

THE FIERY DRAGON

August 2011

Empowering the Chinese Community Since 1958

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Governor Files Legal Opinion Against Ban on Affirmative Action

Gov. Jerry Brown on Friday added his voice in support of a federal lawsuit challenging the constitutionality of California's ban on racial affirmative action in public university admissions.

In a legal brief, Brown said that minorities face too high a barrier in efforts to overturn Proposition 209, which voters approved in 1996, because it is part of the state Constitution and not just a law or university policy. In addition, he noted a 2003 U.S. Supreme Court ruling that said race could be considered in state college admissions if it did not involve quotas or carry predetermined weight in decisions.

Last week, a federal appeals court struck down Michigan's ban on considering race and gender in college admissions, but that matter is expected to continue up the court ladder and does not affect California. A similar case seeking to overturn California's Prop. 209 is in the 9th Circuit Court of Appeals, which upheld the ban in 1997.

George Washington, a Detroit-based attorney arguing against the affirmative action bans in both states, said Friday that he was heartened by Brown's opinion and that it would help the case. "It is very, very important," he said of the governor's action.

Ward Connerly, the former University of California regent

President's Message

I like to thank all the members of the Board of Directors that came out for the CADC mid-year retreat on July 16th. As a follow up to the annual retreat, we focused primarily on the upcoming election and the need for the club to raise some funds for media ads as the election draws near. Look for the Club endorsement announcements soon, the critical filing date at the Department of Elections is August 12th and the question remains for everyone is will Ed Lee Run? Only time will tell.



Sam Kwong, 2011 President

Summer is here, the days are long and we have abundant daylight, but unfortunately, the graffiti folks are busy defacing our City, Over the past months, graffiti in Chinatown have escalated and caused tremendous grief to property owners, tenant and residents. Visitors into our neighborhood are surrounded by new tags of all sorts daily but unfortunately nothing is being done by the Police. Some officers told me confidentially that they know these acts are done in the early morning but the Department has not made this a priority, so they are patrolling elsewhere. It is time the Chinese Six Company, the Chinese Chamber of Commerce and the Merchants' Association raise this issue to our elected officials, particularly to our District representative. Our neighborhood is invaded by graffiti terrorists and it is time to put a stop to this disregard of public and private property.

who helped draft Prop. 209, said he does not think the Brown brief will have any effect on the court. "This is strictly political," he said of Brown's action.

Reprint of article from the LA Times 7/8/11

Goodwin Liu nominated by Gov. Jerry Brown

July 26 2011, This morning Governor Jerry Brown nominated U.C. Berkeley Law Professor Goodwin Liu to the California Supreme Court. Congratulations to Goodwin, although the Republicans blocked his nominations from President Obama to the US 9th Circuit court of Appeals, we believe California will benefit from a person of his integrity on the bench.

HOLLYWOOD, CADC AND THE MAYOR'S RACE

By Samson Wong

Columnist Samson Wong's columns have appeared in more than 400,000 households weekly through the Examiner, Independent and AsianWeek newspapers. The CADC board member and former CADC president can be reached at potsticker@prodigy.net. Views expressed do not reflect CADC policy nor were they reviewed by CADC.

SEE HOW THEY RUN: For a good primer on the mayor's race, watch the 2003 Chickflick Productions/**Emily Morse's** "See How They Run" – a documentary on the 1999 race featuring incumbent **Willie Brown** and the stunning write-in entry of former Board President **Tom Ammiano** who in just weeks became viable while **Clint Reilly**, the CADC-endorsed political campaign pioneer, imploded and former Mayor **Frank**

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Graffiti examples are everywhere.

CADC SUPER SUPPORTERS

Silver Dragons

- Shirley Chang
- Angie Cheung
- Eddie Chin
- Ed Fang
- James Fang
- Bayard Fong
- Richard Ow
- Amy Qu
- Peter Reitz
- Sandy Su

Golden Dragons

- Stanley Chan
- Gail Dekreon
- Ben Tom
- Alan S. Wong

HOLLYWOOD, CADC AND THE MAYOR'S RACE

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Jordan failed to reclaim Room 200 (while not endorsed, Jordan as mayor appointed club members **Roland Quan, Frank Fung** and **Lawrence Wong**). SHTR is notable for the few CADC current and former directors playing supporting roles. Available for online rental, purchase or library loan, SHTR starts off with gadfly mayoral candidate **Jim Reid** hoisting a sign quoting what "a good leader" was from President **Hayden Lee's** March annual dinner speech tearing into the city's "machine politics.... And we see current board member and Commissioner on the Aging **Richard Ow** pontificating on the integrity of Ammiano who denied an outright **Willie Brown** a November primary victory. Although CADC endorsed him, Ammiano lost the December runoff.

OUTAKES: In one outtake, after a visibly agitated Brown finishes a phone call in front of campaign manager **Fred Hamdun** and deputy **Darcy Brown**, his honor escorts future CADC president **Calvin Louie** and the late contractor **Jimmy Kwok** to meet in a backroom... In another outtake from the 58 minute doc, Hayden Lee and volunteers rally for Reilly by singing his "Standing Up" anthem...

HUMAN SHIELD: This columnist makes a cameo - in a Nov. 5 front page Hearst Examiner photo by standing immediately behind Ammiano announcing his write-in victory. Covering him, I had been squeezed in with supporters constricting around Ammiano like a boa constrictor. I learned later they were a human shield preventing a repeat of the Moscone-Milk tragedy....

MAJOR CHINESE AMERICAN MAYORAL CANDIDATES:

MAYOR ED LEE: By running, he has a two front war – inside City Hall and the campaign trail

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Will San Francisco Reform its City Pension?

by EDDIE CHIN

CADC recently held its monthly membership meeting at 17 Walter U Lum Place, CAA Community Room, in Chinatown. The Club asked and invited proponents on the pension reform. I contacted the Mayor's Communications Office, Supervisor Elsbernd's office or his staff, and Jeff Adachi, Public Defender, to provide an update on their proposed pension reforms.

Both the Mayor's Office and Supervisor Elsbernd were not able to have a representative at our July 14, 2011, except for Jeff Adachi. He accepted CADC's invitation to talk about his pension reform proposition for the November Election.

Jeff Adachi came by himself and greeted all the individual people in the audience before a making his pension reform pitch to the CADC members.

He stated the voters of San Francisco will have an opportunity to compare his pension reform measure and Mayor's Ed Lee's vision for pension reform. Mayor Ed Lee's pension measure has the support of the labor unions and a majority of the City Supervisors. It however requires less contributions from the City workers. Adachi's measure would have the City workers contribute more to their pension plans than the Mayor's.

Adachi stated San Francisco's pension cost is in trouble. There will likely be an increase of \$357 million tax payer dollars to \$829 million within the next four years. The cost increases come at a time when San Francisco already faces a \$309 million budget deficit. The City either does a huge tax hike or extreme cut of \$443 million in services to the local residents. His measure is to address this problem once, "do it right, and not kick the problem down the road," per Jeff Adachi.

The following points are just the high lights of Jeff Adachi's **The Pension Reform Act** at a glance from his hand outs. The measure would:

- Have Cost sharing between the taxpayers and the employees on the pension costs. At present, the City workers pay 7.5% toward their pension costs, while the taxpayers' cost will quadruple in about five years. The measure will have the City employees contribute more when the City's pension cost increases. Current police and firefighters would contribute 10%, 8% for future police and firefighters; 7.5% for current workers, while future workers contribute 8%.
- Increase the retirement ages for City workers to 65, and 57 for police and fire employees.
- The measure would be capped to prevent excessive pensions. It would be the lessor of 75% of the final compensation or \$140,000.
- No pension "spiking." Will not allow retiring workers to increase its pension in the last year of service.
- Paying out annual "bonus" pension benefits, which costs the City \$170 million in 2011 will be stopped.

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CADC Board of Directors, Officers, Committee Members

Terms Expiring End of 2011

Stanley Chan
Wilson Chu
Tech Committee
Florence Kong
Sam Kwong
President
Hazel Lee
Henry Louie
Timothy Louie
Secretary
Bonnie Low
Helen Lum
Dan Tan

Terms Expiring End of 2012

Richard Casuga
Tech Committee
Gary Chew
Bayard Fong
Suzie Lee
Treasurer, Activity/Membership Committee
Calvin Louie
Vice President
Richard Ow
Conrad Seeto
Dennis Van
Alicia Wang
Lawrence Wong
Samson Wong
Newsletter Committee

Terms Expiring End of 2013

Michael Chan
Ex-officio/Newsletter Committee
Eddie Chin
Vice President/Issue Committee Chair
Ron Lee
Parliamentarian/Activity/Membership Committee
Margaret Lee
Amy Qu
BQ Seeto
Victor Seeto
Derrick Seeto
Sandy Su
Ben Tom
Auditor

San Francisco Pension Reform

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- Any City workers earning less than \$50,000 will be exempt from any increases.

Adachi's pension measure was submitted with 72,640 signatures to the Department of Elections to place his measure on the ballot. The department is now verifying the signatures for the November ballot.

As for Mayor Ed Lee's Pension measure, Supervisor Sean Elsbernd amended Mayor Ed Lee's measure to prevent any possible consolidation as between Jeff Adachi's Pension Reform Act and Mayor Lee's. Its means which ever measure receives the most votes will go into effect and nothing more. The likely effect of this Elsbernd amendment may kill both of the pension reform and leave the current pension system in place. Come late August there will be heated campaigns for each measures as each are well-funded.

CADC members will need to review and discuss Mayor Ed Lee's pension reform measure before deciding which initiative the Club will endorse. That is if either of Mayor's Office or Supervisor Sean Elsbernd's office can spare a representative talk about its measure at the next Club's general meeting.

HOLLYWOOD, CADC AND THE MAYOR'S RACE

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with rivals City Attorney **Dennis Herrera**, Board President **David Chiu**, Supervisor **John Avalos**, Assessor-Recorder **Phil Ting** likely to scrutinize his every move like reversing his pledge to not run and his fee negotiations with the \$2.5 billion CPMC Cathedral Hill hospital project.

ST. SENATOR LELAND

YEE: While City College trustee **Lawrence Wong** and former trustee **Rodel Rodis** will criticize his Chinatown campus stance, Yee has said his stance made the campus a better project. For mayor, he won environmental support from College Trustee **John Rizzo**, whose **Sierra Club** also endorsed Yee for mayor. Yee's CCSF stance may determine the outcome of the SF Democratic Party endorsement in August, especially with Chair **Aaron Peskin**, a major preservation advocate for the old Colombo Building near the Chinatown campus.

BOARD PRESIDENT DAVID

CHIU: Chiu should be relieved that a measure to overturn the Board of Supervisors 6-5

Parkmerced decision allowing demolition of 1,500 units will not qualify for this November's ballot. If it had, it would have been a rallying point for tenant votes – who could have hurt Chiu, given he was the key sixth vote in decision. Also, to watch are Chiu and Herrera collaborating in a complaint letter against the pro-Ed Lee "Run Ed Run campaign. With ranked choice, Herrera's entrée to Chinese American votes could be thru Chiu, who could lose but become City Attorney if he helps Herrera become mayor. Herrera could also appoint Chiu's supervisor replacement.

ASSESSOR-RECORDER PHIL TING: Ting faces the challenge of running from an office traditionally held by politicians in near retirement as in the case of **Doris Ward** and **Mabel Teng** (she resigned). Historically Assessor-Recorder, as well as Treasurer, has not been a good launch pad for higher office, considering its more narrow policy and administrative focus than Chiu, Yee and Lee's offices. Treasurer and former Supervisor **Susan Leal**, highly qualified like Ting, finished in fifth place as a 2003 mayoral candidate.

Small Business Commissions' Project Manger meets CADC

Small Business Commission's Project Manger Jane Gong appeared before CADC at the June membership meeting to discuss the programs offered by the Small Business Commission and to answer questions from the membership. Ms. Gong gave a brief presentation that their office has been actively promoting new small businesses and lending assistance to help new business get through the permitting process. They work closely in conjunction with the Office of Workforce Development that the City has programs specifically for new business; such as in financing assistance, wage subsidy for employer employing low wage earners and the benefits being in a Federal Enterprise Zone which Chinatown is part of. Other programs they offer is to direct small business to non-profit financing institution and where to get free legal assistance for small businesses.

She further distributed information literature regarding compliance to the American Disabilities Act(ADA). The Department is aware many new business are unaware of the need to comply with this Federal Law and many have paid the price from unsolicited lawsuits by some individuals that target in particular minority and immigrant and small business owners. Their office offers assistance and loans to businesses from \$1,000 to \$50,000 for access barrier removal.

After her presentation, the

members raised issues that they believe the Department should also pay attention to. Local hire is a big concern. Even though the City contract out million dollars of construction contract, the hiring of local residents and the use of local business is low. As evident even in the City College Chinatown campus, the workforce of Asian are underrepresented. Another point is that the Department need to look into retaining existing small businesses, the economic setback affected all small business, many have laid-off and cut back workers' hours. Why can't programs be developed to help existing business to bridge this recession, these are business already have an existing workforce, doesn't it make sense to help them to maintain their staff? Some of CADC members believe resource should be directed here rather than just targeting new businesses.

Ms. Gong indicated that the Department has conducted many successful workshops bringing together prime contractors and subcontractors. However the members question not the success of the number of participants at an event, but the actual success of the association between the prime and subs. Often there is no follow through on verifying the actual contract dollars awarded to the subs. "We want results not a good party" a member commented.

CADC appreciates Ms. Gong making this presentation to the Club and she will relay some of the concern raised by members of the Club back to her Department Head. We look forward to hearing back from Ms. Gong and to see how the Small Business Commission can truly help small business succeed in these tough economic times.

By *Sam Kwong*

Issues of note on the November Ballot

School Bond
Prohibiting Demolition of a Residential Building
Fair Shelter Initiative
Parks for the Public
Student Assignment System (already endorsed by CADC)
SF Pension Reform Act
Competitive Bidding and Zero Waste Ordinance.

CADC MEMBERSHIP APPLICATION

Instructions: Please print using this form and return/mail to CADC, 706 Sacramento Street #134, San Francisco, CA 94108

Name: _____

Address: _____

City: _____

State/Zip: _____

Tel (Day): _____

Tel (Eve): _____

Email: _____

CHOOSE MEMBERSHIP* (PLEASE CHECK ONE ONLY)

- Fiery Dragon (\$500) Golden Dragon (\$100)
 Silver Dragon (\$50) Individual & Spouse/Partner (\$55)
 Individual (\$40) Senior/Student (\$20)

*Silver, Golden and Fiery Dragon members will be published in the newsletter for the duration of the calendar year. Membership fees are valid for one calendar year. Fees paid late in the year are valid for the subsequent year according to CADC bylaws.

AREA OF INTEREST (PLEASE CHECK ONE OR MORE:

- Issues Membership Education Issues
 Activities Newsletter
 Other (please indicate) _____

The Fiery Dragon

The Fiery Dragon is the official newsletter of the Chinese American Democratic Club of San Francisco, California. Letters to the editor and other correspondence can be sent to the address below. More information about the club can be found at www.cadcsf.org.

CADC Officers, Executive Committee and Board of Directors

CADC, founded in 1958, is led by an Executive Committee of elected officers and appointed committee chairs. Members in good standing elect from among themselves the board of directors. The board in turn elects the club officers. Officers consist of President, Vice Presidents (2), General Secretary, Treasurer, Auditor and Parliamentarian. Committees consist of Special Events (2), Endorsement, Issues, Membership, Campaign Technology and Newsletter Editor.

Next CADC Meeting

When: August 11, 2011 6pm
Where: Chinese for Affirmative Action Meeting Room
Endorsement Meeting

JOB OPPORTUNITY Webmaster for CADC

The ideal candidate will have knowledge and familiarity with the Chinese language. The ability to read and write Chinese is a plus. It is the intent of CADC to expand the website with bilingual information.

Interested individuals should send a resume by email to Samuel Kwong, President of CADC at: samkwong-arcus@pacbell.com.
 Phone Contact: 415-391-3313

Scope of Work:

- Review and evaluate website.
- Recommend proposed improvements to the Executive Board.
- Implement improvements to the website and review developments with the Executive Board.
- Perform periodic updates of the website.
- The site should be completed within 2 months.
- Initially the website will be informational, but we want it to be able to accept membership payments through Paypal, and keep track of the calendar of events. Compensation will be negotiated during a personal interview.