RBOC was supposed to be overseeing.

At present, the RBOC (Revenue Bond Oversight Committee) is not operating legally or according to its original guidelines, and therefore should be terminated, unless the Supervisors... restructure the RBOC with proper appointments and direction as intended. It is important to understand that the illusion of oversight is significantly worse than no oversight at all.

The strength of the Prop P legislation called for the RBOC to contract for independent audits, by outside agencies, of the management of revenue bond monies. After the RBOC committee was successfully taken over by "city family" members, a vote was cast that resulted in the RBOC signing a Memorandum of Understanding (MOU) that restricted the RBOC to only contract with the City Services Audits division of the Controllers Office!

Talk about an end run, this was a classic bit of political maneuvering that resulted in the foxes in charge of the hen house!

For those of you who are numbers oriented, let me put the severity of this problem in a different perspective. In 2002, we were looking at a cost of approximately 3.6 billion dollars for the CIP and WSIP improvements. With the delays in construction and a cost of issuance at 14% for financing, we are now looking at a cost of about \$4.6 billion dollars for what we bargained for in 2002. We are also now being told that an additional 3 billion dollars will be needed for the water supply improvements program and an additional 7 billion dollars will be needed for a complete sewer overhaul. This amounts to an eventual issuance of some 15 billion dollars in revenue bonds to complete the program. It doesn't take a brain surgeon to figure out that without proper oversight, the taxpayers and voters are once again going to get the shaft by our beloved "city family."

Prop P is slated to sunset on January 1 of 2013 because most of the monies involved in the SFPUC Capitol Improvement Program (CIP), now renamed the Water Services Improvement Program (WSIP), should have been well underway or completed by now.

With the never-ending mismanagement of municipal services, the status regarding the completion of these various projects is nowhere in sight. Now there is a call for the "illusion of oversight" to be continued by the request for an extension of the RBOC beyond 2013, so that the foxes can continue to play their games with the taxpayers money.

Let me be very clear here: The intent of the Prop P legislation that you passed in 2002 has never been implemented. There has never been any meaningful oversight of the management of revenue bond monies. The RBOC has never functioned in the way it was intended by the legislation that I authored in 2002, and for which you voted. The people who are supposed to be audited and monitored by the original RBOC are now requesting

that that committee be extended, and since they have control over the committee, they can do whatever they want with your revenue bond monies without any oversight.

My statement to the Board of Supervisors Rules Committee on Oct. 18th was a recap of all the above, since it is conducting a hearing regarding the extension of the RBOC.

My conclusion is that unless the Board of Supervisors can insure the appointment of truly independent and knowledgeable citizens to the RBOC, who are allowed to contract with outside auditors, then they might as well let that committee sunset because presently it is not functioning as intended, and its existence only paves the way for more mismanagement and corruption.

The Prop P legislation provided all that is necessary for true oversight if the committee was allowed to operate as intended. At present, the RBOC is not operating legally or according to its original guidelines, and therefore should be terminated, unless the Supervisors are willing to live up to their oath of office to represent the best interest of the people of San Francisco and restructure the RBOC with proper appointments and direction as intended. It is important to understand that the illusion of oversight is significantly worse than no oversight at all. The ball is now in the Supervisors' court to do the right thing.

District 7 Race

Many people in District 7 have asked me about the candidates running for Supervisor in our district.

I have thrown my support behind Bob Squeri for that seat because of all the candidates, he stands alone in his commitment for true independence in representing the issues that are most important to the residents of this district. His desire to place the welfare of the residents of District 7 above any personal agenda or political pressure from the establishment has been repeatedly demonstrated in the many debates, forums and positions that he has articulated throughout the campaign. As a native of the district, he knows that the unique lifestyle that all the folks West of Twin Peaks enjoy can only be maintained by someone who is not afraid to stand up for what is right. As a successful businessman with a remarkable track record of job creation and charitable accomplishments, he is willing to undergo personal sacrifice to represent us. I believe that his campaign is gaining momentum and that he is the right person for the job. Please visit his

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RUMINATIONS FROM A FORMER SUPERVISOR By Quentin Kopp



Photo: fogcityjournal.com

The State of the State's General Fund

As promised, I convey State ballot measure and recommendations and observations for the November 6 election. Perhaps, not surprisingly, almost all of the ballot measures contain a common theme, especially rkegarding tax increases. The source of such measures this year (and increasingly) is wealthy Californians, who, having succeeded financially either by work or legacy, evidently believe they can solve State fiscal and other problems by their personal ideas. They're not alone. Our Governor and legislators similarly violate the fundamental principles which characterize sound government, state or local.

Every tax increase measure at the November 6 election, however, diverts desired tax revenue increases to special purposes. That then limits the ability of the executive and legislative branches of state government to spend those tax proceeds in accordance with policy decisions, which change from year to year..."

Our state budget depends primarily upon the principle of transmitting state income and excise tax revenue to the General Fund of the State of California, thus allowing the legislature and Governor thereafter to decide on the allocation of money in the General Fund. Every tax increase measure at the November 6 election, however, diverts desired tax revenue increases to special purposes. That then limits the ability of the executive and legislative branches of state government to spend those tax proceeds in accordance with policy decisions, which change from year to year depending upon economic, social and other circumstances. Repeatedly, we read of political frustration over voter-adopted initiatives limiting the ability of the Governor and Legislature to govern in prudent, wise ways. Initiatives were authorized by California voters in 1914 as a hallmark of Governor Hiram Johnson's reforming of California government. His idea was voter action if elected representatives avoided desirable actions benefiting the general welfare of Californians. Today, initiatives qualify for the ballot almost always because of tens of millions of dollars of expenditures by unions, corporate associations, and billionaires, not volunteer citizen voters. Each such initiative possesses pet policy objectives, unions for more tax money to pay public employees, corporations to avoid paying taxes and regulation, and billionaires for some perceived omission or public malady which, in their singular opinion, needs curing.

Proposition 30 represents an example; it's the Governor's vaunted \$6,000,000,000 increase in the state sales tax by 0.25% for four years and the state personal income tax on annual earnings over \$250,000 for seven years. Instead of placing the increased tax revenues in the General Fund, however, to obtain campaign money from the teachers' unions and seduce single interest voters, 89% of the tax revenue is allocated specifically to K-12 schools and 11% to community colleges. Yet, the State Constitution, as a result of a 1988 Constitutional Initiative, already guarantees public school education a minimum 40% of the total General Fund. (Never discussed regarding Proposition 30 is its elimination of state reimbursement of local government costs for imposition of new responsibilities or "mandates" on cities, counties, school and special districts. Also ended would be the historical state financial responsibility to local agencies for the costs of following open meeting procedures of the 1953 Brown Act.)

To save suspense, I recommend a vote against every state proposition which increases taxes of any kind and does not convey the increased tax revenue to the State's General Fund. That includes disapproving Proposition 30.

Although separated numerically, **Proposition 38** is of the same genre as Proposition 30. It increases personal income tax rates on annual earnings over \$7,316, allocates 60% of the tax increase to K-12 schools, 30% to repaying State debt (a salutary purpose), and 10% to early childhood programs during the first four years it's in effect. Thereafter,

it allocates 85% of increased revenues to K-12 schools, 15% to early childhood programs. The sponsor is one Molly Munger, a billionaire's lawyer daughter who has upstaged the Governor and Legislature with this even more transparent special funding measure. Vote "No" on prop 38.

Proposition 39, another billionaire sponsored measure, begins with a laudable policy, namely, requiring businesses operating in other states to calculate their California income tax liability based upon the percentage of their sales in California, instead of allowing them to choose a tax liability formula which is more favorable for businesses with property and payroll outside of California. The rich sponsor, however, could not resist the idea of attracting voters by dedicating \$550,000,000 annually for five years to a special fund for projects which supposedly increase energy efficiency and clean energy. Half of the increased revenue would be allocated to public schools and community colleges. Why? Obviously, the proponent thinks such praiseworthy activity as conserving and improving energy efficiency and education spending will motivate voters. He couldn't simply allow the Legislature and Governor to distribute increased \$1,000,000,000 or so in corporate taxes to such purposes. Taxing multistate corporations properly should have been done by the legislative and executive branches, but nevertheless, I will vote against Proposition 39 in my singular effort to restore elementary fiscal governmental principles.

Proposition 31, yet another initiative constitutional amendment and statute, establishes a two-year state budget cycle, prohibits the Legislature from approving new expenditures of over \$25,000,000 without identifying off-setting new revenue or spending decreases, enables the Governor to cut the state budget unilaterally if he finds and declares a fiscal emergency and the Legislature fails to act, requires performance reviews of all state programs, performance goals in state and local budgets and publication of bills at least three days prior to legislative vote. On balance, it deserves support.

So does **Proposition 32**, which prohibits unions and corporations from contributing directly or indirectly to candidates and candidate-controlled political committees, permits voluntary employee contributions to employee-sponsored committees or unions if authorized annually in writing, prohibits corporations from using payroll deductions, if any, for political purposes, prohibits unions from using payroll-deducted funds for political purposes and prohibits government contractor contributions to elected officers or officer-controlled committees. The aim is justifiable. We wring our hands over special interest influence on candidates and officeholders. Unless the First Amendment to the United States Constitution, however, is amended, this measure and similar future measures cannot stop so-called "independent committee" expenditures for or against candidates, much less ballot measures. That is law established by the United States Supreme

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Two Steps Back

By Steve Lawrence

CleanPowerSF.

The Board of Supervisors has advanced public power by endorsing CleanPowerSF. Progressives won, and also added an extra: a “robust” program is to specially accommodate low income and non-English speaking residents. Participating customers will spend an average of about \$18 per month extra so that their electricity is claimed to be “100% renewable.” Bureaucrats are to make sure that low income customers feel welcome. This includes outreach in the customer’s preferred language, lower rates (20% off), and a smaller penalty for changing provider. Ice that cake!

How much more renewable energy generation will CleanPowerSF add? The promise is, “For every kilowatt-hour of energy program participants consume, an equivalent amount of renewable energy is produced.” Sure, but would the renewable kilowatt have been generated anyway? Is this a feel-good program for a city that excels in righteousness and superiority? Does renewable generation really rise, and how much—or how little? Is the program really about sticking PG&E in the eye, and laying the groundwork for public power? When will City government refrain from spending and expanding?



SFPUC adds another \$2.2 million project to its Water System Improvement Program with this (non-)explanation: “The costs for those activities were not included in the WSIP budget because it was assumed that they would be covered in the Water Enterprise operating budget . . .” Why were the activities—monitoring the restoration of vegetation at construction sites—not included in the operating budget? No need to say. This is what passes for City government transparency?

Affordable housing.

Once private builders provided the City’s housing stock. The market dictated what to build, and competition controlled prices.

Could that work today? Probably not if the City continues with its recent practices and policies.

Housing in small, desirable San Francisco has long been expensive. After moving to the city at age 23, renting and living in communal houses, in 1983 my wife and I bought our first home, a two-bedroom townhouse, for \$162,500. In today’s dollars that equates to \$375,400. Today that sum would buy little. But the interest rate on our first mortgage was 12.5%. The monthly mortgage payment, \$1650, is today’s equivalent of \$3815. Today a mortgage of \$630,000 for a home costing \$700,000 with a ten percent down payment—less than the twenty percent we put down—requires monthly payments of \$2829.

When I was a first-time home buyer one was on his own. You engaged a realtor; you applied to a bank for a mortgage loan.

Were I a first timer today, I would start by taking the City’s home buyer education course. Then, the new home buyer applies to the government. Buyer is told how much he or she can afford, and is given an assistance package—help with the down and with closing costs. Government dictates the mortgage loan terms. The actual home may be built with public funds collected from developers to build affordable housing. About half of the housing built here is “affordable,” which means publicly assisted.

Is this public involvement necessary? An improvement?

Or, does government first inflate the cost of housing, then, find housing too expensive, fund “affordable” housing? Government increases cost with red tape and delay, further increases cost by requiring that a portion of units be “affordable,” or, alternatively, the developer pays into an affordable housing fund so that the government can build.

Surely all this increases the power of government. But what does it do for the cost of housing? In the long run is housing more affordable?

San Francisco’s affordable housing efforts have been audited, receiving mixed results. An audit found that affordable housing is not properly marketed, sits empty, and those who cease to qualify often over-stay for long stretches. (No doubt bureaucrats are “too busy.”)

Whenever the government is involved, worry about favoritism and corruption, not to mention waste. Today you get put on a list and have a long wait. Your name may be “lost.” Or, having the right stuff perhaps your name rises on the list.

One purpose of affordable housing is to help the homeless. Another is to keep San Francisco diverse. Perhaps government must be involved in achieving these goals. But must government help the first time home buyer?

If San Francisco is to balance its budget and slow the growth of government spending it needs to do less, and should do what it does more efficiently.

Clear as mud.

SFPUC adds another \$2.2 million project to its Water System Improvement Program with this (non-)explanation: “The costs for those activities were not included in the WSIP budget because it was assumed that they would be covered in the Water Enterprise operating budget but due to the immediate need to fund these activities, the WSIP will cover the cost of that work through October 2013.” Why were the activities—monitoring the restoration of vegetation at construction sites—not included in the operating budget? No need to say. This is what passes for City government transparency?

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My Two Cents / Will Durst

REMOJOED.

Got to relish the sidesplitting spectacle of millions of Democrats wiping their collective brows after watching the 2nd presidential debate through splayed fingers covering their eyes. MSNBC’s Chris Mathews was so euphorically relieved he nearly broke down and cried. Although, truth be told, he probably cries during Coke Commercials. Especially the cute ones with the polar bears.



He blustered and filibustered and at times seemed almost flustered. Demonstrating the same respect a busy boss might show in the presence of underlings, cautioning the president to “Hold on, I’m talking.” And pushing Jim Lehrer around is one thing, but bullying Candy Crowley, quite another. Mind the gender gap.

It became immediately apparent, this time around, President Obama spent the time at debate camp doing more than practicing lanyard weaving. Aides report he devoted three days to prepare for the Hofstra University showdown, as opposed to the couple hours he took off last time. Of course that doesn’t include the 90 minutes of the first debate.

Nobody cares how he did it; the main thing is; Obama got his mojo back. He remojoeed. The Major Mojo Mofo no longer runs in Slo-Mo. He was focused, energized and seemed determined to not let the challenger go all Joe Frasier on his butt again.

GOP candidate Mitt Romney stuck to the game plan that worked so well in Denver. Float like a butterfly, sting like a jelly fish. A style he surely perfected storming the sidewalks of Paris’ 16th Arrondissement during his missionary days. Shoot first-evade questions later. Although, in retrospect he just may have drunk too deeply from Joe Biden’s bottomless flask of Red Bull.

He blustered and filibustered and at times seemed almost flustered. Demonstrating the same respect a busy boss might show in the presence of underlings, cautioning the president to “Hold on, I’m talking.” And pushing Jim Lehrer around is one thing, but bullying Candy Crowley, quite another. Mind the gender gap.

Perhaps Romney’s people forgot to update his operating system because America’s prospective CEO also committed some unforced errors. First the binder blunder, where he awkwardly dodged a question about equal pay for women to segue into a story about “binders full of women.” Pretty sure we can trust Bill Clinton to get to the bottom of this. Then again, maybe it’s some sort of super secret magic Mormon thing.

The biggest snare was the Benghazi tiger trap, where Romney accused the President of not calling the death of our Libyan Ambassador a terrorist attack. He should have sensed something was up when the President sweetly encouraged him to “please proceed Governor,” but nonetheless walked right onto the straw covering the staked hole.

Candy Crowley, who was in the Rose Garden for the very press conference in question, confirmed Obama’s words. “No, no, he said it.” Romney got so upset, the Secret Service might be wise to move to Def- Con 4 for the final mano a mano at Lynn University in Boca Raton which could escalate from more mere malarkey to full body contact.

The Right became positively unglued calling Ms. Crowley a communist, a terrorist and an assassin. Suffice it to say that if Romney wins, she will be encouraged to accompany Big Bird job hunting. The rich and the righteous are never happy when the “help” talks out of turn.

The irony is, Romney’s self-inflicted wound stemmed from a flagrant violation of the rules agreed to by both candidates not to ask each other direct questions. But that’s something we’ve seen time and time again from the 1%. The rules don’t apply to them. The only rule they adhere to is the Golden Rule: he who has the gold makes the rules. Buy this.

5 time Emmy- nominee Will Durst has a new e- book: “Elect to Laugh!” published by Hyperink. Available at redroom.com or amazon.

Guest Commentary

City College: Educating San Franciscans for over 75 years

By Kathleen White

As the largest community college in California, City College of San Francisco (CCSF) serves almost 100,000 students annually and is our own local resource and treasure. As a native San Franciscan and CCSF faculty member, I have witnessed the daily transformations that have taken place at the college.

Come and take a class with us in the spring semester. . . . We are not glamorous, we are not selective and we are not exclusive. We belong to you and we are a college for the community, your community. We are San Francisco's community college and we know we can depend on you.



Some of the transformations have been, in fact, miracles: a former foster youth who becomes the valedictorian speaker at graduation, a former prison inmate who transfers from CCSF to UC Davis seeking a law degree, a wounded veteran who leaves CCSF with a dream of a medical degree and a 4.0 GPA, a disconnected high school student who transfers from CCSF to SFSU with the goal of becoming a teacher in his own neighborhood elementary school. The stories and the miracles go on and on.

CCSF is a place where dreams are realized. It is likely that your neighbor, your daughter, your uncle or your co-worker has enrolled in our classes. It is probable that the police officer, the firefighter, the teacher, the nurse, the corporate executive, the chef, the gardener and the bank teller at your local financial institution found their career at CCSF.

Our doors have remained open to serve San Franciscans. We teach new immigrants English. We breathe deeply and smile wisely when the new crop of high school graduates from SFUSD and other local high schools arrive each year and remind us of what we don't know — we help career changers develop new skills and we daily open our doors to students that simply want to learn.

We are also in the midst of a fiscal and organizational crisis. We have tried

to continue to serve our community in the face of crippling budget cuts and reductions. We have tried to continue to serve San Francisco with fewer resources.

We have made some mistakes and some flawed administrative decisions. But we have a long history in San Francisco and we know we have many supporters. We know that we have transformed lives and empowered individuals. We know that we have leveled the field and have been part of social justice in action.

And now we need your help. We have been there for you and now we need you. Help us. Vote for Prop A on the local ballot and Prop 30 on the statewide ballot this November.

Come and take a class with us in the spring semester. Send your high school graduate to us. If we helped you or played a role in your educational journey, tell your story. If you work in San Francisco, ask your employer to support training and education for your co-workers. Help us to regain our strength. Help us to continue to serve San Francisco for another 75 years.

We are not glamorous, we are not selective and we are not exclusive. We belong to you and we are a college for the community, your community. We are San Francisco's community college and we know we can depend on you.

A Clarification from last month's Observer

Regarding the Candidate Forum article on page 7 of the October issue of the Westside Observer. "Andrew Bley wasn't sure where he stood on prostitution" is not true. I know where I stand and where I do not; I do not propose legalizing prostitution in San Francisco. When that issue came up I had already been objecting to the overall format of the yes/no portion of the forum. A wide variety of multi-faceted, nuanced questions were being asked and we were told that we could only answer "yes" or "no" (we were actually given ping pong paddles with "yes" and "no" taped to either side). I objected to the black & white nature of this format and one of the moderators said to me, "well, at the end of the day, you have to vote one way or another." My response to her was, "the day is far from over for many of these issues and they need to be examined and discussed before being voted upon." I would happily discuss any of the topics raised in that portion of the forum (free/discounted Muni for youths/ students, approval/rejection/amendment of Parkmerced development plans, whether sex laws should be strengthened/weakened/amended, etc.) but to reduce them to one side of a ping pong paddle does a disservice to the voters who are trying to discover not just how candidates would vote but also how they come to those conclusions.

Andrew Bley, Candidate for District 7 Supervisor

Running Wild: A long, hard look at RPD finances

By Anmarie Mabutt



Vote No on Proposition B. The approval of this \$195 million bond measure would only encourage the San Francisco Recreation and Park Department's relentless mismanagement of some of the most beautiful public park spaces in the country. Although required by the Administrative Code as part of the annual budget process, the SFRPD has never supplied the cost information for the fees it charges. No detailed accounting whatsoever by RPD management for the cost of the parks, gardens and recreational facilities it maintains and the services provided therein. Despite a citizens' lawsuit filed earlier this year that seeks to enjoin the RPD's longstanding policy of hidden costs and excessive fees, RPD General Manager Phil Ginsburg, Finance Director Katie Petrucione and City Attorney Dennis Herrera insist there is no limit on the extent to which San Francisco officials may profit off of the public park space.

Just weeks after the citizens' lawsuit was filed, San Francisco officials were feeling the heat. Longtime general counsel for the Department and the author of the majority of the RPD's fee gouging legislation over the last decade, Deputy City Attorney Virginia Dario Elizondo, was relieved of her duties for RPD. Around this same time, the Board of Supervisors quietly eliminated the local law Park Code Section 12.20 that prohibited excessive park fees. And they did so in the most gutless of ways by adding the legislation as a rider to an ordinance, File #120274, that increased the parking rates at the Golden Gate Music Concourse Underground Parking Garage. Apparently, the Board of Supervisors thought that a massive 180 degree shift in the City's stated policy regarding the treatment of public park space and programs as profit centers might not sit well with members of the general public, so it was hidden within the Parking Garage legislation. Until the Board's recent "amendment" of Park Code Section 12.20, local law was consistent with a state law, Government Code Section 50402, that prohibits excessive park fees. It seems the Board and the City Attorney were worried about the implications for the pending lawsuit so they quickly drafted a major change to the language of Park Code Section 12.20.

Around this same time, the Board of Supervisors quietly eliminated the local law Park Code Section 12.20 that prohibited excessive park fees. And they did so in the most gutless of ways by adding the legislation as a rider to an ordinance, File #120274, that increased the parking rates at the Golden Gate Music Concourse Underground Parking Garage.

Like so many of the laws in San Francisco, it appears Park Code Section 12.20 was not worth the paper it was written on. In amending the law, the Board and the City Attorney claimed they never meant what they wrote and that's why they never complied with the law. In other words, despite a local law that specifically prohibited excessive park fees and the Controller's annual certification in the Final Fee Schedule that all park fees are set at less than the cost of recovery, for at least the last eight years, the Board of Supervisors have approved dozens of excessive fee ordinances and the residents and visitors to San Francisco have been paying more than \$10 million in excess fees to the RPD! The majority of the excessive fee revenue comes from the parking garages and lots located on RPD property, the Union Square Garage, St. Mary's Garage, Portsmouth Square Garage, Civic Center Garage and the Kezar parking lot. The bulk of the remaining excess revenue comes from the RPD's permit, admission and recreation and program fees.

In the last four years, the admission revenues for RPD have more than doubled from \$1,750,000 reported in

FY 2007-2008 to \$3,592,055 for FY 2011-2012. The revenues earned by RPD for recreational service charges have also doubled in that same period from \$1,161,000 reported in FY 07-08 to \$2,460,000 by FY 11-12. These skyrocketing revenues have occurred over precisely the same period during which RPD has replaced the overwhelming majority of its salaried recreational staff with temporary, as needed personnel, independent contractors and non-profit partner employees. This newly adopted "model for recreation service delivery" has drastically reduced RPD labor costs. Yet, the fees charged to the public for recreational programming have continued to increase. Before approving any new bond measures, the residents of San Francisco should insist on a proper and comprehensive accounting of RPD finances. The time is long overdue to investigate exactly how RPD makes and spends its money.

Anmarie Mabbutt is a California attorney and former longtime SF resident. Feedback: anmarie@westsideobserver.com

Sons in Retirement

Retirement, the Good Life, Right?

So many men, after working many decades, look forward to retirement away from the pressures and rigor of work. Often times they find it may not be what they had envisioned. When projects they planned to do are usually at an end six months later, they become bored and don't know what to do next. Statistically, women live 3-5 years longer, in part because they are more sociable which helps them deal with any aggression or withdrawal. Developing friendships brings comfort that mitigates stress. Men don't garner friendships as much as women, and spend too much time watching the game, maybe golfing, and frequenting the watering hole.

Enter SIR

The SIR organization was born with Damian Reynolds and his idea of organizing a group of retired male friends to meet monthly for lunch. Sons in Retirement (SIR) was incorporated in 1959 in San Mateo. Today SIR has 18,000 members in 150 branches covering Northern California. The basic rules are simple:

A luncheon club of retired men from gainful employment.

No dues, initiation fees.

The organization espouses no political party, religion or sect.

Eligible men will be invited to join after attending a lunch meeting.

Each branch will have a monthly lunch and a guest speaker

SIR is a non-profit corporation and is open to retired or semi-retired men regardless of race, age, color or religion.

We don't raise money. We don't have a political agenda. We don't have a religious orientation. We don't sell light bulbs or anything else. We don't have dues as voluntary member contributions keep us going. We don't have a problem with organizations that do these things; it's just that we don't. You've paid your dues to the working world - it's time to enjoy life.

Local Branch 4

A local San Francisco/Peninsula branch meets at the Elks Lodge in South City the first Wednesday of the month and starts with a social hour at 11:00am and

lunch at 12:00. Cost of lunch is \$15 currently. Guest speakers present a variety of subjects. Additionally we schedule a monthly local tour. Past examples are the SS Jeremiah O'Brien Liberty Ship and Anchor Steam Beer tour. Additionally we offer monthly recurring activities like golf, bocce ball, bowling, pinochle, computer club and wine tasting. Other local branches engage in other activities you can join like amateur radio, tennis, fishing, etc. Additionally fellow SIR organizations sponsor cruises and other trips out of state. Branch 4 is very active with a membership of about 200 members.

Membership

Paul Rosenberg is a history buff that after joining found likeminded history enthusiasts and renewed old acquaintances. Ken Reed enjoyed running and now enjoys long walks, and golf. After he joined, he started a monthly Walk for Health on the streets of San Francisco. Ken is also our recruitment chair and by way of this article welcomes you to call him to answer questions about SIR. For more information call Ken at 415 810-3832 or our Membership Chair and South City resident, Bill Gipe at 650 878-5746. Our web site is <http://branch4.sirinc4.org>

Tony Hall (Cont. from p. 3)

web site at www.BobSqueri.com
In addition to Bob, I believe that FX Crowley is conducting a credible campaign with a sincerity that demonstrates his desire to achieve that position. He has assured me that his strong union backing will not deter him from attending to the needs of all residents of the district, should he prevail.
Joel Engardio has articulated an

Kopp (Cont. from p. 3)

Court in 1975 and most recently in 2010. Proposition 32 opponents condemn Prop 32 because it doesn't halt such special interest committees from collecting and spending enormous amounts of money, usually to defeat a candidate, often to elect a candidate. That's an unjustified condemnation; it ignores existing constitutional law. Vote "Yes" on Proposition 32, which does as much as a law allows.
Proposition 33 is a tricky initiative funded by an insurance company magnate which allows insurance companies to grant discounts to drivers with history of prior insurance coverage and increase premiums to drivers who haven't maintained continuous coverage. It allows insurance companies to set premiums based on whether the insured driver previously bought automobile insurance from any insurance company. It's unnecessary; it is potentially punitive towards tens of thousands of Californians. California law presently allows automobile insurance policy premiums to be predicated upon the insured's driving record, the number of miles driven annually, and the number of years the insured has been driving, in descending order of importance. It doesn't need change. Vote against Proposition 33.
Proposition 34 repeals the death penalty for first-degree premeditated or murder during a felonious act and replaces it with life imprisonment without possibility of parole. Noteworthy is its retroactive application to persons already sentenced to death. Here's another special funding "teaser" to stimulate voters to approve it; estimating state and county savings of \$100,000,000 per year from death penalty abolition, it allocates all that money to law enforcement agencies, ostensibly for investigation of homicide and rape cases. By now, you see the cunning method used by initiative sponsors: throw some money at a special interest and you'll get votes.
That's what **Proposition 35** similarly does. It begins with the logical provision to compel persons convicted of human trafficking for sex to register as sex offenders, increases fines, requires sex offenders to furnish information about Internet access and identities, prohibits introduction in trials of evidence that a victim engaged in sexual conduct with other persons, and requires human trafficking training for police officers. The sponsor is an attorney who ran unsuccessfully for Attorney General last year and probably thinks this will promote his ability to do so again in 2014. Its worthy purpose, however, is diluted by use of revenue from higher fines for specific purposes, instead of the General Fund. I refuse to award such voter pandering with a vote. Oh, and by the way, trafficking victims are no longer dubbed prostitutes, whores or harlots; they're now "sex workers." This is, after all, the New World.
Proposition 36 represents an unnecessary initiative. It purports to repeal

understanding of the many issues affecting the residents of District 7, and also appears to not let a political agenda cloud his vision in the direction of our City.
I strongly advise all residents to take a close look at all three of these candidates in considering their selection in this rank-choice voting system.
Tony Hall served twice as Supervisor for District 7

the so-called "three strikes law," adopted by initiative in 1994. The rationale for Proposition 36 claims that current law (in effect for almost 18 years) which provides that a criminal convicted twice or more of serious or violent crimes and convicted a third time of any crime is subject to a 25-year to life sentence, and that too many criminals are serving life sentences for petty crimes, leading to unacceptable taxpayer costs and dangerous prison overcrowding. I strongly recommend a vote against Proposition 36. Its sponsors take pains not to inform voters that the original law allows any county attorney to exercise discretion not to charge a petty crime (misdemeanor) as a "third strike," or that in 1996, the California Supreme Court in *People v. Romero* interpreted the "three strikes law" to allow judges also to ignore prior felony convictions on the Court's own initiative for purposes of sentencing. In other words, Penal Code Section 1385 confers authority upon both a county prosecutor and a superior court judge to dismiss from the record prior "strikes" in furtherance of justice. District attorneys have and do exercise that authority; superior court judges commonly exercise such authority (I know no judge who would treat a misdemeanor petty crime as a third strike so as to submit a convicted criminal to a potential lifetime prison sentence). Yet Proposition 36 sponsors would lead innocent voters to believe convicted criminals are sentenced every day to lifetime imprisonment for a misdemeanor petty crime. Crime in California has declined since adoption of the "three strikes law" in 1994, violent crime by 17.6%, homicides by 30.9%, property crimes by 22.8%, larceny and thefts by 16.9%, and arson by 38.9%. Of the total prison population of 134,868, the "third-striker" population is 8,873 (6.6% of the total), and 83% of those were sentenced before the last decade. For the last three years, only 91 third-striker inmates have been added to the prison population for a non-serious or violent offense, and the 327 inmates serving a three-strikes sentences for petty theft with a prior such conviction represent less than 4% of all third-strikers. Proposition 36 is based upon voter hoax. Vote "No."

Proposition 37, opposed by the chemical and agricultural industry, simply requires that genetically modified food be labeled as such, consistent with all of the European Union, China, Japan, even Russia. I'm voting "Yes."
Finally, **Proposition 40**, a referendum on State Senate redistricting, lacks any campaign by the proponents after a California Supreme Court decision rejected a challenge to the gerrymandered action of the Citizen Redistricting Commission. It's not worth a vote for or against.
May all your Thanksgivings be bright.
Retired former Supervisor, State Senator and Judge Quentin Kopp lives in District 7

Fire (Cont. from p. 1)

unemployment, but the donations are for gaps and surprises, Mogannam said. Mogannam said 60 to 70 employees have been affected by the fire; he is hoping each employee can receive a gift certificate of \$25, \$50, or \$100.
The manager of the Bank of America

branch in West Portal was unavailable before press time, so the number of donations made and the total amount donated is unknown at this time.
Keith Burbank is a free-lance San Francisco reporter.

opportunity to take out an opponent and broadly expand his personal power through the Ethics Commission. If Mayor Lee could make any of the overly broad, vague, or ambiguous definitions of "official misconduct" stick, he would acquire a powerful new tool to get rid of any City official — whether they were elected or appointed — who committed minor infractions on or off of the job. Of course, Lee would still need nine Board of Supervisor votes to make this work.
No one ever had a more stacked deck at the Ethics Commission than Mayor Lee. He had a vaguely-worded "official misconduct" Charter definition, a villain named Ross Mirkarimi (who had already pleaded guilty to *misdemeanor false imprisonment*), the unquestioned loyalty of the Ethics Commissioners, and the trial ground rules and format set-up by the City Attorney's office.
On March 21, 2012, Mayor Edwin Lee transmitted to the Ethics Commission charges of official misconduct relating to Sheriff Ross Mirkarimi. So began the Ethics Commission's kangaroo trial.
With all of their advantages, Deputy City Attorneys Peter Keith and Sherri Kaiser — who represented the Mayor — were often ineffective. They overplayed their case against Mirkarimi and were continually seeking to expand the City's vague definitions of "official misconduct," while introducing defamatory definitions unsupported by direct evidence. Keith and Kaiser looked like amateurs.
Ethics Commissioner Paul Renne — the husband of former City Attorney Louise Renne — called much of the testimony elicited by Keith and Kaiser: "*Clearly hearsay, clearly having the intention of poisoning the well. A first year lawyer should know that much of [the testimony] is inadmissible and should not have been given to us.*" For his part, Mayor Lee just kept claiming that Ross Mirkarimi "beats his wife."
In stark contrast, Mirkarimi's attorneys David Waggoner and Shepard Kopp were great. They kept exposing the vagueness of San Francisco's "official Misconduct" Charter language. Kopp eviscerated the Mayor on the witness stand, and showed that the Ethics Commission proceedings were "*far too susceptible to the vagaries of politics.*" Waggoner stated "*the punishment does not fit the crime,*" and most importantly, "*You must decide whether to uphold or overturn the will of the voters.*"
Prior to the Mirkarimi trial, the Ethics Commission had never even held a complete misconduct trial for an elected official. After operating for 19 years and spending approximately \$50 million in taxpayer money, San Francisco has had only had three Ethics trials, and owns a horrible track record for handling whistleblower cases and Sunshine Ordinance violations. The Ethics Commission also keeps track of lobbyist activities and election oversight (albeit badly) — a job the Elections Department used to handle.
Although very likeable, Mayor Lee is no angel. He lied about running for Mayor. Most politicians lie or obfuscate, but Lee's big lie allowed him to first become the interim mayor of San Francisco, and then the actual mayor.
During his Ethics Commission testimony, Mayor Lee was hammered by Mirkarimi's attorney Sheppard Kopp. Mayor Lee was accused of lying when Kopp asked him if he had consulted with any members of the Board of Supervisors about his decision to suspend Mirkarimi, and for his answer regarding whether someone potentially associated with the Mayor offered the Sheriff a lower-ranking position in exchange for his resignation. Lying while testifying under oath is a felony called perjury.
Mercifully for Lee, someone called in a fake bomb threat outside of City Hall and the Mayor suddenly had to leave the stand. No one else inside or outside of City Hall was evacuated. The convenient timing of this bomb threat saved a drowning man — Mayor Lee.
Had Mayor Lee been testifying in another venue besides the Ethics Commission, he might have been charged with perjury. On July 19, the Ethics Commission denied Mirkarimi's request for the issuance of subpoenas for four witnesses who would have testified that much of what Mayor Lee said was false. The subpoenas were denied by the Ethics Commission and Lee was spared.
Prior to the Mirkarimi case, Mayor Lee had a curious record of following-up on Ethics Commission recommendations.
The Ethics Commission recommended over a year ago that Mayor Lee should consider removing Jewelle Gomez, president of the Library Commission, for behavior deemed inappropriate conduct for a public official. Ethics Commission chairperson Ben Hur wrote this to Mayor Lee and is still waiting for a reply: "*The Commission voted to recommend that you consider taking steps to remove Ms. Gomez from her appointed office for her conduct. The Ethics Commission has not received a response from your office as to any action you may have taken regarding Ms. Gomez.*" When will Mayor Lee respond to the Ethics Commission — never?
In May, Fire Chief Joanne Hayes-White was declared a "*deadbeat divorcee*" and had her \$302,000 annual salary garnished for \$3,300 monthly for non-payment of spousal support. In 2005, Hayes-White's husband called police to report that his wife hit him over the head with a pint glass. Another case of domestic violence from a City official that was — selectively — never referred to the Ethics Commission.
Does anyone remember the Ethics trial after former Mayor Gavin Newsom admitted to having a substance abuse problem, and sleeping with his best friend's wife while she was working for him in the Mayor's office? Selectively, there was no Ethics trial of Newsom.
Mayor Lee carpet-bombed Mirkarimi with charges such as "witness dissuasion," "impeding a police investigation," "abuse of office," "engaging in a pattern of abuse toward women," and "lying to officers." The Ethics Commission cited insufficient evidence on all charges, except the false imprisonment count, even when using the "preponderance of evidence" standard that is lower than the "beyond reasonable doubt" standard used in criminal cases.
On August 16, the Ethics Commission ruled 4 to 1 that Mirkarimi had committed official misconduct by falsely imprisoning his wife. This was identical to the charge that Mirkarimi had pled to on March 13. Six months of wasted time, energy, and over \$1 million in City Attorney costs.
After the trial, Mayor Lee released the following statement: "*I am pleased that the members of the Ethics Commission, following a careful review of the evidence, and in the face of a sustained campaign to distract and misdirect them from the facts, agreed with me that Ross Mirkarimi's actions constitute official misconduct and fall below the ethical conduct we expect of the sheriff, our top law enforcement officer.*"
Although four of the five Ethics Commissioners dutifully worked to help Mayor Lee and the City Attorney's office expand the interpretation of "official misconduct" to a point where just about any elected official or any City employee could be suspended by the Mayor at any time for official actions or private actions for just about any major or minor infraction, Ethics Commission chair Benjamin Hur was brilliant.
Hur was the lone dissenting vote. Hur felt that the City should take the narrowest view of "official misconduct," not the broadest. Hur stated: "*If we don't find a nexus to the relationship of the duties (official misconduct), then we are opening this provision*
Cont. p. 7

Ethics - Mirkarimi (Cont. from p. 6)

up to abuse and manipulation down the road in a way that we're not really going to like. I have grave concerns about what the next case looks like unless we interpret this in a way that I think the voters intended, and also that is narrow and understandable for elected officials." Thank you for your intelligence and bravery in the face of overwhelming political pressure, Mr. Hur.

The Ethics Commission is a broken toy that should be taken out of the Mayor's hands.

On October 9, Ross Mirkarimi was re-instated at the Board of Supervisors following a 7 – 4 vote, denying the Mayor the nine votes needed to remove Mirkarimi permanently. Supervisors Christine Olague, David Campos, John Avalos, and Jane Kim voted for Mirkarimi, but they were all really voting against the vague "official misconduct" charges that the Ethics Committee, Mayor Lee, and the City Attorney had presented to the Board of Supervisors.

According to the voting Supervisor's testimony, they were *not* voting in favor of Ross Mirkarimi, but against the Ethics Commission's vague interpretation of "official misconduct" and the fact that the Commission's process could be politically abused to remove elected City officials.

Deputy City Attorney Kaiser, speaking before the Board of Supervisors, wanted the "official misconduct" statute to be interpreted as broadly as possible. Board of Supervisors president David Chiu stated: *"Having clarity in the law seems to make sense."* [Despite this, Chiu then voted to support the Mayor.] Supervisor Mark Farrell stated to Kaiser: *"Your position seems to me to be very contradictory."* [Despite this, Farrell then voted to support the Mayor.]

Supervisor David Campos said to Kaiser: *"I don't think the analysis makes me comfortable. She (Kaiser) said the interpretation was 'nimble,' but I don't know the difference between 'nimble' and 'vague,' and I think that they are one and the same."*

Supervisor Jane Kim didn't mince words with Kaiser when Kim stated that she would like to see a *"bright line rule or test"* (for "official misconduct"). Kim went on and asked: *"Then any misdemeanor the Sheriff pleads to is official misconduct, is that right?"* Kaiser answered "No." Kim replied: *"What is to guide us in the future?"* Kaiser responded by saying: *"It is a discretionary decision."* Kim finished by stating: *"Does that open us up to the vagueness issue, which would make the clause unconstitutional?"*

There is no way to delineate what the current definition of "official misconduct" means, and no way to predict how the definition may change over time. Our current system allows only the Mayor the "discretion" to decide what is or isn't "official misconduct." Do voters really want to expand the "discretion" any Mayor may use to define official misconduct, since discretion is already ripe for abuse of power?

Eulogy for the Ethics Commission: Mayor Lee failed to successfully prosecute Mirkarimi. Had he not controlled the Ethics Commission and had influence over the City Attorney, Mayor Lee could have been prosecuted for perjury charges. His own appointee, Supervisor Christine Olague, betrayed him and voted to support Ross Mirkarimi. Mayor Lee has become a dysfunctional leader as he refuses to respond to Mirkarimi's offer to sit down and talk. Lee no longer wants to work with the Supervisors who voted against Mirkarimi's conviction (wasn't he once trumpeted as a consensus builder?) His popularity with the public has been greatly diminished. **Conclusion:** The Ethics Commission has been a disaster for Mayor Lee.

The Ethics Commission is a broken political toy that should be taken out of the Mayor's and politician's hands. The Commission no longer serves the citizens of San Francisco — it just serves City politicians — and it doesn't even know what "official misconduct" means. It's time for the Ethics Commission to be retired.

George Wooding, Coalition for SF Neighborhoods

Lake Merced (Cont. from p. 2)

before the Commission for two weeks (until November 27) giving as a reason, *"additional time is needed for coordination with Recreation and Park Department."* And we're not making that up either! And at the Commissioner's October 23 meeting, the SFPUC staff lamely explained the delay as being a result of the fact that RPD staff has been busy answering questions about the Parks Bond measure on the November 6 ballot. So, since May 8, RPD has had so many questions about the Parks Bond that they haven't had time to come up with a plan and a budget for their continued role at Lake Merced? That feeble excuse alone should be enough to convince any reasonable person that RPD should have no management role at Lake Merced. Let's see what happens when the SFPUC s revisits this sad story on November 27.

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

“Consensus Mayor’s” Sour Grapes

By Patrick Monette-Shaw

A legal theory holds that any law that “forbids an act in terms so vague that men of common intelligence and understanding must guess as to its meaning and differ as to its application violates the first essential of due process of law.” Mayor Lee was mistakenly advised he could go after his political foe, Sheriff Ross Mirkarimi, by invoking San Francisco’s overly-vague definition of official misconduct.

The lack of ethical reasoning and hypocrisy — when not sheer stupidity — emanating from San Francisco’s City Hall with its cadre of Deputy City Attorneys, is shocking to San Franciscans.



Although former Mayor Willie Brown has advised Mayor Ed Lee to get over and move beyond the Supervisors’ reinstatement of Sheriff Mirkarimi (“Mayor Lee, bury hatchet over sheriff case,” *SF Chronicle*, Oct. 27), Lee continues to pout sour grapes. “Slick Willie” should have advised Lee that continuing to harass Mirkarimi may well result in Lee being a one-term mayor.

After all, San Franciscans have not ceded our democracy to the vagaries of mayoral case-by-case “discretion,” nor have voters granted Lee the authority to replace our rule of laws with either his own rules of “decency” or his so-called “sound judgment.”

As www.citireport.com editor Larry Bush noted in a recent post (“Big Mouths, Little Brains”) regarding the Supervisors’ vote to reinstate Sheriff Mirkarimi, “There has been so much stupidity to choose from that it’s hard to know where to start.” Bush was referring to the botched Ethics Commission and Supervisors hearings “consensus” Mayor Ed Lee launched.

The lack of ethical reasoning and hypocrisy — when not sheer stupidity — emanating from San Francisco’s

City Hall with its cadre of Deputy City Attorneys, is shocking to San Franciscans.

Stupidity of Mayor Lee’s Lawyers

There’s no sympathy to be found for Ed Lee’s reliance on the legal strategy developed by Deputy City Attorneys Sherri Kaiser and Peter Keith, most probably with the concurrence of their boss, Dennis Herrera.

Forget for a moment that the Ethics Commission threw out the official misconduct charges Lee initially filed and that the Ethics Commission then rejected all six of the amended charges the Mayor substituted. Forget that in order to move the charges to the Board of Supervisors, the Ethics Commission hastily incorporated portions of the Mayor’s amended counts four and five into a new hybrid charge just minutes before voting on August 19, depriving Mirkarimi’s lawyers of an opportunity to prepare a defense against an eleventh-hour new charge.

Look to the testimony of Ms. Kaiser during the Board’s hearing. Throughout the Ethics trial, Kaiser convinced the Ethics Commissioners that there had to be a

Cont. p. 9

OfftheGrid Reconsiders Food Truck Event for West Portal

By Keith Burbank

In a surprise move, OfftheGrid has withdrawn its application to hold an event this fall in West Portal—the company will think about a permit for February or March 2013. “If you don’t want us here, then we won’t be here,” said Matthew Cohen, owner of OfftheGrid San Francisco, at a West Portal Merchants Association meeting in October. Cohen came to the meeting to hear merchants’ concerns about a proposed food truck event for this fall in West Portal. While some merchants see the event as a way to boost business, other merchants are afraid it will take away their business.

“We want to be respectful of everyone,” Cohen said a few days later by telephone. At the meeting Cohen said OfftheGrid is trying to take the least aggressive approach toward establishing an event in West Portal, and said OfftheGrid will be doing more to hear the concerns of West Portal shopkeepers.

Alison (Al) Werger, co-owner of Citipets on West Portal Avenue, said that people don’t know West Portal exists (see the September 2012 issue of the *Westside Observer*). Werger said the food truck event will help people discover the neighborhood. Another merchant seemed to agree.

“People my age don’t know where West Portal is,” said Michelle Eichelberger, 27, owner of the Pawber Shop, a pet grooming store at 323 West Portal Avenue. “Those are people that will come” [to the food truck event].

But Pankaj Shah, owner of Roti Indian Bistro at 53 West Portal Avenue, told Cohen, “You’re looking at your bottom line and not our bottom line.” Shah is concerned that a food truck event will reduce available parking in the area, driving his customers away. Shah said many of his customers come by car. If they cannot find a parking spot within a block or two, Shah said, they will turn around and go home.

Shah added that Cohen does not have any objective evidence the event will benefit the neighborhood’s merchants. “All I have is subjective evidence,” Cohen admitted.

One or two groups, including OfftheGrid, were planning to place sensors to count foot traffic in a few West Portal businesses. It is unclear if the sensors would count foot traffic before a food truck event, after, or during. But perhaps the sensors will indicate how the event will affect West Portal businesses.

Before the meeting OfftheGrid had modified its proposal to the West Portal neighborhood, including the location of the event. Rather than 14th Street, OfftheGrid proposed the parking lot located at 174 West Portal Avenue, plus sections of the street on either side of the lot.

“I’m sitting here in total shock,” said Linda Kapnick, owner of Ambassador Toys at 186 West Portal Avenue. Kapnick said her customers use that parking lot, and



parking is a problem for customers of her West Portal store. Ambassador Toys is open until 6 p.m. Tuesdays, the night OfftheGrid considered hosting the event, and Cohen had planned to have the lot closed by 4 p.m.

Kapnick said that parents frequently tell their children to hurry up because the parents fear getting a parking ticket. Or customers ask Kapnick to leave the package at the door. “Parking is one issue that is so critical,” Kapnick told Cohen and merchants in the meeting.

An important consideration for Ambassador Toys and Roti may be the kind of customer each shop serves. OfftheGrid’s clientele are typically single professionals 20 to 40 years of age, or young couples 25 to 45 years old, with children.

“Seniors, are they your best spenders?” Mario Mogannam, president of the West Portal Merchants Association asked merchants at the meeting. “Yes,” Kapnick said. “They’re the grandmothers....”

But some merchants at the meeting think that customers of an OfftheGrid food truck event will be good spenders, too.

In another neighborhood hungry for better business, Craig Becker, owner of Caffe Mediterraneo in Berkeley, said some restaurants lost business when OfftheGrid established a food truck event near his cafe on Telegraph Avenue.

Becker said business at Caffe Mediterraneo improved, but he said he doesn’t serve standard lunches and dinners as some restaurants do. Becker said business at Caffe Mediterraneo picked up after the food truck event closed for the night, as event customers stopped by for coffee. Caffe Mediterraneo is open until midnight.

So, the food truck event has gotten “a little bit of mixed reviews” on Telegraph Avenue in Berkeley, Becker said.

Cohen said OfftheGrid wants to take everybody’s views into consideration. Thus OfftheGrid has withdrawn its application to hold an event this fall in West Portal. OfftheGrid has said it is sensitive to concerns about the event’s impact on holiday traffic. The company will think about a permit for February or March 2013. If the neighborhood had decided to host an event this fall, the event may have started November 6 and run for six weeks. Then OfftheGrid would have given West Portal the option of continuing the event.

Keith Burbank is a freelance San Francisco reporter.

MONEY MATTERS • By Brandon Miller and Joanne Jordan

Don't Let Divorce Derail Your Financial Security

Divorce is rarely a life event that one plans for, but while many couples live happily ever after, some will undoubtedly go their separate ways. A divorce can be emotionally devastating, but it doesn't have to derail your long-term financial security. If you're facing a divorce, consider these steps to protect and claim what's yours.



Understand your assets.

A divorce can be expensive, especially if you fail to spend the appropriate amount of time reviewing and discussing your finances as you go through the process. Educate yourself by examining investment and bank statements, qualified plan and pension information, tax returns, mortgage information and insurance policies. Before you can begin to split the assets you've accumulated as a couple, you should know your total net worth so that you'll be able to assess how the divorce will impact your financial goals.

Consider the big picture.

When deciding how to split the nest egg, it helps to look into the future and think about how your lives will look post-divorce. Will you have short-term needs – like buying a home and furniture, new or continued childcare costs or paying a lawyer – that require immediate funding? Will you be able to replenish your retirement assets if you must use them to pay for these unexpected expenses? Develop a detailed written financial plan as a soon-to-be single so that you may act in your best interest when deciding which assets will best fit your needs.

Think about tax consequences.

Most retirement plans are made up of pre-tax dollars, meaning your contributions won't be taxed until you withdraw them. This can be beneficial if you believe your income and tax rate will be lower in retirement – but it also means the amount of cash you'll be able to use to meet your day-to-day expenses will be less than what you actually withdraw.

Be sure you're aware of how taxes may affect your retirement income as you divide assets with your former spouse. Trusted financial, tax and legal advisors are especially valuable as you make such important decisions.

Follow the rules.

If you decide that it makes sense to divide funds from you and your former spouse's 401(k) plans and IRAs, it's important to carefully follow state and local guidelines. This process is complicated so be sure that your divorce settlement states specifically how assets are to be divided and transferred.

Dividing a pension or 401(k) plan may require a Qualified Domestic Relations Order (QDRO), which allows funds to be withdrawn without penalty and deposited into a separate retirement account. Make sure that you discuss preparation of such an instrument with your attorney.

Update your financial accounts.

Once your divorce is final, revise the beneficiaries on your checking and savings accounts, investments, retirement plans and life insurance. Also reevaluate your insurance policies and confirm that you still have adequate coverage for you and any dependents. Nothing can undermine your financial security faster than an uninsured accident or illness. Once the dust has settled on your divorce, create a new will or update the existing document to reflect your new marital status.

Seek expert advice.

It's no doubt that your attorney will play an essential role in your divorce proceedings, but don't assume that he or she is a financial expert. Consider working with a financial advisor who can help you with all aspects of your financial life before, during and after your divorce.

Let's face it...there's no sure thing when it comes to marriage. But even if you end up going at it alone, it doesn't have to mean the end of your financial security. With the help of trusted professionals and determination, you can face the new financial situation that your single life will bring.

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

Expect Disruptions on 19th Avenue

Median improvements aimed at safety, beautification

The San Francisco Department of Public Works announced that work is under way to beautify 19th Avenue along one of the City's busiest transportation corridors. Demolition crews have begun scooping concrete out of the 5-foot-wide median, which will be transformed into a patch of green over the coming months.



Overseen by DPW, the 15-block landscaping project runs from Wawona Street to Lincoln Way in the Sunset District and is part of a multi-pronged approach to make 19th Avenue safer and more welcoming.

The median will be planted with drought-tolerant ornamental plants, primarily succulents, to soften the landscape. The project is modeled after the successful median upgrade on Guerrero Street and supports DPW's commitment to make San Francisco a beautiful, livable, vibrant and sustainable city.

As a major north-south roadway with six traffic lanes, 19th Avenue carries more than 85,000 vehicles a day and is part of State Route 1. To minimize disruptions to the public, the construction team will work on two blocks of 19th Avenue at a time, closing off no more than one lane of traffic in each direction between the hours of 9 a.m. and 3 p.m. Mondays through Thursdays, and 9 a.m. and 2 p.m. on Fridays. However, motorists may experience traffic delays. Warning signs will be posted prior to the lane closures. The goal is to complete construction by March at the latest.

The median greening project is part of community-backed efforts to make 19th Avenue safer and more attractive. The City already has upgraded traffic signals and has plans to build pedestrian "bulb-outs" to extend the sidewalk at the intersections to make crossing easier. In 2008, a double-fine zone was established for the 19th Avenue corridor; a year later, the speed was reduced to 30 mph.

The 19th Avenue Streetscape Improvement Project falls under DPW's Great Streets Program that aims to improve the public rights-of-way for pedestrians, cyclists and motorists and to soften the urban landscape with more greening. Among the corridors already improved are Valencia Street, Divisadero Street and Leland Avenue. More information can be found at www.sfdpw.org.

“Why Do they Keep Coming to this Doctor?...”

(Who admits to curing no one.)

Dear friend,

I've got to tell you something that I have never said out loud.

But what I am going to tell you makes so much sense that you'll probably get mad that no one told you this before.

I've been doctor in this town for 10 years now. And to this day I've never cured anyone. You may think that the word would get around and that no one would come to see me anymore. The opposite is true. The more people who understand, the more people come to see me.

Several times a day patients thank me for helping them with their health problems. But I can't really take the credit. I've never healed anyone of anything. What I do is perform a specific spinal adjustment to remove nerve pressure and the body responds by healing itself. And, we get terrific results. That is why our office is filled with people who have found help nowhere else.

Let me tell a little about me before I tell you about a terrific offer I have for you.

17 years ago something happened that changed my life forever. I was a young woman living in Philadelphia when it happened. I was driving with a friend, she missed a stop sign and rammed into the side of another car? We were all shaken up. The police were called and we all went to the hospital. No one was bleeding, so the medical doctors took some x-rays of our neck, gave us pain meds and sent us on our way. The next day I woke up with pain everywhere and it just kept getting worse.

For years I tried everything that I could find. For an answer to the pain, I went to medical doctors, physical therapists, acupuncturists; I tried special pillows, etc. I spent a lot of time and money. Along the way I had two more car accidents and the pain kept getting worse and worse. I had developed fibromyalgia, neck pain, mid-back pain and low-back pain with tingling and numbness down my right arm and leg. I was scared that something was really wrong with me. This could not be normal. I was only 33 years old and I felt like I was 100.

That is when someone told me about a chiropractor that they thought could help. As a matter of fact, after the first person told me about him, two more people did that same week? So I made an appointment with the chiropractor. Thank goodness that they took the time to help me! So I made an appointment with the chiropractor. I went to his office where he asked me about my problems, did an exam and took some x-rays of my head and back. After that he pointed out where my nerves were pinched and adjusted them. The adjustment was so light I barely felt it. I began crying as I felt the pain leave my body for the first time in years. It may sound strange but, I was so happy and grateful for the relief, I thank him every day!

After that, I knew what I had to do. I had to become a chiropractor.

I have adjusted babies within hours of being born. They obviously didn't complain of neck or back pain. I adjusted them to keep their spines in alignment so there were no pinched nerves to cause problems or pains... As with the many children that I care for in my office. And that is how it happened!

For the last 7 years, people from San Francisco and the surrounding area have

come to see me with their pinched nerve problems. They also come to me with their:

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

Here is what some of you neighbors have said:

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

—A. McGrath

"After two major car accidents, after trying all possible medicines and doctors, you made a miracle taking away my pain!! I am a happy wife and mother again!"

— L. Igudesman

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

— C. Brubaker



Exciting offer-look, I know you're smart. You want to get to the cause of the problem, and not just cover it up with drugs. When you are one of the first 20 people to call and schedule a new patient exam you will receive that entire exam for \$37. That's with a consultation with the doctor, examination and x-rays... The whole ball of wax, and there are no hidden fees. But call right away because we expect to be flooded with calls as this exam costs \$318.

Again there are only 20 of these slots so don't miss out.

Great care at a great fee...Please I hope that there's no misunderstanding about the quality of care just because I have a lower exam fee. You'll get great care at a great fee. My qualifications. I am a graduate of Palmer College of Chiropractic who has published articles in leading chiropractic journals and taught chiropractors chiropractic. I've been entrusted to take care of tiny babies to athletes that you may know. I've been helping your neighbors in San Francisco since 2004. I just have that low exam fee to help more people who need care.

My assistants are Raquel and Lila and they are really great people. Our office is both friendly and warm and we try our best to make you feel at home. We have wonderful service at an exceptional fee. Our office is called San Francisco Family Spinal Care and it is at 505 Beach Street (we are at the corner of Beach and Jones on the edge of North Beach). Our phone number is 415-771-7071. Call Raquel or Lila today for an appointment. We can help you. Thank you.

— Dr. Christina Meakim D.C.

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

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

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

Mayor Lee (Cont. from p. 7)

“relationship test” between “official duties” and an official’s behavior. But at the Board’s hearing, Kaiser changed her tune, first saying that the decision to remove an elected official should be made on a case-by-case basis by relying only on the “sound judgment” of the Mayor, Ethics Commission, and the Supervisors. Then, Kaiser changed her tune again, saying that it is entirely a discretionary — not a “sound judgment” — decision and that it is not up to the Board of Supervisor’s to use their personal views of what the standards of conduct should be for the Sheriff.

Kaiser repeatedly said on October 9 that it would be “really wrong” to leave the removal of the Sheriff to a recall election. She claimed that voters had given the Mayor and Ethics Commission a clear definition of official misconduct, that voters “have determined for themselves how they wish to be governed,” and that they “would like to be governed” by asking their “Mayor, their Ethics Commission, their Board of Supervisors, to take action to protect them” via the official misconduct process, rather than a recall.

Kaiser went so far as to compare Mirkarimi to a hypothetical Animal Control Officer who might be running a dog fight ring on his private time. When Kaiser said, “No one wants Michael Vic in control of the Animal Control Department,” she was booed by the audience for blurting out such a stupid analogy, but she charged ahead, anyway.

Kaiser stated that the Mayor “certainly does not agree with Commissioner Hur’s decision to emphasize the need for a bright-line rule” that would clearly, and narrowly, define official misconduct. Kaiser claimed that voters had intended to infer broader, not narrower, interpretation of official misconduct.” She went so far as to say that a so-called bright line rule seeking “clarity simply for the sake of clarity, predictability simply for the sake of predictability, is not a reason to ... narrowly constrict ethical duties of officers.”

More so than Supervisor Christina Olague, Supervisor Jane Kim peppered Kaiser with astute questions. Kim noted that Kaiser testified to the Board that the “relationship test” was not enough (which was odd, since Kaiser had focused heavily on the relationship test during the Ethics hearings). Kim asked Kaiser: “So it would be a relationship test, plus what the Mayor and the Ethics Commission [determined], what we deem as falling below the standard of decency, and that is [on] a case-by-case basis?” At first, Kaiser responded, “Yes, that’s correct.” Then corrected herself, saying “I think it is a discretionary decision ... I think that it is, at bottom, a judgment call.”

Kaiser’s waffling startled Kim, who then asked “Does that open us up to the vagueness issue, which may make that clause then unconstitutional, because then a person may not reasonably be able to predict when their behavior is official misconduct or not?” Honing in on the “standard of decency” clause added to the Charter in 1995, Kim noted that any standard of decency may change over time, depending on who is appointed to the Ethics Commission, who has been elected Supervisor, and who is the elected Mayor, opening the question of whether the definition is too vague to determine what is or isn’t official misconduct.

That’s when Kaiser replied it is not up to the Supervisor’s personal views, and the standards of decency and conduct are “position-specific” that should be discerned with the help of people in a given profession, not by the Board. If that’s the case, why were the Supervisors even involved?

Kaiser Falsely Claims “No Legislative History”

Kaiser repeated that the voters put the official misconduct tool in the Mayor’s and Board’s hands to serve the people’s will to remove officials without the trouble of a recall election. She claimed that there was “no legislative history, no ballot history, that sheds light” on the intent of the authors of the Charter’s official misconduct provision.

In a contrary opinion, Mr. Bush notes that he covered every session of the Charter Revision Committee in ‘94 and ‘95 that wrote the official misconduct language, and the drafter’s intent had *not* been to update the Charter language to address the Superior Court ruling in Airport Commissioner Larry Mazzola’s case. Bush asserts the intent of the Committee was to address “concerns that a ‘moral character’ provision was a left-over of the language used to bar people from professions based on sexual orientation.” Bush notes that neither the Ethics Commission nor the City Attorney bothered going to the Main Public Library where the Committee’s minutes are

archived to see the legislative and ballot history.

Other observers have noted that the 1995 voter guide contained a digest by then City Attorney Louise Renne that explicitly described the changes in our ethics law as insignificant. Clearly, voters weren’t told in ‘95 that they would be giving new powers to the Mayor, or that they would be ceding to the Mayor authority to make discretionary decisions to remove elected officials without a recall election. Had voters been told that the Mayor would gain such authority the amendments would not likely have passed and we’d still have the “moral character” provisions.

Vague Is as Vague Does

Ms. Kaiser testified that the people — the voters — put the official misconduct language into the City Charter. She asserted that the language isn’t “vague,” the language makes it more “nimble” when determining official misconduct.

Kaiser was completely misguided during her Board testimony. Voters *never* get to choose the actual legal text of ballot language put before them, unless it involves a citizen-initiative measure. Voters have no say over the language chosen for measures placed on the ballot by the Mayor or Board of Supervisors.

California courts permit vague ballot measures because they are sensitive to the need of government in large urban areas to delegate broad discretionary power to administrative bodies without paralyzing local jurisdictions.

Ms. Kaiser now claims that if the official misconduct language is too vague, it’s because the voters chose to approve the vagueness put before them written by someone else, over preciseness.

Seven Stupid Supervisors

October 9 was a very dark day for San Franciscans, because only four of our eleven Supervisors voted to reinstate Sheriff Ross Mirkarimi. Supervisors Christina Olague, Jane Kim, David Campos, and John Avalos reached the correct conclusion: That Mirkarimi’s behavior — deplorable as it may have been — did not rise to the definition of official misconduct.

In stark contrast, the remaining seven District Supervisors — including Mark Farrell, Sean Elsbernd, Malia Cohen, Carmen Chu, Scott Wiener, Board President David Chiu, and Eric Mar — knowingly voted to hand the Mayor unlimited precedent-setting power to bring official misconduct charges against political foes, a process ripe for political shenanigans and mayoral abuse. All seven also knowingly voted to accept the Ethics Commission’s constitutionally vague interpretation of official misconduct. Had these seven Supervisors prevailed, they would have knowingly handed to some future court proceeding — as Mr. Bush reports — clear evidence that the official misconduct charges against Mirkarimi were unconstitutionally vague, since the Mayor and the Ethics Commission never adequately defined official misconduct (and can’t, unless they ask voters to change the Charter again).

In a clear example of irony, four of the seven Supervisors who voted to oust Mirkarimi were referred by the Sunshine Ordinance Task Force to the Ethics Commission over probable official misconduct themselves. The four — the Board’s then Land Use and Economic Development Committee composed of Supervisors Mar, Cohen, and Wiener — along with Board President Chiu, appear to prefer handing the Mayor unlimited power to bring official misconduct charges on a case-by-case, unconstitutionally-vague basis, without any clear standard of the definition of official misconduct that would apply to all City employees.

Ed Lee’s Unequal “Discretion”

Mr. Bush notes: “None of this can obscure the reality that it was Ed Lee who is responsible for the defeat of his Official Misconduct charge.” Bush reported that Lee testified under oath at the Ethics Commission that he had not given any attention to the City Charter’s requirements for official misconduct charges, admitted he had no written policy regarding official misconduct, and then insisted that even if an individual case involved a criminal conviction, he would still use his “discretion” on whether to pursue official misconduct charges on a case-by-case basis. Bush notes this may end up being a text book example of the description of “vague” as one can find, which judges all too often find objectionable.

Bush has documented Mayor Lee’s and the Board of Supervisor’s unequal application of “discretion.” For instance, although the Ethics

Cont. p. 14

WEST OF TWIN PEAKS CENTRAL COUNCIL By Mitch Bull

The West of Twin Peaks Central Council meeting of October 22nd lost the ratings “war” with the SF Giants but brought forth valuable information to the small but hearty crowd in attendance.

Council President **Matt Chamberlain** opened the meeting in a quiet manner at 7:35 PM. Only 15 people were in attendance as the meeting started during the 6th inning of game 7 of the National League Championship Series. (Our hometown Giants eventually prevailed 9-0 to earn a spot in Baseball’s World Series.)

Chamberlain opened the meeting with a roll call, confirming the lack of a quorum, but reviewed the agenda and started with the officers and committee reports. He spoke on the topic of the council still being a little **underfunded** (by about \$500) in the sponsorship of the District 7 candidates forum. He also asked the attendees to think and submit ideas for topics and “burning issues” to be addressed at future meetings. The WOTPCC meetings will be held at an alternative site sometime in the future as the **Forest Hills Clubhouse** is due to undergo a renovation in the not-to-distant future. Dates and location for the alternate site have not yet been determined.

Avrum Shepard updated the group on the process and progress of the “Off the Grid” groups plan to bring **food trucks** to the West Portal corridor for a trial period in November and December. The group will have a hearing in November to determine if its temporary use permit is approved and issued. Local merchants are mixed on the concept as parking issues seem to be the main sticking point with several of them. In other West Portal Avenue news, the merchants closed by the **fire at 1 West Portal Ave.** are moving forward with trying to get permits to rebuild. It is still uncertain if the building can be repaired or will have to be demolished and newly rebuilt. **Sterling Bank** is seeking a conditional use permit to move into the former “Melu Mobile” space. As there is currently the maximum number of financial institutions on WPA (7) any new firms have to seek the conditional use permit.

Barbara Chionsini of Lakeshore Acres briefed the crowd on a “Pedestrian Improvement Grant” of \$1,000,000 for improvements to make **Sloat Blvd.** safer. More information on this important development in the future.

As no reports were given for Public Health or Open Space, the meeting turned to a briefing on three of the main measures in the November 6 election; **Measure A** (The City College initiative), **Measure C**, (the Housing Trust Fund Amendment) and **Measure F** (the proposal to drain the Hetch Hetchy reservoir).

Nick Panagoulis spoke on supporting Measure A, the measure to implement a \$79 per parcel tax to raise money to create bridge funding for CCSF. The parcel tax, over eight years, would raise approximately \$16,000,000 per year to help the school, which faces the possible loss of their accreditation due to State budget cut-backs and a lack of CC Board and Management fiscal oversight and management.

Measure C purports to create a \$20,000,000 “**Housing trust fund**” to try and create more affordable housing in the city. No one was on hand in support or opposition.

Finally the tone of the room was set for Measure F. This ballot measure would set up an **\$8,000,000** fund to pay for a plan to tear down the **O’Shaunessey Dam** and replace our water needs with increased storage and transport from other yet to be named water sources.

The measure (if approved) also sets up an actual requirement for the Board of Supervisors to prepare a ballot initiative to actually remove the dam. The audience in attendance did not seem to be in support of this measure.

The next meeting of the WOTPCC will be on Monday, November 26th at 7:30 PM at the Forest Hills Clubhouse. For more information see the WOTPCC website (www.westoftwinpeaks.org).

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John Kirkpatrick Presents: Listings in Your Neighborhood



56 Farview Court Classic 50's 2BR/1BA with modern upgrades throughout. Hardwood floors, garden, forest views. Large garage with potential.
\$699,000



141 Marview Way 3BR/1BA home. Remodeled kitchen, fireplace, remodeled bath, large picture windows, views.
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417 Dellbrook Ave Beautifully renovated and maintained 4BR/3BA home. Oak hardwood floors, gourmet kitchen, garden patio, massive lot.
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Westsiders throng to the Farmer's Market every Sunday at Stonestown, where the freshest vegetables and fruits greet shoppers from 9 am to 1 pm. Seasonal foods picked daily as well as fresh-baked breads and deserts, specialty foods and handmade gifts.

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MOLLIE STONE'S



In the Castro In the Fillmore In Twin Peaks



AROUND THE TOWN

COMINGS AND GOINGS • By Mitch Bull

What a baseball season... the “never say die” Giants are now in the midst of their second World Series in three years, and only their fifth in the past 55 years. It’s the “new” golden age of Giants baseball, and to see the excitement in the stands and in the community it is hard to believe that the team was on the verge of moving to Florida not that many years ago. Even though we don’t wear fedoras anymore “Hat’s off” to the current ownership group; to Bob Lurie who suffered through lots of losses, and to Horace Stoneham, who brought the team from NY for the 1958 season. May they tame the Tigers and win it all again. It is apropos that the World Series ends on or about Halloween and that the Giants wear black and orange. (Panda Pops and Candy “Cain” anyone...)

As an aside –kudos to Major League Baseball and MasterCard for helping to publicize and raise money for the *Stand up to Cancer* campaign. At game 1 of the World Series, MasterCard presented a check for 4 million dollars to the organization. The visual of people holding placards with family ties to cancer was moving and demonstrated how it affects almost all of us.

Fire aftermath - assistance for employees... With the devastating building fire at number 1 West Portal Avenue the West Portal Merchants Association has set up a fund for those who wish to donate to assist the more than 60 employees of the businesses that are affected by the (temporary) closure of the businesses. You can walk into any Bank Of America and ask to deposit into the “West Portal Fire” account. ALL of the money received will be distributed to the displaced employees. The West Portal Merchants Association is covering all of the overhead fees. Please be generous to help those affected by the fire.

Food trucks...after a lively debate at the West Portal Merchants meeting the “Off the Grid” organization is delaying the permit process for the food truck event until spring. With the Holiday season upon us, with the parking issues that confront shoppers, it is a good-faith action by the promoters.

Election rhetoric, debates and the Hetch Hetchy redux...Good luck to all of the candidates running for all of he elective offices. It takes a great deal of energy, contributions and support to run a campaign, no matter how big the position. As for the Measures and Propositions, well, the rhetoric is overflowing and most seem to be bankrolled by large-scale interests trying to secure influence. Although we do not make it a practice of endorsing candidates or propositions, we have columnists and writers who try to inform our readers on the issues. I will say that (in my opinion) Measure A to help City College is worthwhile to support. On the other side, I personally believe that Measure F; to “restore the Hetch Hetchy Valley” is one of the most misguided and ridiculous pieces of legislation I have ever encountered. I love the wilderness, have rafted the Tuolumne River and believe we should value our resources, but to believe that we can destroy the reservoir that supplies much of the Bay Area water at billions of dollars in cost and not affect our standard of living and the economy of the region is misguided.

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

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San Francisco Ballet in Tomasson's Nutcracker (© Erik Tomasson)

November Calendar

EVERY SUNDAY FARMERS MARKET

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

EVERY TUES QUE SYRAH HAPPY HOUR

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

Every Thu | 5:30–9 pm | Chef Val's Tapas \$3–7.

EVERY WED MORNING - TOASTMASTERS

Wed | 7-8 am | Toastmasters helps you become a confident public speaker. Every Wednesday morning from 7-8am, Tennessee Grill, 1128 Tara-val Street, upstairs meeting room.

EVERY THURS – NIGHTLIFE

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

JAZZ FRIDAYS @ THE CLIFF HOUSE

Fri | 7–11 pm | The Balcony Lounge at the Cliff House hosts jazz performances every Friday night. 1 Seal Rock. Performers: www.cliffhouse.com/home/jazz.html

FRIDAY NIGHTS @ THE DEYOUNG

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

TUE • GREATER WEST PORTAL-GWPNA

Tue Nov 6 | 7:30 pm | West Portal Clubhouse, 139 Lenox Way. First Tues each month. The "Western Heart" of SF. www.gwpna.org

THU • SUNSET DIST COALITION MEETING

Thu Nov 8 | 7 pm–9 pm | Meets 2nd Thu
each month. Info Susan at 586.8103 or
ssuval@sbcglobal.net Taraval Station,
2345 24th Ave .

THU • AUTHOR WOODY LABOUNTY

Thu Nov 8 | 7 pm | Local author will discuss *Ingleside Terraces: San Francisco Racetrack to Residence Park*, including slides. He wrote *Carville-by-the-Sea: San Francisco's Streetcar Suburb*. The track, the most opulent horse racing venue west of the Mississippi, opened in 1895. It later became a Progressive Era battleground between gambling "turf men" and civic reformers before serving as a refugee camp for the displaced following the 1906 earthquake and fire. In the early 1900's, it became one of the city's first master-planned residence parks. BookShop West Portal, 80 West Portal. Info 564-8080.

FRI • A MIDSUMMER NIGHTS DREAM

Fri Nov 9-18 | 8pm (Sun 2pm) | Archbishop Riordan High School 's production of Shakespeare's A Midsummer Night's Dream, 175 Phelan Ave, info 597-5866. \$5 students/seniors \$8 adults. Performances Fri Nov 9, Sat Nov 10, Fri Nov 16, Sat Nov 17, Sun Nov 18 (2pm) closing.

SAT-SUN • GREEN FESTIVAL

Sat-Sun Nov 10-11 | 11am-6pm | Green Festival, the nation's largest and most trusted environmental consumer event at SF Concourse hosts leaders in the social justice and environmental community, a new Yoga & Movement Pavilion, a Good Food Stage featuring award winning chefs as well as a dedicated kids' area. \$15 & 25, 635 8th St. greenfestivals.org.

SUN • INNER SUNSET SUNDAYS-SKILLS

Sun Nov 11 | 11am - 6pm | Skillshare



P R E S E N T S

San Francisco
State University

Morrison Chamber Music Center

- **Nov. 4, 3pm**—ARTefact
Hindemith, Takemitsu, Brahms
- **Dec. 7, 8pm**—Alexander String Quartet
Mozart, Cox, Schubert

Plus:
Pre-concert
talks and master
classes, open for
you to observe.

FREE ADMISSION
Funded, in part, by the May Treat Morrison Chamber Music Foundation.

More arts in your area

- **Nov. 13–Dec. 6** *Leo D. Stillwell Student Exhibition*
- **Nov. 29–Dec. 9** *Lorenzaccio*
- **Dec. 1, 7:30pm** *San Francisco Wind Ensemble*
- **Nov. 29–Dec. 1** *New Moves Choreography Showcase*

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is the chance to come and learn something you've never done before. Workshops on many topics. 9th Ave & Irving. Wanna share? email us at issf@inner-sunset.org or call Amy 831-295-4359, web: issundays.org

MON • SUNSET-PARKSIDE MEETING

Mon Nov 19 | 6 pm | SPEAK aims to educate Sunset/Parkside residents on public safety, zoning, planning etc. 3201 Ulloa St. (Grace Lutheran) 3rd Mon each month. speaksanfrancisco@yahoo.com

TUE • COMMUNITY SAFETY MEETING

Tue Nov 20 | 6 pm | Taraval District
Police 3rd Tue of the month. Meet with
Captain Curtis Lum. Minnie & Lovie
Ward Rec. Ctr., 650 Capitol 759-3100.

MON • WOTP CENTRAL COUNCIL

Mon Nov 26 | 7:30 pm | West of Twin Peaks Central Council meets on 4th Monday each month for those interested in

**local issues. Forest Hill Clubhouse, 381
Magellan.**

MON • SHARP

Mon Nov 26 | 7 pm | Sunset Heights
Assoc. of Responsible People. Last Mon
each month. 1736 9th Ave. (Moraga)

TUE • AUTHOR JACOB NEEDLEMAN

Tue Nov 29 | 7 pm | *An Unknown World:*
Notes on the Meaning of the Earth SF
 State professor explores the question:
 What is the purpose of life on Earth?
 BookShop West Portal, 80 West Portal,
 564-8080.

Have a local event? Contact: editor@west-sideobserver.com

Now At the Movies • By Don Lee Miller

LOOPER
In a 2044 cornfield in the Mid-West, looper (hired assassin) Joe: Joseph Gordon-Levitt awaits his appointment with a hooded victim sent back from 2074. One day when his employers want “to close the loop,” they return Old Joe: Bruce Willis unhooded: he is the future self of Joe. The cornfield, coincidentally, belongs to Sara: Emily Blunt who may be the mother of the gang-leader of the future, 10-year old Cid: Pierce Gagnon. The 2074 guys send back three names of boys born on the same day in the same hospital. The 2044 gang-leader Abe: Jeff Daniels is determined to rub out Joe. The supporting cast includes Seth: Paul Dano, Joe’s best friend who lives on the edge, and barmaid Suzie: Piper Peraboo. Director-screenwriter Rian Johnson provides a chilling tale with lots of suspense as Joe must make life-determining decisions instantly. Violence. Profanity. Nudity/Sexuality. Drug content.

ROBOT AND FRANK
Ex-jewel thief Frank: Frank Langella, now a senior in a New England village is presented with a butler robot: Voice of Peter Sarsgaard from

his grown son, Hunter: James Marsden. Set in the near future, the robot is to make things easier for him. Frank also has a daughter, Madison: Liv Tyler, who visits occasionally. His librarian friend, Jennifer: Susan Sarandon, takes him to a social function where Frank spots some fancy jewelry. He soon begins training the robot for new duties. Writer Christopher D. Ford provides amusing situations for director Jake Schreier. Some profanity.

SINISTER
Crime scene writer Ellison Oswalt: Ethan Hawke knows what it takes to attract readers to his books of real-life horror tales. He moves his family into a home where four teens were hung on the back yard tree. Of course, he doesn’t tell his wife, Tracy: Juliet Rylance or either of the youngsters. The sheriff: Fred Dalton Thompson provides a harsh warning for Ellison while the deputy: James Ransome proves helpful in giving him file research info on the deaths. They soon establish a pattern of similar atrocities in several states, each with a supernatural entity who enticed the victims. The book expands to more than one site. Ellison repeatedly enters dark

rooms without switching on the light. Director/co-writer Scott Derrickson and co-writer C. Robert Cargill know how to scare the willies out of the audience. Much too violent for any children! Some violence within families caused by children! Mild profanity.

TAKEN 2
Retired CIA Agent Bryan Mills: Liam Neesom vacations in Istanbul with his family, ex-wife Leonor: Franke Jannsen and grown daughter, Kim: Maggie Grace. Albanian gangster Murad: Rade Serbedzija wants to terrorize Bryan because while with the CIA, Bryan had killed one of his sons while rescuing Kim. Murad kidnaps Bryan and Lenore, and sends his men for Kim. Bryan phones a warning to Kim at the last second to go to the Embassy; she prefers to help her parents get free, jeopardizing her own safety. Director Olivier Megaton presents an edge-of-your-seat chase from the exciting screenplay by Luc Besson and Robert Mark Kamen. Violence! Some sexuality. Profanity.



Cinema by the Bay
Festival sponsored by SF Film Society
By Tom Mayer

The San Francisco Film Society presents the fourth annual Cinema by the Bay festival, from November 9 to 11 at New People Cinema, 1746 Post Street in San Francisco.
The Cinema by the Bay festival celebrates Bay Area filmmaking, the spirit of local directors, and the depth of America’s film and media frontier. The three-day festival features new film work produced in or about the San Francisco Bay Area and provides a look into Bay Area creativity at its finest.
The fourth annual Cinema by the Bay opens with Jason Wolos’ debut feature film *Trattoria*, includes screenings of new films by leading filmmakers, and is highlighted with the Film Society’s annual celebration of Bay Area innovators, Essential SF.
Cinema by the Bay is part of the Film Society’s year-round programs of Bay Area film culture. SFFS inaugurated a dedicated Cinema by the Bay designation six years ago, within the San Francisco International Film Festival. With its fall festival, the SFFS continues the work of the Film Arts Foundation, which from 1984 to 2005 programmed the Bay Area’s best local independent filmmaking.

Friday, November 9 OPENING NIGHT
7:00 pm: *Trattoria*
Jason Wolos, Director Expected.
Set in the world of the SF competitive restaurant culture, Trattoria serves up family drama and foodie delights. Chef Sal Sartini and his second wife Cecilia have just opened a new restaurant and are trying to generate the reviews and buzz that are critical to success. Sal’s estranged son Vince comes to visit and help out in the restaurant, leading to family tensions. (USA 2012. 82 min. Written by Jason Wolos, Dawn Rich. Photographed by Frazer Bradshaw. With Tony Denison, John Patrick Amedori, Lisa Rotondi, Kandis Erickson. Fine Dining Productions.)

9:00 pm: Opening Night Party: Celebrate CBTB at Yoshi’s San Francisco, 1330 Fillmore (at Eddy) with Japanese-inspired hors d’oeuvres and sponsored wine.

Saturday, November 10
2:30 pm: *Casablanca Mon Amour*
John Slattery, Director Expected.

This fiction/nonfiction hybrid features two humorous Moroccan college students, Hassan and Abdel, as they journey from Casablanca over the Atlas mountains to the Sahara desert. Hassan, in the midst of creating a media project, uses the trip to investigate how Morocco has been depicted in popular culture and used in Hollywood staples such as Casablanca (of course) and The Jewel of the Nile, among others. The film shows us how the country has been figured in film, while also showing us the country itself and how Moroccans view their own nation through the lens of Hollywood. (USA/Morocco 2012. 79 min. In French, Arabic and English with English subtitles. Written by John Slattery. Photographed by Fara Akrami. With Abdel Alidrisi, Hassan Ouazzani, Amin Chadati, Fraida Bouazzaoui. Zween Works.)

5:00 pm: *Essential SF*
Essential SF is an ongoing compendium of the Bay Area film community’s most vital figures and institutions. H.P. Mendoza, Judy Stone, Wholphin, Terry Zwigoff and others yet to be announced will be feted at this short ceremony. Past Essential SF honorees include Les Blank, Canyon Cinema, Joshua Grannell (aka Peaches Christ), Rick Prelinger and Marlon Riggs, among others. Free admission.

7:00 pm: *Jason Becker: Not Dead Yet*
Jesse Vile, Subject Expected.

In 1980, guitarist Jason Becker was on the road to international stardom when he joined David Lee Roth’s band at the age of 20. That same year, he was diagnosed with Lou Gehrig’s disease and was given 3–5 years to live. Now, more than 20 years since his diagnosis, Jason’s story continues. Through home movies, photographs, and concert footage, this documentary presents an affectionate portrait of a gifted teenager who realized his wildest dreams at an early age and is still creating with the care and love of his devoted family and fans. (USA 2012. 90 min. Photographed by Carl Burke. Edited by Gideon Gold.)

9:30 pm: *Amity, World Premiere*
Alejandro Adams, Director Expected.
A divorced Air Force sergeant rents a limousine to celebrate his daughter’s high school graduation. However, his daughter refuses to celebrate with him, and he decides to spend the evening with the limo driver. Amity unflinchingly presents a version of masculinity that is insecure, cruel, and ultimately powerless. (USA 2012. 80 min. Written and photographed by Alejandro Adams. With Greg Cala.)

Sunday, November 11

At the Theater • By Annette Lust and Flora Lynn Isaacson

Strange Case of Citizen de la Cruz
The world premiere of poet, essayist, and literature and language professor at Hunter College and New York University, Luis H. Francia’s first full-length play depicts the demise of Bayani de la Cruz, a Philippine patriot during the Marshall Law Era under the Ferdinand Marcos Regime. In his play Francia authentically presents the horrors of human abuse during this regime. Strengthening this portrayal of the dehumanization of the country’s inhabitants is the description of the loss of male virility.
Quack Doctor Mang Kiko (colorfully created as an eccentric by Percival Arcibal) sells a potion to cure impotent husbands. Does Mang Kiko’s potion symbolize the revolution as a cure against the regime? And psychiatrist Dr. Santiago receives requests from wives (emotionally well portrayed by Christine Jugueta as Nena de la Cruz) to uplift their husbands morale and regain their potency. Meanwhile militant Captain Rivera (performed with violent physical tactics by Tasi Alabastro) will protect the doctor from condemnation of his revolutionary views if he cures the Captain’s own impotency.
We witness scenes of brutal physical and mental torture. De la Cruz (believably played by Ryan Morales), who once kept numerous flags of his country in his bedroom, is caught stealing passports and tortured by Captain Rivera and his staff before our eyes
Directed by Jeffrey Lo with an able cast, the production, performed in an intimate stage space with well-selected musical renditions, holds the audience’s attention
As it powerfully dramatizes these events during the Marshall Law Era, the play reveals the actions of extremist forces under the Ferdinand Marcos regime that aimed to strengthen the ruling class and demoralize the country’s citizens.
Bindlestiff Studio, the epicenter for Pilipino and Filipino performing arts, provides Filipino Americans with diverse artistic activities to evolve community theatre with creative new works and talent.

For information about plays at the Bindlestiff Studio contact 415-255.0440 or 800.838.3006 or visit www.bindlestiffstudio.org. Annette Lust

TopDog/Underdog
In her play, Pulitzer awardee Suzan-Lori Parks vividly describes the brotherly love and fraternal resentment of two African American brothers living with a sense of humor in a room without water and a toilet. Abandoned by their parents at an early age, Booth (Biko Eisen-Martin), a swift moving thief, looks after older brother Lincoln (Bowman Wright), a former Three-card Monte hustler. Booth looks up to Lincoln, who enacts President Lincoln at a storefront. But Lincoln’s struggle to obliterate his addiction by enacting President Lincoln intensifies his conflict with returning to card hustling. When the brothers look back at happier family times, these memories are buried by the realization that their parents left them to their own destiny. “Then it was you and me against the world,” says one brother to the other.
Can they survive if they give up making illicit money

and robbing? And when Booth finally gets Lincoln to show him the card moves, Lincoln agrees only if they play for big money. This leads to one brother losing his cherished savings given by his parents that brings the action to a stirring melodramatic climax.
Expertly directed by Timothy Williams, the actors’ use of vibrant physical movement, especially by Biko-Eisen Martin as Booth, animates the actors’ dialogue.
Stage sets by Mikiko Useugi and costumes by Callie Floor illustrating the brothers’ poverty play an essential role in the dramatic action
Along with the realistic portrayal by Wright and Eisen-Martin of two jobless brothers presented in colorful street slang enriched with lyrical rap during the card playing scenes, the piece is a heart wrenching presentation of fraternal warfare and love, as well as a revealing testimony of the hardships of the African American struggle for economic and social survival.
TopDog/UnderDog plays until October 28st. For info about the upcoming Joe Landry’s “It’s A Wonderful Life Radio Play” call 415-388-5208 or visit www.marintheatre.org Annette Lust

Bloody Bloody Andrew Jackson
A feisty rock musical celebrates SF Playhouse’s new theatre with former San Francisco mayor Willie Brown opening the celebration of SF Playhouse’s 10th season at its new Post Street theatre, the Rock Musical got off to a spirited start. From a modest boyhood on up re-envisioned, the Rock Musical rapidly proceeds to Jackson’s heroic struggle to rid our country of the French, English and Spanish land possessions, his moving of the Indians westward, and his intensive aggression with the frontier fighters to win the people’s voice. While being attacked by the Spaniards he meets Rachel, who cares for his wounds and the two fall in love. After becoming governor of New Orleans he runs for president and loses. Four years later he is victorious in removing political power from the elite and forms the democratic party and becomes US president. A sad note is the death of Rachel, fatigued from Jackson’s ardent political activity.
Directed by Jon Tracy with music direction by Jonathan Fadner, the musical is performed by a strong cast of singer/actors. Ashkon Davaran sings and plays Jackson with vim and vigor. Angel Burgess is a sensitive Rachel and Ann Hopkins a colorful and amusing storyteller.
The production as a whole has the energy and naiveté of a young people’s theatre that suits Alex Timber’s book and Michael Friedman’s music, offering a rugged unembellished depiction of the hearty pioneer spirit of our early Americans struggling to establish a nation.

This forceful historical dramatization leaves an
Cont. p. 17



Dr. Annette Lust Flora Lynn Isaacson



SECOND THOUGHTS / By Jack Kaye

Are We As Dumb As They Think We Are?

We are now at the tail end of a terrible political season. The Republican Party leaders want to win back the Senate and the White House in November. They had several potential presidential candidates running against the Republican who was already promised the chance. The want-to-be's couldn't be.

The only woman running started off by saying that she raised 23 foster children. It turned out that she got paid to take care of each of them for a week or two, not quite the same as raising them. During a debate, she could not remember whether she had five kids or three — she went with three. Then she went public about meeting a random woman who attributed her son's mental retardation to a vaccination that he had received. The candidate's statement made us wonder whether she herself had been given the same medication. She actually won in Iowa and wanted us to consider her a serious person and candidate. How dumb did she think we were?

This failed candidate was followed by one who thought that the chair of the FED was a traitor for trying to help the economy, the job for which he was appointed. This challenger was desperate to close three federal agencies but could only remember two of them. How could he imagine that we were as dumb as he was?

“Whatever the cause, the condition is clear. The solution will have to be a concerted effort to improve ourselves as a people. It begins by admitting that we have a problem. Many of us are dumb and the condition is both contagious and dangerous.”

The next one wanted to build an American community on the Moon. We could have called them Lunatics but ended up calling him one.

The next one wanted an end to prenatal testing, birth control and abortion for any reason, and he was against sex between married couples who do not plan to have more children. At some point his wife must have realized that this applied to them. The candidate thought that we were dumb enough to go along with this scenario, maybe because his wife was.

Then there was the one who could not keep up with current events or past affairs. He wasn't sure what was going on in Libya but was sure that the President was doing the wrong thing there. He also claimed that he could not recall some of his most expensive affairs. He hoped that we were as dumb as he was.

At the end with none of the other contenders appearing reasonable enough to fool the American voter, the candidate who was originally promised the run got the nod.

He attacked the President on the economy, promising to fix our economic problems because he had 25 years' experience at a private equity company. Instead of letting us see all his good work, he kept the dealings secret, fearing we wouldn't understand and hoping that we were too dumb to ask questions. When we did ask, he made sure that none of his work would be made public. He thought that we would just assume that he did good work because he made a lot of money doing it.

He announced that he wanted to change the tax code to not only keep the Bush tax cuts for the wealthy in place, but to actually reduce their taxes further. When asked how his projected \$5 trillion tax cut for the rich over a ten year period would help the economy, he gave a Reagan answer that the money will trickle down from the “job creators” to the middle class. He assumed that we would forget that the economy was booming when taxes on the rich were higher — like in the 50s, 60s and 70s and the 90s until the tax breaks started in 2001. After those breaks were put in place the economy tanked. The stock market had lost half its value, we lost eight million jobs and the unemployment rate doubled. The Bush tax cuts combined with our entrance into two unnecessary wars doubled our national debt.

The Republican nominee has now said that he will fix the economy by cutting tax rates for the rich,

but that it would not mean that the middle class would have to pay more taxes. He went on to promise that it would be revenue neutral, neither adding to nor subtracting from our economy, and also said it would not reduce the amount of taxes the rich pay. So in essence his tax plan would have no effect on anyone or anything. Did he think we wouldn't notice? Could we be that dumb?

And yet with such a terrible candidate running against such an excellent and popular President, you would think that it would be no contest. Surely the vast majority of the population would be smart enough to realize that the contender has no clothes, but now, weeks before the election, we are asked to believe that the race is close. The President was well ahead before the debate, after his opponent was heard telling a small private audience that he believed that 47% of Americans not only pay no income tax, but also consider themselves victims and cannot ever be made responsible. (He has since said that he was wrong — clearly an honest mistake.) Now, after the President seemed too polite in the debate, the public opinion allegedly has swung in favor of the opponent. The people who changed their minds did so because they thought that the contender seemed more confident, even as he consistently misrepresented his position and denied the President's accomplishments. It was form over content. How dumb could voters be to change our mind based on a 90 minute appearance?

I think that the answer is in and it is not pretty.

Many of us really are that dumb.

But how did this happen? Who's to blame? It could be our education system that fails to teach most students how to think. It could be our parents who didn't show us role models of intelligent adults making considered decisions. It could be our media, which have failed to ask the hard questions, leaving many of us unaccustomed to thinking critically. It could be our culture that distracts us with more information than we can juggle.

Whatever the cause, the condition is clear. The solution will have to be a concerted effort to improve ourselves as a people. It begins by admitting that we have a problem. Many of us are dumb and the condition is both contagious and dangerous.

Let us be smart enough to realize it and persistent enough to improve it.

Feedback: kaye@westsideobserver.com

Mayor Ed Lee (Cont. from p. 9)

Commission referred a case of official misconduct against Library Commission president Jewelle Gomez to the Mayor, requesting that the Mayor remove her from an appointed position, the Mayor has ignored the Ethics Commission's recommendation for over a year, and has not taken any action against Gomez.

Worse, on June 14, 2011, ten of our current Supervisors (excluding Olague) confirmed by a unanimous 11-to-zero vote the appointment of Julius Turman to the Police Commission, despite the fact that the Board of Supervisors knew (or had to have known), that Turman had been arrested over domestic violence charges. Turman's former boyfriend, Philip Horne, had accused Turman of beating him up on January 2, 2006, giving Horne a bloody nose, scratches, and a loosened tooth. Horne alleged that then-District Attorney Kamala Harris didn't prosecute because of Turman's political connections. Despite the fact that the felony domestic charges were dropped by prosecutors, Turman settled out of court with Horne for an undisclosed amount. Is there no “nexus” between Horne's domestic violence history and his duties as a Police Commissioner?

While Supervisor Jane Kim dissented in the Rules Committee regarding Turman's appointment, indicating she had concerns about appointing people to a police oversight body if there were questions about an applicant's past and experience that might weaken their oversight “capacity,” Kim nonetheless voted along with the full Board to appoint Turman, despite his domestic violence history.

Not only did the Board unanimously appoint Turman to the Police Commission, apparently no domestic violence prevention agency publicly opposed Turman's confirmation. Neither Andrea Shorter, a political consultant who chairs the City's Justice and Courage Oversight Panel, nor Kathy Black, director of La Casa de las Madres, a shelter for domestic violence victims, spoke up to object to Mr. Turman's appointment, despite the initial felony domestic violence charges against him. Are Shorter and Black, and the rest of the domestic violence prevention community, selectively holding Mirkarimi to a different standard than they apply to Turman, on a case-by-case basis?

Then there's the problem of unequal treatment of Fire Chief Joanne Hayes-White. Mr. Bush notes that “over the past several years, cases involving high profile or politically connected individuals have been dropped. This includes a police report on Fire Chief Joann Hayes White, accused by her husband of hitting him repeatedly in front of their children.” Seems that neither the Mayor, the Board of Supervisors, nor the domestic violence prevention community wants to hold Chief Hayes-White to the new “standard” they invented to hang the Sheriff. More hypocrisy and selectively unequal treatment for favored politicians and City officials.

Supervisor Wiener Requested a “Do-Over”

Just thirty seconds before the Board of Supervisors were to cast their votes determining Mirkarimi's fate, misguided Supervisor Scott Wiener asked whether the Board could have a “do-over,” asking “Are we able to sustain any charge alleged by the Mayor, whether or not the Ethics Commission recommended sustaining of that charge?”

Scott Emblidge, the special attorney advising both the Board and the Ethics Commission — as if there was **no** conflict of interest between a single lawyer advising both bodies — responded that the Board “[is] able to sustain any charge,” but that the Board needed to be voting on the same thing.

This shocked observers, who believed that the Board could only consider charges brought by the Mayor that the Ethics Commission had actually sustained. Wiener — and everyone else — knew at that point in the proceeding that the Board was about to hand Mr. Mayor an embarrassing loss on a 7-to-4 vote, when the Mayor needed at least nine votes to prevail.

But Wiener wanted to turn the clock

back to reconsider charges that the Ethics Commission had clearly already rejected. Despite being advised that the Board could reconsider what Ethics had rejected, Wiener curiously decided not to pursue a do-over and let the issue go, even though he appeared eager to resurrect the Mayor's flawed charges against Mirkarimi.

Misguided Media

On October 10, the day after the Board of Supervisors voted 4 to 7 to reject the Ethics Commission's recommendation against Mirkarimi, the *San Francisco Chronicle* published an editorial (“Shame on four supervisors”), alleging that the four “rationalized” their votes by raising “the question of whether a man elected to be sheriff could commit official misconduct before actually taking office.” The *Chronicle* was disingenuous: The Board of Supervisors had not raised that question; indeed, that whole question had been raised by the Mayor and an all-too-eager-to-please Ethics Commission that did everything it could to avoid answering that question. The question Ed Lee posed to the Ethics Commission, and the question the Board of Supervisors were asked to answer (but avoided), was whether there has to be a “nexus” between any official duties, and actual behavior.

For her part, Melissa Griffin over at the *San Francisco Examiner*, opined on October 18 that since the sexual battery charges against District 5 supervisorial candidate Julian Davis is a misdemeanor, the four Supervisors (who did not find a nexus between Mirkarimi's official duties and his wife's bruised arm) had somehow concluded that Mirkarimi's behavior had been acceptable for a public official to commit. Like Deputy City Attorney Sherri Kaiser before her, Griffin attempted to draw parallels between Mirkarimi's wife's bruised arm, and child abuse, elder abuse, assault, battery, and hit-and-run cases that occurred after-hours, or before assuming office.

Griffin then lamented that an “unsuspecting public” has been “burdened” by the task of mounting a recall effort against Mirkarimi, making “it easier for abusers to remain in office.” Griffin asserts the four supervisors are “cowards” for foisting an expensive, time-consuming, recall process against Mirkarimi onto voters. But Griffin mentions nothing about the expensive \$1.14 million in City Attorney costs the Mayor has racked up mounting a failed effort to oust Mirkarimi during the Ethics Commission's probe. Worse, Griffin studiously ignored Deputy City Attorney Kaiser's assertion that a recall election is the wrong approach.

Notably, Griffin mentions not one word about abuser Turman remaining in office as a Police Commissioner. Perhaps that's because Turman and Jewelle Gomez are both African Americans; both are appointees, not elected officials; and both are reportedly gay or lesbian, as opposed to Mr. Mirkarimi, who appears to be straight. Indeed, Griffin wails about violence against women, but mentions nothing about the domestic violence against men inflicted by Turman and Hayes-White.

For its part, the *Examiner* editorialized on October 14 (“People deserve a say in the Mirkarimi case”), that if voters are unhappy with the way the four Supervisors interpreted the City Charter in Mirkarimi's official misconduct case, voters should mount the very recall process Griffin believes is “burdensome,” and which recall process the Mayor's own attorney, Ms. Kaiser, believes is “wrong.”

Never mind that the four Supervisors correctly interpreted the City Charter, the *Examiner* wails. What's important, the *Examiner* asserts, is that “**any** incident of domestic violence is inexcusable.” The *Examiner* appears to have turned a blind eye to the domestic violence allegations against both Turman and Hayes-White. By its lack of logic, the *Examiner* appears to believe that Turman's and Hayes-White's behavior was excusable, but that Mirkarimi's was not.

In addition, while Mirkarimi has now been thoroughly “investigated” by the Mayor, the Ethics Commission, and the Board of Supervisors, the *Examiner* now asserts that

Cont. p. 15

Mayor Ed Lee (Cont. from p. 14)

although Mirkarimi appears to have been absolved of the official misconduct charges by the official processes put in place to protect voters, Mirkarimi now deserves to be handed double-jeopardy by being “tried” all over again via a recall election. How many times is the guy going to get tried for a single “crime”? If our elected leaders can’t, and haven’t, agreed on whether “official misconduct” occurred, how can the Mayor, Ms. Kaiser, and the *Examiner* believe that voters — the vast majority of whom are neither lawyers, nor have likely been trained in ethical issues — should now be expected to discern definitively what legal scholars and ethicists were unable to discern?

Consensus Mayor’s Sour Grapes

On October 10, the day after Mirkarimi was reinstated by the Board of Supervisors, District Attorney George Gascón released a statement demanding that Mirkarimi recuse himself from the supervision of domestic violence activities in his department. Gascón reportedly threatened Mirkarimi with “legal action” if he didn’t recuse himself.

Larry Bush notes that Gascón’s demand appears to have little meaningful impact, as there is nothing in the Charter that permits the District Attorney to demand an elected official — abandon duties set in the Charter.

Bush notes that a *www.CitiReport.com* investigation revealed that Police Department records show 3,515 police reports of domestic violence were filed, but that Gascón’s District Attorney staff filed only 245 misdemeanor cases and 240 felony cases — totaling just 14 percent — of the 3,515 police reports. Bush also reports that a *San Francisco Public Press* investigation revealed Gascón’s District Attorney Domestic Violence Team reviewed about 8,600 criminal cases but dropped about 6,200 of them without going to court, and that the incidence of dropped cases has actually increased under Gascón’s tenure.

Given Gascón’s domestic violence track record, he’s displaying pure hubris demanding anything from Mirkarimi. And where are Ms. Black and Ms. Shorter in this? Why aren’t they screaming their heads off over Gascón’s pathetic domestic violence record, selectively focusing only on Mirkarimi? How can Mayor Sour Grapes look anyone straight in the face — or himself in the mirror — refusing to bury the hatchet and actually work with Mirkarimi, while throwing his mayoral arms around hypocrite Gascón? And why has Melissa Griffin all but ignored Gascón’s lousy record, while she foams at the mouth over Mirkarimi?

Not to be outdone, on October 26 Mayor Lee wrote to Mirkarimi, now alleging that certification of batterers’ intervention programs “may be in jeopardy.” [Note Lee’s use of “may be,” not “are,” and that Lee appears to have raised this issue only after the Supervisors reinstated Mirkarimi.] Turning the screw, Lee now asks Mirkarimi why he’s qualified to oversee the Sheriff Department’s domestic violence programs. It appears that the sour grapes Mayor just can’t let go of his loss at the Board of Supervisors.

On Monday, October 29, news broke that Mayor Lee’s prominent ally — Silicon Valley billionaire Ron Conway and his wife Gayle — formed an independent expenditure committee to oppose Supervisor Olague in next week’s District 5 election. Previously, the Conways contributed \$500 each to Olague’s election campaign, but their new independent expenditure committee — which can raise an unlimited amount of money — has quickly amassed, at minimum, \$120,000 to go after Olague in retaliation for her vote to reinstate the Sheriff.

Can anyone say, “Citizen’s United”? How much meddling will the out-of-town billionaire Conways do on behalf of their friend, Ed “Sour Grapes” Lee? How much money-equals-speech will the Conways throw against Olague to unseat her by buying an election? The Mayor is misjudging San Franciscans’ tolerance for sour grapes.

Will the Conways also target Supervisor Jane Kim’s re-election campaign in 2014?

On a personal note, I am offended that the Mayor continues to equate the bruise Mirkarimi’s wife sustained to the sexual molestation my three sisters endured from our father (leaving one of them with life-long mental illness), and my father’s intermittent psychological abuse of my mother for 22 years. The Mayor’s insistence that a bruise is somehow equal to what they endured is a slap in the face to my sisters and mother — and by extension, a slap in mine — denigrating their collective trauma.

When the Mayor and District Attorney Dennis Herrera run for re-election, voters should toss them both out of office — Herrera for allowing his subordinates to mount this ridiculous case against Mirkarimi, and Lee for pouting like a child after losing a blatant, politically motivated witch-hunt.

If voters don’t rout both men from office, they’ll be handing our democracy over to demagogues, and billionaires buying City Hall influence.

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

SHARON THE HEALTH / By Sharon Caren



What Is Cancer

When you hear the word “Cancer” do you immediately go to fear, feeling like it’s synonymous with a death sentence? What also frighten you is that some known cancer cures can be as deadly as the disease. Let’s look at some of the facts and become pro-active.

I believe with a better understanding of how cancer takes hold in the body, it doesn’t have to be scary and we can then take appropriate action. It’s important to explore various healing methods if one has the disease currently. Western medicine and natural methods can be used independently or in combination.

Defining Cancer

Cancer happens when abnormal cells divide without control. These abnormal cells are able to invade other tissues. Cancer cells can spread to other parts of the body through the blood and lymph systems as well. Some cancers do not form tumors. For example, leukemia is a cancer of the bone marrow and blood.

All cancers begin in the cells, the body’s basic unit of life. The body is made up of many types of cells. When cells become old or damaged, they die and are replaced with new cells. However, sometimes this orderly process goes wrong. The genetic material (DNA) of a cell can become damaged or changed, producing mutations that affect normal cell growth and division. When this happens, cells do not die when they should and new cells form when the body doesn’t need them. The extra cells may form a mass of tissue called a tumor.

Benign tumors aren’t cancerous and are often removed. In most cases, they don’t come back. Cells in benign tumors do not spread to other parts of the body. Malignant tumors are cancerous. Cells in these tumors can invade nearby tissue and spread to other parts of the body. The spread of cancer from one part of the body to another is called metastasis.

In order for cancer to spread, the tumor must send out a supply line or a new network of blood vessels to feed them. To do so, they produce a chemical substance called angiogenin that forces vessels to approach them and to sprout new branches. To cut the supply line, there are specific dietary practices to follow. Many natural antiangiogenesis foods have been discovered recently such as common mushrooms, certain green teas, spices and herbs. They reduce inflammation—a direct cause of growth of new blood vessels.

Types of Cancer

- Cancer is not just one disease. There are more than 100 different types.
- Carcinoma—begins in skin or tissue that line or cover internal organs.
 - Sarcoma—begins in bone, cartilage, fat, muscle, blood vessels, or other connective or supportive tissue.
 - Leukemia—starts in blood-forming tissue such as the bone marrow and causes large numbers of abnormal blood cells to be produced and enter the blood stream.
 - Lymphoma and myeloma—begins in cells of the immune system.
 - Central nervous system cancers—begin in the tissues of the brain and spinal cord.

Major Causes

Chronic Inflammation is the cause of disease in the body and a byproduct of the immune system going haywire. The immune system may ignite itself when it shouldn’t or it may turn on to heal an infection but never turn off. When the immune system stays on for prolonged periods of time, it can attack joints, tissue and blood vessels causing rheumatoid arthritis, multiple sclerosis and asthma. This type of inflammation can eventually lead to cancer.

What can cause inflammation? “Just one high fat meal of pizza, burgers, ice cream and French fries can create inflammation in your body,” says Dr. Oz. How do you know if you have general chronic inflammation? I recommend getting the C-Reactive Protein Test or CRP Test to check your chronic inflammation

If you’d like more detailed information on

What Is Cancer?

Please come join me on
Wed. Nov. 14th at 6:45 pm
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Please RSVP as space is limited. Call Sharon at 650.359.6579 or email Sharon@sharon-thehealth.com

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levels. It’s important to have a baseline to compare levels over time. There are anti-inflammatory drugs to lessen vulnerability to cancer but they come with serious side effects.

Try some natural ways of reducing inflammation. Drink organic green tea and try using essential oils. All therapeutic grade essential oils have anti-inflammatory properties, particularly clove oil.

Stress adds fuel to the fire

Persistent feelings of helplessness create stress and will lead to changes in secretion of noradrenaline (fight or flight hormone). This secretion acts as a fertilizer for cancerous tumors, latent or already established. Therefore, reducing stress in our lives is critically important to being cancer free. To de-stress seek a professional for your emotional health. A good therapist can aid you in breaking old and damaging thought patterns that create hopeless feelings and depression.

Using therapeutic grade essential oils not only may help with chronic inflammation, they oxygenate the body and may also bring feelings of well-being. Use lavender oil to experience peace and relaxation. Using the oils along with a meditation practice can significantly bring a more peaceful and happy existence.

Anti-Cancer Strategy

- Remove chemicals and avoid exposure
- Stimulate your immune cells
- Adopt an anti-cancer diet
- Fight inflammation
- Cleanse and detox
- Drink ½ your bodyweight in ounces of water each day
- Seek emotional balance
- Exercise

Start making a change in your diet now, before there is a medical crisis. Eat raw, whole foods, lots of fruits and vegetables. Drink organic green tea. Use essential oils. Make it a practice to find joy in your life each day.

I’m sure much of what you’ve read is not new or maybe some of it is. My goal was to put it together to create a big picture. It’s many simple things that add up to creating a healthy life. My purpose is to help you see how each of these simple things work together to keep us well and vital. Develop your life strategy now. What are you waiting for?

“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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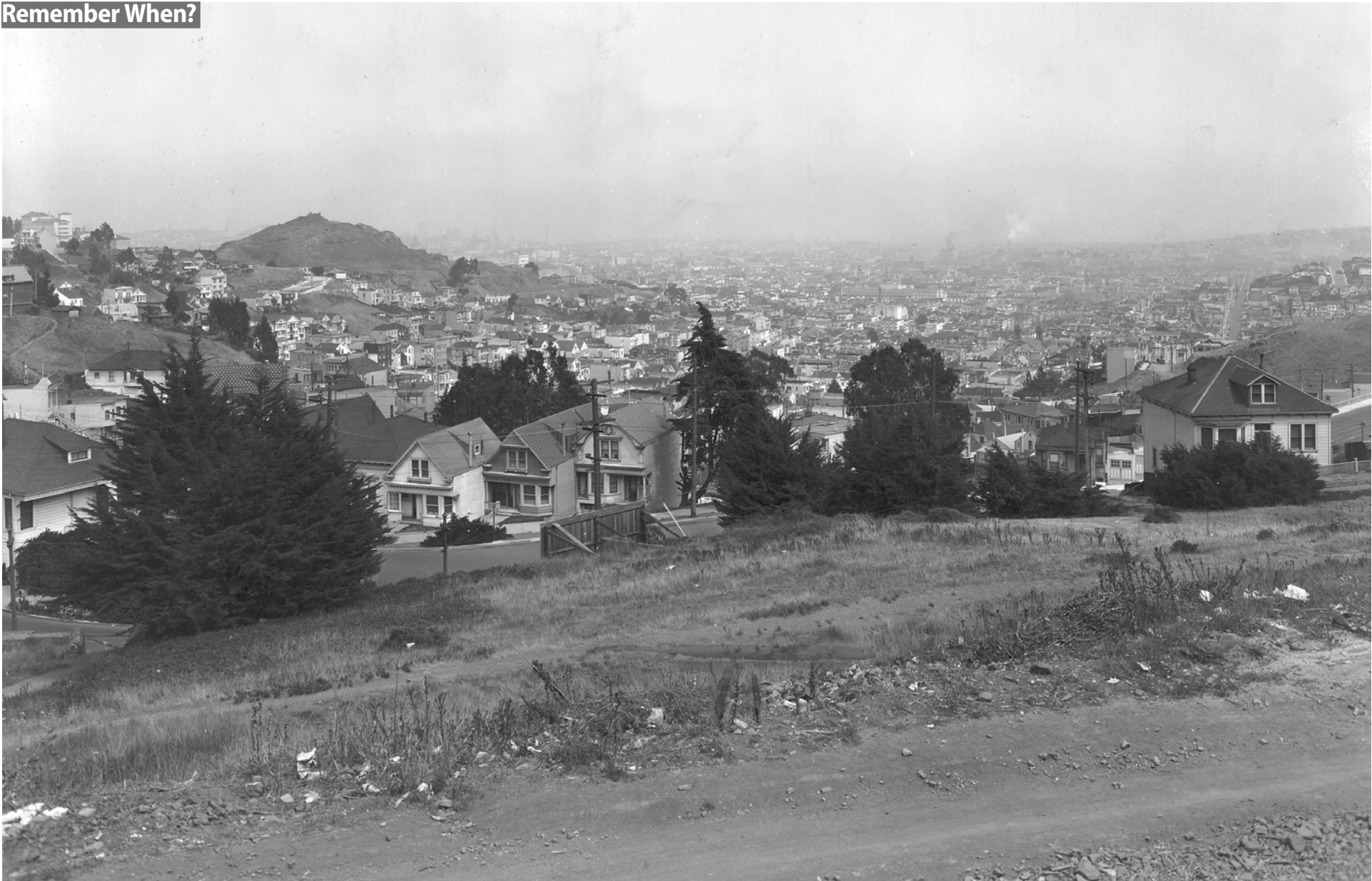


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Remember When?



View of San Francisco from Twin Peaks: Sept. 1, 1928. Written on back: S.F. Real Estate; Mediterranean Village | Courtesy of the San Francisco History Center, SF Public Library

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

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.

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

BRAIN FUD

One+One=One

Language brain teasers are those that involve the English language. You need to think about and manipulate words and letters. Add together each of the defined words to get a whole new word. Example: to shout + what you say when you feel pain = a color = yellow.

- 1) A light brown color + to leave = a dance.
- 2) A store’s announcement + a type of women’s clothing = a building’s location.
- 3) A vehicle + an animal pal = a floor covering.
- 4) The ocean + a father’s boy = part of the year.
- 5) Another name for dad + a yellow veggie = a white fluffy snack.

Answer

1) tan + go = tango.
2) ad + dress = address.
3) car + pet = carpet.
4) sea + son = season.
5) pop + corn = popcorn.

OPEN LATE

Christmas already?

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We just bought our Thanksgiving turkey...

So when does Christmas time arrive?

I don't know...

Does it start after the pumpkin pie tonight?

Nope. (Black Friday?)

No.

Nov. 24th, 7AM

It's Christmas Time!!


But it's still November...

By Julie Casson

Phyllis' Findings / Phyllis Sherman

Gone Husband Hunting

Phyllis will be back next month



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Theater (Cont. from p. 13)

image of Andrew Jackson's profound devotion to strengthening his country's democratic spirit that has the spectator's heart bursting with proud patriotism as the curtain falls..

Bloody Bloody Jackson plays through Nov. 24th. Next up at the SF Playhouse is **John Van Druten's Bell, Book, and Candle**. Info: 415-677-9596 or www.sfplayhouse.org
Annette Lust

Nunsense

A popular, uproarious, rollicking musical at Novato Theater Company

One of the longest running musicals that opened at the Broadway Cherry Lane Theatre in 1985 and continued at the Douglas Fairbanks Theatre in New York to appear since then in American community and summer stock theatre is presently playing at the Novato Theater Company in the 32 Ten Studios, an intimate venue on Kerner Boulevard in San Rafael.

Dan Goggin's vaudevillesque musical revolves around a group of nuns who turn into Prima Donna starlets when they initiate a fundraiser talent show to find money to bury nuns who died of botulism from eating a vichyssoise soup made by one of them. It features the colorful characters of five nuns. Pamela Drummer-Williams plays an authoritative down-to-earth African American Mother Mary Regina; Debra Harvey, an African American Sister Mary Hubert shows her love for singing; Daniela Innocenti-Beem as Sister Robert Anne energizes her sister nuns as well as her

audience with her off the wall clowning; Melissa Claire is the demure ballet dancing Sister Mary Leo; and Karen Kizer creates a naively confused Sister Mary Amnesia who has been hit over the head by a cross

Each of the five nuns appears before us not at all as we envisage nuns, but rather to sing, dance, joke, and boldly and cheerfully interact with the audience. Their daring fun-loving antics that know no limits have these rascal sisters provoking contagious laughter among the spectators throughout.

The elated joy with which these nuns sing, dance and clown evokes awe from one nun's presentation of a song or dance, to another's, including the ensemble tap dance that brings the house down. Among the songs and scenes that grab the audience are Baking with the BVM (Sr. Julia), I Just Want to Be a Star (Sr. Robert Anne), Nunsense Is Habit Forming (Cast), We've Got to Clean Out the Freezer (Cast), Just a Coupla Sisters (Srs. Mary Regina & Mary Hubert), Tackle That Temptation with a Time Step (Sr. Mary Hubert and Cast).

Under the batons of stage director/choreography Carl Jordan and musical director/pianist Andrew Klein, the slapstick, miming, clowning dance, singing, and excellent piano renditions (Andrew Klein) of this Nunsense production are integrated into a harmonious delightful ensemble.

Nunsense Plays through Nov. 11. Info: 415-883-4498 or visit novatotheatercompany.org
Annette Lust

Cinema By the Bay (Cont. from p. 13)

2:00 pm: **Moving Image at the End of the World: Shorts from Headlands Center for the Arts.**

Presented by Brian Karl, Program Director, Headlands Center for the Arts.

This year marks the 30th anniversary of the establishment of Headlands Center for the Arts, who's mission is to provide the environment for artists to produce innovative work and to connect them to audiences of all sorts, and their residencies are among the most sought-after around the world. Ranging from the humorous to the beautiful, this program of short films consists of works that have been made at Headlands.

4:15 pm: **A Conversation With Lucy Gray**

San Francisco-based artist Lucy Gray will appear for a rare talk about her work. While Gray is recognized for her compelling photographs—including the "Big Tilda" exhibition at the 2006 San Francisco International Film Festival—her art is not limited to photography. This event will feature a screening of her short film Genevieve Goes Boating, followed by readings from her latest venture. Writer and theater critic Steven Winn will moderate the discussion.

6:00 pm: **The Revolutionary Optimists, Work-in-progress screening**

Maren Grainger-Monsen, Nicole Newnham, Directors Expected.

Lawyer turned social advocate Amlan Ganguly doesn't just rescue children, he empowers them through education and activism to battle poverty and transform their lives. The Revolutionary Optimists follows Amlan and the children he works with—Shika, Salim, Kajal and Priyanka—as they staunchly fight against the forces that oppress them. (USA 2012. 83 min. Photographed by Jon Shenk, Ranu Ghosh, Ranjan Palit. Edited by Andrew Gersh, Mary Lampson. Helianthus Media.)

8:30 pm: **CXL, World Premiere**

Sean Gillane, Director Expected.

Nolan, an aspiring writer, feels stuck: he is frustrated with his career, his relationships, the world and ultimately with himself. When he meets the stunning and unpredictable Cassie, but just as he begins to change his perspective, circumstances conspire to throw his spirit into turmoil in this darkly comedic debut feature. (USA 2012. 90 min. Written by Theo Miller, Katherine Bruens. Photographed by Sean Gillane. With Cole Smith, Lisa Greyson. Briana Eason, Amir Motlagh.)

Tickets are \$11 for SFFS members; \$13 general; \$12 seniors, students and persons with disabilities. Opening Night film and party \$20 for SFFS members, \$25 general. For more info, go to sffs.org.

Pop Quiz on Prop. 38

By Carol Kocivar

Decisions in the voting booth should not be like the dreaded pop quiz.

"Gee... I wish I had spent a little more time studying this so I know the answer."

This November, the children of California are counting on you to have done your homework. You will be deciding on the education and future of an entire generation of children.

The California State Parent Teacher Association helped write and supports Proposition 38 because California needs to start to restore education programs at every public school.

Now—let's pretend you are getting ready to decide how to vote.

Here is some information about Prop 38.

The title is: TAX TO FUND EDUCATION AND EARLY CHILDHOOD PROGRAMS. INITIATIVE STATUTE.

Read the following information copied from Prop. 38 and then answer a few short questions.

- e) "Educational program" means expenditures for the following purposes at a K-12 schoolsite, approved at a public hearing by the governing board of the LEA with jurisdiction over the school, to improve the pupils' academic performance, graduation rates, and vocational, career, college, and life readiness:
- (1) Instruction in the arts, physical education, science, technology, engineering, mathematics, history, civics, financial literacy, English and foreign languages, and technical, vocational, or career education.
 - (2) Smaller class sizes.
 - (3) More counselors, librarians, school nurses, and other support staff at the schoolsite.
 - (4) Extended learning time through longer school days or longer school years, summer school, preschool, after school enrichment programs, and tutoring.
 - (5) Additional social and academic support for English language learners, low-income pupils, and pupils with special needs.
 - (6) Alternative education models that build pupils' capacity for critical thinking and creativity.
 - (7) More communication and engagement with parents as true partners with schools in helping all children succeed.

Here are the questions:

1. Does Proposition 38 tell you what the money can be spent on at our schools?
2. Can Proposition 38 be used to pay for extended learning time?
3. Can Proposition 38 be used to pay for smaller class sizes?

Answer: Yes for all questions.

Find out what your school will receive at www.prop38forlocalschools.org/ restore.

You can find out more about the initiative on the California Secretary of State web site: <http://voterguide.sos.ca.gov/propositions/38/>



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THE REAL ESTATE ANSWER MAN By Kevin Birmingham



Q My daughter wants to buy a house and rent it to me. Is there any legality we should be aware of? *Danita Gravelle*

A The “legality” is your daughter’s purchase will be classed as an investment for her, instead of as an owner occupied purchase. If she claims that this will be her residence and the lender finds out that it is not, it is considered mortgage fraud.

Q How do I find a place to rent that will allow a pit bull? *Bruce Arendsen*

A As a dog owner myself, I can sympathize with your problem. Call a few property management companies to see if they have general pet policies that prohibit dogs (and pit bulls in particular) or if it varies with each property.

Q I am currently trying to purchase a short sale property. It’s been 2.5 months so far waiting for an answer. *Angelica*

A Unfortunately, there’s really nothing a buyer can do to expedite the process, but your agent should check with the listing agent frequently and make sure that the listing agent calls the lender(s) regularly. You may also want to look at other houses that may fit your needs as there’s no guarantee that the lenders will approve the short sale.

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



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Real Travel *By Sergio Nibbi*

Savoring Savannah



Leaving Charleston, we headed to Savannah by way of Beaufort — a sea town not unlike Carmel except for the flat marshes surrounding it. Along the way we passed by Beaufort Marine Air Base and about 15 miles out of town is Parris Island, the Marine training area where many years ago the Marines had a tragic accident during night training exercises. I mentioned this to a couple of the locals, but either they forgot or chose not to remember.

Unlike Charleston, Savannah was not burned down during the Civil War, and as a result of its surrender to General Sherman it was spared the fate of so many of the other southern cities, and many of the old mansions still exist today.

The Atlantic is just a stone's throw from the town, and the boats and yachts would make any area proud. We had a pleasant lunch under green colored umbrellas, took in a few of the local sites and headed towards Savannah. A few miles before our final destination we traded South Carolina for Georgia, and after crossing a spectacular stayed-cable suspension bridge, we arrived in Savannah, Georgia. Fortunately for us, the city is laid out in a simple grid and very easy to navigate. There are a total of 22 squares and each has houses, churches and business, all with their own style and personality. Unlike Charleston, Savannah was not burned down during the Civil War, and as a result of its surrender to General Sherman it was spared the fate of so many of the other southern cities, and many of the old mansions still exist today. It was General Sherman who gave Savannah to President Lincoln for a Christmas present.

On our first night we headed for the City Market area, a district of shops and restaurants reborn from produce and fish vending areas of years gone by. The following morning we started at the visitor's center where a trolley bus took us back to the Market area, abandoned the trolley for a horse and buggy and took the one-hour tour of the downtown and historic area.

We enjoyed lunch along the waterfront and then took off on foot to see the sights. The streets along the waterfront area are still paved with old cobblestones used for ballast in the old sailing ships, and are extremely difficult to navigate. We hobbled and cobbled to our first stop, which was the house of Juliette Gordon Low, the woman who started the Girl Scouts.

Each stop had fascinating stories

but one interesting thing we saw was a trundle bed that had rope tied around the frame to hold up the mattress. On the side was a wooden handle to tighten the rope. The old saying, “Sleep tight and don’t let the bedbugs bite,” came from there. We learned earlier that the mattresses were made from horsehair or Spanish moss, which has bugs in it. (Not unlike today’s major hotels.)

In our travels we saw Henry Ford's first showroom, the Catholic cathedral of St. John the Baptist and a beautiful show of Andrew Wyeth's work at the Tel-fair Museum. At the visitors center we saw, but could not sit on, Forrest Gump's bench, memorabilia from the past when cotton was king and endless references to books and souvenirs on "Midnight in the Garden of Good and Evil"—a great book, but a lousy movie. (Sorry, Clint). We've enjoyed Savannah and all the beautiful, nicely cared for parks and squares, all the churches, museums, old homes and monuments, but somehow Savannah seems to be a little more serious than Charleston.

To celebrate our last night in town, we found, and very much enjoyed, an Italian restaurant called Il Pasticcio. Enough Southern cooking for a while, although the grouper that I ordered was delicious.

We needed to return our car, except that Hertz does not have an office in town so the next stop was the Savannah Airport, about 10 miles out of town. We grabbed a taxi back to our hotel while Miss Brown happily drove us back, all the while telling us about her holdup attempt last year. She's very fussy about her rides, so I guess it was a compliment to us that we were welcomed in her car. Great city, great lady.

Feedback: sergio@westsideobserver.com



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Joel Engardio Offers Common Sense.

- **Let's walk our kids to school & keep families in SF.**
We can build stronger communities with neighborhood schools.
- **Parks are for kids, dogs and trees.**
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- **Business is not a bad word.**
We need a dynamic local economy to create jobs and revenue. Let's make it easy to start and grow your small business dream.
- **Your house is not the city's ATM.**
Essential services should come from general funds, not borrowed money. We must audit all city programs and pay for only what's necessary and what works.

www.engardio.com



Award-winning journalist who held government accountable by shedding light on mismanagement of public money and abuse of power.

Business owner with successful production company.

Harvard trained. Master of Public Administration from the Kennedy School of Government with classes at Harvard Law and Business Schools.

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Parade 11:00 AM
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sfveteransdayparade@gmail.com

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