Selby, Matthew (REG)

From: Services, Campaign (REG)
Sent: Tuesday, September 3, 2024 10:54 AM
To: [redacted]
Subject: RE: Request to Disregard Late Rebuttal Submission

Good Morning,

Thank you for contacting the San Francisco Department of Elections. This response will be added to the public record.

Best,

Matthew Selby, Campaign Services Manager & Custodian of Records
San Francisco Department of Elections
1 Dr. Carlton B. Goodlett Place
City Hall, Room 48
San Francisco, CA 94102
(415) 554-4375
www.sfelections.org

Help determine the future of our City, State, and Country! Register to vote and cast your ballot in the November 5, 2024 election!

From: [redacted]
Sent: Tuesday, September 3, 2024 10:43 AM
To: Services, Campaign (REG) <campaign.services@sfgov.org>
Subject: Request to Disregard Late Rebuttal Submission

Dear Department of Elections,

I am writing to formally request that the Department of Elections disregard the rebuttal submitted by Lucas Lux [redacted] on **August 30, 2024, at 12:41 PM**.

According to the "Guide to Submitting Ballot Arguments," the period for filing rebuttals was from August 20, 2024, at 12:00 PM to August 30, 2024, at 12:00 PM. The submission in question was filed ***after*** this deadline, as specified under the code provisions California Elections Code §§9380, 9509 and San Francisco Municipal Elections Code §590(b)(5) and §590(b)(6).

Given these code provisions and the importance of adhering to procedural deadlines, I respectfully request that this late rebuttal be excluded from consideration. Accepting submissions beyond the official deadline undermines the integrity of the review process and potentially misleads voters.

Thank you for your attention to this matter. I appreciate your prompt consideration and action.

Sincerely,
Vin Budhai

From: Lucas Lux [redacted]
Sent: Friday, August 30, 2024 12:41 PM
To: Services, Campaign (REG) <campaign.services@sfgov.org>
Subject: Factually incorrect Prop K opponent arguments

> This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

Multiple paid arguments against Proposition K include a factually incorrect reference to 20,000 cars using the Great Highway on a daily basis. Data released by the SFMTA (see link below) show that the number is 14,700, which is significantly below a pre-pandemic level of 20,000 cars. The paid arguments' use of an outdated and factually inaccurate statistics would mislead voters. I respectfully request that you either strike the references to 20,000 or correct them to an accurate figure, to ensure that voters are not misled by data which is known to be inaccurate.

MTA report: https://www.oceanbeachpark.org/s/June-2024-Report-to-BOS-Final-Amended.pdf

Thank you for your time and attention to this matter.

II. Important Dates

Date	Description	Code Provision(s)
08 / 15 / 2024 Noon E-82	**Submission of Official Proponent and Opponent Ballot Arguments for Local Ballot Measures and District Measures** Deadline to submit official proponent and opponent ballot arguments for local ballot measures and district measures to the Department of Elections. Prior to submitting an argument, the author must sign and submit Ballot Argument Control Sheets. **(300 words)**	CAEC §§9162-9164, 9281-9283, 9286, 9315-9317, 9501-9509; SFMEC §535(b)
08 / 15 / 2024 2:00 p.m. E-82	**Selection of Official Proponent and Opponent Arguments** If the Department of Elections receives more than one proposed official proponent or opponent argument for a measure, the Department will select one official proponent and one opponent argument according to priority levels and, if necessary, by lottery.	CAEC §§9166, 9503; SFMEC §545
08 / 16 / 2024 Noon E-81	**Deadline to Correct Grammatical, Spelling, and Factual Errors in Official Proponent and Opponent Ballot Arguments for Local Measures Only** Deadline for the authors of official proponent and opponent ballot arguments to correct any, grammatical, spelling, and factual errors in the arguments for or against local measures. The Director of Elections' determination shall be final.	SFMEC §535(f)
08 / 16 / 2024 Noon – 08 / 26 / 2024 Noon E-81 - E-71	**Public Examination Period: Official Proponent and Opponent Arguments for Local Ballot Measures and District Measures** Period of public review and possible legal challenge of official proponent and opponent arguments for publication in the Voter Information Pamphlet.	CAEC §§9380, 9509; SFMEC §590(b)(4)
08 / 19 / 2024 Noon E-78	**Submission of Rebuttal Arguments for Local Ballot Measures and District Measures** Deadline to submit rebuttal arguments for local ballot measures and district ballot measures to the Department of Elections. **(250 words)**	CAEC §§9504, 9167, 9285; SFMEC §535(c), 550
08 / 19 / 2024 Noon E-78	**Submission of Paid Ballot Arguments for Local Ballot Measures** Deadline to submit paid ballot arguments for or against local measures to the Department of Elections. Paid ballot argument fee and original hard copy must be submitted together. **(300 words)**	SFMEC §535(d), 555
08 / 20 / 2024 Noon E-77	**Deadline To Correct Grammatical, Spelling, And Factual Errors In Rebuttal Or Paid Arguments For Local Measures Only** Deadline for the authors of rebuttals or paid ballot arguments to correct any grammatical, spelling, and factual errors in their arguments for or against local measures. The Director of Elections' determination shall be final.	SFMEC §535(f)
08 / 20 / 2024 Noon – 08 / 30 / 2024 Noon E-77 - E-67	**Public Examination Period: Rebuttal Arguments (Local and District Measures) and Paid Arguments (Local Measures Only)** Period of public review and filing legal challenges of rebuttals and paid ballot arguments submitted for publication in the Voter Information Pamphlet.	CAEC §§9380, 9509; SFMEC §590(b)(5)-590(b)(6)

Source:
https://www.sf.gov/sites/default/files/2024-08/Guide%20-%20Ballot%20Arguments%20-%20November%205%2C%202024_0.pdf

From: Lucas Lux [redacted]
Sent: Friday, August 30, 2024 12:41 PM
To: Services, Campaign (REG) <campaign.services@sfgov.org>
Subject: Factually incorrect Prop K opponent arguments

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MTA report: https://www.oceanbeachpark.org/s/June-2024-Report-to-BOS-Final-

Thank you for your time and attention to this matter.

From: "Services, Campaign (REG)" <campaign.services@sfgov.org>
Date: Tuesday, September 3, 2024 at 9:22 AM
To: "Services, Campaign (REG)" <campaign.services@sfgov.org>
Subject: FW: Factually incorrect Prop K opponent arguments

Good Morning,

Please see below the challenge correspondence regarding Paid No on K arguments. This challenge will be included in the public record. The Director is providing you the opportunity to submit a response to this challenge that will also be added to the public file.

Best,

Matthew Selby, Campaign Services Manager & Custodian of Records
San Francisco Department of Elections

1 Dr. Carlton B. Goodlett Place

City Hall, Room 48

San Francisco, CA 94102

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Help determine the future of our City, State, and Country! Register to vote and cast your ballot in the November 5, 2024 election!

From: Lucas Lux [redacted]
Sent: Friday, August 30, 2024 1:25 PM
To: Services, Campaign (REG) <campaign.services@sfgov.org>
Subject: Re: Factually incorrect Prop K opponent arguments

Hi Matthew,

The following arguments explicitly reference the factually incorrect number of 20,000:

- Paid No K-3
- Paid No K-9
- Paid No K-15
- Paid No K-16
- Paid No K-27

Additionally, the following arguments reference a misleading "tens of thousands," a phrase that would only be factually accurate if the 20,000 figure were itself factually accurate:

- Paid No K-13
- Paid No K-24

Thanks you again for your time and attention to these.

Best,

Lucas Lux

On Fri, Aug 30, 2024 at 12:56 PM Services, Campaign (REG) <campaign.services@sfgov.org> wrote:

> Good Afternoon,
>
> Thank you for contacting the San Francisco Department of Elections. Can you be more specific on which paid arguments against Prop K you're referencing?
>
> Best,
>
> Matthew Selby, Campaign Services Manager & Custodian of Records
> San Francisco Department of Elections
>
> 1 Dr. Carlton B. Goodlett Place
>
> City Hall, Room 48
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Thank you for your time and attention to this matter.

Selby, Matthew (REG)

From: Services, Campaign (REG)
Sent: Wednesday, September 4, 2024 1:30 PM
To: 'Kathy Howard'
Subject: RE: Factually incorrect Prop K opponent arguments - Pleased reject this challenge.

Good Afternoon, Kathy,

This response will be included in the public record. At this time, the Director will take no further action.

Best,

Matthew Selby, Campaign Services Manager & Custodian of Records
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From: Kathy Howard [redacted]
Sent: Wednesday, September 4, 2024 11:49 AM
To: Services, Campaign (REG) <campaign.services@sfgov.org>
Subject: Re: Factually incorrect Prop K opponent arguments - Pleased reject this challenge.

San Francisco Department of Elections,

This is to formally request that the Department of Elections reject the challenge (below) submitted by Lucas Lux. According to the email that you forwarded to us, he submitted his argument at 12:41 p.m., after the deadline of 12:00 noon for rebuttals (August 30, 2024). This deadline is clearly laid out in the Department's election materials, "Guide to Submitting Ballot Arguments, November 5, 2024, Presidential Primary Election."

Mr. Lux is a submitter of a Paid Ballot Argument himself, and as such, he would be familiar with the Guide and would know the deadlines. In addition, his challenge is based on a report that was published in July, 2024, and was therefore available for him with plenty of time to submit his challenge by the deadline.

In submitting our Paid Ballot Argument, we were careful to follow all of the Department of Elections' strictures in filling out forms and submitting them to the City. We hope that the Department in turn will respect the rules in this case.

Thank you for your consideration.

Katherine Howard, Submitter, No On K – 3

From: "Services, Campaign (REG)" <campaign.services@sfgov.org>
Date: Tuesday, September 3, 2024 at 9:22 AM
To: "Services, Campaign (REG)" <campaign.services@sfgov.org>
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