



COUNTY OF ALAMEDA

Sample Ballot and Voter Information Pamphlet

**General Election
TUESDAY, NOVEMBER 2, 2010**

**POLLS OPEN AT 7 A.M.
AND CLOSE AT 8 P.M.**

**WARNING: THE LOCATION OF YOUR POLLING
PLACE MAY HAVE CHANGED**

**SEE BACK COVER FOR YOUR POLLING PLACE
LOCATION AND VOTE BY MAIL BALLOT REQUEST**

**TAKE THIS SAMPLE BALLOT TO THE POLLS
AND PRE-MARK IT TO AVOID DELAY**




OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		CHARLES "KIT" CRITTENDEN GREEN		UNITED STATES SENATOR Vote for One	
DALE F. OGDEN Business Consultant/Actuary	LIBERTARIAN	MIMI WALTERS Businesswoman	REPUBLICAN	GAIL K. LIGHTFOOT Retired Nurse	LIBERTARIAN
JERRY BROWN Attorney General of California	DEMOCRATIC	BILL LOCKYER California State Treasurer	DEMOCRATIC	MARSHA FEINLAND Retired Teacher	PEACE AND FREEDOM
CHELENE NIGHTINGALE Business Owner	AMERICAN INDEPENDENT	ROBERT LAUTEN	AMERICAN INDEPENDENT	CARLY FIORINA Business Executive	REPUBLICAN
CARLOS ALVAREZ Retail Worker	PEACE AND FREEDOM	DEBRA L. REIGER Retired Technology Manager	PEACE AND FREEDOM	EDWARD C. NOONAN Computer Store Owner	AMERICAN INDEPENDENT
LAURA WELLS Financial Systems Consultant	GREEN	EDWARD M. TEYSSIER Business Owner/Attorney	LIBERTARIAN	DUANE ROBERTS Community Volunteer	GREEN
MEG WHITMAN Businesswoman	REPUBLICAN			BARBARA BOXER United States Senator	DEMOCRATIC
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
JIM KING Real Estate Broker	AMERICAN INDEPENDENT	ROBERT J. EVANS Criminal Defense Lawyer	PEACE AND FREEDOM	11TH CONGRESSIONAL DISTRICT Vote for One	
PAMELA J. BROWN Economics Professor	LIBERTARIAN	PETER ALLEN Environmental Energy Attorney	GREEN	JERRY MCNERNEY United States Congressman	DEMOCRATIC
GAVIN NEWSOM Mayor, City and County of San Francisco	DEMOCRATIC	KAMALA D. HARRIS District Attorney, City and County of San Francisco	DEMOCRATIC	DAVID HARMER Businessman/Attorney	REPUBLICAN
ABEL MALDONADO Senator/Businessman/Farmer	REPUBLICAN	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator	LIBERTARIAN	DAVID CHRISTENSEN Electrician	AMERICAN INDEPENDENT
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor	GREEN	DIANE BEALL TEMPLIN Attorney/RE Broker	AMERICAN INDEPENDENT		
C.T. WEBER Retired Government Analyst	PEACE AND FREEDOM	STEVE COOLEY District Attorney, County of Los Angeles	REPUBLICAN	STATE SENATOR	
				10TH STATE SENATE DISTRICT Vote for One	
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		ELLEN M. CORBETT Member California State Senate	
		DAVE JONES Member, California State Assembly	DEMOCRATIC		

Sample Ballot

DEBRA BOWEN Secretary of State	DEMOCRATIC
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT
ANN MENASCHE Civil Rights Attorney	GREEN
DAMON DUNN Small Business Owner	REPUBLICAN
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM
CONTROLLER Vote for One	
ROSS D. FRANKEL Accountant	GREEN
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN
TONY STRICKLAND State Senator/Businessman	REPUBLICAN
KAREN MARTINEZ Retired	PEACE AND FREEDOM
JOHN CHIANG Controller	DEMOCRATIC
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT

MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN
CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT
DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM
RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One	
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN
SHERILL BORG Community Development Officer	PEACE AND FREEDOM
KEVIN R. SCOTT Small Business Owner	REPUBLICAN
BETTY T. YEE Equalization Board Member	DEMOCRATIC

IVAN CHOU	AMERICAN INDEPENDENT		
ROB MAFFIT Engineer/Business Owner	REPUBLICAN		
MEMBER OF THE STATE ASSEMBLY			
15TH ASSEMBLY DISTRICT Vote for One			
ABRAM WILSON Mayor	REPUBLICAN		
JOAN BUCHANAN Lawmaker	DEMOCRATIC		
JUDICIAL Vote Yes or No for Each Office			
CHIEF JUSTICE OF THE SUPREME COURT			
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	<table><tr><td>YES</td></tr><tr><td>NO</td></tr></table>	YES	NO
YES			
NO			
ASSOCIATE JUSTICE OF THE SUPREME COURT			
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	<table><tr><td>YES</td></tr><tr><td>NO</td></tr></table>	YES	NO
YES			
NO			

Sample Ballot

JUDICIAL		Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"			
YES	←	▶	
NO	←	▶	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"			
YES	←	▶	
NO	←	▶	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"			
YES	←	▶	
NO	←	▶	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"			
YES	←	▶	
NO	←	▶	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"			
YES	←	▶	
NO	←	▶	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"			
YES	←	▶	
NO	←	▶	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4			

PLEASANTON UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBERS	
Vote for no more than Two	
JEFF BOWSER Businessman/Educator/Parent	← ▶
JOAN LAURSEN Parent/Community Volunteer	← ▶
SANDY PIDERIT Professor	← ▶
	← ▶
	← ▶
CITY OF PLEASANTON	
FOR MAYOR Vote for One	
CINDY McGOVERN Pleasanton City Councilmember	← ▶
JENNIFER HOSTERMAN Mayor	← ▶
	← ▶
FOR MEMBERS OF CITY COUNCIL Vote for no more than Two	
JERRY THORNE Councilmember/Retired Engineer	← ▶
CHERYL COOK-KALLIO City Councilmember/Teacher	← ▶
FRED WATSON Manager Volunteering Services	← ▶
KARLA BROWN Pleasanton Business Woman	← ▶
	← ▶
	← ▶
DISTRICT	
LIVERMORE AREA RECREATION & PARK DISTRICT DIRECTORS Vote for no more than Three	
APRIL ROOD Nonprofit Organization Treasurer	← ▶
LAUREEN TURNER Nurse/Clinical Instructor	← ▶

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
NONPARTISAN JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
VICTORIA S. KOLAKOWSKI Administrative Law Judge		←	▶
JOHN CREIGHTON Deputy District Attorney		←	▶
		←	▶
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
TOM TORLAKSON Teacher/California Legislator		←	▶
LARRY ACEVES Retired School Superintendent		←	▶
		←	▶

MARK THRAILKILL Senior Engineering Technician	←	▶
BOB COOMBER Freelance Writer	←	▶
MARYALICE SUMMERS FALTINGS Incumbent	←	▶
DAVID HUTCHINSON Business Management Consultant	←	▶
	←	▶
	←	▶
	←	▶
	←	▶

CA01-2-A1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS							
STATE							
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div><div>YES</div><div>NO</div></div> <div><div>←</div><div>←</div></div> <div><div>↑</div><div>↑</div></div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--05149522160-1

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		ROBERT LAUTEN AMERICAN INDEPENDENT		UNITED STATES SENATOR Vote for One	
CARLOS ALVAREZ Retail Worker	PEACE AND FREEDOM	DEBRA L. REIGER Retired Technology Manager	PEACE AND FREEDOM	EDWARD C. NOONAN Computer Store Owner	AMERICAN INDEPENDENT
LAURA WELLS Financial Systems Consultant	GREEN	EDWARD M. TEYSSIER Business Owner/Attorney	LIBERTARIAN	DUANE ROBERTS Community Volunteer	GREEN
MEG WHITMAN Businesswoman	REPUBLICAN	CHARLES "KIT" CRITTENDEN Retired Professor	GREEN	BARBARA BOXER United States Senator	DEMOCRATIC
DALE F. OGDEN Business Consultant/Actuary	LIBERTARIAN	MIMI WALTERS Businesswoman	REPUBLICAN	GAIL K. LIGHTFOOT Retired Nurse	LIBERTARIAN
JERRY BROWN Attorney General of California	DEMOCRATIC	BILL LOCKYER California State Treasurer	DEMOCRATIC	MARSHA FEINLAND Retired Teacher	PEACE AND FREEDOM
CHELENE NIGHTINGALE Business Owner	AMERICAN INDEPENDENT			CARLY FIORINA Business Executive	REPUBLICAN
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
ABEL MALDONADO Senator/Businessman/Farmer	REPUBLICAN	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator	LIBERTARIAN	9TH CONGRESSIONAL DISTRICT Vote for One	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor	GREEN	DIANE BEALL TEMPLIN Attorney/RE Broker	AMERICAN INDEPENDENT	LARRY ALLEN Retired Computer Programmer	PEACE AND FREEDOM
C.T. WEBER Retired Government Analyst	PEACE AND FREEDOM	STEVE COOLEY District Attorney, County of Los Angeles	REPUBLICAN	DAVE HELLER Carpenter	GREEN
JIM KING Real Estate Broker	AMERICAN INDEPENDENT	ROBERT J. EVANS Criminal Defense Lawyer	PEACE AND FREEDOM	GERALD HASHIMOTO Candy Maker	REPUBLICAN
PAMELA J. BROWN Economics Professor	LIBERTARIAN	PETER ALLEN Environmental Energy Attorney	GREEN	JAMES EYER Scientist/Consultant	LIBERTARIAN
GAVIN NEWSOM Mayor, City and County of San Francisco	DEMOCRATIC	KAMALA D. HARRIS District Attorney, City and County of San Francisco	DEMOCRATIC	BARBARA LEE Congresswoman	DEMOCRATIC
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		STATE SENATOR	
		DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM		

Sample Ballot

DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
DEBRA BOWEN Secretary of State	DEMOCRATIC	←
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
CONTROLLER Vote for One		
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←
ROSS D. FRANKEL Accountant	GREEN	←
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←

RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
DAVE JONES Member, California State Assembly	DEMOCRATIC	←
MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN	←
CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←

10TH STATE SENATE DISTRICT Vote for One					
ELLEN M. CORBETT Member California State Senate	DEMOCRATIC ←				
IVAN CHOU	AMERICAN INDEPENDENT ←				
ROB MAFFIT Engineer/Business Owner	REPUBLICAN ←				
MEMBER OF THE STATE ASSEMBLY					
18TH ASSEMBLY DISTRICT Vote for One					
MARY HAYASHI California State Assemblymember	DEMOCRATIC ←				
MICHAEL HAVIG College Student	REPUBLICAN ←				
JUDICIAL Vote Yes or No for Each Office					
CHIEF JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				
ASSOCIATE JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

JUDICIAL	
Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

SAN LORENZO UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBERS	
Vote for no more than Two	
HELEN T. RANDALL Incumbent	←
REBECCA OLIVERA Office Manager/Parent	←
STACY SANTOS BLOM Parent	←
GENE W. JUDSON Higher-Education Consultant	←
ELLIOT SCHNEIDER Retired Educator/Parent	←
ISABEL POLVOROSA San Lorenzo School Board Member	←
DISTRICT	
AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One	
JOEL B. YOUNG Appointed Incumbent	←
ELLIS JERRY POWELL Retired Tutor	←
AC TRANSIT DISTRICT DIRECTOR, WARD 4 Vote for One	
GAVIN WILGUS Student	←
MARK WILLIAMS Transit Accessibility Advisor	←
EBMUD DIRECTOR, WARD 7 Vote for One	
MATT TURNER	←
FRANK MELLON Member EBMUD Board of Directors	←

ORO LOMA SANITARY DISTRICT DIRECTORS	
Vote for no more than Three	
SHELIA YOUNG Business Woman	←
HOWARD W. KERR Director, Oro Loma Sanitary District	←
TIMOTHY P. BECKER Director Oro Loma Sanitary District	←
LARRY JOHNSON Engineer/Financial Consultant	←
FRANK V. SIDARI Director, Oro Loma Sanitary District	←
	←
	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"		YES ←	→		←	→
		NO ←	→			
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5						
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"		YES ←	→		←	→
		NO ←	→		←	→
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5						
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"		YES ←	→		←	→
		NO ←	→		←	→
NONPARTISAN JUDICIAL						
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One						
VICTORIA S. KOLAKOWSKI Administrative Law Judge		←	→		←	→
JOHN CREIGHTON Deputy District Attorney		←	→		←	→
		←	→		←	→
SCHOOL						
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One						
LARRY ACEVES Retired School Superintendent		←	→			
TOM TORLAKSON Teacher/California Legislator		←	→			
		←	→			
EDEN TOWNSHIP HEALTHCARE DISTRICT DIRECTORS Vote for no more than Three						
CAROLE S. ROGERS Incumbent			←	→	←	→
SUSAN H. REISZ Retired Office Manager				←	←	→
WILLIAM F. WEST Appointed Incumbent				←	←	→
LES FRIEDMAN Attorney/Arbitrator/Economist				←	←	→
				←	←	→
				←	←	→
				←	←	→
HAYWARD AREA RECREATION & PARK DISTRICT DIRECTORS Vote for no more than Two						
AUDIE BOCK Scholarship Director/Teacher				←	←	→
CAROL A. PEREIRA Member Board of Directors, HARD				←	←	→
PAUL WAYNE HODGES, JR. Incumbent				←	←	→
					←	→
					←	→

CA01-2-11

A - Card 1

VOTE BOTH SIDES

























OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS			
STATE			
19	LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.	YES 	
		NO 	
20	REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.	YES 	
		NO 	
21	ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.	YES 	
		NO 	
22	PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.	YES 	
		NO 	
23	SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.	YES 	
		NO 	
24	REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.	YES 	
		NO 	

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS					
COUNTY					
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

VOTE BOTH SIDES

CA01-4--0506442600-10

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		ROBERT LAUTEN AMERICAN INDEPENDENT		UNITED STATES SENATOR Vote for One	
CARLOS ALVAREZ Retail Worker	PEACE AND FREEDOM	DEBRA L. REIGER Retired Technology Manager	PEACE AND FREEDOM	EDWARD C. NOONAN Computer Store Owner	AMERICAN INDEPENDENT
LAURA WELLS Financial Systems Consultant	GREEN	EDWARD M. TEYSSIER Business Owner/Attorney	LIBERTARIAN	DUANE ROBERTS Community Volunteer	GREEN
MEG WHITMAN Businesswoman	REPUBLICAN	CHARLES "KIT" CRITTENDEN Retired Professor	GREEN	BARBARA BOXER United States Senator	DEMOCRATIC
DALE F. OGDEN Business Consultant/Actuary	LIBERTARIAN	MIMI WALTERS Businesswoman	REPUBLICAN	GAIL K. LIGHTFOOT Retired Nurse	LIBERTARIAN
JERRY BROWN Attorney General of California	DEMOCRATIC	BILL LOCKYER California State Treasurer	DEMOCRATIC	MARSHA FEINLAND Retired Teacher	PEACE AND FREEDOM
CHELENE NIGHTINGALE Business Owner	AMERICAN INDEPENDENT			CARLY FIORINA Business Executive	REPUBLICAN
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
ABEL MALDONADO Senator/Businessman/Farmer	REPUBLICAN	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator	LIBERTARIAN	9TH CONGRESSIONAL DISTRICT Vote for One	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor	GREEN	DIANE BEALL TEMPLIN Attorney/RE Broker	AMERICAN INDEPENDENT	LARRY ALLEN Retired Computer Programmer	PEACE AND FREEDOM
C.T. WEBER Retired Government Analyst	PEACE AND FREEDOM	STEVE COOLEY District Attorney, County of Los Angeles	REPUBLICAN	DAVE HELLER Carpenter	GREEN
JIM KING Real Estate Broker	AMERICAN INDEPENDENT	ROBERT J. EVANS Criminal Defense Lawyer	PEACE AND FREEDOM	GERALD HASHIMOTO Candy Maker	REPUBLICAN
PAMELA J. BROWN Economics Professor	LIBERTARIAN	PETER ALLEN Environmental Energy Attorney	GREEN	JAMES EYER Scientist/Consultant	LIBERTARIAN
GAVIN NEWSOM Mayor, City and County of San Francisco	DEMOCRATIC	KAMALA D. HARRIS District Attorney, City and County of San Francisco	DEMOCRATIC	BARBARA LEE Congresswoman	DEMOCRATIC
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		STATE SENATOR	
		DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM		

Sample Ballot

DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
DEBRA BOWEN Secretary of State	DEMOCRATIC	←
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
CONTROLLER Vote for One		
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←
ROSS D. FRANKEL Accountant	GREEN	←
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←

RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
DAVE JONES Member, California State Assembly	DEMOCRATIC	←
MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN	←
CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←

10TH STATE SENATE DISTRICT Vote for One					
ELLEN M. CORBETT Member California State Senate	DEMOCRATIC ←				
IVAN CHOU	AMERICAN INDEPENDENT ←				
ROB MAFFIT Engineer/Business Owner	REPUBLICAN ←				
MEMBER OF THE STATE ASSEMBLY					
18TH ASSEMBLY DISTRICT Vote for One					
MARY HAYASHI California State Assemblymember	DEMOCRATIC ←				
MICHAEL HAVIG College Student	REPUBLICAN ←				
JUDICIAL Vote Yes or No for Each Office					
CHIEF JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				
ASSOCIATE JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

MARK WILLIAMS
Transit Accessibility Advisor

1

Sample Ballot

Sample Ballot

<p>"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"</p> <p>YES</p> <p>NO</p>	<p>ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5</p> <p>"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"</p> <p>YES</p> <p>NO</p>	<p>ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5</p> <p>"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"</p> <p>YES</p> <p>NO</p>	<p>NONPARTISAN</p> <p>JUDICIAL</p> <p>SUPERIOR COURT JUDGE, OFFICE #9 Vote for One</p> <p>VICTORIA S. KOLAKOWSKI Administrative Law Judge</p> <p>JOHN CREIGHTON Deputy District Attorney</p> <p>SCHOOL</p> <p>STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One</p> <p>LARRY ACEVES Retired School Superintendent</p> <p>TOM TORLAKSON Teacher/California Legislator</p>	<p>CASTRO VALLEY SANITARY DISTRICT DIRECTORS Vote for no more than Two</p> <p>RALPH JOHNSON Incumbent</p> <p>HARRY FRANCIS Board of Directors, Castro Valley Sanitary District</p> <p>DAVID M. SILVA Financial Manager</p> <p>HERA ALIKIAN Business Woman</p> <p>EBMUD DIRECTOR, WARD 7 Vote for One</p> <p>MATT TURNER</p> <p>FRANK MELLON Member EBMUD Board of Directors</p> <p>EDEN TOWNSHIP HEALTHCARE DISTRICT DIRECTORS Vote for no more than Three</p> <p>CAROLE S. ROGERS Incumbent</p> <p>SUSAN H. REISZ Retired Office Manager</p> <p>WILLIAM F. WEST Appointed Incumbent</p> <p>LES FRIEDMAN Attorney/Arbitrator/Economist</p>
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CA01-2-J1

A - Card 1

VOTE BOTH SIDES

























OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS			
STATE			
19	LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.	YES 	
		NO 	
20	REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.	YES 	
		NO 	
21	ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.	YES 	
		NO 	
22	PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.	YES 	
		NO 	
23	SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.	YES 	
		NO 	
24	REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.	YES 	
		NO 	

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS					
COUNTY					
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

VOTE BOTH SIDES

CA01-4--0511470400-11

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		ROBERT LAUTEN AMERICAN INDEPENDENT		UNITED STATES SENATOR Vote for One	
CARLOS ALVAREZ Retail Worker	PEACE AND FREEDOM	DEBRA L. REIGER Retired Technology Manager	PEACE AND FREEDOM	EDWARD C. NOONAN Computer Store Owner	AMERICAN INDEPENDENT
LAURA WELLS Financial Systems Consultant	GREEN	EDWARD M. TEYSSIER Business Owner/Attorney	LIBERTARIAN	DUANE ROBERTS Community Volunteer	GREEN
MEG WHITMAN Businesswoman	REPUBLICAN	CHARLES "KIT" CRITTENDEN Retired Professor	GREEN	BARBARA BOXER United States Senator	DEMOCRATIC
DALE F. OGDEN Business Consultant/Actuary	LIBERTARIAN	MIMI WALTERS Businesswoman	REPUBLICAN	GAIL K. LIGHTFOOT Retired Nurse	LIBERTARIAN
JERRY BROWN Attorney General of California	DEMOCRATIC	BILL LOCKYER California State Treasurer	DEMOCRATIC	MARSHA FEINLAND Retired Teacher	PEACE AND FREEDOM
CHELENE NIGHTINGALE Business Owner	AMERICAN INDEPENDENT			CARLY FIORINA Business Executive	REPUBLICAN
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
ABEL MALDONADO Senator/Businessman/Farmer	REPUBLICAN	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator	LIBERTARIAN	13TH CONGRESSIONAL DISTRICT Vote for One	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor	GREEN	DIANE BEALL TEMPLIN Attorney/RE Broker	AMERICAN INDEPENDENT	FORTNEY PETE STARK United States Congressman	
C.T. WEBER Retired Government Analyst	PEACE AND FREEDOM	STEVE COOLEY District Attorney, County of Los Angeles	REPUBLICAN	FOREST BAKER Businessman/Author	
JIM KING Real Estate Broker	AMERICAN INDEPENDENT	ROBERT J. EVANS Criminal Defense Lawyer	PEACE AND FREEDOM		
PAMELA J. BROWN Economics Professor	LIBERTARIAN	PETER ALLEN Environmental Energy Attorney	GREEN		
GAVIN NEWSOM Mayor, City and County of San Francisco	DEMOCRATIC	KAMALA D. HARRIS District Attorney, City and County of San Francisco	DEMOCRATIC		
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		STATE SENATOR	
		DINA JOSEPHINE PADILLA Injured Worker Consultant		10TH STATE SENATE DISTRICT Vote for One	
				ELLEN M. CORBETT Member California State Senate	
				IVAN CHOU AMERICAN INDEPENDENT	

Sample Ballot

DAMON DUNN Small Business Owner	REPUBLICAN
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM
DEBRA BOWEN Secretary of State	DEMOCRATIC
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT
ANN MENASCHE Civil Rights Attorney	GREEN
CONTROLLER Vote for One	
KAREN MARTINEZ Retired	PEACE AND FREEDOM
JOHN CHIANG Controller	DEMOCRATIC
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT
ROSS D. FRANKEL Accountant	GREEN
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN
TONY STRICKLAND State Senator/Businessman	REPUBLICAN

RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN
DAVE JONES Member, California State Assembly	DEMOCRATIC
MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN
CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One	
KEVIN R. SCOTT Small Business Owner	REPUBLICAN
BETTY T. YEE Equalization Board Member	DEMOCRATIC
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN
SHERILL BORG Community Development Officer	PEACE AND FREEDOM

ROB MAFFIT Engineer/Business Owner	REPUBLICAN		
MEMBER OF THE STATE ASSEMBLY			
18TH ASSEMBLY DISTRICT Vote for One			
MARY HAYASHI California State Assemblymember	DEMOCRATIC		
MICHAEL HAVIG College Student	REPUBLICAN		
JUDICIAL Vote Yes or No for Each Office			
CHIEF JUSTICE OF THE SUPREME COURT			
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	<table><tr><td>YES</td></tr><tr><td>NO</td></tr></table>	YES	NO
YES			
NO			
ASSOCIATE JUSTICE OF THE SUPREME COURT			
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	<table><tr><td>YES</td></tr><tr><td>NO</td></tr></table>	YES	NO
YES			
NO			

Sample Ballot

JUDICIAL Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	
SAN LEANDRO UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBER, AREA 2 Vote for One	
VICTORIA WANG Educator	
LANCE JAMES Teacher	
SAN LEANDRO UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBER, AREA 4 Vote for One	
MIKE KATZ Incumbent	
LATRINA DUMAS Parent	
DISTRICT	
AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One	
JOEL B. YOUNG Appointed Incumbent	
ELLIS JERRY POWELL Retired Tutor	
AC TRANSIT DISTRICT DIRECTOR, WARD 3 Vote for One	
ELSA ORTIZ Alameda-Contra Costa Transit District Director	
DOLLENE C. JONES Bus Driver	
NANCY M. SKOWBO Retired Transit Executive	
EBMUD DIRECTOR, WARD 7 Vote for One	
MATT TURNER	
FRANK MELLON Member EBMUD Board of Directors	

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■		←	■
	NO	←	■			
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			EDEN TOWNSHIP HEALTHCARE DISTRICT DIRECTORS Vote for no more than Three			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■	CAROLE S. ROGERS Incumbent	←	■
	NO	←	■	SUSAN H. REISZ Retired Office Manager	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			WILLIAM F. WEST Appointed Incumbent			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■	LES FRIEDMAN Attorney/Arbitrator/Economist	←	■
	NO	←	■		←	■
NONPARTISAN						
JUDICIAL						
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			ORO LOMA SANITARY DISTRICT DIRECTORS Vote for no more than Three			
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	SHELIA YOUNG Business Woman	←	■	
JOHN CREIGHTON Deputy District Attorney	←	■	HOWARD W. KERR Director, Oro Loma Sanitary District	←	■	
	←	■	TIMOTHY P. BECKER Director Oro Loma Sanitary District	←	■	
SCHOOL			LARRY JOHNSON Engineer/Financial Consultant			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			FRANK V. SIDARI Director, Oro Loma Sanitary District			
LARRY ACEVES Retired School Superintendent	←	■		←	■	
TOM TORLAKSON Teacher/California Legislator	←	■		←	■	
	←	■		←	■	

CA01-2-P1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS		
COUNTY		
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES	←
	NO	←
SCHOOL		
M "To continue to improve and modernize its schools, renovate athletic facilities including Burrell Field, replace the pools at San Leandro High School, enhance energy efficiency and promote safe, healthy schools for all students, shall the San Leandro Unified School District be authorized to replace, renovate, acquire and construct school facilities, and issue \$50,100,000 in bonds at legal interest rates with no funds for administrator salaries, conduct annual independent audits, and appoint an Independent Oversight Committee to monitor bond expenditures?"	BONDS YES	←
	BONDS NO	←
CITY OF SAN LEANDRO		
Z San Leandro Temporary Emergency Funding. To protect and maintain local services, such as fire and 9-1-1 emergency response times, neighborhood police patrols, investigation and gang suppression officers, library hours/programs, street and pothole repairs, youth after-school and senior programs, and other general City services, shall the City of San Leandro enact a quarter-cent sales tax, for seven years, reviewed by a citizens' oversight committee, annual independent audits, and all funds for San Leandro and no funds for Sacramento?	YES	←
	NO	←

Sample Ballot

VOTE BOTH SIDES

CA01-4--0513455500-18

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN CITY OF SAN LEANDRO FOR MAYOR	
1	FIRST CHOICE
Vote for One	
	STEPHEN H. CASSIDY Consumer Protection Attorney
	JOYCE RUTLEDGE STAROSCIAK San Leandro City Councilmember
	ANTHONY B. "TONY" SANTOS Mayor of San Leandro
	JOHN R. PALAU Construction Manager
	SARA M. MESTAS Businesswoman
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	

NONPARTISAN CITY OF SAN LEANDRO FOR MAYOR	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
	STEPHEN H. CASSIDY Consumer Protection Attorney
	JOYCE RUTLEDGE STAROSCIAK San Leandro City Councilmember
	ANTHONY B. "TONY" SANTOS Mayor of San Leandro
	JOHN R. PALAU Construction Manager
	SARA M. MESTAS Businesswoman
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	

NONPARTISAN CITY OF SAN LEANDRO FOR MAYOR	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
	STEPHEN H. CASSIDY Consumer Protection Attorney
	JOYCE RUTLEDGE STAROSCIAK San Leandro City Councilmember
	ANTHONY B. "TONY" SANTOS Mayor of San Leandro
	JOHN R. PALAU Construction Manager
	SARA M. MESTAS Businesswoman
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	

Sample Ballot

Sample Ballot

1	FIRST CHOICE
Vote for One	
MICHAEL J. GREGORY	←
Incumbent	
DAVID L. ANDERSON, SR.	←
Retired Sheetmetal Worker	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 3	
1	FIRST CHOICE
Vote for One	
DIANA M. SOUZA	←
Incumbent	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 5	
1	FIRST CHOICE
Vote for One	
PAULINE RUSSO CUTTER	←
Educator/Preschool Director	
CORINA N. LOPEZ	←
San Leandro Business Owner	
	←

2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
MICHAEL J. GREGORY	←
Incumbent	
DAVID L. ANDERSON, SR.	←
Retired Sheetmetal Worker	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 3	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
DIANA M. SOUZA	←
Incumbent	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 5	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
PAULINE RUSSO CUTTER	←
Educator/Preschool Director	
CORINA N. LOPEZ	←
San Leandro Business Owner	
	←


3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
MICHAEL J. GREGORY	←
Incumbent	
DAVID L. ANDERSON, SR.	←
Retired Sheetmetal Worker	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 3	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
DIANA M. SOUZA	←
Incumbent	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 5	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
PAULINE RUSSO CUTTER	←
Educator/Preschool Director	
CORINA N. LOPEZ	←
San Leandro Business Owner	
	←

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		ROBERT LAUTEN AMERICAN INDEPENDENT		UNITED STATES SENATOR Vote for One	
CARLOS ALVAREZ Retail Worker	PEACE AND FREEDOM	DEBRA L. REIGER Retired Technology Manager	PEACE AND FREEDOM	EDWARD C. NOONAN Computer Store Owner	AMERICAN INDEPENDENT
LAURA WELLS Financial Systems Consultant	GREEN	EDWARD M. TEYSSIER Business Owner/Attorney	LIBERTARIAN	DUANE ROBERTS Community Volunteer	GREEN
MEG WHITMAN Businesswoman	REPUBLICAN	CHARLES "KIT" CRITTENDEN Retired Professor	GREEN	BARBARA BOXER United States Senator	DEMOCRATIC
DALE F. OGDEN Business Consultant/Actuary	LIBERTARIAN	MIMI WALTERS Businesswoman	REPUBLICAN	GAIL K. LIGHTFOOT Retired Nurse	LIBERTARIAN
JERRY BROWN Attorney General of California	DEMOCRATIC	BILL LOCKYER California State Treasurer	DEMOCRATIC	MARSHA FEINLAND Retired Teacher	PEACE AND FREEDOM
CHELENE NIGHTINGALE Business Owner	AMERICAN INDEPENDENT			CARLY FIORINA Business Executive	REPUBLICAN
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
ABEL MALDONADO Senator/Businessman/Farmer	REPUBLICAN	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator	LIBERTARIAN	13TH CONGRESSIONAL DISTRICT Vote for One	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor	GREEN	DIANE BEALL TEMPLIN Attorney/RE Broker	AMERICAN INDEPENDENT	FORTNEY PETE STARK United States Congressman	DEMOCRATIC
C.T. WEBER Retired Government Analyst	PEACE AND FREEDOM	STEVE COOLEY District Attorney, County of Los Angeles	REPUBLICAN	FOREST BAKER Businessman/Author	REPUBLICAN
JIM KING Real Estate Broker	AMERICAN INDEPENDENT	ROBERT J. EVANS Criminal Defense Lawyer	PEACE AND FREEDOM		
PAMELA J. BROWN Economics Professor	LIBERTARIAN	PETER ALLEN Environmental Energy Attorney	GREEN		
GAVIN NEWSOM Mayor, City and County of San Francisco	DEMOCRATIC	KAMALA D. HARRIS District Attorney, City and County of San Francisco	DEMOCRATIC		
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		STATE SENATOR	
		DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	10TH STATE SENATE DISTRICT Vote for One	
				ELLEN M. CORBETT Member California State Senate	DEMOCRATIC
				IVAN CHOU	AMERICAN INDEPENDENT

Sample Ballot

DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
DEBRA BOWEN Secretary of State	DEMOCRATIC	←
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
CONTROLLER Vote for One		
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←
ROSS D. FRANKEL Accountant	GREEN	←
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←

RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
DAVE JONES Member, California State Assembly	DEMOCRATIC	←
MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN	←
CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←

ROB MAFFIT Engineer/Business Owner	REPUBLICAN	←
MEMBER OF THE STATE ASSEMBLY		
18TH ASSEMBLY DISTRICT Vote for One		
MARY HAYASHI California State Assemblymember	DEMOCRATIC	←
MICHAEL HAVIG College Student	REPUBLICAN	←
JUDICIAL Vote Yes or No for Each Office		
CHIEF JUSTICE OF THE SUPREME COURT		
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	YES	←
	NO	←
ASSOCIATE JUSTICE OF THE SUPREME COURT		
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	YES	←
	NO	←

Sample Ballot

JUDICIAL

Vote Yes or No for Each Office

ASSOCIATE JUSTICE OF THE SUPREME COURT

"Shall Associate Justice of the Supreme Court, **CARLOS R. MORENO** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **KATHLEEN M. BANKE** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **ROBERT L. DONDERO** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **JAMES R. LAMBDEN** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **MARTIN J. JENKINS** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **PETER J. SIGGINS** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4

SAN LORENZO UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBERS

Vote for no more than Two

HELEN T. RANDALL

Incumbent

REBECCA OLIVERA

Office Manager/Parent

STACY SANTOS BLOM

Parent

GENE W. JUDSON

Higher-Education Consultant

ELLIOT SCHNEIDER

Retired Educator/Parent

ISABEL POLVOROSA

San Lorenzo School Board Member

DISTRICT

AC TRANSIT DISTRICT DIRECTOR, AT-LARGE

Vote for One

JOEL B. YOUNG

Appointed Incumbent

ELLIS JERRY POWELL

Retired Tutor

AC TRANSIT DISTRICT DIRECTOR, WARD 3

Vote for One

ELSA ORTIZ

Alameda-Contra Costa Transit District Director

DOLLENE C. JONES

Bus Driver

NANCY M. SKOWBO

Retired Transit Executive

EBMUD DIRECTOR, WARD 7

Vote for One

MATT TURNER

FRANK MELLON

Member EBMUD Board of Directors

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■		←	■
	NO	←	■			
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			EDEN TOWNSHIP HEALTHCARE DISTRICT DIRECTORS Vote for no more than Three			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■	CAROLE S. ROGERS Incumbent	←	■
	NO	←	■	SUSAN H. REISZ Retired Office Manager	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			WILLIAM F. WEST Appointed Incumbent			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■	LES FRIEDMAN Attorney/Arbitrator/Economist	←	■
	NO	←	■		←	■
NONPARTISAN						
JUDICIAL						
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			ORO LOMA SANITARY DISTRICT DIRECTORS Vote for no more than Three			
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	SHELIA YOUNG Business Woman	←	■	
JOHN CREIGHTON Deputy District Attorney	←	■	HOWARD W. KERR Director, Oro Loma Sanitary District	←	■	
	←	■	TIMOTHY P. BECKER Director Oro Loma Sanitary District	←	■	
SCHOOL			LARRY JOHNSON Engineer/Financial Consultant			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			FRANK V. SIDARI Director, Oro Loma Sanitary District			
LARRY ACEVES Retired School Superintendent	←	■		←	■	
TOM TORLAKSON Teacher/California Legislator	←	■		←	■	
	←	■		←	■	

CA01-2-R1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

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NO	←				
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YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

<p>25 CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT. Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>26 REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT. Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>27 ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					





Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div>YES </div> <div>NO </div>
CITY OF SAN LEANDRO	
Z San Leandro Temporary Emergency Funding. To protect and maintain local services, such as fire and 9-1-1 emergency response times, neighborhood police patrols, investigation and gang suppression officers, library hours/programs, street and pothole repairs, youth after-school and senior programs, and other general City services, shall the City of San Leandro enact a quarter-cent sales tax, for seven years, reviewed by a citizens' oversight committee, annual independent audits, and all funds for San Leandro and no funds for Sacramento?	<div>YES </div> <div>NO </div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--05129454800-20

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN	
CITY OF SAN LEANDRO	
FOR MAYOR	
1	FIRST CHOICE
Vote for One	
<input type="checkbox"/>	STEPHEN H. CASSIDY Consumer Protection Attorney
<input type="checkbox"/>	JOYCE RUTLEDGE STAROSCIAK San Leandro City Councilmember
<input type="checkbox"/>	ANTHONY B. "TONY" SANTOS Mayor of San Leandro
<input type="checkbox"/>	JOHN R. PALAU Construction Manager
<input type="checkbox"/>	SARA M. MESTAS Businesswoman
<input type="checkbox"/>	
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	

NONPARTISAN	
CITY OF SAN LEANDRO	
FOR MAYOR	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
<input type="checkbox"/>	STEPHEN H. CASSIDY Consumer Protection Attorney
<input type="checkbox"/>	JOYCE RUTLEDGE STAROSCIAK San Leandro City Councilmember
<input type="checkbox"/>	ANTHONY B. "TONY" SANTOS Mayor of San Leandro
<input type="checkbox"/>	JOHN R. PALAU Construction Manager
<input type="checkbox"/>	SARA M. MESTAS Businesswoman
<input type="checkbox"/>	
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	

NONPARTISAN	
CITY OF SAN LEANDRO	
FOR MAYOR	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
<input type="checkbox"/>	STEPHEN H. CASSIDY Consumer Protection Attorney
<input type="checkbox"/>	JOYCE RUTLEDGE STAROSCIAK San Leandro City Councilmember
<input type="checkbox"/>	ANTHONY B. "TONY" SANTOS Mayor of San Leandro
<input type="checkbox"/>	JOHN R. PALAU Construction Manager
<input type="checkbox"/>	SARA M. MESTAS Businesswoman
<input type="checkbox"/>	
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	

Sample Ballot

Sample Ballot

1	FIRST CHOICE
Vote for One	
MICHAEL J. GREGORY	←
Incumbent	
DAVID L. ANDERSON, SR.	←
Retired Sheetmetal Worker	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 3	
1	FIRST CHOICE
Vote for One	
DIANA M. SOUZA	←
Incumbent	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 5	
1	FIRST CHOICE
Vote for One	
PAULINE RUSSO CUTTER	←
Educator/Preschool Director	
CORINA N. LOPEZ	←
San Leandro Business Owner	
	←

2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
MICHAEL J. GREGORY	←
Incumbent	
DAVID L. ANDERSON, SR.	←
Retired Sheetmetal Worker	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 3	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
DIANA M. SOUZA	←
Incumbent	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 5	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
PAULINE RUSSO CUTTER	←
Educator/Preschool Director	
CORINA N. LOPEZ	←
San Leandro Business Owner	
	←


3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
MICHAEL J. GREGORY	←
Incumbent	
DAVID L. ANDERSON, SR.	←
Retired Sheetmetal Worker	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 3	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
DIANA M. SOUZA	←
Incumbent	
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 5	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
PAULINE RUSSO CUTTER	←
Educator/Preschool Director	
CORINA N. LOPEZ	←
San Leandro Business Owner	
	←

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
	←		←		←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	DAVE HELLER Carpenter GREEN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	BARBARA LEE Congresswoman DEMOCRATIC	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		STATE SENATOR	
	←	WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←		←

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
JOHN CHIANG	DEMOCRATIC
Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
CLAY PEDERSEN	AMERICAN INDEPENDENT
Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
Community Development Officer	
KEVIN R. SCOTT	REPUBLICAN
Small Business Owner	
BETTY T. YEE	DEMOCRATIC
Equalization Board Member	

10TH STATE SENATE DISTRICT	
Vote for One	
ELLEN M. CORBETT	DEMOCRATIC
Member California State Senate	
IVAN CHOU	AMERICAN INDEPENDENT
ROB MAFFIT	REPUBLICAN
Engineer/Business Owner	
MEMBER OF THE STATE ASSEMBLY	
20TH ASSEMBLY DISTRICT	
Vote for One	
ADNAN SHAHAB	REPUBLICAN
BOB WIECKOWSKI	DEMOCRATIC
Councilmember/Small Businessman	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	▶		←	▶
	NO	←	▶			
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5						
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	▶		←	▶
	NO	←	▶		←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5						
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	▶			
	NO	←	▶			
NONPARTISAN JUDICIAL						
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One						
JOHN CREIGHTON Deputy District Attorney	←	▶			←	▶
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	▶			←	▶
	←	▶			←	▶
SCHOOL						
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One						
LARRY ACEVES Retired School Superintendent	←	▶			←	▶
TOM TORLAKSON Teacher/California Legislator	←	▶			←	▶
	←	▶			←	▶
					←	▶
					←	▶
EBMUD DIRECTOR, WARD 7 Vote for One						
					←	▶
MATT TURNER					←	▶
FRANK MELLON Member EBMUD Board of Directors					←	▶
					←	▶
EDEN TOWNSHIP HEALTHCARE DISTRICT DIRECTORS Vote for no more than Three						
CAROLE S. ROGERS Incumbent					←	▶
SUSAN H. REISZ Retired Office Manager					←	▶
WILLIAM F. WEST Appointed Incumbent					←	▶
LES FRIEDMAN Attorney/Arbitrator/Economist					←	▶
					←	▶
					←	▶
					←	▶
FAIRVIEW FIRE PROTECTION DISTRICT DIRECTORS Vote for no more than Two						
JEFF ROSIER Construction Foreman/Auditor					←	▶
ANGELO COSTANZO Incumbent					←	▶
MIKE MIRAGLIA Catering Business Owner					←	▶
					←	▶
					←	▶
					←	▶

CA01-2-BA1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div><div>YES</div><div>NO</div></div> <div><div>←</div><div>←</div></div> <div><div>↑</div><div>↑</div></div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--0511491200-70

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman	REPUBLICAN	CHARLES "KIT" CRITTENDEN Retired Professor GREEN		BARBARA BOXER United States Senator DEMOCRATIC	
DALE F. OGDEN Business Consultant/Actuary	LIBERTARIAN	MIMI WALTERS Businesswoman	REPUBLICAN	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	
JERRY BROWN Attorney General of California	DEMOCRATIC	BILL LOCKYER California State Treasurer	DEMOCRATIC	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	
CHELENE NIGHTINGALE Business Owner	AMERICAN INDEPENDENT	ROBERT LAUTEN AMERICAN INDEPENDENT		CARLY FIORINA Business Executive REPUBLICAN	
CARLOS ALVAREZ Retail Worker	PEACE AND FREEDOM	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM		EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	
LAURA WELLS Financial Systems Consultant	GREEN			DUANE ROBERTS Community Volunteer GREEN	
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst	PEACE AND FREEDOM	STEVE COOLEY District Attorney, County of Los Angeles	REPUBLICAN	13TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker	AMERICAN INDEPENDENT	ROBERT J. EVANS Criminal Defense Lawyer	PEACE AND FREEDOM	FOREST BAKER Businessman/Author	REPUBLICAN
PAMELA J. BROWN Economics Professor	LIBERTARIAN	PETER ALLEN Environmental Energy Attorney	GREEN	FORTNEY PETE STARK United States Congressman	DEMOCRATIC
GAVIN NEWSOM Mayor, City and County of San Francisco	DEMOCRATIC	KAMALA J. HARRIS District Attorney, City and County of San Francisco	DEMOCRATIC		
ABEL MALDONADO Senator/Businessman/Farmer	REPUBLICAN	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator	LIBERTARIAN	STATE SENATOR	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor	GREEN	DIANE BEALL TEMPLIN Attorney/RE Broker	AMERICAN INDEPENDENT	10TH STATE SENATE DISTRICT Vote for One	
				ELLEN M. CORBETT Member California State Senate	
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		IVAN CHOU AMERICAN INDEPENDENT	
		WILLIAM BALDERSTON Teacher/Union Organizer			

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
JOHN CHIANG	DEMOCRATIC
Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
CLAY PEDERSEN	AMERICAN INDEPENDENT
Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
Community Development Officer	
KEVIN R. SCOTT	REPUBLICAN
Small Business Owner	
BETTY T. YEE	DEMOCRATIC
Equalization Board Member	

ROB MAFFIT	REPUBLICAN
Engineer/Business Owner	
MEMBER OF THE STATE ASSEMBLY	
20TH ASSEMBLY DISTRICT	
Vote for One	
ADNAN SHAHAB	REPUBLICAN
BOB WIECKOWSKI	DEMOCRATIC
Councilmember/Small Businessman	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

CA01-1--0080831610-80

A - Card 1

VOTE BOTH SIDES

BT:80

(2BG1)

JUDICIAL Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

OHLONE COMMUNITY COLLEGE DISTRICT TRUSTEES, AREA 2 Vote for no more than Two	
GARRETT YEE Trustee, Ohlone Community College District	←
JAN GIOVANNINI-HILL University Financial Analyst	←
ISHAN M. SHAH Community College Student	←
	←
	←
FREMONT UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBERS Vote for no more than Two	
DIANA RODRIGUEZ Procurement Specialist	←
LARA YORK Fremont Unified School District Board Trustee	←
LARRY SWEENEY Incumbent	←
	←
	←
CITY OF FREMONT FOR MEMBERS OF CITY COUNCIL Vote for no more than Two	
VLADIMIR RODRIGUEZ Analyst	←
FAZLUR KHAN Management Consultant	←
KRISTEN BRIGGS Administrative Clerk	←
VINNIE BACON Technical Support Manager	←
CARL FLYNN Restaurant Manager	←
LINDA SUSOEV Housekeeper	←
ANU NATARAJAN Fremont City Councilmember	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	▶	KATHY RHYU McDONALD Community Volunteer	←	▶
	NO	←	▶	J. TIMOTHY HERNDON Business Owner	←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5				BILL HARRISON Business Owner/Councilmember		
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	▶		←	▶
	NO	←	▶		←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5				DISTRICT		
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	▶	AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One		
	NO	←	▶	JOEL B. YOUNG Appointed Incumbent	←	▶
NONPARTISAN				ELLIS JERRY POWELL Retired Tutor	←	▶
JUDICIAL					←	▶
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One				AC TRANSIT DISTRICT DIRECTOR, WARD 5 Vote for One		
JOHN CREIGHTON Deputy District Attorney	←	▶		JAMES SAJADI Retired Inspector/Mechanics	←	▶
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	▶		JEFF DAVIS Incumbent	←	▶
	←	▶			←	▶
SCHOOL				ALAMEDA COUNTY WATER DISTRICT DIRECTORS Vote for no more than Two		
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One				PAUL SETHY Technology Manager	←	▶
LARRY ACEVES Retired School Superintendent	←	▶		FRANK M. PRICE JR. Retired Maintenance Manager	←	▶
TOM TORLAKSON Teacher/California Legislator	←	▶		JUDY C. HUANG Incumbent	←	▶
	←	▶			←	▶
					←	▶

CA01-2-BG1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS							
STATE							
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
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YES	←	↑					
NO	←	↑					
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YES	←	↑					
NO	←	↑					
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
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NO	←	↑					
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
<p>F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"</p>	<div>YES ←</div> <div>NO ←</div>
SCHOOL	
<p>G OHLONE COLLEGE JOB TRAINING/QUALITY EDUCATION LOCAL BOND: To improve and continue affordable college education, job training/workforce preparation by constructing/acquiring equipment/sites/facilities and making repairs/upgrades, including:</p> <ul style="list-style-type: none"> • Renovating classrooms/science laboratories, • Acquiring up-to-date classroom technology, • Upgrading for earthquake/fire safety, and • Improving disabled access, <p>shall Ohlone Community College District issue \$349,000,000 of bonds, at legal rates with all funds spent locally, independent citizens' oversight, annual audits, no money for administrators' salaries or Sacramento?</p>	<div>BONDS YES ←</div> <div>BONDS NO ←</div>
<p>K To provide Fremont schools stable funding for quality local education and programs that cannot be taken away by the state, including:</p> <ul style="list-style-type: none"> Maintaining math, science, reading and writing programs; Keeping school libraries open; Supporting classroom/learning technology; Maintaining college and workforce preparation programs; and Retaining qualified teachers <p>Shall the Fremont Unified School District levy \$53 per parcel annually for 5 years, exempting seniors, with citizen oversight, no money for administrator salaries and all money benefiting local schools?</p>	<div>YES ←</div> <div>NO ←</div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--0518836100-80

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	13TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	FOREST BAKER Businessman/Author REPUBLICAN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	FORTNEY PETE STARK United States Congressman DEMOCRATIC	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA J. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←		
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←		
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←		
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		STATE SENATOR	
		WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←	10TH STATE SENATE DISTRICT Vote for One	
				ELLEN M. CORBETT Member California State Senate DEMOCRATIC	←
				IVAN CHOU AMERICAN INDEPENDENT	←

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
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Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
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Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
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Equalization Board Member	

ROB MAFFIT	REPUBLICAN
Engineer/Business Owner	
MEMBER OF THE STATE ASSEMBLY	
20TH ASSEMBLY DISTRICT	
Vote for One	
ADNAN SHAHAB	REPUBLICAN
BOB WIECKOWSKI	DEMOCRATIC
Councilmember/Small Businessman	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

CA01-1--0083850300-83

A - Card 1

VOTE BOTH SIDES

BT:83

(2BJ1)

ELLIS JERRY POWELL
Retired Tutor

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
JOHN CREIGHTON Deputy District Attorney		←	▶
VICTORIA S. KOLAKOWSKI Administrative Law Judge		←	▶
		←	▶
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent		←	▶
TOM TORLAKSON Teacher/California Legislator		←	▶
		←	▶

AC TRANSIT DISTRICT DIRECTOR, WARD 5 Vote for One	
JAMES SAJADI Retired Inspector/Mechanics	← ▶
JEFF DAVIS Incumbent	← ▶
	← ▶
ALAMEDA COUNTY WATER DISTRICT DIRECTORS Vote for no more than Two	
PAUL SETHY Technology Manager	← ▶
FRANK M. PRICE JR. Retired Maintenance Manager	← ▶
JUDY C. HUANG Incumbent	← ▶
	← ▶
	← ▶

CA01-2-BJ1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

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To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

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YES	←	⌋					
NO	←	⌋					
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>⌋</td> </tr> <tr> <td>NO</td> <td>←</td> <td>⌋</td> </tr> </table>	YES	←	⌋	NO	←	⌋
YES	←	⌋					
NO	←	⌋					

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div>YES ←</div> <div>NO ←</div>
SCHOOL	
G OHLONE COLLEGE JOB TRAINING/QUALITY EDUCATION LOCAL BOND: To improve and continue affordable college education, job training/workforce preparation by constructing/acquiring equipment/sites/facilities and making repairs/upgrades, including: <ul style="list-style-type: none"> • Renovating classrooms/science laboratories, • Acquiring up-to-date classroom technology, • Upgrading for earthquake/fire safety, and • Improving disabled access, shall Ohlone Community College District issue \$349,000,000 of bonds, at legal rates with all funds spent locally, independent citizens' oversight, annual audits, no money for administrators' salaries or Sacramento?	<div>BONDS YES ←</div> <div>BONDS NO ←</div>
CITY OF NEWARK	
U Newark Temporary Fiscal Emergency Measure. To prevent closure of Silliman Center and elimination of school police officers and parks/recreation programs; restore public safety services, reopen the Senior Center; and prevent additional cuts to neighborhood patrols, crime prevention, anti-drug/gang-prevention programs, 9-1-1 emergency, and other city services, shall the City of Newark establish a 3.5% utility users tax for 5 years, exempting seniors and low-income residents, requiring independent audits, with no money for Sacramento?	<div>YES ←</div> <div>NO ←</div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--0519850300-83

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
	←				←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	13TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	FOREST BAKER Businessman/Author REPUBLICAN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	FORTNEY PETE STARK United States Congressman DEMOCRATIC	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA J. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←		←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	STATE SENATOR	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	10TH STATE SENATE DISTRICT Vote for One	
	←		←	ELLEN M. CORBETT Member California State Senate DEMOCRATIC	←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		IVAN CHOU AMERICAN INDEPENDENT	←
	←	WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←		←

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
JOHN CHIANG	DEMOCRATIC
Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
CLAY PEDERSEN	AMERICAN INDEPENDENT
Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
Community Development Officer	
KEVIN R. SCOTT	REPUBLICAN
Small Business Owner	
BETTY T. YEE	DEMOCRATIC
Equalization Board Member	

ROB MAFFIT	REPUBLICAN
Engineer/Business Owner	
MEMBER OF THE STATE ASSEMBLY	
20TH ASSEMBLY DISTRICT	
Vote for One	
ADNAN SHAHAB	REPUBLICAN
BOB WIECKOWSKI	DEMOCRATIC
Councilmember/Small Businessman	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

JUDICIAL		Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"			
YES	←	→	
NO	←	→	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"			
YES	←	→	
NO	←	→	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"			
YES	←	→	
NO	←	→	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"			
YES	←	→	
NO	←	→	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"			
YES	←	→	
NO	←	→	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"			
YES	←	→	
NO	←	→	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4			

NEW HAVEN UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBERS	
Vote for no more than Two	
LINDA CANLAS Educator/School Principal	←
SARABJIT KAUR CHEEMA Engineer/Teacher/Parent	←
GWEN ESTES Incumbent	←
JERICO ABANICO Youth Counselor/Organizer	←
	←
	←
	←
COUNTY	
SUPERVISOR, 2ND DISTRICT	
Vote for One	
NADIA LOCKYER County Manager/Attorney	←
LIZ FIGUEROA Unemployment Caseworker/Educator	←
	←
CITY OF UNION CITY	
FOR MEMBERS OF CITY COUNCIL	
Vote for no more than Three	
JOHN A. REPAR Retired Business Manager	←
JAMES GREANEY Retail Sales Associate	←
PAT D. GACOSCOS Board Member, Union Sanitary District	←
SUBRU BHAT Quality Assurance Professional	←
LORRIN ELLIS Human Resources Executive	←
BILL STONE Insurance Agency Owner	←
GARY SINGH Business Owner	←
ROMMEL C. DINGLE Liability Insurance Underwriter	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"		YES ←	▶
		NO ←	▶
NONPARTISAN JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
JOHN CREIGHTON Deputy District Attorney		←	▶
VICTORIA S. KOLAKOWSKI Administrative Law Judge		←	▶
		←	▶
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent		←	▶
TOM TORLAKSON Teacher/California Legislator		←	▶
		←	▶

EMILY DUNCAN Businesswoman	←	▶
	←	▶
	←	▶
	←	▶

CA01-2-BY1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS							
STATE							
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑





Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES 
	NO 
CITY OF UNION CITY	
AA To prevent severe cuts to essential services such as police, fire, paramedic, library, streets, parks and other services, shall Union City adopt an Ordinance enacting a half-cent sales tax expiring four years from the date it is first collected, reviewed by a citizen's oversight committee, with annual independent audits, and all funds for Union City and no funds for the State of California?	YES 
	NO 

Sample Ballot

VOTE BOTH SIDES

CA01-4--05159823020-104

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR		EDWARD M. TEYSSIER LIBERTARIAN		UNITED STATES SENATOR	
Vote for One		Business Owner/Attorney		Vote for One	
MEG WHITMAN REPUBLICAN		CHARLES "KIT" CRITTENDEN GREEN		BARBARA BOXER DEMOCRATIC	
Businesswoman		Retired Professor		United States Senator	
DALE F. OGDEN LIBERTARIAN		MIMI WALTERS REPUBLICAN		GAIL K. LIGHTFOOT LIBERTARIAN	
Business Consultant/Actuary		Businesswoman		Retired Nurse	
JERRY BROWN DEMOCRATIC		BILL LOCKYER DEMOCRATIC		MARSHA FEINLAND PEACE AND FREEDOM	
Attorney General of California		California State Treasurer		Retired Teacher	
CHELENE NIGHTINGALE AMERICAN INDEPENDENT		ROBERT LAUTEN AMERICAN INDEPENDENT		CARLY FIORINA REPUBLICAN	
Business Owner		Retired Technology Manager		Business Executive	
CARLOS ALVAREZ PEACE AND FREEDOM		DEBRA L. REIGER PEACE AND FREEDOM		EDWARD C. NOONAN AMERICAN INDEPENDENT	
Retail Worker				Computer Store Owner	
LAURA WELLS GREEN				DUANE ROBERTS GREEN	
Financial Systems Consultant				Community Volunteer	
LIEUTENANT GOVERNOR		ATTORNEY GENERAL		UNITED STATES REPRESENTATIVE	
Vote for One		Vote for One		Vote for One	
C.T. WEBER PEACE AND FREEDOM		STEVE COOLEY REPUBLICAN		13TH CONGRESSIONAL DISTRICT	
Retired Government Analyst		District Attorney, County of Los Angeles		Vote for One	
JIM KING AMERICAN INDEPENDENT		ROBERT J. EVANS PEACE AND FREEDOM		FOREST BAKER REPUBLICAN	
Real Estate Broker		Criminal Defense Lawyer		Businessman/Author	
PAMELA J. BROWN LIBERTARIAN		PETER ALLEN GREEN		FORTNEY PETE STARK DEMOCRATIC	
Economics Professor		Environmental Energy Attorney		United States Congressman	
GAVIN NEWSOM DEMOCRATIC		KAMALA J. HARRIS DEMOCRATIC			
Mayor, City and County of San Francisco		District Attorney, City and County of San Francisco			
ABEL MALDONADO REPUBLICAN		TIMOTHY J. HANNAN LIBERTARIAN			
Senator/Businessman/Farmer		Attorney/Arbitrator/Mediator			
JAMES "JIMI" CASTILLO GREEN		DIANE BEALL TEMPLIN AMERICAN INDEPENDENT			
Cultural Spiritual Advisor		Attorney/RE Broker			
SECRETARY OF STATE		INSURANCE COMMISSIONER		STATE SENATOR	
Vote for One		Vote for One		Vote for One	
		WILLIAM BALDERSTON GREEN		10TH STATE SENATE DISTRICT	
		Teacher/Union Organizer		Vote for One	
				ELLEN M. CORBETT DEMOCRATIC	
				Member California State Senate	
				IVAN CHOU AMERICAN INDEPENDENT	

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
JOHN CHIANG	DEMOCRATIC
Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
CLAY PEDERSEN	AMERICAN INDEPENDENT
Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
Community Development Officer	
KEVIN R. SCOTT	REPUBLICAN
Small Business Owner	
BETTY T. YEE	DEMOCRATIC
Equalization Board Member	

ROB MAFFIT	REPUBLICAN
Engineer/Business Owner	
MEMBER OF THE STATE ASSEMBLY	
20TH ASSEMBLY DISTRICT	
Vote for One	
ADNAN SHAHAB	REPUBLICAN
BOB WIECKOWSKI	DEMOCRATIC
Councilmember/Small Businessman	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

CA01-1--01099866830-109

A - Card 1

VOTE BOTH SIDES

BT:109

(2H1)

JUDICIAL			
Vote Yes or No for Each Office			
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/>
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4			

SUNOL GLEN UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBERS			
Vote for no more than Two			
GERRY BEEMILLER Retired Executive		<input type="checkbox"/>	<input type="checkbox"/>
DON BALL Appointed Incumbent		<input type="checkbox"/>	<input type="checkbox"/>
DIANE E. EVERETT Retired School Superintendent		<input type="checkbox"/>	<input type="checkbox"/>
GUIN VAN DYKE Governing Board Member, Sunol Glen USD		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
JOHN CREIGHTON Deputy District Attorney	←	■	
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent	←	■	
TOM TORLAKSON Teacher/California Legislator	←	■	
	←	■	

VOTE BOTH SIDES

CA01-2-H1

A - Card 1

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

<p>25 CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT. Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>26 REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT. Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>27 ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div>YES</div> <div>NO</div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--05149867300-109

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
	←		←		←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	BARBARA LEE Congresswoman DEMOCRATIC	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	DAVE HELLER Carpenter GREEN	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
	←	WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←		

Sample Ballot

MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
DEBRA BOWEN Secretary of State	DEMOCRATIC	←
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
CONTROLLER Vote for One		
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←
ROSS D. FRANKEL Accountant	GREEN	←
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←

DAVE JONES Member, California State Assembly	DEMOCRATIC	←
MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN	←
CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	←
RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←

14TH ASSEMBLY DISTRICT Vote for One	
RYAN HATCHER Fundraising Consultant	REPUBLICAN ←
NANCY SKINNER State Assemblymember	DEMOCRATIC ←
JUDICIAL Vote Yes or No for Each Office	
CHIEF JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	YES ← NO ←
ASSOCIATE JUSTICE OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	YES ← NO ←

Sample Ballot

JUDICIAL Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

CITY OF BERKELEY	
FOR RENT STABILIZATION BOARD COMMISSIONERS Vote for no more than Six	
JESSE TOWNLEY Rent Stabilization Board Commissioner	←
PAM WEBSTER Rent Board Commissioner	←
DAVE BLAKE Rent Board Commissioner	←
MARCIA LEVENSON Housing Advisory Commissioner	←
TAMAR LARSEN Parent/Educator	←
LISA STEPHENS Rent Board Commissioner	←
GEORGE PEREZVELEZ Commissioner/Restaurant Manager	←
ASA DODSWORTH Sustainable Landscape Designer	←
KATHERINE HARR Appointed Rent Board Commissioner	←
	←
	←
	←
	←
	←
	←
FOR SCHOOL DIRECTORS Vote for no more than Three	
LEAH WILSON Juvenile Law Advocate	←
PRISCILLA MYRICK Community Volunteer	←
JOSH DANIELS School Finance Attorney	←
JULIE HOLCOMB Printer/Business Owner	←
KAREN HEMPHILL Incumbent	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"		YES ←	→	NORMA J F HARRISON Community Volunteer	←	→
		NO ←	→		←	→
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5					←	→
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"		YES ←	→	DISTRICT		
		NO ←	→	AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One		
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5				JOEL B. YOUNG Appointed Incumbent	←	→
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"		YES ←	→	ELLIS JERRY POWELL Retired Tutor	←	→
		NO ←	→		←	→
NONPARTISAN						
JUDICIAL				EBMUD DIRECTOR, WARD 4 Vote for One		
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One				ANDY KATZ Director, East Bay Municipal Utility District	←	→
JOHN CREIGHTON Deputy District Attorney		←	→		←	→
VICTORIA S. KOLAKOWSKI Administrative Law Judge		←	→			
		←	→			
SCHOOL						
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One						
LARRY ACEVES Retired School Superintendent		←	→			
TOM TORLAKSON Teacher/California Legislator		←	→			
		←	→			

CA01-2-CE1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
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YES	←				
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<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS			
COUNTY			
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES	←	↑
	NO	←	↑
SCHOOL			
H BERKELEY PUBLIC SCHOOLS FACILITIES SAFETY AND MAINTENANCE ACT OF 2010 To provide essential maintenance of schools and grounds, shall Berkeley Unified School District continue its existing special tax of 6.31¢/square foot on residential buildings and 9.46¢/square foot on commercial buildings, and \$20 on unimproved parcels with annual cost-of-living adjustments for 10 years? Revenues maintain school buildings, classrooms, playgrounds, roofs, electrical systems, and address fire and safety hazards. The state cannot take the funds. An independent committee oversees funds.	YES	←	↑
	NO	←	↑
I To improve school safety and facilities for learning and teaching, shall Berkeley Unified School District issue \$210,000,000 in bonds at interest rates within the legal limit, to construct new classrooms for growth, complete seismic upgrades, construct science labs, upgrade computers and education technology, renovate playgrounds, replace restrooms, cafeterias, roofs, heating and fire safety systems, remove hazardous materials, improve energy efficiency, and qualify for State grants, with independent audits and citizen oversight? The State cannot take the funds.	BONDS YES	←	↑
	BONDS NO	←	↑
CITY OF BERKELEY			
R Shall the City of Berkeley adopt policies to revitalize the downtown and help make Berkeley one of the greenest cities in the United States by meeting our climate action goals; concentrating housing, jobs and cultural destinations near transit, shops and amenities; preserving historic resources; enhancing open space; promoting green buildings; and calling for 2 residential buildings and 1 hotel no taller than our existing 180 foot buildings and 2 smaller office buildings up to 120 feet?	YES	←	↑
	NO	←	↑
S Shall a tax be authorized on medical cannabis businesses not exceeding \$25 per \$1000 of gross receipts phased in over two years; on nonprofit medical cannabis businesses not exceeding \$25.00 per square foot for the first 3000 square feet and \$10 per foot thereafter; and on non-medical cannabis businesses of \$100 per \$1000 gross receipts; and shall the City's appropriations limit be increased to permit expenditure of these tax proceeds?	YES	←	↑
	NO	←	↑
T Shall the Berkeley Municipal Code be amended to: allow residential medical cannabis collectives, with up to 200 square feet of cultivation; allow six locations in the Manufacturing District for cultivation; allow a fourth dispensary; require dispensaries to be at least 600' from public and private schools and other dispensaries; permit new and relocated dispensaries only in C districts; change the makeup of the Medical Cannabis Commission; and permit the Council to adopt other amendments?	YES	←	↑
	NO	←	↑

Sample Ballot

VOTE BOTH SIDES

CA01-4--0501207100-116

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN	
CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	
1	FIRST CHOICE
Vote for One	
JASPER KINGETER Youth Recreation Educator	
MERRILIE MITCHELL Community Volunteer	
LINDA MAIO Berkeley City Councilmember	
ANTHONY Di DONATO Caretaker/Property Manager	
FOR CITY AUDITOR	
1	FIRST CHOICE
Vote for One	

NONPARTISAN	
CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
JASPER KINGETER Youth Recreation Educator	
MERRILIE MITCHELL Community Volunteer	
LINDA MAIO Berkeley City Councilmember	
ANTHONY Di DONATO Caretaker/Property Manager	
FOR CITY AUDITOR	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	

NONPARTISAN	
CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
JASPER KINGETER Youth Recreation Educator	
MERRILIE MITCHELL Community Volunteer	
LINDA MAIO Berkeley City Councilmember	
ANTHONY Di DONATO Caretaker/Property Manager	
FOR CITY AUDITOR	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	

Sample Ballot

Sample Ballot

ANN-MARIE HOGAN
City Auditor



ANN-MARIE HOGAN
City Auditor



ANN-MARIE HOGAN
City Auditor



CA01-5--0805209310-116


C - Card 3

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
	←		←		←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	BARBARA LEE Congresswoman DEMOCRATIC	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	DAVE HELLER Carpenter GREEN	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
	←	WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←		←

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
JOHN CHIANG	DEMOCRATIC
Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
CLAY PEDERSEN	AMERICAN INDEPENDENT
Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
BETTY T. YEE	DEMOCRATIC
Equalization Board Member	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
Community Development Officer	
KEVIN R. SCOTT	REPUBLICAN
Small Business Owner	

14TH ASSEMBLY DISTRICT	
Vote for One	
RYAN HATCHER	REPUBLICAN
Fundraising Consultant	
NANCY SKINNER	DEMOCRATIC
State Assemblymember	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE	
OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE	
OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

JUDICIAL Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

CITY OF BERKELEY	
FOR RENT STABILIZATION BOARD COMMISSIONERS Vote for no more than Six	
JESSE TOWNLEY Rent Stabilization Board Commissioner	←
PAM WEBSTER Rent Board Commissioner	←
DAVE BLAKE Rent Board Commissioner	←
MARCIA LEVENSON Housing Advisory Commissioner	←
TAMAR LARSEN Parent/Educator	←
LISA STEPHENS Rent Board Commissioner	←
GEORGE PEREZVELEZ Commissioner/Restaurant Manager	←
ASA DODSWORTH Sustainable Landscape Designer	←
KATHERINE HARR Appointed Rent Board Commissioner	←
	←
	←
	←
	←
	←
	←
FOR SCHOOL DIRECTORS Vote for no more than Three	
LEAH WILSON Juvenile Law Advocate	←
PRISCILLA MYRICK Community Volunteer	←
JOSH DANIELS School Finance Attorney	←
JULIE HOLCOMB Printer/Business Owner	←
KAREN HEMPHILL Incumbent	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"		YES ←	→	NORMA J F HARRISON Community Volunteer	←	→
		NO ←	→		←	→
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5					←	→
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"		YES ←	→	DISTRICT		
		NO ←	→	AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One		
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5				JOEL B. YOUNG Appointed Incumbent	←	→
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"		YES ←	→	ELLIS JERRY POWELL Retired Tutor	←	→
		NO ←	→		←	→
NONPARTISAN						
JUDICIAL				EBMUD DIRECTOR, WARD 4 Vote for One		
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One				ANDY KATZ Director, East Bay Municipal Utility District	←	→
JOHN CREIGHTON Deputy District Attorney		←	→		←	→
VICTORIA S. KOLAKOWSKI Administrative Law Judge		←	→			
		←	→			
SCHOOL						
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One						
LARRY ACEVES Retired School Superintendent		←	→			
TOM TORLAKSON Teacher/California Legislator		←	→			
		←	→			

CA01-2-CE1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS		
COUNTY		
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES	←
	NO	←
SCHOOL		
H BERKELEY PUBLIC SCHOOLS FACILITIES SAFETY AND MAINTENANCE ACT OF 2010 To provide essential maintenance of schools and grounds, shall Berkeley Unified School District continue its existing special tax of 6.31¢/square foot on residential buildings and 9.46¢/square foot on commercial buildings, and \$20 on unimproved parcels with annual cost-of-living adjustments for 10 years? Revenues maintain school buildings, classrooms, playgrounds, roofs, electrical systems, and address fire and safety hazards. The state cannot take the funds. An independent committee oversees funds.	YES	←
	NO	←
I To improve school safety and facilities for learning and teaching, shall Berkeley Unified School District issue \$210,000,000 in bonds at interest rates within the legal limit, to construct new classrooms for growth, complete seismic upgrades, construct science labs, upgrade computers and education technology, renovate playgrounds, replace restrooms, cafeterias, roofs, heating and fire safety systems, remove hazardous materials, improve energy efficiency, and qualify for State grants, with independent audits and citizen oversight? The State cannot take the funds.	BONDS YES	←
	BONDS NO	←
CITY OF BERKELEY		
R Shall the City of Berkeley adopt policies to revitalize the downtown and help make Berkeley one of the greenest cities in the United States by meeting our climate action goals; concentrating housing, jobs and cultural destinations near transit, shops and amenities; preserving historic resources; enhancing open space; promoting green buildings; and calling for 2 residential buildings and 1 hotel no taller than our existing 180 foot buildings and 2 smaller office buildings up to 120 feet?	YES	←
	NO	←
S Shall a tax be authorized on medical cannabis businesses not exceeding \$25 per \$1000 of gross receipts phased in over two years; on nonprofit medical cannabis businesses not exceeding \$25.00 per square foot for the first 3000 square feet and \$10 per foot thereafter; and on non-medical cannabis businesses of \$100 per \$1000 gross receipts; and shall the City's appropriations limit be increased to permit expenditure of these tax proceeds?	YES	←
	NO	←
T Shall the Berkeley Municipal Code be amended to: allow residential medical cannabis collectives, with up to 200 square feet of cultivation; allow six locations in the Manufacturing District for cultivation; allow a fourth dispensary; require dispensaries to be at least 600' from public and private schools and other dispensaries; permit new and relocated dispensaries only in C districts; change the makeup of the Medical Cannabis Commission; and permit the Council to adopt other amendments?	YES	←
	NO	←

Sample Ballot

VOTE BOTH SIDES

CA01-4--0501202110-117

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN	
CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 4	
1	FIRST CHOICE
Vote for One	
BERNT RAINER WAHL Engineer/Adjunct Professor	
ERIC PANZER GIS Analyst	
JIM NOVOSSEL Architect/Bee Keeper	
JESSE ARREGUIN Berkeley City Councilmember	
FOR CITY AUDITOR	
1	FIRST CHOICE
Vote for One	

NONPARTISAN	
CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 4	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
BERNT RAINER WAHL Engineer/Adjunct Professor	
ERIC PANZER GIS Analyst	
JIM NOVOSSEL Architect/Bee Keeper	
JESSE ARREGUIN Berkeley City Councilmember	
FOR CITY AUDITOR	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	

NONPARTISAN	
CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 4	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
BERNT RAINER WAHL Engineer/Adjunct Professor	
ERIC PANZER GIS Analyst	
JIM NOVOSSEL Architect/Bee Keeper	
JESSE ARREGUIN Berkeley City Councilmember	
FOR CITY AUDITOR	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	

Sample Ballot

Sample Ballot

ANN-MARIE HOGAN
City Auditor



ANN-MARIE HOGAN
City Auditor



ANN-MARIE HOGAN
City Auditor



CA01-5--0802204100-117


C - Card 3

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
	←		←		←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	BARBARA LEE Congresswoman DEMOCRATIC	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	DAVE HELLER Carpenter GREEN	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
	←	WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←		←

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
JOHN CHIANG	DEMOCRATIC
Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
CLAY PEDERSEN	AMERICAN INDEPENDENT
Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
BETTY T. YEE	DEMOCRATIC
Equalization Board Member	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
Community Development Officer	
KEVIN R. SCOTT	REPUBLICAN
Small Business Owner	

14TH ASSEMBLY DISTRICT	
Vote for One	
RYAN HATCHER	REPUBLICAN
Fundraising Consultant	
NANCY SKINNER	DEMOCRATIC
State Assemblymember	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE	
OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE	
OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

JUDICIAL Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

CITY OF BERKELEY	
FOR RENT STABILIZATION BOARD COMMISSIONERS Vote for no more than Six	
JESSE TOWNLEY Rent Stabilization Board Commissioner	←
PAM WEBSTER Rent Board Commissioner	←
DAVE BLAKE Rent Board Commissioner	←
MARCIA LEVENSON Housing Advisory Commissioner	←
TAMAR LARSEN Parent/Educator	←
LISA STEPHENS Rent Board Commissioner	←
GEORGE PEREZVELEZ Commissioner/Restaurant Manager	←
ASA DODSWORTH Sustainable Landscape Designer	←
KATHERINE HARR Appointed Rent Board Commissioner	←
	←
	←
	←
	←
	←
	←
FOR SCHOOL DIRECTORS Vote for no more than Three	
LEAH WILSON Juvenile Law Advocate	←
PRISCILLA MYRICK Community Volunteer	←
JOSH DANIELS School Finance Attorney	←
JULIE HOLCOMB Printer/Business Owner	←
KAREN HEMPHILL Incumbent	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"		YES ←	→	NORMA J F HARRISON Community Volunteer	←	→
		NO ←	→		←	→
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5					←	→
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"		YES ←	→	DISTRICT		
		NO ←	→	AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One		
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5				JOEL B. YOUNG Appointed Incumbent	←	→
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"		YES ←	→	ELLIS JERRY POWELL Retired Tutor	←	→
		NO ←	→		←	→
NONPARTISAN						
JUDICIAL				EBMUD DIRECTOR, WARD 4 Vote for One		
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One				ANDY KATZ Director, East Bay Municipal Utility District	←	→
JOHN CREIGHTON Deputy District Attorney		←	→		←	→
VICTORIA S. KOLAKOWSKI Administrative Law Judge		←	→			
		←	→			
SCHOOL						
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One						
LARRY ACEVES Retired School Superintendent		←	→			
TOM TORLAKSON Teacher/California Legislator		←	→			
		←	→			

CA01-2-CE1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS			
COUNTY			
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES	←	↑
	NO	←	↑
SCHOOL			
H BERKELEY PUBLIC SCHOOLS FACILITIES SAFETY AND MAINTENANCE ACT OF 2010 To provide essential maintenance of schools and grounds, shall Berkeley Unified School District continue its existing special tax of 6.31¢/square foot on residential buildings and 9.46¢/square foot on commercial buildings, and \$20 on unimproved parcels with annual cost-of-living adjustments for 10 years? Revenues maintain school buildings, classrooms, playgrounds, roofs, electrical systems, and address fire and safety hazards. The state cannot take the funds. An independent committee oversees funds.	YES	←	↑
	NO	←	↑
I To improve school safety and facilities for learning and teaching, shall Berkeley Unified School District issue \$210,000,000 in bonds at interest rates within the legal limit, to construct new classrooms for growth, complete seismic upgrades, construct science labs, upgrade computers and education technology, renovate playgrounds, replace restrooms, cafeterias, roofs, heating and fire safety systems, remove hazardous materials, improve energy efficiency, and qualify for State grants, with independent audits and citizen oversight? The State cannot take the funds.	BONDS YES	←	↑
	BONDS NO	←	↑
CITY OF BERKELEY			
R Shall the City of Berkeley adopt policies to revitalize the downtown and help make Berkeley one of the greenest cities in the United States by meeting our climate action goals; concentrating housing, jobs and cultural destinations near transit, shops and amenities; preserving historic resources; enhancing open space; promoting green buildings; and calling for 2 residential buildings and 1 hotel no taller than our existing 180 foot buildings and 2 smaller office buildings up to 120 feet?	YES	←	↑
	NO	←	↑
S Shall a tax be authorized on medical cannabis businesses not exceeding \$25 per \$1000 of gross receipts phased in over two years; on nonprofit medical cannabis businesses not exceeding \$25.00 per square foot for the first 3000 square feet and \$10 per foot thereafter; and on non-medical cannabis businesses of \$100 per \$1000 gross receipts; and shall the City's appropriations limit be increased to permit expenditure of these tax proceeds?	YES	←	↑
	NO	←	↑
T Shall the Berkeley Municipal Code be amended to: allow residential medical cannabis collectives, with up to 200 square feet of cultivation; allow six locations in the Manufacturing District for cultivation; allow a fourth dispensary; require dispensaries to be at least 600' from public and private schools and other dispensaries; permit new and relocated dispensaries only in C districts; change the makeup of the Medical Cannabis Commission; and permit the Council to adopt other amendments?	YES	←	↑
	NO	←	↑

Sample Ballot

VOTE BOTH SIDES

CA01-4--0501202410-118

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 7	
1	FIRST CHOICE
Vote for One	
	CECILIA "CES" ROSALES
	Small Business Owner
	KRISS WORTHINGTON
	City Councilmember
	GEORGE BEIER
	Community Volunteer
FOR CITY AUDITOR	
1	FIRST CHOICE
Vote for One	
	ANN-MARIE HOGAN
	City Auditor

NONPARTISAN CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 7	
2	SECOND CHOICE
(This must be different from your first choice.)	
Vote for One	
	CECILIA "CES" ROSALES
	Small Business Owner
	KRISS WORTHINGTON
	City Councilmember
	GEORGE BEIER
	Community Volunteer
FOR CITY AUDITOR	
2	SECOND CHOICE
(This must be different from your first choice.)	
Vote for One	
	ANN-MARIE HOGAN
	City Auditor

NONPARTISAN CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 7	
3	THIRD CHOICE
(This must be different from your first and second choices.)	
Vote for One	
	CECILIA "CES" ROSALES
	Small Business Owner
	KRISS WORTHINGTON
	City Councilmember
	GEORGE BEIER
	Community Volunteer
FOR CITY AUDITOR	
3	THIRD CHOICE
(This must be different from your first and second choices.)	
Vote for One	
	ANN-MARIE HOGAN
	City Auditor

Sample Ballot

Sample Ballot


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OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
	←		←		←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	BARBARA LEE Congresswoman DEMOCRATIC	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	DAVE HELLER Carpenter GREEN	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
	←	WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←		

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
JOHN CHIANG	DEMOCRATIC
Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
CLAY PEDERSEN	AMERICAN INDEPENDENT
Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
BETTY T. YEE	DEMOCRATIC
Equalization Board Member	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
Community Development Officer	
KEVIN R. SCOTT	REPUBLICAN
Small Business Owner	

14TH ASSEMBLY DISTRICT	
Vote for One	
RYAN HATCHER	REPUBLICAN
Fundraising Consultant	
NANCY SKINNER	DEMOCRATIC
State Assemblymember	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE	
OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE	
OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

JUDICIAL Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

CITY OF BERKELEY	
FOR RENT STABILIZATION BOARD COMMISSIONERS Vote for no more than Six	
JESSE TOWNLEY Rent Stabilization Board Commissioner	←
PAM WEBSTER Rent Board Commissioner	←
DAVE BLAKE Rent Board Commissioner	←
MARCIA LEVENSON Housing Advisory Commissioner	←
TAMAR LARSEN Parent/Educator	←
LISA STEPHENS Rent Board Commissioner	←
GEORGE PEREZVELEZ Commissioner/Restaurant Manager	←
ASA DODSWORTH Sustainable Landscape Designer	←
KATHERINE HARR Appointed Rent Board Commissioner	←
	←
	←
	←
	←
	←
	←
FOR SCHOOL DIRECTORS Vote for no more than Three	
LEAH WILSON Juvenile Law Advocate	←
PRISCILLA MYRICK Community Volunteer	←
JOSH DANIELS School Finance Attorney	←
JULIE HOLCOMB Printer/Business Owner	←
KAREN HEMPHILL Incumbent	←

Sample Ballot

Sample Ballot

<p>"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"</p>		<p>YES ←</p>	<p>NO ←</p>
<p>ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5</p>			
<p>"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"</p>		<p>YES ←</p>	<p>NO ←</p>
<p>ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5</p>			
<p>"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"</p>		<p>YES ←</p>	<p>NO ←</p>
<p>NONPARTISAN</p>			
<p>JUDICIAL</p>			
<p>SUPERIOR COURT JUDGE, OFFICE #9 Vote for One</p>			
<p>JOHN CREIGHTON Deputy District Attorney</p>		←	←
<p>VICTORIA S. KOLAKOWSKI Administrative Law Judge</p>		←	←
<p></p>		←	←
<p>SCHOOL</p>			
<p>STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One</p>			
<p>LARRY ACEVES Retired School Superintendent</p>		←	←
<p>TOM TORLAKSON Teacher/California Legislator</p>		←	←
<p></p>		←	←

<p>NORMA J F HARRISON Community Volunteer</p>	←	←
	←	←
	←	←
	←	←
<p>DISTRICT</p>		
<p>AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One</p>		
<p>JOEL B. YOUNG Appointed Incumbent</p>	←	←
<p>ELLIS JERRY POWELL Retired Tutor</p>	←	←
	←	←
<p>EBMUD DIRECTOR, WARD 4 Vote for One</p>		
<p>ANDY KATZ Director, East Bay Municipal Utility District</p>	←	←
	←	←

CA01-2-CE1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
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NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
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NO	←				
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YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
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NO	←				
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YES	←				
NO	←				

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS		
COUNTY		
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES	←
	NO	←
SCHOOL		
H BERKELEY PUBLIC SCHOOLS FACILITIES SAFETY AND MAINTENANCE ACT OF 2010 To provide essential maintenance of schools and grounds, shall Berkeley Unified School District continue its existing special tax of 6.31¢/square foot on residential buildings and 9.46¢/square foot on commercial buildings, and \$20 on unimproved parcels with annual cost-of-living adjustments for 10 years? Revenues maintain school buildings, classrooms, playgrounds, roofs, electrical systems, and address fire and safety hazards. The state cannot take the funds. An independent committee oversees funds.	YES	←
	NO	←
I To improve school safety and facilities for learning and teaching, shall Berkeley Unified School District issue \$210,000,000 in bonds at interest rates within the legal limit, to construct new classrooms for growth, complete seismic upgrades, construct science labs, upgrade computers and education technology, renovate playgrounds, replace restrooms, cafeterias, roofs, heating and fire safety systems, remove hazardous materials, improve energy efficiency, and qualify for State grants, with independent audits and citizen oversight? The State cannot take the funds.	BONDS YES	←
	BONDS NO	←
CITY OF BERKELEY		
R Shall the City of Berkeley adopt policies to revitalize the downtown and help make Berkeley one of the greenest cities in the United States by meeting our climate action goals; concentrating housing, jobs and cultural destinations near transit, shops and amenities; preserving historic resources; enhancing open space; promoting green buildings; and calling for 2 residential buildings and 1 hotel no taller than our existing 180 foot buildings and 2 smaller office buildings up to 120 feet?	YES	←
	NO	←
S Shall a tax be authorized on medical cannabis businesses not exceeding \$25 per \$1000 of gross receipts phased in over two years; on nonprofit medical cannabis businesses not exceeding \$25.00 per square foot for the first 3000 square feet and \$10 per foot thereafter; and on non-medical cannabis businesses of \$100 per \$1000 gross receipts; and shall the City's appropriations limit be increased to permit expenditure of these tax proceeds?	YES	←
	NO	←
T Shall the Berkeley Municipal Code be amended to: allow residential medical cannabis collectives, with up to 200 square feet of cultivation; allow six locations in the Manufacturing District for cultivation; allow a fourth dispensary; require dispensaries to be at least 600' from public and private schools and other dispensaries; permit new and relocated dispensaries only in C districts; change the makeup of the Medical Cannabis Commission; and permit the Council to adopt other amendments?	YES	←
	NO	←

Sample Ballot

VOTE BOTH SIDES

CA01-4--0501202400-119

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 8	
1	FIRST CHOICE
Vote for One	
GORDON WOZNAK	
Incumbent	
STEWART JONES	
Teacher	
JACQUELYN McCORMICK	
Business Owner	
FOR CITY AUDITOR	
1	FIRST CHOICE
Vote for One	
ANN-MARIE HOGAN	
City Auditor	

NONPARTISAN CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 8	
2	SECOND CHOICE
(This must be different from your first choice.)	
Vote for One	
GORDON WOZNAK	
Incumbent	
STEWART JONES	
Teacher	
JACQUELYN McCORMICK	
Business Owner	
FOR CITY AUDITOR	
2	SECOND CHOICE
(This must be different from your first choice.)	
Vote for One	
ANN-MARIE HOGAN	
City Auditor	

NONPARTISAN CITY OF BERKELEY	
FOR MEMBER OF CITY COUNCIL, DISTRICT 8	
3	THIRD CHOICE
(This must be different from your first and second choices.)	
Vote for One	
GORDON WOZNAK	
Incumbent	
STEWART JONES	
Teacher	
JACQUELYN McCORMICK	
Business Owner	
FOR CITY AUDITOR	
3	THIRD CHOICE
(This must be different from your first and second choices.)	
Vote for One	
ANN-MARIE HOGAN	
City Auditor	

Sample Ballot

Sample Ballot


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OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
	←		←		←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	BARBARA LEE Congresswoman DEMOCRATIC	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	DAVE HELLER Carpenter GREEN	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
	←	WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←		

Sample Ballot

MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	DAVE JONES Member, California State Assembly	DEMOCRATIC	14TH ASSEMBLY DISTRICT Vote for One	
DEBRA BOWEN Secretary of State	DEMOCRATIC	MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN	RYAN HATCHER Fundraising Consultant	REPUBLICAN
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	NANCY SKINNER State Assemblymember	DEMOCRATIC
ANN MENASCHE Civil Rights Attorney	GREEN	DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM		
DAMON DUNN Small Business Owner	REPUBLICAN	RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN		
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN				
CONTROLLER Vote for One		MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		JUDICIAL Vote Yes or No for Each Office	
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	BETTY T. YEE Equalization Board Member	DEMOCRATIC	CHIEF JUSTICE OF THE SUPREME COURT "Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	YES NO
ROSS D. FRANKEL Accountant	GREEN	KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	YES NO
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	SHERILL BORG Community Development Officer	PEACE AND FREEDOM		
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	KEVIN R. SCOTT Small Business Owner	REPUBLICAN		
KAREN MARTINEZ Retired	PEACE AND FREEDOM				
JOHN CHIANG Controller	DEMOCRATIC				

Sample Ballot

JUDICIAL Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

CITY OF ALBANY
FOR MEMBERS OF CITY COUNCIL Vote for no more than Two
JOANNE WILE Incumbent
CARYL O'KEEFE Retired Economist
FRANCESCO PAPALIA Real Estate Professional
MARGE ATKINSON Incumbent
FOR CITY ATTORNEY Vote for One
ROBERT J. ZWEBEN Incumbent
DISTRICT
AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One
JOEL B. YOUNG Appointed Incumbent
ELLIS JERRY POWELL Retired Tutor
EBMUD DIRECTOR, WARD 4 Vote for One
ANDY KATZ Director, East Bay Municipal Utility District

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
JOHN CREIGHTON Deputy District Attorney	←	■	
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent	←	■	
TOM TORLAKSON Teacher/California Legislator	←	■	
	←	■	

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

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YES	←				
NO	←				

Sample Ballot

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YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div>YES ←</div> <div>NO ←</div>
CITY OF ALBANY	
N CITY OF ALBANY PROPOSED CHARTER MODIFICATION. Do you approve of modifying the Albany City Charter, Section 3.01, as set forth in the voter pamphlet, to provide that the City Attorney be elected at the November 2, 2010 election to a one year term and that, in December 2011, the City Attorney be appointed by the City Council?	<div>YES ←</div> <div>NO ←</div>
O Shall Ordinance No. 2010-03 as set forth in the Voter's Pamphlet be adopted to: Reduce the Communications portion of the Utility Users' Tax from 7% to 6.5%; include video in the definition of Communications; modernize the application, calculation, and collection of the Utility Users' Tax to reflect technological advances and changes in state and federal law; exempt self-generated energy, and prohibit any tax-rate increase without voter approval?	<div>YES ←</div> <div>NO ←</div>
P Shall the Albany Municipal Code, Chapter 4-8 entitled "Paramedic Advanced Life Support Fire Engines and Ambulance Special Tax" be amended, as set forth in the Voter Pamphlet, to provide that the City Council may increase the tax commencing in fiscal year 2011-2012 in accordance with the Consumer Price Index for the greater San Francisco area?	<div>YES ←</div> <div>NO ←</div>
Q Do you approve of modifying the Albany Municipal Code, Chapter V, as set forth in the Voter's Pamphlet, to set a business license tax to be paid by a cannabis business operating in the City of Albany?	<div>YES ←</div> <div>NO ←</div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--0504260100-124

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		CHARLES "KIT" CRITTENDEN Retired Professor	GREEN	UNITED STATES SENATOR Vote for One	
DALE F. OGDEN Business Consultant/Actuary	LIBERTARIAN	MIMI WALTERS Businesswoman	REPUBLICAN	GAIL K. LIGHTFOOT Retired Nurse	LIBERTARIAN
JERRY BROWN Attorney General of California	DEMOCRATIC	BILL LOCKYER California State Treasurer	DEMOCRATIC	MARSHA FEINLAND Retired Teacher	PEACE AND FREEDOM
CHELENE NIGHTINGALE Business Owner	AMERICAN INDEPENDENT	ROBERT LAUTEN	AMERICAN INDEPENDENT	CARLY FIORINA Business Executive	REPUBLICAN
CARLOS ALVAREZ Retail Worker	PEACE AND FREEDOM	DEBRA L. REIGER Retired Technology Manager	PEACE AND FREEDOM	EDWARD C. NOONAN Computer Store Owner	AMERICAN INDEPENDENT
LAURA WELLS Financial Systems Consultant	GREEN	EDWARD M. TEYSSIER Business Owner/Attorney	LIBERTARIAN	DUANE ROBERTS Community Volunteer	GREEN
MEG WHITMAN Businesswoman	REPUBLICAN			BARBARA BOXER United States Senator	DEMOCRATIC
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
JIM KING Real Estate Broker	AMERICAN INDEPENDENT	ROBERT J. EVANS Criminal Defense Lawyer	PEACE AND FREEDOM	10TH CONGRESSIONAL DISTRICT Vote for One	
PAMELA J. BROWN Economics Professor	LIBERTARIAN	PETER ALLEN Environmental Energy Attorney	GREEN	GARY CLIFT Businessman/Farmer	REPUBLICAN
GAVIN NEWSOM Mayor, City and County of San Francisco	DEMOCRATIC	KAMALA D. HARRIS District Attorney, City and County of San Francisco	DEMOCRATIC	JOHN GARAMENDI Congressman/Rancher	DEMOCRATIC
ABEL MALDONADO Senator/Businessman/Farmer	REPUBLICAN	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator	LIBERTARIAN	JEREMY CLOWARD Adjunct College Professor	GREEN
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor	GREEN	DIANE BEALL TEMPLIN Attorney/RE Broker	AMERICAN INDEPENDENT		
C.T. WEBER Retired Government Analyst	PEACE AND FREEDOM	STEVE COOLEY District Attorney, County of Los Angeles	REPUBLICAN	MEMBER OF THE STATE ASSEMBLY	
				15TH ASSEMBLY DISTRICT Vote for One	
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		ABRAM WILSON Mayor	
		DAVE JONES Member, California State Assembly	DEMOCRATIC	REPUBLICAN	

Sample Ballot

DEBRA BOWEN Secretary of State	DEMOCRATIC	←
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
CONTROLLER Vote for One		
ROSS D. FRANKEL Accountant	GREEN	←
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←

MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN	←
CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	←
RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←

JOAN BUCHANAN Lawmaker	DEMOCRATIC	←
JUDICIAL Vote Yes or No for Each Office		
CHIEF JUSTICE OF THE SUPREME COURT		
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	YES	←
	NO	←
ASSOCIATE JUSTICE OF THE SUPREME COURT		
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	YES	←
	NO	←

Sample Ballot

JUDICIAL	
Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBERS	
Vote for no more than Three	
KATE RUNYON Incumbent	←
ANNE E. WHITE Incumbent	←
THOMAS McLAUGHLIN Retired Teacher	←
WILLIAM DUNLOP Incumbent	←
	←
	←
	←
	←
DISTRICT	
LIVERMORE AREA RECREATION & PARK DISTRICT DIRECTORS	
Vote for no more than Three	
APRIL ROOD Nonprofit Organization Treasurer	←
LAUREEN TURNER Nurse/Clinical Instructor	←
MARK THRAILKILL Senior Engineering Technician	←
BOB COOMBER Freelance Writer	←
MARYALICE SUMMERS FALTINGS Incumbent	←
DAVID HUTCHINSON Business Management Consultant	←
	←
	←
	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	
JOHN CREIGHTON Deputy District Attorney	←	■	
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
TOM TORLAKSON Teacher/California Legislator	←	■	
LARRY ACEVES Retired School Superintendent	←	■	
	←	■	

CA01-2-B1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

25 CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT. Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.	YES	←	↑
	NO	←	↑
26 REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT. Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).	YES	←	↑
	NO	←	↑
27 ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.	YES	←	↑
	NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div><div>YES</div><div>NO</div></div> <div><div>←</div><div>←</div></div> <div><div>↑</div><div>↑</div></div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--0514500910-125

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		CHARLES "KIT" CRITTENDEN Retired Professor GREEN		UNITED STATES SENATOR Vote for One	
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN		MIMI WALTERS Businesswoman REPUBLICAN		GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	
JERRY BROWN Attorney General of California DEMOCRATIC		BILL LOCKYER California State Treasurer DEMOCRATIC		MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT		ROBERT LAUTEN AMERICAN INDEPENDENT		CARLY FIORINA Business Executive REPUBLICAN	
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM		DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM		EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	
LAURA WELLS Financial Systems Consultant GREEN		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		DUANE ROBERTS Community Volunteer GREEN	
MEG WHITMAN Businesswoman REPUBLICAN				BARBARA BOXER United States Senator DEMOCRATIC	
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
JIM KING Real Estate Broker AMERICAN INDEPENDENT		ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM		11TH CONGRESSIONAL DISTRICT Vote for One	
PAMELA J. BROWN Economics Professor LIBERTARIAN		PETER ALLEN Environmental Energy Attorney GREEN		JERRY MCNERNEY United States Congressman DEMOCRATIC	
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC		KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC		DAVID HARMER Businessman/Attorney REPUBLICAN	
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN		TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN		DAVID CHRISTENSEN Electrician AMERICAN INDEPENDENT	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN		DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT			
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM		STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN		MEMBER OF THE STATE ASSEMBLY	
				15TH ASSEMBLY DISTRICT Vote for One	
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		ABRAM WILSON Mayor REPUBLICAN	
		DAVE JONES Member, California State Assembly DEMOCRATIC			

Sample Ballot

DEBRA BOWEN Secretary of State	DEMOCRATIC	←
MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
CONTROLLER Vote for One		
ROSS D. FRANKEL Accountant	GREEN	←
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←

MIKE VILLINES Businessman/State Assemblyman	REPUBLICAN	←
CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	←
RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←

JOAN BUCHANAN Lawmaker	DEMOCRATIC	←
JUDICIAL Vote Yes or No for Each Office		
CHIEF JUSTICE OF THE SUPREME COURT		
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	YES	←
	NO	←
ASSOCIATE JUSTICE OF THE SUPREME COURT		
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	YES	←
	NO	←

Sample Ballot

JUDICIAL

Vote Yes or No for Each Office

ASSOCIATE JUSTICE OF THE SUPREME COURT

"Shall Associate Justice of the Supreme Court, **CARLOS R. MORENO** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **KATHLEEN M. BANKE** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **ROBERT L. DONDERO** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **JAMES R. LAMBDEN** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **MARTIN J. JENKINS** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3

"Shall Associate Justice, Court of Appeal, 1st Appellate District, **PETER J. SIGGINS** be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4

SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT TRUSTEE, AREA 7

Vote for One

LISA TURNER
Local Business Owner

FREDERICK A. WENTWORTH
Retired County Superintendent

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9			
Vote for One			
VICTORIA S. KOLAKOWSKI	←	■	
Administrative Law Judge			
JOHN CREIGHTON	←	■	
Deputy District Attorney			
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION			
Vote for One			
TOM TORLAKSON	←	■	
Teacher/California Legislator			
LARRY ACEVES	←	■	
Retired School Superintendent			
	←	■	

CA01-2-CH1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div><div>YES</div><div>NO</div></div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--05149510400-128

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		MIMI WALTERS Businesswoman REPUBLICAN		UNITED STATES SENATOR Vote for One	
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←	EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN	←	DUANE ROBERTS Community Volunteer GREEN	←
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←		←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
	←				←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	BARBARA LEE Congresswoman DEMOCRATIC	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	DAVE HELLER Carpenter GREEN	←
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
		MIKE VILLINES Businessman/State Assemblyman REPUBLICAN	←		

Sample Ballot

MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
DEBRA BOWEN Secretary of State	DEMOCRATIC	←
CONTROLLER Vote for One		
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←
ROSS D. FRANKEL Accountant	GREEN	←

CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	←
RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
DAVE JONES Member, California State Assembly	DEMOCRATIC	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←

16TH ASSEMBLY DISTRICT Vote for One					
LISA D. RINGER Business Finance Developer	LIBERTARIAN ←				
JAMES I. "JIM" FAISON Businessman	REPUBLICAN ←				
SANDRÉ R. SWANSON State Assemblymember District 16	DEMOCRATIC ←				
JUDICIAL Vote Yes or No for Each Office					
CHIEF JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				
ASSOCIATE JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

JUDICIAL		Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT			
"Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"		YES	←
		NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"		YES	←
		NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"		YES	←
		NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"		YES	←
		NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"		YES	←
		NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"		YES	←
		NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4			
PERALTA COMMUNITY COLLEGE DISTRICT TRUSTEE, AREA 3			
Vote for One			
MÓNICA TELL Public Relations Specialist		←	←
LINDA L HANDY Incumbent		←	←
		←	←
DISTRICT			
AC TRANSIT DISTRICT DIRECTOR, AT-LARGE			
Vote for One			
JOEL B. YOUNG Appointed Incumbent		←	←
ELLIS JERRY POWELL Retired Tutor		←	←
		←	←
AC TRANSIT DISTRICT DIRECTOR, WARD 3			
Vote for One			
ELSA ORTIZ Alameda-Contra Costa Transit District Director		←	←
DOLLENE C. JONES Bus Driver		←	←
NANCY M. SKOWBO Retired Transit Executive		←	←
		←	←
BART DIRECTOR, DISTRICT 4			
Vote for One			
MONIQUE RIVERA Engineering Business Manager		←	←
ROBERT RABURN Transportation Planner		←	←
CAROLE WARD ALLEN Incumbent		←	←
		←	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
JOHN CREIGHTON Deputy District Attorney	←	■	
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent	←	■	
TOM TORLAKSON Teacher/California Legislator	←	■	
	←	■	

VOTE BOTH SIDES

CA01-2-CJ1

A - Card 1

























OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS			
STATE			
19	LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.	YES 	
		NO 	
20	REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.	YES 	
		NO 	
21	ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.	YES 	
		NO 	
22	PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.	YES 	
		NO 	
23	SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.	YES 	
		NO 	
24	REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.	YES 	
		NO 	

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS		
COUNTY		
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES	←
	NO	←
SCHOOL		
L OAKLAND STUDENT ACHIEVEMENT, SUPPORT AND SAFETY: to offset severe state budget cuts, improve student achievement, help every child read at or above grade level, and prepare students for college and careers by retaining teachers, teachers' aides, safety officers and other student support staff, shall Oakland Unified School District levy a tax of \$195 per parcel annually for ten years, with low-income taxpayer exemptions, independent audits and citizens' oversight, and no money for Sacramento or administrators' salaries?	YES	←
	NO	←
CITY OF OAKLAND		
V Shall the Oakland Municipal Code be amended to increase the business tax rate for "Medical Cannabis Businesses" from \$18 per \$1,000 of gross receipts to \$50 per \$1,000 of gross receipts, and creating a new "Non-Medical Cannabis Business Tax" of \$100 per \$1,000 of gross receipts, with all proceeds placed in the City's General Fund to be used for any governmental purpose?	YES	←
	NO	←
W To support vital city services including public safety, library services, and parks and recreation, shall the Oakland Municipal Code be amended to establish a telephone "access line" tax at a rate of \$1.99 per month per access line and \$13 per month per "trunk line" with all proceeds placed in the City's General Fund subject to annual audits?	YES	←
	NO	←
X To support, protect and enhance vital public safety and violence prevention services including violence reduction programs, shall the City of Oakland levy a \$360 per single family residential unit parcel tax for 4 1/2 years which is subject to annual reviews of all funds, and rigorous oversight by a citizens committee?	YES	←
	NO	←
BB To restore community police officer positions and protect and enhance vital public safety services in the City of Oakland, shall the City, at no additional cost to taxpayers, amend the Violence Prevention and Public Safety Act of 2004 (Measure Y) to suspend the requirement that the City appropriate non-Measure Y funding each year to staff the police department at fiscal year 2003-2004 levels?	YES	←
	NO	←

Sample Ballot

VOTE BOTH SIDES

CA01-4--0507356000-133

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
1	FIRST CHOICE
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
2	SECOND CHOICE (This must be different from your first choice.)
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
3	THIRD CHOICE (This must be different from your first and second choices.)
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

Sample Ballot

Sample Ballot

LARRY LIONEL "LL" YOUNG JR. Teacher/Realtor/Speaker	←
REBECCA KAPLAN Oakland City Councilmember At-Large	←
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 4	
1 FIRST CHOICE Vote for One	
JILL BROADHURST Community Volunteer	←
RALPH KANZ Conservation Director	←
MELANIE SHELBY Small Business Owner	←
LIBBY SCHAAF Public Policy Advisor	←
CLINTON KILLIAN Small Business Owner	←
DANIEL SWAFFORD Business Management Consultant	←
JASON GILLEN Financial Consultant	←
	←
FOR CITY AUDITOR	
1 FIRST CHOICE Vote for One	
MICHAEL KILIAN Certified Public Accountant	←
COURTNEY RUBY Oakland City Auditor	←
	←

LARRY LIONEL "LL" YOUNG JR. Teacher/Realtor/Speaker	←
REBECCA KAPLAN Oakland City Councilmember At-Large	←
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 4	
2 SECOND CHOICE <i>(This must be different from your first choice.)</i> Vote for One	
JILL BROADHURST Community Volunteer	←
RALPH KANZ Conservation Director	←
MELANIE SHELBY Small Business Owner	←
LIBBY SCHAAF Public Policy Advisor	←
CLINTON KILLIAN Small Business Owner	←
DANIEL SWAFFORD Business Management Consultant	←
JASON GILLEN Financial Consultant	←
	←
FOR CITY AUDITOR	
2 SECOND CHOICE <i>(This must be different from your first choice.)</i> Vote for One	
MICHAEL KILIAN Certified Public Accountant	←
COURTNEY RUBY Oakland City Auditor	←
	←

LARRY LIONEL "LL" YOUNG JR. Teacher/Realtor/Speaker	←
REBECCA KAPLAN Oakland City Councilmember At-Large	←
	←
FOR MEMBER OF CITY COUNCIL, DISTRICT 4	
3 THIRD CHOICE <i>(This must be different from your first and second choices.)</i> Vote for One	
JILL BROADHURST Community Volunteer	←
RALPH KANZ Conservation Director	←
MELANIE SHELBY Small Business Owner	←
LIBBY SCHAAF Public Policy Advisor	←
CLINTON KILLIAN Small Business Owner	←
DANIEL SWAFFORD Business Management Consultant	←
JASON GILLEN Financial Consultant	←
	←
FOR CITY AUDITOR	
3 THIRD CHOICE <i>(This must be different from your first and second choices.)</i> Vote for One	
MICHAEL KILIAN Certified Public Accountant	←
COURTNEY RUBY Oakland City Auditor	←
	←

VOTE BOTH SIDES

Sample Ballot

<div>NONPARTISAN</div> <div>CITY OF OAKLAND</div> <div>FOR SCHOOL DIRECTOR, DISTRICT 4</div> <div>1 FIRST CHOICE</div> <div>Vote for One</div> <div>BENJAMIN VISNICK Teacher/Parent</div> <div>GARY D. YEE School Board Director District 4</div>	<div>NONPARTISAN</div> <div>CITY OF OAKLAND</div> <div>FOR SCHOOL DIRECTOR, DISTRICT 4</div> <div>2 SECOND CHOICE <i>(This must be different from your first choice.)</i></div> <div>Vote for One</div> <div>BENJAMIN VISNICK Teacher/Parent</div> <div>GARY D. YEE School Board Director District 4</div>	<div>NONPARTISAN</div> <div>CITY OF OAKLAND</div> <div>FOR SCHOOL DIRECTOR, DISTRICT 4</div> <div>3 THIRD CHOICE <i>(This must be different from your first and second choices.)</i></div> <div>Vote for One</div> <div>BENJAMIN VISNICK Teacher/Parent</div> <div>GARY D. YEE School Board Director District 4</div>
---	--	---

Sample Ballot

VOTE BOTH SIDES

CA01-6-A1


C - Card 3

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		MIMI WALTERS Businesswoman REPUBLICAN		UNITED STATES SENATOR Vote for One	
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←	EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN	←	DUANE ROBERTS Community Volunteer GREEN	←
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←		←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
	←				←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	BARBARA LEE Congresswoman DEMOCRATIC	
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	DAVE HELLER Carpenter GREEN	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	
	←		←		
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
		MIKE VILLINES Businessman/State Assemblyman REPUBLICAN	←		

Sample Ballot

MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
DEBRA BOWEN Secretary of State	DEMOCRATIC	←
CONTROLLER Vote for One		
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←
ROSS D. FRANKEL Accountant	GREEN	←

CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	←
RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
DAVE JONES Member, California State Assembly	DEMOCRATIC	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←

16TH ASSEMBLY DISTRICT Vote for One					
LISA D. RINGER Business Finance Developer	LIBERTARIAN ←				
JAMES I. "JIM" FAISON Businessman	REPUBLICAN ←				
SANDRÉ R. SWANSON State Assemblymember District 16	DEMOCRATIC ←				
JUDICIAL Vote Yes or No for Each Office					
CHIEF JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				
ASSOCIATE JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

CA01-1--0150225700-150

A - Card 1

VOTE BOTH SIDES

BT:150

(2CC1)

JUDICIAL Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

PERALTA COMMUNITY COLLEGE DISTRICT TRUSTEE, AREA 5 Vote for One	
WILLIAM "BILL" RILEY Incumbent	←
WILLIAM J. MATTOX Human Resources Consultant	←
	←
DISTRICT	
AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One	
JOEL B. YOUNG Appointed Incumbent	←
ELLIS JERRY POWELL Retired Tutor	←
	←
EBMUD DIRECTOR, WARD 3 Vote for One	
KATY FOULKES East Bay M.U.D.	←
	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
JOHN CREIGHTON Deputy District Attorney	←	■	
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent	←	■	
TOM TORLAKSON Teacher/California Legislator	←	■	
	←	■	

VOTE BOTH SIDES

CA01-2-CC1

A - Card 1

























OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS			
STATE			
19	LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.	YES 	
		NO 	
20	REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.	YES 	
		NO 	
21	ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.	YES 	
		NO 	
22	PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.	YES 	
		NO 	
23	SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.	YES 	
		NO 	
24	REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.	YES 	
		NO 	

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS		
COUNTY		
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES	←
	NO	←
SCHOOL		
L OAKLAND STUDENT ACHIEVEMENT, SUPPORT AND SAFETY: to offset severe state budget cuts, improve student achievement, help every child read at or above grade level, and prepare students for college and careers by retaining teachers, teachers' aides, safety officers and other student support staff, shall Oakland Unified School District levy a tax of \$195 per parcel annually for ten years, with low-income taxpayer exemptions, independent audits and citizens' oversight, and no money for Sacramento or administrators' salaries?	YES	←
	NO	←
CITY OF OAKLAND		
V Shall the Oakland Municipal Code be amended to increase the business tax rate for "Medical Cannabis Businesses" from \$18 per \$1,000 of gross receipts to \$50 per \$1,000 of gross receipts, and creating a new "Non-Medical Cannabis Business Tax" of \$100 per \$1,000 of gross receipts, with all proceeds placed in the City's General Fund to be used for any governmental purpose?	YES	←
	NO	←
W To support vital city services including public safety, library services, and parks and recreation, shall the Oakland Municipal Code be amended to establish a telephone "access line" tax at a rate of \$1.99 per month per access line and \$13 per month per "trunk line" with all proceeds placed in the City's General Fund subject to annual audits?	YES	←
	NO	←
X To support, protect and enhance vital public safety and violence prevention services including violence reduction programs, shall the City of Oakland levy a \$360 per single family residential unit parcel tax for 4 1/2 years which is subject to annual reviews of all funds, and rigorous oversight by a citizens committee?	YES	←
	NO	←
BB To restore community police officer positions and protect and enhance vital public safety services in the City of Oakland, shall the City, at no additional cost to taxpayers, amend the Violence Prevention and Public Safety Act of 2004 (Measure Y) to suspend the requirement that the City appropriate non-Measure Y funding each year to staff the police department at fiscal year 2003-2004 levels?	YES	←
	NO	←

Sample Ballot

VOTE BOTH SIDES

CA01-4--0502225700-150

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
1	FIRST CHOICE
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
2	SECOND CHOICE (This must be different from your first choice.)
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
3	THIRD CHOICE (This must be different from your first and second choices.)
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

Sample Ballot

Sample Ballot

LARRY LIONEL "LL" YOUNG JR. <small>Teacher/Realtor/Speaker</small>
REBECCA KAPLAN <small>Oakland City Councilmember At-Large</small>
FOR MEMBER OF CITY COUNCIL, DISTRICT 2
1 FIRST CHOICE <small>Vote for One</small>
PATRICIA KERNIGHAN <small>City Councilmember</small>
JENNIFER S. PAE <small>Non-Profit Executive</small>
FOR CITY AUDITOR
1 FIRST CHOICE <small>Vote for One</small>
MICHAEL KILIAN <small>Certified Public Accountant</small>
COURTNEY RUBY <small>Oakland City Auditor</small>

LARRY LIONEL "LL" YOUNG JR. <small>Teacher/Realtor/Speaker</small>
REBECCA KAPLAN <small>Oakland City Councilmember At-Large</small>
FOR MEMBER OF CITY COUNCIL, DISTRICT 2
2 SECOND CHOICE <small>(This must be different from your first choice.)</small> <small>Vote for One</small>
PATRICIA KERNIGHAN <small>City Councilmember</small>
JENNIFER S. PAE <small>Non-Profit Executive</small>
FOR CITY AUDITOR
2 SECOND CHOICE <small>(This must be different from your first choice.)</small> <small>Vote for One</small>
MICHAEL KILIAN <small>Certified Public Accountant</small>
COURTNEY RUBY <small>Oakland City Auditor</small>

LARRY LIONEL "LL" YOUNG JR. <small>Teacher/Realtor/Speaker</small>
REBECCA KAPLAN <small>Oakland City Councilmember At-Large</small>
FOR MEMBER OF CITY COUNCIL, DISTRICT 2
3 THIRD CHOICE <small>(This must be different from your first and second choices.)</small> <small>Vote for One</small>
PATRICIA KERNIGHAN <small>City Councilmember</small>
JENNIFER S. PAE <small>Non-Profit Executive</small>
FOR CITY AUDITOR
3 THIRD CHOICE <small>(This must be different from your first and second choices.)</small> <small>Vote for One</small>
MICHAEL KILIAN <small>Certified Public Accountant</small>
COURTNEY RUBY <small>Oakland City Auditor</small>

VOTE BOTH SIDES

Sample Ballot

NONPARTISAN	
CITY OF OAKLAND	
FOR SCHOOL DIRECTOR, DISTRICT 2	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i> Vote for One
DAVID KAKISHIBA	←
School Board Director	←
	←

NONPARTISAN	
CITY OF OAKLAND	
FOR SCHOOL DIRECTOR, DISTRICT 2	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i> Vote for One
DAVID KAKISHIBA	←
School Board Director	←
	←

NONPARTISAN	
CITY OF OAKLAND	
FOR SCHOOL DIRECTOR, DISTRICT 2	
1	FIRST CHOICE Vote for One
DAVID KAKISHIBA	←
School Board Director	←
	←

Sample Ballot

VOTE BOTH SIDES

CA01-6-B1


C - Card 3

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		MIMI WALTERS Businesswoman REPUBLICAN		UNITED STATES SENATOR Vote for One	
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←	EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN	←	DUANE ROBERTS Community Volunteer GREEN	←
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←		←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
	←	ATTORNEY GENERAL Vote for One			←
LIEUTENANT GOVERNOR Vote for One		PETER ALLEN Environmental Energy Attorney GREEN	←	UNITED STATES REPRESENTATIVE	
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	13TH CONGRESSIONAL DISTRICT Vote for One	
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	FOREST BAKER Businessman/Author REPUBLICAN	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	FORTNEY PETE STARK United States Congressman DEMOCRATIC	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←		←
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	MEMBER OF THE STATE ASSEMBLY	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←		←	16TH ASSEMBLY DISTRICT Vote for One	
	←	INSURANCE COMMISSIONER Vote for One		LISA D. RINGER Business Finance Developer LIBERTARIAN	←
SECRETARY OF STATE Vote for One		MIKE VILLINES Businessman/State Assemblyman REPUBLICAN	←	JAMES I. "JIM" FAISON Businessman REPUBLICAN	←

Sample Ballot

MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
DEBRA BOWEN Secretary of State	DEMOCRATIC	←
CONTROLLER Vote for One		
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←
ROSS D. FRANKEL Accountant	GREEN	←

CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	←
RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
DAVE JONES Member, California State Assembly	DEMOCRATIC	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←

SANDRÉ R. SWANSON State Assemblymember District 16	DEMOCRATIC	←
JUDICIAL Vote Yes or No for Each Office		
CHIEF JUSTICE OF THE SUPREME COURT		
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	YES	←
	NO	←
ASSOCIATE JUSTICE OF THE SUPREME COURT		
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	YES	←
	NO	←

Sample Ballot

CA01-1--0160300000-160

A - Card 1

VOTE BOTH SIDES

BT:160

(2CT1)

JUDICIAL	
Vote Yes or No for Each Office	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"	
YES	←
NO	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4	

ALAMEDA UNIFIED SCHOOL DISTRICT GOVERNING BOARD MEMBERS

Vote for no more than Two

RAND WROBEL Management Software Consultant	←
MARJORIE "MARGIE" SHERRATT Retired Educator/Administrator	←
JAMES PRUITT Director/Labor Relations	←
CLAY POLLARD Parent/Business Owner	←
SHERI PALMER Parent/Local Businessperson	←
MIKE MCMAHON Trustee, Alameda Unified School District	←

CITY OF ALAMEDA

FOR MAYOR

Vote for One

KENNETH KAHN Independent Entertainment Consultant	←
MARIE GILMORE Councilmember, City of Alameda	←
FRANK MATARRESE Councilmember/Business Owner	←
DOUG deHAAN Councilmember/Consultant	←
TONY DAYSOG Senior Associate/Planner	←

FOR MEMBERS OF CITY COUNCIL

Vote for no more than Two

LENA TAM Alameda City Councilmember	←
ADAM GILLITT Alameda Business Owner	←
ROB BONTA City of Alameda Health Care District Director	←
MARILYN EZZY ASHCRAFT Planning Commissioner/Arbitrator	←

CITY OF ALAMEDA HEALTHCARE DISTRICT DIRECTORS

Vote for no more than Three

STEWART CHEN Doctor of Chiropractic	←
LEAH WILLIAMS Business Owner/Attorney	←
ELLIOTT GORELICK Pharmacist	←
ROBERT DEUTSCH Incumbent	←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"		YES ←	→	BEVERLY J. JOHNSON Attorney/Alameda Mayor	←	→
		NO ←	→	TRACY JENSEN Alameda Unified School District Board Member	←	→
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5				JEAN SWEENEY Retired Teacher	←	→
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"		YES ←	→	JEFF MITCHELL Journalist, Communications Consultant	←	→
		NO ←	→		←	→
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5				DISTRICT		
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"		YES ←	→	AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One		
		NO ←	→	JOEL B. YOUNG Appointed Incumbent	←	→
NONPARTISAN				ELLIS JERRY POWELL Retired Tutor	←	→
JUDICIAL					←	→
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One				AC TRANSIT DISTRICT DIRECTOR, WARD 3 Vote for One		
JOHN CREIGHTON Deputy District Attorney		←	→	ELSA ORTIZ Alameda-Contra Costa Transit District Director	←	→
VICTORIA S. KOLAKOWSKI Administrative Law Judge		←	→	DOLLENE C. JONES Bus Driver	←	→
		←	→	NANCY M. SKOWBO Retired Transit Executive	←	→
SCHOOL					←	→
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One				BART DIRECTOR, DISTRICT 4 Vote for One		
LARRY ACEVES Retired School Superintendent		←	→	MONIQUE RIVERA Engineering Business Manager	←	→
TOM TORLAKSON Teacher/California Legislator		←	→	ROBERT RABURN Transportation Planner	←	→
		←	→	CAROLE WARD ALLEN Incumbent	←	→
					←	→

CA01-2-CT1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS							
STATE							
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					

Sample Ballot

<p>25 CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT. Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>26 REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT. Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>27 ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<div><div>YES</div><div>NO</div></div> <div><div>←</div><div>←</div></div> <div><div>↑</div><div>↑</div></div>

Sample Ballot

VOTE BOTH SIDES

CA01-4--0506300000-160

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		MIMI WALTERS Businesswoman REPUBLICAN		UNITED STATES SENATOR Vote for One	
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←	EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN	←	DUANE ROBERTS Community Volunteer GREEN	←
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←		←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
	←				←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	BARBARA LEE Congresswoman DEMOCRATIC	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	DAVE HELLER Carpenter GREEN	←
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
		MIKE VILLINES Businessman/State Assemblyman REPUBLICAN	←		

Sample Ballot

MERTON D. SHORT Aviator	AMERICAN INDEPENDENT	←
ANN MENASCHE Civil Rights Attorney	GREEN	←
DAMON DUNN Small Business Owner	REPUBLICAN	←
CHRISTINA TOBIN Voting Rights Advocate	LIBERTARIAN	←
MARYLOU CABRAL Community Volunteer	PEACE AND FREEDOM	←
DEBRA BOWEN Secretary of State	DEMOCRATIC	←
CONTROLLER Vote for One		
ANDREW "ANDY" FAVOR Certified Public Accountant	LIBERTARIAN	←
TONY STRICKLAND State Senator/Businessman	REPUBLICAN	←
KAREN MARTINEZ Retired	PEACE AND FREEDOM	←
JOHN CHIANG Controller	DEMOCRATIC	←
LAWRENCE G. BELIZ Independent Businessman	AMERICAN INDEPENDENT	←
ROSS D. FRANKEL Accountant	GREEN	←

CLAY PEDERSEN Retail Manager	AMERICAN INDEPENDENT	←
DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	←
RICHARD S. BRONSTEIN Licensed Insurance Broker	LIBERTARIAN	←
WILLIAM BALDERSTON Teacher/Union Organizer	GREEN	←
DAVE JONES Member, California State Assembly	DEMOCRATIC	←
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT Vote for One		
SHERILL BORG Community Development Officer	PEACE AND FREEDOM	←
KEVIN R. SCOTT Small Business Owner	REPUBLICAN	←
BETTY T. YEE Equalization Board Member	DEMOCRATIC	←
KENNITA WATSON Retired Quality Engineer	LIBERTARIAN	←

16TH ASSEMBLY DISTRICT Vote for One					
LISA D. RINGER Business Finance Developer	LIBERTARIAN ←				
JAMES I. "JIM" FAISON Businessman	REPUBLICAN ←				
SANDRÉ R. SWANSON State Assemblymember District 16	DEMOCRATIC ←				
JUDICIAL Vote Yes or No for Each Office					
CHIEF JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				
ASSOCIATE JUSTICE OF THE SUPREME COURT					
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

CA01-1--0145364200-145

A - Card 1

VOTE BOTH SIDES

BT:145

(2C01)

JUDICIAL		PERALTA COMMUNITY COLLEGE	
Vote Yes or No for Each Office		DISTRICT TRUSTEE, AREA 5	
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"		WILLIAM "BILL" RILEY Incumbent	
YES	←	←	←
NO	←	←	←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"		DISTRICT	
YES	←	AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One	
NO	←	JOEL B. YOUNG Appointed Incumbent	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"		ELLIS JERRY POWELL Retired Tutor	
YES	←	←	
NO	←	←	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"		AC TRANSIT DISTRICT DIRECTOR, WARD 3 Vote for One	
YES	←	ELSA ORTIZ Alameda-Contra Costa Transit District Director	
NO	←	DOLLENE C. JONES Bus Driver	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"		NANCY M. SKOWBO Retired Transit Executive	
YES	←	←	
NO	←	←	
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"			
YES	←		
NO	←		
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4			

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
JOHN CREIGHTON Deputy District Attorney	←	■	
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent	←	■	
TOM TORLAKSON Teacher/California Legislator	←	■	
	←	■	

CA01-2-C01

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
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YES	←				
NO	←				

Sample Ballot

25 **CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT.** Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.

YES	←	↑
NO	←	↑

26 **REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT.** Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).

YES	←	↑
NO	←	↑

27 **ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE.** Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.

YES	←	↑
NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS		
COUNTY		
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES	←
	NO	←
SCHOOL		
L OAKLAND STUDENT ACHIEVEMENT, SUPPORT AND SAFETY: to offset severe state budget cuts, improve student achievement, help every child read at or above grade level, and prepare students for college and careers by retaining teachers, teachers' aides, safety officers and other student support staff, shall Oakland Unified School District levy a tax of \$195 per parcel annually for ten years, with low-income taxpayer exemptions, independent audits and citizens' oversight, and no money for Sacramento or administrators' salaries?	YES	←
	NO	←
CITY OF OAKLAND		
V Shall the Oakland Municipal Code be amended to increase the business tax rate for "Medical Cannabis Businesses" from \$18 per \$1,000 of gross receipts to \$50 per \$1,000 of gross receipts, and creating a new "Non-Medical Cannabis Business Tax" of \$100 per \$1,000 of gross receipts, with all proceeds placed in the City's General Fund to be used for any governmental purpose?	YES	←
	NO	←
W To support vital city services including public safety, library services, and parks and recreation, shall the Oakland Municipal Code be amended to establish a telephone "access line" tax at a rate of \$1.99 per month per access line and \$13 per month per "trunk line" with all proceeds placed in the City's General Fund subject to annual audits?	YES	←
	NO	←
X To support, protect and enhance vital public safety and violence prevention services including violence reduction programs, shall the City of Oakland levy a \$360 per single family residential unit parcel tax for 4 1/2 years which is subject to annual reviews of all funds, and rigorous oversight by a citizens committee?	YES	←
	NO	←
BB To restore community police officer positions and protect and enhance vital public safety services in the City of Oakland, shall the City, at no additional cost to taxpayers, amend the Violence Prevention and Public Safety Act of 2004 (Measure Y) to suspend the requirement that the City appropriate non-Measure Y funding each year to staff the police department at fiscal year 2003-2004 levels?	YES	←
	NO	←

Sample Ballot

VOTE BOTH SIDES

CA01-4--0503364310-145

B - Card 2

(3A1)


OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, **complete the arrow**  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
1	FIRST CHOICE
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
2	SECOND CHOICE (This must be different from your first choice.)
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

NONPARTISAN CITY OF OAKLAND FOR MAYOR	
3	THIRD CHOICE (This must be different from your first and second choices.)
Vote for One	
	DON PERATA
	TERENCE CANDELL Educator/Businessman
	GREG HARLAND Investor
	DON MACLEAY Computer Network Technician
	JEAN QUAN Councilmember
	ARNOLD FIELDS Entrepreneur/Visionary/Businessman
	JOE TUMAN Professor/Political Analyst
	MARCIE HODGE Peralta College Trustee

Sample Ballot

Sample Ballot

LARRY LIONEL "LL" YOUNG JR. <small>Teacher/Realtor/Speaker</small>
REBECCA KAPLAN <small>Oakland City Councilmember At-Large</small>
FOR MEMBER OF CITY COUNCIL, DISTRICT 6
1 FIRST CHOICE <small>Vote for One</small>
DESLEY BROOKS <small>Incumbent</small>
NANCY SIDEBOTHAM <small>Tax Preparer</small>
JOSE DORADO <small>Small Business Owner</small>
FOR CITY AUDITOR
1 FIRST CHOICE <small>Vote for One</small>
MICHAEL KILIAN <small>Certified Public Accountant</small>
COURTNEY RUBY <small>Oakland City Auditor</small>

LARRY LIONEL "LL" YOUNG JR. <small>Teacher/Realtor/Speaker</small>
REBECCA KAPLAN <small>Oakland City Councilmember At-Large</small>
FOR MEMBER OF CITY COUNCIL, DISTRICT 6
2 SECOND CHOICE <small>(This must be different from your first choice.)</small> <small>Vote for One</small>
DESLEY BROOKS <small>Incumbent</small>
NANCY SIDEBOTHAM <small>Tax Preparer</small>
JOSE DORADO <small>Small Business Owner</small>
FOR CITY AUDITOR
2 SECOND CHOICE <small>(This must be different from your first choice.)</small> <small>Vote for One</small>
MICHAEL KILIAN <small>Certified Public Accountant</small>
COURTNEY RUBY <small>Oakland City Auditor</small>

LARRY LIONEL "LL" YOUNG JR. <small>Teacher/Realtor/Speaker</small>
REBECCA KAPLAN <small>Oakland City Councilmember At-Large</small>
FOR MEMBER OF CITY COUNCIL, DISTRICT 6
3 THIRD CHOICE <small>(This must be different from your first and second choices.)</small> <small>Vote for One</small>
DESLEY BROOKS <small>Incumbent</small>
NANCY SIDEBOTHAM <small>Tax Preparer</small>
JOSE DORADO <small>Small Business Owner</small>
FOR CITY AUDITOR
3 THIRD CHOICE <small>(This must be different from your first and second choices.)</small> <small>Vote for One</small>
MICHAEL KILIAN <small>Certified Public Accountant</small>
COURTNEY RUBY <small>Oakland City Auditor</small>

VOTE BOTH SIDES

Sample Ballot

NONPARTISAN	
CITY OF OAKLAND	
FOR SCHOOL DIRECTOR, DISTRICT 6	
3	THIRD CHOICE <i>(This must be different from your first and second choices.)</i>
Vote for One	
CHRISTOPHER DOBBINS	←
Incumbent	←
	←

NONPARTISAN	
CITY OF OAKLAND	
FOR SCHOOL DIRECTOR, DISTRICT 6	
2	SECOND CHOICE <i>(This must be different from your first choice.)</i>
Vote for One	
CHRISTOPHER DOBBINS	←
Incumbent	←
	←

NONPARTISAN	
CITY OF OAKLAND	
FOR SCHOOL DIRECTOR, DISTRICT 6	
1	FIRST CHOICE
Vote for One	
CHRISTOPHER DOBBINS	←
Incumbent	←
	←

Sample Ballot

VOTE BOTH SIDES

CA01-6-C1


C - Card 3

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		EDWARD M. TEYSSIER Business Owner/Attorney LIBERTARIAN		UNITED STATES SENATOR Vote for One	
MEG WHITMAN Businesswoman REPUBLICAN	←	CHARLES "KIT" CRITTENDEN Retired Professor GREEN	←	BARBARA BOXER United States Senator DEMOCRATIC	←
DALE F. OGDEN Business Consultant/Actuary LIBERTARIAN	←	MIMI WALTERS Businesswoman REPUBLICAN	←	GAIL K. LIGHTFOOT Retired Nurse LIBERTARIAN	←
JERRY BROWN Attorney General of California DEMOCRATIC	←	BILL LOCKYER California State Treasurer DEMOCRATIC	←	MARSHA FEINLAND Retired Teacher PEACE AND FREEDOM	←
CHELENE NIGHTINGALE Business Owner AMERICAN INDEPENDENT	←	ROBERT LAUTEN AMERICAN INDEPENDENT	←	CARLY FIORINA Business Executive REPUBLICAN	←
CARLOS ALVAREZ Retail Worker PEACE AND FREEDOM	←	DEBRA L. REIGER Retired Technology Manager PEACE AND FREEDOM	←	EDWARD C. NOONAN Computer Store Owner AMERICAN INDEPENDENT	←
LAURA WELLS Financial Systems Consultant GREEN	←		←	DUANE ROBERTS Community Volunteer GREEN	←
	←		←		←
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
C.T. WEBER Retired Government Analyst PEACE AND FREEDOM	←	STEVE COOLEY District Attorney, County of Los Angeles REPUBLICAN	←	9TH CONGRESSIONAL DISTRICT Vote for One	
JIM KING Real Estate Broker AMERICAN INDEPENDENT	←	ROBERT J. EVANS Criminal Defense Lawyer PEACE AND FREEDOM	←	JAMES EYER Scientist/Consultant LIBERTARIAN	←
PAMELA J. BROWN Economics Professor LIBERTARIAN	←	PETER ALLEN Environmental Energy Attorney GREEN	←	BARBARA LEE Congresswoman DEMOCRATIC	←
GAVIN NEWSOM Mayor, City and County of San Francisco DEMOCRATIC	←	KAMALA D. HARRIS District Attorney, City and County of San Francisco DEMOCRATIC	←	LARRY ALLEN Retired Computer Programmer PEACE AND FREEDOM	←
ABEL MALDONADO Senator/Businessman/Farmer REPUBLICAN	←	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator LIBERTARIAN	←	DAVE HELLER Carpenter GREEN	←
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor GREEN	←	DIANE BEALL TEMPLIN Attorney/RE Broker AMERICAN INDEPENDENT	←	GERALD HASHIMOTO Candy Maker REPUBLICAN	←
	←		←		←
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		MEMBER OF THE STATE ASSEMBLY	
	←	WILLIAM BALDERSTON Teacher/Union Organizer GREEN	←		←

Sample Ballot

MARYLOU CABRAL	PEACE AND FREEDOM
Community Volunteer	
DEBRA BOWEN	DEMOCRATIC
Secretary of State	
MERTON D. SHORT	AMERICAN INDEPENDENT
Aviator	
ANN MENASCHE	GREEN
Civil Rights Attorney	
DAMON DUNN	REPUBLICAN
Small Business Owner	
CHRISTINA TOBIN	LIBERTARIAN
Voting Rights Advocate	
CONTROLLER	
Vote for One	
LAWRENCE G. BELIZ	AMERICAN INDEPENDENT
Independent Businessman	
ROSS D. FRANKEL	GREEN
Accountant	
ANDREW "ANDY" FAVOR	LIBERTARIAN
Certified Public Accountant	
TONY STRICKLAND	REPUBLICAN
State Senator/Businessman	
KAREN MARTINEZ	PEACE AND FREEDOM
Retired	
JOHN CHIANG	DEMOCRATIC
Controller	

DAVE JONES	DEMOCRATIC
Member, California State Assembly	
MIKE VILLINES	REPUBLICAN
Businessman/State Assemblyman	
CLAY PEDERSEN	AMERICAN INDEPENDENT
Retail Manager	
DINA JOSEPHINE PADILLA	PEACE AND FREEDOM
Injured Worker Consultant	
RICHARD S. BRONSTEIN	LIBERTARIAN
Licensed Insurance Broker	
MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT	
Vote for One	
BETTY T. YEE	DEMOCRATIC
Equalization Board Member	
KENNITA WATSON	LIBERTARIAN
Retired Quality Engineer	
SHERILL BORG	PEACE AND FREEDOM
Community Development Officer	
KEVIN R. SCOTT	REPUBLICAN
Small Business Owner	

14TH ASSEMBLY DISTRICT	
Vote for One	
RYAN HATCHER	REPUBLICAN
Fundraising Consultant	
NANCY SKINNER	DEMOCRATIC
State Assemblymember	
JUDICIAL	
Vote Yes or No for Each Office	
CHIEF JUSTICE	
OF THE SUPREME COURT	
"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"	
YES	
NO	
ASSOCIATE JUSTICE	
OF THE SUPREME COURT	
"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"	
YES	
NO	

Sample Ballot

JUDICIAL		DISTRICT	
Vote Yes or No for Each Office			
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"		YES ←	NO ←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"		YES ←	NO ←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"		YES ←	NO ←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"		YES ←	NO ←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"		YES ←	NO ←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"		YES ←	NO ←
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4			
		AC TRANSIT DISTRICT DIRECTOR, AT-LARGE Vote for One JOEL B. YOUNG Appointed Incumbent	←
		ELLIS JERRY POWELL Retired Tutor	←
			←
		EBMUD DIRECTOR, WARD 4 Vote for One ANDY KATZ Director, East Bay Municipal Utility District	←
			←

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
JOHN CREIGHTON Deputy District Attorney	←	■	
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent	←	■	
TOM TORLAKSON Teacher/California Legislator	←	■	
	←	■	

CA01-2-CF1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS					
STATE					
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> </tr> <tr> <td>NO</td> <td>←</td> </tr> </table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

<p>25 CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT. Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>26 REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT. Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>27 ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					





Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS	
COUNTY	
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	YES 
	NO 
SCHOOL	
J Shall Emery Unified School District: maintain academic excellence/student performance, attract and retain quality teachers by: replacing/upgrading outdated schools no longer meeting seismic safety standards; provide updated classrooms, technology, science/ computer labs; improve school safety; create energy efficient cost-saving facilities that provide job training, after-school, pre-school, and other community services by issuing \$95 million dollars in bonds at legal rates with independent citizens' oversight, audits, and NO money for administrator salaries, benefits, or pensions?	BONDS YES 
	BONDS NO 

Sample Ballot

VOTE BOTH SIDES

CA01-4--0508380200-123

B - Card 2


(3A1)

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your choice,

complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. To vote for a candidate for Chief Justice of the Supreme Court; Associate Justice of the Supreme Court; or Associate Justice, Court of Appeal, complete the arrow after the word "Yes" or "No."

PARTISAN OFFICES		TREASURER		UNITED STATES SENATOR	
STATE		Vote for One		Vote for One	
GOVERNOR Vote for One		ROBERT LAUTEN AMERICAN INDEPENDENT		UNITED STATES SENATOR Vote for One	
CARLOS ALVAREZ Retail Worker	PEACE AND FREEDOM	DEBRA L. REIGER Retired Technology Manager	PEACE AND FREEDOM	EDWARD C. NOONAN Computer Store Owner	AMERICAN INDEPENDENT
LAURA WELLS Financial Systems Consultant	GREEN	EDWARD M. TEYSSIER Business Owner/Attorney	LIBERTARIAN	DUANE ROBERTS Community Volunteer	GREEN
MEG WHITMAN Businesswoman	REPUBLICAN	CHARLES "KIT" CRITTENDEN Retired Professor	GREEN	BARBARA BOXER United States Senator	DEMOCRATIC
DALE F. OGDEN Business Consultant/Actuary	LIBERTARIAN	MIMI WALTERS Businesswoman	REPUBLICAN	GAIL K. LIGHTFOOT Retired Nurse	LIBERTARIAN
JERRY BROWN Attorney General of California	DEMOCRATIC	BILL LOCKYER California State Treasurer	DEMOCRATIC	MARSHA FEINLAND Retired Teacher	PEACE AND FREEDOM
CHELENE NIGHTINGALE Business Owner	AMERICAN INDEPENDENT			CARLY FIORINA Business Executive	REPUBLICAN
LIEUTENANT GOVERNOR Vote for One		ATTORNEY GENERAL Vote for One		UNITED STATES REPRESENTATIVE	
ABEL MALDONADO Senator/Businessman/Farmer	REPUBLICAN	TIMOTHY J. HANNAN Attorney/Arbitrator/Mediator	LIBERTARIAN	11TH CONGRESSIONAL DISTRICT Vote for One	
JAMES "JIMI" CASTILLO Cultural Spiritual Advisor	GREEN	DIANE BEALL TEMPLIN Attorney/RE Broker	AMERICAN INDEPENDENT	DAVID CHRISTENSEN Electrician	AMERICAN INDEPENDENT
C.T. WEBER Retired Government Analyst	PEACE AND FREEDOM	STEVE COOLEY District Attorney, County of Los Angeles	REPUBLICAN	JERRY MCNERNEY United States Congressman	DEMOCRATIC
JIM KING Real Estate Broker	AMERICAN INDEPENDENT	ROBERT J. EVANS Criminal Defense Lawyer	PEACE AND FREEDOM	DAVID HARMER Businessman/Attorney	REPUBLICAN
PAMELA J. BROWN Economics Professor	LIBERTARIAN	PETER ALLEN Environmental Energy Attorney	GREEN		
GAVIN NEWSOM Mayor, City and County of San Francisco	DEMOCRATIC	KAMALA D. HARRIS District Attorney, City and County of San Francisco	DEMOCRATIC		
				MEMBER OF THE STATE ASSEMBLY	
SECRETARY OF STATE Vote for One		INSURANCE COMMISSIONER Vote for One		18TH ASSEMBLY DISTRICT Vote for One	
		DINA JOSEPHINE PADILLA Injured Worker Consultant	PEACE AND FREEDOM	MARY HAYASHI California State Assemblymember	DEMOCRATIC

Sample Ballot

DAMON DUNN

Small Business Owner

REPUBLICAN

CHRISTINA TOBIN

Voting Rights Advocate

LIBERTARIAN

MARYLOU CABRAL

Community Volunteer

PEACE AND FREEDOM

DEBRA BOWEN

Secretary of State

DEMOCRATIC

MERTON D. SHORT

Aviator

AMERICAN INDEPENDENT

ANN MENASCHE

Civil Rights Attorney

GREEN

CONTROLLER

Vote for One

KAREN MARTINEZ

Retired

PEACE AND FREEDOM

JOHN CHIANG

Controller

DEMOCRATIC

LAWRENCE G. BELIZ

Independent Businessman

AMERICAN INDEPENDENT

ROSS D. FRANKEL

Accountant

GREEN

ANDREW "ANDY" FAVOR

Certified Public Accountant

LIBERTARIAN

TONY STRICKLAND

State Senator/Businessman

REPUBLICAN

RICHARD S. BRONSTEIN

Licensed Insurance Broker

LIBERTARIAN

WILLIAM BALDERSTON

Teacher/Union Organizer

GREEN

DAVE JONES

Member, California State Assembly

DEMOCRATIC

MIKE VILLINES

Businessman/State Assemblyman

REPUBLICAN

CLAY PEDERSEN

Retail Manager

AMERICAN INDEPENDENT

MEMBER, STATE BOARD OF EQUALIZATION, 1ST DISTRICT

Vote for One

KEVIN R. SCOTT

Small Business Owner

REPUBLICAN

BETTY T. YEE

Equalization Board Member

DEMOCRATIC

KENNITA WATSON

Retired Quality Engineer

LIBERTARIAN

SHERILL BORG

Community Development Officer

PEACE AND FREEDOM

MICHAEL HAVIG

College Student

REPUBLICAN

JUDICIAL

Vote Yes or No for Each Office

CHIEF JUSTICE OF THE SUPREME COURT

"Shall Associate Justice, Court of Appeal, 3rd Appellate District, TANI G. CANTIL-SAKAUYE be elected to the office for the term provided by law?"

YES

NO

ASSOCIATE JUSTICE OF THE SUPREME COURT

"Shall Associate Justice of the Supreme Court, MING W. CHIN be elected to the office for the term provided by law?"

YES

NO

Sample Ballot

CA01-1--0202547700-202

A - Card 1

VOTE BOTH SIDES

BT:202

(2DE1)

JUDICIAL		CITY OF DUBLIN	
Vote Yes or No for Each Office			
ASSOCIATE JUSTICE OF THE SUPREME COURT "Shall Associate Justice of the Supreme Court, CARLOS R. MORENO be elected to the office for the term provided by law?"		YES	NO
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, KATHLEEN M. BANKE be elected to the office for the term provided by law?"		YES	NO
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 1 "Shall Associate Justice, Court of Appeal, 1st Appellate District, ROBERT L. DONDERO be elected to the office for the term provided by law?"		YES	NO
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 2 "Shall Associate Justice, Court of Appeal, 1st Appellate District, JAMES R. LAMBDEN be elected to the office for the term provided by law?"		YES	NO
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, MARTIN J. JENKINS be elected to the office for the term provided by law?"		YES	NO
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 3 "Shall Associate Justice, Court of Appeal, 1st Appellate District, PETER J. SIGGINS be elected to the office for the term provided by law?"		YES	NO
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 4			
		FOR MAYOR Vote for One TIM SBRANTI <i>Mayor/Teacher</i>	
		FOR MEMBERS OF CITY COUNCIL Vote for no more than Two SHAWN COSTELLO <i>Restaurant Entertainment Worker</i> DON BIDDLE <i>Appointed Incumbent</i> KATE ANN SCHOLZ <i>Incumbent</i> ERIC SWALWELL <i>Deputy District Attorney</i>	
		DISTRICT DUBLIN - SAN RAMON SERVICES DISTRICT DIRECTORS Vote for no more than Two ROSALIND "ROZ" ROGOFF <i>Online College Instructor</i> DAWN L. BENSON <i>Water Agency Administration</i> GEORGEAN VONHEEDER-LEOPOLD <i>Appointed Incumbent</i> JAMES A. SHAND <i>Retired Manufacturing Supervisor</i>	

Sample Ballot

Sample Ballot

"Shall Associate Justice, Court of Appeal, 1st Appellate District, TIMOTHY A. REARDON be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, TERENCE L. BRUINIERS be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
ASSOCIATE JUSTICE, COURT OF APPEAL 1ST APPELLATE DISTRICT, DIVISION 5			
"Shall Associate Justice, Court of Appeal, 1st Appellate District, HENRY E. NEEDHAM, JR. be elected to the office for the term provided by law?"	YES	←	■
	NO	←	■
NONPARTISAN			
JUDICIAL			
SUPERIOR COURT JUDGE, OFFICE #9 Vote for One			
VICTORIA S. KOLAKOWSKI Administrative Law Judge	←	■	
JOHN CREIGHTON Deputy District Attorney	←	■	
	←	■	
SCHOOL			
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION Vote for One			
LARRY ACEVES Retired School Superintendent	←	■	
TOM TORLAKSON Teacher/California Legislator	←	■	
	←	■	

CA01-2-DE1

A - Card 1

VOTE BOTH SIDES

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA

NOVEMBER 2, 2010 GENERAL ELECTION

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY.

To vote on any measure, **complete the arrow**  after the word "Yes" or "No."

MEASURES SUBMITTED TO THE VOTERS							
STATE							
<p>19 LEGALIZES MARIJUANA UNDER CALIFORNIA BUT NOT FEDERAL LAW. PERMITS LOCAL GOVERNMENTS TO REGULATE AND TAX COMMERCIAL PRODUCTION, DISTRIBUTION, AND SALE OF MARIJUANA. INITIATIVE STATUTE. Allows people 21 years old or older to possess, cultivate, or transport marijuana for personal use. Fiscal Impact: Depending on federal, state, and local government actions, potential increased tax and fee revenues in the hundreds of millions of dollars annually and potential correctional savings of several tens of millions of dollars annually.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>20 REDISTRICTING OF CONGRESSIONAL DISTRICTS. INITIATIVE CONSTITUTIONAL AMENDMENT. Removes elected representatives from process of establishing congressional districts and transfers that authority to recently-authorized 14-member redistricting commission comprised of Democrats, Republicans, and representatives of neither party. Fiscal Impact: No significant net change in state redistricting costs.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>21 ESTABLISHES \$18 ANNUAL VEHICLE LICENSE SURCHARGE TO HELP FUND STATE PARKS AND WILDLIFE PROGRAMS. GRANTS SURCHARGED VEHICLES FREE ADMISSION TO ALL STATE PARKS. INITIATIVE STATUTE. Exempts commercial vehicles, trailers and trailer coaches from the surcharge. Fiscal Impact: Annual increase to state revenues of \$500 million from surcharge on vehicle registrations. After offsetting some existing funding sources, these revenues would provide at least \$250 million more annually for state parks and wildlife conservation.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>22 PROHIBITS THE STATE FROM BORROWING OR TAKING FUNDS USED FOR TRANSPORTATION, REDEVELOPMENT, OR LOCAL GOVERNMENT PROJECTS AND SERVICES. INITIATIVE CONSTITUTIONAL AMENDMENT. Prohibits State, even during severe fiscal hardship, from delaying distribution of tax revenues for these purposes. Fiscal Impact: Decreased state General Fund spending and/or increased state revenues, probably in the range of \$1 billion to several billions of dollars annually. Comparable increases in funding for state and local transportation programs and local redevelopment.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>23 SUSPENDS IMPLEMENTATION OF AIR POLLUTION CONTROL LAW (AB 32) REQUIRING MAJOR SOURCES OF EMISSIONS TO REPORT AND REDUCE GREENHOUSE GAS EMISSIONS THAT CAUSE GLOBAL WARMING, UNTIL UNEMPLOYMENT DROPS TO 5.5 PERCENT OR LESS FOR FULL YEAR. INITIATIVE STATUTE. Fiscal Impact: Likely modest net increase in overall economic activity in the state from suspension of greenhouse gases regulatory activity, resulting in a potentially significant net increase in state and local revenues.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					
<p>24 REPEALS RECENT LEGISLATION THAT WOULD ALLOW BUSINESSES TO LOWER THEIR TAX LIABILITY. INITIATIVE STATUTE. Fiscal Impact: Increased state revenues of about \$1.3 billion each year by 2012-13 from higher taxes paid by some businesses. Smaller increases in 2010-11 and 2011-12.</p>	<table border="1"> <tr> <td>YES</td> <td>←</td> <td>↑</td> </tr> <tr> <td>NO</td> <td>←</td> <td>↑</td> </tr> </table>	YES	←	↑	NO	←	↑
YES	←	↑					
NO	←	↑					

Sample Ballot

25 CHANGES LEGISLATIVE VOTE REQUIREMENT TO PASS BUDGET AND BUDGET-RELATED LEGISLATION FROM TWO-THIRDS TO A SIMPLE MAJORITY. RETAINS TWO-THIRDS VOTE REQUIREMENT FOR TAXES. INITIATIVE CONSTITUTIONAL AMENDMENT. Legislature permanently forfeits daily salary and expenses until budget bill passes. Fiscal Impact: In some years, the contents of the state budget could be changed due to the lower legislative vote requirement in this measure. The extent of changes would depend on the Legislature's future actions.	YES	←	↑
	NO	←	↑
26 REQUIRES THAT CERTAIN STATE AND LOCAL FEES BE APPROVED BY TWO-THIRDS VOTE. FEES INCLUDE THOSE THAT ADDRESS ADVERSE IMPACTS ON SOCIETY OR THE ENVIRONMENT CAUSED BY THE FEE-PAYER'S BUSINESS. INITIATIVE CONSTITUTIONAL AMENDMENT. Fiscal Impact: Depending on decisions by governing bodies and voters, decreased state and local government revenues and spending (up to billions of dollars annually). Increased transportation spending and state General Fund costs (\$1 billion annually).	YES	←	↑
	NO	←	↑
27 ELIMINATES STATE COMMISSION ON REDISTRICTING. CONSOLIDATES AUTHORITY FOR REDISTRICTING WITH ELECTED REPRESENTATIVES. INITIATIVE CONSTITUTIONAL AMENDMENT AND STATUTE. Eliminates 14-member redistricting commission. Consolidates authority for establishing state Assembly, Senate, and Board of Equalization districts with elected representatives who draw congressional districts. Fiscal Impact: Possible reduction of state redistricting costs of around \$1 million over the next year. Likely reduction of these costs of a few million dollars once every ten years beginning in 2020.	YES	←	↑
	NO	←	↑

Sample Ballot

CA01-3-A1

VOTE BOTH SIDES

B - Card 2

Sample Ballot

MEASURES SUBMITTED TO THE VOTERS					
COUNTY					
F Alameda County Transportation Improvement Measure "To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?"	<table><tr><td>YES</td><td>←</td></tr><tr><td>NO</td><td>←</td></tr></table>	YES	←	NO	←
YES	←				
NO	←				

Sample Ballot

VOTE BOTH SIDES

CA01-4--0514547750-202

B - Card 2

(3A1)

Candidate's Statement
UNITED STATES REPRESENTATIVE
Ninth Congressional District

BARBARA LEE

Occupation: Congresswoman

My education and qualifications are: These are difficult times for our communities. The economy is stagnant; too many can't find jobs; and wars in Iraq and Afghanistan divert our resources from urgent needs at home. We need values-driven, strong leaders to fight for economic and social justice at home and peace abroad. I am privileged that you have entrusted me to represent you in this fight, and I would be honored to represent you again. Since my first day in Congress I have spoken out for you - and I will continue to do so. From the positions I have earned on the House Appropriations Committee I have fought for healthcare, education, the economy and labor, and for global peace and security. Your vote allows me to turn our voices into action. As your representative, a former Chair of the Congressional Progressive Caucus and as the current Chair of the Congressional Black Caucus, I have worked to create pathways out of poverty, provide economic opportunities to all, achieve a more just and peaceful world, and build healthy communities. I will continue to fight to grow the economy and put people back to work, to protect the environment and address climate change, to ensure universal access to healthcare, and to create a fair and equitable immigration policy. Finally, I will continue my effort to end the wars in Iraq and Afghanistan—even when I have to stand alone to do so. Please allow me to continue serving our communities by voting Barbara Lee for Congress.

Candidates' Statements
UNITED STATES REPRESENTATIVE
Tenth Congressional District

GARY CLIFT

Occupation: Independent Businessman/Farmer

Age: 54

My education and qualifications are: Our nation is at a critical crossroads. The government's reckless borrowing and rapid growth has put our democracy, liberty and our children's future at risk. The Congressional Budget Office warns that our fiscal policy is "unsustainable." We must act now. I will introduce legislation that reduces federal spending and balances the budget now, not in 10 years. Only when our government lives within its means will we have economic growth. I will advocate an economy that is based on production not consumption and borrowing. Additionally, overseas wars have distracted our government from defending Americans against violent drug cartels that have crossed our borders. As your Congressman I will represent the citizens of Alameda County and the United States Constitution. I will oppose all federal meddling in States' rights issues and will support the principles of constitutional government and local control. My priorities are jobs in the private business sector, protecting Americans against violence, a modern military and reduction of Federal Government. I am a University of California, Davis graduate, employed by government, non-profit and private agencies for 35 years. I have seen firsthand how government waste and regulations impact small businesses and the United States economy. I spent 26 years in Law Enforcement, ten years advocating victims' rights, fighting the California State bureaucracy that punishes victims and coddles criminals. I am a third generation California farmer. Six generations of my family have lived in California. I am married with two children who are attending college and would be honored to have your vote. www.cliffforcongress.com

JOHN GARAMENDI

Occupation: Congressman/Rancher

My education and qualifications are: As your Congressman serving on the Armed Services and Transportation and Infrastructure Committees, I'm striving to put America back to work, keep families safe and healthy, protect our water and promote efficient renewable energy. I supported The Recovery Act, which is creating jobs and strengthening our local economy. Alameda County received \$2.4 billion to keep teachers and police working, \$6 million for LLNLab cybersecurity research, and tax credits for installing solar and wind systems. My "Make It In America" legislation requires that American-made products be used in taxpayer-funded projects like BART trains, Amador Valley Transit buses and renewable energy systems. It will also end \$14 billion in tax breaks for corporations that layoff American workers and offshore their jobs. As a father and grandfather, I know the importance of family health. I worked hard to pass Health Care Reform, which in our district will fund 10 community health centers, cover 24,000 uninsured, improve existing coverage for 500,000, and force insurance companies to put patients ahead of profits. Water is the lifeblood of a community, a lesson I learned growing up on a working ranch and serving in the Peace Corps. For 33 years, Patti and I have lived in the Delta and fought to protect its water, fish and farms. It has been my honor to serve as your State Insurance Commissioner, Deputy Secretary of the Interior, a State Legislator, and now as your Congressman. It is a privilege to receive your support. I would be grateful for your vote.

Candidates' Statements
UNITED STATES REPRESENTATIVE
Eleventh Congressional District

JERRY MCNERNEY

Occupation: United States Congressman

My education and qualifications are: My wife Mary and I have lived and raised our three children in this area for 20 years. As a renewable energy engineer, small businessman, and father, I know the challenges of making ends meet during tough times. I worked hard to provide for my family but had to take out a second mortgage to help send my kids to college. We were proud when our son Michael joined the military after 9/11. His service inspired me to run for public office, and my experiences drive me to be an independent voice who stands up for what's right. I'm committed to improving the economy and creating local jobs. With people struggling, it's wrong for Congress and big corporations to benefit at our expense. That's why I've always voted against pay raises for Congress, and I wrote a bill to close tax loopholes for companies that ship American jobs overseas. I know that small businesses are the engine of our economy, and I've worked to pass tax credits for companies that hire new employees. Taking care of veterans is a top priority of mine. Many local veterans have to drive hours for a doctor's appointment. That's why I delivered a new veterans medical center to our area, creating 900 jobs. I also wrote a law improving treatments for service members returning from combat with severe brain injuries. I'll keep fighting to create jobs and improve veterans' benefits and will stand up for you during these tough times.

DAVID HARMER

Occupation: Businessman/Attorney

Age: 48

My education and qualifications are: Our country is on the wrong track. The economy is stagnant. Unemployment hasn't stayed this high for this long since the Great Depression. Congress has made things worse. The House of Representatives voted for a massive new tax and regulatory scheme that would increase the average household's energy costs by \$3,000 every year. They've piled new mandates and bureaucracies onto an economy that's already struggling. And now Congress is considering a long list of tax increases. To make matters worse, Congress is also spending money like it's gushing out of that well in the Gulf, with no end in sight. The explosion of federal spending has led to record-breaking national debt \$13.3 trillion, which equals nearly \$120,000 per taxpayer. Our families simply cannot afford to continue down this path. We must change course before it's too late. I'm David Harmer, and I have four very important reasons for caring what happens in Congress: Madison, Jonas, Ariel, and Benjamin my kids. Elayne and I have taught them to work before they play, to save before they spend. And they do. But Congress is spending them deeply into debt anyway. Im running to change that. As your representative, I will fight to limit taxes, control federal spending, and lift the regulatory burdens that are impeding innovation and job growth. I'll work to stop growing the government, and start growing the economy. I'd welcome your vote. To learn more, please visit my website: www.HarmerForCongress.com.

Candidate's Statement
MEMBER OF THE STATE ASSEMBLY
Fourteenth Assembly District

NANCY SKINNER

Occupation: State Assemblymember

My education and qualifications are: For over 35 years, I have been working to improve the quality of life in the East Bay. I've served our East Bay communities as an educator at UC Berkeley, an environmental activist who organized local responses to the global warming crisis, a City Councilmember who led efforts to preserve critical open space like Eastshore State Park and as an East Bay Regional Park Board member. Since 2008, I have represented you in the California State Assembly. It has been a challenging and yet rewarding time. Clearly, our top priority must be to resolve the state's perpetual budget crisis. I held forums to give residents a voice in how to make tough budgetary decisions. I fought to slam shut a tax loophole that allows out of state corporations to avoid paying their fair share, a share that would avoid millions of dollars of cuts to our schools. I authored a comprehensive energy retrofit program using federal stimulus funds to create jobs bringing older buildings up to current energy conservation codes. To encourage solar energy, I passed a bill requiring PG&E to credit homeowners and businesses for the solar energy produced by small solar systems. Children in California's foster care system need our help. That's why I've made it easier for them to afford higher education at California's public colleges. Even in tough economic times, within a state government that often seems incapable of responding to obvious challenges, I believe I am making a difference. I ask for your support for re-election.

www.nancyskinnerforassembly.com

Candidate's Statement
MEMBER OF THE STATE ASSEMBLY
Eighteenth Assembly District

MARY HAYASHI

Occupation: California State Assemblymember

My education and qualifications are: As your elected representative, I have authored legislation to protect seniors and consumers, promote children's health, and support public education. Among the Legislative Scorecards released by leading public health and consumer organizations, I have a perfect score from the California Alliance of Retired Americans, Children's Advocacy Institute, American Cancer Society, Planned Parenthood, and the California Public Interest Research Group (CALPIRG) for outstanding legislative voting record on health and consumer protection legislation. Health care reform is one of my highest priorities. I am proud to have authored legislation that protects consumers by prohibiting insurance companies from cancelling individual health policies during times when they need it most. In addition, I was honored to be named Legislator of the Year by the California Medical Association, as well as by the California Association of Recreation and Park Districts for my support of the Keep Parks Open Coalition and commitment to public recreation and open space. As Chair of the Assembly Select Committee on Community Colleges, I have been a strong advocate for meeting the public's demand for clean energy by investing in our local community colleges, which are training workers to succeed in the rapidly growing field of green technology. I authored legislation that promotes economic development, job growth, and healthier and safer communities through the development of transit villages and green building standards. I have been honored to serve you in the State Assembly, and I hope my work has earned your vote for re-election. Thank you.

Candidate's Statement
MEMBER OF THE STATE ASSEMBLY
Twentieth Assembly District

BOB WIECKOWSKI

Occupation: Councilmember/Small Businessman

Age: 55

My education and qualifications are: Bob Wieckowski is a life-long Democrat, small business owner and City Councilmember with a record of building coalitions and getting results. A local leader, Bob helped create thousands of middle-class jobs, supported our schools, kept neighborhoods safe, protected open space, established parks and recreational opportunities, secured over \$160 million for public transportation projects including a BART extension, led a trade mission to China and attracted high-tech companies to our region. As an expert at balancing budgets and fiscal policy, Bob has enabled small businesses to keep their doors open and families to keep their homes during the financial crisis. Bob knows how to cut government waste, root out fraud and streamline bureaucracy. In the Assembly, Bob will stand up to the special interests and close tax loopholes to make sure corporations and wealthy CEO's pay their fair share. Bob believes that we can no longer balance the state budget by cutting education, healthcare or services for seniors and people with disabilities. By rising above the partisan bickering that is contributing to the gridlock in state government, Bob will bring Democrats and Republicans together to solve the problems facing California. His leadership will create more jobs, expand healthcare, protect the environment and get California back on track by investing in our schools, expanding job training opportunities and making higher education more affordable and accessible. Please join nurses, firefighters, teachers, police officers, environmentalists, small business owners and working families in supporting Bob Wieckowski for State Assembly. www.BobWieckowski.com

Candidates' Statements
ALAMEDA COUNTY
Superior Court Judge, Office #9

JOHN CREIGHTON

Occupation: Deputy District Attorney

My education and qualifications are: With 25 years of courtroom experience, I work with victims, witnesses, judges, and juries everyday. I bring to this position knowledge of both criminal and civil law and a deep understanding of how Superior Courts operate. I will treat all people in my courtroom fairly and with respect. As a lawyer in the District Attorney's office, I am committed to serving the public and keeping our diverse community safe. Working for you, I have handled cases throughout Alameda County, from the prosecution of polluters in the Environmental Protection Division to murder and crimes against women and children. I now work in the Gang Unit, prosecuting violent crimes and collaborating with communities on gang suppression. I am a Vietnam veteran and graduate of UC Berkeley and USF Law School. A 33-year resident of Alameda County, I am married with two children. My community service includes sitting on Planned Parenthood's Board of Directors and the Site Council at my children's public school and volunteering as a youth soccer referee. I have widespread, bipartisan support including an overwhelming majority of Superior Court Judges and Mayors, three County Supervisors, Sheriff Ahern, police, fire, organized labor, and community leaders. I respectfully ask for your vote. www.creightonforjudge.com

VICTORIA S. KOLAKOWSKI

Occupation: Administrative Law Judge

Age: 49

My education and qualifications are: For more than 20 years, I've worked as a judge and attorney, protecting the rights of our diverse community. As the only candidate with judicial experience, I have the passion for justice, and open, respectful, and deliberative demeanor to serve as a Superior Court Judge for all of us. As an administrative law judge, I have presided over cases where California's strong environmental laws were reinforced and renewable energy was increased. As a senior government lawyer, I fought before federal courts to recover money for consumers that was lost during the California Energy Crisis, and negotiated settlements worth billions of dollars for consumers. My commitment to public service and equal rights leads me to seek election to Judge of the Superior Court. Less than a third of the judges currently serving on the Alameda County Superior Court are women, and it is time for another experienced woman to be added to the Court. Please join Sierra Club, Alameda County Labor Council, California Nurses Association, California State Senator Ellen Corbett, Assemblymembers Nancy Skinner and Sandre Swanson, Oakland City Attorney John Russo, and more in voting for a judge with the experience and temperament to be independent and fair. www.kolakowskiforjudge.com

Candidates' Statements
OHLONE COMMUNITY COLLEGE DISTRICT
Trustees, Area 2

GARRETT YEE

Occupation: Member, Board of Trustees, Ohlone Community College District

My education and qualifications are: I want to thank the citizens of Fremont, Newark, and Union City for their commitment to higher education, and their ongoing support for Ohlone College. I appreciate the opportunity to serve as a Trustee at Ohlone Community College District since 2002 where I've been committed to ensuring California fully funds college education, improves student achievement, and expands access to higher education. I've been known as a voice of reason during difficult transitions and exciting improvements at the college. I am honored to have been a part of the opening of the Newark Campus, a Platinum Certified Green building, a great accomplishment. Education is key to improving our communities. California employers need educated, trained workers to compete in this global economy, and it starts with a good education. As California's state universities reduce their capacity and increase fees, we need to ensure accessible higher education opportunities and seamless transition to four-year institutions. As a local education leader and Iraq War Veteran, I believe in public service. I would be honored to continue my work to ensure quality, accessible higher education at Ohlone Community College District. Thank You.

JAN GIOVANNINI-HILL

Occupation: University Financial Analyst

My education and qualifications are: These campuses are a hidden jewel in the Tri-City area that deserve Board Members with the higher education experience, background, commitment, inspiration and creative vision to take them to the next level. I believe I have those qualities at this time in my life. My education and qualifications for this board seat include 40-years of employment at a local public university, six years as an Instructor at a local business and technical college; a Master's Degree in Public Administration/Organizational Change, a Bachelor's Degree in Administrative Communications/Special Major, and an Associate's Degree in Business/Data Processing. As a first generation college student in my family, I understand the obstacles that many students face seeking higher education. Beginning in a local community college, my academic preparation was an uphill challenge for 26-years. My four children have all attended Ohlone College. Elect me to build bridges within the academic arena, be a voice for inclusiveness, seek budget stability, and to enhance community partnerships. As a long time university employee, college student, college instructor, parent of college students, and a recognized community leader, I understand the issues facing higher education today and would welcome your vote to the Ohlone Community College District Board of Trustees. Thank you.

ISHAN M. SHAH

Occupation: Public Education Activist

My education and qualifications are: Budget cuts have rocked our classrooms. They've pushed college diplomas farther out of reach. Yet in this tough economy, a college degree is more important now than ever before. Ohlone College has done an excellent job training attendees for promising careers. I have prepared countless students for transfer into the UC and State college systems. The college has kept vital programs in place, even in the face of overwhelming adversity, while serving a record student enrollment. I'm intent on preserving these great attributes, with fiscal responsibility in mind, as Ohlone moves into the next decade and beyond. However, as the student body becomes increasingly diverse, the college must innovate and adapt to its needs, as well as the needs of our community as a whole. I come from a family of small business owners, was voted Fremont's "Best Innovative Thinker" for 2010, and am a lifelong resident of the community Ohlone serves. I have the background and commitment needed to ensure the college's continued success. I am determined to be a responsible and efficient Trustee who will exceed even the highest ethical standards. You deserve absolutely nothing less. I humbly ask for the honor of your vote. www.electshah.com

Candidates' Statements
PERALTA COMMUNITY COLLEGE DISTRICT
Trustee, Area 3

MÓNICA TELL

Occupation: Public Relations Specialist / Community Liaison

My education and qualifications are: The Peralta Colleges need to be critically reviewed and dramatically improved. Earlier this year, the Alameda County Grand Jury harshly criticized the Peralta College Trustees and highlighted various concerns, including: inadequate management and oversight; wasteful spending; excessive travel and improper use of credit cards; and calling the lack of attention to financial matters "particularly troublesome." Over 30,000 Peralta students deserve better! It's time for new leadership that will focus on enhancing educational opportunities and professionalizing the Peralta Colleges. I am a native of Oakland's Fruitvale district, and a graduate of U.C. Berkeley. Throughout my career, I have built positive relationships among diverse communities and encouraged public participation to create measurable, efficient and effective performance based outcomes. As a Peralta College Trustee, I pledge to focus on fiscal responsibility, strict management accountability and improved educational services. Oakland and the greater East Bay depend on the Peralta Colleges, and in a time of great economic uncertainty, our community colleges should serve as a beacon of hope and opportunity. With your help, we can return the Peralta Colleges to the position of respect and admiration they once held in our community.

LINDA HANDY

Occupation: Educator, Outreach Community Liaison / Behavioral Health Services

My education and qualifications are: As the Trustee who demonstrates courage and reason, my priorities are quality instruction, student support, local business commitment, employment fairness, workforce equity and making Peralta the premier Community College District. Despite diminished funding and other challenges, my absolute dedication to student success and our local community is producing results. While Board President, I demanded quality service delivery, accountability and employee acknowledgment; fought for transparent and standardized reporting systems; pushed for an independent auditor; and instituted a Board civility policy. From my advocacy for Interest Based Bargaining, Peralta had no labor problems. I successfully fought for approval of a Project Labor Agreement. Through my work, substantial contracts related to Peralta's \$390,000,000 bond have gone to local businesses. I was instrumental in bringing both a \$2.9 milion job-training federal grant to train challenged students in green construction and energy management, transportation and logistics and allied healthcare and human services, and Peralta's first Student Health Clinic. With my AA from Laney College, Bachelors and Masters Degrees, I have been a Dean of Education and Assistant Director of a Minority Career Awareness Program. As an outspoken advocate for students and education with continued devotion to Peralta, I respectfully ask for your vote. Handy4trustee.com

Candidates' Statements
PERALTA COMMUNITY COLLEGE DISTRICT
Trustee, Area 5

WILLIAM (BILL) RILEY

Occupation: Education, Member Peralta Community College District Board of Trustee

My education and qualifications are: As a life-long educator I remain passionate about delivering quality education to Peralta's diverse student body. When I was first elected, Peralta received adequate state funding to support every student enrolling in our colleges. Today we're challenged with serving 5200 more students than the state pays for. In these tough times I've provided successful leadership to find creative ways of serving more students with less. My tenure is notable for my constructive approach to improving instructional quality, enhancing the work environment and protecting valuable District resources. I'm not afraid of hard decisions and when problems emerged I moved quickly to implement efficient, constructive and cost-effective solutions. I pledge to continue monitoring District completion of Measure A's \$390 million expenditures for college improvements, improving fiscal accountability, fighting for local business participation in capital projects, collaborating to secure our fair share of state funding and most importantly, strengthening student support services. I'm endorsed by many from the community, education and business; Assemblyman Sandre Swanson; Piedmont Mayor Dean Barbieri and other elected officials. As a lifelong Oaklander, former Merritt College student body president and professional educator, I humbly request your vote so we can continue building our District.

WILLIAM J. MATTOX

Occupation: Consultant Human Resources

My education and qualifications are: I am the candidate of reform. My candidacy for Board of Trustee is based on my commitment to the ethical management of community resources. I am determined to work tirelessly to make sure this Board is accountable to the community for fiscal responsibility, effective employee management, focus, vision, and purpose. My extensive experience as a Human Resources professional in both the private and public sector enables me to analyze budget options, think critically in problem solving, set priorities and monitor performance of staff and management. When considering the nomination to stand for election, it is important to know the role of the Board of Trustee. I know that the Board has overall responsibilities to act as a unit, represent a common good, set the policy direction, create a positive climate, monitor performance, support and be advocates for the college and lead as a thoughtful educated team. Thinking about my experience in this regard, it is clear that my professional and public experiences match the needs of this Board of Trustees. I hold a Master's Degree and fully understand the importance of Community Colleges. I humbly ask for your vote.

Candidates' Statements

ALAMEDA UNIFIED SCHOOL DISTRICT

Governing Board Members

RAND WROBEL

Occupation: Management Software Consultant

Age: 51

My education and qualifications are: I want to pay teachers instead of administrators. As an Alamedean for 17 years, and parent of two teenagers (one with special needs), I've experienced both AUSD, and Alameda's original charter school: ACLC. My 30-year career as a Business Process Management expert, working with Fortune 500 corporations and government organizations, is dedicated to optimizing efficiency, service and satisfaction. My technology course instruction is highly-rated. I have a BA in "Future Studies," coach youth sports, founded the special education non-profit LilliWorks Foundation, www.LilliWorks.org, (currently, Executive Director), and have no family/history of being paid by AUSD. AUSD needs fresh "out of the box" ideas emphasizing efficiency and community. Status quo, rubberstamp thinking has resulted in ignored community input, the poorly-structured, failed Measure E, and the devastating bare-bones, school-closing "Doomsday" Plan B. I'll work with community to structure a fair parcel tax, leverage technology, and advocate "AUSD 2.0": transitioning to more efficient, effective charter schools that pay teachers instead of \$150,000 administrators (saving millions), involve community, provide truly rich education, offer choices and competition, and, as charters can afford, keep neighborhood schools open. See www.Rand4Schools.com. My stand: "More Educational Bang for the scarce Dollar."

MARJORIE (MARGIE) SHERRATT

Occupation: Retired Educator/Administrator

My education and qualifications are: BA Fine Arts/English, MS Counseling, California Life Teaching Credential, Pupil Personnel Credential, California Administrative Credential. As a former teacher, counselor, District Administrator and Alameda High School Principal, I have had the privilege of serving literally thousands of Alameda students. During my thirty five year career as an educator, I have learned that each and every student and family has unique needs that must be addressed and valued. My work in education continues as a Field Supervisor of teacher interns for a university, and as an Auditor of schools through the Alameda County Office of Education. Alameda is my home, where I went to school, married, raised our children, owned a small business, and became involved in civic activities, such as; former President of Alameda Civic Light Opera, member of Trinity Lutheran Church, and an Advisory Board Member Alameda Boys and Girls Club. I will bring to the Board of Education my collaborative style of leadership, my openness to ideas and ways to solve problems, my ability to make the tough decisions for Alameda Unified School District, my integrity and most importantly, my commitment to the students of Alameda. I appreciate your vote on November 2nd. Please vote Marjorie "Margie Sherratt for School Board".

NERO JAMES PRUITT

Occupation: Director/Labor Relations

My education and qualifications are: I was born in Alameda and attended Haight School through the seventh grade. Life took me out of Alameda and California until recently when a job transfer brought me back. I have a Bachelors Degree from UC Berkeley, a Masters from Michigan State and a Diversity credential from Cornell. My thirty-five years with Kaiser Permanente have given me experience in labor relations, budgets, negotiations and the knowledge of the importance of building consensus. My support for the public schools runs deep. My father taught and was an administrator in the AUSD. My mother, my wife, my five sisters and my daughter have all taught in public schools. My children went through public schools. The AUSD has about 9700 students. The ten-year Master Facilities Plan estimates that by 2019 the enrollment will be about 9400. AUSD projects a deficit of \$25M as a result of the failure of Measure E. That represents about one-third of our budget. In summary: the district faces declining enrollment and significant budget deficits. I am committed to working with parents, educators, unions and other members of community to resolve these and other issues facing AUSD.

CLAY POLLARD

Occupation: Businessman

My education and qualifications are: I am a 24-year resident of Alameda with a child attending Encinal High from Wood Middle School. I know the threat of school closure affects families. I am running for the Alameda Unified School District Board of Education for the vital causes of academic excellence, fiscal responsibility and accountability to all stakeholders: students, parents, residents, business owners and you, the voters. My imperative is bringing fresh eyes and ears, coupled with creativity and fiscal responsibility to the Board. I believe parents, residents, business owners and the education apparatus should work cohesively to provide excellence in education and opportunities for all AUSD students. As a business owner, I bring a unique skill set to this Board: attentive listening, budgeting, community relations, leadership and project management. More than ever, we need a viable long-term master plan providing smaller class size, enrichment programs, advanced placement courses, effective remedial education (to close the achievement gap), and proper facilities management which optimizes district resources. Join me as I bring inspired leadership and work toward innovative strategies to support quality public education. For the best outcome for all stakeholders, vote for Clay Pollard. Learn more at www.claypollard.com.

Candidates' Statements
ALAMEDA UNIFIED SCHOOL DISTRICT
Governing Board Members

SHERI PALMER

Occupation: Operations Assistant at Global 360, Inc

Age: 48

My education and qualifications are: a life long love of service and a variety of work experiences: I am a parent of three daughters, 2 dogs and a parakeet. I have been a PTA and classroom volunteer, school site council member, former charter school board member and an election official. I currently work for a local software publisher in Marina Village as an Operations Assistant. I try to remember to use my life skills every single day. I support neighborhood schools. I support staff and volunteers. I believe we can continue to make something great out of less, while looking for revenue streams to bring in more. I believe serving every child is our first priority. Clean, healthy and safe school sites are not an option, but a requirement. I believe every child can learn. I am a renter who is willing to pay my fair share of a parcel tax. I don't need your money to speak for our children, but the Alameda Education Foundation can use your help to keep the Arts and Sports alive in our schools, Go AEF! AEF Donation Page: <http://alamedaeducationfoundation.org/ways-to-give/donate-2/> Follow my campaign here: <http://www.facebook.com/group.php?gid=141076685915522> Reach me here: sapalmer.94501@gmail.com Please remember to register and vote November 2nd.

MIKE MCMAHON

Occupation: Trustee, Alameda Unified School District

Age: 55

My education and qualifications are: I ask for your support that I may continue to use my expertise and experience to serve the educational needs of Alameda's children, youth and adults. As a school board member for the past eight years, I have learned the complexities of overseeing our school district and understand the process of making sound decisions. As an Alameda resident for 30 years, I understand the community's educational history, have been involved in many of its organizations, and have experienced the positive effects that our quality educational system provided for my son and two daughters, all of whom graduated from Alameda public schools. I pledge to maintain an open dialog with all of our community members through my website: www.mikemcmahon.info I commit my energy and ability to insure the best possible educational outcomes for Alameda's children, youth and adults.

Candidates' Statements
FREMONT UNIFIED SCHOOL DISTRICT
Governing Board Members

DIANA RODRIGUEZ

Occupation: Procurement Specialist

My education and qualifications are: I have always felt that getting a good education is most important for our kids. Our schools, community and parents must work together if we want to see our children succeed. I am running for Fremont School Board not only to represent the district but most importantly to represent the students and parents. I have been a resident of Fremont for most of my life. I have four children attending the Fremont public schools, all ranging from elementary to high school. With our current and future fiscal problems, we must demand that funds are placed where the need is greatest. My main goal is to make sure that funds spent are always going towards the benefit of our children's education. We must be able to find ways to retain the best teachers and provide them with the resources that are needed to improve our kid's future. As a procurement specialist, I can bring my experience in maximizing your tax dollars and helping to obtaining quality education at the best price. I will bring a fresh, new voice, one that is focused on educational achievement. Please vote for me so together we can make a difference.

LARA YORK

Occupation: Fremont Unified School Board President

My education and qualifications are: I want our schools to provide the best educational experience possible for every student. I focus on that every day as I work to provide leadership that builds a strong district focused on student success. Several people have asked me why I am seeking re-election while faced with such a tough financial and reform climate in California education. It is simple, our children deserve the best educational experience and I am not giving up on helping them get it. The choices we make now set the foundation for their future, and ours. I ask that you allow me to continue my work at the local and state levels for sound fiscal policies and accountability. Recognizing that we cannot rely solely on Sacramento for funding, I support a parcel tax to restore some of the classroom and library basics that have been cut. I advocate for expanded and equitable educational opportunities, responsive to individual learning styles. I have fulfilled my promise to focus on student success, fiscal responsibility and safe schools for our children. Navigating these difficult times requires knowledge and experience. I respectfully ask for your vote to continue representing every student in Fremont Unified School District. Please contact me at: 510-713-9675; www.LaraYork.com.

LARRY SWEENEY

Occupation: Staffing Consultant / Recruiter

Age: 55

My education and qualifications are: It has been my privilege to serve you for the past 8 years on the Fremont USD Board of Trustees. Our schools are facing the toughest economic challenges in decades and we need strong leadership that can continue to find workable solutions that leverage all of our talents and dollars. We need experienced decision-makers that will continue to implement sound fiscally conservative practices, while at the same time working with all of our stakeholders to continue to deliver the best educational environment for our students. My wife Teresa, who was raised in Fremont, and I have four wonderful children. I know how tough the challenges are in our classrooms. I regularly meet with parents, teachers, students and community members in an effort to be as well-informed as possible. As a staffing consultant for some of the most successful companies in the world, I see every day the value of a strong education. There is no substitute for the experienced leadership and decision making that I can bring, especially in these challenging times. I look forward to continuing to serve our community and I humbly ask for your vote of support on November 2. For more information, please visit: www.larrysweeney.com

Candidates' Statements

HAYWARD UNIFIED SCHOOL DISTRICT

Governing Board Members, Full Term

LISA G BRUNNER

Occupation: Parent/Semi-Retired

Age: 51

My education and qualifications are: I am a civically active parent who believes in public education. I believe that all students deserve a fair and equitable education to fulfill their potential. While not all students are college bound, they should all have the opportunity to attend if they so choose. Students should have not only the core-curriculum but also electives such as music and art, including R.O.P., to enhance creativity. I have been semi-retired since 1999, and with the support of my husband, Christopher, have been active in the PTSA and the Athletic Booster's Clubs at our daughters' schools. I have spoken at many School Board Meetings and served on various committees related to HUSD. I am also a Hayward Library Commissioner because I believe strongly in supporting literacy at all levels. I want to inform parents on what they need to do to advocate for their children, especially in this time of budget cuts to insure the best education possible. We are proud parents of two Hayward High School graduates who have continued on to 4-year Colleges/Universities on scholarships, and they are my testimonials as to why I am qualified to serve on the HUSD School Board. I would appreciate hour vote. www.lgbforhUSD

AUDIE BOCK

Occupation: Former State Legislator, author, teacher, scholarship director

My education and qualifications are: I bring you a rich professional education background and a commitment to children. Hayward Unified School District faces a learning crisis, partly due to financial woes affecting all of California. My approach is steeped in hands-on experience. A product of Berkeley Public Schools, upon graduating from Wellesley College I went to Japan to teach English at International Christian University. Later I taught cinema studies at the Japan Academy of Visual Arts while my daughter attended Japanese public school, one of the world's most effective education systems. I earned my Master's degree from Harvard University, teaching at Harvard, Yale, University of Washington, University of California Berkeley and Santa Cruz, and winning the Fulbright Ph.D. Dissertation fellowship. I have also written three books on Japanese cinema. Most recently as community college professor in Oakland for five years and as substitute K-12 teacher for five years—three years in Hayward—I have taught at all grade levels. As a state legislator in Sacramento, I formed the Select Committee on Low-Performing Schools, holding hearings throughout the state. It will be tough, but with the full engagement of the Board, staff, parents and children, we can turn HUSD around. I humbly ask for your vote.

E. SUE LAFFERTY

Occupation: Retired teacher

My education and qualifications are: Hayward schools have gone from near the top to near the top to near the bottom in the almost forty years I was in education. Today the board needs someone to be the voice of teachers, students and parents. A voice that has spoken for the best education, that has spoken for students of the loudest first grade class by using a "magic wand" and "velvet slippers" to expand their imagination and silence their critics. I have never had parents tell me to mind my own business and leave their child alone. I have been the loudest voice for teachers when I helped lead them to picket lines for a fair contract. I have always been praised for my efforts and care! My concern is deepest for our children and the quality of their education. Our country is quickly becoming a place where a high school diploma is not enough. We need students who can graduate, go to college and be successful. It is incumbent upon the board, teachers, and parents to help them learn and utilize the tools they need to be successful. If elected I will work my hardest to make that happen.

SHEILA SIMS

Occupation: Retired Teacher

My education and qualifications are: As an HUSD Board member since 2008, I want to thank you for your support. I am dedicated more than ever to Hayward's children and would appreciate the opportunity to continue helping our district grow into one of the top performers in the county. I am a retired teacher having taught physical education, adaptive physical education, and special education. I have a degree and teaching credential from CSUH (CSUEB) and a special education credential from SJSU. I have been married for 48 years and a Hayward resident for 44 years. My children and grandchildren have been successful with the education that the Hayward Schools provided. I know that all children can and will learn in a clean, safe, healthy environment, and I am committed to making that a reality for all our students. I will advocate for schools that support all students, teachers, and parents. I will work to ensure that diversity is respected and practiced in our district. Please join me in rededicating ourselves to making Hayward's students the premier citizens of tomorrow. Thank you for your support.

Candidates' Statements
HAYWARD UNIFIED SCHOOL DISTRICT
Governing Board Members, Full Term

WILLIAM LOWELL MCGEE

Occupation: Teacher

Age: 32

My education and qualifications are: I am a teacher and have been working in education since graduating high school in 1995. I began my career in education as a Para-Professional, transitioning to a Computer Lab Technology Specialist, and finally becoming a teacher. I have taught at Eden Area ROP, Hayward High School through the ROP, and Hayward Adult School. I am a graduate of Chabot and CSU Hayward. Currently I am pursuing my Masters Degree in Education, option Urban Teacher Leadership at CSU East Bay. I referee basketball for grades 3-8, middle and high school, and college games. I know the community of Hayward. Hayward community's voice needs to be heard at the board meetings. We need to get HUSD to a working relationship where students are the primary focus when making decisions. I will advocate for students, parents, and teachers. I feel school board members need to be Trustees of, and act as, the check-and-balance system of HUSD. Building a culture of success is a task I am happy to take on for our students, our parents, our community, and for the success of our school district. For more information regarding my qualifications for candidacy, please visit www.williammcgee.com.

Candidates' Statements
HAYWARD UNIFIED SCHOOL DISTRICT
Governing Board Member, Short Term

ANNETTE HOFFMAN WALKER

Occupation: College Admissions Director

My education and qualifications are: You deserve a Hayward school system that is effective, responsive and transparent. This will be my goal as your representative on the Hayward School Board. I am qualified and ready to serve. I am a parent, 18-year Hayward resident, and educator with a Ed.D in Educational Leadership. I have spent nearly 20 years working in public education as a bilingual elementary school teacher, community college counselor, college lecturer and administrator. For the last five years I have served as Director of Graduate Admissions at Cal State University, East Bay. Over the years I have become discouraged with the performance of Hayward schools. Especially now in the toughest economy since the Great Depression, we need leadership to rebuild the quality of our local school system. Good schools protect property values and the quality of life in our community. I will fight for solutions to the urgent problems facing Hayward schools, and restoring the reputation of Hayward public schools. Every student deserves a quality education. I would appreciate your vote. Contact me at 510. 786. Anet. I will respond.

JESUS ARMAS

Occupation: Appointed HUSD Trustee

Age: 57

My education and qualifications are: My family has lived in Hayward for over 20 years. I am proud that my son and daughter, both of whom attend college, are products of schools in Hayward. For nearly 15 years, I served as Hayward City Manager where I was responsible for providing vital services to the community and balancing the City's budget. I was instrumental in having two new, elementary schools built in Hayward-- Stonebrae and Burbank. In 2008, I helped pass the voter-approved bond measure, which will result in five new or substantially renovated schools by 2012. Modern facilities are important, but we cannot lose sight of what is really important: To provide Hayward students a quality education. I am running because it's about the students. I will focus on having qualified teachers and administrators committed to helping students succeed. I will engage parents to take an active role in the education of their children. I will fight to preserve local control by making certain the district is financially solvent. Students deserve no less. Working together, we can help students achieve their potential. Remember, It's About The Students. It's about the future. I would be honored to have your vote on November 2.

Candidates' Statements
LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
Governing Board Members

KATE RUNYON

Occupation: Homemaker

My education and qualifications are: I have had at least one child in Livermore schools since 1998 and have served as a member of the Livermore school board for the past four years. As such, I am keenly aware of the commitment required to do this job well. In addition to attending regularly scheduled public meetings, school board members must make time for special board meetings, site visits, and occasional trips to conferences held outside of Livermore. To prepare thoughtfully for these meetings, school board members read and evaluate hundreds of pages of information regarding school policies, programs, budgets, and employee contracts. In times of fiscal crisis such as these, school board members must have not only a thorough understanding of our district's complex needs but also a willingness to make extraordinarily difficult decisions. My present position on the school board, in addition to my experience as a School Site Council member, math tutor, and Livermore Valley Education Foundation president makes me a strong candidate. I ask for your vote and I look forward to continuing my work on behalf of LVJUSD students, parents, teachers, administrators, and the community as a whole.

ANNE E. WHITE

Occupation: Incumbent

My education and qualifications are: AB Brown University, MS Purdue University, 10 years medical research, UCSF. As an experienced Livermore School Trustee, I have faced a financial roller coaster, feast and famine. Through it all, I remain focused on providing Livermore students with an outstanding education. To become productive adults, our children must learn the facts, practice critical skills, and pick up habits of questioning. We must nurture their creativity and imagination. To become good citizens, our children must learn the principles of democracy and practice the individual responsibility that goes with rights we enjoy. Caring and effective teachers who provide a rigorous curriculum are vital to accomplishing these goals. Successful teachers need adequate and appropriate equipment and materials. Well-maintained, modern schools demonstrate our community commitment to education for all students. These are tough economic times, challenging the Board to be financially responsible while still providing an exemplary education. We must prepare for the economic turn around. My experience and insight will guide our recovery, returning effective programs and adding promising new ones. I look forward to working with our new superintendent and new employee leadership and remaining focused on Livermore children and their education. Re-elect experience to the Board! Re-elect Anne White!

WILLIAM H. DUNLOP

Occupation: Incumbent

Age: 67

My education and qualifications are: BA at University of Pennsylvania, PhD in Physics UCLA, 38 years as a physicist at Lawrence Livermore National Laboratory. I am committed to achieving quality education in the Livermore School District. While on the Board of Education the past six years, I focused on improving academic achievement and citizenship in our schools. I helped start the Math Counts program at Christensen, and helped the program continue at Junction. I encouraged introduction of character education in the district. I am working with the District to help pilot the Access All program that provides computers and Internet connects to homes of students without such services. I will strive for continued improvement in our schools. I have lived in Livermore for 38 years. Our three daughters attended Livermore schools and my wife, Sally, taught vocal music at Livermore and Granada High Schools for 18 years. During the 1991 budget crisis, I was a co-founder of the Livermore Valley Education Foundation, and served as President for three years. I have continued to support and participate on the LVEF Board.

Candidates' Statements

NEW HAVEN UNIFIED SCHOOL DISTRICT

Governing Board Members

LINDA V. CANLAS

Occupation: Educator/School Principal

My education and qualifications are: California State University-East Bay M.A. Educational Leadership Teaching and Professional Administrative Credentials Good schools define good communities. For decades, New Haven Unified School District's distinguished schools attracted young families to Union City. As schools improved, so did our community's quality of life. Over the years, school bonds were passed, providing new and renovated facilities and state-of-the-art classroom upgrades. But like the gladiolas of yesteryear, those revenue sources are now scarce. To maintain NHUSD's excellence, we need prudent decision makers and fiscally responsible stewards. We have to be creative and productive with our dwindling funds. Educator for 29 years, teacher for 19 years and Vice-Principal / Principal for 10 years, I know first-hand what it takes to sustain an outstanding school district. In 1983, my husband and I moved to Union City and were among those young families that invested in this community. Our daughters attended NHUSD schools, K-12, 24 years total. As parent and community volunteer, I served on the NHUSD Strategic Planning Team and co-chaired School Site Councils. As NHUSD Board Trustee, I will make student achievement a priority. I will work to strengthen community partnerships for safety of our children. I will insist on fiscal discipline. Compare. Vote for Linda Canlas -- the clear choice with experienced voice. Thank you.

SARABJIT KAUR CHEEMA

Occupation: Transportation Engineer, Human Relations Commissioner, Teacher, Parent

Age: 50

My education and qualifications are: As a parent, teacher and committed volunteer, I have experienced in depth and in person the critical issues facing New Haven Unified School District. My teaching experience of high school Math/ Science teacher in India before moving to Union City in 1991, Math instructor at Chabot College, and substitute teacher in New Haven Unified School District, enables me to make complex decisions for educational excellence in our schools. Serving our schools through numerous committees and community at large through Commission work, Union City's 50th anniversary, Sister City Committee, Interfaith forums, LWV, Lion's Club, intimately connects me to New Haven Unified School District's performance. My Engineering background positions me to perform benefit/cost analysis of our programs for real oversight. Key Positions – maximize parents involvement and school safety. I am a blessed mother of three sons, one at Logan and other two in college. Selfless Service is a cornerstone of my life and I hope to impart that value upon our students. I will seek the knowledge and expertise of our school employees, who provide essential services. I bring commitment, experience and knowledge to lead new haven unified school district during this tough time for public education. I pledge my integrity to you and humbly ask for your support and vote on November 2nd. Thanks. www.sarabjitkaurcheema.com

GWEN ESTES

Occupation: Incumbent/ Classroom teacher

My education and qualifications are: I am honored to have served as a member of the New Haven School Board since 1994. The continued support of the community has been humbling and greatly appreciated. I have lived in Union City since 1983. My two children, Allen, class of 1992, and Carla, class of 1997, have gone on to become productive citizens. Allen is an attorney, and Carla is a high school English teacher. Their foundation for success was provided in part by the New Haven School District. I am a mother, a grandmother, and also a high school English and Social Science teacher, working for the Alameda County Office of Education. Children are my number one priority. Our school district is faced with a myriad of challenges due to economic uncertainty, stemming from decisions made in Sacramento. I see my role as a School Board member as being one of making sure the resources we do have are used to ensure that every child in our school district has the opportunity to be successful, anything less is unacceptable. I would be honored to again receive your vote, as we continue to work together on behalf of all of our children. Thank you for your continued support.

JERICO ABANICO

Occupation: Youth Counselor / Organizer

Age: 21

My education and qualifications are: I have been working with the Union City community since I was in high school. I am involved with many community organizations, city committees, task forces, and coalitions advocating for youth violence prevention programs. I am a youth counselor / organizer with Filipino Advocates for Justice and a student at Ohlone Community College. I work closely with the community and students from James Logan High School and Conley-Caraballo High School to promote youth leadership, development, and social justice. I believe that as a student and a recent graduate from JLHS, I can relate to many issues that our students, teachers, and district faces. I believe that investing in our young people and the people who help guide them will make our community a better place. I am committed in providing our students with programs and services that will take care of them and to create an environment that will help our teachers utilize their strengths to educate our students. I am committed to finding ways to support our district and our community. We all have a common purpose and that is to help each other out to make our community a better place! I respectfully ask for your vote.

Candidates' Statements

NEWARK UNIFIED SCHOOL DISTRICT

Governing Board Members

NANCY THOMAS

Occupation: Governing Board Member, Newark Unified School District
My education and qualifications are: It has been an honor serving you for the past eight years on the Newark School Board. Improving our schools is my highest priority. I am committed to maintaining rigorous academic standards and setting high student expectations, while meeting our district's significant economic challenges. As an elected member of the California School Boards Association Delegate Assembly, I will fight hard to oppose the budget cuts in Sacramento that have reduced our revenues by over 18% and that require we cut another \$4.2 million from our budget next year to avoid State intervention in our operation. As a Board member, I'll continue to work to improve our API scores and accountability, so every student has a successful pathway to graduation. I bring a strong record of dedication and advocacy to our Newark students, teachers, and classified employees. I co-authored a grant that brought over \$400,000 for science education to the district. As a 40-year resident, I have a strong commitment to our community. I'm board secretary of Kidango, a local charity providing child care services to over 2,500 families. I'm also a member of the Newark Optimist Club and president-elect of Newark Rotary. Vote Nancy Thomas on November 2nd. Thank you.

GARY STADLER

Occupation: Parent, School Volunteer

Age: 55

My education and qualifications are: AA in Fire Science and a Newark resident for 14 years. I am the father of a son entering Newark Memorial High School. I want to make a positive difference in the lives of our students. I retired in 2001 and began my involvement in Newark Schools as a member of the Snow School PTA and Snow School Site Council. I was the recipient of the 2007 District Volunteer of the Year Award and the Unsung Hero award in 2010. I started a parent club at Newark Junior High and raised funds for the students and teachers. I was on the Newark Junior High's Safety and Site Councils and District's budget oversight committee. I have been very involved in the NUSD for eight years and want to step up as a member of your school board. It is time for a change and the status quo is no longer good enough. Our students, teachers and staff need the boards support and understanding. Our schools need stability and our parents and students need to have a voice. Please elect me and I will be there for our children.

CHARLIE MENSINGER

Occupation: Incumbent, Governing Board

My education and qualifications are: Newark deserves professionalism, commitment, and dedication from its School Board Members and I have worked hard to meet this challenge over the eight years I have had the honor to serve you. In this era of economic challenges, declining enrollment and revenues, my business background has helped me guide Newark Unified School District through these critical times. As your Trustee, I will continue to advocate improved test scores; balancing our budget fairly and intelligently; and supporting district employees and the Newark community. During my eight years serving you, I have answered over 1,000 emails and will continue to be your voice on the school board. As a father of four and a 25 year resident, I believe – now, more than ever – we need school board members who challenge the establishment while supporting our teachers and staff as well as providing a balanced curriculum for our students focusing on achievement and character. I am that person. I will continue to ensure literacy for all students; fortify college preparation and advance vocational training; and strengthen reading, writing, math, science, athletics, music, and the arts. With your vote, together we will help our children continue to succeed while they discover new worlds in the 21st century.

Candidates' Statements

PLEASANTON UNIFIED SCHOOL DISTRICT

Governing Board Members

JEFF BOWSER

Occupation: Businessman\Educator\Community Leader

Age: 48

My education and qualifications are: I am a 38-year resident of Pleasanton, attended Pleasanton schools and a business and community leader. I am the educational leader with actual experience to maintain a balanced budget, keep the administration accountable, and build programs to improve student achievement. I have the knowledge and expertise necessary to ask the tough questions and not rubber stamp the administration's decisions. Our schools, faced with cuts from Sacramento, had to increase class-size, eliminate student programs, and use reserves to pay expenses and repay loans. My priorities are to maintain a balanced budget, bring back class-size reduction, return A-period for band students, restore elementary music and reading programs and open communication with the community. I have 13-years of experience as a teacher and administrator before moving to the business sector 12-years ago. I have a Masters degree in Educational Leadership, am a graduate of the California Leadership Academy and the Leadership Pleasanton program. I am a member of the Pleasanton Unified School District Budget Advisory Committee and the Chairman of the Legislative Committee for the Pleasanton PTA Council. I am the qualified choice to bring fiscal stability to our schools and I would be honored by your vote. www.votebowser.com.

JOAN LAURSEN

Occupation: Parent/Community Volunteer

My education and qualifications are: I care deeply about Pleasanton's schools and the education of all of our children. I have gained invaluable experience through serving on boards of numerous school and community organizations in Pleasanton for the past fifteen years. A financial analyst by training, I spent twelve years in the banking industry and have a solid understanding of governance, oversight and fiscal accountability. My extensive knowledge of public education and finance will help Pleasanton Unified School District navigate these challenging fiscal times while continuing to ensure that all students in Pleasanton receive an outstanding education. My two children are products of the Pleasanton Unified School District; one now in college, the other in middle school. As Past President of the Pleasanton PTA Council and four year member of school site councils, I understand the priorities of this community and the critical importance of student achievement. I am a collaborative team member and an informed, experienced leader able to thoughtfully resolve difficult issues. I helped establish Community OutReach for Education (CORE), raising over \$575,000 for our schools, and currently serve on the Pleasanton Unified School District Budget Advisory Committee. I would be honored to serve this community as trustee of the Pleasanton Unified School District. I ask for your vote November 2nd. www.votelaursen.com

SANDY PIDERIT

Occupation: Professor

My education and qualifications are: as a business professor, a property owner, and a parent. As a professor, I know that Pleasanton students must do more than score well on tests to become our next generation of global citizens. Every student needs the ability to communicate clearly, collaborate, and think critically. Whether students are headed for a trade or a profession, we want them to become responsible and caring members of society. In the current economic climate, the Pleasanton Unified School District is coping with diminished funding. With a Ph.D. in business from the University of Michigan, I will bring my discipline, management skills, and long-term perspective to the school board. Even with reduced school budgets, we cannot reduce expectation for meeting our community's needs. I expect school leaders to communicate proactively with all Pleasanton residents, and to provide rigorous professional development for teachers and staff. I expect PUSD employees to improve their abilities throughout their careers, so they can find challenge and meaning in their work. As a board member, I will listen without bias to all residents, both old and new. Together we can ensure that all students receive the education they need. Learn more at sandyp4schoolboard.com and vote for me this November!

Candidate's Statement
SAN LEANDRO UNIFIED SCHOOL DISTRICT
Governing Board Member, Area 2

LANCE JAMES

Occupation: Teacher

Age: 55

My education and qualifications are: I am running for school board to make sure that student needs are met first. In these difficult budgetary times, decisions must be made to keep cuts as far away from the classroom, and the learning that goes on there, as is possible. I will work to make sure monetary decisions are made with this in mind. As a classroom teacher, I know how difficult it is to meet the demands placed on students through state and district mandates. Teaching has also shown me the importance of collaborative relationships and building partnerships. The board must work with and for the students, administration, teachers, staff and community. I will work to continue reducing the achievement gap, improve test scores, and make sure our students have the skills needed to make informed choices about their future as they prepare to face the demands of a rapidly changing world in the 21st century. I will work to assure our students have safe and supportive learning environments. I believe in our public schools, and with your vote, I promise to work diligently for our students, our future, and to bring all my capabilities as a teacher and a parent to benefit our children.

Candidates' Statements
SAN LEANDRO UNIFIED SCHOOL DISTRICT
Governing Board Member, Area 4

MIKE KATZ

Occupation: Incumbent

Age: 42

My education and qualifications are: Thank you for allowing me to represent our community. My daughters attend our public schools. I want them and all San Leandro children to receive the highest quality education that recognizes their academic, physical and emotional needs. I am a collaborative leader who listens and makes decisions based upon the best interests of our students. I am honored to have the support of teachers, staff, and parents, and to be elected Board President for two consecutive years. Despite Sacramentos cuts to education, it is an exciting time for San Leandro schools. We opened the state-of-the-art ninth grade campus on time and under budget and in January, we will open the Arts Education Center at San Leandro High School. We have invested more than \$100 million in building facilities and modernizing restrooms and classrooms, and obtained another \$35 million in matching funds. The work has been done by skilled union workers. With your help, we will upgrade and renovate sports facilities and athletic fields. I have fought to keep the state budget cuts as far away from the classroom as possible, and worked to preserve music, arts, and sports. I am firmly committed to equity and ensuring safe learning environments where students can thrive.

LATRINA DUMAS

Occupation: Housing Specialist

My education and qualifications are: As a parent of three children attending San Leandro schools, I have a vested interest in providing all the children of San Leandro the best possible education. I would like the opportunity to work with citizens and parents of San Leandro to ensure our children receive the education they deserve. In my profession as a Housing Specialist, I have learned that a good work ethic and a good education are imperative for our students to succeed in today's very competitive job market. I look forward to working closely with the district to focus on instilling a strong work ethic throughout their entire school career as well as college and their chosen profession. As a seasoned School Site Council Chair and Advisory Board member, having a working knowledge and the necessary management skills to look at the tough economic situation this district now faces from both sides of the economic equation. It is essential to look for ways of increasing revenue and finding savings in our budget without cutting vital staff and programs. On November 2, 2010, I would be honored to earn your vote to represent you on the San Leandro Unified School Board. Latrina Dumas, Parent

Candidates' Statements

SAN LORENZO UNIFIED SCHOOL DISTRICT

Governing Board Members

HELEN T. RANDALL

Occupation: Incumbent School Board Member

My education and qualifications are: I am seeking re-election on the San Lorenzo Unified School District Board of Trustees. I have been proud to serve and represent our students and community as a member of The San Lorenzo Unified School Board of Education since 1994. As a current member of the Board of Trustees, I have helped our district establish successful Small Learning Communities, maintain music and athletic programs. We have also raised our attendance rates, decreased suspension rates, and increased accountability district-wide. In addition, we have made considerable improvements to our sites including new construction of science laboratories, libraries and gyms. I am a proud retiree of our district and also served as the CSEA Union President for 12 years. I understand the needs of our students and the desire of our community for highly educated students. We have a healthy school district but we must continue to be vigilant and monitor our district's resources diligently. I believe in parental involvement and choice, as parents should be a major part of their children's life choices. I need your assistance and support to continuing to be your representative.

REBECCA OLIVERA

Occupation: Office Manager/Parent

My education and qualifications are: My interest in the quality of education offered by the San Lorenzo Unified School District comes from the perspective of a concerned parent of four children educated at district schools. As a former Arroyo High School staff member and an 18 year resident of the area, I'm familiar with the issues and problems facing the district. For instance the current budget crisis: I would push that any necessary cuts be made away from the school sites and classrooms to the greatest degree possible. Also, I would promote a more cooperative relationship with district teachers and staff to improve the academic achievement of our students. Two of my children are attending college after graduating from Arroyo High School, while the other two are currently attending district schools. I want every San Lorenzo student to receive a quality education so they can attend the college or university of their choice or be prepared to enter the career of preference after graduation. As a member of the University Advancement staff at Cal State East Bay, I see firsthand how a quality education prepares everyone for life's challenges. I would greatly appreciate your vote for San Lorenzo School Board.

STACY SANTOS BLOM

Occupation: Involved Parent Volunteer

Age: 43

My education and qualifications are: I'm a Washington Manor/San Leandro native who attended San Lorenzo Unified School District schools from Kindergarten through 12th grade. A graduate of Arroyo High School, I worked as a Conference/Meeting Coordinator for a Credit Management Association for ten years before becoming a full time parent. Ed, my husband of 24 years, is a High School Educator and Golf Coach and we have been residents of San Lorenzo for 22 years. We have two daughters enrolled in San Lorenzo Schools and both have maintained honor roll status while participating in sports. As an active parent and school volunteer, I served on the Grant School PTA Board as Treasurer and Secretary and was instrumental in the reopening of Grant Elementary School 12 years ago. I served as Board Secretary, Manager and Chaperone for the San Lorenzo Girls' Softball League and am currently Secretary of the Booster Club for the Health and Medicine Academy at Arroyo High School. By regularly attending the District School Board meetings over the past two years, I am well informed of the many issues involving our District and Community. Please support the shared goal of providing the best education possible for our children with a vote for me. Thank you.

ELLIOT SCHNEIDER

Occupation: Retired Educator/Parent

Age: 63

My education and qualifications are: As a former teacher and head of the History Department at San Lorenzo High School, I know the importance of challenging our children so they can turn their dreams into reality. Every student is a unique individual; our approach to education must take that into account. But in doing so, we must never lower our educational standards; otherwise we will not be preparing our children for the new challenges of the Twenty-First century. In today's economy, our kids need every competitive advantage to assure their place at the table. There may be richer school districts but ours' must strive to be the finest. Our children deserve no less. To support this goal, we need to work together. Between the school board and the community, communications must be transparent. Everybody must be in the loop. Every voice must be heard. This is the nature of democracy. Without public education, no democracy can succeed. Our very freedom depends upon giving our children the best education we can possibly give them. It is our dream our children do even better than we did. I want to fight for that dream. With your vote, we can make this possible. Our children deserve no less.

Candidates' Statements
SAN LORENZO UNIFIED SCHOOL DISTRICT
Governing Board Members

ISABEL POLVOROSA

Occupation: Incumbent/San Lorenzo School Board Member

My education and qualifications are: During the budget crisis, the San Lorenzo Unified School District has remained fiscally sound. With the restructuring of our high schools we have established eight Small Learning Communities to meet the needs of students. I have been vice president of the SLZ school board and I represent the School District on the San Leandro City Council/San Lorenzo Unified School District Liaison committee, San Leandro Disaster Council, and a board member of the Eden Area Regional Occupational Board. I serve on the San Leandro Boys and Girls Club Board of Directors, California Conservatory Theatre, Inner Wheel, PACE, Alta Mira. I recently retired, after working in IT department at Chabot College for 30 years. I served on Classified Senate and several SEIU committees, and past President of CSEA. My approach to all issues has been through honesty and integrity. I was born and raised in San Leandro and have been a resident of San Lorenzo Unified School District for 40 years. Julian and I have been married for 50 years. Our two daughters attended San Lorenzo Unified School District and our two grandchildren currently attend district schools. I would like to continue to help guide the district and strive for quality education, with high expectations for all our students.

Candidates' Statements
SUNOL GLEN UNIFIED SCHOOL DISTRICT
Governing Board Members

GERRY BEEMILLER

Occupation: Retired Executive/Former School Board Member
Age: 67

My education and qualifications are: I am a 30 year Sunol resident and previously served on the Sunol Glen School Board from 1996-2004. During my tenure we kept our budgets in line and were able to gain unprecedented community support for a major renovation of the facilities. In these difficult times I believe that fiscal responsibility is more important than ever. Our Sunol students deserve nothing less than the best possible education available. The school board shouldn't be cutting critical programs while giving administration raises. Cuts along with raises should be balanced. As a board member I will strive to maintain this balance but ultimately our children's education must be our first priority! My goal is to return the school to a cohesive environment where teachers, staff and the board work together for optimal benefit of our students. The Sunol Glen campus is not only a school; it's the heart of our community used for gatherings of all kinds. The school needs to get back to basics and regain its connection with the community. I would also like to endorse Diane Everett for a board position. Her extensive school administrative experience would be invaluable as a board member. I would appreciate your vote.

DIANE E. EVERETT

Occupation: Retired Superintendent/Principal Sunol Glen USD
Age: 65

My education and qualifications are: Finished all course work for Educational Doctorate at U.S.C., M.S. in School Administration, CSUEB, B.S. in History, CSUEB Total 36 yrs. Educational Experience: Sunol Glen Superintendent/Principal 16 yrs, Administrator of the Year (1990-1991) Livermore Valley Joint USD, President of Livermore Management Team, Curriculum Director Livermore Valley Joint USD, Elementary School Principal, 7 yrs, Livermore Valley Joint USD, Teacher 13 yrs. LVJUSD. Statement My first priority is a commitment that all students will receive the highest quality education. During the present economic times, budgetary oversight is extremely important. We should not be cutting programs, reducing staff hours and positions, while the Administration is receiving significant yearly raises. The budget should be an open and transparent document. Deficit spending should be monitored and reduced. Sunol School belongs to the community. The 1.2 Million Dollar Bond that renovated the school and the community center was the result of a community commitment to the children now and in the future. I would also like to take this opportunity to endorse Gerry Beemiller for a position on this board. After working with him for 8 years, I can attest to his integrity, professionalism, and exceptional business experience, proving him to be a great asset to the Sunol Glen USD board. I would appreciate your vote.

**Candidates' Statements
ALAMEDA COUNTY
Supervisor, 2nd District**

NADIA LOCKYER

Occupation: County Manager/Attorney

My education and qualifications are: Thank you for making me the top vote getter in the June Primary. As Supervisor, I will bring more resources to District 2 and ensure that your taxpayer dollars are spent wisely. I am a County Manager and Executive Director of the Alameda County Family Justice Center, a nationally recognized county program assisting crime victims and their families. Everyday I help victims of violence and their families get the help they need from county government. In this time of economic turmoil for families, businesses, and local government, we need someone on the Board of Supervisors with a proven track record of delivering government services efficiently while saving taxpayers money. I will put my experience to work improving County departments and programs. I am endorsed by hundreds of Alameda County residents including Democrats, Republicans and Independents, Alameda County Firefighters and Deputy Sheriffs, District Attorney Nancy O'Malley, Assemblymembers Alberto Torrico and Mary Hayashi, Supervisor Wilma Chan and Attorney General Jerry Brown. As a 39-year old mother, adult caregiver and the youngest of seven children, I know the struggles families face in tough economic times. I would be honored to represent you on the Board of Supervisors and ask for your vote. www.nadiaforsupervisor.com

LIZ FIGUEROA

Occupation: Unemployment Caseworker/Educator

My education and qualifications are: Experience. In a word, that's what this run-off is about. The current economy has devastated many hard-working families, job losses are at an all time high, and state budget cuts have threatened public education, healthcare and public safety. At the local level, our Board of Supervisors must solve problems created by the mess our state and federal governments have created. It's not a place for on-the-job training. As a State Senator, Assemblymember and small businesswoman, I have made a difference for our communities. I have the experience and common sense to make Alameda County economically viable once again. As your Supervisor, I will focus on: Bringing green jobs to Alameda County by recruiting cutting-edge green and biotechnology industries. Preserving and enhancing healthcare options so hard working families and senior citizens don't have to choose between paying their mortgage or paying for healthcare. Sustaining critical public safety resources by ensuring first responders have the training and tools necessary to keep our families and neighborhoods safe. I have a proven record of tackling the tough issues for our community and for the residents of Newark, Union City, Fremont, Hayward and Sunol. I would be honored to have your vote, www.figueroafor supervisor.com

Candidates' Statements

CITY OF ALAMEDA

Mayor

MARIE L. GILMORE

Occupation: Councilmember/Attorney

My education and qualifications are: Eighteen years ago, I left my job as an attorney to raise my two small children and volunteer to help fix our local parks. Since then, I've been honored to serve on the Recreation and Parks Commission, Planning Board and as the first African-American woman on the City Council. I am running for Mayor to restore civility and professionalism in Alameda city government. As Mayor, I will insist that City Hall cooperate with residents to make progress on the major challenges still facing our city. Re-use of Alameda Point can provide an enormous boost to our economy, recreation opportunities and environmental quality. As Mayor, I will help implement a plan that reflects the preferences that residents have expressed at years of public meetings and at the ballot. I believe our city needs to run more efficiently so we can enhance road improvements, park facilities and library services. I will work with firefighters, police officers and all city employees to make fair sacrifices to help balance the city budget so we can avoid layoffs and resolve conflicts. I humbly ask for your vote and for your help in bringing Alameda back together. Please join me at www.gilmoreforalameda.com.

FRANK MATARRESE

Occupation: Alameda City Councilmember/Business Owner

My education and qualifications are: I am privileged to have served as your Councilman for the past eight years and I want to continue using my experience and expertise in keeping Alameda the great city we all enjoy. I believe in getting things done. I co-chaired the campaign for the new library, built during my time on the Council. I fought to restore the Alameda Theater. I supported renewing Bridgeside, Towne Centre and Webster Street. With the City facing serious challenges, I insisted that we deliver quality public safety and other essential city services within a frugal, balanced budget. In all these efforts, open government is essential. I am the only Councilmember to hold monthly town hall meetings to listen and to keep you informed. Your participation helped me launch initiatives seeking traffic solutions, working with our schools, growing business and addressing the City's long term financial stability. As Mayor, keeping Alameda safe, clean and thriving will continue to be my top priorities. I will be innovative in promoting local and green businesses and working for sensible re-development of Alameda Point. I will continue to lead vigorously, always making myself available to the community. Your vote is truly appreciated. Please visit www.frankformayor.org

DOUG deHAAN

Occupation: Vice Mayor City of Alameda

My education and qualifications are: Alameda voters have twice elected me to City Council. Additionally, I have chaired various key city committees for 20 years. The next four years are critical for Alameda with budget constraints and Alameda Point's future. I have numerous accomplishments to be proud of such as a balanced City budget with reserves, renovation of: Park and Webster Streets, Bridgeside, Towne Centre, Alameda Theater, and development of Harbor Bay Business Park. I continue to strive for open and inclusive government. Alameda is facing its own budget crisis with revenue decreases, while maintaining quality services: Fire, Police, Recreation and Parks, Library, Schools and Public Works. My challenge is to meet quality of life needs for present and future generations (fiscal and environmental sustainability). Alameda continues to be engaged in large development/redevelopment opportunities. Development must move forward with a focus on minimizing traffic impacts. As we continue to develop our city, I am proud to say that I have never, nor will I ever take campaign funds from developers. I ask for your vote once again. Alameda deserves a leader with the experience and integrity required to offer every Alamedan quality of life as we build upon our future during abnormally turbulent times. www.dougdehaanalameda.com

TONY DAYSOG

Occupation: Sr. Associate Planner

Age: 44

My education and qualifications are: VF is a billion dollar company interested in Harbor Bay Business Park for the same reason Peet's roasting plant was: quality industries with high-paying jobs prefer attractive business parks. Let us plan Alameda Point with Marina Village and Harbor Bay Business Parks in mind: hire the right developer to mix stylish, upscale housing with office/light industrial areas. A reasonable number of housing is critical to pay for the Point's quality business park, traffic plan, landscaping, infrastructure, and recreational amenities. The alternative? More of the same: low-rent uses with few career-track jobs. An urban planner and former Councilmember (1996-2006), I am ready to lead: I reluctantly opposed the movie theater I love – the rent was too low; voting against the AP&T bail-out in 2003, I presciently warned in public AP&T's future customer estimates were too optimistic and, to hit targets, argued for more advance planning, which AP&T resisted with disastrous consequences; though I championed Bayport, we also need stylish townhouses, lofts at the Point – as Mayor, I will make the case for modifying Measure A. I have a Master's degree in City Planning from UC Berkeley, where I earned my Bachelor's. Past vice mayor (1998-2000 and 2002-2004). www.daysog.com

Candidates' Statements

CITY OF ALAMEDA

Councilmembers

LENA TAM

Occupation: Alameda City Councilmember

My education and qualifications are: As your Councilmember, I have been working for you to advocate vigorously for open and transparent government while providing leadership on tough issues. I have listened, acted, and built partnerships to advance our shared vision for a safe, environmentally-friendly community that is both well-planned and economically sustainable. Through my leadership on the Council, I forged alliances with our education, youth, business, historical preservation, and public safety communities to create over 5,000 good-paying green jobs, expanded opportunities for economic development, and maintained the safety of our community. In the past four years, we completed the new Alameda Free Library, renovated the award-winning historic Alameda Theater, the Shinsei Gardens Veterans housing, built Ruby Bridges Elementary School and Park, and constructed much needed road improvements on Webster and Park Street. I am committed to working on your behalf to strengthen our partnership with our schools, retain and recruit more businesses, maintain staffing levels for police and fire, and continue to delivery quality community resources and amenities. My family and I have lived in Alameda for over 42 years and my public service to this city has been a great privilege. It would be an honor to have your vote for re-election. www.lenatam.com

ADAM GILLITT

Occupation: Business Owner/Graphic Designer

Age: 40

My education and qualifications are: As a business owner and Alameda resident since 2002, I am disappointed by the mismanagement, and lack of vision, creativity and citizens' voice in Alameda's City Council. It is time to elect someone new to Alameda City Council! I have no connections to political figures, groups or corporations, but I have plenty of creative ideas. I am a Brown University graduate, have worked as a graphic designer, creative director and marketing manager, and have managed multi-million dollar annual budgets. I will provide Alameda with a fresh start and creative vision to make it the best City to live in and do business in the Bay Area. I want to move Alameda forward, not keep it mired in status quo. I will return a voice that has been missing from City Council: a regular, sensible, everyday citizen, who loves Alameda and will stand up and serve in the best interest of my neighbors. I will include your input in the decision making process of this City. I believe in open and transparent government, and being responsible to my neighbors in Alameda. More campaign information available at <http://www.adamforalameda.com> Please vote for Adam Gillitt for Alameda City Council on November 2nd!

ROB BONTA

Occupation: City of Alameda Health Care District Director; San Francisco Deputy City Attorney

My education and qualifications are: As your Councilmember, I will promote sound economic development, preserve public safety, exercise fiscal responsibility, build a partnership with our schools, and protect services for our community's most vulnerable. Instilled with the value of public service from my parents, I attended California public schools and, with the help of financial aid, was able to earn a B.A. and law degree from Yale University. Now, as a San Francisco Deputy City Attorney, I advocate for consumers and support the city's public servants. My wife and I dreamed of raising our three children in a thriving and supportive community. We chose Alameda because we value Alameda's high quality of life, great schools, locally-owned shops, and diversity. I have a proven record of success serving Alameda. As Chair of the City's Economic Development Commission, I help promote economic growth, and, on the Alameda Hospital Board, I oversaw the greatest financial turnaround in the Hospital's history, turning a deficit into a surplus, while preserving critical, high quality health care services. Together, with my proven leadership, commitment, and collaborative approach, we can ensure that Alameda reaches its full potential. I would be honored to have your vote to move our City forward. www.robbonbta.com

MARILYN EZZY ASHCRAFT

Occupation: Planning Commissioner/Arbitrator

My education and qualifications are: The wonderful quality of life we all enjoy in Alameda is at risk if we don't leave the recent political infighting behind and make positive, collaborative decisions regarding the city's neighborhoods, budget crisis, economic growth and public safety. After spending most of my life in Alameda, I simply care too much about our community to settle for "politics as usual." As your Councilmember, I will prioritize creating jobs and housing opportunities with sensible, sustainable development and promote ethical, accountable city government. For the last 14 years I have served Alameda as a member of the Planning Board, Economic Development Commission, and Alameda Hospital Board of Directors, volunteered in schools, delivered Meals on Wheels, and co-chaired successful campaigns to build the new Main Library and create a health care district to keep Alameda Hospital open. During my tenure on the Planning Board we have strengthened business districts across Alameda and supported plans to boost the local economy, including VF Outdoors' recent decision to bring its corporate headquarters and 650 jobs to Harbor Bay Business Park. I will bring common sense and vision to City Hall and tackle our city's challenges with a cooperative spirit. I would appreciate your support. www.marilyn4alameda.org

Candidates' Statements

CITY OF ALAMEDA

Councilmembers

BEVERLY J. JOHNSON

Occupation: Attorney, Mayor of Alameda

My education and qualifications are: As your Mayor (2002 thru 2010) I have provided strong leadership and established policies and programs which ensure that Alameda will continue to be the best place to live and work for generations to come. Our community is a safe place to live and I will keep it that way. I have accomplished a lot and want to do more. With my leadership, we have invigorated Park Street business district with the restored Alameda Theater, streetscaping, and parking structure. Towne Centre has been completely renovated with retailers claiming the best store opening sales reports ever. Webster Street District is coming alive with new retailers and improvements to the streetscape. Our new library continues to receive awards and positive community support. In the worst economic downturn of our generation we secured a 250,000 square foot headquarters for the largest retailer in the world to be located at the Harbor Bay Business Park bringing 650 new jobs. Tough fiscal policies have allowed all of this to occur while maintaining a balanced budget. As your next Council Member I will ensure that any new development, including Alameda Point, is done in a manner which enhances our quality of life. Alameda is awesome! www.johnsonforcouncil.com

TRACY JENSEN

Occupation: Alameda Unified School District Board Member

Age: 49

My education and qualifications are: I am proud of my accomplishments in 2 terms on the school board. My decisions on the school board have strengthened our City. Alameda students are successful and schools are fiscally stable. When facing tough decisions I talked to Alameda residents. And I was inspired to see that, despite diverse economic, religious, and cultural backgrounds we have one thing in common. Alameda is our home; where we feel safe and we can count on our neighbors. So my decisions reflected our community values. Which outcome makes our community safer? Which decision gives students more opportunities to succeed? How would my decision affect all members of the community? I will use my experience on public boards, my decision making and facilitation skills, and my commitment to Alameda to move our City forward. I will address the challenges we face – developing Alameda Point, supporting small businesses and emerging industries, ensuring that public services are available and accessible to all. I grew up in Alameda. As an advocate for seniors I moved across the country. But, eventually I came home to Alameda to raise my son. I am running for the City Council to ensure that Alameda moves forward with care and consideration for his future.

JEAN S. SWEENEY

Occupation: Retired Teacher

My education and qualifications are: My husband, Jim, and I have lived in Alameda for nearly 40 years. I am very actively involved with civic matters. I've served ten years on the Restoration Advisory Committee. As a member, I'm well acquainted with the cleanup process at Alameda Point. I'm a member of the Northern Waterfront Committee that developed zoning, preservation, accessibility, and quality of life construction guidelines which have been adopted for the whole industrial waterfront. I was successful in getting the Alameda Veteran's Building into the State and National Historical Registers. I found a contract that allowed the City of Alameda to buy back the Alameda Beltline Railroad land at 1924 prices and I supplied \$60,000 worth of research to aid in City legal struggles to acquire that land. Recently the City received a grant deed for 30 acres of land from the Pacific Railroad in exchange for less than a million dollars. I have been an active member of Rotary since 2003. Jim and I are members of the Mastic Senior Center. I am a board member of the Alameda Community Fund (formerly the Clara Barton Foundation). I am running for City Council to help preserve the livability of Alameda.

JEFF MITCHELL

Occupation: Journalist, Communications Consultant

My education and qualifications are: Hello! My name is Jeff Mitchell. I'm a journalist and communications consultant by trade and a former editor of the Alameda Journal. I am running for City Council because it's time to break up the culture of secrecy that exists at City Hall. We must open up access to our local government and re-establish new ground rules ensuring transparency in all governmental operations. As a member of the city's Sunshine Task Force, I'm also running to fight efforts by those who would thwart the creation of a Sunshine Ordinance and the establishment of meaningful campaign finance rules for our city. As a journalist I have the skills and experience to ferret out wrongdoing or just wrong-headedness. When I looked at how our city government mis-handled such issues as the redevelopment of Alameda Point, the multimillion-dollar losses surrounding the collapse of our city's cable TV system or even the brazenly unconstitutional decision to ban political speech from our Fourth of July Parade, I realized that it was time for me to step forward. To find out more about my campaign, please go to mitchell4council.com. I would be honored to have your vote Nov. 2. Thank you.

Candidates' Statements

CITY OF ALBANY

Councilmembers

JOANNE WILE

Occupation: Incumbent

My education and qualifications are: I was elected to the City Council four years ago, and have served as Mayor the past year. I have focused on responsible fiscal planning, environmental stewardship, expanded counseling services for Albany school children, and support of local businesses. During this difficult economic time the city has operated with a balanced budget and no staff layoffs, remodeled the Civic Center within the projected budget expanded its partnership with the schools, completed the Voices to Vision planning process for the waterfront with unprecedented community involvement, planned for additional Senior Center property, and supported new economic development activities. I have B.A. and M.S.W. degrees from U.C. Berkeley and have lived and worked in the Bay Area all my adult life. My 35 years in public service give me the experience to work productively with all members of our community. I will continue in the collaborative spirit that has been the hallmark of my work for the past four years on the City Council. I am endorsed by Loni Hancock, State Senator, Keith Carson, Alameda County Supervisor, Sierra Club, and Citizens for the Albany Shoreline. My email: jwile46@gmail.com

CARYL O'KEEFE

Occupation: Retired Economist

Age: 61

My education and qualifications are: I've lived in Albany for 26 years, having moved here with my husband and two children for the schools. I have a BA in Economics and, in my 35 year career as an economist and operations manager with the US Bureau of Labor Statistics, I managed large staffs and had policy responsibility. In retirement, I volunteer in Albany, serving currently as President of the Friends of the Albany Library, Treasurer of the Albany Community Foundation, and board member of the Albany YMCA. City service includes appointments to the Charter Review Committee, Sustainability Committee, Albany Library Board, and Campaign Finance Reform Task Force. I belong to the Albany Rotary Club. My professional background can add a perspective now missing on the Council. I can help the City of Albany address financial challenges with thoughtful consideration of facts, and tradeoffs. My goals are fiscal sustainability for the City, return of Albany's Campaign Finance Reform Act, a baseball field for Albany youth at Gilman, and enhancement of Albany's waterfront parklands. My experience demonstrates that I listen carefully, and spend carefully. Please visit www.carylkeefe4council.com for more information. Thank you for your vote!

FRANCESCO PAPALIA

Occupation: Real Estate Professional

Age: 59

My education and qualifications are: My goal is to bring neighbors together to find the common ground that includes newcomers and longtime residents, homeowners and renters, small and large business owners, and families to celebrate our diverse community. We can create a flourishing educational system, a thriving commercial district and an economically and environmentally sustainable future. With drastic budget cuts from the state, we need creative leadership to support the basic services of police, fire, library, parks, and infrastructure provided by a well managed government. As a member of the Albany Waterfront Committee, I have worked to make the waterfront accessible, safe and welcoming to all groups. My B.A. in architecture from the University of California, Berkeley and my 25 years in real estate, finance and construction give me the skills to work with others to plan for an economic base that is environmentally responsible and fiscally sustainable. I seek the opportunity as your council member to create and maintain an aesthetically beautiful environment with neighborhood parks, like Pierce Street Park, that meet our entire community's needs, while instilling a sense of pride in our small town where I have lived and worked since 1987. Tell me what you think at www.albanyfirst.org. I will listen.

MARGE ATKINSON

Occupation: Incumbent

My education and qualifications are: As an Albany resident for over 33 years and Albany school employee and teacher for 27 years, I brought unique experiences to the Council. I have worked successfully with a broad range of individuals and community groups. My re-election will continue the progress of the last four years. The "Voices to Vision" outreach was an open process to gain community input about the waterfront and showed that the majority of participants want maximum open space and minimal development. I have improved communication between city staff and the school district, worked with community groups and city staff to address climate change, and was instrumental in the city buying the vacant house next to the Senior Center for future expansion. I initiated the Community Engagement Specialist position to foster neighborhood participation. I will continue to work with city staff to be fiscally responsible. I have worked with the leadership of the Albany Chamber of Commerce and Solano Avenue Association on economic development and business outreach. I would appreciate your vote. I am endorsed by: Loni Hancock, State Senator, Keith Carson, Alameda County Supervisor, Sierra Club, Citizens for the Albany Shoreline. Contact me at marge.atkinson@mac.com

Candidate for MEMBER, CITY COUNCIL, DISTRICT 1

I, **JASPER KINGETER**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Jasper Kingeter
 2. The office for which I am a candidate is City Council, District 1
 3. That my residence is 1065 Page St.
 4. The place of my birth is Oakland, California
 5. My present occupation is Youth Recreation Educator
 6. I have held the following public offices: None
 7. Record of community service: Associated Students of Berkeley City College, Senator; Associated Students of Berkeley City College, ASBCC Web Administrator
 8. I am a taxpayer in the City of Berkeley.
9. I'm running because I want to provide the opportunity for our community to become engaged in the decision-making process and to ensure the city is held accountable to its people. Our community faces serious challenges. Insufficient attention is being paid towards the negative environmental impacts of Pacific Steel. I want to diplomatically reduce hazardous emissions from Pacific Steel while preserving jobs. West Berkeley is in danger of being rezoned to allow the construction of gigantic office buildings by major developers. I want to maintain our current industrial zoning protections and save existing manufacturing, wholesale trade, warehouse, and craft spaces. I want more focus on attracting green businesses, affordable housing, and open space in a sustainable downtown. I was raised in Berkeley and unfortunately saw classmates become victims of violence or end up in jail. We need more programs for youth in our community in order to steer the next generation toward positive goals. I am deeply inspired by the late Councilmember of Fairfield, California—Matt Garcia—who was elected at the age of 21. Our district deserves a representative who will vigorously defend residents, artists, schools, and businesses. Now is the time for new energy and effective leadership.
10. I refer to the following residents of the City of Berkeley:
- Jessica Kingeter, Hair Stylist
 - Maggie Hurley, Children's Book Author and Illustrator
 - Joseph Mokhtari-Fox, Audio Video technician / Economics Major
 - Sheila T. Farnham, Pharmacy Technician, Attorney-at-law-(Inactive)
 - Saundra Thomas, Permaculture Teacher
 - Paula Coil, Berkeley City College Staff
 - Margaret K-J. Baker, Artist / High School Teacher
 - Barbara Campbell
 - Fulavi Offctth, Teacher
 - Soledad Lopez, Personal Banker
 - Yadira Rodriguez, student
 - Anamaria Garcia, Paralegal
 - Harry W. Campbell, Teacher
 - Analisa Garcia, Waitress
 - Miguel Garcia, Distiller
 - Stewart Jones, Teacher

s/JASPER KINGETER

Candidate for MEMBER, CITY COUNCIL, DISTRICT 1

I, **MERRILIE MITCHELL**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Merrilie Mitchell
2. The office for which I am a candidate is City Council, District 1
3. That my residence is 1612 Delaware Street
4. The place of my birth is Oceanside New York
5. My present occupation is Community Activist
6. I have held the following public offices: None
7. Record of community service: Parents United for Health; Neighborhood Network; Berkeley Safe Neighborhood Committee; Landmarks Preservation initiative, District Elections organizer; Save Strawberry Canyon; Council Neighborhoods Association; League Women Voters
8. I am a taxpayer in the City of Berkeley.

9. I became a homeowner and community activist in District 1 by moving the Coop Credit Union building then scheduled for demolition, to Delaware St and an inspirational neighborhood. That was 30 years ago when Community members wanted a park on desolate "Hearst Strip" BART land that has become Ohlone Park! I got the signatures to block cross traffic and make the park continuous. That inspired envisioning with biker Chuck, for a greenway through Bart's northerly parking lots winding its way to connect to Albany's path and onward. BART said yes, which began what became the Ohlone Greenway! We built tot lots, a big kid structure, the first dog park in the world. Mothers and others united to stop herbicide use in our parks and city. I was encouraged to be an activist as a student at Old Merritt College, on Grove Street. When the College was to relocate leaving Berkeley without its promised easily accessible community college I looked for help to save it. Getting nowhere I knocked on the door of Maudelle Shirek who called a lawyer, and got us time for community action and a compromise-Vista College, now Berkeley City College. Elect a community activist/preservationist councilmember! www.merrilie.org

10. I refer to the following residents of the City of Berkeley:

Martha Nicoloff, Co-Author – Neighborhood Preservation Ordinance
Barry Wofsy, President of the Progressive Neighborhood Alliance (P.N.A.)
Pamela Y Sanford, Author of "District Elections" in Berkeley, Former chair of H.A.A.B Commission
Jim Smith, Past President of the Black Property Owner's Association
Clifford Fred, Former Berkeley Planning Commissioner
Harvey Smith, New Deal Activist
Dorothy Miao, Member of Belvedere Neighbors
Alex Nicoloff, Designer and Sculptor
Ted Edlin, Former Chair Housing Advisory Committee
El Ray Young
Julie Dickinson, Member – Save Strawberry Canyon

s/MERRILIE MITCHELL

Candidate for MEMBER, CITY COUNCIL, DISTRICT 1

I, **LINDA MAIO**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Linda Maio
 2. The office for which I am a candidate is City Council, District #1
 3. That my residence is 1732 Berkeley Way
 4. The place of my birth is New York City
 5. My present occupation is Berkeley City Councilmember
 6. I have held the following public offices: Councilmember and Vice-Mayor; Zoning Commissioner; Representative, East Bay Public Safety Corridor; Chair, Berkeley Design Review Committee; Member, City/School District 2x2 Committee
 7. Record of community service: Berkeley Representative, International Council on Local Environmental Initiatives. Board Member, East Bay Depot for Creative Reuse; Advisory Board, Californians for Responsible Gun Laws.
 8. I am a taxpayer in the City of Berkeley.
9. I am privileged to have represented you for over a decade, working for sound environmental stewardship, affordable housing, public safety, quality neighborhood services, traffic calming, and improved academic achievement for all children. Berkeley has recently received numerous environmental awards, and cities across the country now replicate our innovative programs. Determined to address air quality issues, in particular odors around Pacific Steel Casting, which employees over 500 people, I meet monthly with PSC. A lengthy Health Risk Assessment and air monitoring have revealed no health hazards. Recently installed emission controls and other manufacturing alterations have dramatically reduced odor complaints. Berkeley can be proud of 99 beautiful, affordable family apartments adjacent to the Brower Center on Oxford, and 80 much-needed, attractive, senior apartments at University and Sacramento. Despite the economic turndown, Berkeley enjoys a recently upgraded AA+ bond rating; our public safety response remains strong; University Avenue is finally paved! Because data show that children starting at a disadvantage rarely succeed academically, I've taken a leadership role in improving early childhood education. Your vote in November will help me continue my work, supported by The Sierra Club, Cathy Campbell, President, Berkeley Federation of Teachers, and many residents and community leaders.
10. I refer to the following residents of the City of Berkeley:
- Loni Hancock, State Senator
 - Nicky González Yuen, Trustee, Peralta Colleges Board
 - Karen Hemphill, School Board President
 - Beebo Turman, Beebo Turman, Project Director of Berkeley Community Gardening Collaborative
 - Arthur Dembling, Member: Cheeseboard Pizza Collective
 - Victoria Eisen, Planning Commissioner
 - Rev. George E. Crespín, Pastor Emeritus, St. Joseph the Worker Church
 - Karen McKie, Public School Advocate
 - Malcolm Margolin, Publisher – Heyday
 - Martin Bourque, Executive Director Ecology Center
 - Nancy Skinner, Assemblymember AD 14
 - Beatriz Leyva-Cutler, Vice-President, Berkeley School Board
 - Carrie Olson, Vice-Chair, Landmarks Preservation Commission
 - Rick Lewis, Board Member, Bay Area Community Land Trust
 - Margot W. Smith, Convener, Berkeley Gray Panthers
 - Nicole Drake, Berkeley Rent Stabilization Board Commissioner
 - Winston Burton, Trustee, Library Board; Economic Development Director
 - Building Opportunities for Self-Sufficiency
 - Rev Sarah Birdsall Isakson, Pastor, Lutheran Church of the Cross
 - Margo Schueler, Public Works Commissioner
 - Robert Collier, co-chair, Berkeley Pools Campaign

s/LINDA MAIO

Candidate for MEMBER, CITY COUNCIL, DISTRICT 1

I, **ANTHONY JOE DI DONATO**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Anthony Joe Di Donato
 2. The office for which I am a candidate is City Council District 1
 3. That my residence is 1203 Stannage Ave Berkeley Ca. 94706
 4. The place of my birth is San Pablo Town (Richmond)
 5. My present occupation is Elderly Caregiver/Property Manager
 6. I have held the following public offices: None
 7. Record of community service: I give blood on a regular basis and urge others to please do so as well.
 8. I am not a taxpayer in the City of Berkeley.
9. My family has been blessed to have lived in Berkeley my entire life. I attended Berkeley High School and have watched as our city has changed over the years past 40 years. My business experience and education brings a solution driven approach to traffic, noise, pollution, overcrowding and many other issues that are currently facing our troubled city today. Having managed income properties that reflect growth for over the past 10 years, I have excelled in designing methods of improvement, cost reduction, operations efficiency through 360 degree feedback monitoring, higher productivity, performance management, negotiating wages and contracts, budgeting, operations planning and improving efficiency of new inventory control systems. While having graduated from San Francisco State University with a Bachelors of Science in Business Management, I have also completed various amounts of course work needed for degrees in Human Resources, Marketing, Computer Science and Civil Engineering. I'm honest and promise that I will serve you with the upmost diligence. God bless us all.
10. I refer to the following residents of the City of Berkeley: None

s/ANTHONY JOE DI DONATO

Candidate for MEMBER, CITY COUNCIL, DISTRICT 4

I, **BERNT WAHL**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Bernt Wahl
2. The office for which I am a candidate is Berkeley City Council, District 4
3. That my residence is 1911 Martin Luther King Jr. Way, Berkeley, CA 94704
4. The place of my birth is Santa Monica, CA
5. My present occupation is U.C. Berkeley Engineering Adjunct Professor and CEO of Factice a Berkeley GIS mapping company
6. I have held the following public offices: None
7. Record of community service: U.N. Ecotourism Committee, National Park Service, Fulbright Fellow, American Red Cross, BMUG, Habitat for Humanity, U.C. Berkeley CITRIS Advisor, We Care Solar Advisor, LHS Advisor
8. I am a taxpayer in the City of Berkeley.

9. For over 20-years, I remain drawn to the Berkeley's unique character, charm and diverse population. A citizenry comprised of merchants, laborers, activists, naturalists, service workers, builders, designers, engineers, students, academics and other concerned citizens that through action promote the general welfare of the community. I have been privileged to start technology firms and author books here; besides my community involvement and teaching engineering at U.C. Berkeley. While most of my activism has been on the national and international level (United Nations, National Park Service, US State Department Fulbright, California Energy, We Care Solar, Neighborhood Mapping, etc.). I also have a vision of action at the local level. For Berkeley I see smart growth, economic development, governmental transparency, and fiscal analytic decision making as key issues. We can incorporate technology and new ideas to: reduce crime (e.g. track stolen bicycles), pinpoint needed services (e.g. GPS identify potholes), build out a viable energy plan (e.g. promote systems that are cost effective) and provide increased data access (e.g. free Wi-Fi for the downtown area). As your elected Berkeley City Council Member I plan to lead our community to meeting the many challenges before us in shaping Berkeley's future.

10. I refer to the following residents of the City of Berkeley:

Gordon Wozniak, Berkeley City Councilmember
Patrick Sullivan, President, Creava Inc.
Marissa LaMagna, Executive Director Bay Area Green Tours
Panos Panagos, Alegio Chocolate (Co-owner)
Terrence M. Regan, President of Berkeley's Northside Travel
Cameron Matthews, CEO, Plover Technologies

s/BERNT WAHL

Candidate for MEMBER, CITY COUNCIL, DISTRICT 4

I, **ERIC PANZER**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Eric Panzer
 2. The office for which I am a candidate is Berkeley City Council District 4, 2010
 3. That my residence is 2110 Haste St., Apt. 413, Berkeley, CA 94704
 4. The place of my birth is Austin, Texas
 5. My present occupation is Environmental Analyst
 6. I have held the following public offices: I have held no public offices
 7. Record of community service: Former Publicity Director for Cal Berkeley Democrats/Graphics Editor for Smart Ass; Volunteer for No On 8 and Obama Campaigns; Campus LGBT facilitator; transit advocate
 8. I am a taxpayer in the City of Berkeley.
9. Berkeley needs to embrace positive change. District 4 needs new leadership. Let's work together to improve housing, jobs, transit, and traffic and parking management. Collaboratively, we can create a safe, welcoming, and vibrant downtown and ensure that neighborhoods are protected from development. These things are not only good for residents and local businesses, they are green choices. I am a UC graduate in environmental science and city planning and I have lived in Downtown Berkeley for the past five years. Working at an environmental firm, I enjoy being able to walk everywhere and I love living downtown, but its promise is nonetheless much greater. I want to give more people the opportunity to share in this and build a more sustainable and vital Berkeley. My principles, my pragmatism, my knowledge, and most importantly, your input, will guide me to represent the true progressive values of our community. I will work to create coalitions to find common-sense solutions for Berkeley. I support open and honest government and will be accessible, accountable and responsive to my constituents. I will champion rather than curb positive change. It's time to act. Let's have Berkeley live up to its potential. Visit: www.panzerforberkeley.com
10. I refer to the following residents of the City of Berkeley:
- Tom Bates, Berkeley Mayor
Laurie Capitelli, Berkeley City Councilmember District 5
Darryl Moore, Berkeley City Councilmember
Susan Wengraf, Berkeley City Councilmember
Gordon Wozniak, Berkeley City Council – District 8
Fred Collignon, Professor Emeritus, U.C. Berkeley Dept of City & Regional Planning
George Beier, President, Willard Neighborhood Assn, Co-President, Berkeley Democratic Club
Reuben Duarte, Waterfront Commissioner, Executive Board Member for East Bay Young Democrats
Charlie Trung Nguyen, Former Lead Facilitator Cal Queer & Asian; Former Publicity Manager UC Berkeley Queer Alliance & UC Berkeley Gender Equity Resource Center
Ljuba Miljkovic, Former UC Berkeley International Queer Community Facilitator
Jed Duersch, No on 8 Campaign Trainer/Coordinator; UC Berkeley Physics/Math Graduate Student Instructor/Researcher; Former Pacific Pride Foundation Youth Outreach Coordinator
Jesse Dill, UC Berkeley Biophysics Doctoral Candidate
Kyle Youngblom, Berkeley City College student and Berkeley resident
William Sabransky, District For Neighbor
Adam Grimaldi, District 4 Neighbor
Robert Lawson, Former Office Manager for UC Berkeley Queer Resource Center
Megan Kever, Botanist and Plant Ecologist
James Cook, Social Coordinator for UC Berkeley Computer Science Graduate Student Association; District 4 Neighbor, Milvia-Delaware Neighborhood

s/ERIC PANZER

Candidate for MEMBER, CITY COUNCIL, DISTRICT 4

I, **JAMES NOVOSEL**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is James Novosel
2. The office for which I am a candidate is City Council District 4
3. That my residence is 2418 California Street, Berkeley 94703
4. The place of my birth is San Francisco, California
5. My present occupation is Architect/ Bee Keeper
6. I have held the following public offices: Planning Commissioner (current); Chair, Streets and Open Space Improvements Committee (current); Member of Downtown Area Plan Advisory Committee (DAPAC)
7. Record of community service: Board memberships; Friends of the Berkeley Public Library, Friends of the Berkeley Botanical Garden, BDA, BAHA; Helped create California Island; Participant; Berkeley Downtown Plan, 1990.
8. I am a taxpayer in the City of Berkeley.

9. I seek District 4's Council seat to continue my efforts to improve Berkeley for its citizens. Having lived here since enrolling at the University in 1964, I have contributed to volunteer public service, including the libraries, downtown improvements and the Planning Commission. With neighbors, I helped create and plant the large landscaped island at Dwight Way and California. In 2001, my wife and 3 sons moved into an abandoned landmark Victorian that we saved and restored. I strongly believe in the preservation of our District's neighborhoods with their well scaled homes, ample open space, street trees and greenery. In the Downtown, I participated in creating the 1990 Downtown Plan and in recent efforts to redefine its future growth. I believe that we should ensure that the buildings we cherish are saved through the creation of historic landmark districts as we add new housing and open spaces. My own architectural work on restoring historic buildings, which exemplifies how I feel about my community, has received numerous BAHA awards. On the Council, I will work with others to build consensus on all issues. For District 4, I am an independent who will listen, be approachable and responsive to you, the residents.

10. I refer to the following residents of the City of Berkeley:

Linda Maio, Berkeley City Council Member
Susan Wengraf, Berkeley City Councilmember
Darryl Moore, Berkeley City Councilmember
Laurie Capitelli, Berkeley City Councilmember
Gordon Wozniak, Berkeley City Councilmember
Tom Bates, Berkeley Mayor
Betty Olds, Former City Council District 7
Michele Lawrence, Former Berkeley Superintendent of Schools
Shirley Issel, School Board Director
Deborah Matthews, Chair Zoning Adjustments Board, Executive Investment Banker
Steven R Winkel, Former Chair and current member, Landmarks Preservation Commission
Michael Smart, Chairman, Board of Directors, Center for Elders Independence
Terry S. Doran, Former Berkeley School Board Member
Paul Cox, Board Chair Swords to Plowshares
Joy Carlin, Actress, Stage Director
Jack Kaswan, Arizmendi Co-op Developer
Rosalind Sarah, Educator / School Administrator
Therese Powell, retired, Berkeley Library Trustee and Outreach Consultant, Board of YMCA
Diane Davenport, retired Berkeley Library Reference Manager
Amy Roth, Past President, Friends of the Berkeley Public Library

s/JAMES NOVOSEL

Candidate for MEMBER, CITY COUNCIL, DISTRICT 4

I, **JESSE ARREGUIN**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Jesse Arreguin
2. The office for which I am a candidate is City Council, District 4
3. That my residence is 1528 Henry Street
4. The place of my birth is Fresno, CA
5. My present occupation is Berkeley City Councilmember
6. I have held the following public offices: Councilmember, City of Berkeley, District 4; Berkeley/Albany Mental Health Commission; Joint 4x4 Rent Board/City Council Housing Committee; 3x3 Housing Authority/City Council Committee; elected Commissioner, Rent Stabilization Board; Member, Zoning Adjustments Board; Commissioner, Planning Commission; Commissioner, Housing Advisory Commission (HAC); HAC Housing Trust Fund Subcommittee; Downtown Area Plan Advisory Committee (DAPAC); Joint LPC-DAPAC Subcommittee on Historic Resources; DAPAC Land Use Subcommittee; Joint Density Bonus Subcommittee; UC Berkeley Chancellor's Joint Oversight Committee on Parking and Transportation; Commissioner, San Francisco Youth Commission
7. Record of community service: Sierra Club Northern Alameda County Executive Committee, Former ASUC City Affairs Director, and Berkeley Architectural Heritage Association Board
8. I am a taxpayer in the City of Berkeley.
9. Two years ago you chose me to continue Dona Spring's legacy of progressive leadership. Since then I've been an independent voice fighting for our District. I'm a full-time Councilmember, responding to your concerns and solving problems. I work constructively with all of my colleagues and have never been afraid to stand up for what I know to be right. I've heard your concerns about climate change, affordable housing, and our Downtown. I'm a leader on environmental issues especially recycling, transportation, and renewable energy. My leadership has helped create hundreds of affordable units along transit corridors. I sponsored legislation on immigration, small businesses, UC accountability, and the humane treatment of animals. For five years I've worked hard to create a new Downtown Plan, and authored legislation creating a pedestrian plaza on Center Street. I support a green, vibrant, and livable Downtown. Therefore I oppose the Downtown ballot measure. I'm committed to transparency and diversity in city government. I'll continue to listen to your concerns and be accountable only to you. Endorsers include State Senators Leland Yee and Gil Cedillo; Supervisor Keith Carson; AC Transit Vice President Joel Young; Councilmembers Kriss Worthington and Max Anderson, and neighbors throughout District 4. www.jessearreguin.com
10. I refer to the following residents of the City of Berkeley:
 - Nancy Holland
 - Ying Lee, Retired – former Leg. Dir, Rep. Barbara Lee
 - Ann Chandler, former District 4 Councilmember
 - Sylvia C. McLaughlin, Environmentalist, Co Founder Save the Bay
 - Lisa Stephens, Chair, Rent Stabilization Board, Former Vice President, Berkeley Partners for Parks
 - Ricardo Gomez, External Affairs VP of the ASUC
 - Rev. George E. Crespin, Pastor Emeritus
 - boona cheema, Executive Director BOSS
 - John T. Selawsky, Berkeley School Board member, former Green Party County Council member
 - Gary Earl Parsons, Architect; Chair, Landmarks Preservation Commission
 - Bonita R. Hughes, Director, Berkeley Arts Festival
 - David Bacon, Photojournalist
 - Anna de León, former President, Berkeley School Board
 - Federico Chávez, Administrative Law Judge
 - Stan Sprague
 - Jill Posener, animal welfare advocate
 - Kate Obenour, Friends of a Berkeley Skate Park, Poetry Garden Volunteer garden coordinator Berkeley Arts magnet for 17 years
 - Tom Hunt
 - Barbara Lubin, Former School Board Member
 - Winston Burton, Trustee, Library Board; Economic Development Director, Building Opportunities for Self Sufficiency

s/JESSE ARREGUIN

Candidate for MEMBER, CITY COUNCIL, DISTRICT 7

I, **CECILIA "CES" ROSALES**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Cecilia "Ces" Rosales
2. The office for which I am a candidate is Berkeley City Council, District 7
3. That my residence is 2315 Russell Street, Berkeley 94705
4. The place of my birth is Batangas City, Philippines
5. My present occupation is graphic designer, self-employed
6. I have held the following public offices: None
7. Record of community service: Elected member, Alameda County Democratic Central Committee, Co-chair, East Bay No on Prop 8 Campaign; former board member, National Center for Lesbian Rights; founder, womensart.com
8. I am a taxpayer in the City of Berkeley.

9. Berkeley is a great city. It can be even better if we have the courage to make change happen. As your City Councilmember I pledge to lead us in that change. I will bring my experience as a 10-year Berkeley District 7 homeowner, a 20-year small business entrepreneur, and a lifetime of community activism, to lead this change. Times are tough. The economy is uncertain. Now is the time to take charge and steer our way towards solutions that improve our neighborhood, Telegraph Avenue, the campus, small businesses, schools, neighbors, and recreational centers. As your Councilmember, I will build alliances to advance smart economic development, generate revenue for the City and improve quality of life services without further burdening homeowners, tenants and students. I will champion public safety through safety awareness education and community action and provide an independent, diverse and courageous voice for our community. If elected, I will be the first lesbian, first Filipino and second Asian ever to serve on the City Council. Join Senator Loni Hancock, Assemblymember Nancy Skinner in supporting me. I need your vote. A vote for me means safer neighborhoods, healthier businesses and a better quality of life for our community.

10. I refer to the following residents of the City of Berkeley:

Loni Hancock, State Senate
Nancy Skinner, Assemblymember AD 14
Tom Bates, Berkeley Mayor
Linda Maio, Berkeley City Councilmember
Darryl Moore, Berkeley City Council
Nicky Gonzalez Yuen, Trustee, Peralta Colleges Board
Deborah Matthews, Chairperson Zoning Adjustment Board
Karen Weinstein, Chair, CDP Women's Caucus
Conn Hallinan, Journalist
Malcolm Burnstein, Retired Lawyer
Jim Best, IT Enterprise Architect, MBA
Jack Kurzweil, Professor, San Jose State University (ret.)
Wendy Bloom, RN
Catherine R. Shere-Garcea, Personal Cook
Cecilia Rose, Consultant, Project Manager
Brian Villa, UC Berkeley student South East Asian Studies Major
Vicki Breazeale, PhD aka Dr. Bug, Science Educator
Michelle Binod, UC Berkeley Student, double major in Molecular and Cell Biology & Ethnic Studies

s/CECILIA "CES" ROSALES

Candidate for MEMBER, CITY COUNCIL, DISTRICT 7

I, **KRISS WORTHINGTON**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Kriss Worthington
2. The office for which I am a candidate is Berkeley City Council, District 7
3. That my residence is 2808 Hillegass Ave. #1, Berkeley, Ca. 94705
4. The place of my birth is Philadelphia, Pennsylvania
5. My present occupation is Berkeley City Councilmember
6. I have held the following public offices: Berkeley City Council; Vice Mayor; Rules Committee; Telegraph Committee; Downtown Committee; Eco- Pass Committee; Berkeley Housing Authority; Berkeley Redevelopment Agency; Berkeley Civic Improvement Corporation; Alameda County Congestion Management Agency; CMA Plans and Programs Committee; CMA Administration and Legislation Committee; Berkeley, Oakland, and San Leandro Major Investment Study Policy Steering Committee; San Pablo Policy Steering Committee; Alameda County Transportation Authority alternate for Keith Carson; ACTA Administration, Legislation, Finance Committee; Alameda County Transportation Improvement Authority alternate for Keith Carson; ACTIA Administration, Legislation, Finance Committee; Alameda County Waste Management Authority, League of California Cities delegate; VLF Expenditure Plan Steering Committee; B3/Countywide Transportation Plan Steering Committee, Vice Chair; Alameda County Transportation Commission alternate.
7. Record of community service: Sierra Club Chair, NOW, NAACP, Telegraph Area Association (Chair, Public Safety Committee), Berkeley Safe Neighborhood Committee, LeConte Neighborhood Association, Stonewall Democratic Club Vice President.
8. I am a taxpayer in the City of Berkeley.
9. The Sierra Club says you should vote for me, And who am I to disagree; To non-profit groups I found money to give, to help the seniors, poor, and disabled live; For Peace, for Labor, for Consumer Rights, I go to meetings most days and nights; I practice real diversity: the most Asians, Latinos, students and women were appointed by me; When concern for taxpayers was moribund, I made the motion for the Rainy Day Fund; To stop violent crime I wrote a plan, for ambassadors working with " the Man"; Small businesses I helped with parking and lease, so you can come and shop here please ; I voted no on the bad BRT, but lets get EcoPasses and Multimodal Connectivity; As a tenant myself I know how it feels, so I help lotsa tenants try for better deals. I work long hours at very low pay, to get Northside and Southside to have their say; I love our people and love what I do; An Independent Progressive Voice working for you; I reformed the permit process but it's still not right, so you need to keep me there on Tuesday night! 548-8796, www.krissworthington.com
10. I refer to the following residents of the City of Berkeley:
 - Max Anderson, Berkeley City Council
 - Jesse Arreguin, Berkeley City Councilmember
 - Lisa Stephens, Chair, Rent Board
 - Howard Chong, Rent Board Commissioner
 - Ricardo Gomez, ASUC, External Affairs, Vice President
 - Nancy Carleton, Former Chair, Zoning Adjustments Board; Halcyon Neighborhood Co-Chair; Former Vice-Chair, Parks & Recreation Commission; Co-Founder, Berkeley Partners for Parks
 - Marcia Levenson, a) Housing Advisory Commissioner; b) Willard Neighborhood Association Steering Committee Member
 - Julie Gordon Shearer, Bateman Neighborhood resident, former President; lyrics and music author
 - Karl Reeh, LeConte Neighborhood Assoc; President, ex Disaster Council
 - George Conklin, LeConte Neighborhood Assoc., Webmaster, Boardmember
 - Patti Dacey, Secretary, LeConte Neighborhood Association, Planning Commissioner, Former DAPAC member
 - Winston Burton, Berkeley Public Library Trustee, BOSS Program Director
 - Rev. Sarah Isakson, Pastor Lutheran Church of the Cross
 - Mark Friedman, Former Mayor of El Cerrito
 - Jane Falk, PhD, Northside Resident
 - John T. Selawsky, Berkeley School Board member
 - Fabienne Vaughn Williams, Artist - Textiles, Jewelry, Painting
 - Tim Donnelly, Secretary, BCCE Local 6192
 - Ann Chandler, former City Councilmember
 - Donald A Jelinek, Former District 7 Councilmember/Formal At-Large Councilmember

s/KRISS WORTHINGTON

Candidate for MEMBER, CITY COUNCIL, DISTRICT 7

I, **GEORGE BEIER**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is George Beier
 2. The office for which I am a candidate is City Council District 7
 3. That my residence is 2617 Derby St, Berkeley, CA 94705
 4. The place of my birth is Seattle, WA
 5. My present occupation is Community Volunteer
 6. I have held the following public offices: Waterfront Commissioner; Former member, Zoning Adjustments Board; Former member, Design Review Commission; Former member, Planning Commission; Former member, Telegraph Area Association; Former member, People's Park Community Advisory Board
 7. Record of community service: President, Willard Neighborhood Association; Member, Chancellor's Student-Neighbor Advisory Council; Co-President, Berkeley Democratic Club; Former Board Member, Options Recovery Services; Member ACLU, Sierra Club
 8. I am a taxpayer in the City of Berkeley.
9. District 7 needs a community leader to tackle the hard problems: the high crime rate, the vacant storefronts, and the homeless that need our help. That's why it's time to bring the neighborhood's perspective to City Council as we envision a new way forward. Imagine a new Telegraph Avenue where the community comes together on a world-class street that reflects our world-class University. An avenue that's safe, alive, diverse, and fascinating— with academics and students and moms and activists. Our campaign is about realizing that vision. I've lived in District 7 for 30 years as an undergraduate at Cal, graduate student at Haas, small business owner and President of the Willard Neighborhood Association. My record speaks to my passion for community organizing. Recently I've fought for Willard Pool, authored the Berkeley Ambassador's homeless outreach program, and helped secure tenants' rights. In Willard, we've sponsored the Berkeley Project, helped conceive the UC move-in/move-out program, and improved student-neighbor relations. Our forward-thinking coalition includes Assemblymember Nancy Skinner, the majority of the Council, and most of the neighborhood and student leadership. Please join us. Together we'll create a City and an Avenue that we'll all be proud of. www.georgeforberkeley.com
10. I refer to the following residents of the City of Berkeley:
- Noah Stern, President, Associated Students of the University of California
Katrina Ziegenhirt, UC Berkeley Panhellenic Council President
Jeremiha Douglas, President, Intrafraternity Council
Galen Hancock, President, Hillegass-Parker Co-op
Darryl Moore, Berkeley City Councilmember
Susan Wengraf, Berkeley City Councilmember
Gordon Wozniak, Berkeley City Councilmember
Laurie Capitelli, Berkeley City Councilmember
Linda Maio, Berkeley City Councilmember
Tom Bates, Berkeley Mayor
Nancy Skinner, Assemblymember AD 14
Vincent Casalaina, Past Pres, Willard Neighborhood Assoc.
Dawn Trygstad Rubin, Halcyon Neighborhood Assn Neighborhood Watch Coordinator - as individual
Michael Walensky, President, Blake Street Neighborhood Association
Marcia Poole, Co-Chair of Regent St. Neighborhood Association
Peter A. Shelton, President, Bateman Neighborhood Association
Steve Schwartz, Vice President, Bateman Neighborhood Association
Marcy McGaugh, Coordinator, Bateman Neighborhood Assn. Public Safety & Crime Prevention
Doris Moskowitz, Owner, Moe's Books
Shirley Dean, Former Mayor, City of Berkeley

s/GEORGE BEIER

Candidate for MEMBER, CITY COUNCIL, DISTRICT 8

I, **GORDON WOZNIAK**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Gordon Wozniak
 2. The office for which I am a candidate is Berkeley City Council – District 8
 3. That my residence is 141 Parkside Drive
 4. The place of my birth is Charleston, South Carolina
 5. My present occupation is Berkeley City Councilmember
 6. I have held the following public offices: Berkeley City Council; Agenda Committee, Berkeley Redevelopment Agency, 4x4 Subcommittee of City Council & Rent Board, Alameda County Waste Management Authority; Alameda County Source Reduction and Recycling Board; Oakland Airport-Community Noise Management Forum; Planning Commission; Vice chair, Community Environmental Advisory Commission; Vice chair, Parks & Recreation Commission
 7. Record of community service: Greek City Partners; Berkeley Community Fund – Scholarship Interviewer; Former Trustee, Berkeley Repertory Theatre; Treasurer, Parks Measures 1997 & 2000;
 8. I am a taxpayer in the City of Berkeley.
9. In the next four years, the biggest challenges Berkeley faces are financial and environmental sustainability. Revenue growth has stalled and city costs continue to rise. Vacant storefronts, unfunded pension liabilities and high crime threaten our community. Yet despite the difficult times ahead, I believe in the creative energy of Berkeley residents to move our city forward. I'm a proven leader whose track record shows my commitment to Berkeley – I have worked to attract new businesses, sustain existing merchants and trim excess spending in the city's budget. To increase public safety, I challenged the Police Department to make Berkeley a Zero Crime City and reduce crime by ten percent each year. To make Berkeley greener, I helped secure matching funds for comprehensive energy audits of student coops and grant funding for recycling and composting programs at 13 fraternities and all 12 sororities. And by partnering with unions, I helped reduce workers comp claims by 60% percent, saving the city millions of dollars. Berkeley can be a model city working towards zero crime, zero waste and zero injuries. In the last eight years, I have found creative solutions to our challenges, and that's what I'll continue to do as your Councilmember. www.GordonWozniak.com
10. I refer to the following residents of the City of Berkeley:
- Loni Hancock, State Senator
Tom Bates, Mayor – City of Berkeley
Laurie Capitelli, Berkeley City Councilmember
Linda Maio, Berkeley City Councilmember
Susan Wengraf, Berkeley City Council
Noah Stern, President, Associated Students of the University of California
Nanxi Liu, Executive Vice President, The Associated Students of the University of California, Berkeley
Jérémiha Douglas, President, Interfraternity Council
Katrina Ziegenhirt, UC Berkeley Panhellenic Council President
Vincent Casalaina, Vice-Chair Housing Advisory Commission Past President, Willard Neighborhood Assoc.
Sonam R. Dabholkar, Former Director, Cal in Local Government; Resident Assistant, UC Berkeley Office of Student Development
Joe Gross, Chairperson Berkeley Parks and Recreation Commission
Larry Henry, Vice-Chair Public Works Commission
Martha Jones, Claremont – Elmwood Neighborhood Board
Ann Leyhe, Member Elmwood Advisory Board
Matthew P. Mitchell, Chair, Disaster and Fire Safety Commission
David Salk, Member, Elmwood Advisory Board
Linda Schacht, Citizen of, Berkeley, UC Berkeley Faculty, Library Foundation
Ann Smulka, Chair – Berkeley Transportation Commission
Steven R Winkel, Former Chair and current member, Landmarks Preservation Commission

s/GORDON WOZNIAK

Candidate for MEMBER, CITY COUNCIL, DISTRICT 8

I, **STEWART JONES**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Stewart Jones
2. The office for which I am a candidate is City Council, District 8
3. That my residence is 195 The Uplands, Berkeley CA 94705
4. The place of my birth is Berkeley CA
5. My present occupation is Teacher
6. I have held the following public offices: None
7. Record of community service: Berkeley Architectural Heritage Association, Alliance for a Green and Livable Downtown, Stand Up for Berkeley, Coalition for a Responsible Stadium
8. I am a taxpayer in the City of Berkeley.

9. Born and raised in Berkeley I graduated from Berkeley High in 2001. I received my BA from UC Santa Cruz in 2006. I've lived in District 8 for most of my life. I love Berkeley because of its intellectual and unique character. As I have become increasingly involved in Berkeley politics through saving the Landmarks Preservation Ordinance, working to ensure that Berkeley's Downtown does not become inappropriately developed, and trying to prevent the creation of a Sports Entertainment Complex at Cal Memorial Stadium, I have become concerned about the direction in which the city is moving. I am running for City Council because I believe this city needs new leadership. It is my goal to ensure that everyone is equally represented throughout District 8. As a council member I will be dedicated to real community engagement, transparency, and openness. I am committed to solving the districts problems including traffic congestion on the College Avenue and the Ashby corridor (Hwy 13), increasing safety, earthquake preparedness, UC accountability, and support of the small businesses that make our neighborhoods special. Additionally I am eager to use real science in finding local and global solutions to combat climate change.

10. I refer to the following residents of the City of Berkeley:

Sylvia C. McLaughlin, Co-founder of Save the Bay, Eastshore Park & Save Strawberry Canyon
Jesse Arreguin, Councilmember, District 4
Kriss Worthington, Berkeley City Council
Shirley Dean, Former Mayor, City of Berkeley
Daniella Thompson, Architectural Historian
Lesley Emmington, former Landmarks Preservation Commissioner
Beverly Doane
Lisa Stephens, Chair, Berkeley Rent Stabilization Board; former chair, Parks and Recreation Commission; Downtown Area Plan Advisory Committee Member
Giancarlo Leonio, UC Berkeley Student, Waterfront Commissioner
Joan V. Barnett, President Dwight/Hillside Neighborhood Association
Hank Gehman, Coalition for a Responsible Stadium
Patti Dacey, Planning Commissioner, DAPAC Member
Nigel Guest, Stand Up For Berkeley!
Carole Schemmerling Selz, Member, Parks & Recreation Commission of Berkeley
Becky O'Malley, Editor, Berkeley Dailey Planet
Janice Thomas
Katherine Rose Brousseau, UC Berkeley Student
Pamela Sihvola, Environmentalist
Dave Blake, Rent Board vice-chair; Member, Civic Arts Commission; Member, Design Review Committee; former chair, Zoning Adjustments Board

s/STEWART JONES

Candidate for MEMBER, CITY COUNCIL, DISTRICT 8

I, **JACQUELYN MCCORMICK**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Jacquelyn McCormick
2. The office for which I am a candidate is City Councilmember District 8
3. That my residence is 305 The Uplands, Berkeley, CA 94705
4. The place of my birth is Los Angeles, CA
5. My present occupation is Business Owner
6. I have held the following public offices: None
7. Record of community service: Claremont Elmwood Neighborhood Association; Coalition for a Responsible Stadium; Family Support Services of the Bay Area; United Way Metropolitan Region, Aviva Center; Ketchum Downtown YMCA
8. I am a taxpayer in the City of Berkeley.

9. All of us have had difficult times over the last few years – some more than others. Our city, like many other cities, is in economic crisis. Services are being cut while costs and taxes increase. I love living and exploring in this town of many neighborhoods. I have learned firsthand that neighborhood needs have only been met when we residents take on the work ourselves. I would like to roll up my sleeves to represent the neighborhoods and businesses of District 8, as well as work on neighborhood issues in Berkeley as a whole. I understand that Berkeley is a complex city with many compelling and competing interests, but this does not daunt me. I believe my years of work experience have prepared me to address the complexities of city budgets without sacrificing what makes Berkeley special. I am not a political insider and am not indebted to anyone. And that is exactly the point. I am eager to work with you and would be honored to be your representative. For more information: www.mccormick2010citycouncil.org.

10. I refer to the following residents of the City of Berkeley:

Dean Metzger, Director - Claremont Elmwood Neighborhood Assoc.
Paul Templeton, Realtor
Janice Thomas
Morton McDonald, Lifetime Berkeley (CENA area) Native
Beverly Doane, Treasurer, Claremont-Elmwood Neighborhood Assn.
Jeffrey Heller, Architect
Judith Epstein, Co-Founder, Elmwood Neighborhood Association
Hank Gehman, Panoramic Hill Association
Joan V. Barnett, President Dwight/Hillside Neighborhood Association
Timothy Hansen, President Hillside Club
Lesley Emmington
Michael Salkin, PhD. Economics, Financial Advisor
Wendy P. Markel, Past President Berkeley Architectural Heritage Association

s/JACQUELYN MCCORMICK

Candidate for CITY AUDITOR

I, **ANN-MARIE HOGAN**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Ann-Marie Hogan
2. The office for which I am a candidate is City Auditor
3. That my residence is 2329 Ward Street # A
4. The place of my birth is Jersey City, New Jersey
5. My present occupation is City Auditor
6. I have held the following public offices: City Auditor, City of Berkeley
7. Record of community service: Association of Local Government Auditors and National Women's Political Caucus Alameda North executive boards; nonviolence education, League of Women Voters BAE, OWL, Sierra Club
8. I am a taxpayer in the City of Berkeley.

9. As your elected City Auditor, I ask the tough questions: Is this city program efficient and effective? Is this action appropriate, legal, equitable? I defend your interests, ensuring that public funds are used appropriately, through increased oversight and improved efficiency of City operations. My office strengthened controls over contract performance, cash and controlled substances, billing and collection, overtime and Federal stimulus funds ("Recovery Act Readiness: Housing Prepared to Meet Funding Requirements" www.cityofberkeley.info/Auditor). Our audit helped protect the health of Bay water quality, and save tax dollars, by examining City sewer repairs in "Utilization of Public Works Sewer Staff Can Be Improved." We identified cost savings in "Workers Compensation Costs Can Be Reduced by Improved In House Processing and Adherence to Contract Terms." To protect the Auditor's independence, I do not accept endorsements from City Council members or candidates. I am honored to be endorsed by Assemblywoman Nancy Skinner, former Assemblywoman Dion Aroner, Supervisor Keith Carson, Oakland City Auditor Courtney A. Ruby, Peralta Colleges Trustee Nicky Gonzalez Yuen, A.C. Transit Director H.E Christian (Chris) Peebles, former Berkeley officials Helen K. Burke, Ann Chandler, Miriam Hawley, Sue Hone, Ying Lee, Miriam Rokeach Topel, Terry Doran, Anna Rabkin, and Jeffrey Shattuck Leiter.

10. I refer to the following residents of the City of Berkeley:

Roger C. Bash, President of Bashland Builders
Judith L. Bloom, Certified Public Accountant
Lorie Brillinger, Certified Nurse Midwife (CNM)
Pat Cody, Co-founder Cody's Books
Carolyn Henry Golphin
Beverly Greene, Black Elected Officials of the East Bay
Claire B. Greensfelder, Climate Change and Indigenous Rights Policy Advocate (self-employed)
Paul W. Hammond, CPA
Martha H. Jones, C.E.N.A.
Andy Katz, Director, East Bay Municipal Utility District
Jack Kurzweil
Jerrie M. Meadows, Mrs.
Kitty McLean
Miriam Ng
Gene Poschman, Planning Commissioner
Weldon Rucker, Retired Berkeley City Manager
Catherine Trimbur, Attorney-Mediator
Janet Stromberg
Mal Warwick, Founder and Chairman, Mal Warwick Associates
Karen Weinstein, Chair – Womens Caucus

s/ANN-MARIE HOGAN

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **JESSE TOWNLEY**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Jesse Townley
 2. The office for which I am a candidate is Rent Stabilization Board Commissioner
 3. That my residence is 1354 Carlotta Avenue, Berkeley, CA
 4. The place of my birth is New Brunswick, New Jersey
 5. My present occupation is Commissioner, Berkeley Rent Stabilization Board
 6. I have held the following public offices: Commissioner, Rent Stabilization Board; Chair, Safe and Sustainable Committee of the Rent Stabilization Board; Chair and Vice Chair, Disaster and Fire Safety Commission
 7. Record of community service: Executive Director, Vice-President of Board, Easy Does It. Member, Uprisings Bakery. Secretary of Board, 924 Gilman. Producer, Programmer KALX Radio. Boardmember, Independent Arts & Media.
 8. I am a taxpayer in the City of Berkeley.
9. I work with the Rent Board and Disaster & Fire Safety Commission to address life and death hazards which impact us all. Right now I am leading a coalition of concerned citizens, including the Berkeley City Council, the Rent Board, the Disaster Commission, Berkeley Fire Department, tenants, and landlords to find the best way to enforce the Soft Story Ordinance. Over 200 soft-story apartment buildings in Berkeley will collapse in the next big earthquake if we don't take action now! I will protect tenants from outrageous rent increases while encouraging landlords to retrofit through innovative incentives. As Chair of Safe and Sustainable Committee since 2008, I also work on recycling, composting, disaster preparation for tenants and landlords, smoking issues, and sustainable energy solutions like solar panels for apartment buildings. My long experience with disaster planning and the disabled community makes me an effective advocate who finds common ground and gets fair laws passed to help all of us live long, healthy lives. I am endorsed by Berkeley Fire Fighters Association, and sitting Rent Board Commissioners Chong, Shelton, and Tregub. I was chosen to run on the pro-rent control slate nominated by the July 25th Berkeley Tenants Convention.
10. I refer to the following residents of the City of Berkeley:
- Pam Webster, Rent Board Commissioner and candidate nominated by the Berkeley Tenants Convention
Dave Blake, Rent Board Vice Chair and candidate nominated by the Berkeley Tenants Convention
Lisa Stephens, Rent Board Chair and candidate nominated by the Berkeley Tenants Convention
Asa Dodsworth, Candidate nominated by the Berkeley Tenants Convention
Katherine Harr, Rent Board Commissioner and candidate nominated by the Berkeley Tenants Convention
David Sprague, President, Berkeley Fire Fighters Association
Matt Mitchell, Chair, Disaster and Fire Safety Commission
Lynn Zummo, Vice-chair, Disaster & Fire Safety Commission
Zachary Weiner, Former Chair, Disaster and Fire Safety Commission; Emergency Planning Consultant
Norine Smith, Co-Founder Berkeley Disaster Preparedness Neighborhood Network
Ricardo Gomez, ASUC External Affairs Vice President
Olympia Santana, ASUC Director, Disability fund
Nancy Carleton, Former Chair, Zoning Adjustments Board; Former Vice-chair, Parks & Recreation Commission; Halcyon neighborhood Co-Chair
Winston Burton, Trustee, Library Board; Economic Development Director, Building Opportunities for Self Sufficiency
Robert Collier, co-chair, Berkeley Pools Campaign and Visiting Scholar, Center for Environmental Public Policy at U.C. Berkeley
Andy Katz, Director, East Bay Municipal Utility District
John T. Selawsky, Berkeley School Board
Kriss Worthington, Berkeley City Council.
Jesse Arreguin, Berkeley City Councilmember
Max Anderson, Berkeley City Councilmember

s/JESSE TOWNLEY

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **PAM WEBSTER**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:

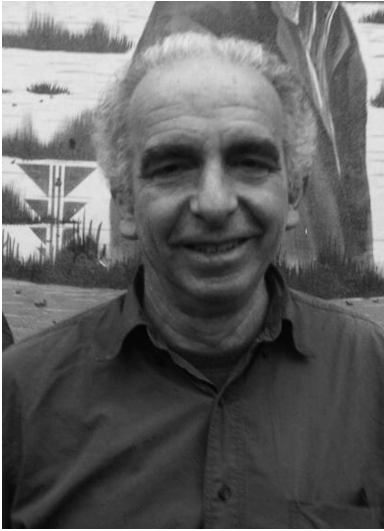


1. That my name is Pam Webster
 2. The office for which I am a candidate is Rent Stabilization Board Commissioner
 3. That my residence is 1912 Blake Street, Berkeley, CA 94704
 4. The place of my birth is Santa Maria, CA
 5. My present occupation is Berkeley Rent Stabilization Board Commissioner, California Shakespeare Theater Patron Services Manager, and Berkeley Downtown YMCA Family Night Coordinator.
 6. I have held the following public offices: Berkeley Rent Stabilization Board Commissioner, Rent Board Outreach Committee, Chair; Community Environmental Advisory Commissioner
 7. Record of community service: Ecology Center Board, Vice President; Berkeley Farmers' Market Committee member; YMCA Youth Support Campaign, Co-Chair; Sierra Club NAC Executive Committee; Oxford Elementary School PTA, Co-chair
 8. I am a taxpayer in the City of Berkeley.
9. I have a long-standing commitment to neighborhood and community stability, and that is one of my primary interests in promoting tenants' rights and protections. Neighborhoods that have a healthy mix of homeowners and renters contribute to Berkeley's rich diversity. I feel very fortunate to live in Berkeley. I do not take that privilege for granted, because many Berkeley residents are vulnerable. Fifty-five percent of this city's residents are tenants. Our schools, businesses, and workplaces are diversified and enriched by their presence. Building strong community takes time. It only happens when a population is stable, not disrupted by evictions and/or economic conditions. As a member of the Rent Stabilization Board, I will support Berkeley communities and residents. I pledge to be fair and to serve the interests of all Berkeley residents. I am civically involved in many aspects of Berkeley's unique culture, and I bring that experience to the Rent Board with integrity and commitment. I would be honored to continue to serve and protect our communities. I am endorsed by sitting Rent Board Commissioners Chong, Shelton and Tregub. I was chosen to run on the pro-rent control slate nominated by the July 25th Berkeley Tenants Convention.
10. I refer to the following residents of the City of Berkeley:
- Lisa Stephens, Rent Board Chair and candidate nominated by the Berkeley Tenants' Convention
Katherine Harr
Jesse Townley, Rent Board Commissioner and Candidate nominated by the Berkeley Tenants' Convention
Asa Dodsworth, Rent Board Candidate nominated by the Berkeley Tenants' Convention
Dave Blake, Rent Board Vice-chair and candidate nominated by the Berkeley Tenants' Convention
Max Anderson, Berkeley City Council, District 3
Jesse Arreguin, Councilmember, District 4
Kriss Worthington, Berkeley City Council
Ricardo Gomez, ASUC External Affairs Vice President
John T. Selawsky, Berkeley School Board member
Winston Burton, Trustee, Library Board; Economic Development Director, Building Opportunities for Self-Sufficiency
Martin Bourque, Executive Director, Ecology Center
Marsha Feinland, Former Rent Board Commissioner
Thomas Kelly, Director KyotoUSA
Michael Parenti, author and lecturer
Nancy Carleton, Former Chair, Zoning Adjustments Board; Former Vice Chair, Parks & Recreation Commission; Halcyon neighborhood Co-Chair
Alejandro Soto-Vigil, Housing Advisory Commissioner
Judy Appel, Executive Director, Our Family Coalition
Raquel Pinderhughes, Ecology Center, Board President
Shirley Richardson Brower, Educator-Consultant

s/PAM WEBSTER

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **DAVE BLAKE**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Dave Blake
 2. The office for which I am a candidate is Rent Stabilization Board Commissioner
 3. That my residence is 2437 Grant St., Berkeley, CA 94703
 4. The place of my birth is Los Angeles, California
 5. My present occupation is Vice-Chair, Berkeley Rent Stabilization Board; book editor
 6. I have held the following public offices: 13 years (in total) on the Zoning Adjustments Board, 2 as chair, 6 as vice chair; 8 years (in total, and currently) on the Design Review Committee; 4 years (in total, and currently) on the Arts Commission; member, Joint Density Bonus Subcommittee
 7. Record of community service: Volunteer, Lindsay Wildlife Museum Hospital (two years)
 8. I am a taxpayer in the City of Berkeley.
9. The complex and wonderful mix of people in Berkeley is a large part of what makes it a great place to live. We tend to take for granted the rent stabilization protections that contribute so much to that diversity. Yet threats persist: four years ago a landlord group got on the ballot the deceptive Condominium Conversion Ordinance, which would have allowed for the exemption of thousands of apartments from rent stabilization. (Voters rejected it 3 to 1.) Serious effort is needed to slow the march of Berkeley tenants towards Endangered Species status. The current Rent Board works to maintain rental protections and to keep enforcement of the Ordinance in step with changes in the real estate market to ensure fairness for both landlords and tenants. Please return that leadership to office by supporting the candidates endorsed by the July 25th Berkeley Tenants Convention! I am also endorsed by sitting Rent Board Commissioners Howard Chong, Judy Shelton and Igor Tregub. I'm a 40-year Berkeley resident, Cal grad, District 4 homeowner, small landlord, and jazz and blues fan. As an Arts Commissioner, I am working steadfastly to get the downtown tuning fork redone in any color other than Stanford red.
10. I refer to the following residents of the City of Berkeley:
- Asa Dodsworth, Candidate Nominated by the Berkeley Tenants Convention
Katherine Harr, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Jesse Townley, Rent Board Commissioner and candidate nominated by the Berkeley Tenants Convention
Pam Webster, Rent Board Commissioner and candidate nominated by the Berkeley Tenants' Convention
Lisa Stephens, Rent Board Chair and Candidate Nominated by the Berkeley Tenants Convention
Jesse Arreguin, Councilmember, District 4
Max Anderson, Berkeley City Council
Kriss Worthington, Berkeley City Council
John T. Selawsky, Berkeley School Board member
Andy Katz, Director, East Bay Municipal Utility District
Winston Burton, Trustee, Library Board; Economic Development Director, Building Opportunities for Self-Sufficiency
Ricardo Gomez, ASUC External Affairs Vice President
Bart Selden, former West Berkeley Project Area Commission Chair
Nancy Carleton, Former chair, Zoning Adjustments Board; Former Vice Chair, Parks & Recreation Commission; Halcyon neighborhood Co-Chair
Gene Poschman, Planning Commissioner, Former Chair Zoning Adjustments Board, Former Chair Budget Review Committee
Kathi Pugh, Senior Pro Bono Counsel, former Rent Board Commissioner
Olympia Santana, ASUC Director, Disability Fund
Alejandro Soto-Vigil, Housing Advisory Commissioner
Robert Gaustad, Co-owner, Bobby G's Pizzeria
Anna de León, former School Board President, owner, Anna's Jazz Island

s/DAVE BLAKE

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **MARCIA LEVENSON**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Marcia Levenson.
2. The office for which I am a candidate is Rent Stabilization Board Commissioner.
3. That my residence is 2507 Stuart Street.
4. The place of my birth is Boston, Massachusetts.
5. My present occupation is Housing Advisory Commissioner.
6. I have held the following public offices: Housing Advisory Commissioner; Community Health Commissioner; Member, Mayor's Task Force on the Uninsured.
7. Record of community service: Advocate, Section 8 tenant protection amendments to Rent Stabilization and Condominium Conversion ordinances; Willard Neighborhood Association Steering Committee; President, UC Berkeley Geography Graduate Students' Association.
8. I am a taxpayer in the City of Berkeley.

9. I came to Berkeley in 1986 as a graduate student. As a long-term renter in Willard Neighborhood south of campus, I am an active community advocate for peace and sustainable environments at home. The Rent Stabilization Ordinance is key to maintaining stable, healthy rental housing and socially coherent neighborhoods. With current market failures and foreclosures, it is more important than ever. As Housing Advisory Commissioner, I value fairness, collegiality, community-based research and decisions on the facts and merit. I have successfully advocated for reinstating a housing inspector position and revising the Relocation Ordinance. As Rent Board Commissioner, my priorities will be improving habitability and recycling, enacting a tenant anti-harassment ordinance, seismic noticing, tenant-landlord mediation, and outreach through faith communities.

10. I refer to the following residents of the City of Berkeley:

Richard J. Briar, Designer and Investor
Rob Carter, Architect
Vincent Casalaina, Vice Chair, Housing Advisory Commission Past President, Willard Neighborhood Association
Grace H. Christie, Retired, Measure Y Activist
Inese Civkulis, Teacher
Jill R. Dunner, Everyone Home Board and Housing Advisory Commissioner for the city of Berkeley
Kristin Hanson
Sally Hindman, Executive Director, Youth Spirit Artworks
Jill M. Hutchby, Retired, Measure Y Activist
Karen Folger Jacobs, Ph.D.
Robert W. Jarman, District 5 Homeowner
Patrick Kehoe, Low-income Tenant Activist
Martine Kraus, Ph.D., District 6 Homeowner
Elizabeth W. Morris, Community Organizer/Aging in Community Coach, Planning for Sustainable Communities
Joseph M. Perkins, Owner, Service is My Line Inc.
Marcia Poole, Tenant Advocate and Founder, www.telegraphave.org
Sharyn Weintraub, Tenant
Dara Wambach, Associate Director, Regulatory Affairs
Agatha T. Wang, Owner, AG Photo

s/MARCIA LEVENSON

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **TAMAR LARSEN**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Tamar Larsen
2. The office for which I am a candidate is Rent Board Commissioner
3. That my residence is 2746 College Ave, Berkeley, CA 94705
4. The place of my birth is Berkeley, CA
5. My present occupation is Educator
6. I have held the following public offices: None
7. Record of community service: Volunteered teaching E.S.L. to immigrants. Facilitated cultural programs in local Berkeley community. Volunteered with Young Peoples Symphony Orchestra. Volunteer in Berkeley and Oakland public schools.
8. I am a taxpayer in the City of Berkeley.

9. My name is Tamar Larsen and I am running for Rent Board Commissioner. A native and life-long resident of Berkeley, a renter and single parent, and one who attended public school in our city, elementary through Berkeley High. With a Doctorate in Education, and a degree in Organization and Leadership, my aim is to represent those in our community in obtaining safe, secure and reasonable housing. This will be done through turning this vision into action through creating engaged and thoughtful policy. My teaching experience in the Berkeley public schools and at U.C. Berkeley has been invaluable. I would appreciate your support in reaching the above goals.

10. I refer to the following residents of the City of Berkeley:

Gordon Wozniak, Berkeley City Councilmember

Charles P Smith, Berkeley Small Business Owner. Alameda Contra Costa Youth Soccer League Board Member and Past President.

Sandra Lee Clement, Administrative Assistant – Recreational Sports U.C.B

Stephen Shaughnessy, Chess teacher

Amy L. Sparks, Environmental Planner

Elizabeth Smith, editor, board member (past) Montessori Family School.

Sarah Schoeneman, Long-time renter; vice chair Boys and Girls Club Oakland.

John Taylor, Sound Tech.

Leon Mayeri, Berkeley Merchant

s/TAMAR LARSEN

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **LISA STEPHENS**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Lisa Stephens
 2. The office for which I am a candidate is Rent Stabilization Board Commissioner
 3. That my residence is 2150 Channing Way, # 21, Berkeley, CA
 4. The place of my birth is Los Angeles, California
 5. My present occupation is Chair, Berkeley Rent Stabilization Board and co-director, Spiral Gardens Community Food Security Project.
 6. I have held the following public offices: Member and former chair, Parks and Recreation Commission; Member, Downtown Area Plan Advisory Committee; Member, Pepperspray Task Force; Co-chair, People's Park Use Standards and Evaluation Advisory Committee; Member, Citizens' Humane Commission.
 7. Record of community service: Berkeley Partners for Parks, ASUC Municipal Lobby, Renters' Assistance Project. Advocate for civil rights of the poor and homeless, union shop steward, community festival organizer.
 8. I am a taxpayer in the City of Berkeley.
9. I came to Berkeley as a student in 1976 and stayed because of the diverse cultural and intellectual character of our community. I have always been a tenant, living in the dorms, International House, and in multiunit buildings near Downtown. I am running for re-election to ensure that we maintain the best rent control and eviction protection program in the country. The Rent Ordinance has been under continual attack since its inception, yet remains Berkeley's most effective affordable housing program. Because of my leadership on issues critical to the health and safety of tenants, I have been twice elected by my colleagues to Chair the Rent Board. My priorities continue to be the fair administration of the law, improving basic habitability and housing safety, establishing an earthquake retrofit program for multiunit buildings, and expanding green and climate change policy initiatives to include tenants. Your Rent Board has a vital role to play in ensuring that affordable housing and the rights of tenants are not victims of the economic crisis. I am endorsed by sitting Rent Board Commissioners Chong, Shelton and Tregub. I was chosen to run on the pro-rent control slate nominated by the July 25th Berkeley Tenants Convention.
10. I refer to the following residents of the City of Berkeley:
- Asa Dodsworth, Candidate Nominated by the Berkeley Tenants Convention
Katherine Harr, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Jesse Townley, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Pam Webster, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Dave Blake, Rent Board Vice-Chair and Candidate Nominated by the Berkeley Tenants Convention
boona cheema, Executive Director, BOSS
Kriss Worthington, Berkeley City Council
Ricardo Gomez, ASUC External Affairs Vice President
Winston Burton, Trustee, Library Board; Economic Development Director, Building Opportunities for Self-Sufficiency
Gene Poschman, Planning Commisioer
Nancy Carleton, Former chair, Zoning Adjustments Board; Former Vice Chair, Parks & Recreation Commission; Halcyon neighborhood Co-chair
Max Anderson, Berkeley City Councilmember
Steven Finacom, Local history columnist; former Rent Board member.
Bonnie Hughes, Director, Berkeley Arts Festival
Jesse Arreguin, Councilmember, District 4
Robert Gaustad, Co-owner, Bobby G's Pizzeria
Mark Liolios, Director, Aquatic Park EGRET
John T. Selawsky, Berkeley School Board member
Lee S. Trampleasure, High School Science Teacher
Patti Dacey, Secretary, LeConte Neighborhood Association; former Landmarks Preservation Commissioner; member, Downtown Area Plan Advisory Committee

s/LISA STEPHENS

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **GEORGE PEREZVELEZ**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is George D. Perezvelez
 2. The office for which I am a candidate is Rent Stabilization Board
 3. That my residence is 667 Vistamont Avenue Berkeley, CA 94708
 4. The place of my birth is Santurce, Puerto Rico
 5. My present occupation is City Commissioner and Restaurant Manager
 6. I have held the following public offices: Commissioner and Current Chair, Berkeley Police Review Commission; Chair, Regulations and Ordinance Change Subcommittees; Member, Officer Involved Shootings and Evidence Theft Subcommittees; Commissioner, Berkeley Commission on Labor; Member, Berkeley Sweatshop-Free Ordinance Subcommittee
 7. Record of community service: Project Open Hand, ACLU, Human Rights Campaign, Alliance for Justice, The National Council of La Raza.
 8. I am a taxpayer in the City of Berkeley.
9. I am a long time Berkeley resident who is committed to the diversity of our City and the right to affordable housing for all through proactive and viable policy solutions. I have long been a Champion of minority rights and representation issues, particularly in the Hispanic and LGBT communities, and hope to increase minority and community awareness of, and interest in, the Rent Stabilization Board. As a member of various political and community-based organizations, I have fought for equal rights, housing rights and representation for all (Particularly to combat discrimination based on race, religion, gender or sexual orientation) and for a living wage, affordable healthcare and access to inclusionary housing. I will be a passionate and independent voice for impartiality. My service in public office, my years as an activist and my work as a restaurant manager have provided me with invaluable experience dealing with people in various capacities and will serve me well as a Rent Board Commissioner. I will be a passionate advocate for community outreach, rental unit safety, effective seismic retrofitting programs and fiscal accountability, while being mindful of the concerns of both landlords and tenants. Please support me in working towards greater diversity, inclusiveness and progress..
10. I refer to the following residents of the City of Berkeley:
- Tom Bates, Berkeley Mayor
Susan Wengraf, Berkeley City Councilmember
Linda Maio, Berkeley City Councilmember
Darryl Moore, Berkeley City Councilmember
Laurie Capitelli, Berkeley City Councilmember
Gordon Wozniak, Berkeley City Councilmember
Nicole L. Drake, Rent Stabilization Board Commissioner
Joaquin J. Rivera, Trustee, Alameda County Board of Education
George Beier, President, Willard Neighborhood Association, Waterfront Commissioner
Russell Bloom, Vice- Chair, Berkeley Police Review Commission
Vonnie Gurgin, Commissioner, Berkeley Police Review Commission
Kamau Edwards, Com. Police Review Commissioner, Labor Lawyer
Sharon Anne-Kidd Lewis, Former Chair Police Review Commission
Thomas B. Francis, Former Chair Berkeley Public Works Commission
Robert Gleeson, Educational Administrator

s/GEORGE PEREZVELEZ

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **ASA DODSWORTH**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Asa Dodsworth
2. The office for which I am a candidate is Rent Stabilization Board
3. That my residence is 2185 Acton St., Berkeley Ca
4. The place of my birth is Berkeley, Ca
5. My present occupation is Sustainable Landscape Designer
6. I have held the following public offices: Vice-Chair, Zero Waste Commission
7. Record of community service: Berkeley Youth Alternatives volunteer, 9 year volunteer with Food Not Bombs, active in sustainability and UC reform movements, Berkeley Cop Watch.
8. I am a taxpayer in the City of Berkeley.

9. Berkeley is my hometown - my roots go back 30 years. During this time, I've seen my friends forced out of Berkeley, because of high rents. We aren't creating enough affordable housing, so we're losing our economic and cultural diversity. We need to protect rent control, which is Berkeley's most successful affordable housing program. I'll use my experience as a Berkeley native and community activist to strengthen the Rent Ordinance, improve outreach to tenants and landlords, and address disaster preparedness, sustainability, and habitability. Working with the City, I will promote earthquake safety by developing requirements and incentives to retrofit multi-family buildings. We also need to prepare tenants in the event of a major disaster by training and distributing emergency caches to apartment buildings. As a former Zero Waste Commissioner, I want to expand recycling opportunities for apartment buildings and promote energy efficiency and sustainability. I am committed to community building and want to improve the Rent Board's outreach and educate tenants to advocate for themselves. I am endorsed by sitting Rent Board Commissioners Chong, Shelton, and Tregub. I was chosen to run on the pro-rent control slate, nominated by the July 25th Berkeley Tenants Convention. www.berkeleytenantsconvention.net

10. I refer to the following residents of the City of Berkeley:

Katherine Harr, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Jesse Townley, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Pam Webster, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Dave Blake, Rent Board Vice-Chair and Candidate Nominated by the Berkeley Tenants Convention
Lisa Stephens, Rent Board Chair, and Candidate Nominated By the Berkeley Tenants Convention
Jesse Arreguin, Councilmember, District 4
Kriss Worthington, Berkeley City Council
Max Anderson, Berkeley City Council
Howard Chong, Rent Board Commissioner
Judy Shelton, Berkeley Rent Board Commissioner
Igor Tregub, Commissioner, Berkeley Rent Board
Andy Katz, Director, East Bay Municipal Utility District
Ricardo Gomez, ASUC External Affairs Vice President
Nancy Carlton, Former Chair, Zoning Adjustments Board; Former Vice Chair, Parks & Recreation Commission; Halcyon neighborhood Co-Chair
Winston Burton, Trustee, Library Board; Economic Development Director, Building Opportunities for Self-Sufficiency
Gene Poschman, Planning Commissioner
John T. Selawsky, Berkeley School Board member
Olympia Santana, ASUC Director, Disability Fund
Judith Epstein, Co-Founder, Elmwood Neighborhood Association
Alejandro Soto-Vigil, Housing Advisory Commissioner District 7 Chief of Staff

s/ASA DODSWORTH

Candidate for RENT STABILIZATION BOARD COMMISSIONER

I, **KATHERINE HARR**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Katherine Harr
 2. The office for which I am a candidate is Rent Stabilization Board Commissioner
 3. That my residence is 1206 Allston Way, Berkeley, CA 94702
 4. The place of my birth is Edina, MN
 5. My present occupation is Administrator/Development Associate, Eviction Defense Collaborative and Berkeley Rent Stabilization Board Commissioner
 6. I have held the following public offices: Berkeley Rent Stabilization Board Commissioner
 7. Record of community service: Block Captain, Shotwell-Horace-Folsom Neighborhood Watch; Tenants Rights Counselor, San Francisco Tenants Union; Volunteer and DJ, KUSF San Francisco; volunteer music festival producer
 8. I am a taxpayer in the City of Berkeley.
9. I became a tenant rights counselor at the San Francisco Tenants Union in 1999, after our small building of longtime tenants defeated a huge illegal rent increase and secured necessary repairs. Now I work at the Eviction Defense Collaborative, and I recently bought a West Berkeley duplex. I enjoy speaking with people one-on-one about how the law impacts our everyday life and our communities. At the Rent Board, I chair the Committee on Waivers, and serve on the Outreach and Eviction/Section 8/ Foreclosure Committees. I believe that safe, healthy, affordable housing is a human right, and work passionately on a daily basis to make sure everyone has access to justice. Our Rent Board must remain a place where all landlords and tenants can find assistance and resolve disputes without need for expensive attorneys. My priorities are outreach and education, owners and tenants in foreclosures, and the condition of housing. Without a secure and stable place to live, no one can reach their full potential. I am endorsed by sitting Rent Board Commissioners Chong, Shelton, and Tregub. I was chosen to run on the pro-rent control slate nominated by the July 25th Berkeley Tenants Convention.
10. I refer to the following residents of the City of Berkeley:
- Asa Dodsworth, Candidate Nominated by the Berkeley Tenants Convention
Jesse Townley, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Pam Webster, Rent Board Commissioner and Candidate Nominated by the Berkeley Tenants Convention
Dave Blake, Rent Board Vice-Chair and Candidate Nominated by the Berkeley Tenants Convention
Lisa Stephens, Rent Board Chair and Candidate Nominated by the Berkeley Tenants Convention
Kriss Worthington, Berkeley City Council
Jesse Arreguin, Councilmember, District 4
Max Anderson, Councilmember, District 3
Andy Katz, Director, East Bay Municipal Utility District
Paul Worthman, Vice-Chair, City of Berkeley Commission on Labor
Ricardo Gomez, ASUC External Affairs Vice President
Kathi Pugh, Senior Pro Bono Counsel, Former Rent Board Commissioner
Carlotta Babilon, Professor, Romance Languages
Nancy Carleton, Former Chair, Zoning Adjustments Board; Former Vice Chair, Parks & Recreation Commission; Halcyon Neighborhood Co-Chair
Olympia Santana, ASUC Director, Disability Fund
Igor Tregub, Commissioner, Berkeley Rent Board
Howard Chong, Rent Board Commissioner
Judy Shelton, Berkeley Rent Board Commissioner
Winston Burton, Trustee, Library Board; Economic Development Director, Building Opportunities for Self-Sufficiency

s/KATHERINE HARR

Candidate for SCHOOL BOARD DIRECTOR

I, **LEAH WILSON**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Leah Wilson
2. The office for which I am a candidate is School Board Director
3. That my residence is 2409 McKinley St. Berkeley, CA
4. The place of my birth is Walnut Creek, CA
5. My present occupation is Manager, Juvenile Court Programs
6. I have held the following public offices: None
7. Record of community service: Parent volunteer on elementary, middle and high school PTA's and Site Governance Councils; mentor for adolescent girls.
8. I am a taxpayer in the City of Berkeley.

9. I am the mother of three children in the BUSD, an active parent volunteer, serving on a school site council and on the district's parcel tax oversight committee, a legal advocate for children and families in the foster care and juvenile justice systems, and an experienced fiscal manager, overseeing \$125 million in funding. I'm running for school board to make concrete the principles and actions needed to realize the goal of high achievement for all students by: aligning resources with proven practices, evaluating programs to determine if they are working, ensuring transparent school and district governance, and exercising the independent leadership needed to make decisions based on what is demonstrated to work for our children, not politics or personality. In Berkeley, we struggle with disparities in student achievement that persist despite our best intentions. Too often the debate around how to address the achievement gap devolves into a polarized conflict over resources. Instead, the goal of high quality, effective education for all students should be the objective that unites us. As your School Board Director I will use my extensive experience with the fiscal and programmatic issues facing our schools to ensure that this universal goal is realized. www.wilson4berkeleyschoolboard.com

10. I refer to the following residents of the City of Berkeley:

Sheila Jordan, Superintendent of Alameda County Schools
Joaquin J. Rivera, Trustee, Alameda County Board of Education; former Berkeley School Board Director
Tom Bates, Berkeley Mayor
Maxwell G. Anderson, Jr., Berkeley City Council District 3
Jesse Arreguin, Councilmember, District 4
Linda Maio, Berkeley City Council
Darryl Moore, Berkeley City Councilmember
Kriss Worthington, Berkeley City Council, District 7
Gordon Wozniak, Berkeley City Council
Barry Fike, BUSD Teacher / Former President Berkeley Federation of Teachers
Mary Friedman, Former Executive Director Berkeley Public Education Foundation
Beatriz Leyva-Cutler, Vice-President, Berkeley School Board Director
Terry Doran, Former Berkeley School Board Member
Irene Hegarty, former School Board Director
Lloyd C. Lee, Former School Board Member
Ted Schultz, Former School Board Director
Shirley Richardson Brower, Educator- Consultant
Santiago Casal, Latinos Unidos/United in Action
Nancy Hoeffler, co-chair BSEP Planning & Oversight Committee
Mark Van Krieken, Former President Berkeley High School PTSA; former chair Cragmont Elementary School Rebuilding Committee

s/LEAH WILSON

Candidate for SCHOOL BOARD DIRECTOR

I, **PRISCILLA MYRICK**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Priscilla Myrick
2. The office for which I am a candidate is School Board Director
3. That my residence is 1191 Keith Ave., Berkeley, CA 94708
4. The place of my birth is Santa Monica, California
5. My present occupation is Community Volunteer
6. I have held the following public offices: Berkeley Unified School District Citizens' Budget Oversight Committee (1989-1991); BUSD Superintendent's Advisory Committee for Small Schools (2003); Berkeley High School Site Council, Chair (2005); Berkeley High School Governance Council (2005-2008).
7. Record of community service: Community Alliance for Learning, Founding Board Member and Treasurer; Building Opportunities for Self-Sufficiency (BOSS), Board Member and Treasurer; Berkeley Schools Volunteers; 2020 Vision Task Force.
8. I am a taxpayer in the City of Berkeley.
9. I will bring over 20 years of wide-ranging financial management experience to the School Board. I am a former controller for Genentech and former chief financial officer in the bioscience industry. As treasurer of an organization supporting homeless families, I improved fiscal systems to create sustainable services. For ten years I have coached BUSD students in writing through a nonprofit I helped establish. I received a BA in Religious Studies from UC Berkeley and an MBA from Columbia University. I am a 26-year resident of Berkeley and parent of two Berkeley High graduates. My experience in the classroom and in financial management will provide a fresh perspective and results-oriented skills to the School Board. As School Board Director, I will: (1) demand academic excellence to raise the achievement of all 9,000 BUSD students, and (2) improve BUSD accountability and oversight for spending decisions and fiscal management. In tough economic times, our district needs a boardmember who can tackle the challenges of uncertain state funding and ensure effective spending of local parcel taxes and school construction bond funds. My proven financial management skills and ongoing commitment to the education of all Berkeley students is needed now more than ever.
10. I refer to the following residents of the City of Berkeley:
 - Shirley Dean, Former Mayor, City of Berkeley
 - Lloyd C. Lee, Former School Board Director
 - Ted Schultz, Former School Board Director
 - boona cheema, Executive Director Building Opportunities for Self-Sufficiency.
 - Lynn Mueller, Associate Director, Community Alliance for Learning
 - Susan P. Helmrich, Former Co-President, Berkeley High School Development Group
 - Karen Flood Nielsen, Former School Site Council Chair, Cragmont Elementary School
 - Ellen Felker, Former BSEP Chair, Berkeley Arts Magnet Elementary School
 - Patricia A. Kates, former Rosa Parks PTA president
 - Peggy Scott, former Berkeley HS School Governance Council (SGC) member
 - Sophie Hahn, Community Leader
 - Bill Lann Lee, Civil Rights Attorney
 - Thom Seaton, Past President, Congregation Beth-El
 - John Rasmussen, Prof. of Chemistry (Emeritus) U.C. Berkeley
 - Thomas Cutillo, RN, FNP, Emergency Room, Highland Hospital
 - Mardi Mertens, BHS Science Teacher
 - Don Vasco, Staff Scientist, Lawrence Berkeley Lab
 - Miriam Eisenhardt, Asst. Professor, Samuel Merritt University
 - Barbara Gregory, R.N. BUSD Parent
 - Phyllis Orrick, Communications Manager, UCB Safe Transportation Research and Education Center

s/PRISCILLA MYRICK

Candidate for SCHOOL BOARD DIRECTOR

I, **JOSH DANIELS**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Josh Daniels
 2. The office for which I am a candidate is School Board Director
 3. That my residence is 2920 Deakin St. #1, Berkeley, CA 94705
 4. The place of my birth is Berkeley, CA
 5. My present occupation is School Finance Attorney
 6. I have held the following public offices: Berkeley Schools Excellence Program (BSEP), Berkeley High School Representative to the Planning and Oversight (P & O) Committee
 7. Record of community service: Berkeley Public Library Foundation, Board Member; Berkeley High Student Court, Cofounder; Community Legal Outreach, Codirector; BHS JV Baseball Team, Assistant Coach; UC Graduate Assembly, President
 8. I am a taxpayer in the City of Berkeley.
9. I am running for School Board to ensure that our schools work successfully for all students. Berkeley schools have remarkable strengths: award-winning schools, supportive community, hardworking teachers and staff, the 2020 Vision, and a diverse student body that enriches the experience of all students. The challenges are equally significant: ongoing budget deficits and persistent racial, linguistic, and socioeconomic inequities. Once elected, I'll build on these strengths and develop solutions to resolve these difficult challenges. A school finance attorney and former financial advisor to districts, I'll wisely spend and account for all school revenues, including school bonds and parcel taxes. Having cofounded the Berkeley High Student Court—an alternate discipline program empowering, engaging, and serving students of all academic abilities—I'll encourage other creative programs throughout the District. I'm a Berkeley native and proud product of our public schools, I serve on the Berkeley Public Library Foundation board, and I earned law and public policy degrees from UC Berkeley. My deep connection and commitment to Berkeley will help ensure a truly open community decision-making process. Please join the Berkeley Federation of Teachers and the following individuals in voting for me and making our schools work for all students. www.ElectJoshDaniels.com
10. I refer to the following residents of the City of Berkeley:
- Loni Hancock, State Senator – District 9
Nancy Skinner, Assemblymember AD 14
Tom Bates, Berkeley Mayor
Beatriz Leyva-Cutler, Berkeley School Board Director
Miriam Rokeach (Topel), Former Berkeley School Board Director
Irene Hegarty, Former Berkeley School Board Director
Terry S. Doran, Former Berkeley School Board Member
Steve Lustig, Former Berkeley School Board Member/Formal UC Berkeley Associate Vice Chancellor
Gordon Wozniak, Berkeley City Councilmember
Darryl Moore, Berkeley City Councilmember
Linda Maio, Berkeley City Councilmember
Maxwell G. Anderson Jr., Berkeley City Council District 3
Jesse Arreguin, Councilmember, District 4
Nicky González Yuen, Trustee, Peralta Colleges Bd
Miranda Thorman, BHS teacher, Co-lead teacher Berkeley International High School
Irma Parker, BHS Parent Liaison
Hope Friedman, Former Co-President Berk. High School Development Group, Former Co-President Washington Elementary PTA
Santiago Casal, Co-Chair – United in Action
Michael D Miller, Co-Chair, United in Action; PCAD Director
Christopher Edley, Jr., Dean, UC Berkeley School of Law

s/JOSH DANIELS

Candidate for SCHOOL BOARD DIRECTOR

I, **JULIE HOLCOMB**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Julie Holcomb
2. The office for which I am a candidate is School Board Director
3. That my residence is 1836 Hopkins Street, Berkeley, California 94707
4. The place of my birth is St. George's, Bermuda
5. My present occupation is Printer/Business Owner
6. I have held the following public offices: None
7. Record of community service: CoChair, BSEP Planning & Oversight Committee; CoPresident, BHS Development Group; Measure A Campaign Committee; Superintendent's Budget Advisory, Facilities Committees; School Governance Councils, Rosa Parks, King
8. I am a taxpayer in the City of Berkeley.

9. I am running for School Board because I want our Berkeley public schools to continue on the path to excellence despite the challenges of reduced state funding. My two children attended Rosa Parks Elementary School from Kindergarten, continued through King Middle School, and are now students at Berkeley High School. As an active leader at their school sites, as CoChair of the District Planning & Oversight Committee for our \$20 million school parcel tax and owner of a small business for 28 years, I have gained the experience to help guide our district through the current fiscal crisis and beyond. We must keep faith with our children and generous Berkeley voters by: raising expectations and academic standards for all children; finding new strategies to address the achievement gap; preserving the arts as an essential part of every child's education; expanding career-linked curriculum; and maintaining strong athletic programs. All our teachers must be effective and receive the training and collaborative support they need to continually improve the quality of instruction for all children. If elected, I will work to ensure that School Board decisions reflect these values and that our programs are evidence-based, effective, fiscally sound and sustainable. www.electjulieholcomb.com

10. I refer to the following residents of the City of Berkeley:

Shirley Issel, School Board Member
Nancy Riddle, School Board Director
John T. Selawsky, Berkeley School Board member
Pamela M. Doolan, Former School Board Director
Joaquin J. Rivera, Trustee, Alameda County Board of Education; former Berkeley School Board President
Elizabeth Shaughnessy, Former School Board President & President & Founder of the Berkeley Chess School
Sheila Jordan, Alameda County Superintendent of Schools
Jacki Fox Ruby, Former President Berkeley Federation of Teachers; Former President Alameda County Board of Education Trustee District 1
Laurie Capitelli, Berkeley City Council
Susan Wengraf, Berkeley City Council
Gordon Wozniak, Berkeley City Council
Miriam Hawley, Former member of the Berkeley City Council
Charlene Washington, Executive Board, National Women's Political Caucus, Alameda North; Parks & Recreation Commissioner
Dan Lindheim, BUSD parent; Co-Chair, BSEP/Measure A Planning & Oversight Committee; Member, BUSD Audit Committee
Cathryn Bruno, Former PTA President, Rosa Parks Elementary School and Former President, Berkeley PTA Council; Teacher, Tamalpais Union High School District
Rosa M. Luevano, Parent of BUSD students – Thousand Oaks & Berkeley High; Former School Governance Council, Thousand Oaks; BSEP Planning & Oversight Committee Representative
Allen F. King, Chair, Berkeley High School BSEP/Measure A Site Committee
Alice Waters, Owner and founder, Chez Panisse Restaurant and Foundation
Mary Friedman, Former Executive Director, Berkeley Public Education Foundation
Michele Lawrence, Former BUSD Superintendent of Schools

s/JULIE HOLCOMB

Candidate for SCHOOL BOARD DIRECTOR

I, **KAREN HEMPHILL**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Karen Hemphill
 2. The office for which I am a candidate is School Board Director
 3. That my residence is 2822 Wallace Street, Berkeley, CA 94702
 4. The place of my birth is Washington, D.C.
 5. My present occupation is Incumbent
 6. I have held the following public offices: Berkeley School Board Director; City of Berkeley Committee for Socially Responsible Investment; City of Berkeley Civic Art Commission; City of Berkeley Committee on the Status of Women; City of Berkeley Solid Waste Management Commission
 7. Record of community service: BSEP Planning and Oversight Committee; BUSD Strategic Plan Committee; Washington School Site Council; Longfellow School Governance Committee; CoPresident, Berkeley High PTSA; BHS Principal's Advisory Committee
 8. I am a taxpayer in the City of Berkeley.
9. With a son in our schools, I have a personal as well as moral commitment to make our schools the best they can be – even in these difficult economic times. I have a proven record of building bridges to unite our diverse school communities around academic success for all students. And, in a time of State takeaways, as current Board President, I've worked to maintain core academic programs and student support systems through fostering sound fiscal management and creative partnerships. Since being elected, I have fought for academic excellence and the highest educational opportunities for our students by supporting the creation of International Baccalaureate and Green Academy programs at Berkeley High and a college-bound curriculum at BTech; championing the 2020 Vision by leading the adoption of the first District-wide plan to close the achievement gap through consistent intervention, 21st Century curriculum/teacher training, use of data/evaluation, and the belief that all students are born learners; encouraging parent/community involvement in District advisory/ budget oversight committees; and keeping my promise to thoughtfully hear all voices before making decisions. Thank you for joining the Berkeley Federation of Teachers in supporting my reelection and voting yes on the School Measures.
10. I refer to the following residents of the City of Berkeley:
- Loni Hancock, State Senator
 - Nancy Skinner, Assemblymember AD 14
 - Tom Bates, Berkeley Mayor
 - Maxwell G. Anderson, Jr., Berkeley City Council
 - Jesse Arreguin, Councilmember,
 - Laurie Capitelli, Berkeley City Councilmember
 - Linda Maio, Berkeley City Councilmember
 - Darryl Moore, Berkeley City Councilmember
 - Susan Wengraf, Berkeley City Councilmember
 - Gordon Wozniak, Berkeley City Council
 - Kriss Worthington, Berkeley City Councilmember
 - Shirley Issel, School Board Member
 - Beatriz Leyva-Cutler, School Board Director
 - Nancy Riddle, School Board Director
 - John T. Selawsky, Berkeley School Board member
 - Judy Appel, Executive Director, Our Family Coalition
 - Rev. George E. Crespin, Pastor Emeritus
 - Dan Lindheim, Co-Chair BSEP Planning and Oversight Committee
 - Michael D Miller
 - Irma Parker, BHS Parent Liaison

s/KAREN HEMPHILL

Candidate for SCHOOL BOARD DIRECTOR

I, **NORMA J F HARRISON**, hereby declare that I am a candidate for an elective office in the City of Berkeley, and make the following statement:



1. That my name is Norma J F Harrison
2. The office for which I am a candidate is School district director
3. That my residence is 1312 Cornell Av
4. The place of my birth is Chicago, Il, U.S.A.
5. My present occupation is Community organizer
6. I have held the following public offices: None
7. Record of community service: None
8. I am a taxpayer in the City of Berkeley.

9. What's called education is located into school. The main purpose it assumes is to remediate inability of people to function profitably, called properly, in this society. The result is its evident dysfunction. People who succeed in it go on to replicate a system that does not have the ability to serve and care for us all. Other people come out of school at one or another margin, variously stratified from excellent incomes to low or no income, income being the measure of hu/man, now, here. I'd like my seat on the Board to offer us all the place to begin to acknowledge the role of school in capitalist society, and the steps from that place as we struggle to form the comfortable world for all people, in gentle care of Earth. School can be the device by which to teach for transformation, not replication. You and I could work together to formulate those tactics. One explanation of our 'school' problems is truancy. Truants explain the situation to us. We have to stop casting them as wrong and agree to learn from them. Present schooling cannot remediate racism, truancy, poverty. And age segregation is a basis of control. <http://normaharrisonforschoolboard.info>

10. I refer to the following residents of the City of Berkeley:

Jack Morris
Diane Arsanis, Gray Panthers
Lisa Stephens, Chair, Rent Stabilization Board
Daria Harrison
Garrick Smalley
William J. Lutkenhouse
Rosalind Rasjidah Berger, Grey Panthers

s/NORMA J F HARRISON

**Candidate's Statement
CITY OF DUBLIN
Mayor**

TIM SBRANTI

Occupation: Mayor/Teacher

Age: 35

My education and qualifications are: It would be an honor to continue serving my hometown as Mayor. As your Mayor, I have established positive working relationships with governmental, business, and community leaders to produce results. Major endeavors have been undertaken such as the Shannon Community Center, Fallon Sports Park, Dublin Hills Regional Park, Heritage Park, Sports Grounds renovations, Dublin Boulevard corridor improvements, Downtown Specific Plan, and I-580/Fallon Road Interchange. We are expanding ambitious economic incentives for recruiting and retaining businesses, enhancing our environmental initiatives, and overhauling Dublin's website and communications practices. New residential developments are being approved with higher design standards, more open space, and trails at lower densities. Despite the difficult economy, we balanced our budget with minimal impacts to City programs and services. We prioritized public safety funding, and will continue to enjoy a safe and healthy community. My top priority remains implementing a balanced and sustainable growth plan with high-quality office jobs, retail, restaurants, amenities, and thriving destination points. This will ensure our City's ability for continued investments in public safety, infrastructure, parks, recreational facilities, trails, open space, and responsive services. I respectfully ask for your support. www.timsbranti.net.

Candidates' Statements

CITY OF DUBLIN

Councilmembers

SHAWN COSTELLO

Occupation: Restaurant Entertainment Worker

My education and qualifications are: I am Shawn Costello I have lived in Dublin for 26 years, I am running for Office because I love this city and I want it to grow in the right ways. We are growing too fast and the traffic is too much for our little town, and drivers must slow down so that no one gets hit. We need to slow our growth a little so we can save the wild life we have here, they have a right to live here too. I am for the kids in our schools; they need better teachers and better schools. The kids are our future. I am for the bus companies that drive through our streets, they need more funding to get better drivers and better buses. We also need to take the bus more to save on the high gas prices and for the environment. I am for the elderly and low income families; we need more low income housing, and all people should qualify for housing no matter their income. I am for the businesses here in Dublin, I want to see more businesses hire more people that live here and I want them to hire more disabled persons.

DON BIDDLE

Occupation: Dublin Councilmember

My education and qualifications are: Civil Engineering, Purdue University. Have served on the Dublin Council for 2 years and Planning Commission for 4 years. Currently serving on City's Economic Development Committee, County Waste Management Planning Committee, County Library Commission, Dublin Integrity in Action Committee and Dublin Housing Authority. Served on Dublin School Boards for 12 years. Served on School Bond Oversight Committee and now on City/School District Liaison Committee. Currently serving on Dublin Partners in Education's Board. Served on Boards for Tri-Valley's YMCA and American Cancer Society. Selected 2005 Dublin Citizen of the Year. My professional background is in engineering, construction and management. Worked more than 30 years in project budgeting, cost control and planning. My experience, skills and commitment to the community will help me continue to be an effective Councilmember. Priorities: Maintain City's high standards of public safety; Attract and maintain businesses that will provide jobs and revenue for City services; Prioritizing important public services with available resources; Assure that commercial and residential growth is balanced, well managed, with Green building standards and provides appropriate parks and open space. For more candidate information visit League of Women Voter's www.SmartVoter.org. I respectfully ask for your vote.

KATE ANN SCHOLZ

Occupation: Incumbent, Retired Educator

My education and qualifications are: I appreciate the privilege of having served Dublin these past four years as a member of the City Council. I respectfully ask for your vote in this 2010 election. We're in tough times. My experience, knowledge, vision, and integrity will best serve our city. Experience as a four year council member, serving on committees, attending most events and activities in our community, making careful, thoughtful decisions on our budget, carefully studying issues at hand, and more, will help me make the best decisions and plans, as we move forward. Important issues are increasing revenues, maintaining the solid financial structure we have, keep the State from taking more from us and finishing our second BART station. We need to continue to work carefully maintaining the best transportation and education opportunities for our citizens. I promise to serve you well. My career in the schools as a teacher and principal, 21 years as an elected college Trustee at Ohlone College, and participation in the Dublin/San Ramon Women's Club have provided leadership experience to continue as a member of the Dublin City Council. Thank you for your support. <http://www.linkedin.com/pub/kate-ann-scholz/23/333/48>

ERIC SWALWELL

Occupation: Deputy District Attorney/Planning Commissioner

Age: 29

My education and qualifications are: I am proud to have been raised in Dublin, lived in all parts of town, and serve as Planning Commissioner. I am running for city council because I have the new energy and ideas needed to improve Dublin's economy, safety, and schools. I will work hard to create new, well-paying jobs in Dublin. Using my experience on the Planning Commission and promoting economic development, my priority will be enticing new businesses to Dublin while keeping established business open. As past chairperson of the Heritage and Cultural Arts Commission, I value our rich history and beautiful landscape. New development must be smart and green. I will ensure future building is balanced with parks and open space. As a Deputy District Attorney, I understand the importance of public safety. I will ensure Dublin remains safe, providing responsive police and fire services. Because I value education, I founded and serve as president of the Dublin High Alumni Association. I will work with the school district to find cost-sharing opportunities to make the city and schools more efficient. I bring a fresh perspective to Dublin and will devote my energy to working for you. I respectfully ask for your vote. www.ericswalwell.com

Candidates' Statements

CITY OF FREMONT

Councilmembers

FAZLUR KHAN

Occupation: President, Business Development Experts

Age: 70

My education and qualifications are: I am a leader who faces challenges head-on and has a successful track record of turning potential into progress, and vision into reality in community service, politics and business. Power to the People – As part of the decision of the people of the City of Fremont, I will stand with them and fight to repower the City Council with People's Power for Change, to develop a better future of our families and children. Economy/Jobs – Get the needed financial aid and stimulus money for expansion and exports of Tesla Motors, Solyndra, Solaria Corporation, and other "Green" Bio-Tech Companies. The land around NUMMI should be developed into a smart, futuristic city with outstanding research, innovation and exportation of "Green" technology, creating thousands of well-paying jobs. Together, we can make Fremont a "Green Valley". www.ChangeAmericaNetWork.org, www.BusinessDevelopmentExperts.com. Top Schools – Full funding for quality education; working with teachers, parents and students. Affordable Housing – For seniors and low income families in all districts. Youth – Create youth centers for youth of all districts; free Wi-Fi in all schools and community colleges. Request – Please vote for your voice. Detailed agenda: <http://www.FazlurKhan.com>

VINNIE BACON

Occupation: Technical Support Manager

Age: 49

My education and qualifications are: We need a change on the City Council. In these challenging times, Council continues to make decisions that hurt our City's quality of life and fiscal health. In Centerville, years after kicking out local businesses on Fremont Boulevard, Council sold this vacant land to a developer for one dollar and provide \$13 million in city funds to further subsidize this development. When NUMMI closed, Council focused on the failed ballpark scheme instead of working to restore the lost manufacturing jobs. Council is set to approve 520 homes at Patterson Ranch while the Ardenwood elementary schools are already overcrowded. The land owners have contributed heavily to our current Council members' campaigns. I've pledged not to take campaign contributions from developers. I will base my decisions on what's best for the people of Fremont, not for developers or other special interests. While Fremont is friendly to developers that write big checks, our quality of life and the business climate have suffered. We need to support the development of pedestrian friendly neighborhoods and help our small businesses thrive. I will use my masters degrees in City Planning and Transportation Engineering to bring balanced development to Fremont. For more information visit www.bacon2010.com

ANU NATARAJAN

Occupation: Councilmember/City Planner

My education and qualifications are: Fremont has a bright future and, as your City Councilmember, I want to continue to make Fremont the best place in the Bay Area for families to live and work. On the council, I have relied on my extensive professional experience in architecture and city planning to work with you to shape Fremont's vision for the next 20 years – a city attracting well-paying jobs, providing the best choices for our children, promoting the arts, and enhancing our sense of community. During my tenure on the City Council, Fremont has become a regional hub for green technology and has received millions of dollars for major infrastructure projects, including the BART extension to Warm Springs. We must pursue every opportunity to attract and retain jobs for sustainable, long-term economic growth for Fremont. I will continue to be a strong, independent voice on the City Council and ensure that Fremont is a leader working with local and regional partners. As a parent, city planner, and your councilmember, I will strive to enhance Fremont as an inclusive community and a place we can all be proud of. I ask for your vote on November 2nd. For more information on my campaign, please visit www.anu4fremont.com.

KATHY RHYU MCDONALD

Occupation: Community Volunteer

Age: 47

My education and qualifications are: Kathy McDonald represents the many citizens of Fremont who see a better way than the "politics as usual" we've endured. Our City Council, acting as the Fremont Redevelopment Agency, spent 14 years and \$12,500,000.00 turning a functioning Centerville mall into a 6.6 acre wasteland; then, sold it to a private developer for \$1.00 – and promised them \$13,500,000.00 more in infrastructure. This same Council approved \$1,100,000,000.00 more of our property taxes for the same Redevelopment Agency to continue doing projects like this. The City Council built a fire station we can't afford to staff. They've spent three years and significant funds to advance a controversial baseball stadium that the City's own survey proved unpopular. Now, to "free up" more City funds, our City Council is making homeowners pay to maintain public trees, and mend sidewalks! Is this "smart" management? Kathy McDonald and many others don't think so. Kathy is not a Fremont politician. She's an educated citizen with a long history of successful volunteer projects in the community. She's running a clean-money campaign so she can oppose these reckless expenditures. Kathy will serve the people of Fremont wisely, restore City services, fully fund our parks, and tend our streets, again.

**Candidates' Statements
CITY OF FREMONT
Councilmembers**

BILL HARRISON

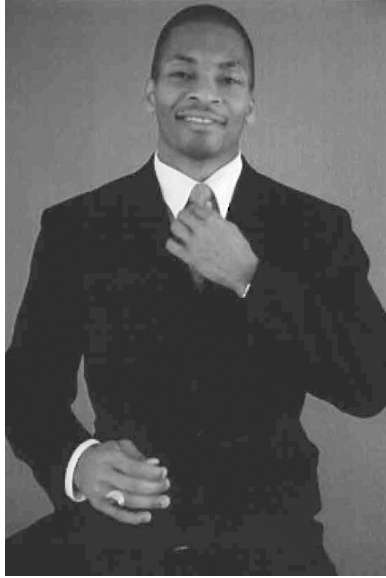
Occupation: CPA/Business Owner/City Councilmember

Age: 41

My education and qualifications are: I'm a lifelong resident of Fremont and a product of our public schools. My wife, Jennifer, and I are proud parents of two children who also attend Fremont public schools. I currently serve as your Councilmember and I'm a CPA and co-owner of Harrison Accounting Group, a small business that's been operating in Fremont since 1954. I've also worked with non-profit organizations on issues relating to children, transportation, health care, seniors, education and economic development. It's clear from running my business, hearing from clients and listening to constituents, that to make Fremont a better place, we need to keep and create more jobs. We've made great strides during my first term. From large companies like Solyndra and Tesla to small businesses like the bio-tech firm, AnaSpec, jobs have grown or stayed in our community. But we need to do more. I know when Fremont families get good-paying jobs; we can make progress on other issues like the housing market, schools, city services and public safety. As a business owner, Councilmember and father, I have the knowledge, experience, and commitment to make Fremont better for us today, and our children tomorrow. I respectfully ask for your vote. Thank you.
www.HarrisonForCouncil.com (510) 790-6071

Candidate for MAYOR

I, **LARRY LIONEL YOUNG JR.**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Larry Lionel Young Jr.
2. The office for which I am a candidate is Mayor
3. My occupation for the past five years has been Teacher, Realtor, Actor, Model, Volunteer, Coach, MC, Host, Moderator, Pianist, Musician

4. Statement of Qualifications: I won a planning project award for the city of Emeryville in 2007 while serving as a Toastmasters International Governor. I plan to use my leadership ability as I did as a star quarterback, entrepreneur, youth-leader & as a teacher for 5 years to accomplish my vision which is to promote Oakland's image as being one of the best cities in the world in which to live, work, & vacation. I will provide solutions by improving relationships with residents of Oakland and the business community. I will provide solutions to our budget deficit, public safety & increase our educational rankings expeditiously. As a man, with a personal belief in the power of faith and truth, I will fertilize Oakland's good roots to harvest. Vote 4 LL & Oakland will be well. Success Only Option!
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Joseph T. Beachum
Juan Cherry
Shaunte Fletcher
Nick Falconio
Steve Benson
Ting Yu Zhu
Terrance Christianson
Christy Sampson
Frederick Adams
Luan Walk

Nguyen
Braughnwynn "bibi" Jackson
Douglas L. Rainey
Leo Round Tree
Hazam Alrahmi
Sherman Brown
Saundra Fitzgerald
William Yancy
Melvin F. Butts
Duaine Beamon

Signed LARRY LIONEL YOUNG JR.

Candidate for MAYOR

I, **JOSEPH TUMAN**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Joseph Tuman
2. The office for which I am a candidate is Mayor of Oakland
3. My occupation for the past five years has been Professor of Political & Legal Communications, (SFSU), Author, and Political Analyst for KPIX/CBS-5 and KCBS Radio.

4. Statement of Qualifications: Oakland possesses the necessary resources for positive change—what's missing is leadership. As Mayor, I will address the core cost of policing and tackle violent crime by increasing the number of police officers on the street. I will improve community/police relations by recruiting new hires from Oakland. I will reposition Oakland as business-friendly, attracting investment and providing new jobs in retail, green-energy, health care, and digital media, while also making adjustments to assist small business development. I will support Oakland schools by offering resources to decrease truancy and drop-outs, thus improving average daily attendance. I will model transparency, accountability, and long term, sustainable budgeting. As a 25-year Oaklander, a professor of politics, and former small business owner, and long time political analyst for news media, I know our system and process of local government. If you want change in Oakland, elect me to be your next Mayor.
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Ursula Weissor
Phil Burke
William C. Adams
Peter Gertler
Stephen J. de la Cruz
Ken Sorey
Helen C. Bulwik
Joanna L. Berg
Seth Davis
Pilar Strutin-Belinoff

Harrison Pollak
Charles Porter
Virginia Palmer
Colleen Brown
Jeffrey Sloan
Anita I. Martinez
Connie Perdomo
Lidia R. Wallenburg
Barry B. Siegel
Catherine Duggan

Signed JOSEPH TUMAN

Candidate for MAYOR

I, **JEAN QUAN**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Jean Quan
2. The office for which I am a candidate is Mayor
3. My occupation for the past five years has been City Council Member
4. I have held the following public office: Oakland City Council, Oakland School Board Member, Chabot Space & Science Center Chair, Alameda Recycling Board Chair, Alameda County Waste Management Authority Chair, Association Bay Area Governments Executive Board

5. Statement of Qualifications: We need an ethical mayor with a record of getting things done in Oakland. As a mom fighting education cuts on the School Board, I led efforts to: retrofit, build schools; reduce class and school size; restore arts and music; and raise graduation standards. As Councilmember, I organized block by block to: co-author Measure Y, funding 63 new beat officers and violence prevention programs; stop library closures; reform budget/pension policies; establish the Wildfire District; expand recycling; preserve open space; and close the crime-ridden Hillcrest Motel, revitalizing the Dimond and Laurel districts. As the first woman mayor, I will fight for honest accessible government, community policing, school and youth programs, jobs, affordable housing, retail, and a greener city. My family loves Oakland, our home for over 100 years. My children are Skyline public school graduates. I have the courage and experience to make tough decisions so Oakland realizes its great promise. www.jeanquanforoakland.org www.jeanquan.org
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Marjory Gibson Haskell
James E. Vann
Robert Raburn
Leslie Bonett
Allene L. Warren
Sylvester Grisby
Valerie A. Miles-Tribble
Daniel M. Siegel
Nicholas J. Vigilante
Barbara M. Montgomery

Gordon A. "Don" Link
Susan Montauk
Edward W. Yu
Lynette Jung Lee
Jody London
Dennis K. Chaconas
Marc Tizoc González
Eva M. Aguillard
Jumoke Hinton Hodge
Thomas J. Paris

Signed JEAN QUAN

Candidate for MAYOR

I, **DON PERATA**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:

1. That my name is Don Perata
2. The office for which I am a candidate is Mayor of Oakland
3. My occupation for the past five years has been President Pro Tem, California State Senator, Teacher
4. I have held the following public office: Alameda County Supervisor: 1986-1994; California State Assemblyman 1996-1998; California State Senator: 1998-2008; Senate President Pro Tem: 2004-2008
5. Statement of Qualifications: City hall is a mess. The mayor and council have failed Oakland. The budget teeters on insolvency, core services diminish and massive police layoffs make residents less safe. I believe in Oakland and that the next four years can be better than the last four. But we need decisive leadership and hands-on management. I've served Oakland for three decades as classroom teacher, county supervisor and Democratic state senate president. I got results. City Hall must: Bring OPD to full strength; Reorganize so services are top priority; Require strict fiscal controls, not gimmicks and finger-pointing; mandate 3, 5 and 10 year capital budget plans; Promote local business and hiring Oakland residents; Embrace our children and schools. That's the job of mayor. I'm ready to do the job. I'd like your vote to redouble our belief in Oakland. Thank you. www.perata4mayor.com
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Mary Bergan
Joseph R. Debro
Yui Hay Lee
Patricia Sax
Corinne M. Mohrmann
Gilda Gonzales
Bishop Robert L. Jackson
Elsa Ortiz
Oral Lee Brown
Douglas Boxer

Henry Chang Jr.
Noel Gallo
Zachary Carey
Barbara Bond
Eric A. Flowers
Samuel Schuchat
Ronald Muhammad
David W. Manson
David Kakishiba
Edmund G. Jerry Brown

Signed DON PERATA

Candidate for MAYOR

I, **DONALD LACHLAN MACLEAY**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Donald Lachlan Macleay
2. The office for which I am a candidate is Mayor of Oakland
3. My occupation for the past five years has been Small Business Owner

4. Statement of Qualifications: The Oakland I want is already growing all around us in the many community groups working to keep our schools up, our crime down and our neighborhoods vibrant. Grassroots Oakland volunteers are replacing the failed vicious circle of blame and mercilessness with circles of helping one another and circles of community that include all of us. I want to lead an activist administration that trusts and supports this grassroots Oakland and helps bring the various parts into a citywide partnership. We all need to participate, beyond just voting. I will convene a full review of our budget structure and bring a reformed progressive tax and budget system to the voters. I will make good on the promises of whole community support for our schools, community policing, restorative justice, growth and jobs by choosing the path of being willing to help one another. <http://macleay4mayor.org/>
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Kerie Campbell	Orlando Johnson
Janet S. Arnold	Donald Santana
Greg Jan	Teresa Beynart
Torger T. Johnson	Steven Gladden
Laura Wells	
Michael Rubin	
Katherine M. Tanaka	
Pamela R. Spevack	
John F. Neilson	
Emily Montan	

Signed DONALD LACHLAN MACLEAY

Candidate for MAYOR

I, **MARCIE HODGE**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Marcie Hodge
2. The office for which I am a candidate is Mayor
3. My occupation for the past five years has been College Trustee, group home administrator, clinical therapist
4. I have held the following public office: Community College Trustee, Budget Advisory Committee City of Oakland

5. Statement of Qualifications: Are there job opportunities in Oakland? Are there enough extracurricular activities for our kids? Do you feel safe? Is there a hopeful feeling in our city? We can do better. Like many of you, I'm a lifelong resident of Oakland. I attended our public schools, Merritt College, and CSUH. While many left to pursue other opportunities, I have remained here. For ten years I have worked with foster care youth. And as your Peralta College Trustee, I have fought for opportunities for our students. As your mayor I'll fight for (1) life sustaining jobs (2) safer neighborhoods for our children and elderly (3) ensuring City Hall maintains a standard of multi-cultural competence and cooperation. Our roots are in Oakland as well as our futures. My PhD Program at Alliant University is expanding my knowledge to better serve Oakland. Together we'll plant seeds that will bear fruit for years to come.
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Julius Collins
Peggy Collins
Martha Guzman-SiFuentes
Nestar Garcia
Edward Lee Williams
Issac Sylvester
Bonita Parrish
Barbara Dean
Aubrey Green
Yvonne P. Hodge
Nicole Hodge

Signed MARCIE HODGE

Candidate for MAYOR

I, **ARNOLD FIELDS**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Arnold Fields
2. The office for which I am a candidate is Mayor
3. My occupation for the past five years has been creating jobs for the people of Oakland, improving neighborhoods and encouraging entrepreneurship, starting business throughout our city. By providing the most important fundamentals of life, witch is creating opportunity for the citizen's of Oakland and insuring affordable housing for generations to come!
4. I have held the following public office:, I have been given the opportunity as as California real estate broker, able to provide the public services when it comes to affordable housing and real estate consulting needs

5. Statement of Qualifications: As Mayor I will have the entire rainbow of people's best interest in mind. I am asking for your support to bring historic change to the city we all love, right here right now! Sometimes forgetting one's, voice and the importance of ones voice and the enormous difference it can make in our lifes. With your vote. We will get our city back on track! I come from a humble back ground as a third generation Oaklander from a family of 5 generation and entrepreneurship. As Mayor I will put a spotlight on all the unjust and wrong doing that this city is involved in! The last 21 years my business has been creating affordable housing. Work with our exiting infrastructure, I have become a master in making something out of nothing and will save the city billions with a new way of thinking, creating jobs, and fostering entrepreneurship.
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Andrew Vincent
Donald English
Laura Townsend
Don Braden
Jandy Rose
Tony Coleman
Richard Aswad
Rex H. Hubert
Maria J. Vermiglio
Andrei Soroker

Stephen M. Cook
John M. Black
Phyllis Montgomery
Jackie Jo Lopez
Stephanie Brennan
Aswad Steel
Charles B. Spangler, II
Arley Shepard
Bradford Thomas
Reginald Jones

Signed ARNOLD FIELDS

Candidate for MAYOR

I, **GREGORY V. HARLAND**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Gregory V. Harland
2. The office for which I am a candidate is Mayor
3. My occupation for the past five years has been investor

4. Statement of Qualifications: This is a defining moment for our city. Our police force is shrinking. Our budget won't balance. Our roads need replacement. And our leaders have no plan other than more taxes. I'm running to bring a change to our city that includes a balanced budget, a strong economy, more jobs and lower crime. I'll do this by renegotiating our police and fire contracts, increasing our police force to 1050 sworn officers, and using Oakland's status as an Enterprise Zone to attract businesses and create thousands of jobs. I'm not a career politician; I'm a career businessman who knows how to make things work. Over the past forty years I created, operated and sold five businesses in retail, manufacturing, computers and restaurants. My vision for Oakland is a city that works for everyone: a strong economy, full employment, safe streets, great schools and an efficient and responsive city government. www.harland4mayor.com

5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Annie J. McKinzie
Sharon Butler
Mae E. Washington
Willie Washington
Sam Spade
Deborah A. Wright
Eugenia Patton
Benjamin Green
Malcolm McKinzie
Murphy Robinson

Melonye Phoenix
Cheryl D. Harris
Rickey Hill
Durwin Wright
Rochelle Owens
Karen L. Bell
Major Session
Roosevelt Jones
Shan Hirsch
Stanley Simmons

Signed GREGORY V. HARLAND

Candidate for MAYOR

I, **TERENCE CERENE CANDELL**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Terence Candell
2. The office for which I am a candidate is Mayor of Oakland
3. My occupation for the past five years has been Educator/Businessman

4. Statement of Qualifications: Our local hero, Terence Candell, is running for Mayor of Oakland! Born and raised in Oakland, he received Educator of the Year Award 5 times. Worldwide media acknowledged his sending the first ever 10-year-old to school fulltime at CSUEB, who graduated in 2009, age 14. Awarded the Allstar PHAT Friends Award for working with inner-city youth, he also received Bank of America's Neighborhood Excellence Hero Award! Candell Records, his music Business for 12 years, fed 30 families. He has pulled our children off the streets; housed and educated them; taught in Berkeley/Oakland USD's. He has work and developed rapport with OPD; has been Director of colleges and is founder of several businesses. At Candell's College Preparatory Academy, the #1 school in our country's history, 100% of graduates are accepted to college! Terence Candell is President of Candell University, is respected on the streets and in business.
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Anita Debro
Angela Barriga
Robert Brown
Ollie Baylis-Payne
Selina Henry
Allen Henry
Judy Johnson
Zenophon Abraham
Dyra Love Candell
George E. Jackson

Sarah E. Tramble
Jamilie R. Stephens
Amber Turnage
Xavier Burns
Gena Burns
Nomalanza Akintunde
Albert Rawlins
Joyce Rawlins
Nasir Allah

Signed **TERENCE CERENE CANDELL**

Candidate for MAYOR

I, **REBECCA KAPLAN**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Rebecca Kaplan
2. The office for which I am a candidate is Mayor
3. My occupation for the past five years has been Oakland City-wide Councilmember, Transit Director At-Large, Civil Rights Attorney
4. I have held the following public office: Oakland Councilmember At-Large, AC Transit Director At-large, Alameda County Transportation Commissioner

5. Statement of Qualifications: We need an Oakland that works for everyone. As Mayor, I will build a City that creates jobs, strengthens public safety, provides education and opportunity for the next generation, and delivers effective and responsive government. Oakland cannot afford to wait to revitalize our economy – we need a new direction now. I bring my experience representing all of Oakland at AC Transit and now on the Council, my education and training from MIT and Stanford Law School, along with fresh ideas and the energy to deliver results. I've led initiatives to create jobs, cut red tape for local businesses, improve transportation, and increase revenues without raising taxes on residents. I put forward concrete plans to restore community policing, fix streets and sidewalks, fight blight and foreclosures, expand economic opportunity, and create more livable communities. Together we will build Oakland's Renaissance. I would be honored to have your vote. www.KaplanForMayor.org
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Harold Mayberry
Dorothy King
Geoffrey Pete
Edie Irons
Rebecca Saltzman
Dorsey Blake
Ray Williams
Richard Lee
Robert Raich
Derrick Johnson

Kathy Neal
Anthony Rodgers
Arnold Perkins
Bouapha Toommaly
Midori Tabata
Timothy Yee
Leo Bazile
Michael Davie
Steve Lowe
Lupita Figueiredo

Signed REBECCA KAPLAN

Candidate for CITY COUNCILMEMBER, DISTRICT 2

I, **JENNIFER S. PAE**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Jennifer S. Pae
2. The office for which I am a candidate is City Council, District #2
3. My occupation for the past five years has been Non-profit Executive, President and Executive Director of a National Non-Profit, Community Organizer, Organizational Consultant, Voter Education Director

4. Statement of Qualifications: Like you, I love Oakland. I'm proud of our diversity, unique neighborhoods, resilience and perseverance. Today, Oakland is in the midst of a crisis with a weak economy, failing schools, rising unemployment rate and public safety challenges. It's time to invest in Oakland's people and neighborhoods. I pledge to work with you to solve our budget crisis, address root causes of crime, and build stronger partnerships to invest in Oakland's future. I bring a fresh new approach – as a Community Policing Advisory Board member, community organizer, and public policy advocate. I bring a community perspective; experience managing start up and national non-profits, and a track record advocating for working families. Your vote will decide the future of our city – to keep things as is or take Oakland into the next generation. Together we must invest in Oakland and make local government work effectively for families, youth and seniors. www.JenniferPae.com
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Anne B. Weills
Dan Siegel
Annie Flores
Geoffrey Pete
Jerl Laws
Marlon L. McWilson
Edie Irons
Teague Briscoe
Marc Tizoc González
Aimee Allison

Angelica Jongco
Daniel Hutchinson
Kendra Fox-Davis
Dana Santa Cruz
Jeffrey C. Hanny
Robert M. Flynn
Hope E. Wood
Xiaojing Wang
Timmy Lu
H. Kiang

Signed JENNIFER S. PAE

Candidate for CITY COUNCILMEMBER, DISTRICT 2

I, **PATRICIA KERNIGHAN**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Patricia Kernighan
2. The office for which I am a candidate is City Councilmember, District 2
3. My occupation for the past five years has been Oakland City Councilmember
4. I have held the following public office: Oakland City Councilmember

5. Statement of Qualifications: As your Councilmember, I have consistently challenged the "business as usual" mindset at City Hall. I was the first Councilmember to call for removing the former City Administrator for abusing power. To meet budget challenges, I cut my pay 10% and negotiated for city employees to do the same. I led the fight to roll back parking meter hours to 6 p.m. When the economy forced the City to lay off police, I helped broker a compromise to save 120 officers. I will continue to challenge the City bureaucracy until it operates with the efficiency and integrity our citizens deserve. I am proud of my record of service. I have improved parks and pedestrian safety throughout District 2. I work non-stop with community groups and OPD to reduce crime in each neighborhood. Public safety and economic development remain my top priorities. For responsible, proven leadership, vote for Pat Kernighan. www.patforcouncil.com
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Jerry Brown
Henry Chang, Jr.
Douglas Boxer
Trung Duy Nguyen
Paul E. Garrison
David Kakishiba
Lisa K. Puntillo
Kenneth L. Katz
Steve Ma
Claudia Skapik

Lynette Jung Lee
Jennie Ong
Elsa Ortiz
Karen T. Friedman
Steven Douglas
Corinne Jan
Shannon Yip
James David Ratliff
Robert Arvi Dorsey
Ann Li

Signed PATRICIA KERNIGHAN

Candidate for COUNCILMEMBER, DISTRICT 4

I, **DANIEL SWAFFORD**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Daniel Swafford
2. The office for which I am a candidate is Oakland City Council, District 4
3. My occupation for the past five years has been Business Management Consultant, Educator, Laney College

4. Statement of Qualifications: I offer a voice for what people expect from Oakland government. Raised in Oakland, I actively serve our community. New standards will make customer service part of how Oakland does business with our residents and merchants. My degree in Economics and Political Science, and background in Business Management, equips me to assess needs and implement effective and efficient performance and service standards. I created and taught workshops at Laney College, enabling Oaklanders abandoned by a broken system learn fundamental financial and employment skills that support their success. I've been elected to lead community boards in District 4, successfully reducing crime, attracting businesses, beautifying streets, engaging diverse citizens to build ownership and pride in our city. I will bring integrity, structural reform, neighborhood and education advocacy as my commitment to people as beneficiaries of city services. My endorsers are community leaders in business, education, community policing, and labor. Please visit: www.VoteDaniel.org
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Mildred Swafford
Floyd Huen
Douglas Wong
Larry P. Ginsburg
Luan M. Stauss
Stanley Dodson
Robert Costa
Ruth Villaseñor
Catherine "Katie" McLane
Barbara Goldenberg

Robert Raburn
Brenda J. Winston
Howard R. Waits
Bruce Jacobs
Margo Murray
Stanley Weisner
Sue Morgan
Kristine A. Holohan
Linda Dobson
Francis Bienati

Signed DANIEL SWAFFORD

Candidate for COUNCILMEMBER, DISTRICT 4

I, **RALPH W. KANZ**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Ralph W. Kanz
2. The office for which I am a candidate is City Council, District 4
3. My occupation for the past five years has been Commercial Fisherman and Conservation Director
4. I have held the following public office: Oakland Public Ethics Commission

5. Statement of Qualifications: From Piedmont Pines to the Laurel and now a home in Melrose, thirty years living in District 4 have shown me the challenges confronting this diverse City. Serving as chairman of the Oakland Public Ethics Commission sharpened my belief in ethical, transparent government that serves the people, not politicians. As Conservation Director for Alameda Creek Alliance I negotiated groundbreaking conservation agreements, including Apperson Quarry, with Ed DeSilva, and the Staples Ranch settlement in Pleasanton. These projects will move forward while also protecting the environment and minimizing impacts to local residents. I come to the Council free from conflicts of interest, able to make independent decisions for the benefit of the people, District, and City. As your District 4 representative, I will work hard to change the way City government does business. Join me and together we can revitalize Oakland, this exceptional place we call home. www.Kanz4Council.org

6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Barbara Newcombe
Gary Sirbu
Jane E. Powell
Christopher Dobbins
Judith A. Cox
Denise Davila
Hugo Evans
Nancy Sidebotham
Henry Joseph Trapp
Enrique Palacios

Robert Brokl
Alfred Crofts
Molly Kenefick
Lan Vong
Jimmy Chan
Martha E. Lowe
Colleen L. Brown
Bill Delucchi
Lori Delmar
Alma Owens

Signed RALPH W. KANZ

Candidate for COUNCILMEMBER, DISTRICT 4

I, **MELANIE SHELBY**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Melanie M. Shelby
2. The office for which I am a candidate is Oakland City Council, District 4
3. My occupation for the past five years has been Small Business Owner, Legislative Advocate, Executive and Coalition Builder
4. I have held the following public office: Commissioner, Oakland Housing Authority and Commissioner, Oakland Health and Human Services Commission

5. Statement of Qualifications: Oakland is in a state of fiscal crisis, and as a small business owner, I know how to balance the books, pay bills and make tough choices to restore financial stability. For 12 years, I've served Oakland as an appointed official, youth advocate and business representative. I will leverage these skills and relationships to support, retain, invest and attract businesses which hire and recycle dollars locally. I will support public safety initiatives to decrease violence by emphasizing grassroots activism throughout District 4. I will use my coalition building and community organizing acumen to strengthen District 4 alliances and build partnerships. District 4 is a model of Oakland's strong traditions of diversity and civic engagement, and our neighborhoods need a Councilmember with a fresh vision and get-it-done approach. Please join Assembly member Sandre Swanson, Community Leader Karen Friedman and Neighborhood Advocate Preston Turner, and vote for me on November 2nd.
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Antoinette Chandler
Laurie Earp
Karen Friedman
Lloyd A. Lawrence Jr.
Michael LeBlanc
Charles Li
Harold R. Mayberry
Dahlia Moodie
James Moore
Patricia Patterson

George Smith III
Melanie Sweeney-Griffith
Preston J. Turner
Samantha Wise

Signed MELANIE M. SHELBY

Candidate for COUNCILMEMBER, DISTRICT 4

I, **JASON THOMAS GILLEN**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Jason Thomas Gillen
2. The office for which I am a candidate is City Councilmember, City of Oakland, District 4
3. My occupation for the past five years has been Finance and Collections Consultant

4. Statement of Qualifications: Dear Voter, I'm running to be your Councilmember for District 4, because I'm a concerned citizen that feels our needs as Oaklanders have not been met. I believe there's a better way of balancing and sustaining the City's budget with new ideas which delivers real results and protects taxpayers' interests. I've worked in Fortune 500 and small businesses and attended City Council meetings, so I understand the complexities of finance and budgeting issues. However, I've also been involved in community and neighborhood organizations to find out what your needs are whether they may be working with at-risk youth or improving public safety. Therefore, I can bridge the disconnection between the communities' needs and the City's budget. As a father and your neighbor, I care about the future of Oakland, where we call home, so please vote for me. For more information about my background or views, please visit www.gillen4district4.com.
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Luan Stauss
Barbara Bond
Alfred Ford
Dom Infrerra
Shirley Ford
JoAnn Maggiora Donovan
Donn C. Brown
Bernardita B. Brown
Bernardita T. Gillen
Jason Gillen

Nathaniel Swope
Maggie Wong
Aurora Vicerai
Thomas McLoughlin
Shirley Weintraub
Donald Jerrells
Stephen Woods
Yanly Johnson
Dishawnte Willis
Alexa Konash

Signed JASON THOMAS GILLEN

Candidate for COUNCILMEMBER, DISTRICT 4

I, **ELIZABETH “LIBBY” SCHAAF**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Elizabeth “Libby” Schaaf
2. The office for which I am a candidate is Oakland City Council, District 4
3. My occupation for the past five years has been Senior Policy Advisor for Community and Economic Development to the Oakland City Council (2009-2010), Director of Public Affairs of the Port of Oakland (2006-2008), Special Assistant to Mayor Jerry Brown (2004-2006)
4. I have held the following public office: Oakland Base Reuse Authority, Council President Alternate; Community Action Partnership Commissioner; Port of Oakland Public Art Committee, Commissioner.

5. Statement of Qualifications: Born and raised in Oakland’s District 4, I’ve focused my life and career on building community here. I’ve volunteered in Oakland for forty years, serving on twelve Oakland non-profit boards and three City Commissions. While an attorney in my 20s, I co-founded Oakland Cares, organizing hundreds of community volunteer projects. I left my law practice to build a volunteer program for Oakland’s Public Schools. As Chief Aide to Mayor Brown and Councilmember De La Fuente, and a Port of Oakland executive, I’ve secured millions of dollars to build parks, reduce pollution, prevent crime, and support local businesses and artists. As your Councilmember, I’ll create change you can see and feel. I’ll build a thriving economy, reduce crime, support our schools, and make government more responsible. Attorney General Jerry Brown, long-time Councilmember Dick Spees, former Assemblymember Wilma Chan, and District 4’s Neighborhood Endorsement Committee agree I’m “most qualified to represent District 4.” www.LibbyforOakland.com
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Edmund “Jerry” Brown
Jane Brunner
Ignacio De La Fuente
Larry E. Reid
Patricia Kernighan
John Sutter
Douglas Boxer
Joel B. Young
Elsa Ortiz
Henry Chang Jr.

Arthur R. Twain
Lynette Jung Lee
Helen Craighill Nicholas
Eugene J. Zahas
Krista C. Gulbransen
Eleanor G. (Toni) Locke
Teresa Kulka (Terry)
Corinne Jan
Anne E. Mudge
Claudia Jimenez

Signed ELIZABETH “LIBBY” SCHAAF

Candidate for COUNCILMEMBER, DISTRICT 4

I, **CLINTON KILLIAN**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Clinton Killian
2. The office for which I am a candidate is Oakland City Council District 4
3. My occupation for the past five years has been small business owner attorney
4. I have held the following public office: AC Transit Board, Oakland Planning Commission

5. Statement of Qualifications: I believe in Oakland. That's why I've worked so hard as a community volunteer creating jobs, increasing affordable housing and standing up for transit riders. I'm fighting for an Oakland we can all believe in. My plan starts with a regional response to out-of-control crime – bringing in the DEA and the U.S. Attorney to battle drugs and gangs and the ATF to fight the gun trade – and emphasizes prevention and rehabilitation to keep us safe. Let's reverse Oakland's 18% unemployment rate by removing the barriers to job growth. I helped bring thousands of new jobs as a planning commissioner, and built a grassroots coalition that stopped an illegal 600% utility tax increase. As the son of a welder who worked three jobs to provide her kids with a great education – I won't stop working overtime to provide Oakland youth with quality schools. I would be honored by your vote. www.ClintonKillian.com

6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Mildred Crear
Franklin D. Harris Jr.
Richard D. Jackson
Harvin Robleto
Douglas L. Saunders
Bianca Taylor
Brian Taylor
Katrina Killian
Terry D. Merritt
Lawrence Van Hook

Ray W. Williams
Robert Jackson
Mary Hanna

Signed CLINTON KILLIAN

Candidate for COUNCILMEMBER, DISTRICT 4

I, **JILL BROADHURST**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Jill Broadhurst
2. The office for which I am a candidate is Oakland City Council, District 4
3. My occupation for the past five years has been Community Volunteer

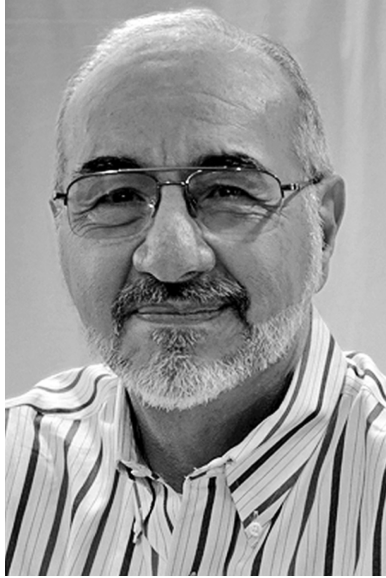
4. Statement of Qualifications: As a parent with children in public schools, a Library Commissioner, and an effective community leader, I am running for City Council to improve the quality of life in District 4. Under my leadership, the blighted corner at Moraga and Thornhill was transformed into Short Line Pocket Park. A founding member of the Montclair Safety and Improvement Council, I have worked on traffic/pedestrian safety, wildfire prevention, crime, parks and schools. I helped lead the campaign for the Wildfire Prevention District and served on its Advisory Board. We need fresh perspectives on the City Council. With ten years of private sector experience and a degree in Business Administration and Economics, I can help bring about the change we desperately need. I have been listening to community concerns and making a difference in District 4 for nearly a decade. It would be an honor to serve you on the Council. www.jill4oakland.com
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Robbie Neely (Elizabeth)
Mimi Rohr
Sandra Pohutsky
Jim Clardy
Susan Montauk
Tim Little
Wayne C. Rowland
Barry Pilger
Allene Warren
Mark Witriol

Signed JILL BROADHURST

Candidate for COUNCILMEMBER, DISTRICT 6

I, **JOSÉ A. DORADO**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is José A. Dorado
2. The office for which I am a candidate is City Council, District 6
3. My occupation for the past five years has been Small Business Owner
4. I have held the following public office: Member, Measure Y Oversight Committee

5. Statement of Qualifications: Oakland city government is a disaster. We're facing a \$51 million budget deficit next year, and the City Council cut 80 police officers - when Oakland has the state's highest violent crime rate. We need decisive leadership for fiscal accountability, safe neighborhoods and economic recovery. We need a new Councilmember who is accessible and responsive. A dedicated community advocate, I chair Maxwell Park's Neighborhood Council and Measure Y Oversight Committee. I've owned a small business for 20 years; before that, worked as a union warehouseman, machinist and carpenter. Public safety must be our highest priority. With safer streets come real possibilities for economic recovery. As Councilmember, I will: reduce bureaucratic waste, helping save police jobs; strengthen neighborhood crime-prevention partnerships; complete street improvement projects; use City resources efficiently to help create new jobs and businesses. It's time for a change! We need a Councilmember who works for *all* of us. www.doradoforcitycouncil.com
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Susan Scolnick
Gordon A. Link
Sarah C. Hipolito
Tobey Kaplan
Suzanne M. Perkins
Jim Dexter
Kate Phillips
Jeffrey Cash
Sofia Burciaga
Patrick N. Sasaki

Walter P. Williams
Lucia LaRocca
Robert McGillis
David M. Flores
Rhea Bailey
Esponila Johnson
Shanna Lazard Muhammad
Jahn Overstreet
Christina Overstreet
Nancy L. Karigaca

Signed JOSÉ A. DORADO

Candidate for COUNCILMEMBER, DISTRICT 6

I, **DESLEY BROOKS**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Desley Brooks
2. The office for which I am a candidate is Oakland City Council, District 6
3. My occupation for the past five years has been Oakland City Councilperson representing District 6.
4. I have held the following public office: Member, Oakland Council; Member, Chairperson Life Enrichment Committee; Co-Chairperson Education Partnership Committee; Member, Port/City Liaison Committee; Member, Alameda County Lead Poison Joint Powers Authority; Member, ABAG Legislative & Government Committee; Member, National Black Caucus of Local Elected Officials; Treasurer, National League of Cities Black Caucus; Member, Advisory Committee for the Department of Natural Sciences University of California Berkeley; Delegate to the National Democratic Convention; Democratic Party California State Delegate and 16th Assembly District Central Committee Member; Chair, Oakland Head Start Advisory Panel.
5. Statement of Qualifications: Four years ago I promised to work to reduce blight; stimulate neighborhood and economic revitalization; and improve public safety. I've kept my promises. I worked to bring the first national chain grocery store to the District in 20 years, and major retail to the Foothill/Seminary area and Eastmont Mall. I initiated and funded a Police Department Crime Analysis and Mapping Project. I had the crime infested Bromley apartments, Vintage Inn and dilapidated tire store at Eastmont demolished. I've improved neighborhood parks by resurfacing courts, building play structures and updating recreation facilities. District 6's parks were rated #1 in the City by the Parks and Recreation Coalition. In two months I transformed a run-down building into the beautiful Rainbow Recreation Teen Center and started a monthly Food Distribution program at Recreation Centers. My hands-on advocacy has helped our neighborhoods. I would be honored to have your vote.
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Darleen Brooks
Hazel Jones
Joel Young
Keith Carson
Harold R. Mayberry
Susan Muranishi
Rebecca Kaplan
Gerald A. Simon
James V. Matthews II
Marlon L. McWilson

Horace J. Houston
Jessié Mae Brown
Linda Handy
Mario Juarez
Kathy Neal
Zachary Carey
Larry E. Reid
Sparky Carranza
Maureen Dorsey

Signed DESLEY BROOKS

Candidate for COUNCILMEMBER, DISTRICT 6

I, **NANCY S. SIDEBOTHAM**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Nancy S. Sidebotham
2. The office for which I am a candidate is City Council, District 6
3. My occupation for the past five years has been Tax Preparer

4. Statement of Qualifications: Revitalizing our neighborhoods is dependent on a safe, clean environment where people can live, work and play. As an NCPD Chair, I support Community Policing, Neighborhood Watch, CORE and a Police Department with adequate staffing to protect Oakland residents. I am a strong advocate for Merchant Associations, protecting our industrial base and attracting retail investment--this means jobs and dollars for Oakland. I continue working to protect our open space and creeks--this means a healthier environment for all. As a Tax Preparer, I understand finance and will work on the budget so that money goes for essential city services. I have been a resident for 46 years and a community advocate over 24 years. I believe in transparent, accessible government; a fully restored and effective Sunshine Ordinance; full public financing of political campaigns; and fiscal accountability for and by the City. It would be an honor to serve you.
5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Charles Hill Jr.
Jacquee Castain
Debora Roberts
Eva M. Aguillard
Bobbie Brown
Karen King
Midori Tabata
Lolita T. Morelli
David L. Means
Dorlista R. Reed

Colleen R. Brown
Jo Anna Lougin
John McElroy
James M. Curtis
Joseph Ashton
Barbara G. Brown
Karen Smulevitz
Lana Hurteau
Patricia Kay Frick
Barbara Oshinsky

Signed **NANCY S. SIDEBOTHAM**

Candidate for CITY AUDITOR

I, **MICHAEL J. KILIAN**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Michael J. Kilian
2. The office for which I am a candidate is City Auditor
3. My occupation for the past five years has been Certified Public Accountant and Oakland Chief Deputy Auditor
4. I have held the following public office: I serve as a member of the Oakland Budget Advisory Committee, Treasurer to the Glenview Neighborhood Association, Treasurer to the Bay Cities Chapter of the Association of Certified Fraud Specialists and a director of the Montclair Lions Club.

5. Statement of Qualifications: I have spent my entire professional life in the field of accounting and audit procedures including positions as Oakland Chief Deputy Auditor and Staff to the Oakland Budget Advisory Committee. I have managed City Council pay-go discretionary funds. I hold degrees from University of California; Berkeley and Golden Gate University. I am a Certified Public Accountant with the State of California and a Certified Fraud Specialist. For the past 20 years I have managed my own Certified Public Accounting firm. My client base has included school districts, child development agencies, unions, community based organizations, legal assistance centers and homeowners associations. I am a long time resident of Oakland. I am quite familiar with Oakland City accounting and audit procedures and I have hands on experience in how to manage the monitoring of budgeted funds.
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Maxine Ashcraft
William F. Chamberlain
Stephen M. McDaniel
Hayward H. Blake, Jr.
M. Louise Rothman-Riemer
Robert H. Warwick
Philip Woff
Michael Gabriel
Christian Danhaki
Jeff Wilbur

Carol Heard
Ron Scrivani
James F. McFely
Linda Peterson
Richard Jue
Viola Gonzales
Christian Downer
Marie E. Munson
Delana Toler
Kenneth L. Benson

Signed **MICHAEL J. KILIAN**

Candidate for CITY AUDITOR

I, **COURTNEY RUBY**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Courtney Ruby
2. The office for which I am a candidate is Oakland City Auditor
3. My occupation for the past five years has been Oakland City Auditor 2007-present; CFO and Director of Administration, East Bay Conservation Corps.
4. I have held the following public office: Oakland City Auditor

5. Statement of Qualifications: Since you elected me your Auditor, I have delivered on my promise of reform. I have turned a failing Auditor's office into an awarding winning agency; exposed nepotism, unfair hiring practices, and payroll abuses; and launched a successful whistleblower program, which has increased reports of abuse by 600%. I have issued 28 reports with 485 recommendations; demanded improvements in the way the City does business; held the Administration accountable; and returned \$4 to the City for every \$1 my Office spent. The job of reform is not over—in the next four years, I will scrutinize OPD's finances to ensure we're doing everything we can to make Oakland's streets safer; examine the outdated procedures driving businesses out of Oakland; and analyze the Parking Department to ensure that ticketing is reasonable and fair. I am committed to serving you with the utmost integrity and ask for your vote again.
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Karen A. Anderson
Ronnie G. Caplane
Keith Carson
Gay Plair Cobb
Judith A. Cox
Scott L. Denman
Pamela A. Drake
Adelle Foley
Abel Guillen
Leona Horne

Edie Irons
Marcus Johnson
Barbara Newcombe
Bruce Nye
Carlos Plazola
Rena Rickles
Susan Rosenthal
Benjamin Schick
Valerie Randall Winemiller
Eugene J. Zahas

Signed COURTNEY RUBY

Candidate for SCHOOL BOARD DIRECTOR, DISTRICT 2

I, **DAVID KAKISHIBA**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is David Kakishiba
2. The office for which I am a candidate is School Board Director - District Two
3. My occupation for the past five years has been Executive Director, East Bay Asian Youth Center
4. I have held the following public office: School Board Director

5. Statement of Qualifications: We must improve student achievement and prepare all Oakland students for college and career. To do this, we must retain experienced and effective teachers, ensure every school has sufficient student support staff, and provide services that meet students' social, emotional, and academic needs despite devastating budget cuts from Sacramento. Working with parents, I secured over \$100 million to construct the long-awaited 2nd Avenue Education Center; new classroom buildings at Oakland High and Lincoln Elementary School; new schoolyards at Garfield and Manzanita elementary schools, and Roosevelt Middle School; and new health clinics at Oakland High and Roosevelt Middle School. I'll continue to fight to get all Oakland neighborhood schools the funding they need, and work closely with teachers and parents to improve teacher performance, protect smaller class sizes, and ensure all students graduate high school. I humbly ask for your vote. Contact me at kakishiba@gmail.com.
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:
Pat Kernighan
Gary Yee
Abel Guillen
Robert Spencer
Allison Rodman
H. Nhi Chau
Liz Sullivan
Wendy Jung
Jidan Koon
Jonathan Klein

Signed DAVID KAKISHIBA

Candidate for SCHOOL BOARD DIRECTOR, DISTRICT 4

I, **BENJAMIN VISNICK**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Benjamin Visnick
2. The office for which I am a candidate is Board of Education (#4)
3. My occupation for the past five years has been Teacher/Union President in the Oakland Unified School District

4. Statement of Qualifications: My name is Ben Visnick. I was raised in Boston where I graduated from the Public Latin School and Brandeis University. I began teaching in Oakland in 1977 and currently teach American History and Driver Education at Oakland High. I served as OEA President for 6 years where I advocated for the 3 R's (Reduce class size, Reallocate resources to students, and Raise teacher salaries) and to Restore the 4% state pay cut. I chair the OEA Scholarship Committee in partnership with the Marcus Foster Fund. I am a voting member of the OUSD Special Education Advisory Committee; an alternate trustee for the OUSD Certificated Annuity; and a delegate to the Alameda Central Labor Council. My wife, Helen, is a counselor at Skyline and my son, Henry, attends Montera. I have a life-long commitment to quality and equity in Oakland Public. For more information, contact visnick4schoolboard.org

5. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Betty Olson-Jones
Thomas W. Scott
Rori Abernethy
Shirley Guevara
Relena D. Ellis
Michael Zak
Annie Ha
Agnes Ramirez-Grace
Nguyen Dang
William Balderston

David Bordessa
J. Chris Kidney
Michael Rubin
Janet S. Arnold
Andreas Cluver
Pamela A. Drake
Keith D. Brown
Valerie Boes

Signed BENJAMIN VISNICK

Candidate for SCHOOL BOARD DIRECTOR, DISTRICT 4

I, **GARY D. YEE**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Gary D. Yee
2. The office for which I am a candidate is Director, Board of Education, District 4
3. My occupation for the past five years has been Vice Chancellor, Peralta Community College District, President, School Board, Educational Consultant, Career Ladders Project
4. I have held the following public office: Director, Board of Education, District Four, Oakland Unified School District

5. Statement of Qualifications: Going forward in tough times requires effective, responsible, consensus-building leadership. That's me! As a former Oakland teacher, principal, college administrator and the current board president, I've focused on academic success for all, while making painful decisions that balanced the district budget. I've led Oakland initiatives to reform teacher preparation and evaluation and restructure college and career education. District Four can be proud of its ever-improving and distinguished schools. Despite crushing reductions in state support for education, I've secured funds for modernizing nearly every school in our neighborhoods; for improving pre-school education, and for career education partnerships with Peralta Community Colleges. I've helped hire a new superintendent who shares my vision for an efficient, effective school district, where schools are centers of the community, enhancing the vitality of every neighborhood. Oakland is the state's most improved urban district. Your vote for me will continue this renaissance. It's really happening! Yee4schools@yahoo.com

6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Randy Roth
Robert W. Blackburn
Ken Berrick
Jeffrey R. Hall
Michael T. Murphy
Gordon L. Lavery
Norma A. Murphy
Anthony G. Diez
Abigail King Kaiser
Jeanne Nixon

Douglas Wong
Eric R. Braun, Jr.
Kenneth Bartlett-Preston
Angela Aquino
Karen Fong
Elena C. Loera
Stephen G. Johnson
Christopher Dobbins
David Kakishiba
Jody London

Signed GARY D. YEE

Candidate for SCHOOL BOARD DIRECTOR, DISTRICT 6

I, **CHRISTOPHER DOBBINS**, hereby declare that I am a candidate for an elective office in the City of Oakland, and make the following statement, to-wit:



1. That my name is Christopher Dobbins
2. The office for which I am a candidate is School Board Director, District 6
3. My occupation for the past five years has been Oakland School Board Director, Dst. 6, Attorney w/Harley Defense Associates, Development Director—New Leaf Treatment Center, Teacher—Bret Harte Middle School
4. I have held the following public office: Oakland School Board Director, District 6

5. Statement of Qualifications: As the current Vice-President of the Oakland Board of Education, and a third-generation Oakland teacher, I understand the importance of strong educational leadership in the Oakland community. In 2003, the Oakland Unified School District took a \$100 million loan and was placed under state control. However through the collective work of the School Board and district staff, we were able to return to local control in 2009, hire a superintendent, and set a course to repay the state loan. At the same time, we implemented new educational strategies and Oakland's test scores have improved dramatically. In fact, Oakland is the most improved urban district in California for five years running! My vision for the next four years is to implement our "full service schools" model, insure that the Oakland Athletic League maintains its vibrancy, and to continue to shape OUSD into a leaner, but kinder school district.
6. The signatures of not more than twenty (20) nor less than ten (10) residents of the City of Oakland sponsoring my candidacy are as follows:

Jody London
David Kakishiba
Jumoke Hinton-Hodge
Gary Yee
Noel Gallo
Alice Spearman
Abel Guillen
James V. Matthews II
John Beam
Ralph Kanz

LaNiece Jones
Misha Karigaca
Charlene Griffin-Johnson
Robert X. Howard
Jorge Leon
Lolita Morelli
Judi Marquardt-Norris
Michael Norris
Juana Barajas
Thomas M. Smith

Signed CHRISTOPHER DOBBINS

Candidates' Statements
CITY OF PLEASANTON
Mayor

CINDY MCGOVERN

Occupation: Pleasanton City Councilmember

My education and qualifications are: Six year councilmember, past Vice Mayor, Council representative on numerous local and regional committees. Ten year Pleasanton Unified School District Board Trustee, Board President two years, California School Board Association elected representative four years. Pleasanton Mayor's Award recipient for meritorious community service. Pleasanton Weekly Woman of the Year. Pleasanton faces many challenges. Two critical areas are the loss of our Housing Cap and our unstable economy. Strengthening our local economy, building reserves and being fiscally prudent are paramount. Developing growth management policies that control growth, sustain city services, maintain public safety and city infrastructure and protect our Pleasanton quality of life is of utmost importance. I offer strong leadership, experience and integrity. I seek new ideas and citizen participation. My commitment to the protection of our hillsides and open space, regional traffic improvements, a strong relationship with the Pleasanton Unified School District, a Youth Center, and an environmentally and fiscally sustainable community remain. I have proven that I work hard, do my homework and listen before I make decisions. I'm not influenced by special interest or political action committees. I won't undermine the public process. I am respectful of others. I'm committed to Pleasanton. I ask for your vote for Mayor. mcgovern4mayor.com

JENNIFER HOSTERMAN

Occupation: Mayor

My education and qualifications are: Pleasanton was named among the top 100 cities to live, by *Money Magazine*, citing great schools, low crime, beautiful parks, a rich culture which values the arts, and amenities for all ages. Pleasanton has been the recipient of awards for fiscal health every year I've served as your Mayor. While other cities have laid-off police officers and cut programs, we've been able to protect services. I have worked hard to strategically place Pleasanton on key boards and commissions to better serve our City, including land use, air quality, and improving transportation. I am proud of our accomplishments, from creek restoration to greening our city, insuring our first responders have the tools they need to keep us safe, and attracting and retaining new business. Pleasanton is a great place to raise kids and to grow old; I will work tirelessly to keep it that way. I have been honored to serve you as Mayor these past six years. If you give me your vote, I will continue to work diligently on your behalf, to keep Pleasanton the great place it is to live, work, and raise families. Thank you for your trust and confidence! www.jenniferhosterman.com

Candidates' Statements

CITY OF PLEASANTON

Councilmembers

JERRY THORNE

Occupation: Councilmember/Retired Professional Engineer

My education and qualifications are: It has been my honor to serve as your City Councilmember and two term Vice Mayor. Our accomplishments have been many, but we need to continue to focus on the future. While our quality of life and financial security of the City are already great, there is still more we can do. Ensuring that traffic flows efficiently in and out of Pleasanton is essential. To accomplish this, we must implement Pleasanton's General Plan and complete Stoneridge Drive and Highway 84. Financial security, long term financial planning, bringing jobs to Pleasanton, sensible and sustainable land use planning and preserving educational excellence for our kids are extremely important to preserving our high quality of life. Eliminating red tape and streamlining the permitting process are essential components that increase our ability to attract and retain quality, innovative businesses. I stand committed to fight for Pleasanton's fair share at the regional, state and federal levels through my active participation in advisory committees that impact Pleasanton. Additionally, I am dedicated to ensuring our returning military men and women receive the dignity and respect they deserve when they come home. Please visit my website at www.jerrythorne.com. Keep Pleasanton great: Re-elect Jerry Thorne

CHERYL COOK-KALLIO

Occupation: Civics Teacher/ Pleasanton City Councilmember

My education and qualifications are: As your City Councilmember and a lifelong resident of the region, I am grateful for your trust and it is my honor to serve you. I want to continue to make sure that the quality of life my family enjoys is available to all Pleasanton residents. Pleasanton must tackle tough problems by bringing our community together. I ask for your support to create a Pleasanton that attracts new commerce by making it more attractive to do business here and housing so that our children can start families here. We want our parents to be able to entertain their grandchildren comfortably. We need to create senior facilities in which we all would be pleased to have our parents reside. We must explore additional solutions to traffic congestion. We want to continue to live in a place with excellent schools, a strong economy, and a variety of quality accessible recreational opportunities. I know that Pleasanton can be a leader in forming collaborative partnerships to develop regional solutions to shared challenges while attracting cutting edge technology. For more information, please visit my website at www.votecook-kallio.com I would be honored by your support.

FRED WATSON

Occupation: Manager of Volunteering Services at Open Heart Kitchen
Age: 55

My education and qualifications are: As a 10 year resident and manager of Volunteer Services for Open Heart Kitchen, I have seen our community bond closer helping those with basic needs. As a member with the area TEA party groups, I have watched our community become more politically aware and active in our God given freedoms of choice. I believe, we the people of Pleasanton, have only tapped into a small part of the greater potential we all share with each other to make Pleasanton the family community we value. As a city council member I will be part of the inspiration and help bring the necessary changes or preserve those things which make Pleasanton special to us all. Capitalism is what keeps America (Pleasanton) moving and Pleasanton has a lot to offer. Hacienda Business Park and our own unique downtown business community has unlimited potential. Businesses help keep our taxes lower, our community employed and our Police, fire and city services intact. What I bring to the council seat will be years of experience in management with a conservative approach to integrating responsible projects involving multicultural and varying social economic entities. I look forward to working with you as a council member. www.fred4pleasanton.com

KARLA BROWN

Occupation: Pleasanton Business Woman

My education and qualifications are: Pleasanton needs a change in leadership, starting today! I will bring new energy and strategies to attract thriving businesses to Pleasanton. I will work hard to fill our vacancies downtown, yielding more jobs, increased tax revenue and a stronger local economy. I will protect our quality of life; and I will not tolerate harassment of our citizens by paid campaign consultants. I will support improved teen programs and a Youth Center. Our City should be run like a business, with balanced budgets and controlled expenses. Before working in Pleasanton, I earned a Business Degree from SJSU, and was a successful manager in Silicon Valley. I have extensive experience leading, organizing and managing diverse groups. I co-authored Pleasanton's Ridgeline Protection Ordinance, Measure PP. I proudly co-chaired the "No on D/Oak Grove" campaign, halting development in our scenic southeast ridges. These measures were strongly supported by Pleasanton voters, but opposed by the City Council majority; who chose instead, to back their own special interest groups. In summary, I will attract new local businesses, support a Youth Center, control expenses and most important- represent you the voters. I ask for your vote -- Karla Brown for City Council. www.Vote4Karla.com

Candidates' Statements

CITY OF SAN LEANDRO

Mayor

STEPHEN H. CASSIDY

Occupation: Consumer Protection Attorney

Age: 46

My education and qualifications are: I'm running for Mayor because I care deeply for San Leandro. I bring new leadership, a willingness to listen, and solutions to our challenges. Our gem of a city is threatened by record deficits, crime, and cuts to vital services. As Mayor, I will restore fiscal discipline to City Hall. I will lead by example, refusing a salary until the budget is balanced. Instead of last resort tax hikes, we must reform pensions by asking employees to contribute their share, enact structural changes, and eliminate excessive overtime. I'll use my experience as a business owner and attorney to attract businesses, grocery stores, and restaurants. This will create jobs and fund our police, senior center, libraries, and pools. Imagine San Leandro a prosperous, thriving community. Our hospital is critical to San Leandro's well-being; I'll fight to keep it. My wife is a former public school teacher. We are raising and educating our daughters here. As School Board trustee, I proposed the Ninth Grade campus, championed the Performing Arts Theater, and will collaborate with our schools, supporting student programs from a balanced budget. Elected officials, commissioners, school board trustees, community leaders across San Leandro support me. Working together, let's make San Leandro a safe, vibrant, sustainable city.

JOYCE RUTLEDGE STAROSCIAK

Occupation: San Leandro City Councilmember

Age: 44

My education and qualifications are: As your Councilmember I have been working hard to make San Leandro a better city. However, the Mayor sets the vision and agenda. Our city faces a severe budget crisis and tough choices need to be made. A fresh, positive change in leadership is needed in San Leandro. I am well-qualified to be Mayor, having served this city in public office for 10 years. I grew up in San Leandro and own a San Leandro business. Because of my work on public safety issues, I received the endorsement of the San Leandro Police Officers Association. Because of my work with the schools, I am endorsed by parents and teachers throughout our community. Over the past year I have walked every neighborhood in San Leandro. Citizens tell me they want quality shopping, restaurants, and development. They want streets repaired, ordinances against speeding and panhandling enforced, the senior center opened, schools improved, businesses thriving, and a police department that is fully staffed. These will be my priorities. I would appreciate your vote for Joyce Starosciak for Mayor of San Leandro. Working together to get it done, we'll make San Leandro a place we're proud to call home. For more information visit www.electjoyce.org

ANTHONY B. "TONY" SANTOS

Occupation: Mayor

My education and qualifications are: Serving the people of San Leandro, as Councilmember and now Mayor, has been my greatest honor. We have achieved a special quality of life in our city, expanding and preserving open space, strengthening public safety, and keeping our city's financial base strong while other communities struggle. Even in these tough economic times, San Leandro is moving forward. Under my leadership, we broke ground on the new Kaiser building, built the 9th Grade Academy, constructed affordable housing for our seniors, and preserved child care for our families. I've taken the lead in preserving our quality of life, authoring neighborhood preservation and noise ordinances and establishing a neighborhood park. We made San Leandro a "green" city, taking the lead in energy conservation and green building, expanding bike lanes, fighting airport noise pollution, and opening the Bill Lockyer Bridge to connect the bay trails. With continued prudent management, San Leandro will go on delivering quality services. We will continue to create jobs, fight to keep San Leandro Hospital open, and make public safety our top concern. Please join our Firefighters and State Senator Ellen Corbett and re-elect me as your Mayor to keep San Leandro the great place it is to live, work, and raise a family. www.santosformayor2010.com.

SARA M. MESTAS

Occupation: Businesswoman, Rent Review Board, volunteer commissioner Jr. Giants

Age: 33

My education and qualifications are: My name is Sara M. Mestas and I'm running for Mayor of San Leandro because it is time for us to get back to the good old days of education, safety, community, and caring. As someone who has a track record of breaking the mold, overcoming many challenges, and seizing great opportunities, rest assured I am capable of tackling big issues, offering bold ideas and solutions. I will stand my ground and answer first to the Citizens of San Leandro. I promise to track my success by delivering real results. I will be a hands on Mayor who is actively engaged 24-7. I attended Cal State East Bay with a Major in Bio-chemistry. I have held many high profile positions, Executive Marketing Director 6 years, Unix Systems Administrator Electronic Arts, EMT Children's Hospital Austin, volunteer Fire Fighter Austin, and I am currently self-employed. I am dedicated to seniors, public safety & fire, education, jobs, closing our budget deficit and creating a prosperous economy in San Leandro. I have a plan to cut spending, increase revenue, engage citizens, support education, and keep our streets safe all while keeping our small town feel. "Save the View, Save the Bay" www.electsaramestas.org 510-355-2789

**Candidates' Statements
CITY OF SAN LEANDRO
Councilmember, District 1**

MICHAEL J. GREGORY

Occupation: Regional Account Manager, American Red Cross Blood Services

Age: 56

My education and qualifications are: My wife and I have been your neighbors in this community for nearly 25 years. Our family is proud to call San Leandro home and it has been a privilege serving you on the City Council. As your Councilmember, I advocated strongly for our schools, initiated the Safe Routes to Schools program, worked for affordable housing for seniors and working families, fought to preserve police and fire services, led the effort to save San Leandro Hospital, championed transit-oriented development and created a more environmentally sustainable San Leandro. These are challenging times for cities, including our own, but we will weather the storm. We broke ground on the new Kaiser Hospital, recruited new jobs and businesses, mitigated traffic, and envisioned new ideas for the Shoreline. I am running for re-election to preserve the qualities that make San Leandro special. We need to make our downtown a destination, expand economic development, improve the partnership with our schools, commit to public safety, and continue to deliver quality City services. I have a vision for a better San Leandro and I want to continue to work with you to achieve it. It would be an honor to have your vote for re-election. www.votemichaelgregory.com

DAVID L. ANDERSON, SR

Occupation: Retired Sheetmetal wkr

My education and qualifications are: I am a Candidate for San Leandro City Council, District 1. I am committed to making the City of San Leandro a better place today and tomorrow! I have gone door-to-door and spoke to businesses, community members about issues and concerns and get their views on San Leandro. I have been hearing that we need a local hospital with emergency room; we need to repair our streets and need to support our youth to excel in school and more after school programs, i.e. tutoring programs, sports & other extra-curricular activities, and a healthy environment. I will also advocate for the needs of our senior citizens. I will bring a practical and analytical approach to develop and implement policies that gets to the heart of what is needed to protect and restore the City's revenue and fiscal stability. It is time to turn our attention to the "Real Business" of protecting vital services by working in partnership with police, businesses, labor unions, Professional Organizations, and Government Agencies. Tough times require community leaders with the courage to introduce new approach. I will work in collaboration with the community to develop our Marina and bring additional revenue, improve our schools and make our community safe.

Candidates' Statements
CITY OF SAN LEANDRO
Councilmember, District 5

PAULINE RUSSO CUTTER

Occupation: Educator/Preschool Director

My education and qualifications are: San Leandro faces tremendous challenges right now. Our local economy, businesses, schools and families are feeling the stress of reduced revenues and budget cuts. During these difficult times, we need proven leadership we can trust on the City Council. Through my work as a preschool director and a School Board Trustee, I have made tough decisions to protect critical programs and have achieved results. I have helped balance multi-year budgets, pass two school bonds, and build new facilities. With both bonds, we have secured millions in matching funds, ensured projects are finished on time and under budget, and put people to work in San Leandro. As a parent of three and a 30-year resident, I am invested in the future of our city and want to make sure it remains a great place to live, work and raise a family. As your Council representative, I will work tirelessly to restore and expand services for children and seniors, create jobs, and preserve essential police and fire services. I offer a common-sense approach to problem solving and the leadership skills needed to achieve our goals. I will bring a fresh perspective to city government. Please visit www.paulinecutter.com for more information. Thank you.

CORINA N. LOPEZ

Occupation: Businesswoman, Human Services Commissioner, Homeowners Association President

Age: 39

My education and qualifications are: Throughout my life, I have dedicated myself to public service and giving back to the community. I have spent my time listening and working with my neighbors for a better San Leandro while serving as a City Human Services Commissioner, President of the Best Manor Homeowners Association, and Co-Chair of the Latino Business Council. My academic background and professional experience in these tough fiscal times is critical. I have a strong financial background with experience both on Wall Street and as a business owner and investor. We must focus on the financial viability of our city, making sound financial decisions in order to provide needed services to our community from youth to seniors alike. I am running for City Council to bring a fresh perspective to our city and to ensure that our neighborhoods continue to have a strong voice. As your Councilmember, I will make public safety our top priority; promote economic development and create jobs; build a better partnership with our schools; invest in infrastructure like roads and parks; and exercise fiscal responsibility and accountability. San Leandro is a special place. We can do more and we can do better. I would be honored to have your vote. www.CorinaLopez.com

Candidates' Statements

CITY OF UNION CITY

Councilmembers

JOHN A. REPAR

Occupation: Retired Business Manager

My education and qualifications are: I am basically conservative, and believe we should get value for our tax dollar. I think we need to manage our City's expenses very closely. If elected I would do my best to be informed, and make decisions that result in Union City having the best possible environment for our families. Local government affects our lives in a number of ways through leisure facilities, safety services, issuing of various permits, street lighting and maintenance, and services for our seniors. All of these affect our general comfort of living. It's important that the City Government stays very close to the citizens it serves without being a burden to the public. My family moved into Union City in 2003. My wife and I have a son who is 10 years old and a student at Kitiyama Elementary School. We have enjoyed the services provided by the city such as the library, parks, and the recreation center. I worked as a manager for various companies over the years spending the last 20 years in medical device manufacturing. I have undergraduate and MBA degrees and I took an early retirement in 2009. Please allow me to serve as your Union City Council Member.

PAT D. GACOSCOS

Occupation: Board Member, Union Sanitary District

My education and qualifications are: Union City is facing unprecedented challenges: effect of recession in City budget; demand for more senior and youth services; increase in neighborhood crimes; emergency preparedness, and ongoing complex city projects such as the Intermodal Station. In the face of these challenges, three highly effective and experienced council members will be termed out this year. Union City cannot afford to elect candidates who have yet to learn about the city business. As a long time resident of the city who has contributed over 20 years to its well-being, I am in an excellent position to fill a vacancy on the City Council. In addition to being an elected representative on the Union Sanitary District, and having served as School Board member of NHUSD, I also chair the Sister City program; served in various committees such as Climate Change, Union City's 50th Anniversary, Alameda County and Union City Human Relations Commissions and St. Anne Pastoral council. My combined experience as a public official and community volunteer prepared me to understand the concerns and desires of residents to make well-informed decisions. If elected, I will perform my duties as diligently and faithfully as I have over the past several years. I respectfully request your vote. pat_gacoscocos@yahoo.com

SUBRU BHAT

Occupation: Quality Assurance Professional

My education and qualifications are: I deeply care about the quality of life in our city. We are faced with falling revenues and deficits. If unchecked, cut will need to be made in vital city services, certain city areas lack amenities that should have been built years ago like the youth center in the Decoto area. Can't we manage without a 0.50% sales tax hike? The value of our homes has declined faster than cities with excellent schools. Are we doing enough to establish a Union City image that will attract businesses? These are the questions that come to my mind often and what can I do about it. As a great political leader said, "You must be the change you wish to see in the world." I want to serve you as a Council member, so that I can make our city a better place to live and raise our families. I strongly support keeping our beautiful hills as open space. I am a Pharmacist and a quality assurance professional with decades of experience in solving problems. I have been married for 35 years and we have two kids. Let's improve our City together. I respectfully ask for your vote (www.subruforunioncity.com).

LORRIN ELLIS

Occupation: Human Resources Executive

Age: 34

My education and qualifications are: I care about the future of Union City. My wife, Kelly, and I have three young sons – our two oldest attend Tom Kitayama Elementary. In addition to my career as a human resources executive, I am Vice President of the Kitayama School Site Council. I also coach youth athletics. I believe our city, now more than ever, needs strong decision-makers who will tackle the tough issues – so local government can continue to provide the services Union City residents deserve. If elected, I will be fiscally responsible. No program will be funded until its effectiveness is reviewed. I will never ask taxpayers to shoulder added financial burden, especially in times of economic hardship. I will give top priority to public safety and to keeping our police on the streets, protecting our neighborhoods. I am proud to have earned the endorsement of the Union City Police Officers Association. I believe Union City has incredible economic potential. I will search out innovative approaches to bringing new businesses and jobs to our community. I will listen to your views, conduct myself honestly and with integrity. Please feel free to contact me at Lorin@LorinEllis.com. I would be honored to earn your support. Thank you.

Candidates' Statements

CITY OF UNION CITY

Councilmembers

WILLIAM "BILL" STONE

Occupation: Insurance Agency Owner

Age: 54

My education and qualifications are: As a father who lives, works and volunteers in our community, I have gained an intimate perspective of the opportunities and the challenges facing our City. Being a local business owner, I've experienced firsthand the benefits our local government provides and the impact the economic downturn has had on the ability of our City to deliver critical services. At the same time, income has dropped while expenses have remained steady or even grown. During these difficult times, we need our City to work smarter and effectively target its efforts to support families, schools and businesses that will create jobs and prosperity for our community. During the past year as President of the Lions Club of Union City, I've worked with and served our community in a variety of local projects. I believe in taking off the Boardroom tie and wading knee-deep into local projects to truly feel the pulse of the community. I'm asking you to cast your vote for Bill Stone, a no-nonsense, logical-minded businessman and citizen for City Council. Thank you for your vote. Bill Stone
www.stone4ucccitycouncil.com

GARY SINGH

Occupation: Business Owner

My education and qualifications are: In 1984, I moved to California to make a home in Union City. I began working as an auto mechanic at a local gas station. Since 1997 I have been the owner of an auto repair shop located in Union City. My involvement in city government began four years ago with my appointment to the planning commission. Earlier this year I became a director in the Union City Chamber of Commerce. I have a passion to make Union City an even greater place to live, a jewel in the East Bay. My concentration, energy and effort will be geared toward making Union City the envy of the East Bay. Union City can be an example for others in citizen safety, job development, better infrastructure, and the development of synergy between the diverse cultural groups in Union City. I have a BA from University of Guru Nanak. My wife, Kulwinder Kaur, and I have a set of twin's age 5. Union City has been very good to me in both my professional life and my personal life. I now wish to serve Union City in a greater capacity and I respectfully ask for your vote on November 2.

EMILY DUNCAN

Occupation: Businesswoman

My education and qualifications are: As a 30 year resident of Union City, I care deeply about the well-being of our residents and the future of our city. I have 20 years of management experience and I've been a coach and management consultant, helping small businesses reach profit goals and improve customer relationships. I'll use this experience to bring a disciplined, long-term view to our city budget to help keep Union City financially sound. I serve on many city and county commissions and advisory boards: Chair, Human Relations Commission; Youth Violence Prevention Advisory Board; East-West Connector Citizen's Advisory Committee; Alameda County Transportation Improvement Authority Citizen's Advisory Committee; and Chabot College Foundation Board. I've made a positive impact in areas I care deeply about – youth violence prevention, expanding diversity and fostering a culture of inclusion and improving transportation, local streets, trails, and bike paths. These are challenging times for everyone and I'm committed to use my experience as a problem solver and my knowledge of Union City to promote economic development and bring new businesses to Union City. I'll be a strong advocate for public safety services and will partner with our schools to prevent youth violence. I would appreciate your support and vote. Emilyduncanforunioncity.com

**Candidate's Statement
AC TRANSIT DISTRICT
Director, At-Large**

JOEL B. YOUNG

Occupation: Appointed Incumbent

My education and qualifications are: Lifelong AC Transit rider. Since being appointed to the AC Transit Board, I have focused on our budget crisis and doing the work necessary to reduce costs with the least impact on service. Despite these issues, I am optimistic for the future and confident we will get through these difficult times. I intimately understand that many depend on the bus system for their livelihood, and my duty as board member is to provide affordable, reliable, and efficient bus service. But, as our community struggles from the lingering effects of the economic crisis, I cannot help but think about how we can serve our community beyond simply providing bus service. How can we better serve that small business that desperately needs help, our local schools that are facing massive budget deficits, or the unemployed? As a current board member, I am already working on new, innovative programs, including the Freedom Bus Project and a climate action plan, and if elected, I will continue making AC Transit a better community partner, committed to helping address the broader problems facing our community. For all of these reasons, I respectfully ask for your support so that I may continue to serve you.

Candidates' Statements
AC TRANSIT DISTRICT
Director, Ward 3

ELSA ORTIZ

Occupation: Alameda-Contra Costa Transit District Director

My education and qualifications are: The current economic situation in this country has had a negative impact on all of us, but for public transit in the East Bay it has created a crisis situation in which the very survival of service is at stake. As a board member, I feel a personal duty to fight for the best bus service that can possibly be provided. AC Transit must seek out new and creative funding and exercise maximum fiscal responsibility to keep our buses rolling. AC Transit must do its part in the economic recovery by purchasing products made in the United States, not overseas. We are doing the best we can to protect the financial security of the agency's employees while recognizing that our number one task is safe and reliable travel for our passengers. I have demonstrated that hard work, courage and compassion are the cornerstone of competent service. Although the work has not been easy, I believe I have done a good job representing you. If you agree, it will be my privilege to serve another term. I would appreciate your vote

NANCY SKOWBO

Occupation: Retired Transit Executive

Age: 56

My education and qualifications are: My experience has prepared me well to be your next Board member. In my 33 years at AC Transit, I served in both labor and management positions, starting as a bus driver and rising to deputy general manager. I bring a practical, common-sense perspective to the AC Transit Board. I will work to improve communications between the community and the District, exploring new and different ways to get effective feedback from the residents. I will explore ways to provide cost-effective bus service that meets the needs of our diverse community using current resources, and will pursue opportunities for innovative funding. I support developing new ways to serve riders, including flexible options such as Demand Responsive Transit. I will work to increase AC Transit's environmental friendliness, and promote the use of new and emerging technology that enhances our operations. A recent retiree from AC Transit, I continue to stay involved because I care about this agency and the people it serves. I understand everything from bus driving to planning bus routes, and I also know how important it is to include our community in decisions about bus service that affect their lives. I ask you to elect me as your Ward 3 Director.

**Candidate's Statement
AC TRANSIT DISTRICT
Director, Ward 4**

MARK WILLIAMS

Occupation: Transit Activist

My education and qualifications are: Serving on this board offers a special opportunity to address a number of critical issues including global warming, reducing our dependence on fossil fuels, and smart growth. As a lifelong transit rider, my goals on the Board will include expanding the Universal Pass Program to increase accessibility for Bay Area college students; developing a strategy to reduce AC Transit's environmental imprint; and improving the riding experience for seniors and people with disabilities. There are many other serious issues to be addressed at AC Transit notwithstanding, I believe that realization of these goals will help AC Transit regain its status as an elite transit organizations. Clearly, the organization has ongoing budgetary challenges. I look forward to taking on such challenges and believe that my educational background and broad based community support makes me well-suited to move the ball forward. For AC Transit to progress as a premier transit organization, we must be strong, courageous and ready to work. I stand ready and eager to do the job. You are encouraged to act swiftly, without inhibition and boldly by supporting me to serve you. I respectfully request your vote. Mark Williams
williamsforactransit@gmail.com

Candidates' Statements
AC TRANSIT DISTRICT
Director, Ward 5

JAMES SAJADI

Occupation: Retired AC Transit Mechanics/Inspector

Age: 63

My education and qualifications are: I graduated from The National University receiving a Bachelor of Science in Industrial New Technology. I received a Masters Degree in Environmental Education from the College of Notre Dame. At Notre Dame I championed many causes and played a pivotal role in getting a scenic, hiking/exercise trail developed on campus. Upon graduation, I worked for over a decade in upper-management for some of the Silicon Valley's most renowned electronic companies, LSI Logic and Advanced Micro Devices. In this position I was responsible for project planning, budgeting, scheduling, hiring and supervising a staff of up to 100 people. During the recession of the early 90's, I was forced to experience a career change. I began working for AC Transit as a bus driver, then as a store keeper, journeyman, diesel mechanic and finally an inspector. As a 17 year veteran I am familiar with the function and operation of AC Transit at several levels and divisions within the organization. This gives me the unique ability of understand complex organizational matters. I am confident that my vast experience can make a difference to improve the service of AC Transit, the staff and the community.

JEFF DAVIS

Occupation: Insurance Sales

Age: 54

My education and qualifications are: As your representative on the AC Transit Board for the past four years, I am asking you to give me the privilege of serving you for another term. I come to Board meetings very prepared and ask tough questions of staff, and am willing to change my mind if I hear a better argument. I have a strong financial background (a former CFO of a transportation agency). I am willing to speak candidly to the public, even if my position is unpopular. And I am a forceful advocate of Ward 5's interests. Thanks to my lobbying efforts Fremont and Newark will receive an additional \$3 million transit funds. AC Transit's budget has been ravaged due to the recession, but worse are the cruel actions of our Governor who raided all our state transit funds which has now created a \$56 million deficit. As a result we have cut Board Member pay and travel, cut the number of Executive Managers by half, laid off more than 70 administrative employees, raised fares and cut service by 15%. As of this writing, our largest union still needs to do their share to balance the budget. We also need the help of the taxpayer.

Candidates' Statements
ALAMEDA COUNTY WATER DISTRICT
Directors

PAUL SETHY

Occupation: Technology Manager

Age: 50

My education and qualifications are: As a near lifetime resident of the Tri-City area, I would be honored to serve our community on the Alameda County Water District Board of Directors. I have been a close observer of ACWD for many years and a regular community representative at board meetings and technical workshops. I am well versed in the key issues affecting our district and prepared to serve productively. First, I am committed to making sure ACWD provides clean, safe, and reliable water at the most reasonable rates. Second, I pledge to be the taxpayers' watchdog in promoting responsible budgets. Seeking optimal cost-efficiency at the agency is paramount. Other priorities: deliver superior customer service, encourage wider adoption of water conservation methods, improve the seismic integrity of our local water infrastructure, and fully restore our fishery/raptor habitat in Alameda Creek. I firmly oppose the proposed \$11 billion State Water Bond. Let's get California's fiscal house in order first! Education: Ohlone College & U.C. Berkeley (Economics). Career: Silicon Valley high technology management with strong financial and operational skills. Community Activities: Vice-President, Fremont Cultural Arts Council; Member, Water Education Foundation; Member, Alliance for Water Efficiency. Thanks for your consideration when voting. psethy@comcast.net

JUDY HUANG

Occupation: Environmental Engineer

Age: 41

My education and qualifications are: As Director of the Alameda County Water District, I worked to develop and implement a comprehensive long-range plan to assure a safe, reliable, cost-effective, and high quality water supply for our community. During my tenure, our District constructed the Newark Desalination Facility to improve water quality as well as increase our local supply of water. Under my leadership, the District secured grants to restore the Alameda Creek watershed helping to preserve our environment. I will continue to do my best to protect and improve water quality and ensure a reliable water supply at reasonable cost for every District customer. My broad experience in water quality combined with a deep understanding of our sister water agencies in our area will help me achieve these goals. Since 1993, as an Environmental Engineer, I worked to protect our bay, ocean, and groundwater resources. I am a Registered Professional Engineer, with a Bachelor of Science in Chemical Engineering from University of California, Berkeley. Alameda County Water District is an innovative, efficient, and effective water agency; as your Director, I will strive to continue our record of excellence, and would be honored to receive your support.

Candidates' Statements

BAY AREA RAPID TRANSIT DISTRICT

Director, District 4

MONIQUE RIVERA

Occupation: Engineering Business Manager

My education and qualifications are: As a business manager for over 15 years with Bechtel Corporation I have experience managing information technology programs; enterprise resource projects; management and controls programs; strategic marketing analysis and planning, and managing multi-million dollar budgets while meeting stringent schedules. I have the necessary experience to ensure tax payers' dollars are well managed with projects delivered on-time and within budget. BART needs to increase accountability, ridership, and the BART Police Department needs serious reform. Accountability - inflated salaries, over-budget projects, waste and inefficiencies must end now. Increasing Ridership - Service improvements, reduced fares, and safety are critical to increasing ridership. I'll focus on maintaining fares low and retaining programs for seniors and students. Police Reform - I'll demand a complete overhaul of the BART Police Department including mandatory training, restructuring, and cultural sensitivity training. BART officers must treat all communities with dignity and respect. As a resident of Oakland's Fruitvale District for over 20 years, I have seen the positive transformation of my community with the development of the Fruitvale Transit Village; I will work to ensure the development of transit villages around all our BART stations. BART must be accessible, accountable and safe for all riders. I respectfully ask for your vote.

ROBERT RABURN

Occupation: Transportation Planner

My education and qualifications are: As a transportation expert and advocate, I'll get BART back on track: I earned my PhD at Berkeley, focusing on transportation and urban geography. I'll use my expertise to bring fiscal accountability, more frequent service, and safer and cleaner stations and cars to BART. Our BART board recently lost \$70 million in Federal funds for violating civil rights and ignoring the community they were elected to serve. We can do better. I've secured millions in State and Federal funds for local street improvements and better transit services, and defended minority-voting rights throughout the country. Our BART Board proposes high-risk borrowing to pay for a gold-plated airport connector, while BART faces financial ruin, trains and stations age, and service is cut. We can do better. I've helped pass ballot measures that improved Fruitvale & Lake Merritt stations, added parking structures and increased bicycle and pedestrian safety near stations, and I chaired a Citizen's Watchdog Committee that ensured taxpayer funds were spent wisely. I'll make BART the world-class transit system we deserve, with new cars built locally and fiscal oversight. Join the Sierra Club and vote Robert Raburn for Bay Area Rapid Transit District. Together we can get BART back on track. www.RaburnForBART.com

CAROLE WARD ALLEN

Occupation: BART Director/Professor with Doctorate in Higher Education

My education and qualifications are: As a lifetime resident, educator with doctorate and transportation leader for 20 years, I understand the serious issues firsthand. In the midst of BART's most challenging times, I'm doing everything I can to provide better safety, employment and internship opportunities, affordable fares, accessibility for disabled, seniors, and cyclists. I've worked with BART's Board to bring about change including formulating the first BART Police Review Committee. I'm providing cleaner stations, lighting, parking, and securing money for low income/senior Paratransit riders. I created the largest bicycle station at Fruitvale Village. And in these tough times, I worked with local unions to facilitate BART's first Project Labor Agreement with zip code priority for jobs, small businesses, and apprenticeship programs. As Chair of the BART Police Review Committee, I fought for the civilian oversight bill with Assemblyman Swanson, which passed, hired a new police chief, increased police training and increased policing on bikes and on foot. I'm focused on getting more residents back to work. Improving transparent governmental relationships with our communities and protecting our environment by fighting for a clean, energy efficient system to cultivating livable communities. I'll always listen and fight for you. I'll be honored to have your vote. <http://carolewardallen4bart2010.com/>

**Candidates' Statements
CASTRO VALLEY SANITARY DISTRICT
Directors**

RALPH JOHNSON

Occupation: Member, Board of Directors, Castro Valley Sanitary District

Age: 63

My education and qualifications are: I have served the Castro Valley Sanitary District for ten years and have helped guide the District on a course of responsible community service. I graduated from the University of California, Berkeley, am a Professional Civil Engineer and retired from the Alameda County Public Works Agency as Deputy Director of Public Works. My family and I have lived in Castro Valley for over thirty years. My wife, Sherry, is retired from the Castro Valley Unified School District and both of our daughters graduated from Castro Valley High School. I am currently semi-retired, so I have sufficient time to devote to the District's management. My engineering background and management skills have helped me to actively participate on the Board and on its committees. I sit on the joint committee with Oro Loma Sanitary District Directors that has oversight of our wastewater treatment plant in San Lorenzo. I have been able to work effectively with our Board members, staff, and the community to carry out the mission of the District, providing safe, low cost, and effective wastewater and solid waste management, while focusing on the best long term management of the District to preserve and enhance our investment in the sewage and solid waste systems.

HARRY FRANCIS

Occupation: Small Buisnes Owner

My education and qualifications are: I am a sixty year Castro Valley resident, small business owner, active in the community for many years. Appointed by LAFCO to chair the Castro Valley Incorporation Study, 2002. Currently serve as a member of Alameda County Parks, Recreation & Historical Commission, Alameda County Fire Commission and HARD Foundation. My past service includes Little League, Scouts and PTA. I have been a Director on the Castro Valley Sanitary District Board for three terms. During this time the Sanitary District has provided the community with disposal sites for tires, electronic waste, pharmaceuticals, household paint and shredding paper documents. The District participates in community events and offers an annual free trash pick up as well as a generous lateral grants program. The free compost give-away has been well received by Castro Valley residents. The Sanitary District works closely with Castro Valley schools to provide environmental education programs such as the Recycled Art Contest. I wish to preserve these existing programs while developing new projects to protect the environment and reduce waste long term. I bring a fair and objective perspective as well as a common sense approach to resolving problems. I am always available to discuss your concerns.

DAVID M. SILVA

Occupation: Financial Manager

My education and qualifications are: I am a long time resident of Castro Valley. I grew up attending Castro Valley public schools and for most of my career, I have worked in computer technology and software. This includes consulting for many Fortune 500 companies. I am now a residential and commercial property owner. Over the past four years I have attended many Castro Valley Sanitary District Board meetings and have been very active in CVSD issues supporting residential and commercial property owners of Castro Valley. This community is important to me, I am actively involved in the prevention of youth alcohol and drug abuse (Eden Alcohol Board and the Castro Valley Community Action Network). I am seeking this office to bring more public awareness and timely clarification of issues to the residents and business owners of Castro Valley. We need to support our senior citizens on fixed income and as a community, to understand how contractual obligations are distributed between residential and commercial users. If elected, I will work to bring a fresh, fair approach to assure clarity of issues and understanding of sanitary district policies.

HERA ALIKIAN

Occupation: Businesswoman

Age: 35

My education and qualifications are: 13 year career managing and negotiating multimillion dollar contracts provide me a thorough understanding of challenges involved in business operations. I will ensure costs saving measures are taken to reduce ratepayers bottom line. I have lived in Castro Valley for 35 years. I have volunteered with CVSD 3 years on 2 committees: Commercial Advisory and Citizens Advisory. Decisions made by the current Board have not been in the best interest of the ratepayer, such as cancelling a Garbage contract with 2 years remaining at lower rates. \$8 million was taken out of our local economy, spent on new garbage trucks and cans with remaining useful life. For 7 years they failed to bill HARD and are charging Eden Hospital \$1.9 million impact fees to replace an existing hospital with a smaller one. CVSD excessive fees discourage new business. Homeowners and businesses have had increases year after year in sewer and garbage rates. Someone needs to stand up for the ratepayers, seniors, low income families and businesses. I ask for your vote because I am willing to undertake the hard work to bring change to a Board that needs new ideas and to be understanding to Castro Valleys needs.

Candidates' Statements
CITY OF ALAMEDA HEALTHCARE DISTRICT
Directors

LEAH WILLIAMS

Occupation: Small Business Owner/Attorney

My education and qualifications are: I am honored to have completed a prior member's term on the Health Care District Board. As a business owner and Board member, I seek to promote health and wellness in our community, continue the fiscal success of Alameda Hospital, and innovate opportunities for partnerships with local schools, businesses and community leaders. I start with the belief that every person (from the poorest to wealthiest; from the youngest to most mature) understands the pain and suffering of an illness. Every person appreciates the access to care and feeling better. In a time of crisis or natural disaster, our community comes together and relies tremendously on medical professionals. As a small business owner for over five years, I know the challenge of being fiscally prudent and the importance of health care for employees. I bring this knowledge to my experience on the Board. With my expertise in finance and the law, I am mindful of the challenges and opportunities for our community Hospital. I draw on my experience to guide the Hospital to meets its obligations on seismic, continued balanced budgets, and regulatory reform. Together we can ensure access to local health care for our community.

ROBERT DEUTSCH

Occupation: Physician

My education and qualifications are: I have served Alameda Hospital as Medical Staff President, long standing Medical Staff Executive Committee member, and chairman of many Medical Staff and Hospital committees. I have a medical office on the campus of the hospital and take care of Alameda patients on a daily (and nightly) basis as an active member of the medical staff. am currently the only physician member of the Health Care District Board. I believe my longstanding involvement and knowledge of Alameda Hospital and its importance to the community make me a good candidate to continue to serve on the Board. I have worked tirelessly to maintain the fiscal viability and high standards of our first class Emergency Room and Hospital and will continue to do so if I am re-elected.

Candidates' Statements
DUBLIN-SAN RAMON SERVICES DISTRICT
Directors

ROSALIND "ROZ" ROGOFF

Occupation: Online College Instructor

Age: 67

My education and qualifications are: As your representative on the DSRSD Board of Directors, I will listen to you and to what you want and make sure your voices are heard. I will speak for the residents of San Ramon, who have not had representation on the DSRSD board for eight years, and for all of you who live in Dublin too. My top priority will be to setup a special fund for low-income residents and seniors to offset the recent rate increases. I will call for new and innovative ways to save ratepayers' money and cut District costs. Water users in Dougherty Valley cannot vote in Zone 7 elections because it is in Alameda County. I will represent Dougherty Valley residents in DSRSD's dealings with Zone 7. Another of my priorities will be to provide incentives for rainwater capture and other forms of reclamation like gray-water recycling. State laws have changed and DSRSD must change too. As an online reporter and blogger, under the byline San Ramon Observer, I've reported on local governments and agencies, including DSRSD, for over eight years. I understand how DSRSD works. Vote for me and I'll make sure it works for you!

DAWN L. BENSON

Occupation: Executive Assistant, Customer Community Services Department Mgr

My education and qualifications are: As your representative on the Dublin San Ramon Services District Board, I offer over 16 years of experience in the water and sewer agency profession. I have effectively practiced fiscal responsibility in water conservation, water recycling, customer services and project management. DSRSD is at a critical juncture in its financial situation. Over the past year, I have closely followed DSRSD's activities. I offered suggestions to staff on revenue-generating ideas, conservation practices and customer assistance programs. It is imperative for DSRSD to improve its debt rating. I will work with the Board and staff to ensure a lower interest rate for re-financing its current debt. Restoring DSRSD to a positive financial status will ensure the best water and sewer rates for DSRSD customers. As the State considers its water resources, DSRSD must balance conservation and environmental stewardship to preserve our future water supply. I will promote water conservation, water quality, and recycling policies. With my extensive water agency background and your creative input, I am well-positioned to play a key leadership role at an important time in DSRSD's service to its customers. I respectfully ask for your vote on November 2nd. For more information, please visit my website at www.dawn4water.com.

GEORGEAN VONHEEDER-LEOPOLD

Occupation: Tax Manager

Age: 63

My education and qualifications are: I was unanimously appointed in August of 2009. I was chosen from 8 applicants because the board knew that my experience in public governance and especially in DSRSD gave me unique skills and insight to assist them in this rough economy. I am, also, the only woman on the board. I have served 14 years on city commissions, 9 years on a county commission, 7 years on the city council with 4 as vice mayor, and 9 years in the 90's on the DSRSD board. I was a member of the board that made east Dublin and Dougherty Valley possible. We were and are constantly striving for health conscious, state of the art service. DSRSD cut \$4.3 million out of the budget last year, instituting some layoffs, pay cuts, and furloughs as well as developing new sources of revenue. I have supported our lowest rates in the Tri-Valley. I represented both San Ramon and Dublin during the years when we were both the step children in our counties and have continued to do so. I pledge to you, that if I am elected I will continue to represent you to the best of my ability.

JAMES A. SHAND

Occupation: Retired Manufacturing Supervisor

Age: 63

My education and qualifications are: As a resident of Dublin since 1986, I have always been interested in the services provided by DSRSD. I have found that the district has served the community well and has recently taken aggressive steps to reduce costs as much as possible. However, the district faces three significant challenges over the next two years. The contract with the bargaining unit expires in 2011. The challenge here will be to align retirement costs with the present reality of today's economy and the state budget crisis. The temporary infrastructure charge on water usage will be implemented soon. This is also a reflection of the economy and severe reduction of development in the tri-valley area. It will need to be monitored continuously to ensure that it can be eliminated as soon as revenues increase. Finally, and most importantly, the district will be dealing with a reduced amount of water as a result of restrictions upon the State Water Project allocations to Zone 7. The DSRSD exists to furnish the residents and businesses in the district with reliable and safe water distribution systems. As a candidate for the Board of Directors, I promise to represent the community's needs for this most precious and limited resource. *James A. Shand (Retired Manufacturing Supervisor) 7786 Crossridge Rd., Dublin, CA 94568*

Candidate's Statement
EAST BAY MUNICIPAL UTILITY DISTRICT
Director, Ward 4

ANDY KATZ

Occupation: Director, East Bay Municipal Utility District

Age: 30

My education and qualifications are: In the past four years I have lead initiatives for sustainability and green jobs at the East Bay Municipal Utility District. I support sustainable solutions to our water future, such as conservation incentives, recycled water projects, and groundwater storage, rather than construction of a new dam that would flood an ecologically sensitive stretch of the Mokelumne River. I will continue to ensure that EBMUD provides clean and affordable drinking water to our 1.3 million customers in the East Bay. I am working to expand solar power and to generate renewable energy using our food scraps, because of the impacts that climate change will have on our water supply, air quality, and public health. In these tough economic times, I will persist in my efforts to expand access to affordable lifeline rates for working families, and to prevent water shutoffs resulting from foreclosed apartment buildings. I am responsive to customer concerns, and will help EBMUD be efficient and responsive to you. I attended UC Berkeley and currently work as a clean air attorney for a public health organization. I am endorsed by the Sierra Club, labor organizations, and City Council members from Albany, Berkeley, El Cerrito, Emeryville, Kensington, and Oakland. For more information please visit www.andykatz.net.

"This candidate has accepted East Bay Municipal Utility District's voluntary expenditure limits."

Candidates' Statements
EAST BAY MUNICIPAL UTILITY DISTRICT
Director, Ward 7

MATT TURNER

Occupation: Community Advocate

My education and qualifications are: I am a native of Alameda County and have lived with my wife in Castro Valley for over 10 years where we are now raising our young son. In that time, I have worked as an advocate for our community to improve planning and services, helped found Friends of Crow Creek to preserve our watersheds and fought tirelessly to protect our parks and open spaces. A supporter of community redevelopment and smart growth, I believe in responsive, responsible government. I take a practical, common sense approach to issues, finding solutions based on input from the community and the facts on the ground. I will push hard for greater accountability and transparency at EBMUD while securing a sustainable, reliable and affordable water supply for our families and businesses. I pursued higher education across the country and internationally while working to support myself. I became a Wilderness EMT, teaching state-of-the-art patient recovery, care and transport to doctors, nurses and paramedics working in remote locations or in disasters where definitive care is many hours away. Our natural heritage and your wallet are threatened by EBMUD's current direction. Learn more and see who supports my plan to turn things around at www.turnerforebmud.com

"This candidate has accepted East Bay Municipal Utility District's voluntary expenditure limits."

FRANK MELLON

Occupation: Human Resources Professional

My education and qualifications are: Frank Mellon is a human resources professional and has worked with business and labor over 30 years in the East Bay. As a businessperson, he understands the critical need for a reliable present and future supply of reasonably priced quality water. A member of the EBMUD Board of Directors, he is an advocate for water conservation and reclamation. He has been instrumental in securing new water rights that will protect homeowners, workers and businesses against future droughts thereby protecting jobs and home values. He has been a protector of the environment and the watershed. A Navy veteran with a Bachelors degree in Business Administration from the University of Hawaii and a M.B.A. from St. Marys College, Mellon also serves as a volunteer director on a non-profit retirement facility. Additionally, he is active in the communities he serves. His grown children are products of the Castro Valley public school system. He has taught classes in Management, Labor Law, Safety, Labor Relations and Collective Bargaining. He also conducts training for managers and employees on subjects ranging from Preventing Sexual Harassment to Conflict Resolution in the Workplace.

"This candidate has accepted East Bay Municipal Utility District's voluntary expenditure limits."

Candidates' Statements
EDEN TOWNSHIP HEALTHCARE DISTRICT
Directors

CAROLE ROGERS R.N.

Occupation: Incumbent

My education and qualifications are: As the sole nurse board member and now Chairperson of the Board of Directors of Eden Township Healthcare District, I led the fight with the California Nurses Association to keep San Leandro Hospital open and to continue the rebuild of Eden Medical Center. We are far from finished with the legal battle—Sutter Health and Alameda County are still actively working together to end acute care services at San Leandro Hospital. The public health of the East Bay demands a full-service, acute-care hospital with a 24/7 emergency room in San Leandro available to all residents of the community, protecting lives and jobs. The District has had many accomplishments in my four year term. We built and completely leased two beautiful medical offices buildings that will assure long term revenues for our community. We started construction on a new medical office building in Castro Valley to replace one that needed to be demolished for the construction of the new hospital. This will be a “green” building that will also protect the Castro Valley creek. Thank you for your support in the past. I could not have generated the courage to challenge the status quo without your involvement in community forums, rallies, emails, and letters. Let’s stay the course! Our work is not done.

SUSAN H. REISZ

Occupation: Retired

Age: 64

My education and qualifications are: My work as a retired nursing assistant for several local doctors has given me a broad view of the healthcare needs of our community. I have lived in San Leandro for 32 years, and have been active in local service organizations including president of the San Leandro Kiwanis Club and director of the Chamber of Commerce. Eden Township Healthcare District (ETHD) is at a crucial historical crossroad. We must ensure the continued operation of San Leandro Hospital as a 24-hour acute care facility and to complete the rebuilding of Eden Medical Center in Castro Valley. The Board needs be a team of community minded people to make that happen. We must continue the successful community organizing that we started with the California Nurses Association to prevent Sutter Healthcare and Alameda County from shuttering San Leandro Hospital. I will examine how the community grants program can better serve district residents and will ensure careful oversight of all of the District’s business and financial expenditures in a transparent manner. With all of the changes in the delivery of healthcare and the challenges that our healthcare district faces, I dedicate myself to work with my colleagues on the board to find real solutions that will improve the public health of our district.

Candidate's Statement
FAIRVIEW FIRE PROTECTION DISTRICT
Directors

JEFFREY J P ROSIER

Occupation: Labor Foreman/Auditor

Age: 43

My education and qualifications are: As a construction safety professional, I recognize a community's security begins at each resident's home. Preparation is key. The Fairview Fire Protection District has the duty not only to respond to emergencies, but also to demonstrate leadership to minimize the number of crisis calls. A few years ago, my family experienced a chimney fire and representatives of the Fairview Fire Protection District quickly responded to the emergency. I will ensure that our local quality service stays high. And, as your new Fairview Fire Protection District Director, I will support partnerships with the Hayward School District, the County of Alameda and other local agencies. Teaming with other agencies, we can educate Fairview's families and kids about fire safety. I am a straightforward guy – what you see is what you get. As an auditor for the Laborers' Union, I bring financial experience to review budgets and to ensure fiscal accountability. I am committed to transparency in government. The safety of Alameda County residents must be local government's highest priority. Those of us who live in Fairview value personalized leadership. My wife and I are Fairview homeowners who have lived in the community 13 years. Email me at electjeffrosier@att.net. I ask for your vote.

Candidates' Statements

HAYWARD AREA RECREATION & PARK DISTRICT

Directors

AUDIE BOCK

Occupation: Scholarship Director/Teacher/Former State Legislator

My education and qualifications are: Tough financial times demand close attention to budgets, so we will have to work harder to maintain the beautiful system we have: the largest independent park district in California. We must focus more than ever on safety and preservation, along with responding to new community needs. I pledge to go out into the neighborhoods and listen to your concerns. You will meet me at the ball fields, the galleries, the recreation centers and the rodeo grounds. I direct a scholarship for low-income youth to receive free horseback riding lessons—you see us annually in the Rowell Ranch Rodeo Parade. A former college teacher, I have also taught throughout Hayward and San Lorenzo as a K-12 and adult school substitute teacher. A day-camp counselor as a teenager, I went on to serve in the State Assembly, where I secured funding for numerous park projects, including restoration of the shores of Oakland's Lake Merritt. Holding the Certificate in Non-Profit Management from the University of San Francisco, I have directed and served on boards of theater, arts and cultural organizations, including over a year with Hayward's Sun Gallery. A hiker and avid horsewoman, I have ridden in Castro Valley and Hayward and shown Western Pleasure.

CAROL A. PEREIRA

Occupation: Member, Board of Directors

My education and qualifications are: I was born and educated in Hayward, married, mother, grandmother, previous business owner, currently employed by Holy Angels Sorensen's Chapel. I feel very proud and fortunate to have served my community these past years as a Director of the Recreation and Park District "HARD". I have served on the Alameda County Park and Historical Commission, Bay Area Parks Council, California Association of Park & Recreation Districts, and a member of numerous community organizations. During my tenure on the Board of Directors, HARD has always operated with a balanced budget even though, during the last few years, it has been a challenge as the State of California has diverted your park and recreational property tax monies to cover State deficits. As a Director of HARD, I pledge to continue to work productively on your behalf, in concert with local governmental, educational, business, industry, community agencies, organization and individuals in the acquisition, development and maintenance of park and recreational facilities and programs to enrich the lives of those we serve.

PAUL HODGES, JR

Occupation: Incumbent/School Teacher

My education and qualifications are: It has been a great honor to serve the H.A.R.D. community as the current President of the Board of Directors. I ask for your vote of confidence so that I can continue to serve on the Board and to support safe and accessible public parks while maintaining quality services that our community deserves, despite our current Statewide economic challenges. As a Hayward native, and a parent, teacher, coach and businessman, I have always taken the proud position that H.A.R.D. is the crown jewel of recreational and leisure centers throughout the Bay Area, thanks to our hard-working, loyal and caring staff, and your continued support and participation in H.A.R.D. activities. In this tight budget era, collaboration with other agencies is very important to create new projects and make capital improvements. I'm constantly networking with all government bodies and non-profit community-based groups in the H.A.R.D. area to obtain this goal. Please visit my website, www.hodgesforhard.org, to learn more about the people who support me, my education, my wife and family, and our long-standing commitment to our community. I will continue to work hard to earn the trust you have placed in me by serving with honesty, integrity and openness.

Candidates' Statements

LIVERMORE AREA RECREATION & PARK DISTRICT

Directors

APRIL ROOD

Occupation: LALL Treasurer & Business Owner

Age: 36

My education and qualifications are: Thank you for voting and for being someone who seeks to be educated about the people who want leadership roles within the Livermore Area Recreation & Park District. As a mother of 3, I am committed to the well-being of our youth and that of the scores of LARPD employees and volunteers, who provide care, education and recreation opportunities. My intention as LARPD board member is to protect and improve the parks, recreation facilities and youth services that we all hold dear and keep fiscal responsibility at the forefront of all we do. I will use my nonprofit and business leadership experience to address our budget issues while providing our community with increasingly outstanding facilities and programs that stimulate, educate and enrich the lives of people within the LARPD boundaries. Let's work together to bring an innovative approach to maximizing our resources! I am driven by the vision of LARPD, as a shining example of what is possible in the world of parks and recreation and will strive to continue to make this community the finest place to live in the Bay Area.

LAUREEN TURNER

Occupation: Registered Nurse/Clinical Instructor

Age: 44

My education and qualifications are: I hold a bachelor's of science in nursing and a master's in organizational management. I am a wife, mother, and user of our parks. As I bike along the Arroyo Trail on my way to work, I am thrilled to see countless people enjoying our parks. I moved to Livermore in 1993 as a single parent with limited resources. LARPD was my savior by providing affordable day care and reasonably priced classes. As a nurse, I strive to teach children to live actively and eat well. In these difficult economic times, I am pleased to see that LARPD offers classes in these areas, as well as classes that help people stretch budgets. If elected, I will focus on increasing affordable offerings that teach sustainable living and healthy lifestyles and will work toward improving the trails between Livermore and Pleasanton as a green solution to commuting. As a citizen of Livermore who has used the recreational facilities and programs for years, I have gained a keen understanding of our community's recreational needs. I will bring fresh ideas on maintaining and growing LARPD's programs with the goal of helping those in need as well as enhancing the lives of Livermore's citizens. www.turner4livermore.com

ROBERT COOMBER, JR

Occupation: Outdoors writer, motivational speaker

Age: 55

My education and qualifications are: As a 2008 recipient of The Presidents Council on Physical Fitness Community Leadership award, I understand and actively promote outdoors recreation and fitness programs at every opportunity. Because of my unique perspective as a wheelchair hiking enthusiast, I'm able to gauge more completely the needs of a wide range of user communities within Livermore. I've been a volunteer for the District, presenting slide shows of my mountain climbing activities as well as co-hosting Naturalist programs with District Rangers. I am a current member of the California Recreational Trails Programs Advisory Board. I support trail use as an alternative to vehicle travel when trail use is a practical choice. My objective as a Board member will be to provide the widest range of services to Livermore's growing and increasingly diverse population. I've never been one to give in or give up when a difficult task presents itself. Most importantly, I'm a regular user and supporter of District programs and parkland. Support my candidacy - let's work together to make Livermore one of Americas most physically active cities.

MARYALICE SUMMERS FALTINGS

Occupation: Incumbent

Age: 65

My education and qualifications are: After four terms I am proud of my role in LARPD's response to your leisure needs; proud that three generations of Faltings have influenced, used and enjoyed LARPD parks and programs. My long experience in recreation administration, budgeting and master planning makes me a knowledgeable and effective policy-maker. I serve on the boards of Alameda County's Special District Association and Park, Recreation and Historical Commission and am Secretary and Past President of the California Association of Recreation and Park Districts. If re-elected, my goals are maintaining a strong volunteer program, advocacy for innovative facilities like spray parks, synthetic fields and art in the parks, and universal accessibility. I continue to support public access to Ravenswood and LARPD's important senior and child care services. Livermore residents care about their parks and trails; for 60 years LARPD has maintained what we have, spent your tax dollars wisely and continues to plan for future needs. I encourage cooperation among LARPD, the school district and the city to provide our joint constituencies with efficient local government. I want to represent you on LARPD's board to ensure we remain the leader for vital facilities and programs that affect your quality of life in Livermore.

Candidates' Statements
ORO LOMA SANITARY DISTRICT
Directors

SHELIA YOUNG

Occupation: San Leandro Mayor Emeritus or Business Woman

My education and qualifications are: I have served the communities in Alameda County for more than 30 years, including two terms as Mayor of San Leandro from 1998 through 2006, a period of re-development and financial stability. I have the knowledge and experience to address our wastewater collection and treatment needs and to provide innovative and cost effective solid waste and recycling services. I served as a member of the East Bay Dischargers Association, a wastewater agency serving our area, and completed one term as its Chair. I also served as President of both the Alameda County Waste Management Authority and the Source Reduction and Recycling Board. These agencies are responsible for the environmental choices and changes that make us so much more productive and mindful of waste reduction and recycling. If elected, I would be the first woman to serve on the Oro Loma Board. I have the proven tools to assist the District in decisions regarding our future, and I have a passion for public service. It is time for a new perspective on the Board and one that offers innovative thinking focused on our future, not the status quo. I kindly ask for your support on November 2nd.

HOWARD W. KERR

Occupation: Director, Oro Loma Sanitary District

My education and qualifications are: Oro Loma Sanitary District is often referred to as a most efficient public agency for good reason. We made it that way. Public agencies consistently increase government fees and taxes, whereas Oro Loma's Board actually reduced sewer rates by 9.2 percent, and created lower costs for mobilehomes and apartments. Oro Loma's sewer rates are 59 percent below the average in Alameda County, and are less than half the average sewer charges reported by 150 statewide agencies. Yet, Oro Loma Sanitary District is now financially sound and completely debt free. Oro Loma has not accepted Federal stimulus funds, nor has it received State money that could be taken back by the State. Your vote for the 3 board incumbents is important to the continued successes and achievements at Oro Loma Sanitary District. The Board has proven to be committed toward successful development and maintenance of good quality services at the lowest costs to ratepayers. I was educated at U.C. Davis, U.C.L.A., and Chico State. I am a Registered Environmental Health Specialist, a former San Leandro Vice-Mayor and Councilman, past president of Washington Manor Homeowners Association and Associated Homeowners of San Leandro, and have been active in community services in San Leandro, San Lorenzo, Cherryland and Ashland. Vote for me, Howard W. Kerr 352-1000, or hwkerr@sbcglobal.net

TIMOTHY P. BECKER

Occupation: Director Oro Loma Sanitary District

My education and qualifications are: I have served the Oro Loma Sanitary District as a Director since August 2007. As a result of the decisions of very capable and efficient District staff and other Board members, sewer rates were decreased in 2008 to \$178.00/year. Currently, we enjoy the lowest rates of any other sewer district in the state of which we are aware. And, we don't anticipate rate increases in the near future. Additionally, all district bonds were recently paid off leaving the district debt free. The District is solid financially and otherwise. As such, I believe that no change is needed on the Board. I have lived in the Fairview area of Oro Loma for over 24 years. I am a Vietnam era veteran, have a business degree from UT El Paso, a master of science degree in geology from the University of Oregon, and almost 25 years of experience in the environmental services industry, including work related to wastewater, solid waste, and recycling. I feel my experience and education allow me to continue to be a positive influence for the District as we move into the future. I would appreciate your vote. Feel free to contact me at 510.581.3597 or tbecker@oroloma.org

LARRY JOHNSON

Occupation: Cost Engineer

Age: 58

My education and qualifications are: Business Experience: Ten years as a civil engineer with engineering and construction companies. Nine years as a financial analyst and manager with an international accounting firm. Six years as a financial manager with a Fortune 100 drug distribution company. Currently employed as a cost engineer with a tax depreciation consulting firm. Education: Civil Engineering Degree, U.C. Berkeley. MBA, Cal. State University, Hayward (East Bay). Personal: My wife Judy (a local real estate broker) and I are 30-year residents of the Fairview district. I believe my extensive business experience and civil engineering background will bring a well rounded, cost effective approach to the board of directors. I respectfully ask for your vote on November 2.

Candidates' Statements
ORO LOMA SANITARY DISTRICT
Directors

FRANK V. SIDARI

Occupation: Director, Oro Loma Sanitary District

My education and qualifications are: Lifelong resident of Alameda County. Have lived in the Oro Loma District for 50 years. Currently Director, Oro Loma Sanitary District and member of Eden Area LWW. Former member/chair San Lorenzo School District Personnel Commission and the San Leandro BZA. My experience in the waste disposal and landfill business for over 28 years has given me first hand knowledge in addressing issues dealing with solid waste, recycling, and personnel. I want to continue to serve the residents of the Oro Loma Sanitary District by providing the best service and rates possible. With the other directors, I have been able to do so during my tenure on the board. While other East Bay cities are raising rates, Oro Loma's rates continue to be the lowest in Alameda County. Sewer service continues to be of the highest quality, and it is unlikely sewer rates will be increased anytime in the near future. The bulk waste pick-up program has been very successful; the Earth Day poster contest benefits students and schools. I would like to continue to be part of the team that has provided the community with excellent service. I ask for your support and vote on Tuesday November 2.

COUNTY OF ALAMEDA MEASURE F

F Alameda County Transportation Improvement Measure “To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County with expenditures subject to strict monitoring and with all revenues staying in Alameda County?”	YES
	NO

COUNTY COUNSEL’S IMPARTIAL ANALYSIS OF MEASURE F

ANALYSIS BY ALAMEDA COUNTY COUNSEL OF THE ALAMEDA COUNTY TRANSPORTATION IMPROVEMENT MEASURE

This measure submits to the voters the question of whether to increase the fee for motor vehicle registration to fund transportation-related programs and projects within Alameda County. Approval of Measure F by a majority of voters would allow the Alameda County Transportation Commission (“Commission”), formerly the Alameda County Congestion Management Agency, to increase the motor vehicle registration fee by ten dollars (\$10.00).

The Commission has the authority to increase the motor vehicle registration fee upon approval by a majority of the votes cast under California Government Code Section 65089.20. If a majority of the qualified electors voting on this measure vote for approval, the ten dollar increase will apply to the original motor vehicle registration occurring on or after six months following the adoption of the measure by the voters and to a renewal of registration with an expiration date on or after that six-month period.

The total estimated revenue from the fee increase is approximately 11 million dollars per year (“revenue”). The measure requires that the proceeds be used only for the projects and purposes set forth in the Alameda County Vehicle Registration Fee Expenditure Plan (the “Plan”) set forth in the full text of the measure printed in the sample ballot. According to the Plan, 60 percent of the revenue will be spent on local road improvement and repairs; 25 percent of the revenue will be spent on transit systems for transit service expansion, park-and-ride facility improvements, increased usage of clean transit vehicles, etc.; 10 percent of the revenue will be used for a local technology program, which seeks to improve road, transit, pedestrian, and bicycle technology applications; and 5 percent of the revenue will be spent on pedestrian and bicyclist access and safety programs for schools, students, and transit hubs. Not more than 5 percent of the fees shall be used for administrative costs.

Under the measure, the Commission will draft and make available an annual report. The annual report will include, among other items, the amount of revenues col-

lected, expenditures by program, and the amount spent on administrative costs.

If a majority of the qualified electors voting on this measure do not vote for approval, the measure will fail, and the Commission will not be authorized to increase the fee outlined above.

s/RICHARD E. WINNIE
County Counsel

The above statement is an impartial analysis of Measure F, which measure is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official’s office at (510) 272-6933 and a copy will be mailed at no cost to you.

ARGUMENT IN FAVOR OF MEASURE F

Vote Yes on Measure F to keep vital revenue in Alameda County to address our local transportation needs. All funding will stay right here—none of it can be taken by the State. Funding from state government is unreliable. Measure F will provide a secure, local source of funds for critically important local transportation projects.

Vote Yes on Measure F to repair and maintain local streets and roads, making them safer for drivers, pedestrians and bike riders. Better streets and roads help keep down our gas costs, lower our vehicle maintenance costs and reduce greenhouse gas emissions. Measure F will also help us qualify for matching transportation funding grants.

Vote Yes on Measure F to improve public transportation in Alameda County. This includes making it easier for residents in every part of the County to get to work and school using public transportation, as well as making it easier for residents who combine public transit and other forms of transportation to get where they're going.

Vote Yes on Measure F to promote programs that improve our air quality and benefit the environment by reducing pollution from cars and trucks. Measure F will also promote programs to reduce commute hour traffic, like telecommuting and ride sharing, and increase the use of smart technology to improve the flow of traffic on our busiest roads and freeways.

Alameda County residents need reliable, efficient, green transportation options—for better quality of life, stronger economy and cleaner environment. Measure F will fund our local transportation priorities now—when we need it most.

For more information, please visit our website,
www.YesonACTIM.com.

Please join us and Vote Yes on Measure F.

s/Loni Hancock
State Senator

s/Scott Haggerty
First District Alameda County Supervisor

s/Nathan Miley
Fourth District Alameda County Supervisor

s/Wendy Alfsen
Transportation Chair, Sierra Club, SF Bay Chapter

s/California Alliance for Jobs
by James Earp
Executive Director

**NO ARGUMENT AGAINST MEASURE F WAS
SUBMITTED.**

**FULL TEXT OF MEASURE F
ALAMEDA COUNTY CONGESTION
MANAGEMENT AGENCY
RESOLUTION NUMBER 10-09**

**A RESOLUTION OF THE ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY
ADOPTING FINDINGS OF FACT, EXPENDITURE
PLAN AND BALLOT LANGUAGE FOR A
TEN DOLLAR VEHICLE REGISTRATION FEE
FOR TRANSPORTATION-RELATED
PROGRAMS AND PROJECTS**

WHEREAS, the Alameda County Congestion Management Agency (the "Agency") shall place a majority vote ballot measure before the voters of Alameda County to authorize a ten dollar increase in the fees of motor vehicle registration (the "Fee") for transportation-related programs and projects; and

WHEREAS, the Agency, pursuant to California Government Code Section 65089.20 has prepared the findings of fact that the programs and projects to be funded by the fee increase have a relationship and benefit to the persons who will be paying the fee, and the programs and projects are consistent with the regional transportation plan; and

WHEREAS, the Agency Board, during its regular monthly meeting on June 24, 2010, has considered the related Board reports and documents presented by Agency staff and consultants, including the Vehicle Registration Fee Report on the Expenditure Plan (the "Report") which incorporates the "Required Findings of Fact," and the Vehicle Registration Fee Expenditure Plan (the "Plan") which allocates the revenue from the Fee to transportation-related programs and projects that have a relationship or benefit to the persons who pay the fee and that sustains the County's transportation network and reduces traffic congestion and vehicle-related pollution.

NOW, THEREFORE, BE IT RESOLVED by the Agency Board that the Agency has considered and hereby adopts, in accordance with California Government Code Section 65089.20, the Required Findings of Fact for the Fee, attached hereto as **Exhibit A** and incorporated herein by this reference. The Agency also adopts the Plan its allocations of revenue from the Fee to programs and projects that have a relationship or benefit to the persons who pay the fee, attached hereto as **Exhibit B** and incorporated herein by this reference.

BE IT FURTHER RESOLVED that based on the foregoing findings, the Agency hereby adopts this Resolution to place a ballot measure before the voters of Alameda County to authorize a ten dollar increase in the motor vehicle registration fee. The Agency staff is hereby authorized and directed to request the Alameda County Registrar to place the ballot measure on the November 2, 2010 ballot. The ballot language of the proposed measure is set forth as follows:

To repair and maintain local streets and roads; improve traffic flow and bicyclist, pedestrian and driver safety; improve public transportation; and encourage green transportation options; shall a local vehicle registration fee of ten dollars be established in Alameda County

with expenditures subject to strict monitoring and with all revenues staying in Alameda County?

_____Yes

_____No

The body of this Resolution, the ballot language and the Plan will appear in the sample ballot. The Findings of Fact approved by the Agency Board will be available on the Agency website: alamedacountyvrf.org.

DULY PASSED AND ADOPTED by the Alameda County Congestion Management Agency at the regular meeting of the Board held on Thursday, June 24, 2010 in Oakland, California by the following votes:

AYES: NOES: ABSTAIN: ABSENT:

SIGNED:

Mark Green, Chairperson

ATTEST:

Gladys V. Parmelee, Board Secretary

**ALAMEDA COUNTY
TRANSPORTATION IMPROVEMENT MEASURE
EXPENDITURE PLAN**

A. Purpose of the Expenditure Plan

The Alameda County Vehicle Registration Fee Expenditure Plan (Plan) will guide the annual expenditures of the funds generated by a \$10 per year vehicle registration fee (Fee), if approved by voters in the November 2010 election. Alameda County has very significant unfunded transportation needs, and this Fee would provide funding to meet some of those needs. It is expected that this Fee will generate approximately \$11 million per year.

The goal of this Plan is to support transportation investments in a way that sustains the County's transportation network and reduces traffic congestion and vehicle-related pollution. The Fee would be a key part of an overall strategy to develop a balanced, well thought-out program that improves transportation and transit for County residents. The Fee will fund programs that:

- Repair and maintain local streets and roads in the county.
- Make public transportation easier to use and more efficient.
- Make it easier to get to work or school, whether driving, using public transportation, bicycling or walking.
- Reduce pollution from cars and trucks.

The Plan would have the following specific elements:

- All of the money raised by the Fee would be used exclusively for transportation in Alameda County.
- None of the funds raised, outside of the costs incurred by the Department of Motor Vehicle to collect the Fee, can be taken by the State.
- Projects and programs included in the Expenditure Plan must have a relationship or benefit to the owner's of motor vehicles paying the Fee.
- Help fund roadway repairs and maintenance that make roads in Alameda County safer for motorists, bicyclists and pedestrians.
- Provide investments that will help create a smarter, more efficient transportation system.
- Establish a reliable source of funding to help fund critical and essential local transportation programs.
- Provide matching funds for funding made available from state general obligation bonds.
- Maintain and improve the County's transportation network while maintaining geographic equity, over successive five year cycles.

B. Statutory Authorization and Requirements

The opportunity for a Countywide transportation agency to place this Fee before the voters was authorized in 2009 by the passage of Senate Bill 83, authored by Senator Loni Hancock (Oakland). The Alameda County Congestion Management Agency (Agency) shall place a transportation measure (Measure) on the November 2, 2010 ballot to enact a \$10 vehicle registration fee that would be used for local transportation and transit improvements throughout Alameda County. A majority vote of the electorate is required to adopt this Fee.

The statute requires that the Fee collected be used only to pay for programs and projects that bear a relationship or benefit to the owners of motor vehicles paying the Fee and be consistent with a Regional Transportation Plan. The Fee will be imposed on each annual motor-vehicle registration or renewal of registration in Alameda County occurring on or after six-months following the November 2, 2010 election, where the Measure was approved by the voters, for an unlimited period, unless otherwise terminated by the voters of Alameda County. To implement this Fee, the statute requires the governing board of the Agency to adopt an Expenditure Plan. The statute also requires the ballot Measure resolution be approved by majority vote of the Agency members at a noticed public hearing.

C. Programmatic Expenditures

The Plan identifies four types of programs that will receive funds generated by the Fee. Below are descriptions of each program and the percentage in parentheses of the annual revenue that will be allocated to each program after deducting for the Agency's administrative costs.

Local Road Improvement and Repair Program (60%)

This program would provide funding for improving, maintaining and rehabilitating local roads and traffic signals. It also would incorporate the "complete streets" practice that makes local roads safe for all modes, including bicyclists and pedestrians, and accommodates transit. Projects eligible could include:

- Street repaving and rehabilitation, including curbs, gutters and drains
- Traffic signal maintenance and upgrades, including bicyclist and pedestrian treatments
- Signing and striping on roadways, including traffic and bicycle lanes and crosswalks
- Sidewalk repair and installation
- Bus stop improvements, including bus pads, turnouts and striping
- Improvements to roadways at rail crossings, including grade separations and safety protection devices
- Improvements to roadways with truck or transit routing

Transit for Congestion Relief Program (25%)

This program would seek to make it easier for drivers to use public transportation, make the existing transit system more efficient and effective, and improve access to schools and jobs. The goal of this program is to decrease automobile usage and thereby reduce both localized and area-wide congestion and air pollution. Projects eligible could include:

- Transit service expansion and preservation to provide congestion relief such as express bus service in congested areas
- Development and implementation of transit priority treatments on local roadways
- Employer or school-sponsored transit passes such as an "EcoPass Program"
- Park-and-ride facility improvements
- Increased usage of clean transit vehicles
- Increased usage of low floor transit vehicles

- Passenger rail station access and capacity improvements

Local Transportation Technology Program (10%)

This program would continue and improve the performance of road, transit, pedestrian and bicyclist technology applications, and would accommodate emerging vehicle technologies such as electric and plug-in-hybrid vehicles. Projects eligible could include:

- Development, installation, operations, monitoring and maintenance of local street and arterial transportation management technology such as the “Smart Corridors Program”, traffic signal interconnection, transit and emergency vehicle priority, advanced traffic management systems and advanced traveler information systems
- Infrastructure for alternative vehicle fuels such as electric and plug-in-hybrid vehicle stations
- New or emerging transportation technologies that provide congestion or pollution mitigation
- Advance signal technology for walking and bicycling

Pedestrian and Bicyclist Access and Safety Program (5%)

This program would seek to improve the safety of bicyclists and pedestrians by reducing the conflicts with motor vehicles and to reduce congestion in areas such as schools, downtowns, transit hubs and other high activity locations. It also would seek to improve bicyclist and pedestrian safety on arterials and other locally-maintained roads and to reduce occasional congestion that may occur with incidents. Projects eligible could include:

- Improved access and safety to schools, such as “Safe Routes to Schools Programs”, “Greenways to Schools Programs”, and other improvements (including crosswalk, sidewalk, lighting and signal improvements) for students, parents and teachers
- Improved access and safety to activity centers (such as crosswalk, sidewalk, lighting and signal improvements)
- Improved access and safety to transit hubs (such as crosswalk, sidewalk, lighting and signal improvements)
- Improved bicycle and pedestrian safety on arterials, other locally-maintained roads and multi-use trails parallel to congested highway corridors

D. Governing Board and Organizational Structure

1. Agency Responsible for Administering Proceeds of Fee

The Agency, pursuant to California Government Code Section 65089.20, shall place a majority vote ballot measure before the voters to authorize a \$10 per year increase in the motor vehicle registration fee. If so approved, the Agency will collect and administer the Fee in accordance with the Plan.

The Agency and the Alameda County Transportation Improvement Authority (Authority) have approved a merger of the two agencies into a new Alameda County Transportation Commission (Alameda CTC), which would have members from all the jurisdictions that

currently are represented on the Agency’s Board. The Agency and the Authority expect to delegate all of their powers, assets and liabilities to Alameda CTC. Upon such delegation, the Fee would be collected and administered by the Alameda CTC pursuant to the Plan. All references to “Agency” include reference to Alameda CTC.

2. Contract with Department

The Agency shall contract with the Department of Motor Vehicles to collect the fee imposed pursuant to California Government Code section 65089.20 upon the registration or renewal of registration of a motor vehicle registered in the County, except those vehicles that are expressly exempted under this code from the payment of registration fees, pursuant to California Vehicle Code section 9250.4, as approved by the voters of Alameda County.

3. Annual Budget Financial Projections

The Annual Budget, adopted by the Agency each year, will project the expected Fee revenue, other anticipated funds and planned expenditures for administration and programs.

4. Annual Report

The Agency shall draft an Annual Report, which shall be made available to the public and will include the following:

- Revenues collected
- Expenditures by programs, including distribution of funds within each program and in each planning area of the County, and administrative costs
- Accomplishments and benefits realized by the programs
- Proposed projects for funding in each program

Before adopting the Annual Report, the Agency will hold a public meeting and will address public comments in the Annual Report.

5. Use of Proceeds

The proceeds of the Fee governed by this ordinance shall be used solely for the programs and purposes set forth in the Plan and for the administration thereof. The Agency will administer the proceeds of the Fee to carry out the mission described in the Plan. An equitable share of the funds will be distributed among the four geographical sub-areas of the county over successive five year cycles. Geographic equity is measured by a formula, weighted fifty percent by population of the sub-area (as published by the California Department of Finance) and fifty percent of registered vehicles of the sub-area (as determined by the California Department of Motor Vehicles). The definition of the sub-areas may change from time to time. A sponsor’s costs shall be reimbursed for expenditures incurred on an approved project. Pursuant to California Government Code Section 65089.20, not more than five percent of the Fee shall be used for administrative costs associated with the programs and projects, including the amendment of the Plan.

Pursuant to California Vehicle Code Section 9250.4,

the initial setup and programming costs identified by the Department of Motor Vehicles (Department) to collect the Fee upon registration or renewal of registration of a motor vehicle shall be paid by the Agency from the Fee. Any direct contract payment with the Department by the Agency shall be repaid, with no restriction on the funds, to the Agency as part of the initial revenue available for distribution. The costs deducted pursuant to this paragraph shall not be counted against the five percent administrative cost limit specified in California Government Code Section 65089.20(d).

The costs of placing the Measure authorizing imposition of the Fee on the ballot, including payments to the County Registrar of Voters and payments for the printing of the portions of the ballot pamphlet relating to the Fee, advanced by the Agency, shall be paid from the proceeds of this Fee, and shall not be counted towards the five percent limit on administrative costs. The costs of preparing the Plan, advanced by the Agency, shall be paid from the proceeds of the Fee subject to the five percent limit on administrative costs. At the discretion of the Agency, these costs may be amortized over a period of years.

The proceeds of the Fee shall be spent only inside the limits of Alameda County. None of the proceeds, outside of the costs incurred by the Department of Motor Vehicles to collect the fee, shall be taken by the State.

6. Duration of Fee

The Fee, if so approved, would be imposed annually unless repealed.

7. Severability

If any provision of this Plan or the application thereof to any person or circumstance is held invalid, the remainder of this Plan and the application thereof to other persons or circumstances shall not be affected. If any proposed expenditure based on this Plan is held invalid, those funds shall be redistributed to other expenditures in accordance with the Expenditure Plan.

8. Amendments to the Plan

It is expected that the Plan will be amended from time to time. Amendment to the Plan shall be approved by a two-thirds vote of the Agency Board. All jurisdictions within the County with representatives on Agency will be given a minimum of 45 days notice and opportunity to comment on any proposed Plan amendment prior to its adoption.

9. Option to Bond

The Agency shall be authorized to issue bonds for the purposes of implementing the Plan. The bonds will be paid with the proceeds of the Fee. The costs associated with bonding will be borne only by programs in the Plan utilizing the bond proceeds. The costs and risks associated with bonding will be presented in the Agency's Annual Budget and will be subject to public comment before approving a bond sale.

10. Statute of Limitations

Any suit, action or proceeding in any court against the Agency, or against any officer of the Agency, to prevent

or enjoin the collection under this ordinance, of any Fee or any amount of Fee required to be collected must be brought within 120 days of the approval of the imposition of the Fee by the voters of Alameda County.

11. Effective Date

The Measure shall take effect at the close of the polls on the day of election at which the Fee is adopted by a majority of the electors voting on the Measure.

OHPLONE COMMUNITY COLLEGE DISTRICT BOND MEASURE G

G <u>OHPLONE COLLEGE JOB TRAINING/QUALITY EDUCATION LOCAL BOND:</u> To improve and continue affordable college education, job training/workforce preparation by constructing/acquiring equipment/sites/facilities and making repairs/upgrades, including: <ul style="list-style-type: none">• Renovating classrooms/science laboratories,• Acquiring up-to-date classroom technology,• Upgrading for earthquake/fire safety, and• Improving disabled access, shall Ohlone Community College District issue \$349,000,000 of bonds, at legal rates with all funds spent locally, independent citizens' oversight, annual audits, no money for administrators' salaries or Sacramento?	BONDS-YES
	BONDS-NO

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE G

ANALYSIS BY ALAMEDA COUNTY COUNSEL OF THE OHPLONE COMMUNITY COLLEGE DISTRICT BOND MEASURE

Measure G, an Ohlone Community College District ("District") bond measure, seeks voter approval to authorize the governing Board of the District to cause general obligation bonds to be issued and sold in a principal amount not to exceed \$349,000,000.00 at interest rates within the statutory limit. The primary purpose of the bonds is to finance specific school facilities projects in the measure.

Pursuant to California Constitution Section 18 of Article XVI and Section 1 of Article XIII A and California Education Code Section 15274, this measure will become effective upon the affirmative vote of at least 55% of the qualified electors voting on this measure.

California Education Code Section 15100 limits the use of the proceeds from the bonds sale to construction, reconstruction, rehabilitation or replacement of school facilities, and the acquisition of real property for school facilities. In addition, proceeds may only be used for the projects listed in the measure itself. Measure G provides that its proceeds will fund projects outlined in the measure reproduced in the sample ballot that include, among others: renovating classrooms and science laboratories; acquiring technology for the classrooms; upgrading campus facilities and classrooms for earthquake and fire safety; and improving disabled access. Proceeds may not be used for any other purpose, such as operating expenses or teacher and administrator salaries.

If 55% of those who vote on the measure vote "yes", the District will be authorized to issue bonds in an amount not to exceed \$349,000,000.00. Approval of this measure will authorize Alameda County to levy an ad valorem tax on the assessed value of real property within the District

by an amount needed to pay the principal and interest on these bonds in each year that the bonds are outstanding.

The Tax Rate Statement for Measure G in this Voter Pamphlet reflects the District's best estimates, based upon currently available data and projections, of the property tax rates required to service the bonds. The best estimate of the average tax rate required to be levied to fund the bonds is \$19.95 per \$100,000.00 of assessed valuation of taxable property on the County's official tax rolls. The highest tax rate estimated to be levied to fund the bonds is also \$19.95 per \$100,000 of assessed valuation, as set forth more fully in the Measure's Tax Rate Statement in this Voter Pamphlet.

An independent citizens' oversight committee will monitor all bond expenditures.

If 55% of those voting on this measure do not vote for approval, the measure will fail and the District will not be authorized to issue the bonds.

s/RICHARD E. WINNIE
County Counsel

The above statement is an impartial analysis of Measure G, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you.

TAX RATE STATEMENT OF BOND MEASURE G
TAX RATE STATEMENT
OHLONE COMMUNITY COLLEGE DISTRICT
BOND MEASURE G

s/Dr. Gari Browning
President/Superintendent
Ohlone Community College District

An election will be held in the Ohlone Community College District (the "District") on November 2, 2010, for the purpose of submitting to the electors of the District the question of incurring a bonded indebtedness of the District in a principal amount not to exceed \$349 million. If such bonds are authorized and sold, the principal thereof and interest thereon will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information regarding tax rates is given to comply with Section 9401 of the California Elections Code. Such information is based upon the best estimates and projections presently available from official sources, upon experience with the District, and other demonstrable factors.

Based upon the foregoing and projections of the District's assessed valuation, and assuming the entire debt service will be paid through property taxation:

1. The best estimate of the tax rate that would be required to be levied to fund the bond issue during the first fiscal year after the sale of the first series of bonds based on estimated assessed valuations available at the time of filing of this statement is 1.995 cents per \$100 of assessed valuation (or \$19.95 per \$100,000 of assessed valuation) for fiscal year 2011-12.
2. The best estimate of the tax rate that would be required to be levied to fund the bond issue during the first fiscal year after the sale of the last series of bonds based on estimated assessed valuations available at the time of filing of this statement is 1.995 cents per \$100 of assessed valuation (or \$19.95 per \$100,000 of assessed valuation) for fiscal year 2026-27.
3. The best estimate of the highest tax rate that would be required to be levied to fund the bond issue, and an estimate of the years in which that rate will apply, based on estimated assessed valuations available at the time of the filing of this statement is again 1.995 cents per \$100 of assessed valuation (or \$19.95 per \$100,000 of assessed valuation), which is projected to be the same in every fiscal year that the bonds remain outstanding.

Attention to all voters is directed to the fact that the foregoing information is based upon projections and estimates only, which are not binding upon the District. The actual timing of bond sales and the amount of bonds sold at any given time will be governed by the needs of the District, the state of the bond market, and other factors. The actual interest rates on any bonds sold will depend upon market conditions and other factors at the time of sale. The actual assessed valuations in future years will depend upon the value of property within the District as determined in the assessment and equalization process. Therefore, the actual tax rates and the years in which such rates are applicable may vary from those presently estimated as stated above.

ARGUMENT IN FAVOR OF BOND MEASURE G

Concerned about the economy? About whether you can get a job or afford a college education? So are a lot of people! That's why you must vote **Yes on G**, the **Ohlone College Job Training/Quality Education** measure.

Passing **Yes on G** ensures that Ohlone College continues accessible, affordable education, job training and re-training in the nursing, health sciences, biotechnology, solar and clean energy technology fields. Consider this:

State and UC college costs are growing -- as much as 10 times more expensive than Ohlone College. **Yes on G** ensures quality, affordable college options for students in Fremont, Union City, and Newark who attend Ohlone prior to transferring to four-year colleges.

The recession has skyrocketed demand for Ohlone College's affordable classes – at the same time, Sacramento budget cuts have reduced the number of summer school classes offered, by 50%. Hundreds of students are turned away – classes are overflowing! **Yes on G** increases Ohlone's classroom capacity by 25% to address overwhelming demand in today's tough job market.

Yes on G also maintains quality college education through essential upgrades and repairs to Ohlone College by:

- upgrading earthquake safety in campus facilities and classrooms;
- acquiring up-to-date technology for classrooms;
- making repairs to the aging plumbing system (prevent flooding and water damage, reduce future maintenance);
- improving disabled access;
- installing and repairing fire safety equipment (alarms, smoke detectors, sprinklers, emergency lighting, fire safety doors);
- repairing and renovating classrooms and facilities lacking adequate plumbing, heating, air conditioning, ventilation and electrical systems;
- upgrading utility infrastructure, saving money on energy bills.

Every penny of **Yes on G** stays in OUR Tri-City communities to help Ohlone College—NONE of the money can be taken by Sacramento! Join teachers, professors, students, safety inspectors, local business leaders and residents -- Vote **Yes on G**. To help/ask questions, visit www.ohlonefriends.com.

s/Alan M. Kirshner, Ph.D.

40 years as College Professor

s/Evelyn Choy

Asoc President

s/Mary Miller

Employment Services Manager

s/Jim Petersen

CEO Petersen Dean Roofing and Solar

s/Curtis Ruel

Fire Inspector

NO ARGUMENT AGAINST BOND MEASURE G WAS SUBMITTED

FULL TEXT OF BOND MEASURE G

FULL TEXT BALLOT PROPOSITION OF

THE OHLONE COMMUNITY COLLEGE DISTRICT BOND MEASURE ELECTION NOVEMBER 2, 2010

OHLONE COLLEGE JOB TRAINING/QUALITY EDUCATION LOCAL BOND:

To improve and continue affordable college education, job training/workforce preparation by constructing/acquiring equipment/sites/facilities and making repairs/upgrades, including:

- Renovating classrooms/science laboratories,
- Acquiring up-to-date classroom technology,
- Upgrading for earthquake/fire safety, and
- Improving disabled access,

shall Ohlone Community College District issue \$349,000,000 of bonds, at legal rates with all funds spent locally, independent citizens' oversight, annual audits, no money for administrators' salaries or Sacramento?

Bonds -Yes

Bonds-No

PROJECTS

The Board of Trustees of the Ohlone Community College District, to be responsive to the needs of students and the community, evaluated the District's urgent and critical educational needs, including completing essential repairs to aging classrooms and college buildings to today's health and earthquake safety requirements, and providing sufficient classrooms and science labs to offer more job training and workforce development courses and programs to students, facility maintenance, safety and security issues, class size reduction, class size and offerings in key disciplines such as nursing, health sciences, biotechnology, solar and clean technology fields, and information and computer technology, in developing the scope of projects to be funded, as outlined in the Ohlone College 15 Year Master Facilities Plan, approval by the Board of Trustees on June 16, 2010, incorporated herein by reference in its entirety. In developing the scope of projects, the faculty, staff and students have prioritized the key health and safety needs so that the most critical needs and the most urgent and basic needs and infrastructure repairs are addressed consistent with community and District priorities. The Board conducted comprehensive evaluations and considered community and District priorities and perspectives in developing the scope of college projects to be funded as listed in the 15 Year Master Facilities Plan. The Board, faculty and community leaders concluded that if these needs were not addressed now, the problem will only become more pressing and expensive. **In implementing the 15 Year Master Facilities Plan, the Board of Trustees determines that Ohlone College must:**

- **Upgrade earthquake safety for campus facilities and classrooms.**
- **Acquire up-to-date technology for classrooms.**
- **Make repairs to aging plumbing system to prevent flooding and water damage and reduce future maintenance.**
- **Improve access for the disabled.**
- **Install and repair fire safety equipment includ-**

ing alarms, smoke detectors, sprinklers, emergency lighting, and fire safety doors.

- **Repair and renovate classrooms and facilities that lack adequate plumbing, heating, air conditioning, ventilation or electrical systems.**
- **Upgrade utility infrastructure such as electric, sewer, and gas systems – to improve energy efficiency and reduce energy costs.**

The 15 Year Master Facilities Plan is on file and available for review at the District President/Superintendent's Office and on-line at:

<http://www.ohlone.edu/org/facilitiescomm/docs/20100400facilitiesmasterplan.pdf>

and includes the type of projects listed below.

Ohlone College Repair Projects To Provide Affordable Access for Transferring Students

Goal and Purpose: Since the costs to attend a State or UC college in California continue to increase and are as much as 10 times more expensive than Ohlone College, and with fewer and fewer students able to afford the State or UC systems, upgrading Ohlone College will make sure that the Tri-City community has high quality, affordable college options for students transferring to four-year colleges:

- Replace existing **plumbing** and sewer systems to prevent flooding and water damage and reduce future maintenance costs.
- Repair and renovate classrooms and facilities that lack adequate heating, ventilation, air conditioning, **electrical** and lighting systems.
- Upgrade utility infrastructure such as electric, sewer and gas systems to **improve energy efficiency** and reduce energy costs.
- Repair, upgrade and replace worn-out roofs.
- Repair aging classrooms.
- **Replace existing wiring systems to meet current electrical and accessibility codes and increase capacity.**
- Install additional electrical service capacity to **improve computer technology** and Internet access.
- Upgrade, retrofit and equip classrooms, facilities, and educational support spaces.

Job Training - Health and Technology Projects

Goal and Purpose: Ohlone College provides essential job training and workforce preparation for students of all ages. In today's economic times, these projects will allow Ohlone College to continue offering local residents training and education in the nursing, health sciences, biotechnology, and solar and clean energy technology fields:

- **Upgrade earthquake safety for campus facilities and classrooms.**
- Provide and maintain up-to-date technology, data and communication equipment.
- Expand bandwidth to allow students greater access to the Internet.
- Upgrade and expand telecommunications, Internet

and network connections.

- Upgrade and replace computers, hardware and software systems.
- Upgrade and replace classroom instructional equipment.
- Upgrade existing science building complex.
- Replace or upgrade outdated electrical systems.
- Upgrade library technology, internet access and research tools.

**Meeting the Demand for Affordable
Access to Higher Education-
Energy Efficiency and
School Health and Safety Projects**

Goal and Purpose: Due to the recession, demands for Ohlone College's affordable classes are at an all-time high. Hundreds of students have been turned away because classes are overflowing. At the same time, budget cuts have forced a 50 percent reduction in the number of summer school classes. These projects will help meet current and future demands for affordable, accessible quality education by increasing Ohlone's enrollment capacity by 25 percent:

Energy Efficiency Returns Savings to the Classroom

- Install energy efficient systems, including solar power systems, to reduce energy/utility costs and return savings to educational programs.
- Replace existing window systems with energy efficient systems to reduce costs.
- Replace outdated heating and ventilation systems.
- Improve insulation, weather proofing and roofs to reduce costs.

Student Safety

- **Improve access for the disabled.**
- **Install and repair fire safety equipment, including alarms, smoke detectors, sprinklers, emergency lighting, and fire safety doors.**
- Inspect for/repair gas pipe leaks, replace broken concrete walks, deteriorated asphalt.
- Replace/upgrade existing signage, bells and clocks.
- Install new security systems, such as security (surveillance) cameras, outdoor lighting, fencing, gates and classroom door locks.
- **Replace sewer lines and improve drainage systems to prevent flooding.**
- Upgrade school site parking, utilities and grounds.

The listed projects will be completed as needed. Each project is assumed to include its share of furniture, equipment, architectural, engineering, and similar planning costs, program/project management, staff training expenses and a customary contingency for unforeseen design and construction costs. In addition to the listed projects stated above, the Project List also includes the acquisition of a variety of instructional, maintenance and operational equipment, including the reduction or retirement of outstanding lease obligations and interim funding incurred to advance fund projects from the Project List, payment of the costs of preparation of all facility planning, facility

studies, assessment reviews, facility master plan preparation and updates, environmental studies (including environmental investigation, remediation and monitoring), design and construction documentation, and temporary housing of dislocated District activities caused by construction projects. In addition to the projects listed above, repair, renovation and construction projects may include, but not be limited to, some or all of the following: renovation of student and staff restrooms; landscaping; repair and replacement of heating and ventilation systems; upgrade of facilities for energy efficiencies; repair and replacement of worn-out and leaky roofs, windows, walls doors and drinking fountains; removal of outdated buildings and construction of new classrooms and support buildings; renovation of locker rooms; installation wiring and electrical systems to safely accommodate computers, technology and other electrical devices and needs; repair and replacement of fire alarms, emergency communications and security systems; upgrading, resurfacing, replacing or relocating of hard courts, fields, turf and irrigation systems; construct or renovate athletic facilities, field lighting, gym/pool; upgrade classrooms; construct new parking lots or facilities; repair, upgrade and install interior and exterior lighting systems; replace water and sewer lines and other plumbing system; replace outdated security systems. The upgrading of technology infrastructure includes, but is not limited to, computers, LCD projectors, portable interface devices, servers, switches, routers, modules, sound projection systems, laser printers, digital white boards, document projectors, upgrade voice-over-IP, call manager and network security/firewall, and other miscellaneous equipment and software.

The allocation of bond proceeds will be affected by the District's receipt of State matching funds and the final costs of each project. In the absence of State matching funds, which the District will aggressively pursue to reduce the District's share of the costs of the projects, the District will not be able to complete some of the projects listed above. Some projects may be undertaken as joint use projects in cooperation with other local public or non-profit agencies. The budget for each project is an estimate and may be affected by factors beyond the District's control. The final cost of each project will be determined as plans and construction documents are finalized, construction bids are received, construction contracts are awarded and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Demolition of existing facilities and reconstruction of facilities scheduled for repair and upgrade may occur, if the Board determines that such an approach would be more cost-effective in creating more enhanced and operationally efficient campuses. Necessary site preparation/restoration may occur in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including ingress and egress, removing, replacing, or installing irrigation, utility lines, trees and landscaping, relocating fire access roads, and acquiring any necessary easements, licenses, or rights of way to the property. Proceeds of the bonds may be used to pay or reimburse the District for the

cost of District staff when performing work on or necessary and incidental to bond projects. Bond proceeds shall only be expended for the specific purposes identified herein. The District shall create an account into which proceeds of the bonds shall be deposited and comply with the reporting requirements of Government Code § 53410.

NO ADMINISTRATOR SALARIES. PROCEEDS FROM THE SALE OF THE BONDS AUTHORIZED BY THIS PROPOSITION SHALL BE USED ONLY FOR THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, REHABILITATION, OR REPLACEMENT OF SCHOOL FACILITIES, INCLUDING THE FURNISHING AND EQUIPPING OF SCHOOL FACILITIES, AND NOT FOR ANY OTHER PURPOSE, INCLUDING TEACHER AND COLLEGE ADMINISTRATOR SALARIES, PENSIONS AND OTHER OPERATING EXPENSES.

FISCAL ACCOUNTABILITY. THE EXPENDITURE OF BOND MONEY ON THESE PROJECTS IS SUBJECT TO STRINGENT FINANCIAL ACCOUNTABILITY REQUIREMENTS. BY LAW, PERFORMANCE AND FINANCIAL AUDITS WILL BE PERFORMED ANNUALLY, AND ALL BOND EXPENDITURES WILL BE MONITORED BY AN INDEPENDENT CITIZENS' OVERSIGHT COMMITTEE TO ENSURE THAT FUNDS ARE SPENT AS PROMISED AND SPECIFIED. THE CITIZENS' OVERSIGHT COMMITTEE MUST INCLUDE, AMONG OTHERS, REPRESENTATION OF A BONA FIDE TAXPAYERS ASSOCIATION, A BUSINESS ORGANIZATION AND A SENIOR CITIZENS ORGANIZATION. NO DISTRICT EMPLOYEES OR VENDORS ARE ALLOWED TO SERVE ON THE CITIZENS' OVERSIGHT COMMITTEE.

Approval of Measure G does not guarantee that the proposed project or projects in the Ohlone Community College District that are the subject of bonds under Measure G will be funded beyond the local revenues generated by Measure G. The district's proposal for the project or projects may assume the receipt of matching state funds, which could be subject to appropriation by the Legislature or approval of a statewide bond measure.

BERKELEY UNIFIED SCHOOL DISTRICT MEASURE H

H BERKELEY PUBLIC SCHOOLS FACILITIES SAFETY AND MAINTENANCE ACT OF 2010 To provide essential maintenance of schools and grounds, shall Berkeley Unified School District continue its existing special tax of 6.31¢/square foot on residential buildings and 9.46¢/square foot on commercial buildings, and \$20 on unimproved parcels with annual cost-of-living adjustments for 10 years? Revenues maintain school buildings, classrooms, playgrounds, roofs, electrical systems, and address fire and safety hazards. The state cannot take the funds. An independent committee oversees funds.	YES
	NO

These purposes include grounds operations and maintenance of District buildings and grounds. The measure further provides that the monies collected shall be accounted for separately and shall be expended only for those specified purposes. The Facilities Safety and Maintenance Oversight Committee will monitor the implementation of the measure, and the District will make revenue and expenditure reports available to the Committee and the public four times per year.

If two-thirds of the qualified electors voting on this measure do not vote for approval, the measure will fail, and the District will not be authorized to levy the special tax.

s/RICHARD E. WINNIE
County Counsel

The above statement is an impartial analysis of Measure H, which measure is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you.

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE H

ANALYSIS BY ALAMEDA COUNTY COUNSEL OF A BERKELEY UNIFIED SCHOOL DISTRICT SPECIAL PARCEL TAX MEASURE

Measure H, a Berkeley Unified School District ("District") special parcel tax measure, seeks voter approval to authorize the District to levy an annual special parcel tax on improvements of residential and commercial parcels and on unimproved parcels for a period of ten years, beginning July 1, 2013. This measure would levy an annual tax of 6.31¢ per square foot on all improvements on residential parcels; 9.46¢ per square foot on all improvements of commercial parcels; and \$20.00 per parcel of unimproved parcels. These rates may be increased by a cost-of-living adjustment equal to the annual percentage increase of the State of California statutory inflation adjustment.

School districts have the authority to levy special taxes upon approval by two-thirds of the votes cast on the special tax proposals pursuant to California Constitution Article XIII A, Section 4 and Article XIII C, Section 2, and California Government Code Sections 50075-50077, 50079, and 53722.

If two-thirds of the qualified electors voting on this measure vote for approval, a special tax will be imposed annually for ten years at the rates described above. The tax will be collected by the Alameda County Treasurer-Tax Collector at the same time and in the same manner as *ad valorem* property taxes are collected. Upon annual application to the City of Berkeley, an exemption of any tax assessment year may be granted for any single-family residential parcel or multi-family dwelling unit owned and occupied by one or more very low-income senior citizen(s) 65 years of age or older as defined by the Berkeley Municipal Code.

If two-thirds of the qualified electors voting on this measure vote for approval, the allocation of the funding revenue is to be used for the specific purposes set forth in the full text of the measure printed in this sample ballot.

ARGUMENT IN FAVOR OF MEASURE H

Measure H insures that Berkeley will continue to maintain its investment in quality school facilities.

Measure H funds all of the maintenance on school buildings, landscaping and grounds.

In 2000, Berkeley passed a modest special tax to provide designated funding to maintain the enormous investment the community has in school buildings. This is a renewal of that tax.

Measure H is not a new tax. It is not a tax increase.

Measure H simply renews an existing special school tax (Measure BB) at the existing tax rate for an additional ten years.

Measure H funds cannot be used for any other purpose.

Measure H limits the specific use of all funds: "exclusively to provide grounds operations and essential maintenance of District buildings and grounds, thereby protecting the health, safety and security of children and staff and creating an environment that supports student and staff success." Measure H does not pay for custodial services.

The State cannot take these funds.

The school buildings are dependent on these funds to provide safe and sound places for children to learn. Over 10,000 students, teachers, and staff use these buildings every school day. Other districts have cut maintenance due to decreased state funding, and then watched the cost to repair buildings skyrocket after years of neglect. Instead, Berkeley taxpayers have prudently chosen to maintain their buildings.

Measure H includes independent audits and a citizen's oversight committee.

Measure H is endorsed by all School Board members, the Mayor, all City Council members, State Senator Loni Hancock, Assembly Member Nancy Skinner, Supervisor Keith Carson, the Berkeley Federation of Teachers, the League of Women Voters, the Berkeley Association of Realtors, and community members throughout Berkeley.

Please join us - **Vote Yes on Measures H and I** to protect Berkeley's investment in its schools.

BerkeleySchools2010.com

s/Loni Hancock

State Senator

s/Karen Hemphill

School Board President

s/Sherry Smith, individually and on behalf of

President, League of Women Voters of Berkeley,

Albany & Emeryville

s/Cheryl Chinn

Former School Principal

s/Shirley Dean

Former Mayor

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE H

VOTE NO ON MEASURE H

The argument in favor of Measure H is non-existent. **It says to continue a tax that was approved 10 years ago. That's not a reason!** The measure itself has no specificity.

Ten years ago the school facilities were deteriorating, requiring repairs and more maintenance. After spending \$340 million building new school facilities and administrative offices, the maintenance and repairs should go down, compared with what older, aging buildings require.

The District is asking for \$200+ million for more new buildings in Measure I. Note that \$14 million of Measure I is also maintenance, plus Measure H is maintenance: how are they doing their accounting?

A recent request to the District asking for more detail on fund usage was refused.

It is estimated by people who should know that one-third to one-half of the student population actually lives outside the district. This means hundreds of millions of dollars taken from Berkeleyans in taxes are being spent on non-Berkeley students! Existing funds could go so much farther on educating Berkeley's own children instead of everyone else's, if the District would just get its act together.

A District that shows bad faith and lack of transparency does not deserve our support. **VOTE NO ON MEASURE H – SEND A MESSAGE THAT MORE MONEY WILL NOT FIX THE PROBLEMS UNLESS THE DISTRICT CHANGES ITS WAYS.**

s/Julie Dickinson

Individually and On Behalf, Secretary, Council of Neighborhood Associations

s/Barbara Gilbert

On Behalf of, Vice-President North East Berkeley Association (NEBA)

s/Cole Smith

On Behalf of, Treasurer, Berkeleyans Against Soaring Taxes! (BASTA!)

s/Viki Tamaradze

Individually and on Behalf of, Secretary and Treasurer, Berkeley Can Do Better (BCDB)

s/Frankie L. Fraser

Past HAC Commissioner, Past Pres. San Pablo PK. Neig. Council (SPNC)

ARGUMENT AGAINST MEASURE H

VOTE NO ON MEASURE H

THIS BALLOT MEASURE DOES NOT CONTAIN ANY SPECIFICITY AS TO HOW THE FIFTY MILLION OF FUNDS WILL BE EXPENDED.

THE DISTRICT ALREADY HAS MAINTENANCE FUNDS AND MANY BRAND NEW BUILDINGS FROM PREVIOUS BOND MEASURES. NEW BUILDINGS SHOULD REQUIRE LESS MAINTENANCE THAN THE BUILDINGS THEY REPLACED.. WHAT HAPPENED TO THE MAINTENANCE FUNDS THAT HAVE BEEN USED TO MAINTAIN THE OLDER BUILDINGS?

THIS IS NOT A 5 MILLION DOLLAR MEASURE. IT IS A FIFTY MILLION DOLLAR MEASURE OVER TEN YEARS. EXPENDITURE OF FUNDS ARE NOT RESTRICTED TO MAINTENANCE. TAXES ON BERKELEY HOMEOWNERS AND BUSINESS ARE ALREADY HIGH. HOW MANY EMPTY STORES AND FORECLOSED HOUSES AND EMPTY APARTMENT BUILDINGS DO WE NEED?

VOTE NO ON MEASURE H

s/Julie Dickinson

Individually and On Behalf, Secretary, Council of Neighborhood Associations (CNA)

s/George S. Oram

Founder of Elmwood Realty and Berkeley Can Do Better (BCDB) and Parent of BUSD Students

s/Arthur Goldberg

Former Chair, Berkeley Citizen Budget Review Commission and Board Member, Council of Neighborhood Associations (CNA)

s/Greg Harper

Attorney, Former Chair Housing Advisory Commission, Treasurer, Berkeley Alliance of Neighborhood Associations (BANA)

s/William D. Hermann

Professor of Economics and North East Berkeley Association (NEBA) Board Member

REBUTTAL TO ARGUMENT AGAINST MEASURE H

Measure H renews an existing tax at the same rate. It is not a tax increase.

The argument against Measure H is erroneous. Measure H's funds are specifically limited: "exclusively to provide grounds operations and essential maintenance of District buildings and grounds"

Measure H funds all of the maintenance on school buildings, landscaping and grounds.

If Measure H fails, millions of dollars will be taken from schools and classrooms to maintain buildings. Layoffs of both teachers and maintenance workers would occur.

The school district has sustained three straight years of budget reductions due to decreased state funding, cutting about \$14 million over three years out of a \$90 million budget. An additional \$5 million annual reduction would be devastating to our children.

Measure H funds are used wisely—a citizen's oversight committee monitors expenses. Independent audits ensure the money is spent as approved by the voters.

There is no better investment than making sure our children receive a quality education—the foundation of quality education is safe, sound schools.

Measure H is endorsed throughout Berkeley:

the Berkeley Association of Realtors,
the League of Women Voters (Berkeley, Albany, Emeryville),

the Berkeley Federation of Teachers,

Mayor Tom Bates and former Mayor Shirley Dean, City Auditor Ann Marie Hogan, all School Board members, all City Council members, State Senator Loni Hancock, Assembly Member Nancy Skinner, Supervisor Keith Carson, and

Community members throughout Berkeley.

Vote Yes on Measures H & I to protect Berkeley's investment in its schools. BekeleySchools2010.com

s/Barry Fike

Past President, Berkeley Federation of Teachers

s/Sheila Jordan

Superintendent, Alameda County Schools

s/Joaquin Rivera

Trustee, Alameda County Board of Education

s/Jennifer Burroughs

Individually and on behalf of Co-President, BHS Development Group

s/Dan Lindheim

BUSD Audit Committee Member

FULL BALLOT TEXT OF MEASURE H

The following is the full ballot text of the Measure to be presented to the voters in the ballot pamphlet:

BERKELEY PUBLIC SCHOOLS FACILITIES SAFETY AND MAINTENANCE ACT OF 2010

BALLOT SUMMARY

To provide essential maintenance of schools and grounds, shall Berkeley Unified School District continue its existing special tax of 6.31¢/square foot on residential buildings and 9.46¢/square foot on commercial buildings, and \$20 on unimproved parcels with annual cost-of-living adjustments for 10 years? Revenues maintain school buildings, classrooms, playgrounds, roofs, electrical systems, and address fire and safety hazards. The state cannot take the funds. An independent committee oversees funds.

1. TITLE AND PURPOSE

The revenues raised by this Measure, the “Berkeley Schools Facilities Safety and Maintenance Act of 2010”, will improve safety and essential building maintenance and grounds operations of all Berkeley Unified School District (“District”) facilities.

2. DEFINITION OF PURPOSE

Available Revenues raised by this special tax shall be used exclusively to provide grounds operations and essential maintenance of District buildings and grounds, thereby protecting the health, safety and security of children and staff and creating an environment that supports student and staff success.

The monies shall be deposited into a restricted account and shall be expended according to a plan developed annually by District staff and adopted by the Board of Education of the District (the “Board”).

All terms used herein and not otherwise defined herein shall be defined by reference to Berkeley Municipal Code Section 7.56.020, as effective on the date of adoption of this Act.

3. THE TAX LEVY

A. Tax Base

- i. The special tax shall be levied on the Square Footage of all Improvements, including all Buildings and Structures, on Parcels of taxable real property in the Berkeley Unified School District, except where the Improvements are otherwise exempt from taxation.

The tax levied shall be at the rate of 6.31 cents/square foot on all Improvements on Residential Parcels, 9.46 cents/square foot on all Improvements on Commercial, Industrial, and Institutional Parcels and \$20/parcel on Unimproved parcels.

- ii. The tax base shall be as described in the Berkeley Municipal Code Section 7.56.020 which defines and delimits the parameters of the square footage applications, and which is incorporated by reference herein. Current

definitions of the terms “Buildings,” “Improvements,” “Parcels,” “Square Footage,” and “Unimproved Parcels” pursuant to the Berkeley Municipal Code are provided in Section 5 of this Measure. In the event of the expiration of this Municipal Code for any reason, the same definitions shall continue to apply as the basis for this special tax. In the event of the modification of any Berkeley Municipal Code definition or term that applies to this special tax, the definition or term as modified shall apply to the basis for this special tax after the effective date of the modification.

- iii. An exemption from the special tax may be granted annually on any single family residential Parcel or multi-family dwelling unit owned and occupied by one or more very low-income senior citizens, upon annual application to the City of Berkeley for this exemption. To be eligible for this exemption, the senior citizen must be 65 years of age or older as of July 1 of any applicable tax year, and must meet the very low-income qualifications of Berkeley Municipal Code Section 7.56.035, which is incorporated by reference herein. In the event of expiration of Municipal Code Section 7.56.035 for any reason, the same qualification criteria shall continue to apply to this exemption.
- iv. With respect to all general property tax matters within their respective jurisdictions, the Alameda County Assessor or the City of Berkeley shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, a District administrative review panel or the City of Berkeley, as the designated agency, shall make all necessary final determinations, and that decision shall be final and binding.

B. Term

The term of this Measure shall be from the date of voter approval to ten years following the year of the initial tax levy. The Measure shall be operative immediately upon passage. The tax shall be levied beginning in the 2013-2014 tax year and shall continue each year thereafter for ten years. Any proceeds from this special tax not spent during those fiscal years may be spent on all authorized purposes until exhausted.

C. Cost-of-Living Adjustment

Each year, commencing with the 2013-14 tax year, the first year of assessment, and thereafter, the rates imposed by this special tax may be increased by a cost-of-living adjustment equal to the annual percentage increase of the State of California statutory inflation adjustment as defined in Education Code Section 42238.1(b) which is incorporated by reference herein.

Any increase in funds raised by this Measure due to the cost-of-living adjustments set forth in this Section shall be allocated to the Measure's purposes in accordance with Section 2 of this Measure.

D. Constitutional Spending Limit

Pursuant to Article XIII B of the California Constitution and applicable laws, the appropriations limit of the District shall be increased periodically by the amount collected by the levy of this special tax.

E. Savings Clause

The provisions of this Measure shall not apply to any person, association, or corporation or to any property as to whom or which it is beyond the power of the District to impose the tax herein provided. The Board of Education hereby declares, and the voters by approving this measure concur, that every sentence, clause, section, and part of this Measure has independent value and the Board of Education and the voters would have adopted each provision hereof regardless of every other provision hereof. If any sentence, clause, section, or part of this Measure or any tax against any individual or any of the several groups specified herein is found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, or part of this Measure and shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or other parts of this Measure. It is hereby declared to be the intention of the Board of Education and of the electorate that this Measure would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof, not been included.

4. ACCOUNTABILITY PROVISIONS

A. Separate Account

Proceeds of this special tax shall be deposited into an account which shall be kept separate and apart from other accounts in the District and shall be applied only to the purposes specified in Section 2.

B. Participation in Planning and Oversight of Special Tax Funds

i. Annual Plan

An expenditure plan (the "Annual Plan") shall be developed annually by District staff with input from the Facilities Safety and Maintenance Oversight Committee. The Annual Plan will recommend expenditures of the tax proceeds that are consistent with the intent of the Measure. The assumptions associated with the recommended expenditures shall be included in the Annual Plan. The Plan shall be presented for Board action each year in conjunction with the District's annual budget adoption process. To facilitate public discussion, the recommended Annual Plan shall be distributed to the Facilities Safety and Maintenance Oversight Committee and made available for public review two weeks prior to Board action.

ii. Oversight

The implementation of the Measure will be overseen by the Facilities Safety and Maintenance Oversight Committee, which was constituted by Board action on March 5, 2003, in part to "provide enhanced accountability to the community by ensuring that the monies are spent in accordance with the (Berkeley Schools Facilities Safety and Maintenance Act of 2000) measure." The Committee is further charged with providing "input into the long term Strategic Plan for the maintenance and security of the District's facilities and the Annual Plan for expenditures on maintenance and safety." The Measure shall be subject to indirect support rates to pay for District business and personnel functions as calculated by the District and approved by the California Department of Education. The Measure shall not be subject to direct support rate charges.

Expenditures shall be for maintenance and grounds operations. District staff plans to inform the Committee before authorizing individual planned expenditures greater than \$25,000, except in the case of an emergency.

iii. Public Comment Process

Members of the public may comment on the plans, reports and conditions of the Measure during the public comment period of any Facilities Safety and Maintenance Oversight Committee meeting and any Board Meeting.

C. Financial Oversight

The District shall make available to the Facilities Safety and Maintenance Oversight Committee and the general public updated revenue and expenditure reports of the proceeds of this special tax at least four times annually: before adoption of the District's annual budget, concurrently with the State-required interim reports, and with the end of the fiscal year report on the Measure.

D. Independent Auditor's Report and Audit Committee

Each year, an independent auditor retained by the District shall review District records to determine that funds generated by this Measure have been allocated and expended in compliance with the provisions of this Measure, including:

- i. that the funds raised by this Measure have been allocated to the purposes specified in Section 2;
- ii. that the funds raised by this Measure have been spent for purposes specified; and,
- iii. that other provisions of this Measure have been satisfied.

The audit shall be conducted in accordance with generally accepted accounting principles, the Standards and Procedures for Audits of California K-12 Local Educational Agencies, and this Measure and shall be a part of the District's annual audit.

Subsequent to issuance of the Auditor's Report, the District's Audit Committee, as established by the Board of Education, shall review the Auditor's Report.

E. Civil Remedies Available at Law

The above provisions are in addition to civil remedies available at law for assuring compliance with the terms of this Measure.

5. DEFINITIONS

For purposes of this Measure, the following terms shall be defined as set forth below:

A. "Available Revenues" shall mean the amount of money provided by this Measure after deduction of authorized collection charges by the county or city for collection of the tax.

B. In accordance with Berkeley Municipal Code Section 7.56.020, subdivision A, which is incorporated by reference herein, "Building" means any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word "building" includes the word "structure."

C. In accordance with Berkeley Municipal Code section 7.56.020, subdivision B, which is incorporated by reference herein, "Commercial," "Industrial" and "Institutional" shall refer to all buildings and improvements within the District that are not classified by that chapter as dwelling units.

D. In accordance with Berkeley Municipal Code section 7.56.020, subdivision C which is incorporated by reference herein, "Dwelling" shall mean a building or portion of a building designed for human occupancy.

E. In accordance with Berkeley Municipal Code section 7.56.020, subdivision D, which is incorporated by reference herein, "Dwelling unit" shall mean a building or portion of a building designed for or occupied exclusively by one family.

F. In accordance with Berkeley Municipal Code section 7.56.020, subdivision F, which is incorporated by reference herein, "Improvements" mean all buildings or structures erected or affixed to the land.

G. "Operational costs" are all costs of operating relevant District programs to accomplish the Measure's purposes and include but are not limited to personnel, materials, equipment, services, technology, and administrative costs. Administrative costs incurred in implementing this Measure shall be paid from the proceeds of this Measure at the District's Indirect Cost Rate authorized by the California Department of Education.

H. In accordance with Berkeley Municipal Code Section 7.56.020, subdivision I, which is incorporated by reference herein, "Parcel" means a unit of real estate in one ownership as shown on the most current official assessment role of the Alameda County Assessor.

I. "Residential Parcel" means a taxable Parcel that is not an Unimproved Parcel and that is not a Commercial, Industrial or Institutional Parcel.

J. In accordance with Berkeley Municipal Code Section 7.56.020, subdivision G, "Square Footage"

means the total gross horizontal areas of all floors, including usable basement and cellars, below the roof and within the outer surface of the main walls of buildings (or the center lines of party walls separating such buildings or portions thereof) or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls (which includes, notwithstanding paragraph 3 below, the square footage of all porches), and including pedestrian access walkways or corridors, but excluding the following:

- i. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto;
- ii. Areas which are outdoor or semi-outdoor areas included as part of the building to provide a pleasant and healthful environment for the occupants thereof and the neighborhood in which the building is located. This exempted area is limited to stoops, balconies and to natural ground areas, terraces, pools and patios which are landscaped and developed for active or passive recreational use, and which are accessible for use by occupants of the building; and,
- iii. Arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designated or used as sales, display, storage, service or production areas.

K. In accordance with Berkeley Municipal Code Section 7.56.020, subdivision H, which is incorporated by reference herein, "Structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

L. "Unimproved Parcel" means a taxable Parcel that does not contain Buildings or other Improvements.

BERKELEY UNIFIED SCHOOL DISTRICT BOND MEASURE I

I To improve school safety and facilities for learning and teaching, shall Berkeley Unified School District issue \$210,000,000 in bonds at interest rates within the legal limit, to construct new classrooms for growth, complete seismic upgrades, construct science labs, upgrade computers and education technology, renovate playgrounds, replace restrooms, cafeterias, roofs, heating and fire safety systems, remove hazardous materials, improve energy efficiency, and qualify for State grants, with independent audits and citizen oversight? The State cannot take the funds.	BONDS-YES
	BONDS-NO

Pamphlet reflects the District's best estimates, based upon currently available data and projections, of the property tax rates required to service the bonds. The best estimates of the maximum tax rate to fund the bonds are: (a) no more than \$15.00 per \$100,000.00 of assessed valuation for the first fiscal year after the sale of the first series, and (b) no more than \$60.00 per \$100,000.00 of assessed valuation for the first fiscal year after the sale of the last series. The best estimate of the highest tax rate required to be levied to fund the bonds is \$60.00 per \$100,000.00 of assessed valuation.

An independent citizens' oversight committee will monitor bond expenditures.

If 55% of those voting on this measure do not vote for approval, the measure will fail and the District will not be authorized to issue the bonds.

s/RICHARD E. WINNIE
County Counsel

The above statement is an impartial analysis of Measure I, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you.

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE I

ANALYSIS BY ALAMEDA COUNTY COUNSEL OF THE BERKELEY UNIFIED SCHOOL DISTRICT BOND MEASURE

Measure I, a Berkeley Unified School District ("District") bond measure, seeks voter approval to authorize the governing Board of the District to cause general obligation bonds to be issued and sold in an aggregate principal amount not to exceed \$210,000,000.00 at interest rates within the statutory limit. The primary purpose of the bonds is to finance specific school facilities projects in the measure.

Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution and California Education Code Section 15266, this measure will become effective upon the affirmative vote of at least 55% of the qualified electors voting on this measure.

California Education Code Section 15100 limits the use of the proceeds from the bonds sale to construction, reconstruction, rehabilitation or replacement of school facilities, and the acquisition of real property for school facilities. In addition, proceeds may only be used for the projects listed in the measure itself. Measure I provides that its proceeds will fund projects outlined in the measure reproduced in the sample ballot that include, among others: constructing new classrooms and science labs; completing seismic upgrades; upgrading computers and technology; and renovating playgrounds. Proceeds may not be used for any other purpose, such as operating expenses or teacher and administrator salaries.

If 55% of those who vote on the measure vote "yes", the District will be authorized to issue bonds in an aggregate principal amount not to exceed \$210,000,000.00. Approval of this measure will authorize Alameda County to levy an ad valorem tax on the assessed value of real property within the District by an amount needed to pay the principal and interest on these bonds in each year that the bonds are outstanding.

The Tax Rate Statement for Measure I in this Voter

TAX RATE STATEMENT OF MEASURE I

An election will be held in the Berkeley Unified School District (the "District") on November 2, 2010, to authorize the sale of up to \$210,000,000 in bonds of the District to finance school facilities as described in the proposition. If the bonds are approved, the District plans to sell the bonds in six series over a period of approximately ten years. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The information presented in numbered paragraphs 1-3 below is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the maximum tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is no more than one and one-half cents per \$100 (\$15.00 per \$100,000) of assessed valuation in fiscal year 2011-12.
2. The best estimate of the maximum tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is no more than six cents per \$100 (\$60.00 per \$100,000) of assessed valuation in fiscal year 2020-21.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is six cents per \$100 (\$60.00 per \$100,000) of assessed valuation, which is estimated to apply in fiscal years 2018-19 through 2038-39.

Approval of the ballot measure authorizes the issuance of bonds under certain conditions, and is not approval of a specific tax rate or a specific bond issuance plan. The tax rate estimates in this statement reflect the District's current projection of future assessed values and of future debt service payments, which are based on certain assumptions. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount and repayment structure of bonds sold, market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale of the bonds and the amount and repayment structure of bonds sold at any given time will be determined by the District based on its need for construction funds, its intention to meet the tax rate targets stated above, the legal limitations on bonds approved by a 55% vote, and other factors. The actual interest rates at which the bonds are sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property in the District as shown on the County's official tax rolls, *not* on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Dated: June 18, 2010.

s/William Huyett
Superintendent
Berkeley Unified School District

ARGUMENT IN FAVOR OF MEASURE I

Quality education is supported by quality facilities.

Passage of Measure I is urgently needed to:

Build a new classroom building, improve technology and athletics facilities to complete Berkeley High.

Build new elementary school classrooms, necessary for our schools' growing enrollments.

Build science labs, career and technical education classrooms and install modern technology.

Perform major replacements, such as roofs, boilers, and improve energy efficiency.

Allow Berkeley to qualify for matching State funds.

Approval of this facilities bond will continue Berkeley's commitment to educate our children in safe and sound schools. Good schools bring value not just to students and families, but to the whole community.

The bond is simply a continuation of Berkeley's current financial commitment to its schools. Tax rates will not be set higher than past levels.

The great results of Berkeley's past investment can be seen all around Berkeley.

With few exceptions, all buildings have been renovated to meet or exceed state seismic standards for school—few California districts have done this.

Well-maintained, attractive facilities provide a welcoming learning environment and enhance our neighborhoods.

New and renovated facilities at Berkeley High and across the district have improved student welfare and replaced unsafe buildings.

Measure I includes strict oversight, independent audits and a citizen's oversight committee, as mandated by the State. The State cannot take these funds.

Our community is uniting to invest in Berkeley schools. Measure I is endorsed by: Berkeley Association of Realtors, League of Women Voters, Berkeley Federation of Teachers, all City Council members, all School Board members, Senator Loni Hancock, Assembly member Nancy Skinner, Supervisor Keith Carson, and many community leaders.

Please join us – **Vote Yes on Measure H and I** to continue Berkeley's commitment to its schools. BerkeleySchools2010.com

s/Nancy Skinner
Assemblymember

s/Tom Bates
Mayor

s/Helen Walker, individually and on behalf of,
President, Berkeley Association of Realtors

s/Shirley R. Brower
Educator—Consultant

s/Sherry Smith, individually and on behalf of,
President, League of Women Voters of Berkeley, Albany & Emeryville

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE I

Vote NO on Measure I

This \$210,000,000 bond, if approved, will make a total of \$550,000,000 spent by the district in the past 18 years. This is more than DOUBLE the amount spent by any other district of comparable size in CALIFORNIA. The district has already spent more than any other district in CALIFORNIA! And Berkeley is far from the best district in terms of performance—our scores go down each year.

Some of the major expenditures considered by the district for this bond measure are:

<u>Item</u>	<u>Expenditure in MILLIONS</u>
SEISMIC PAID FOR IN PRIOR BONDS	42.5
MAINTENANCE—SEE MEASURE H	14.0
SYSTEM UPGRADES & REPLACE- MENT –DISTRICT HAS NEW SCHOOLS	101.5
REPLACE OBSOLETE BUILDING SYSTEMS—LOOKS LIKE A DOUBLE COUNTING	91.5
DERBY FIELD—FUNDED IN TWO PRIOR BOND MEASURES—MONEY NEVER SPENT ON DERBY FIELDS	3.5

OTHER ITEMS MAKE UP THE DIFFERENCE
IN REALITY THERE IS NO WAY TO IDENTIFY HOW THESE MONEYS WILL BE SPENT. THEY WILL CERTAINLY DEMOLISH THE WARM WATER POOL AT BHS, THEY WILL BURDEN EVERY HOMEOWNER WITH A \$500,000 ASSESSMENT ANOTHER \$1,000 IN TAXES. **Berkeleyans deserve more from their school district than simply higher taxes with no accountability and no transparency. VOTE NO!** Join families, businesses and the greater community who want the District to balance its needs with ours.

s/Julie Dickinson
Individually and On Behalf, Secretary, Council of
Neighborhood Associations (CNA)

s/Barbara Gilbert
On Behalf of, Vice-President, North East Berkeley
Association (NEBA)

s/Cole Smith
On Behalf of, Treasurer Berkeleyans Against Soaring
TAXES! (BASTA!)

s/Viki Tamaradze
Individually and on behalf of, Secretary and Treasurer,
Berkeley Can Do Better (BCDB)

s/Frankie L. Fraser
Past Pres. San Pablo PK. Neig. Council, Past HAC
Commissioner (SPNC)

ARGUMENT AGAINST MEASURE I

BERKELEY PUBLIC SCHOOLS FACILITY AND
MAINTENANCE ACT OF 2010

VOTE NO ON MEASURE I

GENEROUS BERKELEY VOTERS HAVE ALREADY
APPROVED MEASURE A AND AA (340 MILLION).

MILLIONS MORE WERE RECEIVED FROM THE
STATE FOR CONSTRUCTION OF SCHOOLS.

MEASURE AA. (116.5 MILLION) PROVIDED FOR
.CONSTRUCTION OF CLASSROOMS AT BERKELEY
HIGH WHICH WERE NEVER BUILT. THERE HAS
NEVER BEEN AN ACCOUNTING OF THE \$116.5
MILLION TO THE PUBLIC OR THE SCHOOL
BOARD.

THE EXPENDITURE OF THE BOND FUNDS HAVE
NEVER BEEN AUDITED. THERE IS NO OVERSIGHT
OR ACCOUNTABILITY FOR FUNDS EXPENDED.

TEN MILLION HAS BEEN EXPENDED FOR A
SCHOOL BUS PARKING LOT AND MAINTENANCE
FACILITY WHICH WAS NOT AUTHORIZED.

ANOTHER 10 MILLION HAS BEEN SET ASIDE FOR
NEW BLEACHERS AT BERKELEY HIGH. NEITHER
PROJECT WAS MENTIONED IN THE PRIOR BOND
MEASURE.

NO MORE FUNDS SHOULD BE APPROVED UNTIL
THE PAST BOND MEASURE FUNDS ARE AC-
COUNTED FOR,

VOTE NO ON MEASURE I

s/Julie Dickinson

Individually and On Behalf, Secretary, Council of
Neighborhood Associations (CNA)

s/George S. Oram

Founder of Elmwood Realty and Berkeley Can Do Bet-
ter(BCDB) and Parent of BUSD Students

s/Arthur Goldberg

Former Chair, Berkeley Citizen Budget Review Com-
mission and Board Member, Council Of Neighborhood
Associations (CNA)

s/Greg Harper

Attorney, Former Chair Housing Advisory Commission,
Treasurer, Berkeley Alliance of Neighborhood Associa-
tions (BANA)

s/William D. Hermann, Profession of Economics and
North East Berkeley Association (NEBA) Board Member

REBUTTAL TO ARGUMENT AGAINST MEASURE I

The opponents' statement is deceptive and erroneous.
**There are many levels of accountability for all Berke-
ley Unified bond funds.**

1. All bond funds are independently audited yearly.
2. A citizens committee reviews all expenditures.
3. The School Board has approved all bond projects
and receives regular updates and financial state-
ments.
4. In a June 2008 comprehensive financial and perfor-
mance audit of the Measure AA bond, approval
process and expenditures for the previous 8 years,
the district passed with flying colors.

Berkeley's facilities needs are real and pressing—passage
of Measure I is vital.

- Classrooms at Berkeley High are needed—11
portable classrooms are on the softball field.
- The high school needs modern science labs.
- Our elementary schools are bursting at the seams.
- All classrooms need technology upgrades.
- Our schools' roofs, boilers and other systems need
replacement over the next ten years.

Measure I will not raise rates higher than the level of past
years.

**There is no better investment than making sure our
children receive a quality education—and the founda-
tion of quality education is safe, sound schools.**

Endorsers include:

the Berkeley Association of Realtors,
the League of Women Voters (Berkeley, Albany,
Emeryville),

State Senator Loni Hancock, Assembly Member Nancy
Skinner, Supervisor Keith Carson, all School Board mem-
bers, all City Council members and the Mayor, and com-
munity members throughout Berkeley.

Vote Yes on Measures H & I! Join the broad coalition of
caring Berkeleyans in continuing a tradition of local sup-
port for Berkeley Schools! BerkeleySchools2010.com

s/Ann-Marie Hogan

Berkeley City Auditor

s/Rev. George E. Crespin

Pastor Emeritus

s/Michele Lawrence

Former BUSD Superintendent

s/Maggie Gee

Member, Democratic Party Central Committee, Alame-
da County

s/Irma Parker

Berkeley Activist

FULL TEXT OF THE SCHOOL BOND MEASURE I

BOND AUTHORIZATION

By approval of this proposition by at least 55% of the registered voters voting on the proposition, the Berkeley Unified School District (the "District") shall be authorized to issue and sell bonds of up to \$210,000,000 in aggregate principal amount to provide financing for the specific school facilities projects listed in the Bond Project List below, and in order to qualify to receive State matching grant funds, subject to all of the accountability safeguards specified below.

ACCOUNTABILITY SAFEGUARDS

The provisions in this section are specifically included in the proposition in order that the District's voters and taxpayers may be assured that their money will be spent wisely to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, Section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board of Education has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the District at each campus and facility, and to determine which projects to finance from a local bond at this time. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Limitation on Use of Bond Proceeds. The State of California does not have the power to take locally approved school district bond funds for any State purposes. The Constitution allows proceeds from the sale of bonds authorized by this proposition to be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities listed in this proposition, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses. Proceeds of the bonds may be used to pay or reimburse the District for the cost of District staff only when performing work on or necessary and incidental to the bonds projects.

Independent Citizens' Oversight Committee. The Board of Education shall establish an independent Citizens' Oversight Committee (pursuant to Education Code Section 15278 and following), to ensure bond proceeds are spent only for the school facilities projects listed in the Bond Project List. The committee shall be established within 60 days of the date on which the Board of Education may, but need not, constitute the Citizens' Oversight Committee responsible for reviewing other bonds of the District.

Annual Performance Audits. The Board of Education shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in the Bond Project List.

Annual Financial Audits. The Board of Education shall conduct an annual, independent financial audit of the bond proceeds (which shall be separate from the District's regular annual financial audit) until all of those proceeds have been spent for the school facilities projects listed in the Bond Project List.

Special Bond Proceeds Account; Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board of Education shall take actions necessary pursuant to Government Code Section 53410 and following to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent or the chief fiscal officer of the District shall cause a report to be filed with the Board no later than December 31 of each year, commencing December 31, 2010, stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as such officer shall determine, and may be incorporated into the annual budget, audit, or other appropriate routine report to the Board.

FURTHER SPECIFICATIONS

Specific Purposes. All of the purposes enumerated in the proposition shall be united and voted upon as one single proposition, pursuant to Education Code Section 15100, and shall constitute the specific purposes of the bonds, and proceeds of the bonds shall be spent only for such purposes, pursuant to Government Code Section 53410.

Joint Use. The District may enter into agreements with the City of Berkeley or other public agencies or nonprofit organizations for joint use of school facilities financed with the proceeds of the bonds in accordance with Education Code Section 17077.42 (or any successor provision). The District may seek State grant funds for eligible joint-use projects as permitted by law, and this proposition hereby specifies and acknowledges that bond funds will or may be used to fund all or a portion of the local share for any eligible joint-use projects identified in the Bond Project List or as otherwise permitted by California State regulations, as the Board of Education shall determine.

Rate of Interest. The bonds shall bear interest at a rate per annum not exceeding the statutory maximum, payable at the time or times permitted by law.

Term of Bonds. The number of years the whole or any part of the bonds are to run shall not exceed 40 years from the date of the bonds or the date of any series thereof.

SPENDING AUTHORIZATION

The Bond Project List below describes the specific projects the District proposes to finance with proceeds of the bonds. Inclusion of a project on the Bond Project List is not a guarantee that the project will be funded or completed. Listed projects will be completed as needed at a particular school site according to Board-established priorities, and the order in which such projects appear on the Bond Project List is not an indication of priority for funding or completion. The Board of Education may make

changes to the Bond Project List in the future consistent with the projects specified in the proposition.

Until all project costs and funding sources are known, the Board of Education cannot determine the amount of bond proceeds available to be spent on each project, nor guarantee that the bonds will provide sufficient funds to allow completion of all listed projects. The final cost of each project will be determined as plans are finalized, construction funds expected from non-bond sources have not yet been secured, including State grant funds the District expects to request for eligible projects, deferred maintenance funds, public agency or nonprofit partner contributions to joint-use projects, utility rebates, etc. Completion of some projects may be subject to further government approvals by State officials and boards, to local environmental review, and to input from the public.

Each project is assumed to include its share of costs of the election and bond issuance and other construction-related costs, such as construction management, architectural, engineering, inspection and other planning and permitting costs, legal, accounting and similar fees, independent annual financial and performance audits, a customary construction contingency, and other costs incidental to and necessary for completion of the listed projects (whether work is performed by the District or by third parties).

Unless otherwise noted, the projects in the Bond Project List are authorized to be completed at each or any of the District's sites, as shall be approved by the Board or Education:

Berkeley Arts Magnet Elementary

Cragmont Elementary

Emerson Elementary

Jefferson Elementary

John Muir Elementary

LeConte Elementary

Malcolm X Elementary

Oxford Elementary

Rosa Parks Elementary

Thousand Oaks Elementary

Washington Elementary

* * *

M.L. King Jr. Middle School

Longfellow Middle School

Willard Middle School

* * *

Berkeley High School

B-Tech High School

Berkeley Adult School

* * *

1810 Hopkins Pre-school

Franklin Pre-school

King Pre-school

* * *

Oregon/Russel Facility

West Campus Facility

East Campus Field

Transportation Facility

BOND PROJECT LIST

BERKELEY HIGH SCHOOL COMPLETION

- Complete seismic retrofit of Berkeley High School, including completion and construction of Berkeley High School facilities and grounds included in the South of Bancroft Avenue Plan
- Seismic renovation or replacement of Building C-G Bridge

NEW PROJECTS AND NEEDED EQUIPMENT

- Construct new classrooms and classroom buildings to accommodate growth in enrollment, including elementary and pre-kindergarten enrollment growth
- Construct new Career Technical Education center and technology training classrooms, classroom buildings, science labs and other facilities to accommodate career, technical and science education
- Acquire and install or upgrade classroom technology equipment and fixtures, including computers, digital projectors and cameras, etc.
- Upgrade, replace existing or acquire new school, office and District-wide computer and data, voice, and audio-visual communications systems, including computers and computer network equipment and electrical infrastructure to accommodate technology upgrades
- Acquire and install solar electricity generation and distribution systems, including rooftop installation of solar panels, construction of parking lot shade structures and other structures to support solar panels and related infrastructure, and electrical system enhancements to accommodate solar power. Rehabilitate and replace such systems and equipment as needed in the future.
- Acquire and install energy-saving improvements, including upgraded insulation, efficient lighting, windows and window coverings, shade canopies, energy management and conservation systems, and other passive technologies
- Construct or renovate new kitchens and serving areas at school sites to include a new facility at Longfellow Middle School
- Improve the field at the East Campus site on Derby Street
- Seismically renovate or replace District Maintenance, Food Service, and Warehouse buildings
- Furnish and equip schools, classrooms, science and technology labs, gyms, school offices, and other District facilities which may include desks, chairs and classroom furniture, computers and audio-video production equipment, science, lab and technical equipment, kitchens and culinary equipment, gymnasium and physical education equipment, school site maintenance equipment, moveable partitions, copy machines and other school office equipment. Furnishing and equipping shall include initial purchases, and scheduled and necessary replacements, upgrades and updates

ing technology

- Construct classrooms and classroom buildings, laboratories, libraries, lecture halls, multipurpose rooms, theaters, art and music instruction and recital rooms, and other educational facilities, gymnasiums and other physical education facilities, and maintenance and support facilities, to meet expanding and changing educational program needs at all grade levels

BUILDING SYSTEMS RENEWAL AND REPLACEMENT AND EXTERIOR GROUNDS IMPROVEMENT

- Upgrade, replace and install improved building infrastructure systems and system components, including for plumbing, gas, electrical, lighting, heating, ventilation and air conditioning systems; water supply, sewer lines and storm drains, and connections to city systems
- Upgrade, replace and install smoke and fire detection and suppression systems, and security systems, including cameras, intrusion detection, and alarm systems; doors and door locks, windows and window locks; public address, telephones, and emergency communications
- Renovate, replace or construct classrooms that have not yet been modernized, including doors, windows, walls, ceilings and floors and finishes, carpets, drapes, window coverings, lighting, sinks, fixtures and equipment
- Renovate, replace or construct and equip school kitchens, cafeterias, and teaching kitchens, including school gardens, food preparation, food storage, serving and dining areas
- Renovate, replace or construct other educational support facilities
- Construct or renovate restrooms as needed to support population size, remove accessibility barriers, and meet Americans with Disabilities Act requirements
- Install, construct, renovate or rehabilitate site improvements, including pedestrian paths, sidewalks and walkways, exterior shade canopies and rain structures, outside gathering and eating areas, lawns, quads and courtyards, benches; landscape improvements, irrigation and drainage; vehicle roads and parking, including reconfigured or new pickup/dropoff areas, ingress, egress, traffic lights and mitigation
- Install or replace exterior safety lighting, fencing, security monitoring and alarm systems, signage, electronic message boards
- Renovate, replace or construct physical education playgrounds and athletic fields and associated facilities, including all-weather tracks, natural or artificial turf fields, courts and stadiums, lighting, bleachers and restrooms. Provide storage for physical education, athletic and grounds maintenance equipment
- Resurface, refurbish, repair and paint building exteriors
- If and as opportunities become available, and to the extent the Board determines that bond funds are available for the purpose, acquire additional locations and

construct, convert, renovate or improve such additional locations as the Board determines may be necessary and appropriate to serve designated educational purposes

For any project involving renovation, rehabilitation or repair of a building or the major portion of a building, the District shall be authorized to proceed with new replacement construction instead (including any necessary demolition), if the Board of Education determines that replacement and new construction is more practical than renovation, rehabilitation and repair, considering the building's age, condition, expected remaining life, comparative cost, and other relevant factors.

ADDITIONAL NECESSARY AND INCIDENTAL PROJECTS

- Remove, dispose of, and otherwise remediate hazardous materials, including asbestos, lead, etc.; address other unforeseen conditions revealed by construction or modernization (including plumbing or gas line breaks, dry rot, seismic and structural deficiencies, etc.); and acquire or construct other improvements required to comply with building codes, including seismic safety requirements, the Field Act, and access requirements of the Americans with Disabilities Act (ADA)
- Perform necessary site preparation or restoration in connection with new construction, renovation or remodeling, or installation or removal of relocatable classrooms, including demolition of structures; removing, replacing, or installing irrigation, drainage, utility lines (gas, water, sewer, electrical, data and voice, etc.), trees and landscaping; relocating fire access roads; and acquiring any necessary easements, licenses, or rights of way to the property
- Acquire or construct storage facilities and other space on an interim basis, as needed to accommodate construction materials, equipment, and personnel, and interim classrooms (including relocatables) for students and school functions or other storage for classroom materials displaced during construction
- Lease any of the facilities on the Bond Project List or acquire through lease-purchase or other appropriate financial arrangements; execute purchase option under a lease for any of these authorized facilities or other District facilities currently under lease

The Bond Project List shall be considered a part of this ballot proposition, and shall be reproduced in any official document required to contain the full statement of the bond proposition.

EMERY UNIFIED SCHOOL DISTRICT BOND MEASURE J

J Shall Emery Unified School District: maintain academic excellence/student performance, attract and retain quality teachers by: replacing/upgrading outdated schools no longer meeting seismic safety standards; provide updated classrooms, technology, science/ computer labs; improve school safety; create energy efficient cost-saving facilities that provide job training, after-school, pre-school, and other community services by issuing \$95 million dollars in bonds at legal rates with independent citizens' oversight, audits, and NO money for administrator salaries, benefits, or pensions?	BONDS-YES
	BONDS-NO

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE J

ANALYSIS BY ALAMEDA COUNTY COUNSEL OF THE EMERY UNIFIED SCHOOL DISTRICT BOND MEASURE

Measure J, an Emery Unified School District ("District") bond measure, seeks voter approval to authorize the governing Board of the District to cause general obligation bonds to be issued and sold in an aggregate principal amount not to exceed \$95,000,000.00 at interest rates within the statutory limit. The primary purpose of the bonds is to finance specific school facilities projects in the measure.

Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution and California Education Code Section 15266, this measure will become effective upon the affirmative vote of at least 55% of the qualified electors voting on this measure.

California Education Code Section 15100 limits the use of the proceeds from the bonds sale to construction, reconstruction, rehabilitation or replacement of school facilities, and the acquisition of real property for school facilities. In addition, proceeds may only be used for the projects listed in the measure itself. Measure J provides that its proceeds will fund projects outlined in the measure reproduced in the sample ballot that include, among others: constructing, furnishing and equipping facilities; renovating District properties to meet seismic safety standards; replacing portable buildings with permanent classrooms; and upgrading classroom technology infrastructure. Proceeds may not be used for any other purpose, such as operating expenses or teacher and administrator salaries.

If 55% of those who vote on the measure vote "yes", the District will be authorized to issue bonds in an aggregate principal amount not to exceed \$95,000,000.00. Approval of this measure will authorize Alameda County to levy an ad valorem tax on the assessed value of real property within the District by an amount needed to pay the principal and interest on these bonds in each year that the bonds are outstanding.

The Tax Rate Statement for Measure J in this Voter Pamphlet reflects the District's best estimates, based upon currently available data and projections, of the property tax rates required to service the bonds. The best estimates of the maximum tax rate to fund the bonds are: (a) \$60.00 per \$100,000.00 of assessed valuation for the first fiscal year after the sale of the first series, and (b) \$60.00 per \$100,000.00 of assessed valuation for the first fiscal year after the sale of the last series. The best estimate of the highest tax rate required to be levied to fund the bonds is \$60.00 per \$100,000.00 of assessed valuation.

An independent citizens' oversight committee will monitor bond expenditures.

If 55% of those voting on this measure do not vote for approval, the measure will fail and the District will not be authorized to issue the bonds.

s/RICHARD E. WINNIE
County Counsel

The above statement is an impartial analysis of Measure J, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you.

TAX RATE STATEMENT OF MEASURE J

Tax Rate Statement In Connection With Emery Unified School District

An election will be held in the Emery Unified School District (the "District") on November 2, 2010 to authorize the sale of up to \$95.0 million in bonds of the District to finance school facilities as described in the Measure. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property in the District. The following information is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 6.000 cents per \$100 (\$60.00 per \$100,000) of assessed valuation in fiscal year 2011-12.
2. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 6.000 cents per \$100 (\$60.00 per \$100,000) of assessed valuation in fiscal year 2017-18.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 6.000 cents per \$100 (\$60.00 per \$100,000) of assessed valuation in 2017-18.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, *not* on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on the need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: August 3, 2010

s/John Sugiyama, Superintendent
Emery Unified School District

ARGUMENT IN FAVOR OF MEASURE J

Emeryville prides itself on its commitment to supporting quality education.

Thanks to you, Emery USD schools are much improved. We are now fiscally well-managed. Recently, our students' academic performance has improved more than any other School District in Alameda County and has been recognized as a national model for excellence.

However, our children need up-to-date, safe schools to ensure that they have the proper learning environment.

We must replace our outdated and inadequate schools that no longer meet current seismic safety standards and lack the science and computer labs, libraries, and technology to keep our kids competitive in this difficult economy.

Yes on J builds seismically safe schools, improves energy efficiency (saving money for our classrooms), installs current technology, updates science labs, and expands after-school recreation and learning programs.

Yes on J means investing in our Emeryville schools, helping to attract more local families and attract and retain good teachers.

Yes on J enables Emery schools to provide a range of essential services such as adult education, job training, after-school activities, childcare, public health services, and more -- all at the same location where schools are housed -- in a centralized, cost-efficient way that benefits all children and families.

Yes on J requires independent citizens' oversight to ensure the monies are spent as promised. NO money can be spent on administrators' salaries, pensions or benefits. ALL funds are legally required to be spent in Emeryville and can't be taken by Sacramento.

Yes on J ensures our local schools are adequate and seismically safe for our kids.

Join local business leaders, parents, friends, and neighbors in voting **Yes on J** to ensure Emeryville kids continue to have the safe, adequate schools they need to succeed. Questions? Visit www.emeryusd.k12.ca.us.

s/Ruth Atkin

Mayor, City of Emeryville

s/Miguel Dwin

President Emery USD Board of Trustees

s/Joyce Jacobson

21-year Watergate resident

s/Mark Davis

Emery Teachers Association

s/Rebecca M. Sandoval

Emeryville Parent

NO ARGUMENT AGAINST MEASURE J WAS SUBMITTED

FULL TEXT OF MEASURE J

This proposition may be known and referred to as the Emery Unified School District General Obligation Bond of 2010, or Measure J

FINDINGS

The Emery Unified School District has made excellent progress in educating our children with small class sizes, and excellent teachers. Since 2007, academic performance has improved more in the Emery Unified School District than any other District in Alameda County.

However, our schools and classrooms must be upgraded to meet safety and academic needs. For nearly a decade, the Emery Unified School District has sought a solution to repair and upgrade old classrooms and learning environments, improve school safety conditions, ensure all schools are seismically safe, and bring classroom technology up to date. Current school sites are over 40 years old and lack science labs, energy efficiency, and the technology to keep our students competitive in the 21st century. This measure would allow the district to update and upgrade our schools to ensure our students have the quality learning environments they need.

The District will be collaborating with the City of Emeryville to save taxpayers money by building facilities that maximize cost efficiencies while creating safe schools and quality learning environments. Instead of operating two schools and community facilities separately, the new facilities will include a range of essential services such as adult education, job training, after-school facilities, child care, and health services that are available to all Emeryville children and families at the same location where schools are housed.

The District has sought, and continues to seek, all available outside sources of funding to improve our school buildings, including local, state, and federal grants and state bond funds. The District and City have qualified for State and Federal stimulus money that will help create jobs and improve the local economy; without a local match, these monies would go to other communities.

This measure includes Independent Citizens' Oversight to ensure that monies are spent as promised, and no money will be spent on administrator salaries. All funds will be spent locally to replace old schools that no longer meet current seismic safety standards, and cannot be taken away by Sacramento.

It is necessary to seek voter approval of a bond measure in order to provide the local funding to ensure that the schools that are seismically safe.

BOND AUTHORIZATION

By approval of this proposition by at least 55 percent of the registered voters voting on the proposition, the District shall be authorized to issue and sell bonds of up to \$95 million dollars in aggregated principal at interest rates below the legal limit, to provide finance for the specific school facilities projects listed in the Bond Project List attached hereto as Exhibit A-1, subject to all the accountability requirements specified below.

BOND PROJECT LIST

The Bond Project List attached to this resolution as Exhibit

A-1 shall be considered a part of the ballot proposition and shall be reproduced in any official document required to contain the full statement of the bond proposition. Approval of this Bond Measure (the "Measure") does not guarantee that the proposed project or projects in the District that are the subject of bonds under the Measure will be funded beyond the local revenues generated by the Measure. If state matching funds become available, they will be used for and applied to the Bond Project List as per Exhibit A-1.

ACCOUNTABILITY REQUIREMENTS

The provisions in this section are specifically included in this proposition in order that the voters and taxpayers in the District may be assured that their money will be spent wisely to address specific facilities needs of the District all in compliance with the requirements of Article XIII A, Section 1(b) (3), of the State Constitution and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Education Code Sections 15264 and following).

Evaluation of Needs. The Board has prepared an updated facilities plan in order to evaluate and address all of the facilities needs of the District. The Board hereby certifies that it has evaluated safety, class size reduction, enrollment growth, and information technology needs in developing the Bond Project List contained in Exhibit A-1.

Independent Citizens' Oversight Committee. The Board shall establish an Independent Citizens' Oversight Committee pursuant to Education Code Section 15278 and following to ensure bond proceeds are expended only on the school facilities projects listed in Exhibit A-1. The committee shall be established within 60 days of the date when the results of the election appear in the minutes of the Board.

Performance Audits. The Board shall conduct an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects listed in Exhibit A-1.

Financial Audits. The Board shall conduct an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects listed in Exhibit A-1.

Special Bond Proceeds Account: Annual Report to Board. Upon approval of this proposition and the sale of any bonds approved, the Board shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent of the District shall cause a report to be filed with the Board annually stating (1) the amount of bond proceeds received and expended in that year, and (2) the status of any project funded or to be funded from bond proceeds. The report may relate to the calendar year, fiscal year, or other appropriate annual period as the Superintendent shall determine and may be incorporated in the annual budget, audit, or another appropriate routine report to the Board.

FURTHER SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of bonds authorized by this proposition shall be used only for the construction, reconstruction and/or rehabilitation of

school facilities including the furnishing and equipping of school facilities or acquisition or lease of real property for school facilities and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

The proceeds of the bonds will be deposited into a Building Fund to be held by the Alameda County Treasurer, or alternative approved by the County as required by the California Education Code.

Community Engagement Process. The Emery Unified School District embraces the following Core Values for the Practice of Public Participation as defined by the International Association of Public Participation:

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

Should Emery Unified School District Voters adopt this bond, the EUSD Board of Trustees shall adopt a resolution defining and establishing a process for community information, input, and participation in the design of school sites or related facilities. This Community Engagement Process Resolution shall include a specific plan for soliciting community input and participation including a working timeline of community meetings and presentations. This plan shall include, but not be limited to workshops with District and the City's Community Services staffs; meetings hosted by the School District, City, and/or community residents; and ongoing community engagement including web-based communications, mailings, and notices.

EXHIBIT A-1 BOND PROJECT LIST

- a) Construct, furnish and equip leased and owned facilities, including but not limited to classrooms, science labs, and schools.
- b) Replace, demolish or renovate District properties to meet current seismic safety standards;
- c) Replace outdated portable buildings with permanent classrooms;
- d) Construct school-site support including libraries, physical education facilities, multipurpose rooms, food service facilities, health and recreation facilities

ties and play fields for joint school and community use;

- e) Upgrade and replace classroom technology infrastructure and improve access to computer systems;
- f) Acquire available real property as needed to construct facilities;
- g) Provide appropriate and sufficient parking facilities including but not limited to pick-up and drop-off access for students;
- h) Provide for costs associated with interim housing as needed during the period of construction;
- i) Make additional repairs and upgrades as needed to educational facilities;
- j) Perform necessary site preparation/restoration in connection with new construction, renovation, demolition, or deferred maintenance of educational facilities including off-site facilities as required;
- k) Address unforeseen conditions revealed by construction or emergency repairs (e.g. plumbing or gas line breaks, seismic, structural, asbestos and other hazardous materials);
- l) With written consent from neighbors, mitigate items identified by the Environmental Impact Review as appropriate;
- m) Install energy efficient systems including but not limited to solar electrical systems and related infrastructures.

FREMONT UNIFIED SCHOOL DISTRICT MEASURE K

K To provide Fremont schools stable funding for quality local education and programs that cannot be taken away by the state, including: Maintaining math, science, reading and writing programs; Keeping school libraries open; Supporting classroom/learning technology; Maintaining college and workforce preparation programs; and Retaining qualified teachers Shall the Fremont Unified School District levy \$53 per parcel annually for 5 years, exempting seniors, with citizen oversight, no money for administrator salaries and all money benefiting local schools?	YES
	NO

report detailing the funds collected and expended and the status of any project.

If two-thirds of the qualified electors voting on this measure do not vote for approval, the measure will fail, and the District will not be authorized to levy the special tax.

s/RICHARD E. WINNIE
County Counsel

The above statement is an impartial analysis of Measure K, which measure is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you.

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE K

ANALYSIS BY ALAMEDA COUNTY COUNSEL OF A FREMONT UNIFIED SCHOOL DISTRICT SPECIAL PARCEL TAX MEASURE

Measure K, a Fremont Unified School District ("District") special parcel tax measure, seeks voter approval to authorize the District to levy an annual special parcel tax on each parcel of taxable real property for a period of five years, beginning December 10, 2011. This measure would levy an annual tax of \$53.00 per parcel of taxable real property.

School districts have the authority to levy special taxes upon approval by two-thirds of the votes cast on the special tax proposals pursuant to California Constitution Article XIII A, Section 4 and Article XIII C, Section 2, and California Government Code Sections 50075-50077, 50079, and 53722.

If two-thirds of the qualified electors voting on this measure vote for approval, a special tax will be imposed annually for five years at the rate described above. The tax will be collected by the Alameda County Treasurer-Tax Collector at the same time and in the same manner as *ad valorem* property taxes are collected. Upon annual application to the District an exemption of any tax assessment year may be granted to any owner aged 65 years and over of a parcel used solely for owner-occupied, single-family residential purposes.

If two-thirds of the qualified electors voting on this measure vote for approval, the allocation of the funding revenue is to be used for the specific purposes set forth in the full text of the measure printed in this sample ballot. These purposes include, among others, maintaining certain academic programs, keeping school libraries open, supporting classroom technology, etc. The measure further provides that no later than July 1, the chief fiscal officer shall prepare and file with the District's Board an annual

ARGUMENT IN FAVOR OF MEASURE K

Our schools need a stable funding source that cannot be taken by the state. Measure K will help to maintain the high standard of education students receive in our local schools.

Successive state fiscal crises have led to drastic funding cuts in our schools. More than \$20 million in local school funding has been cut. The Fremont Unified School District is already among the lowest-funded in Alameda County. With ongoing state cuts to education and unpredictable state funding for the next several years, we cannot allow our high-performing schools to decline.

The Fremont Unified School District provides an exceptional academic environment. With outstanding student test scores and performance, strong parent involvement, and recognition for excellence in curriculum, our students succeed year after year. Without a local funding source our schools face deeper program cuts that threaten the quality education students receive.

Measure K will not prevent all of the cuts at our schools, but it will prevent some of the most devastating cuts to academic programs and teachers, including:

- Maintaining math, science, reading and writing programs;
- Keeping school libraries open;
- Supporting classroom and learning technology;
- Maintaining college preparation programs and programs to prepare students for the workforce; and
- Retaining qualified teachers.

Strong taxpayer protections:

- Money raised would be controlled locally and go to our local schools;
- None of the money would be used for administrator salaries;
- Oversight by an independent citizens committee will ensure funds from Measure K are spent as promised;
- Exemptions would be available for those 65 and over; and
- Measure K would expire in 5 years and could not be renewed without voter approval.

Measure K is a simple but critical step we can take to ensure stable local funding for Fremont schools so our students can continue to learn in high-quality schools. Join us in voting YES on Measure K.

s/Peggy Herndon

FUSD Citizens Bond Oversight Committee

s/Dr. Albert Wang

Co-Chair, Friends of Children with Special Needs

s/Dirk Lorenz

Small business owner

s/Cindy Bonior

President/CEO of Fremont Chamber of Commerce

s/Genevieve G. Angelides

AAUW Past President

NO ARGUMENT AGAINST MEASURE K WAS SUBMITTED

FULL TEXT OF MEASURE K

The following is the full text of the ballot measure to be presented to the voters by the Fremont Unified School District in the ballot pamphlet:

To provide Fremont schools stable funding for quality local education and programs that cannot be taken away by the state, including:

Maintaining math, science, reading and writing programs;

Keeping school libraries open;

Supporting classroom/learning technology;

Maintaining college and workforce preparation programs; and

Retaining qualified teachers

Shall the Fremont Unified School District levy \$53 per parcel annually for 5 years, exempting seniors, with citizen oversight, no money for administrator salaries and all money benefiting local schools?

I.

Title and Purpose

This Measure shall be known as the “Fremont Unified School District Local Funding Measure” or as “Measure K”. The revenue raised by this Measure shall be used to preserve quality basic educational programs for students in the Fremont Unified School District.

II.

Findings

The Board of Education of the Fremont Unified School District has found that successive State fiscal crises have led to drastic reductions in fiscal support for our local schools. The State has failed to adequately fund public education and given the severity of the current State fiscal crisis, it is unlikely to do so in the near future. The district has cut, re-allocated or delayed nearly \$20 Million in school services over the past two years.

The impact of these budget reductions, necessitated by the State fiscal emergency, is and will continue to be endured by every student, parent, school, and employee in this District. The sheer magnitude of these cuts will require class size increases and reductions in library hours, counseling services, classroom technology, college and workforce preparation programs, attraction and retention of teachers, and cuts to basic educational programs, among other devastating cuts. The District is striving to continue to provide and improve the quality and excellence expected of its educational programs across the District despite the sharp reduction of fiscal support.

By enacting this measure, the electors are providing Fremont schools with an additional \$3.2 million per year. This measure will not prevent all of the cuts at our local schools, but it will prevent some of the most devastating cuts to our excellent academic programs and teachers.

III.

Definition of Purposes

The available revenues from this Measure shall be dedicated annually to the following purposes:

1. To provide Fremont schools stable funding for quality

local education and programs that cannot be taken away by the state, including:

2. Maintaining math, science, reading and writing programs;
3. Keeping school libraries open;
4. Supporting classroom/learning technology;
5. Maintaining college and workforce preparation programs; and
6. Retaining qualified teachers

IV.

Tax Levy

A special tax shall be levied on parcels in the District, to be operative immediately upon passage, as follows.

A. Tax Base and Rate

1. The special tax of \$53 per year shall be levied on every parcel of taxable real property. “Parcel of taxable real property” means any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the Alameda County Treasurer-Tax Collector’s Office. All property that is otherwise exempt from or on which are levied no *ad valorem* property taxes in any year shall also be exempt from the parcel tax in such year.
2. An exemption from payment of the special tax may be granted to any owner age 65 years and over of a parcel used solely for owner-occupied, single-family residential purposes, upon approval of an application of such owner submitted to the Fremont Unified School District (“Senior Citizen Exemption”).
3. The District shall provide the Alameda County Treasurer-Tax Collector a report indicating the parcel number and amount of tax for each parcel of taxable real property.

B. Term

The levy shall be effective December 10, 2011, and shall continue to be effective until December 10 of the fifth year thereafter.

C. Constitutional Spending Limit

Pursuant to Article XIII B of the California Constitution, the Constitutional Appropriations Limit of the School District shall be increased by the amount collected by the levy of this special tax in accordance with the applicable requirements of the state law.

D. Collection

The District may request that the special tax be collected by the County of Alameda, or other designated agency. The collection of taxes under this Measure, including the imposition of penalties, additional fees, and interest upon persons who fail to remit the special tax imposed by this Measure, or who fail to remit any delinquent remittance, shall be subject to and governed by the rules, regulations, and procedures authorized by law. Every penalty imposed and such interest as accrues under the provisions of this Measure shall become a part of the tax herein required to be paid to the School District.

E. Savings Clause

The provisions of this Measure shall not apply to any person, association, or corporation or to any property as to whom or which it is beyond the power of the District to impose the tax herein provided. If any sentence, clause, section, or part of this Measure or any tax against any individual or any groups specified herein is found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall affect only such clause, sentence, or part of this Measure and shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or other parts of this Measure. It is hereby declared to be the intention of the electorate that this Measure would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof, not been included.

V.

ACCOUNTABILITY

The proceeds of the special tax shall be applied only for the specific purposes identified above. The proceeds of the special tax shall be deposited into an account, which shall be kept separate and apart from other accounts of the District. No later than July 1 of each year while the tax is in effect, commencing July 1, 2011, the chief fiscal officer of the District shall prepare and file with the Board a report detailing the amount of funds collected and expended during the prior fiscal year, and the status of any project or description of any programs authorized to be funded by this Measure. Funds collected pursuant to this Measure shall also be subject to an annual independent financial audit which shall be made public, including by posting on the District's website.

OAKLAND UNIFIED SCHOOL DISTRICT MEASURE L

L OAKLAND STUDENT ACHIEVEMENT, SUPPORT AND SAFETY: to offset severe state budget cuts, improve student achievement, help every child read at or above grade level, and prepare students for college and careers by retaining teachers, teachers' aides, safety officers and other student support staff, shall Oakland Unified School District levy a tax of \$195 per parcel annually for ten years, with low-income taxpayer exemptions, independent audits and citizens' oversight, and no money for Sacramento or administrators' salaries?	YES
	NO

s/RICHARD E. WINNIE
County Counsel

The above statement is an impartial analysis of Measure L, which measure is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you.

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE L

ANALYSIS BY ALAMEDA COUNTY COUNSEL OF AN OAKLAND UNIFIED SCHOOL DISTRICT SPECIAL PARCEL TAX MEASURE

Measure L, an Oakland Unified School District ("District") special parcel tax measure, seeks voter approval to authorize the District to levy an annual special parcel tax on each parcel of taxable real property for a period of ten years, beginning July 1, 2011. This measure would levy an annual tax of \$195.00 per parcel of taxable real property.

School districts have the authority to levy special taxes upon approval by two-thirds of the votes cast on the special tax proposals pursuant to California Constitution Article XIII A, Section 4 and Article XIII C, Section 2, and California Government Code Sections 50075-50077, 50079, and 53722.

If two-thirds of the qualified electors voting on this measure vote for approval, a special tax will be imposed annually for ten years at the rate described above. The tax will be collected by the Alameda County Treasurer-Tax Collector at the same time and in the same manner as *ad valorem* property taxes are collected. Upon annual application to the District an exemption of any tax assessment year may be granted to any owner of a single-family residential unit where the taxpayer resides and whose combined family income is at or below the "very low income" level under Section 8 of the United States Housing Act of 1937.

If two-thirds of the qualified electors voting on this measure vote for approval, the allocation of the funding revenue is to be used for the specific purposes set forth in the full text of the measure printed in this sample ballot, which includes funding compensation for teachers, student support staff, and school-site health and safety staff. The measure further provides that an Independent Citizens' Oversight Committee will ensure that the funds have been spent only for the purposes outlined in the measure.

If two-thirds of the qualified electors voting on this measure do not vote for approval, the measure will fail, and the District will not be authorized to levy the special tax.

ARGUMENT IN FAVOR OF MEASURE L

Improve Student Achievement, Prepare Students for College and Career, Retain Excellent Teachers – Vote **Yes on L!**

Sacramento has taken millions from Oakland's schools and will continue to do so. In the past year, Oakland schools have cut spending by \$122 Million. More than 600 school staff -- teachers, aides, librarians, custodians, school nurses, and school safety officers have been laid off. Too many of our valuable teachers leave our District annually for neighboring districts because we can't afford competitive salaries.

Today's schools must address children's essential academic, social, and emotional needs. To improve student achievement, EVERY student must have an experienced, effective teacher.

- **Yes on L** ensures ALL of Oakland's schools receive additional funding, so students throughout Oakland succeed.
- **Yes on L** helps every student read at or above grade level.
- **Yes on L** increases Oakland's teachers' salaries-- to retain experienced, effective teachers and improve teacher performance.
- **Yes on L** provides every school with student support staff, including teachers' aides, safety officers and custodians.
- **Yes on L** includes strict fiscal accountability guarantees—an Independent Citizens' Oversight Committee, public expenditure reports and annual independent audits—ensuring funds are spent properly.
- **Yes on L** creates financial stability in the School District by maintaining vital funding for Oakland's schools that by law cannot be taken by Sacramento.

The California Department of Education found that Oakland Unified is the most improved large urban district in California, over the last five years. However, without funding to offset Sacramento budget cuts, we won't be able to continue this progress. Support Oakland kids at a time when they need it most – Vote **Yes on L!** Visit www.HelpOaklandSchools.com.

“By working together and supporting our schools, all of our students will succeed – Yes on L!”

Yuri Vasquez, 2010 Valedictorian, Mandela High School.

s/Sally Barry

Chabot Elementary School PTA Executive Vice President

s/Suzanne Loosen

Co-President Oakland League of Women Voters

s/Anthony Martin Cody

Science Teacher

s/Caleb Cheung

2005 Presidential Award for Excellence in Teaching

s/Morris L Tatum

Head School Custodian

NO ARGUMENT AGAINST MEASURE L WAS SUBMITTED

FULL TEXT OF MEASURE L

OAKLAND STUDENT ACHIEVEMENT, SUPPORT AND SAFETY MEASURE

This Measure may be known and referred to as the "Oakland Student Achievement, Support and Safety Measure" or as "Measure L".

FINDINGS

The most important job of Oakland schools is to give the children of Oakland the quality education they deserve in order to improve student achievement, help every child read at or above grade level, and prepare students for college and careers.

Since 2004, student academic achievement in Oakland schools has improved faster than in any other large urban school district in the State, as measured by Academic Performance Index scores.

The Oakland Unified School District (the "District") is committed to improving teacher performance and retaining the very best teachers by offering compensation that is competitive with other East Bay school districts.

All students and teachers and their schools rely on school-site health and safety support staff, including nurses, school security officers, and custodians.

The State of California's record budget deficit projected to be more than \$20 billion will cut funding for Oakland schools by millions of dollars in the current year alone, and State education funding is likely to be inadequate for the foreseeable future.

Recent State budget cuts have forced the District to lay off over 600 teachers and school support staff.

Without additional funding sources, the District cannot provide the same level of services and school salaries that neighboring school districts do, and we lose up to 300 teachers annually to other school districts and professions.

The District wants to make compensation competitive with surrounding school districts to ensure that Oakland has the best prepared and most committed teachers and support staff.

Support for Early Child Development is needed to meet children's essential academic and social needs, and ensure that every child is able to read at or above grade level.

A parcel tax will generate local dollars for local Oakland schools for priorities decided by the Board of Education and not politicians in Sacramento.

TERMS AND SUNSET

Upon approval of two-thirds of those voting on this Oakland Student Achievement, Support and Safety Measure, the District shall be authorized to levy a qualified special tax (education parcel tax) at the annual rate of \$195 per parcel of taxable real property for ten years commencing July 1, 2011.

PURPOSES

In order to offset severe state budget cuts and create programs and policies to improve student achievement and bring reading skills to or above grade level, and prepare students for college and careers, moneys raised under

this Oakland Student Achievement, Support and Safety Measure shall be authorized to be used only in accordance with priorities established by the Board of Education to fund compensation:

1. For teachers, in order to retain effective and skilled teaching staff to improve student achievement, and to fund teacher development to improve teacher performance
2. For student support staff, including teacher aides, early child development staff, attendance clerks, reading specialists, learning specialists, counselors and psychologists, to retain effective and skilled support staff to improve student achievement
3. For school-site health and safety staff, including nurses, school security officers, and custodians, to retain effective and skilled site support staff to improve student achievement.

Education parcel tax proceeds shall be allocated to the authorized purposes in the following proportions:

- Eighty percent to increase compensation for effective teachers and school employees at District-run schools
- Fifteen percent to increase compensation for effective teachers and school employees in charter school programs
- Five percent to fund effective professional development in the first four years of employment (in District-run and charter schools).

No education parcel tax proceeds shall be used to pay the salary of any District or Charter School senior management employees.

LOW-INCOME TAXPAYER EXEMPTION

An exemption from the education parcel tax shall be made for owners of single-family residential units in which the taxpayer resides and whose combined family income from all sources for the previous calendar year is at or below the income level qualifying as "very low income" for a family of such size under Section 8 of the United States Housing Act of 1937, 42 U.S.C.A. Sections 1437 and following for each year. Owners must apply for this exemption annually by petition to the Office of the Chief Financial Officer of the District in the manner and at the time set forth in procedures established by the District. Such petitions shall be on forms available from the Chief Financial Officer's office and must provide information sufficient to verify income including, but not limited to, federal income tax returns and W-2 forms of owner-occupants.

ACCOUNTABILITY PROVISIONS

Independent Citizens' Oversight Committee. The Board of Education shall establish an independent Citizens' Oversight Committee (which may be the existing Measure G oversight committee) to review the Independent Annual Audit and other records of how moneys raised under this Measure have been spent in order to ensure that such moneys have been spent wisely and only for the purposes named in this Measure. The Board of Education shall provide by resolution for the composition, duties, funding and

other necessary information regarding the Committee's formation and operation.

Independent Annual Audit. Upon the levy and collection of the education parcel tax, the Board of Education shall cause an account to be established for deposit of the proceeds, pursuant to Government Code Section 50075.1. For so long as any proceeds remain unexpended, the Superintendent or the Chief Financial Officer of the District shall cause an independent financial auditor to prepare a report to be filed with the Board of Education no later than December 31 of each year, commencing December 31, 2011, stating (1) the amount collected and expended in such year, and (2) the status of any projects or description of any programs funded. The cost of said Independent Audit may be paid from the proceeds of the parcel tax. The report may relate to the calendar year, fiscal year, or other appropriate annual period, as said officer shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board of Education.

Specific Purposes. All of the purposes named in this Oakland Student Achievement, Support and Safety Measure shall constitute the specific purposes of the education parcel tax, and proceeds thereof shall be applied only for such purposes.

SECURITY FROM STATE SEIZURE OR USE

If, in any fiscal year during the term of the education parcel tax, the State Legislature or Governor shall approve any law or take any action the effect of which shall be to deprive the District of the benefit of any proceeds of the education parcel tax, whether by directly taking such proceeds for any State purpose or by taking such proceeds into account for purposes of calculating State support of the District under Section 8 of Article XVI or under any program of categorical aid, special aid or other special programs, then the Board of Education shall reduce the rate of the education parcel tax commensurately.

LEVY AND COLLECTION

The education parcel tax shall be collected by the Alameda County Treasurer-Tax Collector at the same time and in the same manner and shall be subject to the same penalties as *ad valorem* property taxes collected by the Treasurer-Tax Collector. Unpaid taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid.

"Parcel of taxable real property" shall be defined as any unit of real property in the District which receives a separate tax bill for *ad valorem* property taxes from the Alameda County Treasurer-Tax Collector. "Parcel of taxable real property" shall exclude all parcels which are otherwise exempt from or on which are levied no *ad valorem* property taxes in any year, and all parcels which qualify for the low-income taxpayer exemption provided by this Oakland Student Achievement, Support and Safety Measure in any year.

The District shall annually provide a list of parcels to the Alameda County Treasurer-Tax Collector which the District has approved for exemption in accordance with this Measure. Eligibility for the low-income taxpayer

exemption shall be determined solely by the District, and any taxpayer wishing to challenge the District's determination, or claim a refund or reimbursement of taxes paid while eligible for the exemption, shall apply directly to the District.

The Alameda County Assessor's determination of exemption or relief for any reason of any parcel of real property from taxation, other than through the low-income taxpayer exemption provided for herein, shall be final and binding for the purposes of the education parcel tax. Taxpayers wishing to challenge the County Assessor's determination must do so under the procedures for correcting a misclassification of property pursuant to Part 9 of Division 1 of the California Revenue and Taxation Code or other applicable procedures. Taxpayers seeking a refund of any tax paid shall follow the procedures applicable to property tax refunds pursuant to the California Revenue and Taxation Code.

SEVERABILITY

The Board of Education hereby declares, and the voters by approving this Oakland Student Achievement, Support and Safety Measure concur, that every section, paragraph, sentence and clause of this Measure has independent value, and the Board of Education and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this Measure by the voters, should any part be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts hereof shall remain in full force and effect to the fullest extent allowed by law.

SAN LEANDRO UNIFIED SCHOOL DISTRICT BOND MEASURE M

M “To continue to improve and modernize its schools, renovate athletic facilities including Burrell Field, replace the pools at San Leandro High School, enhance energy efficiency and promote safe, healthy schools for all students, shall the San Leandro Unified School District be authorized to replace, renovate, acquire and construct school facilities, and issue \$50,100,000 in bonds at legal interest rates with no funds for administrator salaries, conduct annual independent audits, and appoint an Independent Oversight Committee to monitor bond expenditures?”	BONDS-YES
	BONDS-NO

COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE M

ANALYSIS BY ALAMEDA COUNTY COUNSEL OF THE SAN LEANDRO UNIFIED SCHOOL DISTRICT BOND MEASURE

Measure M, a San Leandro Unified School District (“District”) bond measure, seeks voter approval to authorize the governing Board of the District to cause general obligation bonds to be issued and sold in an aggregate principal amount not to exceed \$50,100,000.00 at interest rates within the statutory limit. The primary purpose of the bonds is to finance specific school facilities projects in the measure.

Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the California Constitution and California Education Code Section 15266, this measure will become effective upon the affirmative vote of at least 55% of the qualified electors voting on this measure.

California Education Code Section 15100 limits the use of the proceeds from the bonds sale to construction, reconstruction, rehabilitation or replacement of school facilities, and the acquisition of real property for school facilities. In addition, proceeds may only be used for the projects listed in the measure itself. Measure M provides that its proceeds will fund projects outlined in the measure reproduced in the sample ballot that include, among others: renovating the Pacific Sports Complex; replacing pools and pool facilities at San Leandro High School; and repairing athletic fields. Proceeds may not be used for any other purpose, such as operating expenses or teacher and administrator salaries.

If 55% of those who vote on the measure vote “yes”, the District will be authorized to issue bonds in an aggregate principal amount not to exceed \$50,100,000.00. Approval of this measure will authorize Alameda County to levy an ad valorem tax on the assessed value of real property within the District by an amount needed to pay the principal and interest on these bonds in each year that the bonds are outstanding.

The Tax Rate Statement for Measure M in this Voter Pamphlet reflects the District’s best estimates, based upon currently available data and projections, of the property tax rates required to service the bonds. The best estimates of the tax rate to fund the bonds are: (a) \$25.00 per \$100,000.00 of assessed valuation for the first fiscal year after the sale of the first series; and (b) \$25.00 per \$100,000.00 of assessed valuation for the first fiscal year after the sale of the last series. The best estimate of the highest tax rate and average annual tax rate required to fund the bonds is also \$25.00 per \$100,000.00 of assessed valuation.

An independent citizens’ oversight committee will monitor bond expenditures.

If 55% of those voting on this measure do not vote for approval, the measure will fail and the District will not be authorized to issue the bonds.

s/RICHARD E. WINNIE
County Counsel

The above statement is an impartial analysis of Measure M, which is printed in full in this sample ballot pamphlet. If you desire an additional copy of the measure, please call the Elections Official's office at (510) 272-6933 and a copy will be mailed at no cost to you.

TAX RATE STATEMENT OF BOND MEASURE M
TAX RATE STATEMENT IN CONNECTION WITH
SAN LEANDRO UNIFIED SCHOOL DISTRICT
BOND MEASURE TO BE SUBMITTED TO
VOTERS ON NOVEMBER 2, 2010

An election will be held in the San Leandro Unified School District (the "District") on November 2, 2010, on the question of whether to authorize up to \$50,100,000 in bonds to be issued by the District to finance school facilities as described in the ballot measure. If the bonds are approved, the District expects to sell the bonds in two or more series over time. Principal and interest on the bonds will be paid from taxes levied on the taxable property in the District. The information contained in numbered paragraphs 1–3 below is provided in compliance with Sections 9400-9404 of the Elections Code of the State of California. This information is based on the best estimates and projections presently available from official sources, experience within the District and other demonstrable factors.

1. The best estimate of the tax which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the first series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 2.5¢ per \$100 (\$25.00 per \$100,000) of assessed valuation in fiscal year 2011-12.
2. The best estimate of the tax rate which would be required to be levied to fund this bond issue during the first fiscal year after the sale of the last series of bonds, based on estimated assessed valuations available at the time of filing of this statement, is 2.5¢ per \$100 (\$25.00 per \$100,000) of assessed valuation in fiscal year 2013-14.
3. The best estimate of the highest tax rate which would be required to be levied to fund this bond issue, based on estimated assessed valuations available at the time of filing of this statement, is 2.5¢ per \$100 (\$25.00 per \$100,000) of assessed valuation in fiscal year 2013-14.
4. The best estimate of the average annual tax rate which would be required to be levied to fund this bond issue through the entire repayment period, based on estimated assessed valuations available at the time of filing of this statement, is 2.5¢ per \$100 (\$25.00 per \$100,000) of assessed valuation.

Voters should note that the estimated tax rates are based on the *ASSESSED VALUE* of taxable property on the County's official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which is not binding upon the District. The actual tax rates and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time

of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on its need for construction funds and other factors, including the legal limitations on bonds approved by a 55% vote. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Dated: 8/2, 2010.

s/Cindy M. Cathey
Superintendent
San Leandro Unified School District

ARGUMENT IN FAVOR OF MEASURE M

A Yes Vote on Measure M will provide critical funds to renovate physical education facilities in the San Leandro Unified School District. Aging facilities that were built in the 1950s no longer serve the needs of our students and community. Burrell Field and the high school swimming pool have serious safety issues and rapidly diminishing usefulness. In addition, other school facilities and fields throughout the District need to be improved to support physical education. We have reached the point where these facilities must be repaired or replaced.

Our students deserve safe, adequate facilities that encourage and enable students to participate in physical fitness activities. Research shows that regular exercise improves academic performance and success in school.

Measure M is a \$50.1 million school bond which will provide funds to:

- Improve physical education facilities at schools district-wide
- Renovate aging and deteriorating Burrell Field
- Replace the pool at San Leandro High to prevent closure in 2012
- Continue to improve and renovate all schools in the San Leandro Unified School District

An Independent Citizens Oversight Committee will monitor the way all bond funds are spent. All funds from Measure M will be used for specific school projects in San Leandro. No funds will be used for administrator or teacher salaries.

The school district has done an outstanding job with local bond funds. However, renovating the fields and pool has been put off in past bonds. These needs can no longer wait.

A YES VOTE for Measure M is an investment in our students and community.

A YES VOTE for Measure M will allow our schools to provide a quality educational environment that encourages healthy lifestyle choices.

A YES VOTE for Measure M will benefit every child and, ultimately, all of San Leandro.

Please Vote Yes on Measure M.

s/Robert JP Maginnis
San Leandro Police Chief, Retired

s/Ellen M. Corbett
California State Senator

s/Michael Bolar
President – San Leandro Little League

s/Mary Beth Barloga
Retired Principal San Leandro Schools

s/Henry Sullivan
Vice Chair, San Leandro Chamber of Commerce

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE M

Don't be fooled by the ballot language of this Bond Measure. We urge you to take a very close look at exactly what the San Leandro Unified School District Trustees want to spend over Fifty Million Dollars on.

This Bond does very little to improve our every day school facilities. The vast majority of the money will be spent on a new football stadium and swimming center.

Sixteen Million Dollars for a new 2,500 seat football palace at Burrell Field.

Six Million Dollars for a new competitive swim center with two new pools at San Leandro High School.

Twelve Million Dollars for shade and solar panel structures at both locations.

That's \$34,000,000.00 or 68% of the total costs to be spent on high-end luxury sports facilities that will be used by a small handful of people in San Leandro.

Only \$15,030,000.00 (30%) will go to the various school campuses for new doors and windows for the buildings.

This Bond will cost the average homeowner over \$100.00 per year for twenty-five years. Do you want to spend \$34,000,000.00 for new football and swimming stadiums when our community has much greater needs in these very difficult economic times?

We urge you to send a clear message—

SAY NO TO DECEPTIVE BALLOT STATEMENTS.

SAY NO TO EXPENSIVE LUXURY SPORTS COMPLEXES IN DIFFICULT ECONOMIC TIMES.

VOTE NO ON MEASURE M.

California Apartment Association
Political Action Committee
By: Thomas R. Silva
Trustee

**ARGUMENT AGAINST MEASURE M
SAN LEANDRO UNIFIED SCHOOL
BOND MEASURE M**

We all recognize that we are in very difficult economic times. Everyone has been negatively affected by the great recession. We also understand that we must be very careful with the limited financial resources in our community.

Long-term fiscal responsibility is the foundation from which all essential governmental services flow. Why is the San Leandro Unified School District hiding the true expenditures of this Bond Measure? Please read the Bond language carefully. This Bond measure sends only .30 cents of every dollar borrowed to our classrooms. By reading the find print, you'll see Measure M provides over \$34,000,000.00 for a 2,500 seat football stadium, two new swimming pools and shade and solar power structures for both at a cost to the average homeowner of over \$3,000.00 during the 25 year pay-back period.

It only provides \$15,000,000.00 to replace windows and entry doors for our schools. Not one cent goes to operating and maintenance costs of these new sports facilities. That money must come out of students and teachers pockets in the form of increased class sizes, lowered salaries, reduced supplies and a more difficult learning environment.

Do we really need a \$34,000,000.00 football stadium and swim complex in these difficult times?

Do you really want to increase your property taxes over \$100.00 per year for 25 years to pay for a new luxury football stadium and competition swimming complex?

Please send a strong message –

**SAY NO TO EXPENSIVE LUXURY SPORTS
COMPLEXES IN DIFFICULT TIMES.**

**SAY NO TO REDUCED CLASSROOM
RESOURCES.**

SAY NO TO DECEPTIVE BOND MEASURES.

VOTE NO ON MEASURE M.

California Apartment Association
Political Action Committee

By: Thomas R. Silva
Trustee

**REBUTTAL TO ARGUMENT AGAINST
MEASURE M**

Don't be fooled by the deceptive argument against Measure M. Measure M is supported by San Leandro parents, seniors, teachers, homeowners, renters, and community and business leaders. The sole opponent does not live in San Leandro.

The need to improve our athletic facilities is evident and urgent. Measure M is **not** a luxury. Measure M simply provides safe, modern facilities for our children. Burrell Field is decrepit and outdated. The San Leandro High School pool faces closure in 2012. Maintaining these 50-year-old facilities is expensive and inefficient.

The opponent's argument is wildly misleading!

Measure M will cost \$25 per \$100,000 based on the assessed valuation that appears on your property tax bill. The average homeowner will pay about \$75 per year. Most seniors will pay less.

The facts are clear. The District has spent months identifying the most urgent needs and developing a specific list of projects at each school site. These projects include renovating and replacing deteriorating athletic facilities, fields and playgrounds at all our schools.

All of the funds will be protected by a citizens oversight committee of San Leandro residents who care about our schools and community. Join us and together we can improve our schools and make San Leandro a better place to live.

VOTE TO IMPROVE OUR SCHOOLS!

VOTE FOR SAN LEANDRO!

**VOTE YES ON MEASURE M—an investment in our
children's future!**

s/Estelle Clemons

Co-Chair Citizens for San Leandro Schools

s/Peter Ballew

San Leandro High School Graduate & Coach

s/Alfred Frates

Senior Homeowner

s/Brad Bowers

Coach San Leandro High Football

s/Deborah Cox

President San Leandro Education Foundation

FULL TEXT OF BOND MEASURE M

"To continue to improve and modernize its schools, renovate athletic facilities including Burrell Field, replace the pools at San Leandro High School, enhance energy efficiency and promote safe, healthy schools for all students, shall the San Leandro Unified School District be authorized to replace, renovate, acquire and construct school facilities, and issue \$50,100,000 in bonds at legal interest rates with no funds for administrator salaries, conduct annual independent audits, and appoint an Independent Oversight Committee to monitor bond expenditures?"

As required by the California Constitution, the proceeds from the sale of the bonds will be used only for the construction, reconstruction, rehabilitation or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, and not for any other purpose, such as teacher and administrator salaries and other school operating expenses.

San Leandro Unified School District Bond Project List

The District intends to complete the following projects, using a combination of bond funding and other funding sources. Other potential sources include state matching funds, joint-use funds from the State and the City of San Leandro, and any other available sources.

All of the schools in the District will benefit from projects financed with bond proceeds. The following is a list of schools in the San Leandro Unified School District:

Garfield Elementary, Jefferson Elementary, Madison Elementary, McKinley Elementary, Monroe Elementary, Roosevelt Elementary, Washington Elementary, Wilson Elementary, Bancroft Middle School, John Muir Middle School, Lincoln Continuation High School, San Leandro High School and the San Leandro Adult School.

The District will use bond funds for the following school facility projects:

- Renovate, modernize, and address safety needs at Pacific Sports Complex including Burrell Field.
- Replace pools and pool facilities at San Leandro High School to conform to current safety requirements.
- Repair and improve athletic fields and related facilities.
- Provide safe playground and outdoor structures.
- Upgrade and improve school safety and security.
- District-wide modernization, safety and energy efficiency improvements.
- Provide other improvements to comply with access requirements of the Americans with Disabilities Act.
- Furnish and equip newly constructed and renovated fields and facilities.
- Provide solar or other energy efficient systems to conserve or lower the cost of energy.
- Remove hazardous materials where necessary.
- Perform site work as necessary in connection with new construction or renovation.

The District's Board of Trustees has evaluated safety, class size reduction and information technology needs in

developing the foregoing list.

The District's Board of Trustees will conduct an annual, independent performance audit to ensure that the funds have been expended only on the project list set forth above.

The District's Board of Trustees will conduct an annual, independent financial audit of the proceeds from the sale of the Bonds until all of those proceeds have been expended for the school facilities projects.

Pursuant to Section 15772 of the Education Code, the District's Board of Trustees will appoint a citizens' oversight committee and conduct annual independent audits to assure that funds are spent only on school and classroom improvements and for no other purposes.

CITY OF ALBANY MEASURE N

N CITY OF ALBANY PROPOSED CHARTER MODIFICATION. Do you approve of modifying the Albany City Charter, Section 3.01, as set forth in the voter pamphlet, to provide that the City Attorney be elected at the November 2, 2010 election to a one year term and that, in December 2011, the City Attorney be appointed by the City Council?	YES
	NO

the office is vacated).

A “NO” VOTE on this measure means you are in favor of retaining the present Charter provision which requires the election of the City Attorney.

s/JACQUELINE L. BUCHOLZ, CMC
City Clerk

CITY CLERK’S IMPARTIAL ANALYSIS OF PROPOSED MEASURE N CHARTER MODIFICATION TO SECTION 3.01

This measure places before the voters the question of whether the City Attorney should be an appointed rather than an elected position.

Currently, Section 3.01 of the Albany City Charter provides that the “...City Attorney shall be elected from the City at large and shall hold office for (4) years and until a successor is elected and qualified.” If this measure is approved, the City Attorney would be elected at the November election for a one (1) year term. Thereafter, the City Attorney would be appointed by the City Council.

Duties of the City Attorney. Under the Albany City Charter, the City Attorney is the legal advisor of the City Council, and other City officials. S/he shall draft all ordinances, resolutions, contracts or other legal documents and shall perform such other legal services from time to time as the Council may require. S/he shall attend all meetings of the Council unless excused by the Council or the Mayor.

In practice, the City Attorney position requires extensive knowledge of all aspects of municipal law, including land use, legislative procedures, general civil litigation, employment and labor law, public works, redevelopment, code enforcement, risk management, conflict of interest law, open meeting laws, and public records laws.

City Attorney qualifications. Currently, to be eligible to hold the office of City Attorney, the person must be an attorney-at-law, duly licensed as such under the laws of the State of California, and shall have been engaged in the practice of law for at least five (5) years prior to his election or appointment, and shall be an elector of the City at the date of appointment or of the filing of nomination papers for election to the office. No person who is not an elector of the City shall hold the office of City Attorney.

If this measure passes, the City Council can establish specific qualifications for the position, including municipal law experience, and could appoint the person determined to be best qualified, regardless of that person’s place of voter registration or residence.

A “YES” VOTE on this measure means you are in favor of the Charter Amendment having the City Council appoint the City Attorney in December, 2011 after the next elected City Attorney serves one year (or sooner if

ARGUMENT IN FAVOR OF MEASURE N
(Elected/Appointed City Attorney)

VOTE YES because it's time for Albany to switch to an appointed attorney. 98% of California cities appoint their attorneys -- of 480 cities, only 11 elect City Attorneys. Appointing our City Attorney is simply good government. Here's why:

First, appointing an attorney widens Albany's pool of legal expertise. Albany is the SMALLEST city that still elects its attorney. Presently, an elected attorney must live in Albany. But our small population severely restricts choices for a well-qualified municipal attorney. For the past nine terms, we have had only three elections with more than one candidate and may have *no* qualified residents in future elections. With an appointed attorney, we can choose from the entire Bay Area.

Second, appointing an attorney is a more rigorous process than electing one. The City Attorney is an important job that needs to be performed by a competent professional. Few individual attorneys possess the expertise to practice increasingly complex municipal law. Appointing an attorney allows us to advertise, screen, and interview BOTH individuals and firms.

The *Ethics Code for City Attorneys* says that selecting a city attorney must be based on a fair process that "emphasizes professional competence and experience." The power to hire the best attorney strengthens Albany in addressing complex legal issues.

Third, an appointed attorney decreases conflicts of interest. The *Ethics Code for City Attorneys* states that city attorneys should provide legal advice based not on "political alignment or partisanship." Appointing our city attorney defines clear boundaries for duties and responsibilities.

Finally, an appointed attorney brings legal costs under tighter control. The *Charter Review Committee* found that attorney costs in California cities are determined primarily by the number and type of legal issues they face. An appointed attorney gives Albany direct oversight in hiring the best attorney to address those issues.

s/Joanne Wile

Mayor

s/Peggy Thomsen

Council Person

s/Jewel Okawachi

Former Mayor

s/Robert E. Nichols

Attorney and Former Albany Mayor

s/Geoffrey Piller

Attorney and Former Chairperson, Albany Park and Recreation Commission

REBUTTAL TO ARGUMENT IN FAVOR OF
MEASURE N
(Appointed City Attorney)

The Argument in Favor offers no evidence that Measure N, which takes away our right to elect the City Attorney, will result in a more competent, less costly attorney or decrease conflicts of interest.

Under California's Constitution, only Charter Cities elect City Attorneys, which 25% of Californians currently do in Charter Cities like San Francisco, Oakland, San Rafael, and Albany.

Suggesting that Albany may have no competent candidates insults Albany attorneys. A resident attorney who knows and cares about our community's well-being is preferable to a distant legal firm. Our current City Attorney had little municipal experience when first elected but has served well for decades.

A council-appointed attorney is subject to political hiring and political pressure. The City Attorney's job is to render impartial, independent advice. Being accountable to council and voters reduces conflicts of interest. The *Ethics Code* says City Attorneys should volunteer unsolicited, unpopular advice about legal problems. Council members might prefer to have "direct oversight" of the City Attorney, but an attorney responsible to the voters prioritizes the community's interest.

An appointed City Attorney will not reduce legal costs. The Charter Review Committee found Piedmont's and El Cerrito's appointed City Attorneys cost \$180,000-\$300,000 annually, versus \$150,000-\$175,000 for Albany's elected attorney. CRC concluded: "an appointed City Attorney may cost more than an elected official, particularly if a firm is selected..."

Democracy means electing those who serve and represent us. Preserve our democratic right to elect Albany's City Attorney. **Vote NO on Measure N.**

s/Nan Wishner

Retired Teacher and Former Chair, Albany Integrated Pest Management Task Force

s/Edward Fields

Retired Engineer

s/Francis J. Cebulski, Jr.

President, Tech Script

ARGUMENT AGAINST ALBANY MEASURE N PROPOSED CHARTER MODIFICATION TO SECTION 3.01

Voting NO on Measure N will preserve our right, guaranteed by Albany's Charter, to elect our City Attorney. For almost 75 years, Albany citizens have elected our City Attorney to give the City Council quality, impartial legal advice and represent the community in legal matters. Measure N gives the City Council power to hire and fire the City Attorney, opening the door to dismissal for reasons such as offering legal advice unpopular with the council. Past councils unsuccessfully put this measure on the ballot when they disagreed with the elected City Attorney's advice.

Council legal decisions are usually made in sessions closed to the public. An elected City Attorney, responsible to both the community and council, is an important check and balance on closed-session decision-making. Regrettably, government corruption exists. Past Albany Councils made unscrupulous real estate deals benefiting themselves. An appointed City Attorney might be reluctant to jeopardize his/her position by disagreeing with questionable council actions.

An appointed City Attorney would likely not live in Albany. Are we better served by a member of a large law firm in another city who has no affiliation to Albany and will refer to others in his/her firm on specialty legal matters? An elected attorney lives here, alongside those whose interests s/he represents, and is free to seek the best experts for specialized legal advice, regardless of where they work.

Our elected City Attorney has responded directly to constituents on important community issues such as cell towers, city contracts, and state pesticide spraying. An appointed City Attorney has no such obligation. Giving up our right to elect those who serve and represent us diminishes their obligation to be transparent and accessible. Preserve our right to elect the City Attorney. Vote NO on Measure N.

s/Nan Wishner
Retired Teacher and Former Chairperson, Albany
Integrated Pest Management Task Force

s/Edward Fields
Retired Engineer

s/Francis J. Cebulski, Jr.
President, Tech Script

REBUTTAL TO ARGUMENT AGAINST MEASURE N

Voting **YES** on Measure N guarantees Albany the right to hire the most qualified and competent attorney in an open, transparent selection process.

Despite the claims of those opposing Measure N, voters have rarely had a choice. We have had the same elected city attorney for 32 years—mostly as a result of uncontested elections in a city with a small population. How does this system ensure quality representation in the future? Measure N corrects this problem by giving the city far greater choice in selecting our legal advisor.

The opposition refers to unscrupulous deals benefitting City Council members, but at that time the elected City Attorney did nothing to stop the Council's questionable actions. Elections do not guarantee ethical behavior. Indeed, it would be nearly impossible to remove a corrupt elected City Attorney from office.

We must have a competent and ethical individual as our City Attorney. To achieve that goal, appointing our City Attorney is best. Election deprives us of having all possible choices.

Opponents of Measure N ignore the increasing number of complex municipal issues that demand ever greater legal expertise. We must address this need by having a rigorous hiring process for our next City Attorney. Measure N is the first step in creating that process.

Of ALL 337 California cities with populations below 58,000, Albany is the **ONLY** one that elects its City Attorney. Follow the wisdom of the 98% of California cities that appoint their City Attorneys. Vote YES on Measure N.

s/Joanne Wile
Mayor

s/Marge Atkinson
Council Member

s/Michael Wallace
Chairman, Charter Review Committee

s/Joyce A. Jackson
Former Mayor

s/Geoffrey S. Taft
Attorney

FULL TEXT OF MEASURE N
ALBANY CITY CHARTER
PROPOSED CHARTER MODIFICATION TO
SECTION 3.01

The People of the City of Albany ordain and approve that Section 3.01 of the Albany City Charter be modified to read as follows:

SECTION 3.01. OFFICERS AND EMPLOYEES. All officers and department heads, except as otherwise provided, shall be appointed by the City Council and shall hold office at the pleasure of the City Council. The City Treasurer ~~and City Attorney~~ shall be elected from the City at large and shall hold office for (4) four years and until a successor is elected and qualified. Effective at the November 2010 election the City Attorney shall be elected from the City at large for a term ending on December 5, 2011. Commencing December 6, 2011, or sooner if there is a vacancy in the office, the City Attorney shall be appointed by the City Council as provided herein. The Council shall establish by ordinance the administrative offices of the City and shall designate the department heads of the City. The City Council shall be empowered to create, abolish, or reorganize departments and divisions as necessary for the proper administration of the city business, but not inconsistent with other sections of this Charter.

CITY OF ALBANY MEASURE O

O Shall Ordinance No. 2010-03 as set forth in the Voter's Pamphlet be adopted to: Reduce the Communications portion of the Utility Users' Tax from 7% to 6.5%; include video in the definition of Communications; modernize the application, calculation, and collection of the Utility Users' Tax to reflect technological advances and changes in state and federal law; exempt self-generated energy, and prohibit any tax-rate increase without voter approval?	YES
	NO

nance, including outdated references to federal law that could result in litigation and possible loss of existing UUT revenue to the City.

s/ROBERT ZWEBEN, City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE O

NOVEMBER 2, 2010 ELECTION
UUT MEASURE

Ballot Measure O proposes the adoption of an ordinance by adding a new Section 4-11 that updates Albany's current Telephone, Gas, and Electricity Users Tax (Albany Municipal Code Section 4-4 et seq. (sometimes referred to as UUT ordinance) to reflect changes in technology and changes in state and federal laws. The City's UUT ordinance was first enacted in 1971.

The Measure proposes to reduce the telephone communications tax from 7% to 6.5%, and would modernize the definitions to include all types of communications and video services, regardless of the technology used. The gas and electrical tax rate of 7% would remain unchanged. The Measure also proposes to exempt users with solar energy systems from taxes based upon use generated by those systems.

Passage of the Measure would remove outdated references to federal law from the City's Code, which are now the subject of litigation in other public agencies. The Measure would replace older terms and definitions with modern language that are technology-neutral, and would treat all telephone customers in a uniform manner for local tax purposes, whether they use traditional "land-line" service, cellular/wireless service, or services such as Voice-over Internet Protocol (VoIP) and text messaging.

If this Measure is adopted, most service users would see no change or a reduction in their monthly bills. Those using traditional telephone services would see a rate reduction from 7% to 6.5%. For some wireless customers, there may be a small increase for text messaging, and for some businesses using private communication services (e.g., T-1 line), there would be an increase. E-mail would not be taxed. Digital downloads, including music, games, ringtones, and similar digital products, would not be taxed.

A 'Yes' vote by a majority of voters voting would approve Measure O.

A 'No' vote by a majority of the voters voting would reject Measure O and leave in place the City's existing ordi-

ARGUMENT IN FAVOR OF MEASURE O

Pro Argument for Measure O, the Utility Users Tax

The Albany City Council asks voters to protect existing local revenues by adding a new section to Albany's current Telephone, Gas, and Electricity Users Tax. The section will reflect changes in communications technology and changes in state and federal law.

Passage of the measure would reduce the telephone communications tax from 7 percent to 6.5 percent. The gas and electrical tax rate of 7 percent would stay the same. Most service users would see no change or a decrease in their monthly bills. Users of solar energy systems would not have to pay taxes based upon energy use generated by the systems.

The existing ordinance would continue in effect whether or not the measure passes. The problem is that without passage outdated references to federal law would remain and could result in lawsuits and possible loss of the current utility users tax revenue to the city.

Please help us protect Albany's local revenue by voting yes on Measure O.

s/Farid Javandel
Vice Mayor

s/Jewel Okawachi
Former Mayor

s/Raymond H. Anderson
Traffic and Safety

s/Kim Denton
City Treasurer

s/Peggy Thomsen
Council Member

**NO ARGUMENT AGAINST MEASURE O WAS
SUBMITTED.**

FULL TEXT OF MEASURE O

ORDINANCE NO. 2010-03

AN ORDINANCE OF THE CITY OF ALBANY,
CALIFORNIA ADDING SECTION 4-11,
SUBSECTIONS 4-11.1 ET SEQ. TO CHAPTER IV
TO THE ALBANY MUNICIPAL CODE WITH
RESPECT TO AN ELECTRIC, GAS, AND
COMMUNICATION USER'S TAX.

THE PEOPLE OF THE CITY OF ALBANY, CALIFORNIA DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter IV, Section 4-11 of the Albany Municipal Code is hereby enacted, and it shall read as follows:

Article 4-11

Utility Users' Tax

- 4-11.1 Short Title
- 4-11.2 Definitions
- 4-11.3 Constitutional, Statutory, and Other Exemptions
- 4-11.4 Communication Users' Tax
- 4-11.5 Electricity Users Tax
- 4-11.6 Gas Users Tax
- 4-11.7 Collection of Tax from Service Users Receiving Direct Purchase of Gas or Electricity
- 4-11.8 Bundling Taxable Items with Nontaxable Items
- 4-11.9 Substantial Nexus/Minimum Contacts
- 4-11.10 Duty to Collect – Procedures
- 4-11.11 Collection Penalties – Service Suppliers
- 4-11.12 Actions to Collect
- 4-11.13 Deficiency Determination and Assessment – Tax Application Errors
- 4-11.14 Administrative Remedy – Nonpaying Service Users
- 4-11.15 Additional Powers and Duties of the Tax Administrator
- 4-11.16 Records
- 4-11.17 Refunds
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4-11.1 Short Title

This Section, 4-11, shall be known as the "Electric, Gas, and Communication Users' Tax Law" of the City of Albany.

4-11.2 Definitions

The following words and phrases whenever used in this Section, 4-11, shall be construed as defined in this Section.

(a) **"Ancillary telecommunication services"** means services that are associated with or incidental to the provision, use or enjoyment of telecommunications services, including but not limited to the following services:

(1) **"Conference bridging service"** means an ancillary service that links two (2) or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(2) **"Detailed telecommunications billing service"** means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(3) **"Directory assistance"** means an ancillary service of providing telephone number information, and/or address information.

(4) **"Vertical service"** means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(5) **"Voice mail service"** means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service

(b) **"Ancillary video services"** means services that are associated with or incidental to the provision or delivery of video services, including but not limited to electronic program guide services, recording services, search functions, or other interactive services or communications that are associated with or incidental to the provision, use or enjoyment of video services.

(c) **"Billing address"** shall mean the mailing address of the service user where the service supplier submits invoices or bills for payment by the customer.

(d) **"City"** shall mean the City of Albany.

(e) **"Communication services"** means: "telecommunications services," "ancillary telecommunication services," "video services" and "ancillary video services."

(f) **"Gas"** shall mean natural or manufactured gas or any alternate hydrocarbon fuel which may be substituted therefor.

(g) **"Mobile telecommunications service"** has the meaning and usage as set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. Section 124) and the regulations thereunder.

(h) **"Month"** shall mean a calendar month.

(i) **"Non-Utility Service Supplier"** means:

(1) a service supplier, other than a supplier of electric distribution services to all or a significant portion of the City, which generates electricity for sale to others, and shall include but is not limited to any publicly-owned electric utility, investor-owned utility, cogenerator, distributed generation provider, exempt wholesale generator (15 U.S.C. Section 79z-5a), municipal utility dis-

trict, federal power marketing agency, electric rural cooperative, or other supplier or seller of electricity;

(2) an electric service provider (ESP), electricity broker, marketer, aggregator, pool operator, or other electricity supplier other than a supplier of electric distribution services to all or a significant portion of the City, which sells or supplies electricity or supplemental services to electricity users within the City; or

(3) a gas service supplier, aggregator, marketer or broker, other than a supplier of gas distribution services to all or a significant portion of the City, which sells or supplies gas or supplemental services to gas users within the City.

(j) **“Paging service”** means a “telecommunications service” that provides transmission of coded radio signals for the purpose of activating specific pagers; such transmissions may include messages and/or sounds.

(k) **“Person”** shall mean, without limitation, any natural individual, firm, trust, common law trust, estate, partnership of any kind, association, syndicate, club, joint stock company, joint venture, limited liability company, corporation (including foreign, domestic, and non-profit), municipal district or municipal corporation (other than the City) cooperative, receiver, trustee, guardian, or other representative appointed by order of any court.

(l) **“Place of primary use”** means the street address representative of where the customer’s use of the communications service primary occurs, which must be the residential street address or the primary business street address of the customer.

(m) **“Post-paid telecommunication service”** means the telecommunication service obtained by making a payment on a communication-by-communication basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a service number which is not associated with the origination or termination of the telecommunication service.

(n) **“Prepaid telecommunication service”** means the right to access telecommunication services, which must be paid for in advance and which enables the origination of communications using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

(o) **“Private telecommunication service”** means a telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels. A communications channel is a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points (i. e., the location where the customer either inputs or receives the communications).

(p) **“Service address”** means the residential street

address or the business street address of the service user. For a telecommunication or video service user, “service address” means either:

(1) The location of the service user’s communication equipment from which the communication originates or terminates, regardless of where the communication is billed or paid; or,

(2) If the location in Subsection (1) of this definition is unknown (e.g., mobile telecommunications service or VoIP service), the service address means the location of the service user’s place of primary use.

(3) For prepaid telecommunication service, “service address” means the location associated with the service number or, if not known, the point of sale of the services.

(q) **“Service supplier”** shall mean any entity or person, including the City, that provides utility service to a user of such service within the City.

(r) **“Service user”** shall mean a person required to pay a tax imposed under the provisions of this Chapter.

(s) **“State”** shall mean the State of California.

(t) **“Streamlined Sales and Use Tax Agreement”** means the multi-state agreement commonly known and referred to as the Streamlined Sales and Use Tax Agreement, as it is amended from time to time.

(u) **“Tax Administrator”** shall have the Finance Director, or his or her designee.

(v) **“Telecommunications service”** means the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, whatever the technology used. The term “telecommunications services” includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such services are referred to as voice over internet protocol (VoIP) services or are classified by the Federal Communications Commission as enhanced or value added, and includes video and/or data services that is functionally integrated with “telecommunication services.” “Telecommunications services” include, but are not limited to the following services, regardless of the manner or basis on which such services are calculated or billed: ancillary telecommunication services; intrastate, interstate, and international telecommunication services; mobile telecommunications service; prepaid telecommunication service; post-paid telecommunication service; private telecommunication service; paging service; 800 service (or any other toll-free numbers designated by the Federal Communications Commission); 900 service (or any other similar numbers designated by the Federal Communications Commission for services whereby subscribers who call in to pre-recorded or live service).

(w) **“Video programming”** means those programming services commonly provided to subscribers by a “video service supplier” including but not limited to basic services, premium services, audio services, video games,

pay-per-view services, video on demand, origination programming, or any other similar services, regardless of the content of such video programming, or the technology used to deliver such services, and regardless of the manner or basis on which such services are calculated or billed.

(x) **“Video services”** means “video programming” and any and all services related to the providing, recording, delivering, use or enjoyment of “video programming” (including origination programming and programming using Internet Protocol, e.g., IP-TV and IP-Video) using one or more channels by a “video service supplier,” regardless of the technology used to deliver, store or provide such services, and regardless of the manner or basis on which such services are calculated or billed, and includes ancillary video services, data services, “telecommunication services,” or interactive communication services that are functionally integrated with “video services.”

(y) **“Video service supplier”** means any person, company, or service which provides or sells one or more channels of video programming, or provides or sells the capability to receive one or more channels of video programming, including any communications that are ancillary, necessary or common to the provision, use or enjoyment of the video programming, to or from a business or residential address in the City, where some fee is paid, whether directly or included in dues or rental charges for that service, whether or not public rights-of-way are utilized in the delivery of the video programming or communications. A “video service supplier” includes, but is not limited to, multichannel video programming distributors (as defined in 47 U.S.C.A. Section 522(13)); open video systems (OVS) suppliers; and suppliers of cable television; master antenna television; satellite master antenna television; multichannel multipoint distribution services (MMDS); video services using internet protocol (e.g., IP-TV and IP-Video, which provide, among other things, broadcasting and video on demand), direct broadcast satellite to the extent federal law permits taxation of its video services, now or in the future; and other suppliers of video services (including two-way communications), whatever their technology.

(z) **“VoIP (Voice Over Internet Protocol)”** means the digital process of making and receiving real-time voice transmissions over any Internet Protocol network.

(aa) **“800 Service”** means a “telecommunications service” that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name “800,” “855,” “866,” “877,” and “888” toll-free calling, and any subsequent numbers designated by the Federal Communications Commission.

(bb) **“900 Service”** means an inbound toll “telecommunications service” purchased by a subscriber that allows the subscriber’s customers to call in to the subscriber’s prerecorded announcement or live service. “900 service” does not include the charge for: collection services provided by the seller of the “telecommunications services” to the subscriber, or service or product sold by

the subscriber to the subscriber’s customer. The service is typically marketed under the name “900” service, and any subsequent numbers designated by the Federal Communications Commission.

4-11.3 Constitutional, statutory, and other exemptions.

(a) Nothing in this Section shall be construed as imposing a tax upon any person or service when the imposition of such tax upon such person or service would be in violation of a Federal or State statute, the Constitution of the United States or the Constitution of the State.

(b) Any service user that is exempt from the tax imposed by this Section pursuant to subsection (a) of this Subsection shall file an application with the Tax Administrator for an exemption; provided, however, this requirement shall not apply to a service user that is a State or Federal agency or subdivision with a commonly recognized name for such service. Said application shall be made upon a form approved by the Tax Administrator and shall state those facts, declared under penalty of perjury, which qualify the applicant for an exemption, and shall include the names of all service suppliers serving that service user. If deemed exempt by the Tax Administrator, such service user shall give the Tax Administrator timely written notice of any change in service suppliers so that the Tax Administrator can properly notify the new service supplier of the service user’s tax exempt status. A service user that fails to comply with this Section shall not be entitled to a refund of a users’ tax collected and remitted to the Tax Administrator from such service user as a result of such noncompliance.

The decision of the Tax Administrator may be appealed pursuant to Subsection 4-11.18 of this Chapter. Filing an application with the Tax Administrator and appeal to the City Administrator or designee, pursuant to Subsection 4-11.18 of this Chapter is a prerequisite to a suit thereon.

(c) The City Council may, by resolution, establish one or more classes of persons or one or more classes of utility service otherwise subject to payment of a tax imposed by this chapter and provide that such classes of persons or service shall be exempt, in whole or in part from such tax for a specified period of time.

(d) The tax imposed under Sections 4-11.5 and 4-11.7 shall not apply to the use of solar or wind energy provided by an “eligible customer-generator” as defined in Public Utilities Code Section 2827(b)(4); nor shall the tax apply to the use of solar or wind energy provided by a residential service user, who is not interconnected to the electric grid. The tax imposed under Sections 4-11.5 and 4-11.7, however, shall apply to charges for electricity and supplemental service [as described in Section 4.11.5(a) and (b)], which are provided by a service supplier or non-utility service supplier to such customers on a standby or supplemental basis.

4-11.4 Communication Users’ Tax

(a) There is hereby imposed a tax upon every person in the City using communication services. The tax imposed by this Section shall be at the rate of six and one-half percent (6.5%) of the charges made for such services and

shall be collected from the service user by the communication services supplier or its billing agent. There is a rebuttable presumption that communication services, which are billed to a billing or service address in the City, are used, in whole or in part, within the City's boundaries, and such services are subject to taxation under this Section. There is also a rebuttable presumption that prepaid telecommunication services sold within the city are used, in whole or in part, within the City and are therefore subject to taxation under this Section. If the billing address of the service user is different from the service address, the service address of the service user shall be used for purposes of imposing the tax. As used in this Section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the communication services.

(b) "Mobile telecommunications service" shall be sourced in accordance with the sourcing rules set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. Section 124). The Tax Administrator may issue and disseminate to communication service suppliers, which are subject to the tax collection requirements of this Section, sourcing rules for the taxation of other communication services, including but not limited to post-paid communication services, prepaid communication services, VoIP, and private communication services, provided that such rules are based upon custom and common practice that further administrative efficiency and minimize multi jurisdictional taxation (e.g., Streamlined Sales and Use Tax Agreement).

(c) The Tax Administrator may issue and disseminate to communication service suppliers, which are subject to the tax collection requirements of this Section, an administrative ruling identifying those communication services, or charges therefore, that are subject to or not subject to the tax of subsection (a) above.

(d) As used in this Section, the term "telecommunication services" shall include, but is not limited to, charges for: connection, reconnection, termination, movement, or change of telecommunication services; late payment fees; detailed billing; central office and custom calling features (including but not limited to call waiting, call forwarding, caller identification and three-way calling); voice mail and other messaging services; directory assistance; access and line charges; universal service charges; regulatory, administrative and other cost recovery charges; local number portability charges; and text and instant messaging. "Telecommunication services" shall not include digital downloads that are not "ancillary telecommunication services," such as music, ringtones, games, and similar digital products.

(e) Charges for communication services (video) shall include, but are not limited to, charges for the following:

1. Regulatory fees and surcharges, franchise fees and access fees (PEG);
2. Initial installation of equipment necessary for provision and receipt of video services;
3. Late fees, collection fees, bad debt recover-

ies, and return check fees;

4. Activation fees, reactivation fees, and reconnection fees;

5. Video programming and video services;

6. Ancillary video services (e.g., electronic program guide services, recording functions, search functions, or other interactive services or communications that are ancillary, necessary or common to the use or enjoyment of video services);

7. Equipment leases (e.g., remote, recording or search devices, converters, remote devices); and,

8. Service calls, service protection plans, name changes, changes of services, and special services.

(f) To prevent actual multi jurisdictional taxation of communication services subject to tax under this Section, any service user, upon proof to the Tax Administrator that the service user has previously paid the same tax in another state or city on such communication services, shall be allowed a credit against the tax imposed to the extent of the amount of such tax legally imposed in such other state or city; provided, however, the amount of credit shall not exceed the tax owed to the City under this Section.

(g) The tax on communication services imposed by this Section shall be collected from the service user by the service supplier. In the case of video service, the service user shall be deemed to be the purchaser of the bulk video service (e.g., an apartment owner), unless such service is resold to individual users, in which case the service user shall be the ultimate purchaser of the video service. The amount of tax collected in one month shall be remitted to the Tax Administrator, and must be received by the Tax Administrator on or before the twentieth (20th) day of the following month.

4-11.5 Electricity Users Tax.

(a) There is hereby imposed a tax upon every person using electricity in the City. The tax imposed by this Section shall be at the rate of seven percent (7%) of the charges made for such electricity, and for any supplemental services or other associated activities directly related to and/or necessary for the provision of electricity to the service user, which are provided by a service supplier or non-utility service supplier to a service user. The tax shall be collected from the service user by the service supplier or non-utility service supplier, or its billing agent.

(b) As used in this Section, the term "charges" shall apply to all services, components and items that are: i) necessary for or common to the receipt, use or enjoyment of electric service; or, ii) currently are or historically have been included in a single or bundled rate for electric service by a local distribution company to a class of retail customers. The term "charges" shall include, but is not limited to, the following charges:

(1) energy charges;

(2) distribution or transmission charges;

(3) metering charges;

(4) stand-by, reserves, firming, ramping, voltage support, regulation, emergency, or other similar charges for supplemental services to self-genera-

tion service users;

(5) customer charges, late charges, service establishment or reestablishment charges, demand charges, fuel or other cost adjustments, power exchange charges, independent system operator (ISO) charges, stranded investment or competitive transition charges (CTC), public purpose program charges, nuclear decommissioning charges, trust transfer amounts (bond financing charges), franchise fees, franchise surcharges, annual and monthly charges, and other charges, fees or surcharges which are necessary for or common to the receipt, use or enjoyment of electric service; and,

(6) charges, fees, or surcharges for electricity services or programs which are mandated by the California Public Utilities Commission or the Federal Energy Regulatory Commission, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing.

(c) As used in this Section, the term “charges” shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the electricity or services related to the provision of such electricity.

(d) The Tax Administrator, from time to time, may survey the electric service suppliers to identify the various unbundled billing components of electric retail service that they commonly provide to residential and commercial/industrial customers in the of the City, and the charges therefor, including those items that are mandated by state or federal regulatory agencies as a condition of providing such electric service. The Tax Administrator, thereafter, may issue and disseminate to such electric service suppliers an administrative ruling identifying those components and items which are: i) necessary for or common to the receipt, use or enjoyment of electric service; or, ii) currently are or historically have been included in a single or bundled rate for electric service by a local distribution company to a class of retail customers. Charges for such components and items shall be subject to the tax of subsection (a) above.

(e) As used in this Section, the term “using electricity” shall not include the mere receiving of such electricity by an electrical corporation or governmental agency at a point within the City for resale.

(f) The tax on electricity provided by self-production or by a non-utility service supplier not under the jurisdiction of this Section shall be collected and remitted in the manner set forth in Subsection 4-11.7 of this Section. All other taxes on charges for electricity imposed by this Section shall be collected from the service user by the electric service supplier or its billing agent. The amount of tax collected in one (1) month shall be remitted to the Tax Administrator, and must be received by the Tax Administrator on or before the twentieth (20th) day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service

user, which must be received by the Tax Administrator on or before the twentieth (20th) day of the following month, provided that such person shall submit an adjusted payment or request for credit, as appropriate, within sixty (60) days following each calendar quarter. The credit, if approved by the Tax Administrator, may be applied against any subsequent remittance that becomes due.

4-11.6 Gas Users Tax.

(a) There is hereby imposed a tax upon every person using gas in the City, which is transported and delivered through a pipeline or by mobile transport. The tax imposed by this Subsection shall be at the rate of seven percent (7%) of the charges made for such gas, including all services related to the storage, transportation and delivery of such gas. The tax shall be collected from the service user by the service supplier or non-utility service supplier, or its billing agent, and shall apply to all uses of gas, including but not limited to, heating, electricity generation, and the use of gas as a component of a manufactured product. Notwithstanding the foregoing, the charges made for the baseline rate usage approved by the California Public Utilities Commission for gas furnished to a residential service user shall be exempt from the tax levied by this Subsection 4-11.6.

(b) As used in this Section, the term “charges” shall apply to all services, components and items for gas service that are: i) necessary for or common to the receipt, use or enjoyment of gas service; or, ii) currently are or historically have been included in a single or bundled rate for gas service by a local distribution company to a class of retail customers. The term “charges” shall include, but is not limited to, the following charges:

(1) the commodity charges for purchased gas, or the cost of gas owned by the service user (including the actual costs attributed to drilling, production, lifting, storage, gathering, trunkline, pipeline, and other operating costs associated with the production and delivery of such gas), which is delivered through a gas pipeline distribution system;

(2) gas transportation charges (including interstate charges to the extent not included in commodity charges);

(3) storage charges; provided, however, that the service supplier shall not be required to apply the tax to any charges for gas storage services when the service supplier cannot, as a practical matter, determine the jurisdiction where such stored gas is ultimately used; but it shall be the obligation of the service user to self-collect the amount of tax not applied to any charge for gas storage by the service supplier and to remit the tax to the appropriate jurisdiction;

(4) capacity or demand charges, late charges, service establishment or reestablishment charges, transition charges, customer charges, minimum charges, annual and monthly charges, and any other charges which are necessary for or common to the receipt, use or enjoyment of gas service; and,

(5) charges, fees, or surcharges for gas services or

programs which are mandated by the California Public Utilities Commission or the Federal Energy Regulatory Commission, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing.

(c) As used in this Section, the term “charges” shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the gas or services related to the delivery of such gas.

(d) The Tax Administrator, from time to time, may survey the gas service suppliers to identify the various unbundled billing components of gas retail service that they commonly provide to residential and commercial/industrial customers in the City, and the charges therefor, including those items that are mandated by state or federal regulatory agencies as a condition of providing such gas service. The Tax Administrator, thereafter, may issue and disseminate to such gas service suppliers an administrative ruling identifying those components and items which are: i) necessary for or common to the receipt, use or enjoyment of gas service; or, ii) currently are or historically have been included in a single or bundled rate for gas service by a local distribution company to a class of retail customers. Charges for such components and items shall be subject to the tax of subsection (a) above.

(e) There shall be excluded from the calculation of the tax imposed in this Section, charges made for gas which is to be resold and delivered through a pipeline distribution system.

(f) The tax on gas provided by self-production or by a non-utility service supplier not under the jurisdiction of this Section 4-11 shall be collected and remitted in the manner set forth in Subsection 4-11.7. All other taxes on charges for gas imposed by this Section shall be collected from the service user by the gas service supplier or its billing agent. The amount of tax collected in one (1) month shall be remitted to the Tax Administrator, and must be received by the Tax Administrator, on or before the twentieth (20th) day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user, which must be received by the Tax Administrator on or before the twentieth (20th) day of the following month, provided that such person shall submit an adjusted payment or request for credit, as appropriate, within sixty (60) days following each calendar quarter. The credit, if approved by the Tax Administrator, may be applied against any subsequent remittance that becomes due.

4-11.7 Collection of Tax from Service Users Receiving Direct Purchase of Gas or Electricity.

(a) Any service user subject to the tax imposed by Subsection 4-11.5 or by Subsection 4-11.6 of this Section, which produces gas or electricity for self-use except as exempted in 4-11.3; which receives gas or electricity, including any related supplemental services, directly from a non-utility service supplier not under the jurisdiction of

this Section; or which, for any other reason, is not having the full tax collected and remitted by its service supplier, a non-utility service supplier, or its billing agent on the use of gas or electricity in the City, including any related supplemental services, shall report said fact to the Tax Administrator and shall remit the tax due directly to the Tax Administrator within thirty (30) days of such use, based on the charges for, or value of, such gas or electricity, or supplemental services, as provided in Subsection (b). In lieu of paying said actual tax, the service user may, at its option, remit to the Tax Administrator within thirty (30) days of such use an estimated amount of tax measured by the tax billed in the previous month, or upon the payment pattern of similar customers of the service supplier using similar amounts of gas or electricity, provided that the service user shall submit an adjusted payment or request for credit, as appropriate, within sixty (60) days following each calendar quarter. The credit, if approved by the Tax Administrator in writing, may be applied against any subsequent tax bill that becomes due.

(b) The Tax Administrator may require said service user to identify its non-utility service supplier, and otherwise provide, subject to audit: invoices; books of account; or other satisfactory evidence documenting the quantity of gas or electricity used, including any related supplemental services, and the cost or price thereof. If the service user is unable to provide such satisfactory evidence, or if the administrative cost of calculating the tax in the opinion of the Tax Administrator is excessive, the Tax Administrator may determine the tax by applying the tax rate to the equivalent charges the service user would have incurred if the gas or electricity used, including any related supplemental services, had been provided by the service supplier that is the primary supplier of gas or electricity within the City. Rate schedules for this purpose shall be available from the City

4-11.8 Bundling Taxable Items

If any nontaxable charges are combined with and not separately stated from taxable service charges on the customer bill or invoice of a service supplier, the combined charge is subject to tax unless the service supplier identifies, by reasonable and verifiable standards, the portions of the combined charge that are nontaxable and taxable through the service supplier’s books and records kept in the regular course of business, and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. If the service supplier offers a combination of taxable and non-taxable services, and the charges are separately stated, then for taxation purposes, the values assigned the taxable and non-taxable services shall be based on its books and records kept in the regular course of business and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. The service supplier has the burden of proving the proper valuation and apportionment of taxable and non-taxable charges.

4-11.9 Substantial Nexus/Minimum Contacts

For purposes of imposing a tax or establishing a duty to collect and remit a tax under this Section, “substantial

nexus” and “minimum contacts” shall be construed broadly in favor of the imposition, collection and/or remittance of the utility users’ tax to the fullest extent permitted by State and Federal law, and as it may change from time to time by judicial interpretation or by statutory enactment. Any communication service (including VoIP) used by a person with a service address in the City, which service is capable of terminating a call to another person on the general telephone network, shall be subject to a rebuttable presumption that “substantial nexus/minimum contacts” exists for purposes of imposing a tax, or establishing a duty to collect and remit a tax, under this Chapter. A service supplier shall be deemed to have sufficient activity in the City for tax collection and remittance purposes if its activities include, but are not limited to, any of the following: maintains or has within the City, directly or through an agent or subsidiary, a place of business of any nature; solicits business in the City by employees, independent contractors, resellers, agents or other representatives; solicits business in the City on a continuous, regular, seasonal or systematic basis by means of advertising that is broadcast or relayed from a transmitter with the City or distributed from a location with the City; or advertises in newspapers or other periodicals printed and published within the City or through materials distributed in the City by means other than the United States mail; or if there are activities performed in the City on behalf of the service supplier that are significantly associated with the service supplier’s ability to establish and maintain a market in the City for the provision of utility services that are subject to a tax under this Section.

4-11.10 Duty to Collect Procedures

(a) **Collection by Service Suppliers:** The duty of service suppliers to collect and remit the taxes imposed by the provisions of this Section shall be performed as follows:

(1) The tax shall be collected by service suppliers insofar as practicable at the same time as, and along with, the collection of the charges made in accordance with the regular billing practice of the service supplier. Where the amount paid by a service user to a service supplier is less than the full amount of the charge and tax which was accrued for the billing period, a proportionate share of both the charge and the tax shall be deemed to have been paid. In those cases where a service user has notified the service supplier of refusal to pay the tax imposed on said charges, Subsection 4-11.14 shall apply.

(2) The duty of a service supplier to collect the tax from a service user shall commence with the beginning of the first regular billing period applicable to the service user where all charges normally included in such regular billing are subject to the provisions of this Section. Where a service user receives more than one billing, one or more being for different periods than another, the duty to collect shall arise separately for each billing period.

(b) **Filing Return and Payment:** Each person required by this Section to remit a tax shall file a return to the Tax Administrator, on forms approved by the Tax Administrator, on or before the due date. The full amount of the tax

collected shall be included with the return and filed with the Tax Administrator. The Tax Administrator is authorized to require such additional information as he or she deems necessary to determine if the tax is being levied, collected, and remitted in accordance with this Section. Returns are due immediately upon cessation of business for any reason. Pursuant to Revenue and Tax Code Section 7284.6, the Tax Administrator, and its agents, shall maintain such filing returns as confidential information that is exempt from the disclosure provisions of the Public Records Act.

4-11.11 Collection Penalties-Service Suppliers.

(a) Taxes collected from a service user are delinquent if not received by the Tax Administrator on or before the due date. Should the due date occur on a weekend or legal holiday, the return must be received by the Tax Administrator on the first regular working day following the weekend or legal holiday. A direct deposit, including electronic fund transfers and other similar methods of electronically exchanging monies between financial accounts, made by a service supplier in satisfaction of its obligations under this Subsection shall be considered timely if the transfer is initiated on or before the due date, and the transfer settles into the City’s account on the following business day.

(b) If the person required to collect and/or remit the utility users’ tax fails to collect the tax (by failing to properly assess the tax on one or more services or charges on the customer’s billing) or fails to remit the tax collected on or before the due date, the Tax Administrator shall attach a penalty for such delinquencies or deficiencies at the rate of fifteen percent (15%) of the total tax that is delinquent or deficient in the remittance, and shall pay interest at the rate of seventy-five one-hundredths percent (0.75%) per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent, until paid.

(c) The Tax Administrator shall have the power to impose additional penalties upon persons required to collect and remit taxes pursuant to the provisions of this Section for fraud or gross negligence in reporting or remitting at the rate of fifteen percent (15%) of the amount of the tax collected and/or required to be remitted, or as recomputed by the Tax Administrator.

(d) For collection purposes only, every penalty imposed and such interest that is accrued under the provisions of this Section shall become a part of the tax herein required to be paid.

(e) Notwithstanding the foregoing, the Tax Administrator may, in his or her discretion, modify the due dates of this Section to be consistent with any uniform standards or procedures that are mutually agreed upon by other public agencies imposing a utility users tax, or otherwise legally established, to create a central payment location or mechanism.

4-11.12 Actions to Collect

Any tax required to be paid by a service user under the provisions of this Section shall be deemed a debt owed by the service user to the City. Any such tax collected from a service user which has not been remitted to the Tax Administrator shall be deemed a debt owed to the City by

the person required to collect and remit and shall no longer be a debt of the service user. Any person owing money to the City under the provisions of this Section shall be liable to an action brought in the name of the City for the recovery of such amount, including penalties and interest as provided for in this Section, along with any collection costs incurred by the City as a result of the person's non-compliance with this Section, including, but not limited to, reasonable attorneys' fees. Any tax required to be collected by a service supplier or owed by a service user is an unsecured priority excise tax obligation under 11 U. S. CA. Section 507(a)(8)(C). Service suppliers who seek to collect charges for service in bankruptcy proceedings shall also include in any such claim the amount of taxes due the City for those services, unless the Tax Administrator determines that such duty is in conflict with any federal or state law, rule, or regulation or that such action would be administratively impractical.

4-11.13 Deficiency Determination and Assessment-Tax Application Errors.

(a) The Tax Administrator shall make a deficiency determination if he or she determines that any person required to pay or collect taxes pursuant to the provisions of this Section has failed to pay, collect, and/or remit the proper amount of tax by improperly or failing to apply the tax to one or more taxable services or charges. Nothing herein shall require that the Tax Administrator institute proceedings under this Subsection 4-11.13 if, in the opinion of the Tax Administrator, the cost of collection or enforcement likely outweighs the tax benefit.

(b) The Tax Administrator shall mail a notice of such deficiency determination to the person required to pay or remit the tax, which notice shall refer briefly to the amount of the taxes owed, plus interest at the rate of seventy-five one-hundredths percent (0.75%) per month, or any fraction thereof, on the amount of the tax from the date on which the tax should have been received by the City. Within fourteen (14) calendar days after the date of service of such notice, the person may request in writing to the Tax Administrator for a hearing on the matter.

(c) If the person fails to request a hearing within the prescribed time period, the amount of the deficiency determination shall become a final assessment, and shall immediately be due and owing to the City. If the person requests a hearing, the Tax Administrator shall cause the matter to be set for hearing, which shall be scheduled within thirty (30) days after receipt of the written request for hearing. Notice of the time and place of the hearing shall be mailed by the Tax Administrator to such person at least ten (10) calendar days prior to the hearing, and, if the Tax Administrator desires said person to produce specific records at such hearing, such notice may designate the records requested to be produced.

(d) At the time fixed for the hearing, the Tax Administrator shall hear all relevant testimony and evidence, including that of any other interested parties. At the discretion of the Tax Administrator, the hearing may be continued from time to time for the purpose of allowing the presentation of additional evidence. Within a reasonable time

following the conclusion of the hearing, the Tax Administrator shall issue a final assessment (or non-assessment), thereafter, by confirming, modifying or rejecting the original deficiency determination, and shall mail a copy of such final assessment to person owing the tax. The decision of the Tax Administrator may be appealed pursuant to Subsections 4-11.18 and 4-11.15 of this Section. Filing an application with the Tax Administrator and appeal to the City Administrator, or designee, pursuant to Subsection 4-11.18 of this Section is a prerequisite to a suit thereon.

(e) Payment of the final assessment shall become delinquent if not received by the Tax Administrator on or before the thirtieth (30th) day following the date of receipt of the notice of final assessment. The penalty for delinquency shall be fifteen percent (15%) on the total amount of the assessment, along with interest at the rate of seventy-five one-hundredths percent (0.75%) per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the date of delinquency, until paid. The applicable statute of limitations regarding a claim by the City seeking payment of a tax assessed under this Section shall commence from the date of delinquency as provided in this Subsection (e).

(f) All notices under this Section may be sent by regular mail, postage prepaid, and shall be deemed received on the third calendar day following the date of mailing, as established by a proof of mailing.

4-11.14 Administrative Remedy- Non-Paying Service Users.

(a) Whenever the Tax Administrator determines that a service user has deliberately withheld the amount of the tax owed by the service user from the amounts remitted to a person required to collect the tax, or whenever the Tax Administrator deems it in the best interest of the City, he or she may relieve such person of the obligation to collect the taxes due under this Section from certain named service users for specific billing periods. To the extent the service user has failed to pay the amount of tax owed for a period of two (2) or more billing periods, the service supplier shall be relieved of the obligation to collect taxes due. The service supplier shall provide the City with the names and addresses of such service users and the amounts of taxes owed under the provisions of this Section. Nothing herein shall require that the Tax Administrator institute proceedings under this Subsection 4-11.14 if, in the opinion of the Tax Administrator, the cost of collection or enforcement likely outweighs the tax benefit.

(b) In addition to the tax owed, the service user shall pay a delinquency penalty at the rate of fifteen percent (15%) of the total tax that is owed, and shall pay interest at the rate of seventy-five one-hundredths percent (0.75%) per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the due date, until paid.

(c) The Tax Administrator shall notify the non-paying service user that the Tax Administrator has assumed the responsibility to collect the taxes due for the stated periods and demand payment of such taxes, including penalties and interest. The notice shall be served on the service user by personal delivery or by deposit of the notice in the

United States mail, postage prepaid, addressed to the service user at the address to which billing was made by the person required to collect the tax; or, should the service user have a change of address, to his or her last known address.

(d) If the service user fails to remit the tax to the Tax Administrator within thirty (30) days from the date of the service of the notice upon him or her, the Tax Administrator may impose an additional penalty of fifteen percent (15%) of the amount of the total tax that is owed.

4-11.15 Additional Powers and Duties of the Tax Administrator.

(a) The Tax Administrator shall have the power and duty, and is hereby directed, to enforce each and all of the provisions of this Section.

(b) The Tax Administrator may adopt administrative rules and regulations consistent with provisions of this Section for the purpose of interpreting, clarifying, carrying out and enforcing the payment, collection and remittance of the taxes herein imposed. The administrative ruling shall not impose a new tax, revise an existing tax methodology as stated in this Section, or increase an existing tax, except as allowed by California Government Code Section 53750(h)(2). A copy of such administrative rules and regulations shall be on file in the Tax Administrator's office. To the extent that the Tax Administrator determines that the tax imposed under this chapter shall not be collected in full for any period of time from any particular service supplier or service user, that determination shall be considered an exercise of the Tax Administrator's discretion to settle disputes and shall not constitute a change in taxing methodology for purposes of Government Code Section 53750 or otherwise. The Tax Administrator is not authorized to amend the City's methodology for purposes of Government Code Section 53750 and the City does not waive or abrogate its ability to impose the utility users' tax in full as a result of promulgating administrative rulings or entering into agreements.

(c) Upon a proper showing of good cause, the Tax Administrator may make administrative agreements, with appropriate conditions, to vary from the strict requirements of this Section and thereby: (1) conform to the billing procedures of a particular service supplier so long as said agreements result in the collection of the tax in conformance with the general purpose and scope of this Section; or, (2) to avoid a hardship where the administrative costs of collection and remittance greatly outweigh the tax benefit. A copy of each such agreement shall be on file in the Tax Administrator's office, and are voidable by the Tax Administrator or the City at any time.

(d) The Tax Administrator may conduct an audit, to ensure proper compliance with the requirements of this Section, of any person required to collect and/or remit a tax pursuant to this Section. The Tax Administrator shall notify said person of the initiation of an audit in writing. In the absence of fraud or other intentional misconduct, the audit period of review shall not exceed a period of three (3) years next preceding the date of receipt of the written notice by said person from the Tax Administrator. Upon

completion of the audit, the Tax Administrator may make a deficiency determination pursuant to Subsection 4-11.13 of this Section for all taxes (and applicable penalties and interest) owed and not paid, as evidenced by information provided by such person to the Tax Administrator. If said person is unable or unwilling to provide sufficient records to enable the Tax Administrator to verify compliance with this Section, the Tax Administrator is authorized to make a reasonable estimate of the deficiency. Said reasonable estimate shall be entitled to a rebuttable presumption of correctness.

(e) Upon receipt of a written request of a taxpayer, and for good cause, the Tax Administrator may extend the time for filing any statement required pursuant to this Section for a period of not to exceed forty-five (45) days, provided that the time for filing the required statement has not already passed when the request is received. No penalty for delinquent payment shall accrue by reason of such extension. Interest shall accrue during said extension at the rate of seventy-five one-hundredths percent (0.75%) per month, prorated for any portion thereof.

(f) The Tax Administrator shall determine the eligibility of any person who asserts a right to exemption from, or a refund of, the tax imposed by this Section.

(g) Notwithstanding any provision in this chapter to the contrary, the Tax Administrator may waive any penalty or interest imposed upon a person required to collect and/or remit for failure to collect the tax imposed by this chapter if the non-collection occurred in good faith. In determining whether the non-collection was in good faith, the Tax Administrator shall take into consideration the uniqueness of the product or service, industry practice or other precedence. The Tax Administrator may also participate with other UUT public agencies in conducting coordinated compliance reviews with the goal of achieving administrative efficiency and uniform tax application determinations, where possible. To encourage full disclosure and on-going cooperation on annual compliance reviews, the Tax Administrator, and its agents, may enter into agreements with the tax-collecting service providers and grant prospective only effect on any changes regarding the taxation of services or charges that were previously deemed by the service provider, in good faith and without gross negligence, to be non-taxable. In determining whether the non-collection was in good faith and without gross negligence, the Tax Administrator shall take into consideration the uniqueness of the product or service, industry practice or other precedence.

4-11.16 Records

(a) It shall be the duty of every person required to collect and/or remit to the City any tax imposed by this Section to keep and preserve, for a period of at least three (3) years, all records as may be necessary to determine the amount of such tax as he/she may have been liable for the collection of and remittance to the Tax Administrator, which records the Tax Administrator shall have the right to inspect at a reasonable time.

(b) The City may issue an administrative subpoena to compel a person to deliver, to the Tax Administrator,

copies of all records deemed necessary by the Tax Administrator to establish compliance with this Section, including the delivery of records in a common electronic format on readily available media if such records are kept electronically by the person in the usual and ordinary course of business. As an alternative to delivering the subpoenaed records to the Tax Administrator on or before the due date provided in the administrative subpoena, such person may provide access to such records outside the City on or before the due date, provided that such person shall reimburse the City for all reasonable travel expenses incurred by the City to inspect those records, including travel, lodging, meals, and other similar expenses, but excluding the normal salary or hourly wages of those persons designated by the City to conduct the inspection.

(c) The Tax Administrator is authorized to execute a non-disclosure agreement approved by the City Attorney to protect the confidentiality of customer information pursuant to California Revenue and Tax Code Sections 7284.6 and 7284.7.

(d) If a service supplier uses a billing agent or billing aggregator to bill, collect, and/or remit the tax, the service supplier shall: 1) provide to the Tax Administrator the name, address and telephone number of each billing agent and billing aggregator currently authorized by the service supplier to bill, collect, and/or remit the tax to the City; and, 2) upon request of the Tax Administrator, deliver, or effect the delivery of, any information or records in the possession of such billing agent or billing aggregator that, in the opinion of the Tax Administrator, is necessary to verify the proper application, calculation, collection and/or remittance of such tax to the City.

(e) If any person subject to record-keeping under this Section unreasonably denies the Tax Administrator access to such records, or fails to produce the information requested in an administrative subpoena within the time specified, then the Tax Administrator may impose a penalty of Five Hundred Dollars (\$500.00) on such person for each day following: 1) the initial date that the person refuses to provide such access; or, 2) the due date for production of records as set forth in the administrative subpoena. This penalty shall be in addition to any other penalty imposed under this Chapter.

4-11.17 Refunds

Whenever the amount of any tax has been overpaid or paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this Section from a person or service supplier, it may be refunded as provided in this Section as follows:

(a) **Written Claim for Refund:** The Tax Administrator may refund any tax that has been overpaid or paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this Section from a person or service supplier, provided that no refund shall be paid under the provisions of this Section unless the claimant or his or her guardian, conservator, executor, or administrator has submitted a written claim to the Tax Administrator within one year of the overpayment or erroneous or illegal collection of said tax. Such claim

must clearly establish claimant's right to the refund by written records showing entitlement thereto. Nothing herein shall permit the filing of a claim on behalf of a class or group of taxpayers unless each member of the class has submitted a written claim under penalty of perjury as provided by this Subsection. It is the intent of the City Council that the one year written claim requirement of this Subsection be given retroactive effect; provided, however, that any claims which arose prior to the commencement of the one year claims period of this Subsection, and which are not otherwise barred by a then applicable statute of limitations or claims procedure, must be filed with the Tax Collector as provided in this Subsection within ninety days following the effective date of this ordinance.

(b) **Compliance with Claims Act:** The filing of a written claim pursuant to Government Code Section 935 is a prerequisite to any suit thereon. Any action brought against the City pursuant to this Section shall be subject to the provisions of Government Code Sections 945.6 and 946. The Tax Administrator, or the City Council where the claim is in excess of Five Thousand Dollars (\$5,000.00), shall act upon the refund claim within the time period set forth in Government Code Section 912.4. If the Tax Administrator/City Council fails or refuses to act on a refund claim within the time prescribed by Government Section 912.4, the claim shall be deemed to have been rejected by the City Council on the last day of the period within which the City Council was required to act upon the claim as provided in Government Code Section 912.4. The Tax Administrator shall give notice of the action in a form which substantially complies with that set forth in Government Code Section 913.

(c) **Refunds to Service Suppliers:** Notwithstanding the notice provisions of Subsection (a) of this Section, the Tax Administrator may, at his or her discretion, give written permission to a service supplier, who has collected and remitted any amount of tax in excess of the amount of tax imposed by this Section, to claim credit for such overpayment against the amount of tax which is due the City upon a subsequent monthly return(s) to the Tax Administrator, provided that: 1) such credit is claimed in a return dated no later than one year from the date of overpayment or erroneous collection of said tax; 2) the Tax Administrator is satisfied that the underlying basis and amount of such credit has been reasonably established; and, 3) in the case of an overpayment by a service user to the service supplier that has been remitted to the City, the Tax Administrator has received proof, to his or her satisfaction, that the overpayment has been refunded by the service supplier to the service user in an amount equal to the requested credit.

4-11.18 Appeals

(a) The provisions of this Section apply to any decision (other than a decision relating to a refund pursuant to Subsection 4-11.17 of this Section), deficiency determination, assessment, or administrative ruling of the Tax Administrator. Any person aggrieved by any decision (other than a decision relating to a refund pursuant to Subsection 4-11.17 of this Section), deficiency determination, assessment, or administrative ruling of the Tax Administrator,

shall be required to comply with the appeals procedure of this Section. Compliance with this Section shall be a prerequisite to a suit thereon. (See Government Code Section 935(b)). Nothing herein shall permit the filing of a claim or action on behalf of a class or group of taxpayers.

(b) If any person is aggrieved by any decision (other than a decision relating to a refund pursuant to Subsection 4-11.17 of this Section), deficiency determination, assessment, or administrative ruling of the Tax Administrator; he or she may appeal to the City Administrator, or designee, by filing a notice of appeal with the City Clerk within fourteen (14) days of the date of the decision, deficiency determination, assessment, or administrative ruling of the Tax Administrator which aggrieved the service user or service supplier.

(c) The matter shall be scheduled for hearing before an independent hearing officer selected by the City Administrator, or designee, no more than thirty (30) days from the receipt of the appeal. The appellant shall be served with notice of the time and place of the hearing, as well as any relevant materials, at least five (5) calendar days prior to the hearing. The hearing may be continued from time to time upon mutual consent. At the time of the hearing, the appealing party, the Tax Administrator, and any other interested person may present such relevant evidence as he or she may have relating to the determination from which the appeal is taken.

(d) Based upon the submission of such evidence and the review of the City's files, the hearing officer shall issue a written notice and order upholding, modifying or reversing the determination from which the appeal is taken. The notice shall be given within fourteen (14) days after the conclusion of the hearing and shall state the reasons for the decision. The notice shall specify that the decision is final and that any petition for judicial review shall be filed within ninety (90) days from the date of the decision in accordance with Code of Civil Procedure Section 1094.6.

(e) All notices under this Section may be sent by regular mail, postage prepaid, and shall be deemed received on the third calendar day following the date of mailing, as established by a proof of mailing.

4-11.19 No Injunction/Writ of Mandate.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this City or against any officer of the City to prevent or enjoin the collection under this Section of any tax or any amount of tax required to be collected and/or remitted.

4-11.20 Notice of Changes to Ordinance.

If a tax under this Section is added repealed, increased, reduced, or the tax base is changed, the Tax Administrator shall follow the notice requirements of California Public Utilities Code Section 799.

4-11.21 Effect of State and Federal Reference/Authorization.

Unless specifically provided otherwise, any reference to a State or Federal statute in this Section shall mean such statute as it may be amended from time to time, provided

that such reference to a statute herein shall not include any subsequent amendment thereto, or to any subsequent change of interpretation thereto by a State or Federal agency or court of law with the duty to interpret such law, to the extent that such amendment or change of interpretation would require voter approval under California law, or to the extent that such change would result in a tax decrease (as a result of excluding all or a part of a utility service, or charge therefor, from taxation). Only to the extent voter approval would otherwise be required or a tax decrease would result, the prior version of the statute (or interpretation) shall remain applicable; for any application or situation that would not require voter approval or result in a decrease of a tax, provisions of the amended statute (or new interpretation) shall be applicable to the maximum possible extent.

To the extent that the City's authorization to collect or impose any tax imposed under this Section is expanded or limited as a result of changes in State or Federal law, no amendment or modification of this Section shall be required to conform the tax to those changes, and the tax shall be imposed and collected to the full extent of the authorization up to the full amount of the tax imposed under this Section.

4-11.22 No Increase in Tax Percentage or Change in Methodology Without Voter Approval. Amendment or Repeal.

Section 4-11 of the Albany Municipal Code may be repealed or amended by the City Council without a vote of the People. However, as required by Article XIIC of the California Constitution, voter approval is required for any amendment provision that would increase the rate of any tax levied pursuant to this Ordinance. The People of the City of Albany affirm that the following actions shall not constitute an increase of the rate of a tax:

(1) The restoration of the rate of the tax to a rate that is no higher than that set by this Ordinance, if the City Council has acted to reduce the rate of the tax;

(2) An action that interprets or clarifies the methodology of the tax, or any definition applicable to the tax, so long as such interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the language of this Ordinance; and

(3) The establishment a class of persons that is exempt or excepted from the tax or the discontinuation of any such exemption or exception (other than the discontinuation of an exemption or exception specifically set forth in this Ordinance); and

(4) The collection of the tax imposed by this ordinance, even if the City had, for some period of time, failed to collect the tax.

4-11.23 Independent Audit of Tax Collection, Exemption, Remittance, and Expenditure.

The City shall annually verify that the taxes owed under this Section have been properly applied, exempted, collected, and remitted in accordance with this Section, and properly expended according to applicable municipal law. The annual verification shall be performed by a qualified independent third party and the review shall employ rea-

sonable, cost-effective steps to assure compliance, including, the use of sampling audits. The verification shall not be required of tax remitters where the cost of the verification may exceed the tax revenues to be reviewed.

4-11.24 Remedies Cumulative

All remedies and penalties prescribed by this Section or which are available under any other provision of law or equity, including but not limited to the California False Claims Act (*Government Code Section 12650 et seq.*) and the California Unfair Practices Act (*Business and Professions Code Section 17070 et seq.*), are cumulative. The use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this Chapter.

4-11.25 Interaction With Prior Tax.

(a) Satisfaction of Tax Obligation by Service Users: Any person who pays the tax levied pursuant to Section 4-11 of this Code with respect to any charge for a gas, electric, or communication service shall be deemed to have satisfied his or her obligation to pay the tax levied pursuant to Section 4-4 of this Code with respect to that charge. Likewise, prior to April 1, 2011, any person who pays the tax levied pursuant to Section 4-4 of the Albany Municipal Code with respect to any charge for a service subject to taxation pursuant to this Section 4-11 shall be deemed to have satisfied his or her obligation to pay the tax levied pursuant to Section 4-11 of this Code with respect to that charge. The intent of this paragraph is to prevent the imposition of multiple taxes upon a single utility charge during the transition period from the prior utility users tax to the new utility users' tax (which transition period ends April 1, 2011) and to permit service providers, during that transition period, to satisfy their collection obligations by collecting either tax.

(b) Collection of Tax by Service Providers: Service providers shall begin to collect the tax imposed by this Section as soon as feasible after the effective date of the Section, but in no event later than permitted by Section 799 of the California Public Utilities Code.

(c) Judicial Determinations: In the event that a final court order should determine that the election enacting this Section 4-11 is invalid for whatever reason, or that any tax imposed under this Section 4-11 is invalid in whole or in part, then the taxes imposed under Section 4-4 (unless repealed) shall automatically continue to apply with respect to any service for which the tax levied pursuant to this Section has been determined to be invalid. Such automatic continuation shall be effective beginning as of the first date of service (or billing date) for which the tax imposed by this Section is not valid. However, in the event of an invalidation, any tax (other than a tax that is ordered refunded by the court or is otherwise refunded by the City) paid by a person with respect to a service and calculated pursuant to this Section shall be deemed to satisfy the tax imposed under Section 4-4 on that service, so long as the tax is paid with respect to a service provided no later than six months subsequent to the date on which the final court order is published.

SECTION 2. Effective Date. This chapter, if approved by

the electorate of the City of Albany at the General Municipal Election of November 2, 2010 shall become effective immediately upon the declaration of the results of that election by the City Council of the City of Albany.

SECTION 3. Severability. If any Section, Subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The People hereby declares that they would have adopted each Section, Subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more Sections, Subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 4. Ratification of Prior Tax. The People of the City of Albany hereby ratify and approve the past collection of the Telephone Users Tax and the Cable Television Users Tax under Chapter 4-4 of the Albany Municipal Code as it existed prior to the effective date of this Ordinance.

SECTION 5. Execution. The Mayor is hereby authorized to attest to the adoption of the Ordinance by the voters of the City by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the People of the City of Albany, California voting on the 2nd day of November, 2010.

CITY OF ALBANY MEASURE P

P Shall the Albany Municipal Code, Chapter 4-8 entitled "Paramedic Advanced Life Support Fire Engines and Ambulance Special Tax" be amended, as set forth in the Voter Pamphlet, to provide that the City Council may increase the tax commencing in fiscal year 2011-2012 in accordance with the Consumer Price Index for the greater San Francisco area?	YES
	NO

would continue to be adjusted according to the percentage increase in the CPI.

s/ROBERT ZWEBEN
City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE P

PARAMEDIC ADVANCED LIFE SUPPORT FIRE ENGINES AND AMBULANCE SPECIAL TAX NOVEMBER 2, 2010 ELECTION

A "Yes" vote would approve the proposed Measure, allowing an annual adjustment commencing in fiscal year 2011-2012 in accordance with the Consumer Price Index for the greater San Francisco area to the Paramedic Advanced Life Support Fire Engines and Ambulance Special Tax.

A "No" vote would reject the proposed measure allowing for an annual adjustment to the Paramedic Advanced Life Support Fire Engines and Ambulance Special Tax.

This is a special tax to fund the Paramedic Advanced Life Support Fire Engines and Ambulance. The California Constitution requires a 2/3 approval of the voters voting.

Background

In 2000, the voters approved a special tax to support the costs of a program for advanced life support for fire engines, ambulances, and credentialed employees. The tax is imposed as a parcel tax. The average residential parcel pays \$18.00 per year. At the time this tax was approved, the ordinance did not contain a provision for adjusting this amount to reflect cost of living increases. The tax has not been adjusted since its inception.

Proposed Modification

If approved, commencing fiscal year 2011-2012, the City Council could increase the base tax by the increase in the CPI each year.

Fiscal Impact

The base rate of the present tax for a single family residential property is \$18.00 per year. If this Measure is approved, the base rate would be adjusted by the percentage increase in the CPI. If there was a 1% increase in the CPI, the tax base rate would be adjusted to \$18.18. In subsequent years the base rate would continue to be adjusted according to the percentage increase in the CPI.

The base rate for commercial property is \$200.00 per year. If this Measure is approved, the base rate would be adjusted by the percentage increase in the CPI. If there was a 1% increase in the CPI, the tax base rate would be adjusted to \$202.00. In subsequent year the base rate

ARGUMENT IN FAVOR OF MEASURE P

Albany is one of the few cities with an emergency medical response time of fewer than four minutes. Our own fire department gives constant care to residents from the time they arrive on the scene until the ambulance reaches the hospital, which means high quality medical care from door to door.

Most other fire departments respond to 911 calls and then turn patients over to a private ambulance company for transport. With the funds for our two Albany paramedic transport engines, residents are taken to the hospital by Albany firefighter paramedics trained in advanced life support.

To accommodate increasing costs, Measure P seeks an annual Consumer Price Index (CPI) increase to the current \$18 assessment. This is about \$0.53 per year for each residential and commercial unit. Using the average annual CPI for the last ten years, 2.6 percent, the projected approximate increase will be \$5.26 total for the next ten years. Thus the projected fee would be a modest \$23.26 in 2020.

Albany's Advanced Life Support medical response saves lives. Please join the Albany City Council and us in voting yes for Measure P and for the highest quality medical transport care.

s/Joanne Wile

Mayor City of Albany

s/Jewel Okawachi

Former Mayor

s/Marc McGinn

Fire Chief

s/Charles L. Blanchard

Former President, Board of Education, Albany

s/Jon Ely

Former Mayor

**NO ARGUMENT AGAINST MEASURE P WAS
SUBMITTED.**

FULL TEXT OF MEASURE P

Proposed Modification to Chapter 4-8 of the Albany municipal code to add section 4-8.11 and modify 4-8.10

The People of the City of Albany hereby ordain and adopt the following amendment to Section 4-8.10 and enact Section 4-8.11 to Chapter 4-8 entitled "Paramedic Advanced Life Support Fire Engines and Ambulance Special Tax" of the Albany Municipal Code to read as follows:

Section One That Section 4-8.10 of the Albany Municipal Code is hereby amended to read as follows:

4-8.10 Increase Appropriations Limit.

Pursuant to California Constitution Article XIII B, the appropriation limit for the City of Albany is hereby increased by the aggregate sum authorized to be levied by this special tax for fiscal year ~~2001/02~~ 2011/2012 and each year thereafter.

4-8.11 Reduction in Tax and Limited Authority to Increase.

a. Subject to paragraph b, the tax rates imposed by Chapter 4-8 are maximum rates and may not be increased by the City Council above such maximum rates. The tax imposed by this resolution may be reduced or eliminated by the City Council on or before July 1st in any year in which the City Council determines that after such reduction or elimination there will be sufficient revenues available to balance the City Council's Adopted Policy Budget. Such reduction or elimination shall be effective for the fiscal year following such vote.

b. Commencing in fiscal year 2011-2012 and each year thereafter, the City Council may increase the tax imposed hereby only upon a finding that the cost of living in the immediate San Francisco Bay Area, as verified by the Consumer Price Index established by the United States Bureau of Labor Statistics (All Urban Consumer-San Francisco Bay Area), has increased. The increase of the tax imposed hereby shall not exceed such verified index.(on an annual basis by four (4%) percent of the tax rates imposed by the City of Albany during the immediately preceding fiscal year.

Section Two

The provisions of this ordinance shall not apply to any person, or to any property as to whom or which it is beyond the power of the City of Albany to impose the tax herein provided. If any provision, sentence, clause, section or part of this ordinance is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall effect only such provision, sentence, clause, section or party of this ordinance and shall not effect or impair any of the remaining provisions or preexisting provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared to be the intention of the City of Albany, that this resolution would have been adopted had such unconstitutional, illegal, or invalid provision, sentence, clause, section or part thereof not been included.

Section Three

This amendment to the resolution shall become effective upon passage by the voters. All transactions

occurring after January 1, 2009 shall comply with the tax rate established in Section One.

Section Four Increase Appropriations Limit

Pursuant to California Constitution Article XIII B, the appropriation limit for the City of Albany is hereby increased by the aggregate sum authorized to be levied by this special tax for each of the four fiscal years from 2011-2012 through 2014-2015.

Section Five. Severability.

The provisions of this ordinance shall not apply to any person, or to any property as to whom or which it is beyond the power of the City of Albany to impose the tax herein provided. If any provision, sentence, clause, section or part of this ordinance is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall effect only such provision, sentence, clause, section or party of this ordinance and shall not effect or impair any of the remaining provisions or preexisting provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared to be the intention of the City of Albany, that this resolution would have been adopted had such unconstitutional, illegal, or invalid provision, sentence, clause, section or part thereof not been included.

Section Six. Effective Date.

This amendment to the resolution shall become effective upon the passage by the voters. All transactions occurring after January 1, 2009 shall comply with the tax rate established in Section One of this Ordinance.

CITY OF ALBANY MEASURE Q

Q Do you approve of modifying the Albany Municipal Code, Chapter V, as set forth in the Voter's Pamphlet, to set a business license tax to be paid by a cannabis business operating in the City of Albany?	YES
	NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE Q

CANNABIS MEASURE

NOVEMBER 2, 2010 ELECTION

A 'YES' vote, by a majority of the voters voting, would approve proposed amendments to the Albany Municipal Code that establish a business license tax to be paid by an authorized cannabis business in Albany.

A 'NO' vote would disapprove proposed amendments to the Albany Municipal Code that establish a business license tax to be paid by an authorized cannabis business in Albany.

Background

In 1996 the voters of California approved Proposition 215, *The Compassionate Use Act*, which allowed Californians to obtain marijuana for medical purposes where deemed appropriate by a physician. The State Legislature, in 2003, approved a bill adding California Health and Safety Code section 11362.83. The State permitted California cities or counties, if they so choose, to approve the establishment of medical marijuana dispensaries. The Albany City Council placed an advisory measure on the November, 2007 ballot asking whether Albany voters supported the establishment of a single medical marijuana dispensary in the City of Albany. The voters approved the 2006 advisory measure. Thereafter, the City Council passed an ordinance permitting the establishment of one dispensary and enacted the regulatory framework for operations of the business. This ordinance is codified in the Albany Municipal Code commencing with Section 20.20.110. Applications for the one available permit have been submitted.

The Albany Municipal Code, Chapter 5, Section 5-2, requires businesses in Albany to pay a business license tax. The City's business license code does not contain provisions that establish a business license tax for a cannabis business. Since this is a new type of business that requires a business license, the business license tax specifically applying to a cannabis business can only be approved by the voters. The City Council has placed this Measure on the ballot. This Measure requests that the voters approve amendments to Chapter 5 of the Albany Municipal Code establishing a business license tax for a cannabis business that is approved to operate in Albany.

The Proposed Measure

If this Measure is approved, a new Section 5-10 would be added to the Albany Municipal Code. A Cannabis business, as defined under Section 5-10.1 of the Code, for

profit or non profit, will be required to pay an annual business license tax. Section 5-10.2 requires a for profit cannabis business to pay a business license tax of \$25 per thousand dollars of gross receipts. A Non Profit Organization that operates a cannabis business would pay a business license tax of \$25 per square foot on all business improvement occupied by the Cannabis Business.

If this Measure is not approved by the voters, then a cannabis business would not be required to pay a business license tax as set forth in Section 5-10 of the proposed Measure.

Financial Impact

If this Measure passes, the revenue generated from a cannabis business would be placed in the General Fund. The amount of the tax would depend on either the gross receipts or the size of the premises.

s/ROBERT ZWEBEN, City Attorney

ARGUMENT IN FAVOR OF MEASURE Q

Ballot Argument for cannabis business tax

The voters of California authorized the use of medical cannabis in 1996 through the passage of Proposition 215. In 2006, the voters of Albany supported a ballot measure to allow permitting of a single cannabis establishment/business in Albany. The City of Albany has created regulations and a permitting system to prevent nuisance while protecting patients. So far, there have been no businesses established, but cannabis business proprietors have shown an interest in operating in Albany.

Albany's business tax system does not have a category for medical cannabis dispensaries or sales. Without this measure a dispensary or business would pay the "Business License Tax Rate", an annual license tax based on the average number of employees. This ballot measure creates a new business tax classification and rate for cannabis dispensaries or businesses. State law requires that the voters must approve any new business tax rate. This measure was reviewed by the Albany City staff, and placed on the ballot by the Albany City Council in order to be prepared in the event a cannabis dispensary or business is approved in Albany in the future.

The proposed new tax would be comparable with nearby cities that are enacting similar ballot measures for a cannabis dispensary or business. Because permitted medical cannabis dispensaries or businesses did not exist at the time the business tax system was created, the existing business tax category list does not contain a category for cannabis businesses. We ask for your vote to amend the Albany Municipal Code to create a specific category for cannabis businesses in Albany.

s/Marge Atkinson
Council Member

s/Robert Lieber
Council Member

s/Kim Denton
City Treasurer

s/Robert Menzimer
Non-profit executive

s/Karen Auguste
Albany Business Owner

NO ARGUMENT AGAINST MEASURE Q WAS SUBMITTED

FULL TEXT OF MEASURE Q

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF ALBANY AS FOLLOWS:

Section 1. That Section 5-2.3 of the Albany Municipal Code be amended to read as follows:

Section 5-2.3 Business License Tax Rates ~~Amount of License Tax Based on Number of Employees.~~

a. Except as otherwise provided in this Chapter 5 of the Albany Municipal Code and subsection, every person commencing, transacting and carrying on in a fixed place of business in the City any business other than those enumerated in subsections 5-2.2 and 5-2.4 shall pay an annual license tax based upon the average number of employees employed in such business as set forth in the resolution duly adopted by the City Council, or as set forth by ordinance. Persons taking out business license for less than one (1) full year shall pay, in addition to the prorata share of the above license tax, an administrative charge as set forth in the Master Fee Schedule for each license period in excess of one (1) in any calendar year. A business located within Albany may not take out more than two (2) licenses each year.

b. Every person commencing, transacting and carrying on at other than a fixed place of business in the City any business other than those enumerated in subsection 5-2.2 shall pay an annual license tax based upon the average number of employees and upon the annual rates provided for in the preceding paragraphs.

Section 2. That Section 5-2.13 of the Albany Municipal Code be amended to read as follows:

Section 5-2.13 Exemptions, Generally.

Unless otherwise provided in this Chapter 5 of the Albany Municipal Code, ~~p~~Persons in the following categories shall be exempt from the payment of a license tax:

a. *Charitable Organizations.* Any charitable institution, organization or association organized for charitable purposes and conducted for charitable purposes only.

b. *Charitable Entertainments.* Any person conducting or staging any concert, exhibition, lecture, dance, amusement or entertainment where the receipts, if any, derived therefrom are to be used solely for charitable or benevolent purposes and not for private gain.

c. *Religious, Educational, Etc., Organizations.*

1. Any religious, fraternal, educational, military, State, County or Municipal organization or association for the conducting of any business which is open to the members thereof only and not open to the public.

2. Any religious, fraternal, educational, military, State, County or Municipal organization or association for the conducting or staging of any amusement or entertainment, concert, exhibition, lecture, dance or athletic event, when the receipts derived are to be used wholly for the benefit of such organization and not for private gain of any person.

3. Any student organization or association sanctioned by the educational institution from which the membership is drawn, for the conducting or staging of any amusement or entertainment, concert, exhibition,

lecture, dance or athletic event, when the receipts derived are to be used wholly for the benefit of such organization and not for private gain of any person.

d. *Political Party, Etc.* Any party, group, association, individual, proponent or opponent of any political or elective proposition or candidate for office, whether national, local or State; provided, that the party, association, group, individual, proponent or opponent shall not advocate the overthrow of national, State or local government.

e. *Rubbish and Garbage Collectors.* Any person collecting rubbish or garbage under contract with the City for the portion of such business done under such contract.

f. *Solicitors in Interstate Commerce.* Solicitors engaged in interstate commerce, when a license tax casts a burden upon such interstate commerce. Any person claiming exemption upon this ground shall, at the time of making the application for exemption, pay an administrative fee to cover the cost of investigation and registration of the claim as set forth in the Master Fee Schedule.

g. *Minors.* Every natural person of the age of sixteen (16) years or under whose annual gross receipts from any and all business are five hundred (\$500.00) dollars, or less shall be subject to license fees as set forth by resolution.

Section 3. That a new Section 5-10 of the Albany Municipal Code is enacted and adopted to read as follows:

Section 5-10. Cannabis Businesses.

Section 5-10.1 Cannabis Businesses-Defined.

A. Every Cannabis Business whether it is a Nonprofit Organization as defined in Section 5-10.3 or a for profit business shall pay an annual business license tax as is set forth in Chapter V and the sections hereunder.

B. For purposes of this Section, "Cannabis Business" means any activity regulated or permitted by Section 20.20.110 Medical Marijuana Dispensaries that involves planting, cultivating, harvesting, transporting, dispensing, delivering, selling at retail or wholesale, manufacturing, compounding, converting, processing, preparing, storing, packaging, or testing, any part of the plant Cannabis sativa L. or any of its derivatives, except for cultivation or harvesting that is solely incidental to residential use. "Cannabis Business" shall also include any of the foregoing activities that is not regulated or permitted by Chapter 20.20.110 but is authorized by state law. A Cannabis Business shall be deemed a "Business" requiring a business license under Sections 5-2.1 and 5-2.3 of the Albany Municipal Code as that term is used in this Chapter.

Section 5-10.2 License Tax Rates for Cannabis Businesses.

A. Every for profit cannabis business shall pay \$25.00 per thousand dollars of gross receipts as and for its business license tax.

B. Notwithstanding Section 5-2.13, there is imposed on every cannabis business or organization that is a Nonprofit Organization, including all of its ancillary locations, regardless of the number of square feet it occupies, a tax of \$25.00 per square foot on all business improvements occupied by that Cannabis Business. For purposes of this Section, all of the square feet of business improvements owned, rented, leased or otherwise occupied or used by a

Cannabis Business within the City shall be cumulated.

C. The tax imposed by this Section 5-10.2 may be increased annually in accordance with Section 5-2.2 of the Albany Municipal Code.

Section 5-10.3. Definitions.

For purposes of this Section, the following terms shall have the following meanings:

“Building” means any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word “building” includes the word structure.”

“Business improvements” means square footage used, on a regular basis, for the operation of a nonprofit organization as defined in Article XIII Section 26 of the California Constitution, regardless of whether it is owned or leased.

“Cannabis Business” means a location where any activity that is taxable under Chapter V of the Albany Municipal Code takes place.

“Improvements” means all buildings or structures erected or affixed to the land.

“Nonprofit Organization” means any association, corporation or other entity that is exempt from taxation measured by income or gross receipts under Article XIII, Section 26 of the California Constitution.

“Square foot” and “square footage” means the horizontal areas of all floors, including usable basement and cellars, below the roof and within the outer surface of the main walls of buildings (or the center lines of party walls separating such buildings or portions thereof) or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls (which includes square footage of all porches), and including pedestrian access walkways or corridors, but excluding the following:

1. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto.

2. Areas which are outdoor or semi-outdoor areas included as part of the building to provide a pleasant and healthful environment for the occupants thereof and the neighborhood in which the building is located. This exempted area is limited to stoops, balconies and to natural ground areas, terraces, pools and patios which are landscaped and developed for active or passive recreational use, and which are accessible for use by occupants of the building.

3. Arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service or production areas.

“Structure” means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

Section 5-10.4. Modification, Repeal, or Amendment.

The City Council may repeal the ordinance codified in this section, or amend it in a manner which does not result in an increase in the charge imposed herein, without further voter approval. If the City Council repeals said ordinance, it may

subsequently reenact it without voter approval, as long as the reenacted ordinance does not result in an increase in the charge imposed herein.

Section 5-10.5. Administration of Section 5.

The City’s Administrator or Manager, or designee, may promulgate regulations to implement and administer this Section 5-10.

Section 4. Appropriation Limit

Pursuant to California Constitution Article XIII B, the appropriation limit for the City is increased by the aggregate sum authorized to be levied by this ordinance for each of the four fiscal years from 2011-2012 through 2014-2015.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The people hereby declares that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

Section 6. Effective Date. The provisions of this ordinance shall become effective upon passage by the voters and shall apply to all businesses covered by this ordinance upon its effective date.

CITY OF BERKELEY MEASURE R

R Shall the City of Berkeley adopt policies to revitalize the downtown and help make Berkeley one of the greenest cities in the United States by meeting our climate action goals; concentrating housing, jobs and cultural destinations near transit, shops and amenities; preserving historic resources; enhancing open space; promoting green buildings; and calling for 2 residential buildings and 1 hotel no taller than our existing 180 foot buildings and 2 smaller office buildings up to 120 feet?	YES
	NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE R

In 2009, the City Council adopted the Downtown Area Plan ("DAP") for Berkeley's downtown, but rescinded it in early 2010 after a referendum qualified. In July 2010, the Council placed this measure on the ballot.

This measure would:

- designate Downtown as the area bounded by Hearst Street, Dwight Way, Oxford/Fulton Street and Martin Luther King, Jr. Way, with a "Core area" within 1 block of the Downtown BART Station
- adopt a "Green Vision" for the Downtown;
- adopt policies for downtown development that generally continue existing policies pertaining to cultural uses, retail revitalization and the preservation of historic resources; and
- advise the Council with respect to building heights.

The proposed measure seeks to direct future growth to the downtown core by: encouraging affordable housing, hotels and conference facilities; requiring new buildings to be compatible with downtown's historic context; calling for streetscape improvements and amenities; giving priority to pedestrians and promoting alternatives to single-occupant automobiles, and encouraging green building and sustainable development.

This measure differs from prior plans by including a voluntary "Green Pathway" that would provide a streamlined permit process for buildings providing public benefits that could not otherwise be obtained. Only projects without landmarks could use the "Green Pathway", and the Landmarks Preservation Commission would determine whether buildings qualify as landmarks under a set timeframe.

For Green Pathway projects, new buildings up to 75' would qualify for a streamlined design review process, and be permitted as a matter of right, if they provide 20% affordable housing on site or downtown or pay an *in lieu* fee, and waive any state law density bonus, and approximately 30% of construction workers are from Berkeley and East Bay Green Corridor cities.

Green Pathway projects with new buildings over 75' would qualify for a streamlined review process that

includes zoning review with public hearings. Projects with buildings over 75' would have to provide these additional public benefits:

1. Buildings with more than 100 units of housing and office buildings would pay prevailing wages for construction workers and hire approximately 16% of the workers from State Certified Apprenticeships with a record of graduating apprentices.
2. Hotels would pay prevailing wages for hotel employees.

This measure would also provide advisory guidance for future Council decisions regarding building heights:

1. 60' height limit in the Downtown Area, except for:
 - a. 2 residential buildings in the Core, with commercial on the ground floor, no taller than existing 180-foot buildings;
 - b. 1 hotel with conference facilities in the Core up to 180';
 - c. 2 mixed-use or office buildings up to 120'; and
 - d. Buildings up to 75' with a use permit on Shattuck Avenue from Hearst Avenue to Haste Street and University Avenue from Oxford to Milvia Streets.
2. 55' height limit on Martin Luther King Jr. Way.
3. 45' height limit adjacent to or confronting existing residential buildings, and 55' with a 10' setback on the 5th floor.

This measure would require the Council to regularly evaluate and considering amending any new DAP.

s/ZACH COWAN
Berkeley City Attorney

ARGUMENT IN FAVOR OF MEASURE R

Vote YES on Measure R for a safe, vibrant and green Downtown Berkeley.

Measure R helps local merchants, attracts business, creates jobs and raises revenue for the City.

Berkeley needs thriving businesses. A revitalized Downtown will attract **new jobs, increase our economic vitality, improve public safety and strengthen the tax base.**

Measure R establishes a welcoming Downtown with plazas and open space.

Residents and visitors will be drawn to Downtown's plazas, clean and wide sidewalks, tree-lined streets and bicycle amenities.

Measure R encourages housing in innovative new green buildings.

The new Plan establishes a Green Pathway encouraging an array of housing opportunities for our local workforce, students, families, seniors and retirees of all income levels. The Plan requires the highest standards in energy efficiency and sustainable amenities, such as rainwater catchment, open space, and recycling.

Measure R restricts building heights and protects neighborhoods from over-development and commuter traffic.

The new Plan allows two residential buildings and one hotel no higher than the Wells Fargo and Great Western Buildings. New housing will have easy access to transit, car sharing, bike parking and will support a fund to provide alternatives to single occupancy vehicles, such as bus passes for residents.

Measure R preserves historic and cultural resources.

The new Plan will ensure that a comprehensive, independent analysis of potential impacts on historic sites will be reviewed by the Landmarks Preservation Commission *prior* to approving any project.

Measure R is supported by the Sierra Club, League of Women Voters, Greenbelt Alliance, Alameda County Building Trades, League of Conservation Voters, Livable Berkeley, Downtown Berkeley Association, and Berkeley Food and Housing Project.

Vote YES on Measure R and move Downtown Berkeley into the 21st century with people working, living, shopping, studying and enjoying the arts and entertainment downtown.

Vote YES on Measure R.

s/Susan Medak

Managing Director, Berkeley Repertory Theater; President, Downtown Berkeley Association

s/Loni Hancock

State Senator

s/Weldon Rucker

Retired Berkeley City Manager

s/Robert B. Reich

Professor of Public Policy and Former U.S. Secretary of Labor

s/Beatriz Leyva-Cutler

Executive Director, Bay Area Hispano Institute for Advancement (BAHIA, Inc)

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE R

Of course we need “a safe, vibrant and green Downtown Berkeley” that will “attract new jobs [and] increase our economic vitality.” Opponents support almost everything proponents *claim* Measure R will do. But Measure R undermines the 90% we can all agree on by **wrapping controversial land-use policies in green packaging.**

Measure R provides no real plan to revitalize Downtown. Instead it creates pressure that will make Downtown *less* viable and *less* livable. **The first and only sure effect of replacing older building stock is to drive out existing residents and the small businesses we love.**

Measure R completely lacks noncompliance penalties, leaving **giant loopholes for developers to avoid providing essential community benefits**, including open space, green building standards, affordable housing, and fair wages — the very things we all agree are important.

Measure R doesn't preserve historic and cultural resources. It rewrites the Landmarks Ordinance, making it easier to **demolish historic buildings containing existing affordable housing.**

Measure R harms surrounding neighborhoods by incorporating them into an expanded and intensified Downtown with **dramatically raised building heights.**

We can make Downtown a better place to work, live, shop, study, and enjoy arts and entertainment, but **Measure R is a step backward!** It ignores five years of community process that resulted in a truly green Downtown Plan, which Council rejected in favor of this blank check for developers.

Vote No on R, and tell Council to come up with a truly green plan for our Downtown! Find out the whole truth at FactsAboutMeasureR.org.

s/Bonnie Hughes,

Berkeley Arts Festival, director Downtown Resident

s/Wendy Alfsen,

DAPAC member, COB Transportatn Comm; former Chair, corresponding secy MAAGNA (McKinley Addison Allston Grant Neighborhood Association)

s/Lisa Stephens, Member,

Downtown Area Plan Advisory Committee (DAPAC); Former Chair, Parks and Recreation Commission; Chair, Berkeley Rent Stabilization Board

s/Carrie Olson,

Vice-Chair, Landmarks Preservation Commission Past President, Berkeley Architectural Heritage Association Member, Design Review Committee

s/Jesse Arreguín,

Councilmember, District 4 (Downtown & Central Berkeley); former member, Downtown Area Plan Advisory Committee (DAPAC)

ARGUMENT AGAINST MEASURE R

Protect Our Historic Buildings and Our Neighborhoods. Require a Truly Green Plan for Downtown. Say NO to Measure R!

The City Attorney admits that Measure R is not a plan. It's a plan to have a plan, an end run around voters, packaging empty promises with destructive proposals in feel-good "greenest city in America" language, while needlessly delaying adoption of an actual Downtown Plan.

Measure R throws out five years of successful community process. A 21-person, Council-appointed citizens' committee held hundreds of public meetings and overwhelmingly approved a Downtown Plan. The Council rejected that plan and replaced it with a developer-backed plan. Within thirty days, 9,200 citizens signed petitions preventing adoption of that plan without a vote of the people. Instead, the Council rescinded the plan and devised Measure R.

Measure R greenlights out-of-scale development, as much as tripling the present limit from 55 to 180 feet (the unsightly Great Western building's height) without enforceable environmental mitigations or community benefits such as open space or affordable housing. Developers will build *even higher* than 180 feet under California's bonus density provisions. UC would be allowed to build unspecified additional tall buildings, weakening the tax base.

Measure R threatens neighborhoods, designating a hugely expanded "Downtown" that incorporates existing residential areas, allowing outsized development to overwhelm surrounding neighborhoods.

Measure R establishes the anti-preservation law *specifically rejected in November 2008*, when voters soundly defeated Measure LL. By expediting demolition of historic buildings, R in fact destroys *real* affordable housing, *increases* greenhouse gas, and sends tons of demolition debris to landfills.

Voting NO on R tells the Council to work with the community on a *truly green* plan that serves us *all*: Downtown businesspeople, residents, students, everyone who'd like to be able to shop downtown again, *and* developers.

s/Jesse Arreguín

Councilmember, District 4 (Downtown & Central Berkeley); former member, Downtown Area Plan Advisory Committee (DAPAC)

s/Patricia D. Marsh

Secretary, Alameda County Green Party on behalf of the Green Party of Alameda County

s/Anne Paxton Wagley

on behalf of Berkeley Architectural Heritage Association, City of Berkeley Landmarks Preservation Commissioner

s/Martha Nicoloff

Treasurer, Council of Neighborhood Associations on behalf of the Council of Neighborhood Associations

s/John T. Selawsky

Berkeley School Board member

REBUTTAL TO ARGUMENT AGAINST MEASURE R

YES on Measure R – For a Vibrant and Safe Downtown
The arguments against Measure R are false, advanced by people who have consistently opposed virtually every attempt to revitalize Downtown.

Based on five years of community process and hundreds of public meetings, this plan is supported by The Sierra Club, League of Women Voters, and Downtown merchants. Measure R gives voters a say in the future of Berkeley and the Downtown.

Despite what opponents claim, no building could be taller than what we have now. The plan does not permit anything higher.

The plan includes legal incentives to create new affordable housing. The plan will encourage new homes, including affordable housing, close to jobs and transit.

UC Berkeley agreed to the plan adopted by Council. Without voluntary agreement with the plan the UC could develop however and wherever they want.

The plan protects neighborhoods. It concentrates housing and future growth Downtown, relieving development pressure and traffic impacts on neighborhoods.

Landmarks will be preserved. Any new development must be reviewed by the Landmarks Commission for its impacts on historic structures nearby. This will not change.

The plan has broad support

Environmental advocates:

Sierra Club

League of Conservation Voters

Greenbelt Alliance

Bicycle Friendly Berkeley Coalition

Advocates for jobs, a robust economy, and affordable housing:

Alameda County Building Trades

Downtown Berkeley Association

Berkeley Chamber of Commerce

Berkeley Food and Housing Project

The League of Women Voters

Join seven City Council members and so many others who want a vibrant, green, and safe downtown.

s/Nancy Skinner,

Assemblymember – District 14

s/Susan Medak,

Managing Director, Berkeley Repertory Theater & President, Downtown Berkeley Association.

s/Harrison Fraker, Former Dean, UC Berkeley School of Environmental Design

s/Amy Thomas, owner, Pegasus Books

s/Helen K. Burke, Vice Chair, Sierra Club, No. Alameda County Group

FULL TEXT OF MEASURE R

ADOPTING A GREEN VISION FOR THE DOWNTOWN, DESIGNATING THE DOWNTOWN PLAN AREA, ADOPTING POLICIES, AND PROVIDING GUIDANCE FOR FUTURE COUNCIL DECISION MAKING.

WHEREAS, Berkeley voters overwhelmingly passed a Climate Action Plan that calls for reducing greenhouse gas by 80% by the year 2050, making Berkeley one of the greenest cities in the United States, and

WHEREAS, Downtown should be a destination neighborhood that is safe, oriented to the pedestrian, offering open space, tree-lined streets and shops, services and amenities that make it possible to meet most daily needs near where people live and work; and

WHEREAS, Downtown should build on its successful Arts District and expand the heart of Berkeley where people can experience and enjoy urban life; and

WHEREAS, Downtown should thrive economically, serving Berkeley's residents and visitors with attractive stores, parks and plazas, exceptional restaurants, and provide myriad community amenities with adequate public parking; and

WHEREAS, Downtown should celebrate its cultural, historic assets and its proximity to the University of California, renowned for its academic accomplishments and its physical beauty; and

WHEREAS, the Downtown should be the preferred locale for new, transit oriented housing, providing homes for all income levels and family sizes, thus reducing the heavy volume of commute traffic into the City of Berkeley; and

WHEREAS, Downtown buildings should be constructed to the highest green standards and provide a limited number of new structures that are no higher than what exists now.

Now, therefore, the People of the City of Berkeley hereby resolve as follows:

Section 1. Green Vision for Downtown

The People of the City of Berkeley hereby adopt, as a vision for the City's Downtown Area, a Downtown that meets the City's climate action goals by concentrating housing, jobs and cultural destinations near transit, shops and amenities; preserving historic resources, enhancing open space, promoting green buildings; and allowing for 2 residential buildings and 1 hotel no higher than our existing 180 foot buildings and 2 smaller office buildings up to 120 feet, concentrating housing and jobs, thus helping to make Berkeley one of the greenest cities in the United States.

Section 2. Designation of Downtown Area

The Downtown Area is hereby designated as the area bounded by Hearst Street and Dwight Way and Oxford/Fulton Street and Martin Luther King, Jr. Way, with a Core area within one (1) block of any entrance to the Downtown BART Station.

Section 3. Policies

The People desire an updated Downtown area plan that will establish an environmentally healthy and sustainable

downtown, in accordance with the vision adopted herein.

Accordingly, the People adopt the following policies as guidance for the City Council in formulating and adopting a new Downtown Area Plan.

1. Green Businesses: Promote Downtown as a destination for visitors who can witness Berkeley's innovation in green building management and construction. Encourage new green businesses to locate Downtown, and expand the number of existing businesses that go green. Promote strategies that connect Downtown residents, businesses and visitors with local sources of products, services, and healthful foods.
2. Land Use: Encourage a mix of transit oriented housing development to encourage a diversity of residents of all income levels and family sizes and encourage a mix of land uses that allow most daily needs to be met on foot.
3. Historic Preservation: Preserve historic buildings and provide where appropriate for their rehabilitation, adaptive reuse and/or intensification.
4. Economic Development: Support and encourage existing and new shops, restaurants, and cultural uses (such as theaters, music venues, museums, and galleries) and attract locally-serving businesses of a variety of sizes, to provide a wide variety of goods and services, with adequate public parking. Promote family-friendly uses, such as childcare and preschools, and cultural, recreational, and educational activities for children. Seek to retain and expand hotels that provide meeting and conference facilities to improve Berkeley's vitality, and its tax base.
5. Streets and Open Space/Pedestrian Priority: Make major enhancements and additions to sidewalks, parks, plazas, mid-block pedestrian walkways, streets, and other open space, and incorporate ecologically beneficial features and to give pedestrians priority in Downtown.
6. Urban Design: Encourage exceptional, high-quality new architecture, and minimize noise, wind, glare, shadowing and other impacts from development.
7. Alternative Transportation Modes: Enhance and expand transit opportunities, walking and bicycle use, and other alternatives to the use of single occupancy/high-emission vehicles.
8. Neighborhood Protections: Reduce pressure for development in residential areas, promote the preservation and rehabilitation of valued older structures, and conserve the scale of our neighborhoods' fabric. Avoid abrupt transitions between residential neighborhoods and new buildings.
9. Community Services: Retain and expand effective health-related services, youth, senior and social services in the Downtown for those of all income levels, and work with the owner of Herrick site to include community-serving health services as part of any redevelopment of that site.
10. Environmental Development and Sustainability: Integrate and require environmentally sustainable

development and practices in every aspect of the Downtown and in its future planning.

11. **New Green Standard Development Requirements:**

Modify existing development standards to require environmentally sustainable building with the following public benefits in all cases, except historic rehabilitations and adaptive reuse of existing buildings.

- a) Meet LEED Gold or equivalent.
- b) Provide Car sharing opportunities, on site bike parking and Transit passes.
- c) Meet Title-24 energy requirements and the local green standards adopted by Council.
- d) Provide on-site open space or pay into a Public Open Space Fund.
- e) Parking spaces to be rented separate from dwelling units.
- f) Residents in new downtown buildings would be ineligible for Residential Permit Parking Permits.
- g) Provide on-site recycling services and ensure no new net water runoff.
- h) Parking requirement may be reduced by paying into a Transportation Management Demand Fund to provide enhanced transit services.

12. **Green Pathway Development Requirements and Review.**

Establish a voluntary “Green Pathway” development review process that would provide a streamlined permit process for buildings that move beyond the New Green Standard Development requirements, providing extraordinary public benefits that could not otherwise be obtained. Green Pathway projects shall conform with building height standards described in Section 4, and zoning shall require mitigation of air quality, noise, and short-term construction impacts, as well as the possible disturbance of archeological resources.

Concessions from **Green Pathway** projects with buildings at or below 75 feet would include:

- a) Provide 20% affordable rental housing onsite or in a building located in the Downtown Area, or paying a fee to the Housing Trust Fund.
- b) Waiving the right to the State Density bonus.
- c) Employing approximately 30% of a project’s construction workers from Berkeley, and if qualified persons are not available in Berkeley, from cities in the East Bay Green Corridor. A contractor may gain credit for a locally hired worker who may be employed on another project.

Green Pathway streamlined entitlement process for buildings at or below 75 feet would include:

- a) Submit Landmarks application to planning staff including funds for City-conducted analysis of historical value.
- b) Submit completed analysis to Landmarks Preservations Commission (LPC) for determination. LPC shall complete its determination within 90 days. LPC determination shall be in effect while in an active pursuit of the use permit. If LPC des-

ignates a Landmark, the project reverts to standard zoning review process. LPC action appealable to City Council.

- c) Design Review Commission has up to 90 days to assess whether the project conforms to Downtown design guidelines, subject to appeal directly to City Council.
- d) Zoning Certificate is issued upon completion of this process. No Zoning Adjustment Board review required.
- e) Public Benefit and labor compliance will be monitored and verified. Violations subject to penalty.

Green Pathway buildings over 75 feet would have the following additional requirements and limitations:

- a) Buildings with more than 100 units of housing or office buildings above 75’ will pay prevailing wages for construction workers and employ approximately 16% of total employees as apprentices from State Certified Apprenticeships with a record of graduating apprentices.
- b) Hotels above 75 feet will pay prevailing wages for hotel employees.
- c) Green Pathway Project applications will receive priority status to meet approval deadlines.
- d) New process for submitting application to determine landmark status, with final determination by Landmarks Preservation Commission within 90 days, with possible option to pay for City-conducted analysis of historical value. If LPC issues negative determination, it shall be in effect while in an active pursuit of the use permit. If LPC designates a positive determination, the project reverts to standard zoning review process. LPC action appealable to City Council.
- e) Design Review Commission and Zoning Adjustment Board (ZAB) process not to exceed a combined total of 210 days; ZAB action appealable to City Council.
- f) Public Benefit and labor compliance will be monitored and verified. Violations subject to penalty.

Section 4. Guidance for Council Decision-Making

A. In order to advance Berkeley’s green future, and foster needed economic development and revitalization, the People of the City of Berkeley hereby advise the City Council that planning efforts for the Downtown should include consideration of a limited number of new buildings, as follows:

1. A maximum height in the Downtown Area of 5 stories (60 feet).
2. Exceptions to maximum height of 60’ include:
 - a) A total of 5 new buildings in the Downtown Area as follows:
 - 1) 2 -residential buildings in the **Core**, with commercial on the ground floor, no taller than existing 180 foot buildings;

- 2) 1 hotel with conference facilities in the **Core** not to exceed 180 feet; and
- 3) 2 buildings not to exceed 120 feet, which may be mixed-use (residential/commercial ground floor) or office buildings.
- b) Buildings up to 75 feet with a use permit on Shattuck Avenue from Hearst Avenue to Haste Street and along University Avenue from Oxford to Milvia Streets.
- 3. On Martin Luther King Jr. Way, limit height of new buildings adjacent to or confronting existing residential buildings to 45' at the sidewalk, and 55' with a 10' set-back on the 5th floor.
- B. The City Council shall regularly evaluate any Plan adopted as a result of this measure for its impacts on environmental goals, aesthetics, livability, economic vitality, housing growth and affordability, sustainability, and other factors, and shall consider adjustments to the Plan's policies and development regulations to better attain desirable outcomes and address unacceptable negative impacts.

CITY OF BERKELEY MEASURE S

S Shall a tax be authorized on medical cannabis businesses not exceeding \$25 per \$1000 of gross receipts phased in over two years; on nonprofit medical cannabis businesses not exceeding \$25.00 per square foot for the first 3000 square feet and \$10 per foot thereafter; and on non-medical cannabis businesses of \$100 per \$1000 gross receipts; and shall the City's appropriations limit be increased to permit expenditure of these tax proceeds?	YES
	NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE S

Medical cannabis dispensaries in Berkeley are currently taxed at the rate applicable to all retail businesses, or \$1.20 per \$1000 of the prior year's gross receipts. This measure would authorize the City Council to increase the tax rate on medical cannabis businesses to \$25 per \$1000 of gross receipts. The tax would be phased in over two years, with a rate of \$18 per \$1000 of gross receipts for the last six months of 2010 payable in 2011, and \$25 per \$1000 of gross receipts in 2011, payable in 2012. If the "Regulate, Control and Tax Cannabis Act of 2010", on the November 2010 state ballot passes the rate would stay at \$18 per \$1000.

If non-medical cannabis businesses are allowed by the "Regulate, Control and Tax Cannabis Act of 2010", on the November 2010 state ballot, they would be taxed at the rate of \$100 per \$1000 of gross receipts.

If a cannabis business (whether medical or non-medical) were to obtain formal non-profit status from the state or federal governments, it would be taxed based on the number of square feet it occupies rather than gross receipts. The square foot rate would be capped at \$25 per square foot for the first 3,000 square feet, and \$10 per square foot for all square feet over 3,000. These rate caps would be reduced to \$12.50 and \$5.00, respectively, if the "Regulate, Control and Tax Cannabis Act of 2010", on the November 2010 state ballot passes and takes effect. All square foot rates could be increased annually by the greater of the increase in the cost of living in the immediate San Francisco Bay Area or *per capita* personal income growth in the state, as verified by official United States Bureau of Labor statistics. The Council could impose any tax authorized by this measure at a lower rate, as well as and exempt Cannabis Businesses from the tax if they have gross receipts below a specified amount.

The Council would also be authorized to adopt different tax rates for medical and non-medical cannabis businesses.

This measure would increase the City's appropriations limit by the aggregate sum authorized to be levied for each of the four fiscal years FY 2012 through FY 2015.

This measure does not legalize cannabis businesses, but

only taxes businesses that are otherwise permitted.

Financial Implications

Based on current reported gross receipts, it is anticipated that the gross receipts tax on medical cannabis businesses would raise in excess of \$165,000 in 2011 and \$460,000 in 2012 and subsequent years, depending on gross receipts. It is impossible to anticipate the amount of tax proceeds this would raise if non-medical cannabis businesses are legalized by the "Regulate, Control and Tax Cannabis Act of 2010", on the November 2010 state ballot and permitted in Berkeley.

Based on the square feet occupied by existing reported medical cannabis businesses in Berkeley, the square foot tax would raise approximately \$159,655, subject to annual inflation.

s/ZACH COWAN

Berkeley City Attorney

ARGUMENT IN FAVOR OF MEASURE S
VOTE YES ON MEASURE S - THE MEDICAL CANNABIS TAX

California voters authorized the use of medical cannabis in 1996 - in a ballot initiative overwhelmingly supported by Berkeley voters. In 2008, the voters of Berkeley again demonstrated support for increased patient access for medical cannabis with the passage of Measure JJ.

Like other cities, the City of Berkeley is working to create zoning, licensing and tax regulations for medical cannabis cultivation and dispensaries. Berkeley's business tax system does not yet have a category for medical cannabis cultivation, dispensing, and ancillary activities such as baking and product development.

Measure S creates a new business tax classification and rate for cannabis cultivators, dispensaries, and ancillary activities. It establishes a rate of \$25 per \$1000 of gross receipts, phased in over two years. For non-profits, the rate is \$25 per square foot for the first 3000 square feet and \$10 per foot thereafter. If State Proposition 19 passes, legalizing cannabis, this measure will permit the City to levy \$100 per \$1000 gross receipts for non-medical cannabis businesses.

The Cannabis Tax will provide **new revenue for city services** and may be used for any legal municipal purpose, such as **public safety, street repair and public health programs**. State law in California requires that any new business tax rate must be approved by the voters.

Measure S is **supported unanimously by the Berkeley City Council** and by the medical cannabis community, and will help **support and maintain essential services** for our city.

VOTE YES ON MEASURE S

s/Tom Bates

Berkeley Mayor

s/Darryl Moore

Berkeley City Council, District 2

s/Maxwell G. Anderson, Jr.

Berkeley City Council District 3

s/Susan Wengraf

City Council member, District 6

s/Gordon Wozniak

Berkeley City Council - District 8

**NO ARGUMENT AGAINST MEASURE S
WAS SUBMITTED**

FULL TEXT OF MEASURE S
AMENDING CHAPTER 9.04 OF THE BERKELEY
MUNICIPAL CODE TO INCREASE THE TAX
RATE ON CANNABIS BUSINESSES

BE IT ORDAINED by the People of the City of Berkeley as follows:

Section 1. That a new Section 9.04.136 of the Berkeley Municipal Code is adopted to read as follows:

9.04.136 Cannabis Businesses.

A. 1. Every Medical Cannabis Business that is not a Nonprofit Organization as defined in Section 9.04.305, and every Non-Medical Cannabis business, shall pay an annual tax for each thousand dollars of gross receipts as provided in Section 9.04.240. If the “Regulate, Control and Tax Cannabis Act of 2010”, on the November 2010 state ballot passes and takes effect, the maximum gross receipts rate that may be applied to Medical Cannabis Businesses shall be reduced to 1.8%, or \$18 per \$1000.

2. Except as provided in paragraph 1 of this subdivision, the tax on Medical Cannabis Businesses that is imposed by this Section shall be phased in as follows:

a. The tax payable in 2011 shall be \$18 per \$1000 of gross receipts after June 30, 2010.

b. The tax payable in 2012 shall be \$25 per \$1000 of gross receipts after January 1, 2011.

c. The tax payable in subsequent years shall be \$25 per \$1000 of gross receipts during the preceding calendar year.

B. For purposes of this Chapter:

1. “Medical Cannabis Business” means any activity regulated or permitted by Chapter 12.26 or Title 23 that involves planting, cultivating, harvesting, transporting, dispensing, delivering, selling at retail or wholesale, manufacturing, compounding, converting, processing, preparing, storing, packaging, or testing, any part of the plant Cannabis sativa L. or any of its derivatives, pursuant to Health & Safety Code sections 11362.5 and 11365.7-11362.83.

2. “Non-Medical Cannabis Business” means any of the activities described in the preceding paragraph that are not conducted pursuant to Health & Safety Code sections 11362.5 and 11365.7-11362.83, but are otherwise authorized by state law.

3. “Cannabis Business” includes both Medical Cannabis Businesses and Non-Medical Cannabis Businesses.

4. A Cannabis Business shall be deemed a “Business” under Section 9.04.010 and as that term is used in this Chapter.

C. For purposes of this Section and Section 9.04.305.A.2, “gross receipts” includes any monetary consideration for medical cannabis whatsoever, including but not limited to: membership dues; reimbursement pursuant to Health & Safety Code sections 11362.5 and 11365.7-11362.83; and any money received for wholesale or retail sales.

D. 1. The annual tax rate imposed by Section 9.04.240 on Non-Medical Cannabis Businesses shall

apply to the sum of gross receipts as defined in Section 9.04.025 and this Section.

2. The City Council may impose the tax authorized by this Section at a lower rate, and may establish an exemption for Cannabis Businesses whose gross receipts are below a specified amount. The Council may adopt different rates and exemption levels for Medical and Non-Medical Cannabis Businesses. No action by the Council under this paragraph shall prevent it from subsequently increasing the tax rate for any type of Cannabis Business to the maximum specified in this Section and Section 9.04.240 or from modifying or eliminating any exemption.

E. In order to aid in the City’s collection of taxes due under this Chapter and ensure that all Cannabis Businesses are taxed consistently to the best of the City’s ability, beginning January 1, 2011, in any Cannabis Business, that obtains any product containing, Cannabis sativa L. or any of its derivatives for monetary consideration that constitutes gross receipts under subdivision (C) for the provider of that Cannabis sativa, shall either:

1. report quarterly to the City all such transactions, the monetary consideration involved, and the identity and contact information of the person or entity to whom or to which monetary consideration was provided; or

2. collect the tax that would be payable as a result of the transaction from the person or entity to whom monetary consideration was provided and remit it to the City.

F. The City Manager may promulgate regulations to implement and administer this Section, including allowing Medical Cannabis Businesses to remit taxes more frequently than annually.

Section 2. That Section 9.04.240 of the Berkeley Municipal Code is amended to read as follows:

9.04.240 Rates--General.

The base rate for gross receipts business license taxes is established at one dollar and twenty cents for each one thousand dollars gross receipts per year.

Industry Classification Category	Tax Basis	Base Rate Factor	Per Year Tax Rate for \$1,000	Section Reference
Administration head-quarters	Gross payroll	1.0	1.20	9.04.190
Business personnel and repair services	Gross receipts	1.5	1.80	9.04.160
<u>Medical Cannabis Business</u>	<u>Gross receipts</u>	<u>20.83</u>	<u>25.00</u>	<u>9.04.136</u>
<u>Non-Medical Cannabis Business</u>	<u>Gross receipts</u>	<u>83.25</u>	<u>100.00</u>	<u>9.04.136</u>
Construction contractor	Gross receipts	1.5	1.80	9.04.180
Firearms and firearm ammunition	Gross receipts	125.0	150.00	9.04.177
Grocer (retail or wholesale)	Gross receipts	0.5	0.60	9.04.140
Manufacturing	Value added	1.0	1.20	9.04.185
Miscellaneous business	Gross receipts	2.0	2.40	9.04.220
Motor vehicle sales	Gross receipts	1.0	1.20	9.04.145
Nonprofit organizations	Gross receipts	0.5	0.60	9.04.305
Private rubbish haulers	Gross receipts	125.0	150.00	9.04.176
Private franchised/recycling rubbish haulers	Gross receipts	1.5	1.80	9.04.176
Professional-Semiprofessional	Gross receipts	3.0	3.60	9.04.165
Professional sports events	Gross receipts	83.33	100.00	9.04.175
Recreation and entertainment	Gross receipts	3.75	4.50	9.04.170
Rental of real property	Gross receipts	9.0	10.81	9.04.195
Retail trade	Gross receipts	1.0	1.20	9.04.135
Wholesale trade	Gross receipts	1.0	1.20	9.04.150

Section 3. That Section 9.04.305 of the Berkeley Municipal Code is amended to read as follows:

9.04.305 Business license charge on large nonprofit organizations and Cannabis Businesses.

A. 1. Notwithstanding section 9.04.300, ~~There~~ is imposed on every large nonprofit organization exempted under Article XIII, Section 26 of the California Constitution from local taxes or fees measured by income or gross receipts, a ~~tax charge~~ of fifty-one cents per square foot on all business improvements over the first one hundred twenty thousand square feet of business improvements occupied by that large nonprofit organization. For purposes of this section, all of the square feet of business improvements owned, rented, leased or otherwise occupied by a given nonprofit organization within the City

shall be cumulated.

2. a. Notwithstanding section 9.04.300, there is imposed on every Cannabis Business that is a Nonprofit Organization and that generates gross receipts, including all of its ancillary locations, regardless of the number of square feet it occupies, a tax on each square foot on all business improvements occupied by that Cannabis Business as follows:

<u>Taxable Square Feet</u>	<u>Maximum Tax Rate</u>
<u>First 3000 square feet</u>	<u>\$25 per square foot</u>
<u>All square feet over 3000</u>	<u>\$10 per square foot</u>

b. If the “Regulate, Control and Tax Cannabis Act of 2010”, on the November 2010 state ballot passes and takes effect, the foregoing tax rates shall be reduced as follows:

<u>Taxable Square Feet</u>	<u>Maximum Tax Rate</u>
<u>First 3000 square feet</u>	<u>\$12.50 per square foot</u>
<u>All square feet over 3000</u>	<u>\$5 per square foot</u>

c. For purposes of this Section, all of the square feet of business improvements owned, rented, leased or otherwise occupied or used by a Cannabis Business within the City shall be cumulated.

~~B. The charge imposed by this section shall be operative on January 1, 1999.~~

~~EB. 1. The charge imposed by this sSection may shall be increased or decreased annually for the following year in May, by the greater of the increase in the cost of living in the immediate San Francisco Bay Area or per capita personal income growth in the state, as verified by official United States Bureau of Labor statisticsaccording to the cost of living in the immediate San Francisco Bay Area.~~

2. In addition to any other reductions permitted or required by this Section, the City Council may impose the tax authorized by this Section at a reduced rate in the event that one or more permitted Medical Cannabis Businesses taxable under this Section significantly expand in square footage. It is the intent of the voters in adopting this provision that the total tax burden on Medical Cannabis Businesses not be unreasonably increased solely by virtue of expansions in square footage that do not increase their receipts. The Council may adopt different rates for Medical and Non-Medical Cannabis Businesses.

~~DC.~~ For purposes of this sSection, the following terms shall have the following meanings:

“Building” means any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word “building” includes the word “structure.”

“Business improvements” means square footage used, on a regular basis, for the operation of a nonprofit organization as defined in Article XIII Section 26 of the California Constitution, regardless of whether it is owned or leased.

“Improvements” means all buildings or structures erected or affixed to the land.

“Large nonprofit organization” means any nonprofit organization exempted under Article XIII, Section 26 of the California Constitution from local taxes or fees measured by gross receipts, which occupies over one hundred twenty thousand square feet of business improvements in the City, but excludes any Cannabis Business.

“Nonprofit Organization” means any association, corporation or other entity that is exempt from taxation measured by income or gross receipts under Article XIII, Sec-

tion 26 of the California Constitution.

“Square foot” and “square footage” means the horizontal areas of all floors, including usable basement and cellars, below the roof and within the outer surface of the main walls of buildings (or the center lines of party walls separating such buildings or portions thereof) or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls (which includes square footage of all porches), and including pedestrian access walkways or corridors, but excluding the following:

1. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto.

2. Areas which are outdoor or semi-outdoor areas included as part of the building to provide a pleasant and healthful environment for the occupants thereof and the neighborhood in which the building is located. This exempted area is limited to stoops, balconies and to natural ground areas, terraces, pools and patios which are landscaped and developed for active or passive recreational use, and which are accessible for use by occupants of the building.

3. Arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service or production areas.

“Structure” means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground.

~~ED.~~ Pursuant to California Constitution Article XIII B, the appropriation limit for the City is increased by the aggregate sum authorized to be levied by this ordinance for each of the four fiscal years from 2011-2012 ~~1998-1999~~ through 2014-2015~~2002-03~~.

~~FE.~~ The City Council may repeal the ordinance codified in this section, or amend it in a manner which does not result in an increase in the charge imposed herein, without further voter approval. If the City Council repeals said ordinance, it may subsequently reenact it without voter approval, as long as the reenacted ordinance does not result in an increase in the charge imposed herein.

F. The City Manager may promulgate regulations to implement and administer this Section, including allowing Medical Cannabis Businesses to remit taxes more frequently than annually.

CITY OF BERKELEY MEASURE T

<p>T Shall the Berkeley Municipal Code be amended to: allow residential medical cannabis collectives, with up to 200 square feet of cultivation; allow six locations in the Manufacturing District for cultivation; allow a fourth dispensary; require dispensaries to be at least 600' from public and private schools and other dispensaries; permit new and relocated dispensaries only in C districts; change the makeup of the Medical Cannabis Commission; and permit the Council to adopt other amendments?</p>	YES
	NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE T

This measure would modify existing ordinance provisions regulating the cultivation, use and possession of medical cannabis.

It would:

- Amend existing City ordinances to clarify that medical cannabis collectives ("Collectives") are permitted in residential districts and are not subject to the numerical limitation applicable to medical cannabis dispensaries ("Dispensaries"), which must be located in non-residential districts.
- Limit cultivation by Collectives to the lesser of 200 square feet of building area or 25% of the building, to ensure that it remains incidental to residential use.
- Reconstitute the Medical Cannabis Commission as a typical City commission with nine members, each appointed by a Council member, but require that one commissioner be a member of a Dispensary, one be a member of a Collective that is not a Dispensary, and one be an unaffiliated cultivator who is not primarily affiliated with a single Dispensary.
- Increase the number of permitted Dispensaries to 4, but change the 1000' buffer zone from public schools and other Dispensaries to 600' from public and private schools and other Dispensaries.
- Permit new and relocated Dispensaries be in C (Commercial) zoning districts as of right, subject to compliance with parking requirements, and the 600' buffer zone.
- Allow medical cannabis cultivation (including testing, processing, manufacturing and food preparation), but not dispensing or member services, at 6 locations in the M (Manufacturing) zoning district as a matter of right, subject to the limitation that no single space could exceed 30,000 square feet. Cultivation establishments could be aggregated at a single location up to a maximum of 30,000 square feet. Cultivation locations would not be subject to any buffer zones.

- Allow testing, processing, and food preparation involving medical cannabis, but not dispensing, cultivation or member services to be regulated under the Zoning Ordinance without regard to the fact that they involve medical cannabis.
- Prohibit medical cannabis food preparation at any commercial facility that is also used for the preparation of any other type of food.
- Require the Council to establish licensing standards and a process for Dispensaries and non-dispensing establishments.
- Require new Dispensaries and non-dispensing establishments to provide security arrangements as required by the Chief of Police.
- Require Dispensaries and non-dispensing establishments to maintain records sufficient to show compliance with the City and state law governing medical cannabis, which shall be subject to inspection by the City.

This measure would also grant the Council authority to adopt additional legislation that it deems appropriate to license medical cannabis organizations; amend the City's medical cannabis regulations to provide for the continued safe and adequate supply of medical cannabis at a fair price for Berkeley medical cannabis patients in a manner consistent with state law; amend land use regulations pertaining to medical cannabis-related uses; protect against unfair or monopolistic practices in the medical cannabis industry; and prevent and/or remedy any threats to public health, safety or welfare, or nuisance conditions, that arise as a result of the cultivation or dispensing of medical cannabis.

s/ZACH COWAN
Berkeley City Attorney

ARGUMENT IN FAVOR OF MEASURE T

VOTE YES on MEASURE T to responsibly regulate and license the cultivation and dispensing of medical cannabis.

Medical cannabis cultivation and dispensing **are permitted by State law**, under certain circumstances, **but are not currently subject to local health and safety codes.**

Measure T establishes **licensing procedures, sets high standards** for medical marijuana facilities, and provides for **safe access to medical cannabis for patients in need.**

Measure T allows one additional dispensary, for a total of four medical cannabis dispensaries in Berkeley, restricting their location to commercial areas. They must be **at least 600 feet away from any school or other dispensary**, which replaces the current voter-approved language that allows dispensaries all over town.

Six locations for cultivation, baking, and product development, each up to 30,000 sq. ft., will be allowed in West Berkeley's non-residential areas. By permitting and regulating cultivation in the industrial zone, **our neighborhoods will be safer.**

Measure T establishes an approval process and requires **code compliance, energy offsets** for high electricity usage, that medicine be **as organic as possible**, and a **security plan approved by the Chief of Police.**

Measure T **improves access to medicine** by requiring cultivators to provide free medicine to low-income patients at a medical marijuana dispensary.

Measure T authorizes the City Council to amend the City's policies and procedures as new developments emerge at federal, state, and local levels.

Measure T changes the Medical Marijuana Commission by having representatives appointed by each City Councilmember, as other city commissions are structured.

Measure T is supported by a **unanimous vote of the Berkeley City Council.**

VOTE YES on MEASURE T to protect neighborhoods and ensure patients can access medical cannabis that has been grown responsibly. It makes sense!

s/Tom Bates

Berkeley Mayor

s/Linda Maio

Berkeley City Council

s/Gordon Wozniak

Berkeley City Council member

s/Maxwell G. Anderson Jr.

Berkeley City Council District 3

s/Nicole Milner

Medical Cannabis Patient and Social Worker

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE T

PATIENTS – AND OUR COMMUNITY – DESERVE BETTER THAN MEASURE T.

Written without meaningful input from school and health officials, environmental specialists, neighborhood organizations and other important constituents, it locks-in approval processes less strict than for home renovations, shops and restaurants; enables unlimited expansion of Berkeley's marijuana industry – creating dependence on marijuana for city revenues; and strips residents of future input.

READ MEASURE T FOR YOURSELF.

- *Local Health, Safety and Building Code compliance ISN'T EVEN MENTIONED!*
- NEIGHBORHOODS ARE NOT SAFER with unlimited residential collectives – and with dispensaries allowed in shopping districts including Sacramento, Adeline, Gilman, Hopkins, Domingo, Solano, San Pablo and Elmwood – *with no comment allowed from adjacent homes or businesses.*
- THE M-DISTRICT, WITH SIX HUGE GROWING FACILITIES, IS NOT ISOLATED FROM NEIGHBORHOODS. It's directly across from the Blue Barn playing fields, Skate Park and Homeless Shelter; includes lower Gilman shops; and begins one block from Fourth Street retail.
- State guidelines prohibit smoking medical marijuana 1000 feet from schools, parks and youth centers. Measure T puts dispensaries 600 feet from schools, and LEAVES PARKS, YOUTH CENTERS – AND OUR YOUTH – WITHOUT PROTECTIONS.
- Teens easily obtain "Medical Marijuana" for recreational use. MEASURE T PROVIDES NO EFFECTIVE OVERSIGHT OR ENFORCEMENT to curb these – and other – violations.
- Undefined "energy offsets" are not a solution to outsized energy consumption. WE VOTED TO REDUCE GREENHOUSE GAS EMISSIONS BY 80%.
- And "organic as possible" DOES NOT PROTECT PATIENTS OR THE COMMUNITY from toxic pesticides and runoff.

VOTE NO ON T – TELL THE COUNCIL TO DO BETTER

s/Daschel E. Butler, Retired Berkeley Police Chief

s/Elizabeth Shaughnessy, Former Berkeley School Board President

s/Wayne P. Sousa, Ph.D., Professor of Biology

s/Daniel Dean, State Certificated Youth Guidance Counselor, 31 Years in Berkeley Public Schools

s/Loy Sheflott, Business Owner, West Berkeley independent school Parent

ARGUMENT AGAINST MEASURE T

We support the responsible regulation of marijuana that protects our youth, neighborhoods and environment; includes strong public health and safety oversight; and limits the size and scope of marijuana business in Berkeley. *MEASURE T PROVIDES NONE OF THESE PROTECTIONS. We urge you to VOTE NO.*

MEASURE T:

- Allows dispensaries 600 feet from schools (reduced from 1000), *with no public review*
- Permits more than 4 ACRES OF GROWING FACILITIES in the “M” Manufacturing District and UNLIMITED MARIJUANA COLLECTIVES IN RESIDENTIAL NEIGHBORHOODS—*with no public review, even when located next to schools, parks – or your home*
- Includes a “Medical Cannabis Commission” with seats reserved for marijuana dispensaries, collectives and cultivators but NONE for medical doctors, law enforcement, school and public health officials or environmental specialists – and NO FUNDING FOR OVERSIGHT OR ENFORCEMENT
- Invites an extremely energy, water and pesticide-intensive industry into Berkeley, endangering the environment and rendering meaningless efforts to reduce greenhouse gasses

Most significantly, MEASURE T GIVES THE CITY COUNCIL EXCLUSIVE POWER TO EXPAND BERKELEY’S MARIJUANA INDUSTRY *WITHOUT VOTER APPROVAL*, and *WITH NO LIMITS*.

Berkeley High students smoke marijuana at TWICE the rate of other California teens. Measure T makes marijuana more accessible while providing NO age restrictions, NO youth drug interdiction, NO drug, alcohol and smoking education or prevention, and NO counseling.

Home and commercial growing facilities are HUGE ELECTRICITY CONSUMERS. In Humboldt County, overall usage increased an astounding 25% after similar legislation. They pose fire hazards, can utilize pesticides untested for human consumption, create toxic runoff and invite trespass, theft and home-intrusion.

We regulate the mix of businesses in our neighborhoods and community and have the power — and obligation — to decide the basis for Berkeley’s economy and culture.

VOTE *NO* on this poorly written measure, and tell the City Council to “do it over!”

s/Sophie Hahn, Esq.

Parent, Schools and Community Leader

s/Clement Donahue, M.D.

Pediatrician, Teen Specialist, Drug Recovery Specialist
BHS Graduate, Father of 3 in BUSD

s/Jack B Radisch

Retired Assistant District Attorney - Alameda County

s/Dean Metzger

Claremont Elmwood Neighborhood Activist

s/Shirley Dean

Former Mayor, City of Berkeley

REBUTTAL TO ARGUMENT AGAINST MEASURE T

YES ON MEASURE “T” TO PROTECT BOTH PATIENTS AND RESIDENTS

Opponents of Measure “T” use **scare tactics** to mislead voters with misinformation of current State law and local Berkeley authority.

Measure “T” **applies ONLY to medical marijuana** which is **LEGAL under State law (Proposition 215)**.

Berkeley **has NO AUTHORITY to prevent** growing medical cannabis by patient collectives. Growing now is **completely unregulated by health, safety, and zoning codes.**

Measure “T” authorizes the City **to regulate** large medical cannabis cultivation, baking and product development **and redirect it away from residential neighborhoods into West Berkeley’s industrial zone.**

If Measure T fails, current law stands. The city will have little control over the location of cultivation and production, no controls for pesticide use, no regulations for safe and efficient energy usage, and a commission comprised solely of medical cannabis providers.

Measure “T” requires **energy offsets, like SOLAR PANELS, and restricts herbicide and pesticide use.**

Measure “T” adds only one more dispensary to what is allowed now, but **expands on the limits of dispensary locations to include private schools in addition to public schools.**

Measure “T” requires compliance with health and safety code and POLICE oversight.

Under **State law**, any collective member with a doctor recommendation, regardless of age, can purchase medical marijuana. **The City cannot change this!**

The City must do its job to determine how and where medical marijuana activities occur, **PROTECTING BOTH PATIENTS AND RESIDENTS.**

The City Council is unanimous! Please join us. VOTE YES on Measure “T.”

s/Karl J. Reeh, President, Neighborhood Assn.

s/Norman Lewak MD, Former member Health Commission, Clinical Professor Pediatrics

s/Dr. Vicki Alexander, M.D.

s/Darryl Moore, Berkeley City Council, District 2

s/Tom Bates, Berkeley Mayor

FULL TEXT OF MEASURE T

AMENDING ORDINANCE PERTAINING TO MEDICAL CANNABIS BY AMENDING SECTIONS 12.26.030, 12.26.040, 12.26.110, 12.26.130 AND 23E.16.070 OF THE BERKELEY MUNICIPAL CODE, ADDING SECTIONS 12.26.150 AND 23E.72.040 TO THE BERKELEY MUNICIPAL CODE, AND GRANTING THE CITY COUNCIL AUTHORITY TO MAKE AMENDMENTS

BE IT ORDAINED by the People of the City of Berkeley as follows:

Section 1. That subdivisions (D) and (E) of Section 12.26.030 of the Berkeley Municipal Code are amended, and a new subdivision (F) is added, to read as follows:

D. “Medical cannabis collective” shall mean a cooperative, affiliation, association, or collective of persons comprised exclusively and entirely of qualified patients and the primary caregivers of those patients, the purpose of which is to provide education, referral, or network services to qualified patients, and to facilitate or assist in the cultivation and manufacture or acquisition of medical cannabis for qualified patients. Except as permitted by Section 12.26.130 or Title 23, medical cannabis collectives shall not be located in commercial or manufacturing districts, and shall only be allowed as incidental to residential use.

E. “Medical cannabis dispensary” shall mean any medical cannabis collective that is allowed under Section 12.26.130 to dispense medical cannabis at a non-residential location. Such a dispensary may also provide other services to its members, cultivate, acquire, bake, store, process, test, and transport medical cannabis. In dispensing medical cannabis to its qualified patients or their primary caregivers, a dispensary may be reimbursed for the cost of its services and materials. person or entity that dispenses, cultivates, stores or uses medical cannabis except where such cultivation, storage or use is by a patient or that patient’s caregiver, incidental to residential use by such patient, and for the sole use of the patient who resides there.

F. “Medical cannabis organization” includes both Medical cannabis collectives and Medical cannabis dispensaries.

Section 2. That subdivision (D) of Section 12.26.040 of the Berkeley Municipal Code is amended to read as follows:

D. Amount of Dried Cannabis and Plants.

1. Medical Cannabis Collectives may possess a reasonable quantity of dried cannabis and cannabis plants to meet the needs of their patient members. Medical Cannabis Collectives shall not accumulate more cannabis than is necessary to meet the personal medical needs of their Qualified Patients.

2. Except as permitted in Title 23, cultivation of medical cannabis by a medical cannabis collective that is not a Medical cannabis dispensary may only be incidental to a residential use. Cultivation occupying more than the lesser of 200 square feet or 25% of building square footage shall not be considered incidental, and is prohibited.

3. For purposes of this subdivision, “square feet” and “square footage” means the horizontal areas of all floors, including usable basement and cellars, below the roof and within the outer surface of the main walls of buildings (or the center lines of party walls separating such buildings or portions thereof).

Section 3. That Section 12.26.110 of the Berkeley Municipal Code is amended to read as follows:

12.26.110 Medical Cannabis ~~Peer Review~~ Commission~~tee~~.

The purpose of this Section is to ensure that medical cannabis provision in Berkeley is conducted in a safe and orderly manner to protect the welfare of Qualified Patients and the community.

A. A medical cannabis commission is established. The commission shall consist of nine members. Appointments to the commission shall be made, and vacancies on the commission shall be filled, by council members, in accordance with the provisions of Sections 2.04.030 through 2.04.130. At least one commissioner shall be a member of a medical cannabis dispensary, one shall be a member of a collective that is not a dispensary, and one shall be a cultivator who is not primarily associated with a single dispensary and provides medical cannabis to more than one dispensary. ~~Peer Review Committee. The Medical Cannabis Collectives and dispensaries in operation at the time this Chapter becomes effective shall each designate no more than two spokespeople to serve on a peer review committee that shall meet at least one time each month for the purpose of overseeing the operation of Medical Cannabis Collectives and dispensaries and ensuring their compliance with operational and safety standards published annually by the committee.~~

B. New Dispensaries. ~~The commission peer review committee shall recommend to the City operational and safety standards for Medical Cannabis Collectives and Dispensaries, and shall consult with any individual, organization, affiliation, collective, cooperative or other entity which seeks to open a new Medical Cannabis Collective or dispensary in Berkeley or to relocate an existing Medical Cannabis Collective or dispensary. The commission peer review committee shall advise the City as to whether certify that the proposed Medical Cannabis Collective or dispensary has a strategy for compliance with the published safety and operational standards before the new Medical Cannabis Collective or dispensary commences lawful operation.~~

C. New Members on the Peer Review Committee. ~~Upon commencing lawful operation in Berkeley, each new Medical Cannabis Collective or dispensary shall designate no more than two spokespeople to serve on the peer review committee.~~

D. Operational Oversight. ~~The commission peer review committee will monitor the compliance of all Medical Cannabis Collectives and/or dispensaries in Berkeley for the purpose of correcting any violations of the safety and operational standards. Medical Cannabis Collectives or dispensaries found to be in willful or ongoing violation of the standards shall be removed from membership on the peer~~

~~review committee and shall be deemed in violation of this Chapter and referred to the City for appropriate action.~~

~~E. Immunity. Individuals operating Medical Cannabis Collectives or dispensaries represented on the peer review committee shall be deputized by the City of Berkeley as Drug Control Officers for the purpose of providing immunity under the provisions of Section 885(d) of Title 21 of the United States Code. (Ord. 7068 NS § 3 (part); 12/08/08)~~

Section 4. That Section 12.26.130 of the Berkeley Municipal Code is amended to read as follows:

12.26.130 Medical cannabis organizations dispensary.

~~A. No more than Four three-medical cannabis dispensaries shall be allowed located within the limits of the City of Berkeley, in locations and subject to the requirements specified in Title 23. No such dispensary shall be located within a 1000 foot range of another such dispensary, nor within 1000 feet of a public elementary, middle or high school. Any dispensary existing at the time this ordinance becomes effective, may continue at its current location, notwithstanding its violation of the de-concentration requirements of this section.~~

B. All medical cannabis facilities and organizations shall maintain contemporaneous financial and operational records sufficient to show compliance with this Chapter and state law governing medical cannabis, which shall be subject to inspection by the City. Such records shall protect the confidentiality of their members.

C. The City Manager may issue regulations to implement this sSection.

Section 5. That Section 12.26.150 is added to the Berkeley Municipal Code to read as follows:

12.26.150 Violations of square footage limitations not punishable as public offenses.

Notwithstanding anything to the contrary, violations of square footage limitation in Section 12.26.040.D shall not be punishable as public offenses to the extent that doing so would conflict with state law.

Section 6. That Section 23E.16.070 of the Berkeley Municipal Code is amended to read as follows:

23E.16.070 Medical Cannabis UsesCollectives

~~A. 1. As proper regulation is crucial to the safety of our community, medical cannabis collectives that operate dispensaries from which Subject to the licensing requirement of paragraph 3, four medical cannabis dispensaries as defined in Section 12.26.030 is dispensed to members shall be permitted as of right with a Zoning Certificate in C-prefixed zones if they comply with the parking requirements applicable to the uses they include, and any security requirements promulgated by the Chief of Police. issued a Zoning Certificate for as long as it complies with Chapter 12.26. This section does not apply in districts where retail sales uses are prohibited. When applicable, Zoning Certificates for medical cannabis usesdispensaries shall be issued without undue delay and following normal and expedient consideration of the permit application.~~

2. Medical cannabis dispensaries may not be located within 600 feet of another medical cannabis dispensary

or a public or private elementary, middle or high school. It is the intent of the voters that the Council not adopt buffer zones from additional uses absent a compelling necessity.

3. No new medical cannabis dispensary may be approved under this Section until the City Council adopts a licensing process and standards for medical cannabis dispensaries. Such standards may include, but shall not be limited to, whether proposed dispensaries will provide a percentage of all usable product dispensed at no cost to very low income patients and will provide product that is produced using organic methods; and whether their form of organization, ownership and practices ensure equity and accountability, low prices and an adequate supply of high quality medical cannabis to their members.

B. A medical cannabis dispensary existing and authorized as of January 1, 2010 that does not comply with this Section, may continue at its current medical cannabis dispensing location and shall be considered a legal nonconforming use. Notwithstanding Section 23C.04.060 or subdivision (A)(2) of this Section, the Zoning Officer may approve an Administrative Use Permit to allow the expansion of a legal nonconforming medical cannabis dispensary use on any parcel or on two adjacent parcels where a dispensary was located on one of the parcels as of July 1, 2010.

C. Uses such as, but not limited to, testing, processing, and food preparation, that involve medical cannabis as defined in Chapter 12.26 but do not involve dispensing, client, patient or member services, or cultivation (other than for testing), shall be evaluated and regulated under this Title without regard to the fact that they involve medical cannabis, except that no commercial facility used for medical cannabis food preparation may be used for the preparation of any other type of food.

Section 7. That Section 23E.72.040 is added to the Berkeley Municipal Code to read as follows:

23E.72.040 Medical Cannabis Cultivation

A. Notwithstanding anything to the contrary in this Chapter, cultivation of medical cannabis as defined in Chapter 12.26, shall be permitted as a matter of right with a Zoning Certificate at 6 locations in the M District, subject to the following limitations:

1. Such locations shall be limited to licensed medical cannabis organizations.
2. Medical cannabis may not be dispensed, and client, patient or member services are prohibited, at such locations.
3. No single space used for cultivation and associated uses by a licensee may exceed 30,000 square feet, except that separate spaces used by different licensees may be aggregated on the same site.

B. Such locations shall comply with security regulations promulgated by the Chief of Police, and the requirements of this Chapter, and shall not be subject to any buffer or deconcentration requirements. Such locations may include testing, processing, manufacturing and food preparation.

C. No medical cannabis uses may be approved under this Section until the City Council adopts a licensing process and standards for such uses. Such standards shall include a requirement that indoor cultivation uses provide for an energy offset through a program specified by the City to offset the net increased energy that is used by the facility as compared to a regular industrial facility, and may include, but shall not be limited to, whether proposed facilities will provide a percentage of all usable product cultivated at no cost to very low income patients and will use organic methods in cultivation and processing to the maximum extent reasonable; and whether their form of organization, ownership and practices ensure equity and accountability, low prices and an adequate supply of high quality medical cannabis to their members.

Section 8. The City Council may amend Chapter 12.26 and Title 23 or adopt other ordinances and regulations, as it deems appropriate in its sole discretion to: license medical cannabis organizations; provide for the continued safe and adequate supply of medical cannabis at a fair price for Berkeley medical cannabis patients in a manner consistent with state law; refine land use regulations pertaining to medical cannabis-related uses; protect against unfair or monopolistic practices in the medical cannabis industry; and prevent and/or remedy any threats to public health, safety or welfare, or nuisance conditions, that arise as a result of the cultivation or dispensing of medical cannabis or other activities related to medical cannabis. In addition, this measure grants the City Council the authority to amend any provision of Title 23 of the Berkeley Municipal Code as it deems appropriate in its sole discretion.

CITY OF NEWARK MEASURE U

U Newark Temporary Fiscal Emergency Measure. To prevent closure of Silliman Center and elimination of school police officers and parks/recreation programs; restore public safety services, reopen the Senior Center; and prevent additional cuts to neighborhood patrols, crime prevention, anti-drug/gang-prevention programs, 9-1-1 emergency, and other city services, shall the City of Newark establish a 3.5% utility users tax for 5 years, exempting seniors and low-income residents, requiring independent audits, with no money for Sacramento?	YES
	NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE U

Measure "U" is proposed by the Newark City Council to place a Utility Users Tax on the November 2, 2010, Election Ballot for voter consideration. The Utility Users Tax is a general tax required to be used to support local City of Newark services. If approved by more than fifty percent (50%) of the voters voting in the election, the Utility Users Tax Ordinance would impose a three and one-half percent (3.5%) utility users tax on telecommunication services (including landline telephone and cell phone services), video services (including cable television), electricity and gas consumption. The tax would expire on December 31, 2015. Water, sewer, and garbage utilities are not taxed. Internet service and satellite television are also not taxed.

Senior citizens of seventy (70) years old or more and low-income persons of any age are exempt from the tax, upon application and approval by the Tax Administrator. Government agencies such as the Newark Unified School District and Ohlone College are also exempt. The definition of each utility service and a description of how the tax is calculated are more particularly described in the Ordinance. In general, utility companies would collect the tax from consumers as part of their regular utility bills and would remit the taxes to the City.

The measure would generate a reliable, protected revenue source to support and maintain Newark city services. Revenues from Measure "U" are legally required to be used in Newark for essential city services and under current law cannot be taken by the State of California or Alameda County.

The utility users tax is a general tax with its proceeds deposited in the City's General Fund. Such funds would be available to the City for all of its programs and public services, such as police services and patrols, crime prevention, anti-drug and gang-prevention programs, fire protection and 9-1-1 emergency services, senior services, youth programs, park maintenance and street and pothole repair and other general services, for the City of Newark.

The Ordinance includes a requirement for annual financial audits of tax collection and expenditures to be performed

by a qualified, independent third party. The results of the annual audits will be available to the public.

A "Yes" vote on Measure "U" means the voter is in favor of authorizing the City to collect a three and one-half percent (3.5%) utility users tax for five (5) years. A "No" vote on Measure "U" means the voter is not in favor of the City collecting such a utility users tax.

The above statement is an impartial analysis of Measure "U". The full text of the measure which includes the complete text of the City of Newark Utility Users Tax Ordinance will be printed in the Voter Information Pamphlet and also is available on the City of Newark website, www.newark.org.

s/GARY T. GALLIANO, City Attorney
City of Newark

Date: August 5, 2010

ARGUMENT IN FAVOR OF MEASURE U

Vote **YES on U** – Save Our Services from more devastating budget cuts! Sacramento money grabs and the economy have led the City of Newark to a Fiscal Emergency. Just look at what’s happened over the past year:

- Police Staffing: **REDUCED TO MINIMUM LEVELS**, unable to respond to all calls
- Newark Fire Department: **CONTRACTED OUT**
- School Crossing Guards: **ELIMINATED**
- High School Police Officer: **ELIMINATED**
- Senior Center: **CLOSED**
- Community Center: **CLOSED**
- Sunday Library Hours: **ELIMINATED**
- DARE Anti-drug Program: **ELIMINATED**
- Mowing/Watering of Neighborhood Parks: **REDUCED TO MINIMUM LEVELS**
- Street Maintenance: **REDUCED TO MINIMUM LEVELS**

Newark has been fiscally prudent, doing everything possible to save money, reducing staff by 30%, cutting salaries, and reducing our budget by nearly \$8 Million.

YES on U provides **TEMPORARY**, emergency funding to maintain services.

YES on U prevents additional cuts to neighborhood police patrols and remaining crime prevention, anti-gang and drug prevention programs, and other school police officers.

YES on U prevents closure of Silliman Center and elimination of remaining senior, parks and recreation programs.

YES on U maintains our property values, quality of life, and economic health by protecting the core services so important to our residents and local businesses.

Every penny of Measure U is legally required to be spent in Newark. NO money can be taken by Sacramento. Measure U expires in five years.

YES on U includes annual independent financial audits and reports to the community to keep the City accountable for how the funds are spent. Low-income residents and all seniors are exempt from Measure U.

Join Police Officers, Firefighters, Chamber of Commerce, youth, seniors and local residents from all walks of life in supporting **YES on U**.

s/David W. Smith

Mayor, City of Newark

s/Patrick Smith

President, Newark Police Officers Association

s/John Torres

President, Alameda County Firefighters, Local 55

s/Linda Ashley

President/CEO, Newark Chamber of Commerce

s/Mark Gonzales

Parent and Community Volunteer

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE U

VOTE NO for LESS TAXES.

The **TAXES YOU NOW PAY** support the State, the County, the City, the schools and many other governmental agencies. All these agencies are all looking for new taxes to support their spending.

HIGH TAXES you already pay are:

1. One of the highest State income taxes in the nation.
2. One of the highest sales taxes in the nation.
3. You also pay property tax, bond taxes, estate taxes, excise taxes and many other taxes.
4. Newark is now asking for a **UTILITY TAX. HOW MANY MORE NEW TAXES CAN WE AFFORD?**

This **ADDITIONAL TAX** will be spent any way the Mayor and City Council see fit because the **TAX** goes into the General Fund and the City Council controls how those monies are spent.

UTILITY TAXES discourage business from coming to Newark. We need to encourage new business that will generate sales taxes instead of creating this burdensome new tax.

THIS TAX WILL NEVER GO AWAY. Cities that have managed to get such a tax, continually ask that it be renewed because it becomes a vital part of their budget.

The wise citizens of Fremont twice turned down a utility tax. So did you last November.

Newark says they need a utility tax, the school district wants a parcel tax, Ohlone College wants a bond sale which will be supported by more taxes. **WHERE DOES IT END?**

It WILL END at the ballot box when you VOTE NO on the UTILITY USERS TAX.

s/Stewart “Dean” Lewis

s/Gregory Philip Scott

s/Millicent Malliett

s/Mari T. Miller

s/Wayne W. Miller

ARGUMENT AGAINST MEASURE U FISCAL EMERGENCY OR POOR PLANNING.

Please vote NO on the User Utility Tax (UUT). This is an added tax to be placed on citizens of Newark in troubled times. Ohlone College and Newark Unified are also looking for new taxes. How much more can we pay? Increasing taxes is not the solution.

What utilities will be taxed? Cell and regular phone services, gas, electricity, cable...things you need on a daily basis. Exemptions are for seniors (70 and older) and qualified PG&E CARE recipients. What about others affected by the "Great Recession"?

Newark has the highest commercial vacancy rate in the county. Empty businesses do not create needed sales tax. We need to focus on and encourage businesses to locate and stay in Newark—a new utility tax will drive them away. In 2004, David Zehnder, Recreation and Community Services Director, said that we had \$25 million in surplus revenue. Where has that money gone?

The City is losing \$3M per year on the Silliman Center. How much was spent on the new fire station? Both facilities were too costly for our small city. Now we are being asked to contribute more taxes.

The City has declared a large part of the city "blighted" and is putting it under redevelopment in order to take millions from other tax supported agencies such as our schools and County Health care. Is this fair?

Our utility costs will increase dramatically in the next few years - so will the proposed tax. The UUT is a percentage of our utility bills. In 5 years the City will ask that this tax be continued as the City will say it is now needed to support the budget.

Keep Newark politicians' hands out of your pocket! **WE CAN'T AFFORD ANOTHER TAX.**

PLEASE VOTE NO. Additional information:<http://home.earthlink.net/~lewis2/vote.nonewarktax/>

s/Stewart "Dean" Lewis

s/Gregory Philip Scott

s/Mari T. Miller

s/Wayne W. Miller

s/Millicent Malliett

REBUTTAL TO ARGUMENT AGAINST MEASURE U

Opponents present **NO** solutions to Save Newark's Services!

Citizens, parents, business leaders, and Newark safety responders urge a **YES on U** vote to preserve essential services: Neighborhood police patrols, crime prevention, anti-gang/drug prevention programs, school police officers, Senior Center programs, parks, and recreation programs.

Please don't be fooled by the opponents' many inaccurate and misleading statements.

Consider the FACTS:

- Funding mechanisms like Measure U are already used by 150 California cities because this money can't be taken by Sacramento.
- Opponents are living in the last decade when many cities—including Newark—had savings. In 2010, like other cities, Newark is in a fiscal emergency! Today we only have limited reserves in the event of a disaster.
- Newark has reduced staff by 30%, cut salaries, closed facilities, and reduced our budget by nearly \$8 million.
- Opponents' statements about the Silliman Center are completely FALSE. **YES on U** keeps the Silliman Center and its programs for seniors and youth open.
- Newark Chamber of Commerce and business leaders say **YES on U.**
- **YES on U** restores school police officers. Newark school officials say **YES on U.**
- **YES on U** expires in 5 years!
- **YES on U** exempts seniors and low income residents.

It's up to you to decide what you want for our community!
Do you want to keep our schools and neighborhoods safe?
Do you want City senior citizen programs?
Do you want to keep our City parks and streets clean?
If YES, VOTE **YES on U!**

s/Ray Rodriguez

Board Member, Newark Unified School District

s/Mel Nunes

Newark Senior Citizens Advisory Committee Member

s/Patricia "Pat" Danielson

Board Member, Washington Hospital Healthcare District

s/David Benoun, Esq.

Newark Parent and Community Volunteer

s/Luis Freitas

Chairman of the Board, Newark Pavilion

FULL TEXT OF MEASURE U

ORDINANCE NO. ____

AN INITIATIVE ORDINANCE OF THE VOTERS OF THE CITY OF NEWARK ADOPTING A THREE AND ONE-HALF PERCENT (3.5%) UTILITY USERS TAX ON UTILITY SERVICES (ELECTRICITY, GAS, TELECOMMUNICATIONS, AND VIDEO) AND AMENDING TITLE 3, REVENUE AND FINANCE, BY THE ADDITION OF CHAPTER 3.18, “UTILITY USERS TAX” TO THE NEWARK MUNICIPAL CODE

NOW THEREFORE THE PEOPLE OF THE CITY OF NEWARK DO ORDAIN AS FOLLOWS:

Section 1

Title 3, REVENUE AND FINANCE, of the Newark Municipal Code is hereby amended to add Chapter 3.18 entitled “Utility Users Tax” to read in full as follows

Chapter 3.18

Utility Users Tax

3.18.010 Ordinance title

3.18.020 Definitions

3.18.030 Exemptions

3.18.040 Telecommunications users tax

3.18.050 Video users tax

3.18.060 Electricity users tax

3.18.070 Gas users tax

3.18.080 Collection of Tax from Service Users Receiving Direct Purchase of Gas or Electricity

3.18.090 Bundling taxable items with non-taxable items

3.18.100 Substantial Nexus/Minimum Contacts

3.18.105 Duty to Collect—Procedures

3.18.110 Collection penalties—Service suppliers

3.18.120 Actions to collect

3.18.130 Deficiency determination and assessment—Tax application errors

3.18.140 Administrative remedy—Non-paying service users

3.18.150 Additional powers and duties of the Tax Administrator

3.18.160 Records

3.18.170 Refunds

3.18.180 Appeals

3.18.190 No Injunction/Writ of Mandate

3.18.200 Notice of changes to ordinance

3.18.210 Effect of state and federal reference—Authorization

3.18.220 Independent audit

3.18.230 Remedies cumulative

3.18.240 Termination of Utility Users Tax

3.18.010 Ordinance title

This chapter shall be known as the “Utility Users Tax” of the City of Newark.

3.18.020 Definitions

The following words and phrases whenever used in this chapter shall be construed as defined in this section.

“Ancillary telecommunication services” mean services that are associated with or incidental to the provision, use or enjoyment of telecommunications services, including but not limited to the following services:

(1) “Conference bridging service” means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(2) “Detailed telecommunications billing service” means an ancillary service of separately stating information pertaining to individual calls on a customer’s billing statement.

(3) “Directory assistance” means an ancillary service of providing telephone number information and/or address information.

(4) “Vertical service” means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(5) “Voice mail service” means an ancillary service that enables the customer to store, send, or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

“Ancillary video services” mean services that are associated with or incidental to the provision or delivery of video services, including but not limited to electronic program guide services, search functions, recording services, or other interactive services or communications that are associated with or incidental to the provision, use or enjoyment of video services.

“Billing address” means the mailing address of the service user where the service supplier submits invoices or bills for payment by the customer.

“City” means the City of Newark.

“Gas” means natural or manufactured gas or any alternate hydrocarbon fuel that may be substituted therefore.

“Mobile telecommunications service” means the meaning and usage as set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. Section 124) and the regulations established therewith.

“Month” means a calendar month.

“Non-utility service supplier” means the following:

1. A service supplier, other than a provider of electric distribution services to all or a significant portion of the City that generates electricity for sale to others, including, but not limited to, any publicly-owned electric utility, investor-owned utility, co-generator, exempt wholesale generator, municipal utility district, federal power marketing agency, electric rural cooperative, or other supplier or seller of electricity.

2. An electric service provider (ESP), electricity broker, marketer, aggregator, pool, operator, or other electricity supplier other than a provider of electric distribution services to all or a significant portion of the City that sells or supplies electricity or supplemental services to electricity users within the City.

3. A gas service supplier, aggregator, marketer or broker, other than a provider of gas distribution services to all or a significant portion of the City that sells or supplies gas or supplemental services to gas users within the City.

“Paging service” means a telecommunications service that provides transmission of coded radio signals for the purpose of activating specific pagers; such transmissions may include messages and/or sounds.

“Person” means, without limitation, any natural individual, firm, trust, common law trust, estate, partnership of any kind, association, syndicate, club, joint stock company, joint venture, joint power authority, limited liability company, corporation (including foreign, domestic, and non-profit), municipal district or municipal corporation (other than the City), cooperative, receiver, trustee, guardian, or other representative appointed by order of any court.

“Place of primary use” means the street address where the customer’s use of a taxable service primarily occurs, which must be the residential street address or the primary business street address of the customer.

“Post-paid telecommunication service” means the telecommunication service obtained by making a payment on a telecommunication -by- telecommunication basis either through the use of a payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a service number which is not associated with the origination or termination of the telecommunication service.

“Prepaid telecommunication service” means the right to access telecommunication services, which must be paid for in advance and which enables the origination of telecommunications using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

“Private telecommunication service” means a telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels. A communications channel is a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points (*i.e.*, the location where the customer either inputs or receives the communications).

“Service address” means the residential street address or the business street address of the service user. For a telecommunication service user, “service address” means either:

(1) The location of the service user’s communication equipment from which the communication originates or terminates, regardless of where the communication is billed or paid; or,

(2) If the location in subsection (1) of this definition is unknown (*e.g.*, mobile telecommunications service or VoIP service), the service address means the location of the service user’s place of primary use.

(3) For prepaid telecommunication service, “service address” means the location associated with the service number or, if not known, the point of sale of the services.

“Service supplier” means any entity or person, including the City, that provides telecommunication, video, gas, electrical, or refuse collection and disposal service to a user of such service within the City.

“Service user” means a person required to pay a tax imposed under the provisions of this chapter.

“Tax Administrator” means the finance director of the City or his or her designee.

“Telecommunications Service” means the transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, whatever the technology used. The term “telecommunications services” includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such services are referred to as voice over internet protocol (VoIP) services or are classified by the Federal Communications Commission as enhanced or value added, and includes video and/or data services that is functionally integrated with “telecommunication services”. “Telecommunications services” include, but are not limited to the following services, regardless of the manner or basis on which such services are calculated or billed: ancillary telecommunication services; intrastate, interstate, and international telecommunication services; mobile telecommunications service; prepaid telecommunication service; post-paid telecommunication service; private telecommunication service; paging service; 800 service (or any other toll-free numbers designated by the Federal Communications Commission); 900 service (or any other similar numbers designated by the Federal Communications Commission for services whereby subscribers who call in to pre-recorded or live service).

“Video programming” means those programming services commonly provided to subscribers by a “video service supplier” including but not limited to basic services, premium services, audio services, video games, pay-per-view services, video on demand, origination programming, or any other similar services, regardless of the content of such video programming, or the technology used to deliver such services, and regardless of the manner or basis on which such services are calculated or billed.

“Video services” mean video programming and any and all services related to the providing, recording, delivering, use or enjoyment of video programming (including origination programming and programming using Internet

Protocol, e.g., IP-TV and IP-Video) using one or more channels by a “video service supplier,” regardless of the technology used to deliver, store or provide such services, and regardless of the manner or basis on which such services are calculated or billed, and includes ancillary video services, data services, telecommunication services, or interactive communication services that are functionally integrated with video services.

“Video service supplier” means any person or service that provides or sells one or more channels of video programming, or provides or sells the capability to receive one or more channels of video programming, including any telecommunications that are ancillary, necessary or common to the provision, use or enjoyment of the video programming, to or from a business or residential address in the City, where some fee is paid, whether directly or included in dues or rental charges for that service, whether or not public rights-of-way are utilized in the delivery of the video programming or telecommunications. A “video service supplier” includes, but is not limited to, multi-channel video programming distributors (as defined in 47 U.S.C.A. Section 522(13); open video systems (OVS) suppliers; and suppliers of cable television; master antenna television; satellite master antenna television; multi-channel multipoint distribution services (MMDS); video services using Internet Protocol (e.g., IP-TV and IP-Video, which provide, among other things, broadcasting and video on demand), direct broadcast satellite to the extent federal law permits taxation of its video services, now or in the future; and other suppliers of video services (including two-way communications), whatever their technology.

“VoIP (Voice over Internet Protocol) means the digital process of making and receiving real-time voice transmissions over any Internet Protocol network.

“800 service” means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name “800,” “855,” “866,” “877” or “888” toll-free calling, and any subsequent numbers designated by the Federal Communications Commission.

“900 service” means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber’s customers to call in to the subscriber’s prerecorded announcement or live service. “900 service” does not include the charge for: collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber’s customer. The service is typically marketed under the name “900” service, and any subsequent numbers designated by the Federal Communications Commission for pay for services calls.

3.18.030 Exemptions

A. Consistency with State and Federal Law. Nothing in this chapter shall be construed as imposing a tax upon any person or service when the imposition of such tax upon such person or service would be in violation of a federal or state statute, the Constitution of the United States or the Constitution of the state of California.

B. Exemption Application. Any service user that is

exempt pursuant to subsection (A) from any tax imposed by this chapter pursuant shall file an application with the Tax Administrator for an exemption; provided, however, this requirement shall not apply to a service user that is a state or federal agency or subdivision (such as a public school district or a community college district) with a commonly recognized name for such service. Said application shall be made upon a form approved by the Tax Administrator and shall state those facts declared under penalty of perjury which qualify the applicant for an exemption and shall include the names of all utility service suppliers serving that service user. If deemed exempt by the Tax Administrator such service user shall give the Tax Administrator timely written notice of any change in utility service suppliers so that the Tax Administrator can properly notify the new utility service supplier of the service user’s tax exempt status. A service user that fails to comply with this Section shall not be entitled to a refund of utility user taxes collected and remitted to the Tax Administrator from such service user as a result of such noncompliance. The decision of the Tax Administrator maybe appealed pursuant to Section 3.18.180A of this Chapter. Filing an application with the Tax Administrator and appeal to the City Manager pursuant to Section 3.18.180B of this Chapter is a prerequisite to a suit thereon.

C. The City. Nothing in this chapter shall be construed as imposing a tax upon the City of Newark.

D. Low Income Exemption. A residential service user shall be exempt from the gas and electric tax of this chapter if he or she is qualified and is enrolled in Pacific Gas & Electric Company’s (PG&E) CARE Program (“California Alternate Rates for Energy” program). Individuals receiving the exemption granted by this subsection must reside at the location receiving the service; the exemption shall not apply to any nonresidential service location. A residential service user that is qualified and is enrolled in the CARE Program shall be exempted from the tax on telecommunication and/or video services by providing the Tax Administrator with the names of the current utility service providers who provide his or her telecommunication and video services, and any other information required by the Tax Administrator. The Tax Administrator will advise such utility service providers of the exempt status of its customer, and the exemption shall become effective on the beginning of the second regular billing period which commences after the Tax Administrator has notified the service supplier that an exemption has been granted. Upon a showing of hardship by a service supplier, the Tax Administrator may, as an alternative, implement this Section by requiring the exempt person to pay the tax and seek a refund under Section 3.18.170. The Tax Administrator shall provide a refund claim form for this purpose.

E. Senior Citizen Exemption. 1) An exemption from any tax imposed under this chapter shall be granted to any residential service user who is seventy (70) years of age or older if such service user resides alone or if he or she shares his or her residence with a spouse or a registered domestic partner, and at least one spouse or partner meets the age criteria for the exemption.

2) Any service user seeking an exemption pursuant to this subsection (E) from any tax imposed by this chapter shall file an application with the Tax Administrator for an exemption. Said application shall be made upon a form approved by the Tax Administrator and shall state those facts, declared under penalty of perjury, which qualify the applicant for an exemption, and shall include the names of all service suppliers serving that service user. A Driver License or Identification (ID) Card issued by the California Department of Motor Vehicles shall be *prima facie* proof of age. Tax Administrator shall within sixty (60) days of receipt of an application for exemption determine whether the exemption is granted, and if so notify the service supplier. The exemption shall apply from the date of the Tax Administrator's determination that the household qualifies.

3) The exemption granted to a person pursuant to this subsection (E) shall become effective on the beginning of the second regular billing period which commences after the Tax Administrator has notified the service supplier that an exemption has been granted. Upon a showing of hardship by a service supplier, the Tax Administrator may, as an alternative implement this Section by requiring the exempt person to pay the tax and seek a refund under Section 3.18.170. The Tax Administrator shall provide a refund claim form for this purpose.

F. Application Processing. 1) The Tax Administrator shall within sixty (60) days of receipt of an application for exemption determine whether the exemption is granted, and if so notify the service supplier. The exemption shall apply from the date of the Tax Administrator's determination that the household qualifies.

2) If the Tax Administrator determines that an application for exemption is faulty, that the applicant has failed to truthfully set forth facts, or that the facts do not support the application for exemption, the application shall be denied in writing to the applicant. The applicant shall thereafter have a right to file an amended application, or to appeal the Tax Administrator's decision to the city manager within a ten-day period after the mailing date of the Tax Administrator's notification. In the case of an appeal, the city manager shall review the facts in consultation with the city attorney, and shall render a final determination on such appeal.

G. Effective Date of Exemption. The exemption granted to a person pursuant to this Section shall become effective on the beginning of the first regular billing period which commences after the Tax Administrator has notified the service supplier that an exemption has been granted. Upon a showing of hardship by a service supplier, the Tax Administrator may, as an alternative implement this Section by requiring the exempt person to pay the tax and seek a refund under Section 3.18.170. The Tax Administrator shall provide a refund claim form for this purpose.

H. Continuing Eligibility. The Tax Administrator in his or her sole discretion may require annual written verification from the service user of his or her continuing eligibility for any exemption granted under this Section.

3.18.040 Telecommunications users tax

A. Establishment of Telecommunications Users Tax. There is hereby imposed a tax upon every person in the City using telecommunication services. The tax imposed by this section shall be at the rate of three and one-half (3.5%) percent of the charges made for such services and shall be collected from the service user by the telecommunication services supplier or its billing agent. There is a rebuttable presumption that telecommunication services, which are billed to a billing or service address in the City, are used, in whole or in part, within the City's boundaries and such services are subject to taxation under this chapter. There is also a rebuttable presumption that prepaid telecommunication services sold within the City are used, in whole or in part, within the City and are therefore subject to taxation under this Chapter. If the billing address of the service user is different from the service address, the service address of the service user shall be used for purposes of imposing the tax. As used in this section, the term "charges" shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the telecommunication services.

B. Sourcing Rules. "Mobile telecommunications service" shall be sourced in accordance with the sourcing rules set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. Section 124). The Tax Administrator may issue and disseminate to communication service suppliers, which are subject to the tax collection requirements of this Chapter, sourcing rules for the taxation of other communication services, including but not limited to post-paid communication services, prepaid communication services, VoIP and private communication services. In promulgating any sourcing rules hereunder the Tax Administrator shall take into account but shall not be legally bound by custom and common practice that furthers administrative efficiency and minimizes taxation by more than one state of the same service usage, commonly referred to as multi-jurisdictional taxation. In doing so the Tax Administrator may refer to and/or rely upon the Streamlined Sales and Use Tax Agreement, and/or any other reasonable precedent or resource.

C. Authority for Administrative Rulings. The Tax Administrator may issue and disseminate to telecommunication service suppliers which are subject to the tax collection requirements of this Chapter, an administrative ruling identifying those telecommunication services, or charges therefore, that are subject to the tax of subsection (A) above.

D. Specific Inclusions in Telecommunication Services. As used in this section, the term "telecommunication services" shall include, but are not limited to, charges for the following: connection, reconnection, termination, movement, or change of telecommunication services; late payment fees; detailed billing; central office and custom calling features (including but not limited to call waiting, call forwarding, caller identification, and three-way calling); voice mail and other messaging services; directory assistance; access and line charges; universal service charges; all fees, charges and surcharges, including those mandated by state or federal regulatory agencies to fund

such agencies or various mandated programs; local number portability charges; and text and instant messaging.

E. Specific Exclusions from Telecommunications Services. As used in this Section, “telecommunications services” shall not include digital downloads that are not ancillary telecommunications services such as books, music, ringtones, games, and similar digital products.

F. Multi-Jurisdictional Taxation. To prevent actual multi-jurisdictional taxation of telecommunication services subject to tax under this section, any service user, upon proof to the Tax Administrator that the service user has previously paid the same tax in another state or local jurisdiction on such telecommunication services, shall be allowed a credit against the tax imposed to the extent of the amount of such tax legally imposed in such other state or local jurisdiction; provided, however, the amount of credit shall not exceed the tax owed to the City under this section.

G. Collection of Telecommunication Users Tax. The telecommunication user tax imposed by this section shall be collected from the service user by the service supplier. The amount of tax collected in one month shall be remitted to the Tax Administrator, and must be received by the Tax Administrator on or before the twentieth (20th) day of the following month.

3.18.050 Video users tax

A. Establishment of Video Users Tax. There is hereby imposed a tax upon every person in the City using video services. The tax imposed by this section shall be at the rate of three and one-half (3.5%) percent of the charges made for such services and shall be collected from the service user by the video service supplier or its billing agent. There is a rebuttable presumption that video services that are billed to a billing or service address in the City, are used, in whole or in part, within the City’s boundaries, and such services are subject to taxation under this chapter if the billing address of the service user is different from the service address, the service address of the service user shall be used for purposes of imposing the tax.

B. Video Charges. As used in this section, the term “charges” shall include, but is not limited to, charges for the following:

1. Regulatory fees and surcharges, franchise fees, and access fees (e.g., “PEG” fees), whether designated on the customer’s bill or not.
2. Initial installation of equipment necessary for provision and receipt of video services.
3. Late fees, collection fees, bad debt recoveries, and return check fees.
4. Activation fees, reactivation fees, and reconnection fees.
5. Video programming and video services.
6. Ancillary video services (e.g., electronic program guide services, recording functions, search functions, or other interactive services or communications that are ancillary, necessary or common to the use or enjoyment of video services).
7. Equipment leases (e.g., remote, recording or search

devices, converters, remote devices).

8. Service calls, service protection plans, name changes, changes of services, and special services.

C. Charges Further Defined. As used in this section, the term “charges” shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the video services.

D. Authority for Administrative Rulings. The Tax Administrator may issue and disseminate to video service suppliers which are subject to the tax collection requirements of this Chapter an administrative ruling identifying those video services or charges therefor that are subject to or not subject to the tax of subsection (A) above

E. Collection of Video Users Tax. The tax imposed by this section shall be collected from the service user by the video service supplier, its billing agent, or a reseller of such services. In the case of video service, the service user shall be deemed to be the purchaser of the bulk video service (e.g., an apartment owner), unless such service is resold to individual users, in which case the service user shall be the ultimate purchaser of the video service. The amount of tax collected in one month shall be remitted to the Tax Administrator, and must be received by the Tax Administrator on or before the twentieth (20th) day of the following month.

3.18.060 Electricity users tax

A. Establishment of Electricity Users Tax. There is hereby imposed a tax upon every person in the City using electricity. The tax imposed by this section shall be at the rate of three and one-half (3.5%) percent of the charges made for such electricity, and for any supplemental services or other associated activities directly related to and/or necessary for the provision of electricity to the service users that are provided by a service supplier or non-utility service supplier to a service user

B. Electricity Charges. As used in this section, the term “charges” shall include, but is not limited to, the following charges:

1. Energy charges.
2. Distribution or transmission charges.
3. Metering charges.
4. Stand-by, reserves, firming, ramping, voltage support, regulation, emergency or other similar minimum charges for services.
5. Customer charges, late charges, service establishment or reestablishment charges, demand charges, fuel or other cost adjustments, power exchange charges, independent system operator (ISO) charges, stranded investment or competitive transition charges (CTC), public purpose program charges, nuclear decommissioning charges, trust transfer amounts (bond financing charges), franchise fees, franchise surcharges, annual and monthly charges, and other charges, fees, or surcharges which are necessary for or common to the receipt use or enjoyment of electric service; and,
6. Charges, fees, or surcharges for electric services or programs, which are mandated by the California Public

Utilities Commission or the Federal Energy Regulatory Commission, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing.

C. Electricity Charges Further Defined. As used in this section, the term “charges” shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the electricity or services related to the provision of such electricity.

D. Survey of Electricity Service Suppliers—Authority for Administrative Rulings. The Tax Administrator shall, from time to time, survey the electric service suppliers in the City to identify the various unbundled billing components of the electric retail service that are being offered to customers within the City, and the charges therefore, including those items that are mandated by state or federal regulatory agencies as a condition of providing such electric service. The Tax Administrator, thereafter, may issue and disseminate to such electric service suppliers an administrative ruling identifying those components and items that are: (1) necessary for or common to the receipt, use and enjoyment of electric service; or (2) currently are or historically have been included in a single or bundled rate for electric service by a local distribution company to a class of retail customers. Charges for such components and items shall be subject to the tax of subsection (A) above.

E. “Using Electricity” Further Defined. As used in this Section the term “using electricity” shall not include the mere receiving of such electricity by an electrical corporation or governmental agency at a point within the City for resale.

F. Collection of Electricity Users Tax. The tax on electricity provided by self-production or by a non-utility service supplier not under the jurisdiction of this Chapter shall be collected and remitted in the manner set forth in Section 3.18.080 of this Chapter. All other taxes on charges for electricity imposed by this Section shall be collected from the service user by the electric service supplier or its billing agent. The amount of tax collected in one (1) month shall be remitted to the Tax Administrator and must be received by the Tax Administrator on or before the twentieth (20th) day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user which must be received by the Tax Administrator on or before the twentieth (20th) day of the following month provided that such person shall submit an adjusted payment or request for credit as appropriate within sixty (60) days following each calendar quarter. The credit, if approved by the Tax Administrator, may be applied against any subsequent remittance that becomes due.

3.18.070 Gas users tax

A. Establishment of Gas Users Tax. There is hereby imposed a tax upon every person in the City using gas that is delivered through a distribution system or by mobile

transport. The tax imposed by this section shall be at the rate of three and one-half (3.5%) percent of the charges made for such gas, including all services related to the storage, transportation and delivery of such gas, and shall apply shall apply to all uses of gas, including but not limited to, heating, electricity generation, or the use of gas as a component of a manufactured product.

B. Gas Charges. As used in this section, the term “charges” shall apply to all services components and items for gas service that are [1] necessary for or common to the receipt, use, or enjoyment of gas service; or, [2] currently are or historically have been included in a single or bundled rate for gas service by a local distribution company to a class of retail customers. The term “charges” shall include, but is not limited to, the following charges:

1. The commodity charges for purchased gas, or the cost of gas owned by the service user (including the actual costs attributed to drilling, production, lifting, storage, gathering, trunk-line, pipeline, and other operating costs associated with the production and delivery of such gas), which is delivered through a gas pipeline distribution system or by mobile transportation.
2. Gas transportation charges (including interstate charges to the extent not included in commodity charges).
3. Storage charges; provided, however, that the service supplier shall not be required to apply the tax to any charges for gas storage services when the service supplier cannot, as a practical matter, determine the jurisdiction where such stored gas is ultimately used; but it shall be the obligation of the service user to self-collect the amount of tax not applied to any charge for gas storage by the service supplier and to remit the tax to the appropriate jurisdiction.
4. Capacity or demand charges, late charges, service establishment or reestablishment charges, transition charges, customer charges, minimum charges, annual and monthly charges, and any other charges, which are necessary or common to the receipt, use and enjoyment of gas service.
5. Charges, fees, or surcharges for gas services or programs, which are mandated by the California Public Utilities Commission or the Federal Energy Regulatory Commission, whether or not such charges, fees, or surcharges appear on a bundled or line item basis on the customer billing.

C. Gas Charges Further Defined. As used in this section, the term “charges” shall include the value of any other services, credits, property of every kind or nature, or other consideration provided by the service user in exchange for the gas or services related to the delivery of such gas.

D. Survey of Gas Service Suppliers; Authority for Administrative Rulings. The Tax Administrator from time to time may survey the gas suppliers to identify the various unbundled billing components of gas retail service that they commonly provide to residential and commer-

cial/industrial customers in the City and the charges therefore, including those items that are mandated by state or federal regulatory agencies as a condition of providing such gas service. The Tax Administrator, thereafter, may issue and disseminate to such gas service suppliers an administrative ruling identifying those components and items which are: [1] necessary for or common to the receipt use or enjoyment of gas service, or, [2] currently are or historically have been included in a single or bundled rate for gas service by a local distribution company to a class of retail customers. Charges for such components and items shall be subject to the tax of subsection (A) above.

E. Exclusion for Resale. There shall be excluded from the calculation of the tax imposed in this Section charges made for gas which is to be resold and delivered through a pipeline distribution system.

F. Collection of Gas Users Tax. The tax on gas provided by self-production or by a non-utility service supplier not under the jurisdiction of this Chapter shall be collected and remitted in the manner set forth in Section 3.18.080 of this Chapter. All other taxes on charges for gas imposed by this Section shall be collected from the service user by the gas service supplier or its billing agent. The amount of tax collected in one (1) month shall be remitted to the Tax Administrator and must be received by the Tax Administrator on or before the twentieth (20th) day of the following month; or, at the option of the person required to collect and/or remit the tax, such person shall remit an estimated amount of tax measured by the tax billed in the previous month or upon the payment pattern of the service user, which must be received by the Tax Administrator on or before the twentieth (20th) day of the following month provided that such person shall submit an adjusted payment or request for credit as appropriate within sixty (60) days following each calendar quarter. The credit, if approved by the Tax Administrator, may be applied against any subsequent remittance that becomes due.

3.18.080 Collection of Tax from Service Users Receiving Direct Purchase of Gas or Electricity

A. Report to Tax Administrator. Any service user subject to the tax imposed by Sections 3.18.060 or 3.18.070 that produces gas or electricity for self-use, that receives gas or electricity, including any related supplemental services, directly from a non-utility service supplier not under the jurisdiction of this chapter, or that, for any other reason, is not having the full tax collected and remitted by its service supplier, a non-utility service supplier, or its billing agent on the use of gas or electricity, including any related supplemental services, in the City, shall report said fact to the Tax Administrator and shall remit the tax due directly to the Tax Administrator within thirty (30) days of such use. In lieu of paying said actual tax, the service user may, at its option, remit to the Tax Administrator within thirty (30) days of such use an estimated amount of tax measured by the tax billed in the previous month, or upon the payment pattern of similar customers of the service supplier using similar amounts of gas or electricity,

provided that the service user shall submit an adjusted payment or request for credit, as appropriate, within sixty (60) days following each calendar quarter. The credit, if approved by the Tax Administrator, may be applied against any subsequent tax bill that becomes due.

B. Investigation. The Tax Administrator may require said service user to identify its non-utility service supplier and provide, subject to audit, invoices, books of account or other satisfactory evidence documenting the quantity of gas or electricity used, including any related supplemental services, and the cost or price thereof. If the service user is unable to provide such satisfactory evidence, or, if the administrative cost of calculating the tax in the opinion of the Tax Administrator is excessive, the Tax Administrator may determine the tax by applying the tax rate to the equivalent charges the service user would have incurred if the gas or electricity used, including any related supplemental services, had been provided by the service supplier that is the primary supplier of gas or electricity within the City. The rate schedule for this purpose shall be available from the City.

3.18.090 Bundling taxable items with non-taxable items

If any nontaxable charges are combined with and not separately stated from taxable service charges on the customer bill or invoice of a service supplier, the combined charge is subject to tax unless the service supplier identifies, by reasonable and verifiable standards, the portions of the combined charge that are nontaxable and taxable through the service supplier's books and records kept in the regular course of business, and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. If the service supplier offers a combination of taxable and non-taxable services, and the charges are separately stated, then for taxation purposes, the values assigned the taxable and non-taxable services shall be based on its books and records kept in the regular course of business and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. The service supplier has the burden of proving the proper valuation of the taxable and non-taxable services.

3.18.100 Substantial Nexus/Minimum Contacts.

For purposes of imposing a tax or establishing a duty to collect and remit a tax under this Chapter, "substantial nexus" and "minimum contacts" shall be construed broadly in favor of the imposition collection and/or remittance of the utility users tax to the fullest extent permitted by state and federal law, and as it may change from time to time by judicial interpretation or by statutory enactment. Any telecommunication service (including VoIP) used by a person with a service address in the City which service is capable of terminating a call to another person on the general telephone network shall be subject to a rebuttable presumption that "substantial nexus/minimum contacts" exists for purposes of imposing a tax or establishing a duty to collect and remit a tax under this Chapter. A service supplier shall be deemed to have sufficient activity in the City for tax collection and remittance purposes if its activities

include but are not limited to any of the following maintains or has within the City directly or through an agent, affiliate, or subsidiary, a place of business of any nature; solicits business in the City by employees, independent contractors, resellers, agents, or other representatives; solicits business in the City on a continuous regular, seasonal, or systematic basis by means of advertising that is broadcast or relayed from a transmitter within the City or distributed from a location within the City; or advertises in newspapers or other periodicals printed and published within the City or through materials distributed in the City by means other than the United States mail; or if there are activities performed in the City on behalf of the service supplier that are significantly associated with the service supplier's ability to establish and maintain a market in the City for the provision of services that are subject to a tax under this Chapter.

3.18.105 Duty to Collect—Procedures

A. Collection by Service Suppliers. The duty of service suppliers to collect and remit the taxes imposed by the provisions of this Chapter shall be performed as follows:

(1) The tax shall be collected by service suppliers insofar as practicable at the same time as, and along with, the collection of the charges made in accordance with the regular billing practice of the service supplier. Where the amount paid by a service user to a service supplier is less than the full amount of the charge and tax which was accrued for the billing period, a proportionate share of both the charge and the tax shall be deemed to have been paid. In those cases where a service user has notified the service supplier of refusal to pay the tax imposed on said charges, Section 3.18.140 shall apply.

(2) The duty of a service supplier to collect the tax from a service user shall commence with the beginning of the first regular billing period applicable to the service user where all charges normally included in such regular billing are subject to the provisions of this Chapter. Where a service user receives more than one billing, one or more being for different periods than another, the duty to collect shall arise separately for each billing period.

B. Filing Return and Payment. Each person required by this Chapter to remit a tax shall file a return to the Tax Administrator, on forms approved by the Tax Administrator, on or before the due date. The full amount of the tax collected shall be included with the return and filed with the Tax Administrator. The Tax Administrator is authorized to require such additional information as he or she deems necessary to determine if the tax is being levied, collected, and remitted in accordance with this Chapter. Returns are due immediately upon cessation of business for any reason. Pursuant to Revenue and Tax Code Section 7284.6, the Tax Administrator, and its agents, shall maintain such filing returns as confidential information that is exempt from the disclosure provisions of the Public Records Act.

3.18.110 Collection penalties—Service suppliers

A. Due Date for Taxes—Delinquencies. Taxes collected from a service user are delinquent if not received by the Tax Administrator on or before the due date. Should the due date occur on a weekend or legal holiday, the return must be received by the Tax Administrator on the first regular working day following the weekend or legal holiday. A direct deposit, including electronic fund transfers and other similar methods of electronically exchanging monies between financial accounts, made by a service supplier in satisfaction of its obligations under this subsection shall be considered timely if the transfer is initiated on or before the due date, and the transfer settles into the City's account on the following business day.

B. Failure to Collect or Remit. If the person required to collect and/or remit a tax imposed pursuant to this chapter fails to collect the tax (by failing to properly assess the tax on one or more services or charges on the customer's billing) or fails to remit the tax collected on or before the due date, the Tax Administrator shall attach a penalty for such delinquencies or deficiencies at the rate of fifteen percent (15%) of the total tax that is delinquent or deficient in the remittance, and shall pay interest at the rate of and 75/100ths percent (0.75%) per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent, until paid.

C. Penalties for Fraud or Gross Negligence in Reporting or Remitting. The Tax Administrator shall have the power to impose additional penalties upon persons required to collect and remit taxes pursuant to the provisions of this chapter for fraud or gross negligence in reporting or remitting at the rate of fifteen percent (15%) of the amount of the tax collected and/or required to be remitted, or as recomputed by the Tax Administrator.

D. Penalties Due as Tax. For collection purposes only, every penalty imposed and such interest that is accrued under the provisions of this section shall become a part of the tax herein required to be paid.

E. Authority to Modify Due Dates. Notwithstanding the foregoing, the Tax Administrator may, in his or her discretion, modify the due dates of this chapter to be consistent with any uniform standards or procedures that are mutually agreed upon by other public agencies imposing a utility users tax, or otherwise legally established, to create a central payment location or mechanism.

3.18.120 Actions to collect

Any tax required to be paid by a service user under the provisions of this chapter shall be deemed a debt owed by the service user to the City. Any such tax collected from a service user which has not been remitted to the Tax administrator shall be deemed a debt owed to the City by the person required to collect and remit and shall no longer be a debt of the service user. Any person owing money to the City under the provisions of this chapter shall be liable to an action brought in the name of the City for the recovery of such amount, including penalties and interest as provided for in this chapter, along with any collection costs incurred by the City as a result of the person's noncompliance with this chapter, including, but not limited to, rea-

sonable attorneys' fees. Any tax required to be collected by a service supplier or owed by a service user is an unsecured priority excise tax obligation under 11 U.S.C.A. Section 507(a)(8)(C). Service suppliers who seek to collect charges for service in bankruptcy proceedings shall also include in any such claim the amount of taxes due the City for those services, unless the Tax Administrator determines that such duty is in conflict with any federal or state law, rule, or regulation or that such action would be administratively impractical.

3.18.130 Deficiency determination and assessment—Tax application errors

A. Tax Deficiency Determinations. The Tax Administrator shall make a deficiency determination if he or she determines that any service user or service supplier required to pay or collect taxes pursuant to the provisions of this chapter has failed to pay, collect, and/or remit the proper amount of tax by improperly or failing to apply the tax to one or more taxable services or charges. Nothing herein shall require that the Tax Administrator institute proceedings under this section if, in the opinion of the Tax Administrator, the cost of collection or enforcement likely outweighs the tax benefit.

B. Notice of Deficiency. The Tax Administrator shall mail a notice of such deficiency determination to the person or entity allegedly owing the tax, which notice shall refer briefly to the amount of the taxes owed, plus interest at the rate of 75/100ths percent (0.75%) per month, or any fraction thereof, on the amount of the tax from the date on which the tax should have been received by the City. Within fourteen (14) calendar days after the date of service of such notice, the person or entity allegedly owing the tax may request in writing to the Tax Administrator a hearing on the matter.

C. Hearing on Deficiency. If the person or entity allegedly owing the tax fails to request a hearing within the prescribed time period, the amount of the deficiency determination shall become a final assessment, and shall immediately be due and owing to the City. If such person or entity requests a hearing, the Tax Administrator shall cause the matter to be set for hearing, which shall be scheduled within thirty (30) days after receipt of the written request for hearing. Notice of the time and place of the hearing shall be mailed by the Tax Administrator to such person at least ten (10) calendar days prior to the hearing, and, if the Tax Administrator desires said person to produce specific records at such hearing, such notice may designate the records requested to be produced.

D. Determination after Hearing. At the time fixed for the hearing, the Tax Administrator shall hear all relevant testimony and evidence, including that of any other interested parties. At the discretion of the Tax Administrator, the hearing may be continued from time to time for the purpose of allowing the presentation of additional evidence. Within a reasonable time following the conclusion of the hearing, the Tax Administrator shall issue a final assessment (or non-assessment), thereafter, by confirming, modifying or rejecting the original deficiency determination, and shall mail a copy of such final assessment to per-

son or entity owing the tax. The decision of the Tax Administrator may be appealed pursuant to Section 3.18.180 of this chapter. Filing an application with the Tax Administrator and appeal to the City Manager pursuant to Section 3.18.180 of this chapter is a prerequisite to a suit thereon.

E. Delinquencies. Payment of the final assessment shall become delinquent if not received by the Tax Administrator on or before the thirtieth (30th) day following the date of receipt of the notice of final assessment. The penalty for delinquency shall be fifteen percent (15%) on the total amount of the assessment, along with interest at the rate of 75/100ths (0.75%) percent per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the date of delinquency, until paid. The applicable statute of limitations regarding a claim by the City seeking payment of a tax assessed under this chapter shall commence from the date of delinquency as provided in this subsection.

F. Notice of Delinquency. All notices under this section may be sent by regular mail, postage prepaid, and shall be deemed received on the third calendar day following the date of mailing, as established by a proof of mailing.

3.18.140 Administrative remedy—Non-paying service users

A. Administrative Remedies for the Obligation to Collect Tax. Whenever the Tax Administrator determines that a service user has deliberately withheld the amount of the tax owed by the service user from the amounts remitted to a person required to collect the tax, or whenever the Tax Administrator deems it in the best interest of the City, he or she may relieve such person of the obligation to collect the taxes due under this chapter from certain named service users for specific billing periods. To the extent the service user has failed to pay the amount of tax owed for a period of two or more billing periods, the service supplier shall be relieved of the obligation to collect taxes due. The service supplier shall provide the City with the names and addresses of such service users and the amounts of taxes owed under the provisions of this chapter. Nothing herein shall require that the Tax Administrator institute proceedings under this section if, in the opinion of the Tax Administrator, the cost of collection or enforcement likely outweighs the tax benefit.

B. Delinquency Penalty. In addition to the tax owed, the service user shall pay a delinquency penalty at the rate of fifteen percent (15%) of the total tax that is owed, and shall pay interest at the rate of 75/100ths percent (0.75%) per month, or any fraction thereof, on the amount of the tax, exclusive of penalties, from the due date, until paid.

C. Notice to Non-Paying Service User. The Tax Administrator shall notify the non-paying service user that the Tax Administrator has assumed the responsibility to collect the taxes due for the stated periods and demand payment of such taxes, including penalties and interest. The notice shall be served on the service user by personal delivery or by deposit of the notice in the United States mail, postage prepaid, addressed to the service user at the address to which billing was made by the person required to collect the tax; or, should the service user have a change

of address, to his or her last known address.

D. Additional Penalties. If the service user fails to remit the tax to the Tax Administrator within thirty (30) days from the date of the service of the notice upon him or her, the Tax Administrator may impose an additional penalty of fifteen percent (15%) of the amount of the total tax that is owed.

3.18.150 Additional powers and duties of the Tax Administrator

A. Enforcement by Tax Administrator. The Tax Administrator shall have the power and duty, and is hereby directed to enforce each and all of the provisions of this chapter.

B. Administrative Regulations Regarding Payment. The Tax Administrator may adopt administrative rules and regulations consistent with provisions of this Chapter for the purpose of interpreting, clarifying, carrying out, and enforcing the payment, collection, and remittance of the taxes herein imposed. A copy of such administrative rules and regulations shall be on file in the Tax Administrator's office. To the extent that the Tax Administrator determines that the tax imposed under this Chapter shall not be collected in full for any period of time from any particular service supplier or service user, that determination shall be considered an exercise of the Tax Administrator's discretion to settle disputes and shall not constitute a change in taxing methodology for purposes of Government Code Section 53750 or otherwise. The Tax Administrator is not authorized to amend the City's methodology for purposes of Government Code Section 53750, and the City does not waive or abrogate its ability to impose the utility users tax in full as a result of promulgating administrative rulings or entering into agreements.

C. Administrative Agreement Regarding Billing Procedures. Upon a proper showing of good cause, the Tax Administrator may make administrative agreements, with appropriate conditions, to vary from the strict requirements of this chapter and thereby: (1) conform to the billing procedures of a particular service supplier so long as said agreements result in the collection of the tax in conformance with the general purpose and scope of this chapter; or (2) to avoid a hardship where the administrative costs of collection and remittance greatly outweigh the tax benefit. A copy of each such agreement shall be on file in the Tax Administrator's office, and are voidable by the Tax Administrator or the City at any time.

D. Compliance Audits. The Tax Administrator may conduct an audit, to ensure proper compliance with the requirements of this chapter, of any person required to collect and/or remit a tax pursuant to this chapter. The Tax Administrator shall notify said person of the initiation of an audit in writing. In the absence of fraud or other intentional misconduct, the audit period of review shall not exceed a period of three (3) years next preceding the date of receipt of the written notice by said person from the Tax Administrator. Upon completion of the audit, the Tax Administrator may make a deficiency determination pursuant to Section 3.18.130 of this chapter for all taxes (and

applicable penalties and interest) owed and not paid, as evidenced by information provided by such person to the Tax Administrator. If said person is unable or unwilling to provide sufficient records to enable the Tax Administrator to verify compliance with this chapter, the Tax Administrator is authorized to make a reasonable estimate of the deficiency. Said reasonable estimate shall be entitled to a rebuttable presumption of correctness.

E. Extension of Time. Upon receipt of a written request of a taxpayer, and for good cause, the Tax Administrator may extend the time for filing any statement required pursuant to this chapter for a period of not to exceed forty-five (45) days, provided that the time for filing the required statement has not already passed when the request is received. No penalty for delinquent payment shall accrue by reason of such extension. Interest shall accrue during said extension at the rate of 75/100ths percent (0.75%) per month, prorated for any portion thereof.

F. Eligibility for Exemption. The Tax Administrator shall determine the eligibility of any person who asserts a right to exemption from, or a refund of, the tax imposed by this chapter.

G. Waiver of Penalties and Interest. Notwithstanding any provision in this chapter to the contrary, the Tax Administrator may waive any penalty or interest imposed upon a person required to collect and/or remit for failure to collect the tax imposed by this chapter, or require prospective application of the tax, if the non-collection occurred in good faith. In determining whether the non-collection was in good faith, the Tax Administrator shall take into consideration industry practice or other precedents. The Tax Administrator may also participate with other UUT public agencies in conducting coordinated compliance reviews with the goal of achieving administrative efficiency and uniform tax application determinations, where possible. To encourage full disclosure and on-going cooperation on annual compliance reviews, the Tax Administrator, and its agents, may enter into agreements with the tax-collecting service providers and grant prospective only effect on any changes regarding the taxation of services or charges that were previously deemed by the service provider, in good faith and without gross negligence, to be non-taxable. In determining whether the non-collection was in good faith and without gross negligence, the Tax Administrator shall take into consideration the uniqueness of the product or service, industry practice or other precedence.

3.18.160 Records

A. Retention of Necessary Tax Records. It shall be the duty of every person required to collect and/or remit to the City any tax imposed by this chapter to keep and preserve, for a period of at least three (3) years, all records as may be necessary to determine the amount of such tax as he/she may have been liable for the collection of and remittance to the Tax Administrator, which records the Tax Administrator shall have the right to inspect at a reasonable time.

B. Administrative Subpoenas. The City through the City Council may issue an administrative subpoena to compel a person to deliver to the Tax Administrator copies

of all records deemed necessary by the Tax Administrator to establish compliance with this chapter, including the delivery of records in a common electronic format on readily available media if such records are kept electronically by the person in the usual and ordinary course of business. As an alternative to delivering the subpoenaed records to the Tax Administrator on or before the due date provided in the administrative subpoena, such person may provide access to such records outside the City on or before the due date, provided that such person shall reimburse the City for all reasonable travel expenses incurred by the City to inspect those records, including travel, lodging, meals, and other similar expenses, but excluding the normal salary or hourly wages of those persons designated by the City to conduct the inspection.

C. Non-Disclosure Agreements. The Tax Administrator is authorized to execute a non-disclosure agreement approved by the city attorney to protect the confidentiality of customer information pursuant to California Revenue and Tax Code Sections 7284.6 and 7284.7.

D. Use of Billing Agents. If a service supplier uses a billing agent or billing aggregator to bill, collect, and/or remit the tax, the service supplier shall: (1) provide to the Tax Administrator the name, address and telephone number of each billing agent and billing aggregator currently authorized by the service supplier to bill, collect, and/or remit the tax to the City; and (2) upon request of the Tax Administrator, deliver, or effect the delivery of, any information or records in the possession of such billing agent or billing aggregator that, in the opinion of the Tax Administrator, is necessary to verify the proper application, calculation, collection and/or remittance of such tax to the City.

E. Access to Necessary Records. If any person subject to record-keeping under this section unreasonably denies the Tax Administrator access to such records, or fails to produce the information requested in an administrative subpoena within the time specified, then the Tax Administrator may impose a penalty of five hundred dollars (\$500.00) on such person for each day following: (1) the initial date that the person refuses to provide such access; or (2) the due date for production of records as set forth in the administrative subpoena. This penalty shall be in addition to any other penalty imposed under this Chapter.

3.18.170 Refunds

Whenever the amount of any tax has been overpaid or paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this chapter from a person or service supplier, it may be refunded as provided in this section as follows:

A. Tax Administrator Authority. The Tax Administrator may refund any tax that has been overpaid or paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this Chapter from a service user or service supplier provided that no refund shall be paid under the provisions of this Section unless the claimant or his or her guardian, conservator, executor, or administrator has submitted a written claim to the Tax Administrator within one (1) year of the overpayment or erroneous or illegal collection of said tax.

Such claim must clearly establish claimant's right to the refund by written records showing entitlement thereto. Nothing herein shall permit the filing of a claim on behalf of a class or group of taxpayers unless each member of the class has submitted a written claim under penalty of perjury as provided by this subsection.

B. Action on Claim for Refund. The Tax Administrator, where the claim is within his or her settlement authority as established by ordinance or by resolution of the City Council from time to time, or the City Council where the claim is in excess of that amount, shall act upon the refund claim within forty-five (45) calendar days of the initial receipt of the refund claim. Said decision shall be final. If the Tax Administrator/City Council fails or refuses to act on a refund claim within the forty-five (45) calendar day period, the claim shall be deemed to have been rejected by the Tax Administrator/City Council on the forty-fifth (45th) day. The Tax Administrator shall give notice of the action in a form which substantially complies with that set forth in Government Code Section 913.

C. Written Claim for Refund. The filing of a written claim pursuant to Government Code Section 935 is a prerequisite to any suit thereon. Any action brought against the City pursuant to this Section shall be subject to the provisions of Government Code Section 945.6 and 946.

D. Refunds to Service Suppliers. Notwithstanding subsections (A) through (C) above, the Tax Administrator may, at his or her discretion, give written permission to a service supplier, who has collected and remitted any amount of tax in excess of the amount of tax imposed by this Chapter, to claim credit for such overpayment against the amount of tax which is due the City upon a subsequent monthly return(s) to the Tax Administrator, provided that: [1] such credit is claimed in a return dated no later than one year from the date of overpayment or erroneous collection of said tax; [2] the Tax Administrator is satisfied that the underlying basis and amount of such credit has been reasonably established; and, [3] in the case of an overpayment by a service user to the service supplier that has been remitted to the City, the Tax Administrator has received proof, to his or her satisfaction, that the overpayment has been refunded by the service supplier to the service user in an amount equal to the requested credit.

3.18.180 Appeals

A. Administrative Appeals. The provisions of this Section apply to any decision (other than a decision relating to a refund pursuant to Section 3.18.170 of this Chapter), deficiency determination, assessment, or administrative ruling of the Tax Administrator. Any person aggrieved by any decision (other than a decision relating to a refund pursuant to Section 3.18.170 of this Chapter), deficiency determination, assessment, or administrative ruling of the Tax Administrator, shall be required to comply with the appeals procedure of this Section. Compliance with this Section shall be a prerequisite to a suit thereon. (See Government Code Section 935[b]). Nothing herein shall permit the filing of a claim or action on behalf of a class or group of taxpayers.

B. Appeal to City Manager. If any person is aggrieved

ed by any decision (other than a decision relating to a refund pursuant to Section 3.18.170 of this chapter), deficiency determination, assessment, or administrative ruling of the Tax Administrator, he or she may appeal to the city manager by filing a notice of appeal with the city clerk within fourteen (14) days of the date of the decision, deficiency determination, assessment, or administrative ruling of the Tax Administrator which aggrieved said person.

C. Scheduling of Administrative Appeal Hearing.

The matter shall be scheduled for hearing before an independent hearing officer selected by the city manager, no more than thirty (30) days from the receipt of the appeal. The appellant shall be served with notice of the time and place of the hearing, as well as any relevant materials, at least five (5) calendar days prior to the hearing. The hearing may be continued from time to time upon mutual consent. At the time of the hearing, the appealing party, the Tax Administrator, and any other interested person may present such relevant evidence as he or she may have relating to the determination from which the appeal is taken.

D. Notice of Decision. Based upon the submission of such evidence and the review of the City's files, the hearing officer shall issue a written notice and order upholding, modifying or reversing the determination from which the appeal is taken. The notice shall be given within fourteen (14) days after the conclusion of the hearing and shall state the reasons for the decision. The notice shall specify that the decision is final and that any petition for judicial review shall be filed within ninety (90) days from the date of the decision in accordance with Code of Civil Procedure Section 1094.6.

E. Manner of Notice. All notices under this section may be sent by regular mail, postage prepaid, and shall be deemed received on the third (3rd) calendar day following the date of mailing, as established by a proof of mailing.

3.18.190 No Injunction/Writ of Mandate

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this City or against any officer of the City to prevent or enjoin the collection under this Chapter of any tax or any amount of tax required to be collected and/or remitted.

3.18.200 Notice of changes to ordinance

If a tax under this chapter is added repealed, increased, reduced, or the tax base is changed, the Tax Administrator shall follow the notice requirements of California Public Utilities Code Section 799.

3.18.210 Effect of state and federal reference—Authorization

Unless specifically provided otherwise, any reference to a state or federal statute in this chapter shall mean such statute as it may be amended from time to time, provided that such reference to a statute herein shall not include any subsequent amendment thereto, or to any subsequent change of interpretation thereto by a state or federal agency or court of law with the duty to interpret such law, to the extent that such amendment or change of interpretation would require voter approval under California law, or

to the extent that such change would result in a tax decrease (as a result of excluding all or a part of a utility service, or charge therefore, from taxation). Only to the extent voter approval would otherwise be required or a tax decrease would result, the prior version of the statute (or interpretation) shall remain applicable; for any application or situation that would not require voter approval or result in a decrease of a tax, provisions of the amended statute (or new interpretation) shall be applicable to the maximum possible extent.

To the extent that the City's authorization to collect or impose any tax imposed under this chapter is expanded or limited as a result of changes in state or federal law, no amendment or modification of this chapter shall be required to conform the tax to those changes, and the tax shall be imposed and collected to the full extent of the authorization up to the full amount of the tax imposed under this chapter.

3.18.220 Independent audit

The City shall annually verify that the taxes owed under this chapter have been properly applied, collected, and remitted in accordance with this chapter, and properly expended according to applicable law. The annual verification shall be performed by a qualified, independent third party, and the review shall employ reasonable, cost-effective steps to assure compliance, including the use of sampling audits. The verification shall not be required of tax remitters where the cost of the verification may exceed the tax revenues to be received.

3.18.230 Remedies cumulative

All remedies and penalties prescribed by this chapter or which are available under any other provision of law or equity, including but not limited to the California False Claims Act (Government Code Section 12650 et seq.) and the California Unfair Practices Act (Business and Professions Code Section 17070 et seq.), are cumulative. The use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this chapter.

3.18.240 Termination of Utility Users Tax

The levy of taxes as provided in this Chapter shall expire on December 31, 2015 unless re-enacted by a separate ordinance approved by a vote of the People of the City of Newark conducted pursuant to law. The termination of the levy of taxes as provided herein shall not terminate the obligation to pay taxes levied on services used prior to such date. Taxes levied prior to December 31, 2015 shall remain a debt payable to the City. All provisions of this Chapter except those relating to the levy of taxes shall continue in full force and effect after such date.

Section 2

Severability. If any section subsection sentence clause phrase or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The People hereby declare that they would have adopted each section subsection sentence clause phrase or portion of this Ordinance irrespective of the fact that any one or more sections

subsections sentences clauses phrases or portions of this Ordinance be declared invalid or unenforceable.

Section 3

Amendment or Repeal Chapter 3.18 of Title 3 of the Newark Municipal Code may be repealed or amended by the City Council without a vote of the people. However as required by Article XIII C of the California Constitution voter approval is required for any amendment provision that would increase the rate of any tax levied pursuant to this Ordinance. The People of the City of Newark affirm that the following actions shall not constitute an increase of the rate of a tax

A. The restoration of the rate of the tax to a rate that is no higher than that set by this Ordinance if the City Council has acted to reduce the rate of the tax;

B. An action that interprets or clarifies the methodology of the tax or any definition applicable to the tax so long as interpretation or clarification (even if contrary to some prior interpretation or clarification) is not inconsistent with the language of this Ordinance;

C. The establishment of a class of person that is exempt or excepted from the tax or the discontinuation of any such exemption or exception other than the discontinuation of an exemption or exception specifically set forth in this Ordinance; and,

D. The collection of the tax imposed by this Ordinance even if the City had for some period of time failed to collect the tax.

Section 4

Effective Date This Chapter shall become effective immediately upon the date that this Ordinance is adopted by voters of the City of Newark at the election of November 2, 2010.

Section 5. Execution. The Mayor is hereby authorized to attest to the adoption of the Ordinance by the voters of the City by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the People of the City of Newark, California voting on the 2nd day of November, 2010.

CITY OF OAKLAND MEASURE V

V Shall the Oakland Municipal Code be amended to increase the business tax rate for “Medical Cannabis Businesses” from \$18 per \$1,000 of gross receipts to \$50 per \$1,000 of gross receipts, and creating a new “Non-Medical Cannabis Business Tax” of \$100 per \$1,000 of gross receipts, with all proceeds placed in the City’s General Fund to be used for any governmental purpose?	YES
	NO

CITY ATTORNEY’S BALLOT TITLE AND SUMMARY OF MEASURE V

Title:

A Proposed Ordinance Amending The City Of Oakland’s Business Tax To Establish New Categories And Tax Rates For “Medical Cannabis Businesses” And “Non-Medical Cannabis Businesses”

Summary:

Currently, all Cannabis Businesses in Oakland are taxed at the rate of \$18 for each \$1,000 of gross receipts. This measure creates new business tax categories that distinguish between “Medical Cannabis Businesses” and “Non-Medical Cannabis Businesses.” Under the proposed amendments, the business tax rate for “Medical Cannabis Businesses” will increase from \$18 to \$50 for each \$1,000 of gross receipts, and the business tax rate for “Non-Medical Cannabis Businesses” will increase from \$18 to \$100 for each \$1,000 of gross receipts. The City of Oakland may use the revenue from the tax for any legal municipal purpose, including but not limited to maintenance of vital services and facilities. The tax must be approved by a majority of Oakland voters who cast ballots.

s/JOHN A. RUSSO
City Attorney

CITY ATTORNEY’S IMPARTIAL ANALYSIS OF MEASURE V

Under the City of Oakland’s current Business Tax, “Cannabis Businesses” are taxed at a rate of \$18.00 for each \$1,000.00 of gross receipts or fractional part thereof. “Gross receipts” are the total revenue of a business without deducting expenses. This measure would amend Oakland’s Business Tax which is found at Chapter 5.04 of the Oakland Municipal Code to establish a new category and tax rate for “Medical Cannabis Businesses” of \$50 for every \$1,000.00 of gross receipts from the businesses’ activity in Oakland. This measure would also create a new category and tax rate for “Non-Medical Cannabis Businesses” of \$100 for each \$1,000 of gross receipts from the businesses’ activity in Oakland. The tax for increments of \$1,000 would be the full, not pro rata, rate.

“Medical Cannabis Businesses” and “Non-Medical Cannabis Businesses” activities include planting, cultivating, harvesting, transporting, dispensing, delivering, selling at retail or wholesale, manufacturing, compounding, converting, processing, preparing, storing, packaging, or testing any part of the plant, Cannabis sativa L. or any of its derivatives. “Medical Cannabis Businesses” activities are those conducted pursuant to the Compassionate Use Act of 1996, California Health and Safety Code section 11362.5 and related California Health and Safety Code sections 11362.7-11362.83. “Non-Medical Cannabis Businesses” activities are those not conducted pursuant to the Compassionate Use Act and related provisions of the California Health and Safety Code.

For nonmedical cannabis business, this measure could limit from whom the City of Oakland may collect tax. Current City law allows the City to tax any nonmedical cannabis businesses, whether authorized or not. This measure would limit such taxation to only nonmedical businesses expressly authorized by state law.

The “Medical Cannabis Businesses” and “Non-Medical Cannabis Businesses” taxes are a general tax because the City could use the tax revenue for any legal municipal purpose. The California Constitution, Article XIII(C), Section 2(b) requires that the electorate approve a general tax by a majority vote. Before the City can establish the new tax rate for “Medical Cannabis Businesses” and “Non-Medical Cannabis Businesses” a majority of the electorate must approve the measure.

A “yes” vote for Measure V will approve the new categories and tax rates for “medical cannabis businesses” and “non-medical cannabis businesses; a “no” vote will reject the new categories and tax rates and leave the current tax rates in place.

s/JOHN A. RUSSO
City Attorney

CITY AUDITOR'S IMPARTIAL FINANCIAL ANALYSIS OF MEASURE V

SUMMARY

Measure V creates new business tax categories that distinguish between "Medical Cannabis Businesses" and "Non-Medical Cannabis Businesses". In addition, the proposed measure authorizes the City of Oakland to amend the City's Business Tax Ordinance, Chapter 5.04 of the Oakland Municipal Code to (a) increase the business tax rate for Medical Cannabis Businesses from \$18 per \$1,000 of gross receipts to \$50 per \$1,000 of gross receipts and (b) establish the business tax rate for "Non-Medical Cannabis Business Tax" of \$100 per \$1,000 of gross receipts.

Both Medical Cannabis Businesses and Non-Medical Cannabis Businesses activities include planting, cultivating, harvesting, transporting, manufacturing, compounding, converting, processing, preparing, storing, packaging, wholesale, and retail sales of marijuana and its derivatives. However, Non-Medical Cannabis Businesses are not conducted for medical conditions, but are otherwise authorized by state law.

In February 2004, the City of Oakland adopted Ordinance No. 12585 to permit the distribution of medical cannabis. However, the City Council did not create a separate business tax classification specifically for cannabis businesses. As such, medical cannabis dispensaries were classified under the Retail Business Tax classification with a tax rate of \$1.20 per \$1,000 of gross receipts. In June 2009, voters authorized an increase in the business tax rate for cannabis businesses to \$18 per \$1,000 of gross receipts.

If this measure is approved by a majority of voters, the new cannabis tax rates will be effective beginning January 1, 2011.

FINANCIAL IMPACT

The total gross receipts for the four medical cannabis dispensaries licensed with the City of Oakland in tax year 2010 were \$27,806,545. Under the current business tax rate of \$18 per \$1,000, projected business tax revenues from the dispensaries is \$500,518.

The new tax rate for Medical Cannabis Businesses is estimated to generate \$889,809 in additional annual revenue based on the tax year 2010 gross receipts totaling \$27,806,545, as shown in the table below.

Tax Year	Medical Cannabis Business Gross Receipts	Projected Annual Revenue based on \$18 per \$1,000 (A)	Projected Annual Revenue based on \$50 per \$1,000 (B)	Estimated Increase in Revenue under Proposed Ordinance (B-A)
2010	\$27,806,545	\$500,518	\$1,390,327	\$889,809

The estimated increase in revenue will be deposited into the General Purpose Fund. The City may use the revenue from the tax for any legal municipal purpose, including but not limited to maintenance of vital services and facilities.

Based on our analysis of the data provided by City staff, the projected revenues for medical cannabis businesses

appear reasonable. However, currently there is not sufficient data available to project revenues for Non-Medical Cannabis Businesses. We relied on the best data available at this time, however actual results may vary from estimates above.

s/COURTNEY A. RUBY, CPA, CFE
City Auditor

ARGUMENT IN FAVOR OF MEASURE V

This measure would establish new tax rates for cannabis (marijuana) related businesses. It does two things: 1) Increases the business tax on medical cannabis to \$50 per \$1,000 of gross receipts and 2) creates a new business tax for non-medical cannabis businesses (recreational cannabis use) at a rate of \$100 per \$1,000 of gross receipts. The new tax on "recreational" cannabis use assumes the legalization of cannabis for personal use by California voters this November.

Reported sales of medical marijuana last year in Oakland were \$28 million. Passage of this measure would generate tax revenues of 1.7 million to 2.8 million dollars annually. The potential passage of Proposition 19 in this November's election to legalize marijuana for recreational use in California coupled with newly created cannabis cultivation permits positions Oakland to benefit from an industry that generates millions of dollars in sales per year. Estimates show that the newly created cannabis cultivation permits could generate additional revenue for the City of Oakland annually; a tax of 5% would generate 1.7 - 2.8 million in tax revenues for the City.

Reports provided by the medical cannabis dispensaries show that dispensary sales increased by 40% between 2008 and 2009, with Oakland's four permitted dispensaries generating 28 million dollars in gross sales last year. The enhanced revenues generated by this measure would be used to pay for essential City services such as libraries, parks, police, fire, senior centers, recreation centers and youth programs.

In these difficult economic times for our City, let's be creative about the ways in which we generate additional funds for our services and programs.

If this ballot measure is passed, the city could earn considerably more revenue from the recreational and medical uses of cannabis.

We urge a YES Vote on Measure V.

s/Larry E. Reid
City Councilmember

s/Desley Brooks
City Council Member

s/Ignacio De La Fuente
City Council Member

s/Richard Lee
President, Oaksterdam University

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE V

The proponents of this "POT" tax are totally without scruples. Clearly, all they care about is Money.

Their entire Argument centers around Money. Their Argument is completely void of any supposed medical benefit or the ill effect on the greater Oakland community.

That's because they don't care - they plainly don't care about the health and safety of our citizens, our neighbors or the wellbeing of our children. All they talk about is Money and how much Money the City is supposedly going to get.

They are disingenuous and intellectually dishonest. If they really believed "medical cannabis" to be a viable medication, they wouldn't tax it - legitimate medicines are not taxed. Those who's health and wellbeing depend on medications should not be made to suffer the additional burden of an illicit tax.

Non-medical (recreational) marijuana use. Don't be fooled, if the pending statewide measure fails, the so-called mega growing facilities will be used for medical cannabis, effectively shutting down all the smaller and independent growers.

Additionally, the contention the mega growers will be limited to four (4), is patently false. The legislation (Ordinance No. 13033) permits additional growers (unlimited) after two years, at the Council's discretion.

Lastly, the proponents claim that the Tax will be used for libraries, parks, police, fire and senior centers, is an unadulterated HOAX! A complete LIE! The Measure clearly states that the proceeds will go to the General Fund, to be used for ANY governmental purpose.

Vote NO on Measure V

s/David E. Mix
Native Oaklander

ARGUMENT AGAINST MEASURE V

As if it were not bad enough that the F.B.I. and our very own Police Chief has declared Oakland to be the most violent city in the Nation, our City Council now proposes that we become the “Pot” capitol as well.

To be sure, this hideous measure not only taxes the Marijuana business, it sanctions and promotes the illicit use of drugs. How can we tell our kids to stay away from drugs and alcohol while our own City Council and local leaders are saying it is O. K.

There will be an age limit (21) you say! Just how do you think that will be enforced - the same way no doubt it is (not) being enforced with alcohol. Today, there are more teenagers being maimed and killed due to alcohol use than at any other time in our nation’s history.

Using “pot” is no worse than drinking you say! However, practically all those who use pot do it in conjunction with alcohol, that is clearly a double whammy. For the record, in the U.S. last year there were over 75,000 alcohol related deaths.

The “tax” will bring in a ton of badly needed revenue you say! Not true! The notion that Marijuana is a huge California cash crop is pure fiction promoted by those who advocate total legalization. The City’s tax records tell an entirely different story.

More importantly, however, any extra revenue will be quickly eaten up by the Fire Department, extinguishing illegal pot growing fires and the Police Department, attempting to control the (proven) increase in drug related crimes. Not to mention the huge burden on the City’s permits and inspections people charged with trying to regulate this ill conceived and ridiculous measure.

SAVE OUR CITY AND OUR KIDS FROM DRUG ABUSE - VOTE NO!

s/David E. Mix
Native Oaklander

REBUTTAL TO ARGUMENT AGAINST MEASURE V

This tax will be applied to medical cannabis businesses and will be applied to recreational marijuana uses only if California’s proposition 19 passes this November. This measure does not “sanction and promote the illicit use of drugs” as claimed by the opposition, it merely taxes an already legal activity and creates a new tax for a potentially future legal activity.

Passage of this measure will bring in several million dollars in tax revenues per year. Gross receipts from medical-cannabis dispensaries provided to the City of Oakland in 2009 totaled \$28 million a 5% tax on those receipts will generate \$1.4 million dollars which will be used to supplement our general fund. The cannabis industry is a growing industry; one which Oakland has always been at the forefront of, this tax will position Oakland to reap the benefits of this growing industry.

The opponents of this tax argue that any new revenues generated by the tax will be quickly absorbed by enforcement against illegal marijuana grows which is exactly the problem that exists today and we are seeking to address via regulations, enforcement, taxation, and a permitting process. This tax does not increase the number of permitted cannabis dispensaries in Oakland nor does it increase this type of activity in our City, it merely taxes an existing and thriving industry.

Vote YES on Measure V.

s/Ignacio De La Fuente
Councilmember, District 5

s/Larry E. Reid
Councilmember, District 7

s/Richard Lee
President-Oaksterdam University

FULL TEXT OF MEASURE V

WHEREAS, through the passage of Proposition 215, the voters of California authorized the use of cannabis for medical purposes in 1996; and

WHEREAS, by a 79% vote in favor of the proposition, the voters of Oakland overwhelmingly approved Proposition 215; and

WHEREAS, the City Council of the City of Oakland has adopted medical cannabis permitting regulations to prevent nuisance, provide for effective controls, enable medical cannabis patients to obtain cannabis from safe sources, and provide appropriate licensing and revenues for the City in a manner consistent with state law; and

WHEREAS, every person engaged in business activity in the City of Oakland is required to obtain a business tax certificate and to pay the City's business tax; and

WHEREAS, pursuant to Chapter 5.04 of the Oakland Municipal Code, Section 5.04.480 cannabis businesses are currently taxed under the "cannabis" at a business tax rate of \$18 per \$1,000 of gross receipts; and

WHEREAS, the City Council desires to create a new "Medical Cannabis Business Tax," and a new "Non-Medical Cannabis Business Tax;" and

WHEREAS, the City Council of the City of Oakland desires to amend Chapter 5.04, to establish the "Medical Cannabis Business Tax" rate for medical-cannabis businesses at \$50.00 per \$1,000 of gross receipts; and

WHEREAS, the City Council of the City of Oakland desires to amend Chapter 5.04, to establish the "Non-Medical Cannabis Business Tax" rate for non medical-cannabis businesses at \$100.00 per \$1,000 of gross receipts; and

WHEREAS, all revenues received from the tax will be deposited in the City's general fund to be expended for any lawful public purpose; now, therefore, be it

RESOLVED: That the City Council of the City of Oakland does hereby submit to the voters at the November 2, 2010 statewide general election, not more than 88 days and not more than 150 days from the date of passage of this resolution, the text of the proposed ordinance, which shall read as follows;

Be it ordained by the People of the City of Oakland:

Section 1. The Municipal Code is hereby amended to add, delete, or modify sections as set forth below (section numbers and titles are indicated in **bold type**; additions are indicated by underscoring and deletions are indicated by strike-through type; portions of the regulations not cited or not shown in underscoring or strike-through type are not changed).

Section 2. Code Amendment. Oakland Municipal Code Section 5.04.480 is hereby amended to read as follows:

5.04.480 Medical Cannabis Businesses.

For the Purposes of this Section:

~~A. "Cannabis Business" means business activity including, but not limited to, planting, cultivation, harvesting, transporting, manufacturing, compounding, converting, processing, preparing, storing, packaging,~~

~~ing, wholesale, and/or retail sales of marijuana, any part of the plant Cannabis sativa L. or its derivatives.~~

A. "Medical Cannabis Business" means any activity regulated or permitted by Chapter 5.80 and/or Chapter 5.81 of the Oakland Municipal Code that involves planting, cultivating, harvesting, transporting, dispensing, delivering, selling at retail or wholesale, manufacturing, compounding, converting, processing, preparing, storing, packaging, or testing any part of the plant Cannabis sativa L. or any of its derivatives, pursuant to Health and Safety Code sections 11362.5 and 11362.7-11362.83

B. Every person engaged in a "Medical Cannabis Business" not otherwise specifically taxed by other business tax provisions of this Chapter, shall pay a business tax of \$50.00 for each \$1,000.00 of gross receipts or fractional part thereof.

5.04.481 Non-Medical Cannabis Businesses.

For the Purpose of this Section:

A. "Non-Medical Cannabis Business" means any of the activities described in section 5.04.480 (A) that are not conducted pursuant to Health and Safety Code sections 11362.5 and 11362.7-11362.83, but are otherwise authorized by state law.

B. Every person engaged in a "Non-Medical Cannabis Business" not otherwise specifically taxed by other business tax provisions of this Chapter, shall pay a business tax of \$100.00 for each \$1,000.00 of gross receipts or fractional part thereof.

Section 3. Severability. If a court of competent jurisdiction determines that any provision of this Ordinance, or its application to any person or circumstance is unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 4. California Environmental Quality Act Requirements. This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., including without limitation, Public Resources Code section 21065, CEQA Guidelines 15378 (b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment.

Section 5. Majority Approval; Effective Date. This Ordinance shall be effective only if approved by a majority of the voters voting thereon and after the vote is declared by the City Council. The effective date of this Ordinance shall be January 1, 2011.

Section 6. Council Amendments. The City Council of the City of Oakland is hereby authorized to amend Sections 5.04.480 of the Oakland Municipal Code as adopted by this Ordinance in any manner that does not increase the tax rate, otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution; and be it

PROPOSED ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO INCREASE THE BUSINESS TAX RATE FOR “MEDICAL CANNABIS BUSINESSES” FROM \$18 PER \$1,000 OF GROSS RECEIPTS TO \$50.00 PER \$1,000 OF GROSS RECEIPTS AND CREATING A NEW “NON-MEDICAL CANNABIS BUSINESS TAX” OF \$100.00 PER \$1,000 OF GROSS RECEIPTS

CITY OF OAKLAND MEASURE W

W To support vital city services including public safety, library services, and parks and recreation, shall the Oakland Municipal Code be amended to establish a telephone “access line” tax at a rate of \$1.99 per month per access line and \$13 per month per “trunk line” with all proceeds placed in the City’s General Fund subject to annual audits?	YES
	NO

CITY ATTORNEY’S BALLOT TITLE AND SUMMARY OF MEASURE W

TITLE:

A Proposed Ordinance Amending The Oakland Municipal Code To Add A Telephone Access Line Tax

SUMMARY:

This proposed ordinance would amend the Oakland Municipal Code to establish a new Telephone Access Line Tax at a rate of \$1.99 per month per “access line” and \$13 per month per “trunk line.” The \$1.99 tax per month per “access line” applies to basic residential and business services, as well as to mobile telephones. The \$13 tax per month per “trunk line” applies to telephone lines connecting two telephone exchanges directly. Neither tax would apply to eligible low-income residential customers or to those customers where application of the tax would violate state and/or federal law.

The revenue from the tax will be deposited in the City’s General Fund and can to be used for any municipal governmental purpose.

This measure must be approved by a majority of the voters who cast ballots (50% plus one).

s/JOHN A. RUSSO
City Attorney

CITY ATTORNEY’S IMPARTIAL ANALYSIS OF MEASURE W

If approved by a majority of voters, Measure W would authorize a Telephone Access Line Tax to be levied within the City of Oakland. The City does not currently impose a telephone access line tax on telephone lines of any kind.

The amount of the tax would be one dollar and ninety-nine cents (\$1.99) per month per “access line,” and thirteen dollars (\$13) per month per “trunk line.” The \$1.99 tax per month per “access line” applies to basic residential and business services, as well as to mobile telephones. The \$13 per month per “trunk line” applies to telephone lines between a telephone company’s switching or distribution system and the customer’s switching or distributing system, which in turn branches-out to phones located within the customer’s own network.

The tax would not apply to low-income “Lifeline Service” customers of service suppliers. Nor would it apply where application of the tax would violate state and/or federal law.

If approved, the tax would be effective ten (10) days after the vote is declared by the City Council.

The tax would be a “general tax,” meaning that the revenue raised from the tax would be deposited into the City’s General Fund and may be used for any municipal governmental purpose. Municipal governmental purposes include, but are not limited to, police and fire protection, emergency responses, street repair and maintenance, library facilities, parks and recreation services and other governmental functions and services.

State law authorizes the City of Oakland to levy this tax following approval by a majority of the City Council (5 affirmative votes) and a majority of voters voting in an election on that issue. The Oakland City Council approved this tax on July 26, 2010.

A “yes” vote for Measure W will approve the Telephone Access Line Tax described above; a “no” vote will reject the Telephone Access Line Tax.

s/JOHN A. RUSSO
City Attorney

CITY AUDITOR'S IMPARTIAL FINANCIAL ANALYSIS OF MEASURE W

SUMMARY

Measure W establishes a new monthly tax per telephone line in the City of Oakland. The two types of telephone lines are access lines and trunk lines, each subject to a different tax rate.

1. Access lines include, but are not limited to, connections providing basic residential and business telephone services, including mobile telephone services subscribed to within the City of Oakland. Each access line would be assessed a monthly flat rate of \$1.99 per line.
2. Trunk lines are lines between telephone service suppliers' switching devices and the private branch exchanges or automatic call distributing systems, or other similar devices, at telephone subscribers' locations. Each trunk line would be assessed a monthly flat rate of \$13.00 per line.

The proposed tax, called the Telephone Access Line Tax, would appear separately on the subscriber's telephone bill. All tax proceeds would be placed in the General Purpose Fund. This fund is used to pay for City services such as public safety, libraries, parks and recreation.

If this measure is approved by a majority of voters, the tax will be charged to subscribers beginning April 1, 2011.

FINANCIAL IMPACT

The City estimated the following annual revenue would be generated if this measure is approved:

	Estimated Number of Lines	Rate	Monthly Revenue	Annual Revenue
Residential Telephone Access Line	312,124	\$1.99	\$621,127	\$7,453,524
Commercial Telephone Access Line	32,165	\$1.99	\$64,008	\$768,096
Trunk Line	337	\$13.00	\$4,381	\$52,572
Total				\$8,274,192

City staff only estimated the number of landline and mobile telephone connections in its revenue projection.

This measure allows the tax rates to increase annually based on changes in the Consumer Price Index (CPI) for the San Francisco Bay Area. Rate increases cannot exceed five percent for any one year.

Based on our analysis of the data provided by City staff, the projected annual revenues from collection of the Telephone Access Line Tax appear to be reasonable. We relied on the best available data at this time, however actual results may vary from estimates above.

s/COURTNEY A. RUBY, CPA, CFE
City Auditor

ARGUMENT IN FAVOR OF MEASURE W

Measure W is a broad-based and low-cost solution to preserving some of our vital public services.

Measure W would support 911 services as well as other critical City of Oakland programs such as parks, libraries, and senior centers. Measure W would raise about \$8 million annually.

This Measure would help protect essential City services from new cuts during the City's fiscal emergency due to the unforeseen global and national economic recession. The City has already made major spending reductions: programs and services have been cut; many hundreds have been laid off; and remaining employees have taken significant reductions in salary and benefits.

Lifeline and pre-paid calling card customers would be exempt from paying any new taxes under this Measure. An annual independent audit of all Measure W funds would be required.

Measure W is supported by a broad coalition of Oaklanders committed to providing vital public services to Oakland residents.

s/Fr. Jesus Nieto-Ruiz

Co-Chair Oakland community Organizations (OCO)

s/Vien Truong

Vice-Chair, Planning Commission

s/Kimberly Mayfield Lynch

Professor Holy Names University

s/George McDaniel Jr.

Independent Consultant

s/Barry Pilger

Oakland Business Owner

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE W

A “Phone Tax” - What’s next, a Dog Walking Tax or a Jog Around The Lake Tax?

The proponents of this abusive phone tax call it a low cost solution. Don’t be fooled, it is neither low cost nor a solution.

The Cost \$2.00 (\$1.99) per phone, per month. A family with three or four cell phones and a land line will be taxed an additional \$100 bucks a year and the \$13.00 trunk line monthly tax adds up to an additional \$156.00 per year.

Vital Public Services The proponents claim this Phone Tax will support 911 services and preserve other critical public programs. They even have the audacity to name those services as, parks, libraries, and senior centers.

They LIE! As pointed out in the Argument Against (under WARNING) this proposed phone tax is a “General Fund Tax” (Const. Article XIIC, Section (a) and Section 2(a), (b)) as opposed to a “Special Tax” requiring a 2/3 vote. Read the Measure, it clearly states, “with all proceeds placed in the General Fund” and “to be expended for general fund purposes”.

More likely than not, these funds (TAXES) will go to pay huge City pension debt obligations and escalating Bond debt - NOT vital services as the proponents and the City so deviously claim.

We control the purse strings - the only way we can STOP the runaway spending is to STOP the runaway taxation - Vote NO! on MEASURE W.

s/David E. Mix
Native Oaklander

ARGUMENT AGAINST MEASURE W

TAXES, TAXES, TAXES, and more TAXES

The City of Oakland, the City Council, the City Administrator, and its totally inept oversize bureaucracy doesn’t have a clue. They blame the Police Department, the Fire Department, the Unions, and the Employee’s Pension System. And, if we don’t approve these “TAX” Measures - they will blame us.

They blame everyone but themselves - the ones who directly created the mess we are now in. Oakland now has an annual (all funds) budget of One Billion Dollars (\$1,000,000,000). It is exceedingly apparent the City is not bashful about spending money. It is also very clear that they have absolutely no concept of how to run a City.

IT IS TIME TO STOP! STOP blaming Proposition 13 (that was over 30 years ago). STOP blaming the economy - by the City’s own records the revenue decline is only \$69 mil. while their budget short-fall amounts to more than \$272 mil.

Clearly, the City has spent far more money than can be blamed on the “economic down-turn”. Over the past several years it has robbed Peter to pay Paul, created an enormous “bond debt”, squandered redevelopment funds and engaged in numerous other shaky financial deals.

Regrettably, the City is so deep in debt that even if all of their proposed tax measures pass, it will not be enough. It will only prolong their problem for eighteen months to two years at best, at which time they will be back for more money - more taxes - it is inevitable.

WARNING -This “Phone Tax” only requires a simple majority vote because the proceeds go to the “general fund” (to be lost forever) and not specifically for the particular “vital” services that the City implies.

VOTE NO! on the Telephone Tax

s/David E. Mix
Native Oaklander

s/Ken Pratt
Neighborhood Activist

REBUTTAL TO ARGUMENT AGAINST MEASURE W

A YES vote on Measure W will help protect Oakland's 911 response, police and fire services, and other vital Oakland institutions such as parks, libraries and senior centers.

Measure W is a low-cost and broad-based effort to help respond to the economic crisis we all face.

Measure W includes exemptions for lifeline, low income and pre-paid calling card customers.

The national recession has caused a major decline in City revenues.

Before going to the voters, the City cut everything possible: spending was reduced over 20%; staff was cut; hundreds were laid off; remaining staff took major pay and benefit reductions.

Measure W includes accountability requirements with required annual independent audits and a public oversight committee.

Measure W is supported by Oakland's firefighters, police officers and many neighborhood and community organizations.

The global recession has hurt all of us. Measure W asks our community to invest less than \$2 a month to help fund vital city services.

Please vote YES on Measure W.

s/Fr. Jesus Nieto-Ruiz

Co-Chair Oakland community Organizations (OCO)

s/Gerald Simon

Fire Chief

s/Susan Montauk

Chair of Oakland's Parks Coalition

s/Doug Boxer

Attorney

FULL TEXT OF MEASURE W

WHEREAS, numerous cities in the Bay Area impose a telephone access line tax and;

WHEREAS, the City of Oakland (“City”) is facing a rising deficit as a consequence of the severe economic crisis and;

WHEREAS, the City has made significant cuts to the budget, including, but not limited to, laying off employees and reducing staff salaries and;

WHEREAS, the Oakland City Council (“City Council”) would like to ensure that the City has the financial resources necessary to preserve the public health, safety, and welfare of the City and;

WHEREAS, in light of the deficit and the City’s desire to continue to provide a wide array of City services including but not limited to park, library and public safety services and to maintain the City’s infrastructure (e.g. sidewalks, streets, and public facilities), the City Council determines that it is in the best interest of the City to submit a telephone access line tax to the voters and;

WHEREAS, the City will deposit all revenues it receives from the tax in the general fund of the City to be expended for general fund purposes and;

WHEREAS, at the general election of November 2, 1996, the voters of the State of California amended the state constitution, adding Article XIII C, which requires that the voters approve all new taxes and tax increases before they become effective and;

WHEREAS, the voters’ approval of the Telephone Access Line Tax will impose or increase general taxes, as that term is defined in Article XIII C, section 1(a) of the California Constitution; and now, therefore, be it

RESOLVED, that the City Council does hereby submit to the voters at the statewide general election, not more than 88 days and not more than 150 days from the date of passage of this resolution, the text of the proposed ordinance, which shall read as follows:

Section 1. The Municipal Code is hereby amended to add the sections as set forth below.

Section 2. Code Amendment. The Oakland Municipal Code is hereby amended to include Chapter 4.29 to read as follows:

4.29. Telephone Access Line Tax

- A. This ordinance shall be known as the Oakland Telephone Access Line Tax Ordinance.
- B. Definitions. For the purpose of this Section, certain words and phrases are defined and certain provisions shall be construed as herein set out, unless it shall be apparent from the context that they have a different meaning:

“Access line” means any connection from a customer within the geographic boundaries of the City of Oakland to a supplier of telephone service offered to the public for compensation. “Access line” includes, but is not limited to, connections providing residential basic exchange service, business basic exchange service, PBX service (private

branch exchange), foreign exchange service, and Centrex service. “Access line” also includes a connection from a single mobile telephone to a commercial mobile radio service, as defined in Section 20.3 of Title 47 of the Code of Federal Regulations as this section existed on October 1, 2002, which has as its place of primary use, as defined in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 124(8), a location within the City of Oakland.

“Lifeline service” means discounted telephone service available to eligible low-income residential customers.

“Post-paid calling service” means the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service without the provisioning of an access line.

“Prepaid calling service” means the right to access telephone communications service, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount, without the provisioning of an access line.

“Service supplier” means any person supplying a telephone access line to any telephone communications service subscriber at a location within the City of Oakland. Service suppliers may include, without limitation, local exchange carriers, inter-exchange carriers, competitive access providers, cable television providers offering telecommunications services, suppliers of wireless telephone service, and any other entity offering direct connections between their premises and the premises of telephone communications service subscribers.

“Telephone corporation” shall have the same meaning as defined in Section 234 of the Public Utilities Code of the State of California, or the most comparable successor definition. It also includes any person providing wireless telephone service to any telephone communications service subscriber.

“Telephone service” means access to a telephone system, providing two-way telephonic quality communication with substantially all persons having telephone or radio telephone stations constituting a part of such telephone system, whether or not such service uses transmission wires. For the purposes of the tax imposed by this Article, a person shall be construed to subscribe to “telephone service” within the City of Oakland if he or she has a “place of primary use” as such term is defined in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sec-

tion 124(8), within the geographic boundaries of the City of Oakland. "Telephone service" does not include any system that is expressly excluded from the definition of "access line" or "trunk line."

"Telephone communications service subscriber" means any person who receives telephone service or its function.

"Trunk line" means a line between a service supplier's switching device and a private branch exchange or automatic call distributing system, or other similar device, at a telephone subscriber location.

C. There is hereby imposed a tax on every person who subscribes to telephone services within the City of Oakland to the extent permitted by Federal and State law. The tax shall apply to each access line within the City's tax jurisdiction, including, without limitation, access lines billed to a telephone account having a situs in the City, as permitted by the Mobile Telecommunications Sourcing Act, 4 U.S.C. §116 et seq. There is a rebuttable presumption that service billed to a billing address or provided to a service address in the City is used, in whole or part, within the City's boundaries and that such service is subject to taxation under this Article.

D. The amount of the tax imposed shall be one dollar and ninety-nine cents (\$1.99) per month per access line, and thirteen dollars (\$13) per month per trunk line.

The tax imposed by this chapter shall be paid, on a per line basis, by the person paying for such telephone service.

Only one payment of the tax herein imposed shall be required for any single access line or trunk line, notwithstanding that access lines of more than one telephone corporation are used in furnishing telephone communications service to a telephone communications service subscriber.

Beginning in Fiscal Year 2011-2012, and every fiscal year thereafter, the City shall increase the tax imposed based on the change in the San Francisco Bay Area, as shown by the Consumer Price Index (CPI) for all Urban Consumer for all items in the San Francisco Bay Area as published by the U.S. Department of Labor Statistics, as reported by the City Administrator at a City Council meeting, unless the City Council adopts a resolution rejecting the increase within 60 calendar days. To determine whether the CPI has increased, the City Administrator, at her or his discretion, may use the CPI for the prior calendar year, or for another recent 12-month period as the index year. In no event shall any adjustment exceed five percent (5%) for any one year.

E. The tax imposed by this Chapter shall be collected from the telephone communications service subscriber by the service supplier.

The tax required to be collected by service suppliers under this ordinance shall be added to and stat-

ed separately in the service supplier's billings to telephone communications service subscribers. The charge in such billings shall include only the amount authorized by this Chapter, and shall not include any additional charges or fees which may be imposed by the service supplier to recover the cost of collecting the tax.

Nothing in this Chapter is intended to regulate the ability of a service supplier to recover any costs of collecting the tax imposed under this Chapter, to the extent that recovery may be authorized by state or federal law.

Except as otherwise stated in this Chapter, the tax imposed by this Chapter shall be collected and remitted at the same time as and in the same manner as the tax imposed by Section 30 of Chapter 4.28 of the Oakland Municipal Code.

F. The following are exempt from this tax:

1. Lifeline service customers of service suppliers;
2. Service suppliers;
3. Coin-operated telephones;
4. Prepaid calling services or post-paid calling services;
5. Any person when imposition of such tax upon that person would violate the Constitution of the United States or that of the State of California or preemptive federal or state law; and
6. City of Oakland, County of Alameda, Oakland Unified School District, State of California and United States Government offices.

G. Annual Audit.

An independent audit shall be performed to assure accountability and the proper disbursement of the proceeds of this tax.

Section 3. Severability. If a court of competent jurisdiction determines that any provision of this Ordinance, or its application to any person or circumstance is unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person and circumstance and, to that end, the provisions hereof are severable.

Section 4. California Environmental Quality Act Requirements. This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., including without limitation Public Resources Code section 21065, CEQA Guidelines 15378(b)(4) and 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment.

Section 5. Majority Approval; Effective Date. This Ordinance shall be effective only if approved by a majority of the voters voting thereon and after the vote is declared by the City Council. The effective date of this Ordinance shall be ten (10) days after the vote is declared by the City Council.

Section 6. Council Amendments. The City Coun-

cil is hereby authorized to amend Chapter 4.29 of the Oakland Municipal Code as adopted by this Ordinance in any manner that does not increase the tax rate, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution

CITY OF OAKLAND MEASURE X

X To support, protect and enhance vital public safety and violence prevention services including violence reduction programs, shall the City of Oakland levy a \$360 per single family residential unit parcel tax for 4 1/2 years which is subject to annual reviews of all funds, and rigorous oversight by a citizens committee?	YES
	NO

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE X

Title:

A Proposed Ordinance Establishing A Temporary Parcel Tax To Assist the City In Supporting, Protecting and Enhancing Vital Public Safety And Violence Prevention Services

Summary:

This proposed ordinance raises revenue to fund 911 response and dispatch, police and fire services, police investigations and violence prevention programs in the City of Oakland.

The revenue will come from a temporary new parcel tax, which runs through July 2016.

The City may use the revenue for 911 police and fire response and dispatch, community and neighborhood policing, park policing, and police investigations and oversight. With respect to the revenue raised by this temporary parcel tax, a minimum of 75 percent of all moneys appropriated must be appropriated for these police and fire services.

The City may also use tax proceeds for violence prevention services, including but not limited to outreach workers.

The parcel tax will be \$360.00 for a single family residential parcel, \$245.95 for each unit in a multi-family residential parcel. For non-residential parcels, the parcel tax varies depending on the frontage, area and use of the property. See the formula at Part 3, Section 2(c). There is an exemption for low income households.

s/JOHN A. RUSSO

City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE X

California cities may impose special taxes only if two-thirds of a city's voters approve the tax. (California Constitution, Art. 13A §4 and Art. 13C § 2.) A "special" tax is a tax that the City can use only for the purposes specified in the tax measure. (California Constitution, Art. 13C §1.) To fund 911 response and dispatch, police and fire services, investigations and violence prevention programs, this measure asks that Oakland voters approve a temporary parcel tax. The tax would be effective for fiscal year 2012 through fiscal year 2016. Upon two-thirds voter approval the tax rates as calculated in this measure would comply with the California Constitution.

Purpose of the Tax

The revenues generated from this tax may be expended for any of the following:

- 911 police and fire response
- 911 police and fire dispatch
- Community and neighborhood policing
- Park policing
- Police investigations and oversight
- Costs, including but not limited to recruitment, training and equipment costs, to provide the police and fire services listed above.
- Violence prevention services, including but not limited to, outreach workers
- Annual costs of administering the ordinance (such as evaluation, financial reviews, tax collection, calculation of the amounts of the tax for each parcel), but no more than five percent of the annual amount appropriated from the measure's funds

With respect to the revenue raised by this temporary parcel tax, a minimum of 75 percent of all moneys appropriated must be appropriated for these police and fire services.

This measure would allow the City to incur indebtedness to provide these services in fiscal year 2010-2011.

Annual Review

This measure also requires an annual review by the City's chief fiscal officer. It also provides that the City's existing oversight committee for Measure Y, the Violence Prevention and Public Safety Oversight Committee, review the annual review, evaluate, inquire and review the administration, coordination and evaluations of the programs and make recommendations to the Mayor and City Council.

Term of the Tax: Amount of Tax

This is a temporary tax with tax payments for only four years at the annual rates described below, with an additional year taxed at 50% of the annual rates. For residential property parcels, the annual parcel tax rate would be (1) \$360.00 for single-family parcels and (2) \$245.95 per unit for multi-unit residential parcels. For non-residential parcels, the tax would be \$184.38 multiplied by the

number of “Single Family Equivalents (“SFE”). A property’s SFE number is based on the parcel’s frontage and square footage. (See the Proposed Ordinance, Part 3, Section 2(c) for the formula.) Beginning in Fiscal Year 2012-13, the City Council may increase the taxes by Consumer Price Index (“CPI”) for the San Francisco Bay Area, up to 5% annual cap.

For fiscal year 2015-2016, the tax rates would be at 50 percent of the above rates.

There is an exemption for low income households. An owner who lives on the parcel and whose income is considered “very low income” as to qualify for public housing under federal law qualifies for the exemption.

The measure authorizes the City Council to later amend the City’s Rent Adjustment Ordinance to allow owners of rental units to pass through of half of the tax to tenants. The City Council must decide to adopt the amendments for the pass through to take effect.

All funds collected from the parcel tax will be deposited into a separate account.

A “yes” vote for Measure X will approve the parcel tax; a “no” vote will reject the parcel tax.

s/JOHN A. RUSSO
City Attorney

CITY AUDITOR’S IMPARTIAL FINANCIAL ANALYSIS OF MEASURE X

SUMMARY

Measure X authorizes the City of Oakland to impose a temporary parcel tax on residents in the City of Oakland for 4.5 years beginning fiscal year (FY) 2011-12. The tax proceeds may be used for the following:

- Police and Fire services, including response and dispatch, community policing, park policing and investigation and oversight. A minimum of 75% of annual parcel tax may be used only for any of the Police and Fire services listed here.
- Violence prevention services, including, but not limited to, outreach workers.
- Cost of administering the ordinance. However, no more than 5% of the annual parcel tax may be used for administering the ordinance.

Under the proposed parcel tax increase, single-family residential parcels will incur an annual rate of \$360 per parcel. Multiple-family residential unit parcels will incur an annual tax of \$245.95 (units vacant for six months or more per fiscal year, may apply to have the rate reduced by 50% to \$122.97 per vacant residential unit located on the parcel). Non-residential parcel taxes are calculated based on the size of the property.

In November 2008, the City of Oakland maintained a police force of approximately 800 officers. Staffing is currently below 696 officers and is expected to be reduced by another 122 officers if November revenue measures fail to pass.

If this measure is approved by a majority of voters, the new parcel tax rate will be effective beginning January 1, 2011.

FINANCIAL IMPACT

In FY 2009-2010, \$13,667,809 in parcel taxes were collected by the City from Single-Family, Multiple-family, and Non-Residential parcel/units. Under the proposed parcel tax increase, the City is projecting to receive \$54,234,580 in parcel taxes for FY 2011-2012, a 296.8% increase in parcel taxes from FY 09-10 to FY 11-12. The increase under each classification is shown below:

<u>Classification</u>	<u>Current Assessment FY 09-10</u>	<u>Current Assessment Collected FY 09-10</u>	<u>Proposed Assessment FY 11-12</u>	<u>Proposed New Assessment FY 11-12</u>	<u>Proposed % increase</u>
Single-Family	\$90.73	\$7,335,929	\$360.00	\$29,107,800	296.8%
Multi-Family	\$61.98	\$4,900,826	\$245.95	\$19,447,535	296.8%
Non-Residential	\$46.46	<u>\$1,431,054</u>	<u>\$184.38</u>	<u>\$5,679,245</u>	296.8%
		\$13,667,809		\$54,234,580	

The total amount in parcel tax revenue projected for all years is \$246,509,752. However, the projected net revenue after exemptions and fees is \$238,393,376, as illustrated below:

Year	Fiscal Year (FY)	<u>Estimated Revenue prior to exemptions, delinquency & County fees</u>	<u>Net Estimated Revenue after exemptions & fees</u>
1	FY 11-12	\$54,234,580	\$50,061,766
2	FY 12-13	\$54,234,580	\$52,160,765
3	FY 13-14	\$54,776,926	\$53,641,689
4	FY 14-15	\$55,324,695	\$54,817,892
1/2 of 5 th yr	FY 15-16	\$27,938,971	\$27,711,264
	Total	\$246,509,752	\$238,393,376

The estimated increase in revenue will be deposited into a special fund in the City Treasury and shall be appropriated and expended only for purposes authorized in this measure.

Based on our analysis of the data provided by City staff, the projected revenues appear accurate. We relied on the best data available at this time, however actual results may vary from estimates above.

s/COURTNEY A. RUBY, CPA, CFE
City Auditor

ARGUMENT IN FAVOR OF MEASURE X

Measure X will make Oakland safer during this time of fiscal emergency.

This temporary Measure prevents the lay-off of 202 police officers, over 25% of Oakland's police force. It helps to maintain critical services such as fire, violence prevention, parks, libraries, and senior centers.

Why is Measure X necessary?

Like other cities, the City of Oakland's revenues have been severely hit by the global economic recession; this year's revenues are over \$70 million less than in 2006. The City has taken drastic measures to reduce spending: hundreds have been laid off and remaining employees have taken significant reductions in salary and benefits.

Yet, remaining City funds are insufficient to maintain basic services, including police and fire services, which alone account for about 75% of the General Fund.

This year, the City was forced to lay-off 80 police officers and approved the lay-off of an additional 122 officers for December. In addition, other City services would face further reductions. Measure X allows us to avoid these drastic actions.

We know times are tough, which is why Measure X is temporary and will sunset in four years as the economy stabilizes. There are also exemptions or rebates for low-income owners and tenants.

Measure X requires a citizen oversight committee and annual independent audits.

The City's public safety strategies have been working. Crime in Oakland has declined consecutively for the past 3 years. Homicides have declined over 25% and overall crime, including burglaries, robberies and other violent crimes, has declined substantially.

Measure X provides us with the necessary temporary solution to fund Oakland's public safety priorities.

Vote Yes on Measure X. Join us in investing in Oakland's future.

s/Jane Brunner

City Council President

s/Larry Reid

Chair, Public Safety Committee

s/Phillip H. Tagami

Oakland Resident

s/Geoff Collins

Oakland Gang Prevention Task Force

s/Dom Arotzarena

President, Oakland Police Officers' Association

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE X

Measure X is a new \$1,552 tax (4 years at \$360 plus a 5% yearly increase).

This money will be controlled by the City Council — the same Council that increased Mayor Dellums salary from \$98,000 to \$183,000 per year. The same Council that increased parking fees while continuing to provide themselves free parking 24/7 and is proposing an additional \$24 tax on every phone line you use, including cell phones.

There are no guarantees that this additional money will be used for public safety or avoid layoffs of police. Only the Council will determine how the money will be used.

The average income for Oakland households is less than \$50,000. This tax is an unfair burden on them, on low-income residents and seniors. People living in million dollar homes in the hills pay the same \$1,552 tax as low-income seniors living in small homes in East Oakland. Renters will pay an additional \$776. Many Oakland residents simply can't afford an additional tax this huge.

Council members want you to believe passage of this measure will require police to pay more into their pensions. This is false. Win or lose police officers will need to begin paying into their pension plans. They know that and Council members know that.

This measure is about one thing - asking you to bail out the Council for their failed leadership. Tragically, the burden of this hastily thought-out plan falls on those in our community least able to afford it.

Join me voting NO.

s/Don Perata
Former State Senator

ARGUMENT AGAINST MEASURE X

This measure would add a new property tax of \$360 per parcel in Oakland. This would bring the current fixed taxes to \$1,100.02 annually representing a 48% increase. You'd pay the tax regardless of income level or property value. This tax will be passed onto renters, resulting in higher rents. This is a regressive tax and should be defeated.

We urge a "NO" vote. There's NO guarantee that more money will translate into increased public safety. This measure doesn't include a minimum staffing requirement for our police department, nor does it guarantee that the funds will be used to hire police; it only includes a laundry list of things the tax "may be used for."

Oakland has the HIGHEST property tax rate in Alameda County. In 2008, Oakland homeowners paid \$7,300 in property taxes on a home worth \$500,000; the average in Alameda County was \$6,300.

Oakland's unemployment rate of 17.2% has led to thousands of foreclosures. In the last three years 11,119 properties in Oakland have gone into foreclosure proceedings, with rates this high, it's unfathomable that homeowners be asked to pay more taxes.

It is outrageous that Police Officers contribute ZERO to their pensions while most city employees contribute an average of 9%. The police union refuses to contribute to their pension unless this tax is passed and they get a 3-year guarantee of no lay-offs! What Oakland needs is structural change, change that can be achieved without increasing taxes; Government needs to do more with less just like everyone else in this down economy.

Before voters approve additional taxes, let's demand implementation of systems that show efficient use of resources, measure workloads and ensure accountability.

We urge a NO Vote. This is another tax-grab without proof that our tax dollars are spent wisely and efficiently.

s/Ignacio De La Fuente
Council Member, District 5

s/John Protopappas
Oakland Business Owner/Resident

s/Charles Porter
Former Member
Community Policing Advisory Board

s/Kathy Kuhner
Co-chair Oakland Builder's Alliance

REBUTTAL TO ARGUMENT AGAINST MEASURE X

This temporary Measure prevents the layoff of 202 police officers, over 25% of Oakland's police force.

Keeping Oakland safe will cost homeowners half a cup of coffee a day and renters far less.

Opponent statements are very misleading.

- Renters will pay between \$0 to \$10/month; homeowners will pay less than \$1/day. Measure X provides exemptions or rebates for low-income homeowners and low-income renters in foreclosures.
- It WILL fund police, fire, and neighborhood problem-solving services. It brings back the 80 officers laid-off in July and will prevent the lay-off of an additional 122 officers. It will also fund violence prevention services.
- The City has already engaged in structural changes to reduce its spending. City General Fund spending has decreased by over 20 percent since 2006. All City employees have taken severe pay reductions and cut City benefits costs to help solve the fiscal crisis.
- With Measure X, Police WILL pay their full retirement share — in addition to major reductions taken last year

In past disasters — the Loma Prieta earthquake and Oakland Hills fire — Oaklanders pulled together to lift our city out of crisis. The current economic crisis is no different. The City has already cut expenses deeply and cannot make further cuts without either laying off more police or eliminating vital services like libraries, parks and senior centers.

With the continuous reduction in crime over these 3 years, we are on the right path. We cannot afford to derail our progress.

Vote Yes on Measure X.

s/Ronald V. Dellums
Mayor

s/Barry Pilger
Oakland Business Owner

s/Barry Luboviski
Labor Activist

s/Jane Brunner
President of City Council

s/Larry E. Reid
Chair, Council Public Safety Committee

FULL TEXT OF MEASURE X

WHEREAS, at the general election of November 2, 1996, the voters of the State of California amended the state constitution, adding Article XIII C, which requires that the City of Oakland submit all new taxes and any tax increase to the voters for their approval before they become effective; and

WHEREAS, the City of Oakland is facing an unprecedented budget deficit in its General Purpose Fund due to the local impacts from the global, national, state, and regional recession; and

WHEREAS, as a result of that economic recession City of Oakland General Purpose Fund revenues have gone from \$491 million in 2006 down to a projected \$401 million for the 2011 fiscal year; and

WHEREAS, Police and Fire services account for almost 75% of the General Purpose Fund; and

WHEREAS, the City has been implementing a multi-prong approach to public safety that includes prevention, intervention, enforcement, and sustainability (PIES) strategies; and

WHEREAS, beginning in November 2008, the City of Oakland maintained a police force of about 800 officers and is currently down to 696 officers and will be reduced by another 122 officers should November revenue measures fail to pass; and

WHEREAS, there are currently insufficient funds to provide for the approved Police and Fire staffing levels; and

WHEREAS, in 2009, homicides were down approximately 20 percent and overall crime, including burglaries, robberies and other violent crimes, was down more than 10 percent; and

WHEREAS, the City of Oakland is committed to the continuation of a multi-prong public safety approach; and

WHEREAS, adoption of a temporary parcel tax for public safety and violence prevention will assist the City in maintaining police and fire services and other critical public services, such as parks, libraries, museum, and senior centers; and

NOW, THEREFORE BE IT RESOLVED:

That the City Council of the City of Oakland does hereby submit to the voters at the November 2, 2010 general election, an ordinance, which reads as follows:

PART 1. GENERAL

Section 1. TITLE.

This ordinance may be cited as the "Violence Prevention and Public Safety Act of 2010."

Section 2. FINDINGS

1. This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment.

2. Nothing in this ordinance is intended to preclude owners from recovering the tax from the occupant.

Whether the occupant is charged depends on the occupancy agreement and the requirements of the City's Residential Rent Adjustment Program. (Oakland Municipal Code Chapter 8.22.)

Section 3. USE OF PROCEEDS

The tax proceeds raised by this ordinance may be used only for any of the following purposes:

- 911 police and fire response
- 911 police and fire dispatch
- Community and neighborhood policing
- Park policing
- Police investigations and oversight
- A minimum of 75% of the annual amount appropriated may be used only for any of the police and fire services listed above.
- Costs, including but not limited to recruitment, training, equipment, and internal support service costs, to provide the police and fire services listed above
- Violence prevention services, including but not limited to, outreach workers
- Not more than five percent of the amount appropriated annually for the annual costs of administering the ordinance (such as evaluation, financial reviews, tax collection, calculation of the amounts of the tax for each parcel)

PART 2. OVERSIGHT, MINIMUM STAFFING AND TERM OF TAX IMPOSITION

Section 1. ANNUAL REVIEW.

An annual review shall be performed to assure accountability and the proper disbursement of the proceeds of this tax in accordance with the objectives stated herein in accordance with Government Code sections 50075.1 and 50075.3.

Section 2. SPECIAL FUND

The City shall deposit into a special fund in the City treasury all funds collected by the City from the taxes imposed by this ordinance and shall appropriate and expend such funds only for the purposes authorized by this Ordinance.

Section 3. OVERSIGHT

The Violence Prevention and Public Safety Oversight Committee established by Measure Y, the Violence Prevention and Public Safety Act of 2004 shall review the annual review, evaluate, inquire and review the administration, coordination and evaluations of the programs and make recommendations to the Mayor and the City Council for any new regulations, resolutions or ordinances for the administration of the programs to comply with the requirements and intent of this Ordinance.

Section 4. TERM OF TAX IMPOSITION

The taxes shall be imposed fiscal year 2011-2012 through, and including, fiscal year 2015-2016. For fiscal 2015-2016 the tax shall be imposed at only half of the rate as specified in Part 3, Section 2.

Section 5. SAVINGS CLAUSE.

If a court of competent jurisdiction determines that any provision, sentence, clause, section or part of this ordinance is unconstitutional, illegal or invalid, the courts' finding shall affect only the provision, sentence, clause, section or part of this ordinance that the courts have found to be unconstitutional, illegal or invalid and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared to be the intention of the City, that the City would have adopted this ordinance if any such unconstitutional, illegal or invalid provision, sentence, clause, section or part of this ordinance had not been included in this ordinance.

If the courts find that any tax or surcharge imposed by this ordinance is unconstitutional, illegal or invalid, the amounts, services, programs and personnel (as set forth in Part 3) that such taxes and surcharges are required to fund, shall be reduced proportionately by any revenues lost due to such unconstitutionality, illegality or invalidity.

Section 6. REGULATIONS.

The City Council is hereby authorized to promulgate such regulations or ordinances as it may deem necessary in order to implement or clarify the provisions of this ordinance.

Section 7. CHALLENGE TO TAX.

Any action to challenge the taxes imposed by this ordinance shall be brought pursuant to Government Code section 50077.5 and Code of Civil Procedure section 860 et seq.

PART 3. PARCEL TAX

Section 1. DEFINITIONS.

The following terms shall be defined as set forth below:

“Building” shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word “Building” includes the word “structure.”

“Community and neighborhood policing” shall mean any cost for neighborhood beat officers, officers to respond to school safety and truancy, officers to investigate and respond to illegal narcotic transactions and commission of violent crimes in identified violence hot spots, officers to team with social service providers to intervene in situations of domestic violence and child abuse, including child prostitution, staffing for neighborhood problem-solving, engagement and crime prevention programs.

“Family” shall mean one or more persons related by blood, marriage, domestic partnership, or adoption, who are living together in a single residential unit and maintaining a common household. Family shall also mean all unrelated persons who live together in a single Residential Unit and maintain a common household.

“Hotel” shall mean as defined by Oakland Municipal Code section 4.24.020.

“Multiple Residential Unit Parcel” shall mean a parcel zoned for a building, or those portions thereof, that accommodate or is intended to contain two or more residential units.

“Non-Residential” shall mean all parcels that are not classified by this ordinance as Residential Parcels, and shall include, but not be limited to, industrial, commercial and institutional improvements, whether or not currently developed.

“Occupancy” shall be as defined by Oakland Municipal Code section 4.24.020.

“Operator” shall be as defined by Oakland Municipal Code section 4.24.020.

“Owner” shall mean the Person having title to real estate as shown on the most current official assessment role of the Alameda County Assessor.

“Parcel” shall mean a unit of real estate in the City of Oakland as shown on the most current official assessment role of the Alameda County Assessor.

“Person” shall mean an individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

“Possessory Interest” as it applies to property owned by any agency of the government of the United States, the State of California, or any political subdivision thereof, shall mean possession of, claim to, or right to the possession of, land or Improvements and shall include any exclusive right to the use of such land or Improvements.

“Residential Unit” shall mean a Building or portion of a Building designed for or occupied exclusively by one Family.

“Single Family Residential Parcel” shall mean a parcel zoned for single-family residences, whether or not developed.

“Transient” shall mean any individual who exercises Occupancy of a hotel or is entitled to Occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. Any individual so occupying space in a Hotel shall be deemed to be a Transient until the period of thirty (30) consecutive days as elapsed.

“Vital Public Safety and Violence Prevention Services” shall mean the services listed in Part 1, Section 3 of this Ordinance.

“Violence Prevention” shall mean violence prevention social services programs provided by or facilities operated by the City of Oakland or community-based non-profit organizations.

Section 2. IMPOSITION OF PARCEL TAX.

There is hereby imposed a special tax on all parcels in the City of Oakland. The tax imposed by this Section shall be assessed unless the parcel is by law exempt from taxation.

The tax hereby imposed shall be at the following rates, subject to annual adjustment as provided in Section 4:

(A) For all Single Family Residential Parcels, the tax shall be at the annual rate of \$360.00 per Parcel.

(B) For all Multiple Residential Unit Parcels, the

tax shall be at the annual rate of \$245.95 per occupied Residential Unit. Units that are vacant for six months or more per fiscal year, may apply to the Director of Finance to have the rate reduced by 50% to \$122.97 per vacant Residential Unit located on the Parcel.

(C) The tax for Non-Residential Parcels is calculated using both frontage and square footage measurements to determine total Single Family Residential Unit Equivalents (SFE). A frontage of 80 feet for a commercial/institutional parcel, for example, is equal to one (1) single family resident unit equivalent. (See matrix.) An area of 6,400 square feet for the commercial/institutional parcel is equal to one (1) single family resident unit equivalent. The tax is the annual rate, \$184.38, multiplied by the total number of Single Family Equivalents (determined by the frontage and square footage).

LAND USE CATEGORY	FRONTAGE	AREA (SF)
Commercial/Institutional	80	6,400
Industrial	100	10,000
Public Utility	1,000	100,000
Golf Course	500	100,000
Quarry	1,000	250,000

Example: assessment calculation for a Commercial/Institutional Parcel with a Frontage of 160 feet and an Area of 12,800 square feet:

Frontage

$$160 \text{ feet} \div 80 = 2 \text{ SFE}$$

Area

$$12,800 \text{ square feet} \div 6,400 = 2 \text{ SFE}$$

$$2 \text{ SFE} + 2 \text{ SFE} = 4 \text{ SFE}$$

$$4 \text{ SFE} \times \$184.38 = \$737.52 \text{ tax}$$

(D) The tax imposed by this Ordinance shall be imposed on each Hotel within the City in accordance with the following:

Residential Hotels. If rooms in a Hotel were occupied by individuals who were not Transients for 80% or more of the previous fiscal year, such Hotel shall be deemed a Residential Hotel, and such rooms shall be deemed Residential Units and shall be subject to the Parcel tax imposed on Multiple Residential Units. The remainder of the Building shall be subject to the applicable Square Footage tax computed in accordance with the Single Family Residential Unit Equivalent calculations.

Transient Hotels. Notwithstanding the previous sub-section, a Hotel shall be deemed a Transient Hotel if the Operator reported 80% or more of the Operator's gross receipts for the previous fiscal year as rent received from Transients on a return the Operator filed in compliance with section 4.24.010 of the Oakland Municipal Code (commonly known as the Uniform Transient Occupancy Tax of the City of Oakland). If a Hotel is deemed a Transient Hotel under this section, the entire Building (1) shall be deemed a Non-Residential Parcel, categorized as Commercial, Institutional, and (2) shall be subject to the Square Footage and Single Family Residential Unit Equivalent calculations set forth in Section 2(C), and the parcel tax imposed on Residential Units shall not apply.

(E) For fiscal 2015-2016 the tax shall be imposed at half of the rate specified above, rounded down to the nearest even cent.

Section 3. EXEMPTIONS, REBATES, REDUCTIONS AND PASS-THROUGHS.

(A) Low income household exemption. The following is exempt from this tax: an Owner of a single family residential unit (1) who resides in such unit and (2) whose combined family income, from all sources for the previous fiscal year, is at or below the income level qualifying as "very low income" for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.,) for such fiscal year. Owners must apply for the exemption provided for in this section annually by petition to the Director of the Finance and Management Agency of the City of Oakland ("Director of Finance") in the manner and time set forth in procedures established by the Director of Finance. Such petitions shall be on forms provided by the Director of Finance and shall provided such information as the Director of Finance shall require, including, but not limited to, federal income tax returns and W-2 forms of owner-occupants eligible for this exemption.

(B) Tenant pass-through. The City Council is directed to amend the Rent Adjustment Ordinance (O.M.C. 8.22.010, *et seq.* or successor ordinance) to provide that owners of rental units subject to the Rent Adjustment Ordinance may pass through one-half of the tax and subsequent increases thereto (as set out in Part 3, Section 2(B)) to their tenants in the form of a rent increase when the Base Amount of the Tax is imposed or increased.

(C) Fifty percent reduction for affordable housing projects. Rental housing owned by nonprofit corporations and nonprofit-controlled partnerships for senior, disabled and low income households that are exempt from *ad valorem* property tax pursuant California Revenue and Taxation Code 214(f), (g) and (h) shall be liable for only 50% of the parcel tax. The exemption shall apply in the same proportion that is exempted from *ad valorem* property tax.

(D) Rebate to tenants in foreclosed single family homes. The City will provide a rebate of one-half of the tax and subsequent increases thereto ("Foreclosure Rebate") to tenants in single family homes that have been foreclosed upon. To qualify for the Foreclosure Rebate, a tenant must: (1) have lived in the unit before foreclosure proceedings commenced; and (2) be at or below the income level qualifying as "very low income" for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.,) for such fiscal year. The City will provide the Foreclosure Rebate for every month that the tax was applied and the tenant occupied the unit. The City will provide the Foreclosure Rebate at the end of each fiscal year, or when the tenant vacates the unit, whichever is earlier. The City Administrator will promulgate regulations to effectuate this Part 3, Section 3(D).

Section 4. REDUCTION IN TAX; RATE ADJUSTMENT.

(A) Subject to paragraph (B) of this section, the tax rates imposed by this ordinance are maximum rates and the City Council may not increase the tax rates above such maximum rates. The City Council may suspend, reduce or eliminate the tax imposed by the ordinance for the next fiscal year upon a vote of the City Council on or before June 30th. Such suspension, reduction or elimination shall be effective for the next fiscal year following such vote.

(B) Beginning Fiscal Year 2012-2013, and each fiscal year thereafter, the City Council may increase the tax imposed hereby by the percentage increase in the cost of living in the immediate San Francisco Bay Area, as shown on the Consumer Price Index (CPI) for all items in the San Francisco Bay Area and as published by the U.S. Department of Labor Statistics, above the previous fiscal year. The City Council must make a finding of such CPI increase to increase the tax. The percentage increase in the tax imposed hereby shall not exceed the increase in the CPI, provided that in no event shall any annual adjustment exceed 5% (five percent).

Section 5. DUTIES OF THE DIRECTOR OF FINANCE; NOTICE OF DECISIONS.

It shall be the duty of the Director of the Finance and Management Agency ("Director of Finance") to collect and receive all taxes imposed by this ordinance, and to keep an accurate record thereof.

The Director of Finance is charged with the enforcement of this ordinance, except as otherwise provided herein, and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this ordinance, including provisions for the re-examination and correction of returns and payments. The Director of Finance may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

Upon disallowing any claims submitted pursuant to this ordinance, the Director of Finance shall mail written notice thereof to the claimant at his/her address as shown on the Alameda County Assessor's property tax rolls.

Section 6. EXAMINATION OF BOOKS, RECORDS, WITNESSES; PENALTIES.

The Director of Finance or his/her designee is hereby authorized to examine assessment rolls, property tax records, records of the Alameda County Recorder and any other records of the County of Alameda deemed necessary in order to determine ownership of Parcels and computation of the tax imposed by this ordinance.

The Director of Finance or his/her designee is hereby authorized to examine the books, papers and records of any person subject to the tax imposed by this ordinance for the purpose of verifying the accuracy of any petition, claim or return filed and to ascertain the tax due. The Director of Finance, or his/her designee is hereby authorized to examine any person, under oath, for the purpose of verifying the accuracy of any petition, claim or return filed or to ascertain the tax due under this ordinance and for this purpose may compel the production of books, papers and records before him/her, whether as parties or witnesses, whenever s/he believes such persons have

knowledge of such matters. The refusal of such examination by any person subject to the tax shall be deemed a violation of this ordinance.

Section 7. COLLECTION OF TAX; INTEREST AND PENALTIES.

The tax levied and imposed by this ordinance shall be due and payable on July 1 of each fiscal year, but it may be payable without penalty in two installments no later than December 10 and April 10.

The tax shall be delinquent if the City does not receive it on or before the delinquency date set forth in the notice mailed to the Owner's address as shown on the most current assessment roll of the Alameda County Tax Collector; and the tax shall be collected in such a manner as the City Council may decide. The City may place delinquencies on a subsequent tax bill.

A one-time penalty at a rate set by the City Council, which in no event shall exceed 25% of the tax due per fiscal year, is hereby imposed by this ordinance on all taxpayers who fail to timely pay the tax provided by this ordinance; in addition, the City Council may assess interest at the rate of 1% per month on the unpaid tax and the penalty thereon.

Every penalty imposed and such interest as accrues under the provisions of this ordinance shall become a part of the tax herein required to be paid.

The City may authorize the County of Alameda to collect the taxes imposed by this ordinance in conjunction with and at the same time and in the same manner as the County collects property taxes for the City. If the City elects to authorize the County of Alameda to collect the tax, penalties and interest shall be those applicable to the nonpayment of property taxes.

Section 8. COLLECTION OF UNPAID TAXES.

The amount of any tax, penalty, and interest imposed under the provisions of this ordinance shall be deemed a debt to the City. Any person owing money under the provisions of this ordinance shall be liable to an action brought in the name of the City for the recovery for such amount.

Section 9. REFUND OF TAX, PENALTY, OR INTEREST PAID MORE THAN ONCE; OR ERRONEOUSLY OR ILLEGALLY COLLECTED.

Whenever the amount of any tax, penalty, or interest imposed by this ordinance has been paid more than once, or has been erroneously or illegally collected or received by the City it may be refunded provided a verified claim in writing therefore, stating the specific ground upon which such claim is founded, is filed with the Director of Finance within 365 days from the date of payment. The claim shall be filed by the person who paid the tax or such person's guardian, conservator of the executor of her or his estate. No claim may be filed on behalf of other taxpayers or a class of taxpayers. The claim shall be reviewed by the Director of Finance and shall be made on forms provided by the Director of Finance. If the claim is approved by the Director of Finance, the excess amount collected or paid may be refunded or may be credited against

any amounts then due and payable from the Person from who it was collected or by whom paid, and the balance may be refunded to such Person, his/her administrators or executors. Filing a claim shall be a condition precedent to legal action against the City for a refund of the tax.

Section 10. MISDEMEANOR VIOLATION.

Any Owner or holder of possessory interest who fails to perform any duty or obligation imposed by this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not more than \$1,000 or by imprisonment for a period of not more than one year, or by both such fine and imprisonment.

The penalties provided in this section are in addition to the remedies provided in this ordinance, as well as any remedies provided by other applicable laws.

Section 11. BOARD OF REVIEW.

Any person dissatisfied with any decision of the Director of Finance adversely affecting the rights or interests of such person made by the Director of Finance under the authority of this ordinance, may appeal therefrom in writing to the Business Tax Board of Review (the "Board") within sixty (60) days from the date of mailing such decision by the Director. All filings with the Board relating to appeals or otherwise shall be made to the Chairperson of the Business Tax Board of Review in care of the Revenue Division, 250 Frank Ogawa Plaza, 1st Floor, Oakland, CA 94612. The Board may affirm, modify or reverse such decision or dismiss the appeal therefrom, as may be just, and shall prescribe such rules and regulations relating to appeals as it may deem necessary. The Board's decision on appeal will become final upon mailing notice thereof to the Person appealing the Board's decision at such Person's last known address shown on the Tax Records.

Any tax, penalty or interest found to be owed is due and payable at the time the Board's decision becomes final.

The Board shall approve, modify or disapprove all forms, rules and regulations prescribed by the Director of Finance in administration and enforcement of this tax. Such forms, rules and regulations shall be subject to and become effective only on such approval.

All decisions rendered by the Board shall be final, and no further administrative appeal of these decisions is provided or intended.

Section 12. APPROPRIATIONS LIMIT.

Pursuant to Article 13B, Section 4 of the California Constitution, the appropriations limit for the City of Oakland is hereby increased by the maximum aggregate amount projected to be collected pursuant to the special tax imposed by this Chapter.

Section 13. INDEBTEDNESS.

The City is hereby authorized to incur indebtedness to carry out the purposes of the tax stated herein, payable from the proceeds of the tax in accordance with the terms and conditions as may be fixed and established by the City Council by procedural ordinance. The amount of such indebtedness shall not exceed the amount of the tax expected by the City Council to be collected by that date.

CITY OF OAKLAND MEASURE BB

BB

To restore community police officer positions and protect and enhance vital public safety services in the City of Oakland, shall the City, at no additional cost to taxpayers, amend the Violence Prevention and Public Safety Act of 2004 (Measure Y) to suspend the requirement that the City appropriate non-Measure Y funding each year to staff the police department at fiscal year 2003-2004 levels?

YES**NO**

CITY ATTORNEY'S BALLOT TITLE AND SUMMARY OF MEASURE BB

Title:

A Proposed Ordinance Amending Measure Y, the "Violence Prevention and Public Safety Act of 2004," Which Established A Special Parcel and Parking Tax Funding Police Services, Fire Services and Violence Prevention Programs, To, Among Other Things, Allow the City To Collect the Tax Whether or Not it Appropriates Non-Measure Y Police Funds at FY2003-04 Levels

Summary:

On November 2, 2004, the voters adopted the Violence Prevention and Public Safety Act of 2004, also known as Measure Y. Measure Y provides for the collection of dedicated parcel taxes and a parking tax surcharge to fund police staffing, enhance fire safety, and expand violence prevention programs. The taxes became effective on January 1, 2005, and continue in effect for 10 years.

Approval of this measure would enact amendments to Measure Y. Among other things, this measure would allow the City to collect the tax regardless of whether it appropriates non-Measure Y police funds at fiscal year 2003-04 levels.

None of the amendments would change the existing tax rates. None of the amendments would change the existing low-income household exemption.

s/JOHN A. RUSSO
City Attorney

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE BB

Under the current provisions of Measure Y, the City may collect the taxes authorized by Measure Y only if the City's "appropriation" from non-Measure Y funds for sworn police officers is not less than the appropriation necessary to maintain the police force at fiscal year 2003-2004 levels. The City determined that the fiscal year 2003-2004 level was 739 officers. Due to budgetary constraints, the City has not appropriated funds to satisfy this condition for the current fiscal year 2010-11. Therefore, the City has not collected the Measure Y taxes for this fiscal year, and Measure Y funding for these police services, fire services, and violence prevention services will end.

This amendment would remove the minimum non-Measure Y appropriation requirement, allow the City to resume collection of the Measure Y tax, and use that money for Measure Y services.

Measure Y also created a multi-step allocation process for use of the tax proceeds raised by Measure Y. First, up to \$4 million is allocated for fire services. Of the remaining money, at least 40% percent must be allocated for violence prevention social services. The remainder is allocated to police services and equipment. This measure would amend Measure Y to clarify that the money allocated for fire services may be used to maintain staffing and equipment to operate for "up to" 25 (twenty-five) fire engine companies and 7 (seven) truck companies, and clarify the definition of the funded violence prevention social services.

This measure will also allow the City to incur indebtedness, for example by issuing bonds or notes, so that it can receive monies earlier to provide Measure Y services.

This measure also clarifies that the tax will be imposed at the full tax rate for fiscal year 2010-2011.

Finally, this amendment would allow that the Measure Y tax proceeds may be used to pay for costs of tax collection.

None of the amendments would change the tax rates established by Measure Y. Current rates with the permitted Consumer Price Index adjustments are \$90.72 for a single family residential parcel, \$61.98 per unit for multiple unit residential parcels, and \$46.46 per "single family residential unit equivalent" for nonresidential parcels. None of the amendments would change the existing low-income household exemption.

This vote is only to consider and approve amendments to Measure Y as shown in the City Council resolution as underscoring and ~~strike through~~ type. The remainder of Measure Y would remain unchanged and in effect.

A "yes" vote for Measure BB will approve the amendments to Measure Y; a "no" vote will reject the amendments.

s/JOHN A. RUSSO
City Attorney

CITY AUDITOR'S IMPARTIAL FINANCIAL ANALYSIS OF MEASURE BB

SUMMARY

On November 2, 2004, Oakland voters adopted the Violence Prevention and Public Safety Act of 2004, also known as Measure Y. Measure Y provides for the collection of dedicated parcel taxes and a parking tax surcharge to do the following:

1. Hire 63 officers assigned to Community and Neighborhood Policing
2. Expand Violence Prevention Programs
3. Maintain staffing and equipment for Fire Services

The taxes became effective on January 1, 2005, and continue in effect for 10 years.

Approval of this measure will enact various amendments to Measure Y; however, none of the amendments will change the existing tax rates. Many of the amendments are intended to clarify the language of the Measure Y ordinance. The most significant amendment will be the suspension of the minimum police staffing appropriation requirement for five years (7/1/2010-7/1/2015), in that the suspension of the requirement will allow the City to continue to collect the Measure Y tax.

The following list summarizes key amendments to Measure Y:

- Use of tax proceeds amendments include:
 - Funding for a variety of violence prevention services and will not be limited to the ones listed in the measure
 - Operating “up to” 25 fire engine companies and 7 truck companies
 - Covering the cost of collecting the Measure Y tax
 - Paying for or reimburse costs for services during any period that the City did not collect taxes for Measure Y
- From July 1, 2010—July 1, 2015, there will be no minimum police staffing appropriation requirement
- Specific collections amendments that apply only to fiscal year FY 2010-2011:
 - The full annual tax rate will be levied and imposed as of November 2, 2010
 - The City may collect the tax via a handbill or through the Alameda County Tax Collector

If this measure is approved by a majority of voters, the amendments will be effective beginning January 1, 2011.

FINANCIAL IMPACT

If this amendment does not pass, the City will not be able to collect approximately \$20 million in tax revenues. Therefore, the Measure Y objectives for Fire Services, Violence Prevention Programs, and Community and Neighborhood Policing will no longer be funded. The table below shows Measure Y revenues over the last three fiscal years. If this amendment does pass, the tax proceeds can be collected, and the Measure Y objectives will be funded, including 63 community-policing officer positions.

FY 2007-08	FY 2008-09	FY 2009-10	TOTAL
Audited	Audited	Unaudited	
\$20,090,954	\$19,676,477	\$19,797,423	\$59,564,854

Based on our analysis of the data provided by City staff, we verified the accuracy of the Measure Y revenues and program impacts. We relied on the best data available at this time.

s/COURTNEY A. RUBY, CPA, CFE
City Auditor

ARGUMENT IN FAVOR OF MEASURE BB

Measure BB is one positive step toward maintaining the City of Oakland's community policing strategies and making Oakland safer.

Measure BB is not a new tax measure. It simply makes minor amendments to the existing Measure Y to allow the successful programs, which were suspended in July, to continue.

Here is the issue: In 2004, voters passed Measure Y to provide funding for 63 community policing officers, violence prevention, and to prevent rotating fire station closures.

Measure Y included a minimum police staffing requirement of 739 officers that the City must maintain from non-Measure Y funds for Measure Y's funding to continue.

Yet the local impacts of the global economic recession caused a dramatic and unforeseen decline in City revenues, making it impossible for the City to meet the exact police staffing levels required in Measure Y.

As a result, the 63 police officers have been laid off and key fire and crime prevention services scaled back.

Measure BB simply suspends the minimum police staffing requirement so that the City can fund the 63 community policing positions and resume proven prevention programs. These critical services include street outreach, support for victims of domestic violence and sexually exploited youth, truancy and gang prevention programs, and re-entry employment for formerly incarcerated residents.

Measure Y has demonstrated clear results, with crime declining consecutively for 3 years. Homicides have declined over 25% and overall crime, including burglaries, robberies and other violent crimes, has declined substantially.

Measure BB allows us to continue this progress. It also continues Measure Y's existing requirements of a citizens oversight committee and annual independent audits.

These are difficult times and we all need to work together to reach a better future. In that spirit, we can make Oakland safer at no additional cost to taxpayers.

Vote Yes on Measure BB.

s/(Pr.) Lucy Kolin, Co-Chair Oakland Community Organizations (OCO)

s/Henry Chang Jr., Former City Councilmember At-Large

s/Robert L. Jackson, Bishop, Acts Full Gospel Church

s/Merlin Edwards, Public Relations Consultant

s/Arnold X.C. Perkins, Alameda County Public Health Director (ret)

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE BB

The proponents of this \$90 plus per year tax state that: "It simply makes minor amendments to the existing Measure Y..." Nothing could be further from the truth. A key provision of 2004's Measure Y was to increase the size of the police force. The City promised that by passing Measure Y it would "maintain" a minimum of 739 officers funded by the general fund. This provision eliminates that requirement, allowing the size of the force to drop indefinitely. This is NOT a positive step for public safety.

The City Council drafted this proposal. These are the same City Council members who have mismanaged City finances for years and approved approximately \$15 million in illegal Measure Y expenditures. No other Bay Area city laid off 80 police officers in the face of such a severe violent crime problem. No other city has lost such a massive lawsuit involving taxpayer funds. Only Oakland has.

This measure isn't about providing police services. It is about bailing out the City for its financial mismanagement. Put simply, this Measure raises taxes and eliminates any connection between those taxes and police staffing. It gives the City Council the ability to use the City's general funds that are currently being spent on police to pay for their pet projects. Let the City Council know that they need to keep their promise and provide the police staffing promised by Measure Y. Demand that City officials give us public safety and accountability without more taxes. Vote NO.

s/Marleen L. Sacks

Attorney/Oakland Resident

s/David A. Stein

Attorney/Oakland Resident

s/Charles Pine

Oakland Residents for Peaceful Neighborhood

s/Marcus Johnson

CPAB Member (Community Policing Advisory Board)

ARGUMENT AGAINST MEASURE BB

In 2004 voters approved Measure Y, generously agreeing to tax themselves to add 63 police officers to a staff of 739. In the 5 1/2 years since, taxpayers have paid over \$100 million in Measure Y taxes. The City took the money, but didn't add the police officers. The City provided the promised staffing for a total of less than 6 months. The City was successfully sued regarding Measure Y violations. An Alameda County Superior Court Judge found that the City misspent millions of Measure Y dollars, and failed to conduct mandatory audits.

Now the City wants to have taxpayers continue to pay and not even promise to budget for the promised police force. This tax will cost homeowners over \$90.00 per year. Don't be fooled. Nothing in this measure prevents the City from reducing the police force even further. If this measure passes, the City can tax residents and reduce the police force at the same time. The City could still continue to lay off police officers, not hold new police academies (resulting in a loss by attrition of approximately 50 officers per year) and layoff police officers. In sum, the City wants taxpayer money, without any promise of maintaining, much less adding to the police force.

The politicians who wrote this Measure BB revision are the same people who have mismanaged Oakland's finances and failed to properly implement Measure Y. The revision removes accountability provisions and is for their benefit, not the public's.

We need more police, not less. Don't give the City a blank check. Oakland's taxes are already among the highest in the state. This tax does nothing to address Oakland's structural financial problems. Let the City know that the taxpayers did their part and the City needs to live up to its promises. Vote NO.

s/Marleen L. Sacks
Attorney

s/David A. Stein
Attorney

s/Marcus Johnson
Member – Community Policing Advisory Board

s/Jim Dexter
Member – Community Policing Advisory Board

s/Charles Pine
Member, Oakland Residents for Peaceful Neighborhood

REBUTTAL TO ARGUMENT AGAINST MEASURE BB

This new Measure BB is not a new tax. It will make Oakland safer by continuing successful fire and violence prevention programs and funding 63 community policing positions.

It simply suspends Measure Y's current requirement that the City maintain a base level of 739 police officers. That will allow the City to continue effective prevention programs and community policing positions.

The City cannot meet this requirement because of the local impacts of the global recession. The drafters of Measure Y in 2004 could not anticipate that the City General Fund revenues would decline 20%. Almost \$70 million of the annual reduction is due to declines in property and transfer tax revenues alone.

Measure Y has been successful. It has broad community support and the outside evaluation team has given it high marks both in implementing "best practices" and being effective in reducing crime.

Opponents misstate basic facts. Measure Y has demonstrated clear results:

- Crime has declined substantially for 3 consecutive years;
- The City successfully added 150 officers to the police force and staffed 84 Measure Y-related officers (exceeding the 63 required positions);
- The City ended fire station closures;
- In response to legal challenges, the Court substantially ruled in the City's favor.

A Yes vote on Measure BB will restore 63 community policing officers; protect critical fire services; and preserve proven violence prevention programs. Join us in continuing the progress made to reducing crime and violence at no additional cost to taxpayers.

Vote Yes on Measure BB.

s/Jakada Imani
Executive Director, Ella Baker Center for Human Rights

s/Gordon A. "Don" Link
Chair Community Policing Advisory Board 1999-2008

s/Maya Dillard Smith
Founding Chairperson of Measure Y Oversight Committee 2005-2009

s/Dan Siegel
Attorney

s/Pastor Lucy Kolin
OCO, Co-Chair

FULL TEXT OF MEASURE BB

WHEREAS, on November 2, 2004, the voters approved the Violence Prevention and Public Safety Act of 2004 (commonly known as Measure Y), and

WHEREAS, the City Council now asks the voters only to consider and approve some amendments to Measure Y to clarify certain provisions of the measure, and those changes to Measure Y are shown below in underscoring and ~~strike-through~~ type,

NOW, THEREFORE BE IT RESOLVED:

That the City Council of the City of Oakland does hereby submit to the voters at the November 2, 2010 general election, amendments to the Violence Prevention and Public Safety Act of 2004 as set forth below. Additions are indicated by underscoring and deletions are indicated by ~~strike-through type~~; portions of the ordinance not cited or not shown in underscoring or strike-through type are not changed):.

PART 1. GENERAL

Section 1. TITLE AND PURPOSE.

(A) Title. This ordinance may be cited as the “Violence Prevention and Public Safety Act of 2004.”

(B) Purpose. The taxes imposed or increased under this ordinance are solely for the purpose of raising revenue necessary to retain and enhance services and programs to prevent violence and crime and enhance fire safety in the City of Oakland.

The parcel tax imposed in Part 2 is not an ad valorem tax on real property, nor a transaction tax or sales tax on the sale of real property. It is an excise tax on the privilege of using and use of municipal services. Such municipal services increase and provide a greater benefit to Owners of Parcels when programs aimed at preventing violence and crime in the City are enhanced. Because the proceeds of the tax will be deposited in a special fund restricted for the services and programs specified herein, the tax is a special tax.

Section 2. FINDINGS

1. Investing in ~~an~~ a coordinated system of early intervention, community policing and violence-prevention efforts before injury occurs will reduce economic and emotional costs and be a cost-effective use of taxpayer dollars.

2. Violence and crime occurs at workplaces, on school grounds, and in residential neighborhoods within the Oakland community.

3. Due to budget constraints, the City’s police department is staffed at a level significantly lower than cities of similar size in the United States.

4. Due to budget shortfalls, Oakland’s fire department is currently operating with limited fire trucks and crews that rotate among several stations, thereby leaving certain fire stations under staffed.

5. Fully staffing and equipping fire stations throughout the City will provide the necessary fire and medical response in case of critical emergencies or natural disasters.

6. This special tax is based on a community assessment of innovative prevention strategies and is intended to be proportional to and based on estimates of typical use and benefit from these municipal services.

7. Crime in Oakland disrupts local commercial activity, reduces business and industrial productivity, deters tourism and outside financial investments, and depreciates the value of real estate.

8. The apportionment of the parcel tax to various types of properties is based, in part, on the intensity of policing, violence prevention and fire protection services needed for different kinds of land uses and on the average number of occupants of a parcel of each type of property. Users of residential property typically generate more calls for service to the police and fire departments, and the intensity of use of police and fire protection services increases as the number of residential units on a parcel increases. On the other hand, because of the typically large size of commercial and industrial parcels, and because the employees who work for businesses located on such parcels and the customers who visit such businesses generally outnumber the residents of even a similarly sized parcel of residential property (partly because non-residentially developed real property often has more than one business operating on it), the tax on commercial/industrial properties is calculated based on single family equivalent units.

9. As the density of residential development increases, the cost of providing policing and violence and crime prevention services also increases. The differing tax rates accurately reflect the differing costs of providing services to the different densities of residential development.

10. Some services, such as fire protection services and an additional neighborhood police officer in each community policing beat, are not based on density of population.

11. The parcel tax rates established in this ordinance are intended to be proportional to and based on estimates of typical use of and benefit to occupants of different residential parcels of policing and violence prevention services. The rates are not tailored to individual use both because such tailoring is not administratively feasible and because the City must make police and fire protection services available to all parcels and owners of parcels equally.

12. Each occupant of a parcel derives value from the availability policing and violence and crime prevention and fire protection services. The value of such services is in their availability and benefit to all residents, and it would be unfair to charge their costs only to those persons who actually use the services. Even if such services are not presently used by an occupant, they may be used in the future and, in any event, their availability benefits each occupant. The City’s policing, violence prevention and fire protection services enhance the health, safety and welfare of all occupants of property in the City and improve their quality of life both directly and indirectly. Reducing violence and crime is vitally important to the health, safety, and welfare of the occupants.

13. Nothing in this ordinance is intended to pre-

clude owners from recovering the tax from the occupant. Whether the occupant is charged depends on the occupancy agreement and the requirements of the Residential Rent Adjustment Program. Moreover, non-payment will not be a lien on the property but a personal obligation of the occupant or owner.

14. It is not feasible for the City to collect the tax from the non-owner occupants on whom it is imposed because the records available to the City do not include the names of non-owner occupants. Therefore, the only practical way to collect a tax imposed on occupants is to collect it from the owners of the occupied properties.

15. There are existing general taxes in the form of parking and business license, the proceeds of which are deposited in the general fund. Additional revenues received as a result of this ordinance will be used for the purposes set for in Section 3 and thus are special taxes.

16. This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., as it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment.

17. The amendment to Part I, Section 3.1, is intended to clarify the language of the ordinance and the intent of the City Council and voters in approving the ordinance.

Section 3. USE OF PROCEEDS

The tax proceeds raised by this ordinance may be used only as part of the following integrated program of violence prevention and public safety intervention, in accordance with the following specific purposes:

1. Community and Neighborhood Policing: Hire and maintain at least a total of 63 police officers assigned to the following specific community-policing objectives:
 - a. *Neighborhood beat officers*: each community policing beat shall have at least one neighborhood officer assigned solely to serve the residents of that beat to provide consistent contact and familiarity between residents and officers, continuity in problem solving and basic availability of police response in each neighborhood;
 - b. *School safety*: supplement police services available to respond to school safety and truancy;
 - c. *Crime reduction team*: at least 6 of the total additional officers to investigate and respond to illegal narcotic transactions and commission of violent crimes in identified violence hot spots;
 - d. *Domestic violence and child abuse intervention*: additional officers to team with social service providers to intervene in situations of domestic violence and child abuse, including child prostitution;
 - e. *Officer training and equipment*: training in community-policing techniques, establishing police-social services referrals and

equipping officers provided in this paragraph, the total costs of which shall not exceed \$500,000 in any fiscal year that this ordinance is in effect.

2. Violence Prevention Services with an Emphasis on Youth and Children: Expand preventive social services provided by the City of Oakland, or by adding capacity to community-based non-profit programs with demonstrated past success that provide violence prevention services. Such services include, but are not limited to for the following objectives:
 - a. *Youth outreach counselors*: hire and train personnel who will reach out, counsel and mentor at-risk adolescents and young adults by providing services and presenting employment opportunities;
 - b. *After and in school program for youth and children*: expand existing City programs and City supported programs that provide recreational, academic tutoring and mentoring opportunities for at-risk adolescents and children during after school hours; expand truancy enforcement programs to keep kids in school.
 - c. *Domestic violence and child abuse counselors*: make available counselors who will team with police and the criminal justice system to assist victims of domestic violence or child prostitution and to find services that help to avoid repeat abuse situations; expand early childhood intervention programs for children exposed to violence in the home at an early age.
 - d. *Offender/parolee employment training*: provide parolee pre-release employment skills training and provide employers with wage incentives to hire and train young offenders or parolees;
3. Fire Services: Maintain staffing and equipment to operate up to 25 (twenty-five) fire engine companies and 7 (seven) truck companies, expand paramedic services, and establish a mentorship program at each station with an amount not to exceed \$4,000,000 annually from funds collected under this Ordinance. .
4. Evaluation: Not less than 1% or more than 3% of funds appropriated to each police service or social service program shall be set aside for the purpose of independent evaluation of the program, including the number of people served and the rate of crime or violence reduction achieved.
5. Mandated Apportionment to Social Service Programs: Of the total proceeds spent on programs enumerated in this Section 3, Paragraphs 1 and 2, not less than 40% of such proceeds must be allocated to programs enumerated in this Section 3, Paragraph 2 each year this Ordinance is in effect.

6. Any costs of collecting this tax.
7. Nothing in this ordinance shall require or prohibit provision of these services during any period that the City did not actually collect the tax proceeds. The City may use tax proceeds to pay for or reimburse costs for services provided during any period that the City did not actually collect the tax proceeds.

PART 2. OVERSIGHT, MINIMUM STAFFING AND TERM OF TAX IMPOSITION

Section 1. ANNUAL AUDIT.

An independent audit shall be performed to assure accountability and the proper disbursement of the proceeds of this tax in accordance with the objectives stated herein in accordance with Government Code sections 50075.1 and 50075.3. Tax proceeds may be used to pay for the audit.

Section 2. SPECIAL FUND

All funds collected by the City from the taxes imposed by this ordinance shall be deposited into a special fund in the City treasury and appropriated and expended only for the purposes authorized by this Ordinance.

Only the incremental taxes and surcharges approved by Parts 3, 4, 5, and 6 of this ordinance shall be dedicated to the purposes specified by this ordinance. Any portion of the parking and business license tax rate that was a general tax prior to the enactment of this ordinance shall remain general taxes.

Section 3. OVERSIGHT

To ensure proper administration of the revenue collection and spending, and the implementation of the programs mandated by this ordinance, the Mayor shall appoint three members of a "Violence Prevention and Public Safety Oversight Committee" and each councilmember shall appoint one member. The committee shall review the annual audit, evaluate, inquire and review the administration, coordination and evaluations of the programs and make recommendations to the Mayor and the City Council for any new regulations, resolutions or ordinances for the administration of the programs to comply with the requirements and intent of this Ordinance.

Section 4. MINIMUM POLICE STAFFING PRE-REQUISITE AT FISCAL YEAR 03-04 LEVEL

No tax authorized by this Ordinance may be collected in any year that the appropriation for staffing of sworn uniformed police officers is at a level lower than the amount necessary to maintain the number of uniformed officers employed by the City of Oakland for the fiscal year 2003-2004 (739). Effective July 1, 2010, this section is suspended until July 1, 2015.

Section 5. TERM OF TAX IMPOSITION

The taxes imposed by this Ordinance shall become effective on January 1, 2005 and shall continue in effect for 10 years.

Section 6. SAVINGS CLAUSE.

If any provision, sentence, clause, section or part of this ordinance is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity

shall affect only such provision, sentence, clause, section or part of this ordinance and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared to be the intention of the City, that the City would have adopted this ordinance had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

If any tax or surcharge imposed by this ordinance is found to be unconstitutional, illegal or invalid, the amounts, services, programs and personnel (as set forth in Part 3) required to be funded from such taxes and surcharges shall be reduced proportionately by any revenues lost due to such unconstitutionality, illegality or invalidity.

Section 7. REGULATIONS.

The City Council is hereby authorized to promulgate such regulations or ordinances as it shall deem necessary in order to implement the provisions of this ordinance.

Section 8. NO AMENDMENT.

The tax rates may not be amended by action of the City Council without the applicable voter approval.

Section 9. CHALLENGE TO TAX.

Any action to challenge the taxes imposed by this ordinance shall be brought pursuant to Government Code section 50077.5 and Code of Civil Procedure section 860, et seq.

PART 3. PARCEL TAX

Section 1. DEFINITIONS.

For purposes of this part only, the following terms shall be defined as set forth below:

(A) "Building" shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word "Building" includes the word "structure."

(B) "Family" shall mean one or more persons related by blood, marriage, domestic partnership, or adoption, who are living together in a single residential unit and maintaining a common household. Family shall also mean all unrelated persons who live together in a single Residential Unit and maintain a common household.

(C) "Hotel" shall mean as defined by Oakland Municipal Code section 4.24.020.

(D) "Multiple Residential Unit Parcel" shall mean a parcel zoned for a building, or those portions thereof, that accommodates or is intended to contain two or more residential units.

(E) "Non-Residential" shall mean all parcels that are not classified by this ordinance as Residential Parcels, and shall include, but not be limited to, industrial, commercial and institutional improvements, whether or not currently developed.

(F) "Occupancy" shall be as defined by Oakland Municipal Code section 4.24.020.

(G) "Operator" shall be as defined by Oakland Municipal Code section 4.24.020.

(H) "Owner" shall mean the Person having title to real estate as shown on the most current official assessment role of the Alameda County Assessor.

(I) "Parcel" shall mean a unit of real estate in the City of Oakland as shown on the most current official assessment role of the Alameda County Assessor.

(J) "Person" shall mean an individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(K) "Possessory Interest" as it applies to property owned by any agency of the government of the United States, the State of California, or any political subdivision thereof, shall mean possession of, claim to, or right to the possession of, land or Improvements and shall include any exclusive right to the use of such land or Improvements.

(L) "Residential Unit" shall mean a Building or portion of a Building designed for or occupied exclusively by one Family.

(M) "Single Family Residential Parcel" shall mean a parcel zoned for single-family residences, whether or not developed.

(N) "Transient" shall mean any individual who exercises Occupancy of a hotel or is entitled to Occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. Any individual so occupying space in a Hotel shall be deemed to be a Transient until the period of thirty (30) consecutive days as elapsed.

Section 2. IMPOSITION OF PARCEL TAX.

There is hereby imposed a special tax on all Owners of parcels in the City of Oakland for the privilege of using municipal services and the availability of such services. The tax imposed by this Section shall be assessed on the Owner unless the Owner is by law exempt from taxation, in which case, the tax imposed shall be assessed to the holder of any Possessory Interest in such parcel, unless such holder is also by law exempt from taxation. The tax is imposed as of July 1 of each year on the person who owned the parcel on that date. For the 2010-2011 fiscal year, the tax is imposed as of November 2, 2010, on the person who owned the parcel on that date. The City may place delinquencies on a subsequent tax bill.

The tax hereby imposed shall be at the following rates, subject to annual adjustment as provided in Section 6:

(A) For owners of all Single Family Residential Parcels, the tax shall be at the annual rate of \$88.00 per Parcel.

(B) For owners of all Multiple Residential Unit Parcels, the tax shall be at the annual rate of \$60.12 per occupied Residential Unit. Owners of units that are vacant for six months or more per year, may apply to the Director of Finance to have the rate reduced by 50% to \$30.06 per vacant Residential Unit located on the Parcel.

(C) The tax for a Non-Residential Parcels is calculated using both frontage and square footage measure-

ments to determine total Single Family Residential Unit Equivalents. A frontage of 80 feet for a commercial/~~insti-~~~~tutional~~ ~~industrial~~ parcel, for example, is equal to one (1) single family resident unit equivalent. (See matrix.) An area of 6,400 square feet for the commercial/~~insti-~~~~tutional~~ ~~industrial~~ parcel is equal to one (1) single family resident unit equivalent. The tax is the annual rate (\$45.07) multiplied by the total number of Single Family Equivalents (determined by the frontage and square footage).

LAND USE CATEGORY	FRONTAGE	AREA (SF)
Commercial Institutional	80	6,400
Industrial	100	10,000
Public Utility	1,000	100,000
Golf Course	500	100,000
Quarry	1,000	250,000

Example: assessment calculation for an owner of a commercial parcel with a frontage of 160 feet and an area of 12,800 square feet:

Frontage	Area
<u>160 feet</u>	<u>12,800 sf</u>
80 ft./SFE = 2 SFE	6,400 SF/SFE = 2 SFE
2 SFE + 2 SFE = 4 SFE	4 SFE x \$45.07 = \$180.28

(D) An Owner of An Undeveloped Parcel is exempt from this parcel tax if the owner can prove that the parcel was undeveloped for at least six months of the year in question.

(E) For fiscal year 2010-2011, the rates shall be the full annual rate.

Section 3. HOTELS

The tax imposed by this Ordinance shall be imposed on each Hotel within the City in accordance with the following:

1. Residential Hotels. If rooms in a Hotel were occupied by individuals who were not Transients for 80% or more of the previous fiscal year, such Hotel shall be deemed a Residential Hotel, and such rooms shall be deemed Residential Units and shall be subject to the Parcel tax imposed on Multiple Residential Units. The remainder of the Building shall be subject to the applicable Square Footage tax computed in accordance with the Single Family Residential Unit Equivalent calculations.

2. Transient Hotels. Notwithstanding the previous sub-section, if 80% or more of the Operator's gross receipts for the previous fiscal year were reported as rent received from Transients on a return filed by the Operator in compliance with section 4.24.010 of the Oakland Municipal Code (commonly known as the Uniform Transient Occupancy Tax of the City of Oakland), such Hotel shall be deemed a Transient Hotel. The entire Building shall be deemed a Non-Residential Parcel, categorized as Commercial, Institutional, and shall be subject to the Square Footage and Single Family Residential Unit Equivalent calculations set forth in Section 4(C), and the parcel tax imposed on Residential Units shall not apply.

Section 4. EXEMPTIONS.

Low income household exemption. Exempt from

this tax are owners of single family residential units in which they reside whose combined family income, from all sources for the previous calendar year, is at or below the income level qualifying as "very low income" for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.) for such year. Owners must apply for the exemption provided for in this section annually by petition to the Director of the Finance and Management Agency of the City of Oakland ("Director of Finance") in the manner and time set forth in procedures established by the Director of Finance. Such petitions shall be on forms provided by the Director of Finance and shall provide such information as the Director of Finance shall require, including, but not limited to, federal income tax returns and W-2 forms of owner-occupants eligible for this exemption.

Section 5. REDUCTION IN TAX; RATE ADJUSTMENT.

(A) Subject to paragraph (B) of this section, the tax rates imposed by this ordinance are maximum rates and may not be increased by the City Council above such maximum rates. The tax imposed by the ordinance may be suspended, reduced or eliminated by the City Council for a subsequent fiscal year upon a vote of the City Council on or before June 30th in any year in which the City Council determines that after such suspension, reduction or elimination there will be sufficient revenues available to balance the City Council's Adopted Policy Budget and provide the services and programs described in Section 3 above. Such suspension, reduction or elimination shall be effective for the fiscal year following such vote.

(B) Beginning in Fiscal Year 2004-2005, and each year thereafter, the City Council may increase the tax imposed hereby only upon a finding that the cost of living in the immediate San Francisco Bay Area, as shown on the Consumer Price Index (CPI) for all items in the San Francisco Bay Area as published by the U.S. Department of Labor Statistics, has increased. The percentage increase of the tax imposed hereby shall not exceed such increase, using Fiscal Year 2003-2004 as the index year and in no event shall any annual adjustment exceed 5% (five percent).

Section 6. DUTIES OF THE DIRECTOR OF FINANCE; NOTICE OF DECISIONS.

It shall be the duty of the Director of the Finance and Management Agency ("Director of Finance") to collect and receive all taxes imposed by this ordinance, and to keep an accurate record thereof.

The Director of Finance is charged with the enforcement of this ordinance, except as otherwise provided herein, and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this ordinance, including provisions for the re-examination and correction of returns and payments. The Director of Finance may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

Upon disallowing any claims submitted pursuant to this ordinance, the Director of Finance shall mail written notice thereof to the claimant at his/her address as shown on the Alameda County Assessor's property tax rolls.

Section 7. EXAMINATION OF BOOKS, RECORDS, WITNESSES; PENALTIES.

The Director of Finance or his/her designee is hereby authorized to examine assessment rolls, property tax records, records of the Alameda County Recorder and any other records of the County of Alameda deemed necessary in order to determine ownership of Parcels and computation of the tax imposed by this ordinance.

The Director of Finance or his/her designee is hereby authorized to examine the books, papers and records of any person subject to the tax imposed by this ordinance for the purpose of verifying the accuracy of any petition, claim or return filed and to ascertain the tax due. The Director of Finance, or his/her designee is hereby authorized to examine any person, under oath, for the purpose of verifying the accuracy of any petition, claim or return filed or to ascertain the tax due under this ordinance and for this purpose may compel the production of books, papers and records before him/her, whether as parties or witnesses, whenever s/he believes such persons have knowledge of such matters. The refusal of such examination by any person subject to the tax shall be deemed a violation of this ordinance.

Section 8. COLLECTION OF TAX; INTEREST AND PENALTIES.

The tax for fiscal year 2010-2011 shall be levied and imposed at the full annual rate. At the option of the City, fiscal year 2010-2011 taxes may be collected by handbilling or may be collected at the direction of the City by the Alameda County Tax Collector. Thereafter, the tax levied and imposed by this ordinance shall be due and payable on July 1 of each year, but it may be paid in two installments due no later than December 10 and April 10. The tax shall be delinquent if not received on or before the delinquency date set forth in the notice mailed to the Owner's address as shown on the most current assessment roll of the Alameda County Tax Collector and shall be collected in such a manner as the City Council may decide.

A one-time penalty at a rate set by the City Council, which in no event shall exceed 25% of the tax due per year, is hereby imposed by this ordinance on all taxpayers who fail to timely pay the tax provided by this ordinance; in addition, interest shall be assessed at the rate of 1% per month on the unpaid tax and the penalty thereon.

Every penalty imposed and such interest as accrues under the provisions of this ordinance shall become a part of the tax herein required to be paid.

The City may authorize to have the taxes imposed by this ordinance collected by the County of Alameda in conjunction with and at the same time and in the same manner as the County's collection of property taxes for the City. If the City elects to so collect the tax, penalties and interest shall be those applicable to the nonpayment of property taxes.

In no event shall anything herein be construed to impose a tax lien on the Parcel to secure payment of the tax.

Section 9. COLLECTION OF UNPAID TAXES.

The amount of any tax, penalty, and interest imposed under the provisions of this ordinance shall be deemed a debt to the City. Any person owing money under the provisions of this ordinance shall be liable to an action brought in the name of the City for the recovery for such amount.

Section 10. REFUND OF TAX, PENALTY, OR INTEREST PAID MORE THAN ONCE; OR ERRONEOUSLY OR ILLEGALLY COLLECTED.

Whenever the amount of any tax, penalty, or interest imposed by this ordinance has been paid more than once, or has been erroneously or illegally collected or received by the City it may be refunded provided a verified claim in writing therefore, stating the specific ground upon which such claim is founded, is filed with the Director of Finance within one (1) year from the date of payment. The claim shall be filed by the person who paid the tax or such person's guardian, conservator or the executor of her or his estate. No claim may be filed on behalf of other taxpayers or a class of taxpayers. The claim shall be reviewed by the Director of Finance and shall be made on forms provided by the Director of Finance. If the claim is approved by the Director of Finance, the excess amount collected or paid may be refunded or may be credited against any amounts then due and payable from the Person from whom it was collected or by whom paid, and the balance may be refunded to such Person, his/her administrators or executors. Filing a claim shall be a condition precedent to legal action against the City for a refund of the tax.

Section 11. MISDEMEANOR VIOLATION.

Any Owner who fails to perform any duty or obligation imposed by this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not more than \$1,000 or by imprisonment for a period of not more than one year, or by both such fine and imprisonment.

The penalties provided in this section are in addition to the several remedies provided in this ordinance, or as may otherwise be provided by law.

Section 12. BOARD OF REVIEW.

Any person dissatisfied with any decision of the Director of Finance adversely affecting the rights or interests of such person made by the Director of Finance under the authority of this ordinance, may appeal therefrom in writing to the Business Tax Board of Review (the "Board") within sixty (60) days from the date of mailing such decision by the Director. All filings with the Board relating to appeals or otherwise shall be made to the Chairperson of the Business Tax Board of Review in care of the Revenue Department, 250 Frank Ogawa Plaza, 1st Floor, Oakland, CA 94612. The Board may affirm, modify or reverse such decision or dismiss the appeal therefrom, as may be just, and shall prescribe such rules and regulations relating to appeals as it may deem necessary. The Board's decision on appeal will become final upon mailing notice thereof to the Person appealing the Board's decision at such Person's last known address shown on the Tax Records.

Any tax, penalty or interest found to be owed is due

and payable at the time the Board's decision becomes final.

The Board shall approve, modify or disapprove all forms, rules and regulations prescribed by the Director of Finance in administration and enforcement of this tax. Such forms, rules and regulations shall be subject to and become effective only on such approval.

All decisions rendered by the Board shall be final, and no further administrative appeal of these decisions is provided or intended.

Section 13. INDEBTEDNESS.

The City is hereby authorized to incur indebtedness to carry out the purposes of the tax stated herein, payable from the proceeds of the tax in accordance with the terms and conditions as may be fixed and established by the City Council by procedural ordinance. The amount of such indebtedness shall not exceed the amount of the tax expected by the City Council to be collected by that date.

PART 4. PARKING TAX SURCHARGE

4.16.031 Imposition of Surcharge

Subject to the provisions for the collection of taxes and definitions in this chapter, there shall be an additional tax of eight and one-half (8 1/2) percent imposed on the rental of every parking space in a parking station in the City.

By adopting this ordinance the People of the City of Oakland do not intend to limit or in any way curtail any powers the City Council may exercise as to the subject matter of this ordinance, including, but not limited to, raising the rate of taxation or surcharge, lowering the rate of taxation or surcharge, eliminating the tax or surcharge, or creating or defining new categories of taxpayers under this ordinance.

CITY OF SAN LEANDRO MEASURE Z

Z San Leandro Temporary Emergency Funding. To protect and maintain local services, such as fire and 9-1-1 emergency response times, neighborhood police patrols, investigation and gang suppression officers, library hours/programs, street and pothole repairs, youth after-school and senior programs, and other general City services, shall the City of San Leandro enact a quarter-cent sales tax, for seven years, reviewed by a citizens' oversight committee, annual independent audits, and all funds for San Leandro and no funds for Sacramento?	YES
	NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE Z

The City Council of the City of San Leandro has placed Measure Z on the November 2, 2010 ballot to ask the voters to approve an ordinance that would enact a temporary one-quarter of one percent (0.25%) transactions and use tax within the City. If approved, the tax would add a quarter-cent to the price of an item that costs a dollar, or \$0.25 the price of an item that costs \$100.

Currently, the tax on retail sales in San Leandro is 9.75% of the purchase price. The City receives only 0.75% of the revenue generated by the tax, however. The remainder goes to the State (7.25%), Alameda County (0.75%), the Alameda County Transportation Improvement Authority (0.50%), and BART (0.50%). Effective April 2, 2009, the State increased the sales tax by 1%. That increase will expire on July 1, 2011.

Technically, the existing "sales tax" is a combination of "sales and use tax" and "transactions and use tax." With some exceptions, both are levied on the sale or use of tangible personal property sold at retail. Retailers collect the tax at the time of sale and remit the funds to the State Board of Equalization, which administers the tax.

This Measure, if approved by the voters, would authorize a 0.25% transactions and use tax, which would increase the total sales tax rate on retail sales in San Leandro to 10%. Of the total rate, 1% would go to the City's general fund and be available to support the full range of municipal services. Because this Measure does not limit the use of tax revenue, it is a "general tax," not a "special tax" that restricts the funds to specific purposes. Therefore, as explained in the ballot question, the City may use the funds for a range of services, including but not limited to maintaining current levels of fire and 9-1-1 emergency response times; neighborhood police patrols, investigation, and gang suppression officers; library programs; street and pothole repairs; and youth afterschool and senior programs.

The tax would terminate automatically 7 years after collection begins, unless extended by the voters. If the State allows its 1% increase to sunset in 2011, the total sales tax

rate in the City would drop to 9%. The total sales tax rate would further decrease to 8.75% upon the expiration of this tax.

The Measure requires the City Council to appoint a five-person committee of members of the public to review and prepare a public report on the revenue and expenditure of funds from the tax.

A "Yes" vote is a vote to approve the enactment of the quarter-cent tax for 7 years, with oversight by a committee of members of the public. A "No" vote is a vote against the tax. This Measure would be approved if it receives a simple majority of "Yes" votes.

The above statement is an impartial analysis of Measure Z. If you desire a copy of the ordinance, please call the City Clerk's office at 510-577-3367 and a copy will be mailed at no cost to you.

DATED: August 4, 2010

s/JAYNE W. WILLIAMS, City Attorney
City of San Leandro

ARGUMENT IN FAVOR OF MEASURE Z

Vote YES on Z – All Measure Z money goes to your LOCAL services and Sacramento can't touch it!

Without Measure Z, we don't have enough money for critical local services. Sacramento politicians have taken \$7 million from San Leandro. This year the City had to cut \$6.9 million in services. And we still have a \$3 million budget gap, meaning more cuts to local services without Measure Z.

Measure Z is a temporary, emergency solution that gives you LOCAL CONTROL to protect and maintain our LOCAL SERVICES.

Police and fire services are reaching dangerously low levels. Consider the facts:

- We have already cut 8 police officers in the last 2 years. Without Measure Z we will cut 7 more officers.
- San Leandro's police force is already below the number of officers needed for a city our size.
- Without Measure Z we lose a fire ladder truck and 9 firefighters in July 2011.
- Without Measure Z, 9-1-1 emergency response times will increase 184% to 6 minutes, over the 5 minute response safety standard.

YES on Z maintains fire emergency response times.

YES on Z maintains patrol, gang suppression, school, and investigation police officers

YES on Z maintains library hours and programs for children, adults and families.

YES on Z maintains streets and repairs potholes.

YES on Z maintains senior services and youth after-school programs allowing us to be a good partner to schools.

YES on Z includes strong fiscal accountability, with annual audits and Independent Citizens Oversight to monitor spending, guaranteeing funds are spent responsibly and as promised. By law, YES on Z requires every dime be used for local services.

Join police officers, firefighters, the Chamber of Commerce, and community leaders – vote YES on Z to protect and maintain local services. Visit www.ProtectOurServices.org for more information.

s/Roberta Faith Frazier

Former Councilmember/60-year resident

s/Michael Fitzgerald

Former Homeowners Association President/
lifelong resident of city

s/Isaac Benabou

Vice President, San Leandro Police Officers Association

s/Kenneth Pon

CPA

s/John Torres

President, Local 55, Alameda County Firefighters
Association

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE Z

Bullying taxpayers with threats is a time-worn political tactic. Politicians hold core services hostage so that frightened, overwhelmed citizens are coerced into approving higher taxes.

The record is clear. San Leandro has enough revenue to pay for essential services if elected leaders exercise fiscal discipline. Over the past decade, City expenditures far outpaced inflation. Taxpayers contributed 100% to employee pensions, a benefit rarely seen elsewhere in the public or private sector. A disturbing – and rising – number of City staff draw more than \$100,000 annually, a fact previously hidden from the voters by the Council and disclosed only because of litigation by the Oakland Tribune.

Our council funded special interests, like \$3 million to dredge the San Leandro Marina (an enormous sum to appease a small number of well-connected yacht owners), while refusing to budget \$20,000 for school crossing guards.

What our City needs is competent management to efficiently run services, rather than favor large campaign donors and special interests. They should answer to their true employer, the taxpayer.

There is nothing quite so permanent as a "temporary" tax. Raising taxes today inevitably sets the stage for even higher taxes tomorrow. The political temptation to spend always exceeds whatever money is available.

The highest sales tax in Northern California burdens consumers and business. High ticket purchases will migrate to lower tax areas. Imagine trying to attract retailers like Trader Joe's with the highest sales tax in the County!

Vote NO on Measure Z for accountability and fiscal discipline.

s/Terry Floyd

Libertarian Party of Alameda Co., Treasurer

s/Don Franke

Retired School Inspector

s/Flint Evans

Lang Engineering, President

s/Walt Fernandez

Proprietor, Walt's Health Club

ARGUMENT AGAINST MEASURE Z

Raising San Leandro's sales tax to 10%, the highest in Northern California, is a mistake. Our financial problems are the result of millions in ongoing City Hall deficit spending and we must fundamentally alter our spending to solve the underlying issues. This sales tax is ill-conceived, will not solve the ongoing problems, nor does it ensure adequate Police and Fire support. It will only hurt those most vulnerable; seniors, struggling families, and the unemployed. In addition, new retailers and shoppers will avoid San Leandro, leaving us with nothing but a bad reputation and even lower tax revenue.

City Hall gambled revenue would rise, despite all predictions, draining our reserves as a result of \$24 million in deficit spending, none due to state raids on funding. Short term planning resulted in \$15 million spent for a Senior Center we cannot afford to open. Pay scales continue to exceed the private sector with more and more employees making over \$100,000/year. Administrators were hired, while police were laid off. Tens of thousands of our own tax dollars have been spent to bully us into this tax, rather than funding services and supporting those in most need.

Something must change. City Hall must fundamentally alter their spending to eliminate the ongoing deficit. In addition, overtime must be brought under control, and our priorities established. We must put the people of San Leandro first and re-fund our police, libraries, pools, as well as the services for our most needy. Before putting another tax on the backs of the people, our leaders must show they can make wise decisions with our money and bring spending under control so all of San Leandro can grow and prosper.

s/Tim Holmes

Zocalo Coffeehouse, Owner

s/Bill Stephens

San Leandro City Council

s/Brenda Salgado

Farrelly Pond Neighborhood Association

s/Mia Ousley

San Leandro Community Action Network (SLCAN)

s/Dan Walters

Copper Harbor Co., President

REBUTTAL TO ARGUMENT AGAINST MEASURE Z

Measure Z is a temporary, emergency solution to protect and maintain our local services. This is money the State can't take away for their own billion dollar problems.

Even the opponent's argument says we need to re-fund essential services, including public safety. Without Measure Z the City does not have the money to fund the police, fire, streets, libraries, and other services we need.

Don't be fooled – the City has already drastically cut spending. Measure Z temporarily protects vital services during this recession. THE FACTS ARE:

- The City has cut \$8.5 million in the last two years, reducing staff by 20% (95 positions – including 8 police officers).
- ALL employee salaries have been frozen.
- The State has TAKEN \$7 million from San Leandro and will take more.

The next round of cuts has already been presented to Council. Police and fire services are 60% of the City's budget – without Measure Z we cannot avoid cutting more police officers and firefighters.

Without Measure Z we LOSE 7 ADDITIONAL POLICE OFFICERS.

Without Measure Z, we LOSE A FIRE ENGINE AND 9 FIREFIGHTERS.

Without Measure Z, SMALL LIBRARY BRANCHES WILL CLOSE.

Without Measure Z, MOST RECREATION PROGRAMS WILL BE ELIMINATED.

Yes on Z is about putting the people of San Leandro first! Residents oversee how Measure Z money is spent. Measure Z requires an Independent Citizens Oversight Committee, annual audits, and that all funds go to LOCAL services.

Visit www.ProtectOurServices.org and join six Councilmembers and the many Measure Z supporters throughout our community.

s/John E. Faria

President, Mission Bay Residence/Former Mayor/Past Chamber of Commerce President

s/Benny Lee

Chair of Park & Recreation Commission/Heron Bay Board Director

s/Robert H. Glaze

Alameda County Fire Commission/Former Vice Mayor/Past President, Washington HOA

s/Thomas R. Silva

Trustee, California Apartment Association Political Action Committee

s/Joseph W. Kitchen

Former Chief of Police

**FULL TEXT OF MEASURE Z
ORDINANCE NO. 2010-XX**

**AN ORDINANCE OF THE PEOPLE OF THE CITY
OF SAN LEANDRO IMPOSING A TRANSACTIONS
AND USE TAX TO BE ADMINISTERED BY
THE STATE BOARD OF EQUALIZATION**

WHEREAS, the State has already taken \$7 million from San Leandro to solve its own budget crisis, and with a \$17 billion deficit, is threatening to take more; and

WHEREAS, with local revenues down \$11.6 million over the last four years due to State raids and the recession, the City has had to cut critical services the community needs and relies on, including public safety, streets, libraries, and parks which keep our community strong; and

WHEREAS, the City has drastically reduced spending, including reducing staff by almost 20% over the last two years (95 full time positions) freezing most employee salaries, implementing a two-tier retirement system, furloughing most employees, closing City offices once a month, and using a significant percentage of the City's emergency reserves; and

WHEREAS, without additional revenue the City must make additional cuts to address the remaining \$3 million budget shortfall including, eliminating seven more police officers, a code enforcement officer and an animal control officer; removing a fire ladder truck and nine fire-fighters from service in July 2011; and dramatically reducing street repairs, libraries, senior programs, and youth recreation services; and

WHEREAS, with police and fire protection comprising over 60% of the City's general fund budget, the City cannot avoid more cuts to public safety, resulting in longer 9-1-1 emergency response times; and

WHEREAS, without additional revenue, the City cannot provide the level of services that over 1000 residents have identified as priorities; and

WHEREAS, a locally-enacted revenue measure would protect and maintain San Leandro services because the money is legally required to stay in our community and cannot be taken by the State, providing locally controlled funds for local services; and

WHEREAS, at its June 7, 2010 meeting, the City Council adopted a budget for FY 2010-11 that recognized the need for additional revenue to maintain and preserve the level of services desired by residents of the City; and

WHEREAS, at its July 19, 2010 meeting, the Council considered calling a special election to seek voter approval of a proposed general transactions and use tax (or "sales tax"), as authorized by Revenue and Taxation Code section 7285.9; and

WHEREAS, at that meeting, the City Council concluded that all of the information presented indicated that, to obtain the revenue necessary to maintain and preserve service levels, the Council should call an election to ask the voters of the City to approve a 7-year local transactions and use tax, the revenue from which could be used to support general municipal services; and

WHEREAS, on the basis of the foregoing, the City Council determined that it was appropriate to place a measure regarding a general transactions and use (sales) tax before the voters at the November 2, 2010 general election; and

WHEREAS, the tax, if approved, would be imposed on the sale of tangible personal property and the storage, use, or other consumption of such property. The tax rate would be one-quarter of one percent (0.25%) (a quarter cent for each dollar) of the sales price of the property. The tax revenue would be collected by the State Board of Equalization and remitted to the City. The tax would be in effect for 7 years, and would then expire automatically, unless extended by the voters. The tax shall be approved if the measure receives at least a simple majority of affirmative votes.

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAN LEANDRO AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE

Title 2 of the San Leandro Municipal Code is hereby amended to add a new Chapter 2-19 and shall read as follows:

**"CHAPTER 19
TRANSACTIONS AND USE TAX**

Section 2-19-100. Title.

This ordinance shall be known as the City of San Leandro Transactions and Use Tax Ordinance. The City of San Leandro hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

Section 2-19-105. Operative Date.

"Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 2-19-110. Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

(a) To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

(b) To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

(c) To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative

procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

(d) To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

Section 2-19-115. Contract with State.

Prior to the operative date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 2-19-120. Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of 0.25% of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 2-19-125. Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

Section 2-19-130. Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of 0.25% of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 2-19-135. Adoption Of Provisions Of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with

Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 2-19-140. Limitations On Adoption Of State Law And Collection Of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

(a) Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

(1) The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

(2) The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

(3) In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

(A) Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

(B) Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

(4) In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

(b) The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

Section 2-19-145. Permit Not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

Section 2-19-150. Exemptions And Exclusions.

(a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

(b) There are exempted from the computation of the amount of transactions tax the gross receipts from:

(1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

(2) Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

(A) With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

(B) With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

(4) A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

(5) For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(c) There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

(1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

(2) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation

Code of the State of California.

(3) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

(4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

(5) For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(6) Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

(7) "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

(d) Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 2-19-155. Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 2-19-160. Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 2-19-165. Citizens Oversight Committee.

There shall be a five-person committee of members of the public to review and report on the revenue and expenditure of funds from the tax adopted by this Chapter. Prior to the operative date, the City Council shall adopt a resolution establishing the composition of the committee and defining the scope of its responsibilities. Also prior to the operative date, the City Council shall appoint at least a quorum of the members of the committee; the Council shall complete the appointment of members of the committee by the end of fiscal year 2011.

Section 2-19-170. Termination Date.

The authority to levy the tax imposed by this ordinance shall expire on the seventh anniversary of the last day of the calendar quarter following the operative date.”

SECTION 2. ENVIRONMENTAL COMPLIANCE.

The findings for this ordinance in compliance with the California Environmental Quality Act (“CEQA”) are the same as those set forth in the City’s Resolution No. 2010-104 calling for an election on this Ordinance. The CEQA findings in Resolution No. 2010-104 are incorporated herein by reference.

SECTION 3. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 4. EFFECTIVE DATE.

This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

APPROVED by the following vote of the People of the City of San Leandro on November 2, 2010:

YESSES:

NOES:

ADOPTED by Declaration of the vote at the November 2, 2010 election by the City Council of the City of San Leandro on _____, 2010:

Members of the Council:

AYES:

NOES:

ABSENT:

ABSTAINING:

ATTEST:

Marian Handa, City Clerk

CITY OF UNION CITY MEASURE AA

AA

To prevent severe cuts to essential services such as police, fire, paramedic, library, streets, parks and other services, shall Union City adopt an Ordinance enacting a half-cent sales tax expiring four years from the date it is first collected, reviewed by a citizen's oversight committee, with annual independent audits, and all funds for Union City and no funds for the State of California?

YES

NO

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE AA

The City Council of the City of Union City has placed Measure AA on the November 2, 2010 ballot to ask the voters to approve an ordinance that would enact a temporary one-half of one percent (0.50%) transactions and use tax within the City. If approved, the tax would add a half-cent to the price of an item that costs a dollar, or fifty cents to the price of an item that costs \$100.

Currently, the tax on retail sales in Union City is 9.75% of the purchase price. Union City receives only 0.75% of the revenue generated by the existing tax. The remainder of the tax goes to the State, the County and to transportation agencies. Effective April 2, 2009, the State increased the sales tax by 1%. That increase will expire on July 1, 2011.

Technically, the existing "sales tax" is a combination of "sales and use tax" and "transactions and use tax." With some exceptions, both are levied on the sale or use of tangible personal property sold at retail. Retailers collect the tax at the time of sale and remit the funds to the State Board of Equalization, which administers the tax.

Measure AA would authorize a temporary one-half of one percent (0.50%) transactions and use tax, which would increase the total sales tax rate to 10.25%. Of the total rate, 1.25% would go to the City's general fund and be available to support the full range of municipal services, including but not limited to police, fire, paramedic, library, streets and parks. Because Measure AA does not limit the use of tax revenue, it is a "general tax," not a "special tax" that restricts the funds to specific purposes. The tax would terminate automatically four years after collection begins, unless extended by the voters.

A "Yes" vote is a vote to approve the enactment of the half-cent tax for 4 years, with oversight on the revenue and expenditure of funds from the tax, by a committee of members of the public. A "No" vote is a vote against the tax. Measure AA would be approved if it received a simple majority of "Yes" votes.

The above statement is an impartial analysis of Measure AA. If you desire a copy of the proposed ordinance, please call the City Clerk's office at 510-675-5448 and a copy will be mailed at no cost to you.

s/BENJAMIN T. REYES II, City Attorney
City of Union City
DATED: August 9, 2010

Arguments in support or opposition of the proposed laws are the opinions of the authors.

ARGUMENT IN FAVOR OF MEASURE AA

In these economic times it is difficult to ask voters to increase taxes. City employees are not receiving pay increases and are contributing toward their pensions. Ask yourself: What do we want in a city? Without an additional source of revenue to stabilize the budget, we will be forced to keep cutting services, programs and projects. The State of California has done a bad job of providing leadership and fortitude in resolving the financial crisis over the past 10 years. Consequently, the state takes the easy way out and raids local government funds without hesitation. Just this year, Union City had over \$7 million stripped out of our Redevelopment Agency by the State of California. We will be required to send the state additional millions in the coming year. A predictable source of revenue for Union City is needed. The first mission of local government is to provide sufficient public safety and voting yes on Measure AA helps us reach that goal. The revenue from Measure AA is protected from a raid by the state and remains in Union City for our needs. By voting yes on Measure AA we will be in a position to keep police patrols at an adequate level through our neighborhoods. The safety of our homes, streets, schools and businesses is at stake. Other important services that will be supported with a yes vote on Measure AA are keeping the library open at a level desired by our residents and having sufficient revenue to keep the senior center and community centers operating. In many ways, we have a choice as to what type of city we wish to live in, one that is safe and supportive or one that is operating at minimal level of service. We ask you to support our 1/2 cent sales tax by voting YES.

s/Manuel Fernandez
Councilmember

s/Richard Valle
Vice-Mayor

s/Naoimi Aylesworth
Senior Commissioner

s/Mark Green
Mayor

s/Mary L. Schlarb
Union City Resident

**NO ARGUMENT AGAINST MEASURE AA
WAS SUBMITTED**

FULL TEXT OF MEASURE AA

ORDINANCE NO. __-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY IMPOSING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

WHEREAS, the State has already taken \$9.1 million from Union City to solve their own budget crisis, and with a \$17 billion deficit, are threatening to take more; and

WHEREAS, with local revenues down \$4.4 million over the last four years due to State raids and the recession, the City has had to cut critical services the community needs and relies on, including public safety, streets, libraries, and parks which keep our community strong; and

WHEREAS, the City has drastically reduced spending, including reducing staff by almost 22% over the last two years (22 full time positions) freezing most employee salaries, attempting to negotiate a two-tier retirement system, furloughing most employees, and using a significant percentage of the City's emergency reserves; and

WHEREAS, without additional revenue the City must make additional cuts to address the remaining \$1.9 million budget shortfall including, further personnel and programmatic reductions; and

WHEREAS, with police and fire protection comprising over 67% of the City's general fund budget, the City cannot avoid more cuts to public safety, resulting in longer 9-1-1 emergency response times; and

WHEREAS, without additional revenue, the City cannot provide the level of services that its residents consider as priorities; and

WHEREAS, a locally-enacted revenue measure would protect and maintain Union City services because the money is legally required to stay in our community and cannot be taken by the State, providing locally controlled funds for local services; and

WHEREAS, at its June 29, 2010 meeting, the City Council adopted a budget for FY 2010-11 that recognized the need for additional revenue to maintain and preserve the level of services desired by residents of the City; and

WHEREAS, at its July 27, 2010 meeting, the Council considered calling a special election to seek voter approval of a proposed general transactions and use tax (or "sales tax"), as authorized by Revenue and Taxation Code section 7285.9; and

WHEREAS, at that meeting, the City Council concluded that all of the information presented indicated that, to obtain the revenue necessary to maintain and preserve service levels, the Council should call an election to ask the voters of the City to approve a four (4) year local transactions and use tax, the revenue from which could be used to support general municipal services; and

WHEREAS, on the basis of the foregoing, the City Council determined that it was appropriate to place a measure regarding a general transactions and use (sales) tax before the voters at the November 2, 2010 general election; and

WHEREAS, the tax, if approved, would be imposed on the sale of tangible personal property and the storage, use, or

other consumption of such property. The tax rate would be one-half of one percent (0.5%) (a one-half cent for each dollar) of the sales price of the property. The tax revenue would be collected by the State Board of Equalization and remitted to the City. The tax would be in effect for four (4) years from the date it was collected, and would then expire automatically, unless extended by the voters. The tax shall be approved if the measure receives at least a simple majority of affirmative votes.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNION CITY AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE

Title 3 of the Union City Municipal Code is hereby amended to add a new Chapter 3.22 and shall read as follows:

CHAPTER 3.22

TRANSACTIONS AND USE TAX

Section 3.22.010. Title.

This ordinance shall be known as the City of Union City Transactions and Use Tax Ordinance. The City of Union City hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

Section 3.22.020. Operative Date.

"Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 3.22.030. Purpose.

This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

(a) To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

(b) To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

(c) To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

(d) To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon per-

sons subject to taxation under the provisions of this ordinance.

Section 3.22.040. Contract with State.

Prior to the operative date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 3.22.050. Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one-half of one percent (0.5%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 3.22.060. Place of Sale.

For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

Section 3.22.070. Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one-half of one percent (0.5%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 3.22.080. Adoption Of Provisions Of State Law.

Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

Section 3.22.090. Limitations On Adoption Of State Law And Collection Of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

(a) Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

(1) The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

(2) The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

(3) In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

(A) Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

(B) Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

(4) In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

(b) The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

Section 3.22.100. Permit Not Required.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

Section 3.22.110. Exemptions And Exclusions.

(a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

(b) There are exempted from the computation of the amount of transactions tax the gross receipts from:

(1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

(2) Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

(A) With respect to vehicles (other than com-

mercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

(B) With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

(4) A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

(5) For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(c) There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

(1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

(2) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

(3) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

(4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

(5) For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(6) Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

(7) "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

(d) Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

Section 3.22.120. Amendments.

All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 3.22.130. Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 3.22.140. Citizens Oversight Committee.

There shall be a five-person committee of members of the public to review and report on the revenue and expenditure of funds from the tax adopted by this Chapter. Prior to the operative date, the City Council shall adopt a resolution establishing the composition of the committee and defining the scope of its responsibilities. Also prior to the operative date, the City Council shall appoint at least a quorum of the members of the committee; the Council shall complete the appointment of members of the committee by the end of fiscal year 2011.

Section 3.22.150. Termination Date.

The authority to levy the tax imposed by this ordinance shall expire on the fourth anniversary of the last day of the calendar quarter preceding the operative date.

SECTION 2. ENVIRONMENTAL COMPLIANCE.

The findings for this ordinance in compliance with the California Environmental Quality Act ("CEQA") are the same as those set forth in the City's Resolution No. 4030-10 calling for an election on this Ordinance. The CEQA findings in Resolution No. 4030-10 are incorporated herein by reference.

SECTION 3. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 4. EFFECTIVE DATE.

This ordinance relates to the levying and collecting of the City transactions and use taxes and shall take effect immediately.

November 2, 2010:

YESES:

NOES:

ADOPTED by Declaration of the vote at the November 2, 2010 election by the City Council of the City of Union City on _____, 2010:

Members of the Council:

AYES:

NOES:

ABSENT:

ABSTAINING:

ATTEST:

Renee Elliott, City Clerk