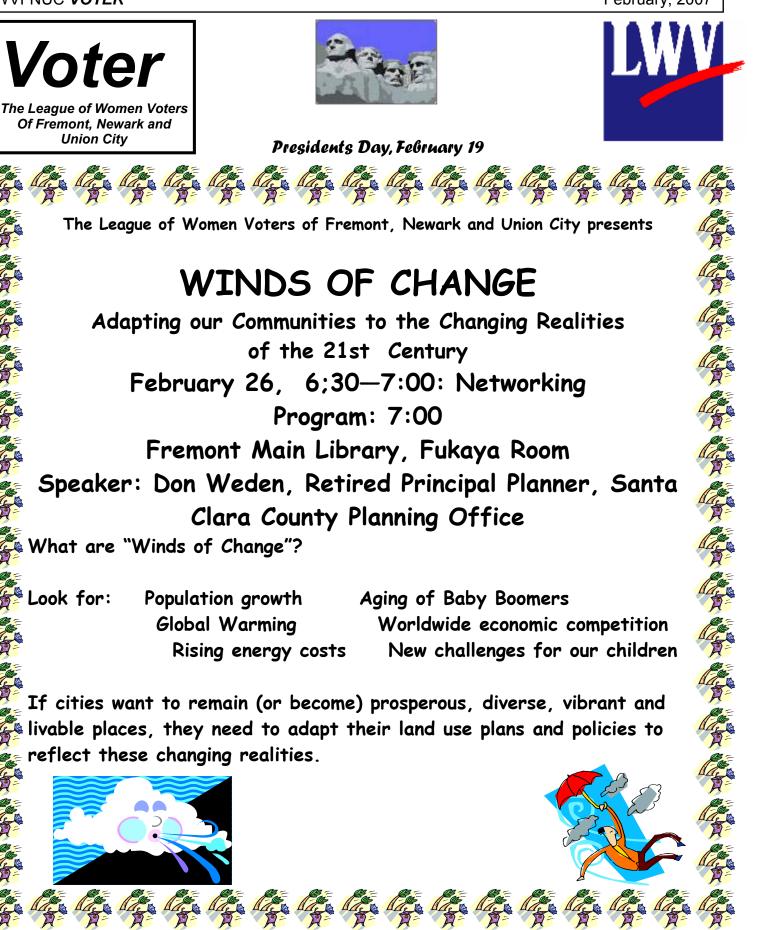
February, 2007



PRESIDENT'S MESSAGE

This should be an interesting year on health care. At the present time there are four health care programs in the Legislature. One each from Schwarzenegger, Assembly Speaker Nuñez, Senator Perata and SB 840. The League at the State level has worked for SB840 for the past several years. A coalition of SB840 proponents started a campaign last August calling for a one care now campaign to be celebrated for 365 days starting with the 365th smallest city in California and ending a year later in city #1, Los Angeles. Since we are the Fremont, Newark, Union City League, we will "celebrate" 3 times this year. Our party in Newark will take place on Feb. 12, with Union City in May and Fremont in July.

We will ask the Newark city council to approve a resolution supporting SB 840. Will they do so? Probably not. However, we will distribute flyers in Union City on 2/12 and ask people to sign petitions in support. Hopefully we will increase the number of people who are aware of SB 840 and will support it.

You can also learn more about California health care plans by watching our Voting Matters cable program this month. It will show on channel 29 on Wednesdays at 7:30 pm. Andrew McGuire of the OneCareNow Campaign and Dr. Jacob Eapen, a Board member of Washington Hospital will be the guests.

Educating the voters and ourselves. That's what the League is all about.

BOARD BRIEFS

At the January Board meeting, the Board

- was encouraged to attend the LWVBA League Day on Jan. 27.
- heard that the Voter Service evaluation meeting would be Feb. 15.
- approved plans for the Newark part of the 365 day one care now plan to educate for SB 840.
- approved taking part in the "Cool Cities" campaign and including information on it on our web site.
- heard that we will be the lead League for the Assembly district 20 interview but not Senate district 10.

ACTION IS.....

Political action is an old an honorable tradition in the League. In fact, you might say that political action is the League's reason for being. The League itself was founded out of one of the largest and longest action campaigns this country has ever witnessed- the fight for women's suffrage.

Carrie Chapman Catt, women's suffrage leader and founder of the League of Women Voters, said that action is "agitating, organizing, educating, pleading, and persuading..." Today's League proudly carries on this tradition of action.

Action is fun. Action is exciting. Action is whatever the League does, at every level of government, to implement its program. Leagues lobby, monitor and/or litigate depending on what the action goals are and what branch of government must implement them. http://californiaschoolfinance.org. (League Publication)

Your Action Committee is in the middle of having fun and excitement on quite a few issues. We are working on the issues of "Cool Cities", Dumbarton Rail, single- payer health care for all Californians, creating an amazing website to document all our activities, and helping to produce timely Voting Matters programs every month. You could say that we are agitating, organizing, educating, pleading and persuading and having a really good time doing it. Some people may think that this is a strange kind of fun, but we are having it. If you would like to join us, we would welcome you. Contact Marilyn Singer at singer756@sbcglobal.net.

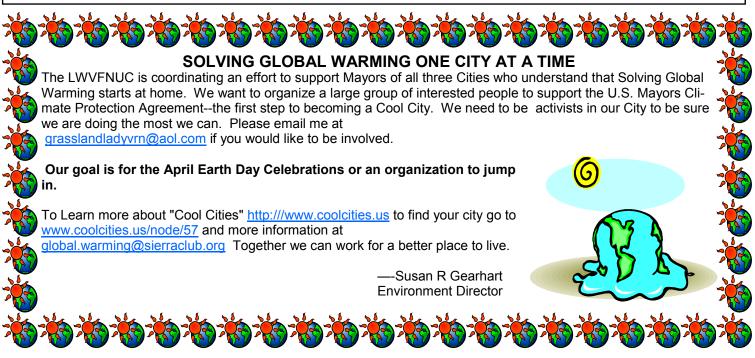
(Your Action Team: Miriam Keller, Ken Ballard, Alex Starr, Susan Gearhart, Syeda Yunus, Jean Holmes, Ursel Bloxsom, Sam Neeman, Marjorie Wakelin and Marilyn Singer- assisted by Kay Emanuele, John Smith and Ann Crosbie.)

—-Marilyn Singer

VOTER SERVICE

After the election frenzy is a good time to take stock and plan. Voter Service invites you to a brain storming session. Thursday, February 15th at 7:00 PM. At Ellen Culver's home, 48477 Ursa Drive, Fremont. We invite all members who think Voter Service is important to join us to review what we did, what worked and what we could do differently in the future. We need your ideas, insights, perceptions. Please call Ellen (510-656-7973) if you are planning to come.

LWVFNUC VOTER



US SUPREME COURT AGAIN CONSIDERS "PARTIAL BIRTH ABORTION" BAN

Courts have consistently struck down state "partial birth abortion bans" because their broad language prohibits abortions as early as 13 weeks in pregnancy and they lack exceptions to protect women's health. Despite the Supreme Court's ruling against such a Nebraska ban in 2000 by a vote of five justices, Congress passed a federal ban in 2003 without an exception for the mother's health, and it was signed into law by the President. The Supreme Court heard arguments in two legal challenges to the federal ban on November 8 and will weigh in by July on whether a medical decision should be dictated by the Court even if the mother's health isn't taken into account. Will the court follow the precedent in the Roe v. Wade protection of the health of women, or will the justices determine that the doctors should not use a particular procedure regardless of the issue that the women's health could be at stake? —--LWVC

REDISTRICTING

The League and its partners have begun discussions on further action on redistricting reform. We plan to investigate two tracks: a bill in the legislature and an initiative petition. At this point we are working with a draft similar to SCA 3 of 2005-2006, the bill we worked hard to move through the legislature last year. LWVC President Jackie Jacobberger spoke at a press conference the second day of the new legislative session as Governor Schwarzenegger announced his intention to press the legislature for reform. We do not yet know how things will progress, but we will keep members informed as we move forward.

--LWVC

LOOKING AHEAD

Sunshine Week is March 11-17, 2007. We are working on local activities for Sunshine Week, a national program that supports open government. Look in your next Voter for specifics! For more general information go to www.sunshineweek.org.

EdSource Conference April 20 in Palo Alto

Reproduction Freedom Day, March 21, 2007

February, 2007

LWVFNUC VOTER

THE ALAMEDA COUNTYWIDE HOMELESS AND SPECIAL NEEDS HOUSING PLAN

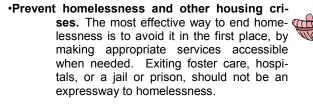
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given night. Many people experiencing homelessness have disabili- volvement. ties. Thousands more with serious and persistent mental illness and/or HIV/AIDS are living in precarious or inappropriate situations. Alameda County has already made a significant investment in af-This plan outlines a reorientation of housing and service systems to end chronic homelessness within ten years and significantly reduce housing crises for these vulnerable populations in Alameda County over fifteen years.

Alameda County has a history of innovative and successful programs to address homelessness and special needs housing. While these programs have significantly assisted they people they service, the Sponsors and Stakeholders who developed this plan acknowledge that simply continuing with the current approaches will not lead to ending homelessness. Achieving this vision will require dedicating approximately 15,000 units of housing to the plan's target popu-

lations, but housing alone is not enough. In order to prevent and end homelessness for the plan's target populations, the plan establishes five goals:



 Increase housing opportunities for the plan's target populations. This plan identifies a

> less or living with HIV/AIDS or mental illness, and estimates the cost of developing and operating housing and was sponsored and funded by: services over the next fifteen years at \$1.6 billion.

- •Deliver flexible services to support stability and independence. Culturally competent, coordinated support services must accompany housing; for some, access to clinical services • Alameda County Public Health Department Office of AIDS Adminiwill also be important. Service systems must coordinate in order to make the greatest difference in people's lives and • Alameda County Social Services Agency to make the most of their limited resources.
- •Measure success and report outcomes. Evaluating outcomes will allow systems and agencies to identify successful pro- . grams and target resources toward best practices.
- ·Develop long-term leadership and build political will. These goals can only be achieved with a long-term leadership structure that can sustain systems change activities. Building and sustaining political and popular support for its vision and activities will also be required.

Homelessness and housing crises are damaging to the physical, mental and economic health of individuals and families, and leave them vulnerable to violence and exploitation. But homelessness and housing crises have serious costs to the community as well. For example, when children and adults are homeless or in a precarious housing situation at risk of becoming homeless, they cannot participate to the greatest potential in school, at home, at work, and in the community. Other costs to the community include the costs

As many at 16,000 people are homeless during the course of a of providing emergency housing, mental health crisis services, year in Alameda County, and more than 5,000 are homeless on any emergency medical care, criminal justice and judicial system in-

> fordable housing and services related to homelessness, behavioral health (including both mental health and substance use), and HIV/ AIDS. There are more than 20,000 units of affordable housing, and services are provided to more than 20,000 people annually in these three systems. Still, too many low-income people experience homelessness and housing instability.

> This plan envisions a housing and services system that partners with consumers, families, and advocates; provides appropriate services in a timely fashion to all who need them; and ensures that individuals and families are safely, supportively, and permanently housed. As the sponsors and community stakeholders of this plan,

> > we envision a future in which there are sufficient resources. political will, and community support to effect the changes necessary to make this vision a reality.

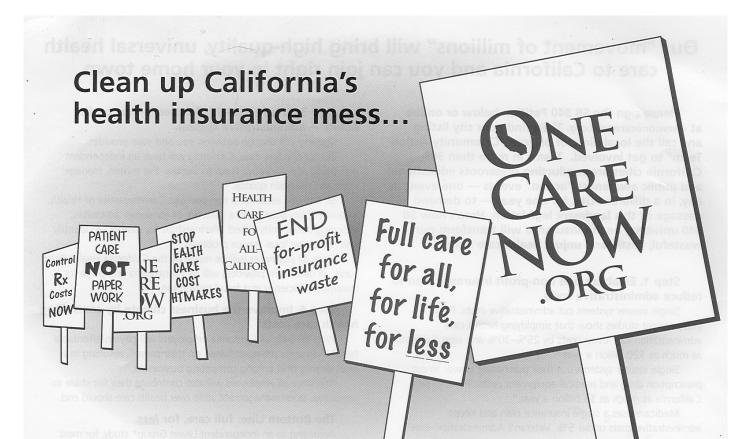
> > Not only is this Alameda County's plan to end chronic homelessness-and similar in intent to plans being developed across the country-but also it builds on those efforts by engaging the mental health and HIV/AIDS service systems to forge a comprehensive approach to increasing supportive housing. This plan represents the culmination of more than a year of collaboration between Alameda County government representatives and community stakeholders. Dozens of housing and service providers, consumers, and stakeholders participated in interviews, focus groups, and ad hoc working groups to develop the plan. Successful implemen-

need for 15,000 units of housing for people who are home- tation of this plan will require the support and participation of many more individuals, organizations, sectors, and jurisdictions. The plan

- · Alameda County Behavioral Health Care Services
- · Alameda County Housing and Community Development Department
- stration
- Alameda Countywide Homeless Continuum of Care Council
- City of Berkeley Housing Department
- City of Berkeley Health and Human Services Department
- City of Oakland Community and Economic Development Agency
- City of Oakland Department of Human Services.

—-Miriam Keller





Join the OneCareNow 365-City Campaign to pass SB 840 Universal Health Insurance

Senate Bill 840 (Kuehl) means real health care benefits. Not just junk insurance, but full care for all, for life, for <u>less</u>.

- **Health Security** for every resident with full coverage for life
- Free choice of your doctor or provider
- All needed care: preventive, primary, hospital, emergency, dental, vision, prescription drugs and more
- Pre-existing conditions covered
- No co-pays or deductibles for at least two years

- Big savings for most insured families averaging \$300 to \$3,000 per year*
- Efficient administration cuts costs 25%*

Join Us Now

- Fair reimbursement to all providers
- All from one plan, one risk pool, one efficient non-profit insuring system

* Data from the Lewin Group economic impact study of Kuehl SB 921 in April 2004. SB 840 is modeled on SB 921.

LWVFNUC VOTER

Our "movement of millions" will bring high-quality, universal health care to California and you can join right in your home town

Please sign the SB 840 Petition below or online at www.onecarenow.org. Then find your city listing and call the local director of your "Community Action Team" to get involved. Teams in more than 365 California cities are conducting grassroots educational and public awareness "action" events — one event per day, in a different city, for one year — to demand passage of this landmark legislation. Here's how SB 840 universal health insurance will transform our wasteful, costly and unjust health care system:

Step 1. Establish one non-profit insurance plan to reduce administrative costs.

Single insurer systems cut administrative costs. Four independent studies show that simplifying health care administration can lower costs by 25%–30% and save California as much as \$20 billion a year.*

Single insurer systems use their purchasing power to cut prescription drug and medical equipment costs. This can save California as much as \$5 billion a year.*

Medicare uses a single insurance plan and keeps administrative costs under 5%. Veteran's Administration uses one to cover veterans. Kaiser uses one to cover its members. SB 840 costs are also projected at under 5%.*

Step 2. Provide reliable, quality coverage for all Californians. For life.

Under SB 840, you will choose your own doctor. You and your provider, not insurance agents, will decide your care.

All needed services, drugs, hospital stays, therapies, and medical equipment will be covered.

8 Children of 163

And every resident will be continuously covered for life. You don't lose insurance if you lose your job, or change your job, or if you have a "pre-existing" condition.

Step 3. Create a health-focused — not profitbased — administrative system.

Nothing will change between you and your provider. But for the first time, California will have an independent non-profit administrative team to oversee the system, manage costs and maintain quality.

SB 840 will establish a non-partisan Commissioner of Health, a Health Policy Board and a network of consumer advocates, including community based "Partnerships for Health" to identify and help solve local service problems.

Since all payments will be made by the California Health Trust Fund, all data from providers will be funneled to one place for maximum efficiency and fraud prevention.

Step 4. Improve the business climate by controlling health care costs.

With SB 840, *all* California employers will pay an affordable health insurance premium based on their payroll, resulting in a level playing field among competing businesses.

And since *all* employees will also contribute their fair share to premiums, labor-management strife over health care should end.

The Bottom Line: full care, for less.

According to an independent Lewin Group* study, for most California employers or individuals who now have private insurance, SB 840 will cost them less for comprehensive coverage.

With no deductibles or out of pocket costs to pay, California families could save from \$300 to \$3,000 per year* while businesses could save from \$300 to \$2,000 per employee.*

California could have a net savings of \$8 billion* in the first year of universal health care, up to \$343 billion* after 10 years and be the first state in the nation to truly *control* costs while insuring all residents.

* Data from the Lewin Group economic impact study of Kuehl SB 921 in April 2004. SB 840 is modeled on SB 921.

OneCareNow.org is a project of Health Care for All—California.

Sign our Petition for OneCareNow and donate with this form today!

I hereby call on the Legislature and the Governor to enact Senate Bill 840 (Kuehl) to provide comprehensive, high-quality health insurance for all Californians. SB 840 is based on the following principles:	NameAddress				
	City Phone Organizational Affiliation	State Zip Email			
 One single-payer health insurance program that covers every California resident 	 Yes – Send me updates on this campaign. Yes – I want to volunteer time. Yes – I want to donate NOW. 	Please write your tax-deductible donation check to the OneCareNow Campaign and mail to: OneCareNow Campaign 2130 Fillmore Street, #343 San Francisco, CA 94115-2224 Fax to: (415) 821-8202. Or call: (888) 442-4255			
 High-quality care, comprehensive benefits and choice of your own doctor 	Amount enclosed:				
 Affordable for individuals, families and businesses 	California's 365-City Campaign for Universal Health Insurance				
Signature	S NECARENOW.org				

THIS LAND IS YOUR LAND: USING EMINENT DOMAIN

On November 7, California voters rejected Proposition 90, which could have drastically changed the implementation of local and regional plans. Voters evidently felt that the initiative went too far in restricting eminent domain, the power governmental bodies and agencies exercise when condemning private property, providing just compensation to its owners, and appropriating it for public use.

While sanctioned by the US Constitution, eminent domain carries a more particular definition in the state of California, whose own constitution adds restrictions on how it may be applied. Under California law, redevelopment agencies can take property through eminent domain if the redevelopment plan identifies the area as "blighted," meaning that current land uses are not taking full advantage of the area's economic potential. Redevelopment of blighted areas should benefit the public by increasing property values, creating jobs and bringing more revenue to the community—thereby justifying the application of eminent domain.

Eminent domain is often used by redevelopment agencies, but there are many other agencies that may also employ it to acquire land needed for their operations. For example, in March 2006, the East Bay Regional Park District (EBRPD) Board voted to use the power of eminent domain to condemn the Bruener Marsh property in North Richmond, which was slated for development, and add it to Point Pinole Regional Shoreline. Most of the public testimony at two hearings supported the district's decision.

Other examples include utility districts such as East Bay Municipal Utility District (EBMUD), which can use eminent domain to condemn and acquire land or easements for pipelines and pumping stations, and transportation agencies such as BART, which has taken land for right-of-way and stations. Eminent domain recently moved into the spotlight due to the Supreme Court case Kelo vs. City of New London. The court ruled that it was justifiable for the city to take properties— which individually might not be blighted although they were in a rundown area—and resell them to a developer for a new mixed-use development that was part of a plan to revitalize the area.

Widespread concern over the Kelo decision led to several bills that were passed by the California Legislature and signed by the governor in September. These bills:

- tightened the definition of blight,
- added new requirements for amending or extending redevelopment plans while increasing state oversight,
- provided opportunities for property owners to challenge decisions while allowing them to keep property during the process of resolving disputes, and
- required any agency taking property to use it for the stated purpose.

The new laws also dictated that the agency would have to pay the owners up to \$5,000 for an independent appraisal of the property, and forced agencies to sell the property back to the owner or heirs if it remained unused within ten years with no new purpose having been established.

Most agencies say that they use eminent domain as a last resort. According to Nancy Wenninger, EBRPD Land Acquisition Manager, "The district has used it very rarely in the last 10-15 years." She cites the expense and time involved in going to court to take ownership and establish valuation of the land as a reason to avoid condemnation. However, public concern over perceived abuse led to initiatives on the November ballot in a number of states, including Proposition 90 in California.

In addition to limiting the use of eminent domain, Proposition 90 also included provisions affecting "regulatory takings," or decreases in property value due to land use rules and regulations. Under these provisions, even if a property owner was not forced to sell property, a claim for damages could be brought if a new government regulation affected the property value.

Developments like the BART station now being constructed in West Dublin or the Fruitvale transit village would have been far more difficult to build under Proposition 90. This is because these developments involve complicated land swaps between public agencies and private owners that sometimes result in private ownership of land acquired through eminent domain. Land for right-of-way where BART extensions are being planned might be unobtainable without the use of eminent domain, but the increase in value under the initiative could have made it unaffordable, possibly dooming the projects. The EBRPD marshland acquisition near Richmond, now waiting for a court decision on value, might have been affected by a provision voiding all eminent domain actions where court decisions had not yet been published. The failure of Proposition 90 may be due more to confusion over the impacts of regulatory takings than support of the eminent domain process; there is still significant public concern over perceived or real abuse of its power. The recent legislation addresses only a few of the points contained in the initiative, and Proposition 90 opponents have offered to work with the legislature to make additional changes. Depending on their scope, however, Proposition 90 backers may still place a similar measure on the 2008 ballot.

Meanwhile, jurisdictions are finding that it is more important than ever to make planning for redevelopment a cooperative process with substantial community involvement. Community members who see eminent domain as a tool to reach a shared goal will not be blaming elected officials for using it to destroy a neighborhood. Instead, like the many speakers from the general public supporting the EBRPD condemnation of the Bruener Marsh, they may regard eminent domain as a useful means to a worthwhile end.

For further reading:

<u>"Eminent Domain,"</u> by Aaron Larson. <u>"Proposition 90: How It Works and Does Not Work,"</u> by Goldfarb & Lipman LLP. <u>"Supreme Court Upholds Eminent Domain for Economic Development,"</u> from the National Conference of State Legislatures.

> By Leslie Stewart, Bay Area Monitor, December/January

THE EFFECTS OF RESTRICTING EMINENT DOMAIN

Proposition 90 dealt with a complicated process that many people still do not fully understand, even after the election. To help clarify the details involved, the following hypothetical example of the imaginary city of Bayview Heights illustrates what kind of specific impacts the measure would have had: Bayview Heights wants to revive a dilapidated waterfront area comprised of a small commercial strip with many vacancies, old homes that are mainly rented and often poorly maintained, and an abandoned warehouse and dock along the shoreline. Plans call to take all of this out and put in a five-story mixed-use residential complex with shops on the ground floor, a transit hub, and a waterfront park. City redevelopment staff has been working with businesses to help them relocate; some will even be offered space in the new development. Most owners are willing to sell, but several owners want to stay and the warehouse owner is not responding to any negotiations.

Under Proposition 90, the city could have acquired land from the unwilling owners only for the transit hub or the waterfront park—public uses on publicly owned land. The city could not condemn property and then sell it to the developers of the residential units and the retail complex. The initiative defined acceptable public uses to exclude any that involved transferring condemned property from the public agency to a private owner for the purpose of economic development or enhancing tax revenues.

Owners would have been entitled to get the value of the land as if it were developed to its "highest and best use," so the warehouse owner could have asked for compensation for a waterfront resort. Under Proposition 90, the increase in height to five stories would have allowed neighbors to sue over loss of views and decreased property values. On the other hand, if some owners had hoped for such higher buildings, they could have requested compensation for lost profits.

If developers could not buy enough property on their own, a redesign could have dropped affordable units or scaled down the retail area, pricing existing businesses out of scarce spots. Bayview Heights' planners worried that regional funding for the transit hub would depend on new development nearby. The city considered giving up on the new development and taking the adjacent property for a city-owned parking garage to serve the transit hub; this could potentially attract riders (who would otherwise have come from the nearby residences) and replace revenues from businesses. However, under Proposition 90 there would probably have been a court battle over whether the parking garage could be considered a legitimate public use, as well as court cases over increased traffic congestion impairing the value of nearby businesses. Also, the city would have had to compensate the owners for the value of the land based on its use as a parking garage if said value was more than that of the replaced residence or business.

Bay Area Monitor, December, January

one must be at least 18 years of age a Annual dues includes membership in Local Make your check payable to: LEAGUE OF V	cribes to the purpose and policy of the League may and a U.S. citizen , Bay Area, California and National Leagues. VOMEN VOTERS and mail it with this form to:	, join. To be a voting member,		
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please contact: Marjorie Wakelin:510-624-4500, marjorie@holyfamilysisters.org				

Mission Statement The League of Women Voters of Fremont, New- ark, and Union City, a nonpartisan political or- ganization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through edu- cation and advocacy.	ELECTRONIC CORNER Websites for those interested in the environment: Government Agencies: Environmental Protection Agency—www.epa.gov National Science Foundation—www.nsf.gov Corps of Engineers—www.usace.army.mil Office of Surface Mining—www.osmre.gov USDA Forest Service—www.fs.us	
Diversity Policy LWVFNUC affirms its commitment to reflect the diversity of our communities in our membership and actions. We believe diverse views are im- portant for responsible decision making and seek to work with all people and groups who reflect our community diversity.	Organizations: American Rivers—www.amrivers.org Defenders of Wildlife—www.defenders.org Earth Justice Legal Defense Fund—www.earthjustice.org Friends of the Earth—www.foe.org Greenpeace—www.greenpeaceusa.org National Audubon Society—www.audubon.org National Wildlife Foundation—www.nwf.org Environmental News Network—www.enn.com	
LWVFNUC Voter Published 10 times a year by the League of Women Voters of Fremont, Newark and Union City. PO Box 3218 Fremont, CA, 94539 510-794-5783 President: Miriam Keller Treasurer: Pam Garcia Editor: Vesta Wilson Office Hours: The LWVFNUC storage office address is:	Nature Conservancy—www.nature.org National Speleological Society—www.caves.org Serve Our Environment—www.saveourenvironment.org Public Health and Safety—www.nsf.org National Recycling Coalition—www.nrc-recycle.org Arborists—www.arborists.com Forestry—www.forestry.about.com Sierra Club—www.sierraclub.org Tri-City Ecology—www.tricityecology.org —-Vesta Wilson	
4368 Enterprise St., off Grimmer, near Automall. Materials are available 7:30 AM to 5:00 PM with permission of a board member.	QUOTE: It is the duty of every citizen according to his best capacities to give validity to his convictions in political affairs.—Albert Einstein, <i>Treasury for the Free World</i> , 1946	

LWVFNUC VOTER

February, 2007



LEAGUE OF WOMEN VOTERS OF FREMONT, NEWARK AND UNION CITY P.O. Box 3218 Fremont, CA, 94539 (510) 794-5783

WATCH VOTING MATTERS

Tune in to see Sam Neeman interview guests Andrew McGuire from One Care Now and Jacob Eapen of Washington Hospital. Topic: Health Care for All. **Fremont**, Channel 29, every Wednesday at 7:30 PM **Newark**, Channel 6, every Thursday at 7 PM **Union City**, Channel 15, every Thursday at 9:30 PM

> Visit our website: http://www.lwvfnuc.org and Smart Voter www.smartvoter.org

CALENDAR

Thurs. Feb. 8	LWVFNUC Board Meeting	7:15 PM	Sisters of the Holy Family Auditorium
Fri., Feb. 9	Education Committee	9:30 AM	Miriam Keller's home
Mon., Feb. 12	Health Care Reform Event,		Newark
Thurs., Feb 15	Voter Service Brainstorming Session	7:00 PM	Ellen Culver's home
Wed., Feb 21	Cable Taping	2:00 PM	Comcast Studios
Thurs. Feb. 22	Action Committee	12:30 PM	Marilyn Singer's home Brown bag
Fri., Feb 23	Education Foundation Dinner	5:30 PM	Fremont Marriott
Fri., Apr. 20	EdSource Conference	All day	Palo Alto
Sat., May 5	Health Care Reform Event		Union City
Sat., June 2	Annual Meeting	TBA	ТВА

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