



FREMONT, NEWARK & UNION CITY

FEBRUARY 2013

SAVE THESE DATES

FEB. 2 BAY AREA LEAGUE DAY

FEB. 9 CONSENSUS MEETING

MARCH 18 VIEWING OF FILM ABOUT 'ALEC'

MARCH 23 FIELD TRIP TO MOUNTAIN VIEW CEMETARY TO FOR A HISTORICAL TOUR OF RESTING PLACES OF OUTSTANDING CALIFORNIA WOMEN

MAY 17-19 LWVC CONVENTION IN SAN JOSE AT THE HAYES MANSION

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MEMBERS CONSENSUS MEETING

INITIATIVE AND REFERENDUM

THIS LWVC STUDY OF THE INITIATIVE AND REFERENDUM PROCESS WILL EXAMINE THE HISTORY, THE PROS AND CONS OF OPTIONS TO REFORM THE PROCESS.

JOIN YOUR LEAGUE'S COMMITTEE IN A SPIRITED DISCUSSION FOCUSED AROUND THE CONSENSUS QUESTIONS DESIGNED BY THE LEAGUE OF WOMEN VOTERS OF CALIFORNIA'S I & R'S COMMITTEE

Should we keep the process as is? What should the qualifications be to reach the ballot? Should it be more difficult to amend the state constitution by the initiative process? Does the cost of the process make it more difficult for the economically challenged to participate?

Reserve your lunch today by contacting Miriam Keller

President's Message



Our League office looks better now than at the start of the year. On January 17 many helping hands arrived at the League office. We organized, recycled and threw away. Many thanks to Sam Neeman, Kathy Bray, Pat Lewis, Martha Crowe, Sets Amann, and Alex Starr. However, we are not finished. Another organizing party will be attempted in February.

In December we had a invigorating Holiday party and Program Planning session for LWVC and the Bay Area. Since the State League has been reminding us that they do not have money available for more studies at this time, the group chose an area for emphasis on education. It is *Climate Change/Global Warming*.

A reminder that LWV and AAUW collaborate on Great Decisions discussions. Great Decisions is an extension of the Foreign Policy Association. Eight topics in U.S. foreign policy are discussed each year. The readings and discussions help you to follow our relations with other countries. The new year will begin Feb. 6 at Anne MacLeod's home. The topic is Threat Assessment. Contact Anne for obtaining the Foreign Policy Association book at \$18.45.

We wish the LWVUS a happy birthday on Feb. 14. We owe a great deal to Carrie Chapman Catt. A school teacher, she paid her own way through Iowa State College. She worked for several newspapers, became president of the National American Women Suffrage Association (NAWSA) after Susan B. Anthony. She helped establish the League of Women Voters to encourage women to use their hard-won right in 1920 before the amendment was passed.

Hope to see you at our Initiative and referendum study in Feb. 9th. It should be a thought provoking day.

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LEAGUE OF WOMEN VOTERS OF CALIFORNIA – INITIATIVE & REFERENDUM CONSENSUS QUESTIONS

1. Should California retain the citizens' initiative and referendum process?
 - Initiative:
 - retain as is
 - retain, but prefer with changes
 - don't retain
 - Referendum:
 - retain as is
 - retain, but prefer with changes
 - don't retain

2. Our current position says: "Initiative sponsors should be required to submit draft proposals to an official authority for an opinion on clarity/language, constitutionality/legality, or single subject."
 - a. Who should perform any pre-review? *Mark all that would be acceptable.*
 - Legislature
 - Judiciary
 - Retired judges
 - Bar Association appointed committee
 - Independent citizens committee
 - State agencies (e.g., Legislative Analyst's office, Secretary of State)
 - Combination or collaboration of the above
 - Other: _____
 - b. Should the pre-review be voluntary or mandatory? *(Our current position is that the pre-review should be mandatory.)*
 - Voluntary
 - Preferred
 - Mandatory
 - c. What should be the result of the pre-review? *Mark all that apply.*
 - Notification to proponents (not public)
 - Public notice regarding result(s) of review
 - Go/no-go decision on the initiative
 - Other _____

3. Title and Summary:

Who or what office should be responsible for writing the ballot measure title and summary? *Mark all that are appropriate.*

 - Attorney General
 - Secretary of State
 - Proponent(s) of initiative
 - Legislative Analyst
 - State Auditor
 - Independent citizens committee
 - A combination or collaboration of the above
 - Other: _____

4. Requirements to qualify: The current LWVC position lists qualification requirements with a specific number of signatures and number of days allowed to gather signatures for each type of measure.
 - a. Should a position with a specific percentage of signatures be retained?
 - Yes, retain a position with a specific number of signatures
 - No, do not retain a position with a specific number of signatures
 - b. If the requirement for a specific percentage of signatures is retained, should the requirement be:
 - About the same
 - Higher
 - Lower
 - c. Should a position with a specific number of days for gathering signatures be retained?
 - Yes, retain a position with a specific number of days for gathering signatures
 - No, do not retain a position with a specific number of days for gathering signatures
 - d. If the requirement for a specific number of days for gathering signatures is retained, should the requirement be:
 - About the same
 - Higher
 - Lower

5. Should the requirements required to get a measure on the ballot remain about the same, be made easier, or be made more difficult?
 - Made easier
 - Remain about the same
 - Made more difficult
 - Consider alternate methods

6. *Listed below in the following table are some ideas about potential changes to the process that have been proposed or adopted by other states. The list isn't intended to limit the discussion but rather to guide the discussion around the process.*

To evaluate future reform measures for the citizens' initiative and referendum processes in California, use the table to rate your opinion of the importance of the following proposals, from "mandatory" to "no consensus," regardless of the signature gathering method used. In the far right columns, evaluate the reform measures as they relate to the signature gathering methods: paid signature gatherers, signatures gathered electronically, or volunteer signature gatherers. Mark all boxes that apply.

	Importance (select one)						Signature Gathering Methods (select all that apply)		
	Mandatory	Important, but not mandatory	Would be nice	Not important	Work actively to avoid	No consensus	Paid Signature Gathering	Electronic Signature Gathering	Volunteer Signature Gathering
a. Limits on number of words in the language of an initiative									
b. Require that language comply with standards of readability or simplicity									
c. Show that there is public support for the idea via a public poll or another trusted tool									
d. Specify the funding source for the program or plan in the initiative									
e. Limit the number of initiatives that can appear on a single ballot									
f. Include automatic sunset provision; e.g., automatic review after "x" number of years.									
g. Increase amount of time to circulate a petition									
h. Decrease amount of time to circulate a petition									
i. Allow use of internet and/or other technology for signature gathering									
j. Require registration of signature gatherers									
k. Require training for signature gatherers									
l. Other _____									

7. Should California voters continue to have the right to amend their constitution through the citizens' initiative process?
 ___ Yes
 ___ No
 ___ Yes, with changes; specify _____
8. If amendments to the Constitution are allowed by citizens' initiative:
 a. Should there be a higher standard for **qualifying** an initiative constitutional amendment than an initiative statute? (For example, there could be a requirement for more signatures, or a shorter time limit for an initiative constitutional amendment than for a statutory initiative.)

- Yes, require higher standards for qualifying an initiative constitutional amendment
 No, do not require higher standards for qualifying an initiative constitutional amendment
- b. Should there be a higher standard than a simple majority at a single election needed to **pass** an initiative constitutional amendment than an initiative statute? (For example, a supermajority vote requirement or passage at multiple elections.)
- Yes, require a higher standard than a simple majority for an initiative constitutional amendment
 No, do not require a higher standard for passing a constitutional amendment
9. Post-election conflicts:
9. Currently if two or more conflicting measures on the same ballot all pass, the measure receiving the greatest number of votes is enacted. In such a case, should the provisions of all measures receiving fewer votes be allowed to be enacted insofar as they do not conflict with the measure receiving the most votes?
- Yes
 No
10. The current LWVC position states that a measure that requires a supermajority vote for passage of future related issues should be required to receive the same supermajority vote approval for its passage.
- In general, should an initiative which institutes new requirements for future initiatives (such as imposing new taxes) have to meet those same requirements in its own lifecycle?
- Yes
 No
 Under some instances:
 if the initiative places requirements on future tax increase initiatives
 if the initiative requires a supermajority vote for certain future initiatives
 if the initiative places requirements on (specify) _____
11. Legislative amendments of initiatives that have been enacted:
- a. Should the Legislature have the authority to amend **statutes** approved by initiative without going back to a vote of the people?
- Yes
 No
 Sometimes
- b. If yes, should there be limitations on the Legislature's authority? *Mark all that apply:*
- After a waiting period
 Only "in the spirit of" the original initiative
 Require supermajority vote
 Only as described in the language of the initiative (status quo)
 Other _____
- c. Should the Legislature have the authority to amend **constitutional amendments** approved by initiative without going back to a vote of the people?
- Yes
 No
 Sometimes
- d. If yes, should there be limitations on the Legislature's authority? *Mark all that apply:*
- After a waiting period
 Only "in the spirit of" the original initiative
 Require supermajority vote
 Only as described in the language of the initiative (status quo)
 Other _____

PRINCIPLES

12. In evaluating proposed changes to the Initiative and Referendum process, what principles should apply considering the Stakeholders*?
- Show continuum for each principle from "Critical" to "Unimportant."*
- Mark if the principle applies to the Initiative (I), the Referendum (R), or Both (B). In the last column, for all principles, rank them from 1-15, with 1 being the most important, and 15 being the least important.
- *Stakeholders:** Voters, Proponents, Opponents, Legislature, Legislative Counsel, Legislative Analyst, Secretary of State, County Election Officials
- Legend for Initiative & Referendum Process Stage:**
 Drafting (D), Qualification (Q), Campaign (C), Disclosure (DI), Election (E), Post-Election (PE), Legal (L)

Principle	Definition	Critical	Important	Some what important	Unimportant	No consensus	Applicable to which stages of the I&R process (see legend)	Applicable to Initiative (I), Referendum (R) or Both (B)	Rank (1-15)
1. Accessibility	Open to input from all stakeholders								
2. Accountability	The stakeholders are held to California laws with use of adequate and timely enforcement								
3. Amendability	The process should be subject to change with some level of stakeholder approval								
4. Authenticity	The process represents all stakeholders' interests								
5. Comprehensibility	Understandable by all stakeholders								
6. Availability of compromise at some point or points in process	Stakeholders have opportunities to deliberate and compromise before an measure reaches the ballot								
7. Concentration of power (avoid)	No single stakeholder or group of stakeholders can dominate the process								
8. Deliberation	Adequate time for deliberation, including consideration of input from stakeholders								
9. Expertise	Deference among stakeholders is given to subject matter experts								
10. Flexibility	Ability to adapt to differing circumstances								
11. Impartiality	Not partial or biased toward any position on a measure								
12. Integrity	Stakeholders and the public believe the system works, and is sound								
13. Respect for stakeholder rights	A majority is not able to restrict the rights of any stakeholder								
14. Transparency	Timely information about all aspects of the process are publicly available and searchable								
15. Other	Specify principle plus short definition								

LAST TWO QUESTIONS

13. Please list any changes in the initiative and referendum process in California that you would support that have not been covered by the consensus questions. _____

14. Should California retain the citizens' initiative and referendum process?

Initiative:

- retain as is
- retain, but prefer with changes
- don't retain

Referendum:

- retain as is
- retain, but prefer with changes
- don't retain

From the City of Fremont

Seeking Applicants for Newly-Created Environmental Sustainability Commission

The City of Fremont is seeking applicants for a newly-created Environmental Sustainability Commission. The Commission will advise the City Council on sustainability programs such as the recently adopted Climate Action Plan, as well as assist the City with outreach efforts related to sustainability.

This new commission will be comprised of seven members, each serving a 2-year or 4-year term, and will meet quarterly. All applicants must be Fremont residents. Commissioners with specific expertise and experience are sought for four of the seats, including:

- Student (high school or college)
- Business Community

From the Bay Area Monitor

Are you wondering why your water bill may be increasing? In August the LWV Bay Area Monitor ran an article describing the aging water system in the United States. Take a look and see what is ahead for water customers and the Alameda County Water District.

Woes of a Worn-out Water System

By Alec MacDonald

More than one million miles of water lines run beneath this country's streets, enough pipe to circle the globe 40 times. To keep this vast network operational — to continue providing Americans with the fresh drinking water they enjoy every day — will cost at least a trillion dollars over the next 25 years.

So says the American Water Works Association in *Buried No Longer*, a report released in February that surveys the national need for replacing old pipes and adding new ones to accommodate population growth and migration. When forecasting out a little further to 2050, AWWA raises the price of the upgrade to \$1.7

Development/Construction Industry
Environmental Organization
Three seats for public at large.

The application can be obtained online or at Fremont City Hall, located at 3300 Capitol Ave., Building A. Completed applications must be returned to the Office of the City Clerk or submitted electronically to the City Clerk. The goal of the Council is to make appointments by mid-March and begin Commission meetings by late March or early April.

Fremont's Mayor will recommend appointments to the Environmental Sustainability Commission, and each appointment will be voted on by the City Council.

Contact Information

For more information contact the Office of the City Clerk at (510) 284-4060 or Email.

trillion. And that just covers underground lines for drinking supply; it doesn't include the dams, storage tanks, pump stations, treatment plants, and myriad other mechanisms required to manage the country's water resources.

On the whole, the state of American water infrastructure demands serious attention. Some of its components have been in place for a century or longer, according to the U.S. Environmental Protection Agency, which also notes that every year the country suffers 240,000 water main breaks and up to 75,000 sanitary sewer overflows. Predictably, service disruptions have been mounting.

Additional reason for concern can be found in the American Society of Civil Engineers' most recent Report Card for America's Infrastructure. Published in 2009, the comprehensive evaluation issued a grade of D- (between poor and failing) in the categories of drinking water, wastewater, and levees. Dams fared slightly better, garnering a D (poor).

ASCE's San Francisco Section, however, has offered a more encouraging assessment for the Bay Area. The chapter's own 2011 infrastructure report card gave the region's water systems a B- (just below good) and wastewater systems a C+ (just above mediocre). Although those marks look a lot better than the national ones, room for improvement remains. Toward that end, the San Francisco Section's report card called for annual investments of \$20 million in regional water systems, and \$80 million in regional wastewater systems.

In the words of Art Jensen, general manager of the Bay Area Water Supply and Conservation Agency, "Clearly, if you're trying to rebuild aging infrastructure, you're going to spend a great deal of money."

He should know — his agency depends on the Hetch Hetchy Water System, which is mature, massive, and currently in the middle of a \$4.6 billion upgrade dubbed the Water System Improvement Program. That hefty sum will pay for 86 rehabilitation projects across the 260-mile system, which not only supplies BAWSCA's 26 constituent partners across San Mateo, Santa Clara, and Alameda counties, but approximately 800,000 customers of the San Francisco Public Utilities Commission as well.

Jensen mentioned that parts of the system date back to the inauguration of President Lincoln, and that much of it was built during the 1930s. The system has suffered from deferred maintenance, he said, and was "designed to standards before we knew as much about earthquakes as we know today."

For example, take Calaveras Dam in southern Alameda County. Upon completion in 1925, it stood as the biggest dam of its kind in the entire world, necessitating 14 years and two attempts to build. On the first try, construction crews relied on horse-drawn carts; by the second try, technology had advanced to the point where they were able to employ steam shovels.

"It was a beautiful dam that had architectural significance at the time," remarked SFPUC

Project Manager Dan Wade, but "as our understanding of seismic vulnerability and seismicity has increased over the years, it's been recognized that the existing Calaveras Dam was vulnerable to 'slumping' in a major earthquake, where you would have liquefaction induced in the foundation." He said buttresses were added in the 1970s to address the problem, but subsequent studies prompted SFPUC to lower the adjoining Calaveras Reservoir to 40 percent capacity in 2001. Otherwise, a 7.25 magnitude temblor along the Calaveras Fault — a mere 500 yards away — could result in the dam's catastrophic failure.

Last September, work began on a new Calaveras Dam. Scheduled to be finished by 2015 at an expected cost of \$421 million, the replacement looms as the largest of the rehabilitation projects in the Water System Improvement Program. Big or small, however, none of those 86 projects stand alone, given their collective function to enhance the dependability of SFPUC's water delivery capability. And while each poses a unique set of logistical challenges, figuring out how to execute them concurrently represents a complex task unto itself. "It's a process that took many years to plan and develop," Wade attested.

This emphasis on coordination is pivotal when implementing repairs on any aging water system. As the East Bay Municipal Utility District's Xavier Irias commented, "It's not just looking at each project, but how they all fit together."

The director of engineering and construction for EBMUD explained that some segments of that system run every single day, and therefore can't be easily taken offline for refurbishing. The agency encountered this predicament when conducting a seismic retrofit of the Claremont Tunnel, which carries water across the Hayward Fault to roughly 800,000 customers. In order to perform the retrofit without leaving those customers dry, EBMUD had to set up a series of temporary pumping plants and reconfigure the flow of the system. With alternate conduits in place, the agency could shut down the tunnel

and handle the retrofit. The job was completed in May 2007.

“We were kind of glad to get it behind us,” Irias said, “because it was a tricky operation to be able to provide water to all those people with the main tunnel out of service.”

Another task that has proven formidable, he revealed, “is just figuring out which component of that system needs to be replaced or refurbished next.” To make those determinations, the agency constantly administers detailed assessments of its infrastructure to identify signs of deterioration. Evaluation of that which lies buried can get particularly complicated, involving a combination of Geographic Information System mapping technology, field data, and listening equipment.

Above or below ground, there’s plenty to assess. EBMUD maintains 29 dams, 156 reservoir tanks, 145 pumping plants, five water treatment plants, 270 miles of aqueduct pipes, and 4,100 miles of distribution piping — and all of that doesn’t even include an expansive wastewater division. Most of the system has racked up a lot of years, too, so the agency has to stay vigilant in monitoring everything. “We’re not going to replace stuff that’s still serving us well,”

Irias said, “but if we see that reliability is diminishing, we need to be ready to deal with that fairly quickly.”

While burdensome, attending to these weaknesses opens up opportunities for EBMUD to augment the system’s capacity and safety with better parts. Of course, any provider would prefer to replace aging infrastructure with equipment of higher quality, when that option has economic feasibility. Steve Welch, assistant general manager at Contra Costa Water District, offered that his agency takes this approach with upgrading its pump stations. And these sorts of moves can sometimes help pay for themselves; as Sonoma County Water Agency Chief Engineer Jay Jasperse noted, “By investing in new technologies — like more efficient pumps and meters and computer systems that can accurately measure water use and anticipate demands — we can reduce energy bills and lower our greenhouse gas emissions.”

With all the exciting possibilities that “new technologies” may represent, however, the key word for the managers of water agencies everywhere is “investing.” They have read the reports and observed the effects of time on their own systems — which means they’ve been eyeing their budgets as well. They know that pipes aren’t getting any younger, and Americans aren’t getting any less thirsty.

From the Nominating Committee

A Strong and Vibrant Board

This past inaugural weekend started with a day of service. This made me think about our League and how many of our members serve in so many ways - supporting our Voter Services and Information, on the Action & Education Committees, observing local government bodies, writing letters and making testimonials to promote open government and advance positions agreed upon by our membership. We also have a strong and vibrant Board.

What a year we had - a wonderful YVote contest for High School students, 11 Candidate forums, production of multilingual DVDs, including Mandarin and Farsi, explaining the 2012 election initiatives and several General Meetings open to the public

Our current year is half over and the Nominating Committee is looking for members to serve on the 2013/2014 Board. We are looking for members who can give about 10 hours a month to keep our momentum going.

Make a difference, have some fun and join our Board. If you are interested contact any one of the Nominating Committee - Gail Blalock. Sam Neeman. Andrea Schacter or Sets Amann.

Feb. 2	Bay Area League Day – Water: California’s Gold	9 a.m.-2:10 p.m., First Unitarian Church of Oakland, 685 14 th St. Contact Miriam Keller, 683-9377.
Feb. 6	Great Decisions – “Threat Assessment” AAUW, Foreign Policy Assn, and League	Meeting will be at Ann McLeod’s. Call 794-5783 for more information.
Feb. 9	Consensus Meeting – Initiative & Referendum	9-2 League Office, 375 Country Drive. Contact Miriam to reserve a lunch.
Feb. 21	Action Committee	12 noon at Kay’s house
Feb. 23	United Muslims of America – “American Muslim Women “dinner & symposium. Reshma Inamdar (Syeda) will be one of the featured speakers.	6 p.m., Chandri Restaurnt, 5748 Mowry School Rd, Newark, CA \$25/person. Contact Syed Mahmood,(510)579-8991 or Shafi Refai (510)552-1396.
Feb. 26	Board Meeting	7 p.m. League Office

ALL MEETINGS ARE FREE, OPEN TO THE PUBLIC AND WHEEL CHAIR ACCESSIBLE

Mission

The League of Women Voters of Fremont, Newark, and Union City, a nonpartisan political organization, encourages the informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

Diversity Policy

LWVFNUC affirms its commitment to reflect the diversity of our communities in our membership and actions. We believe diverse views are important for responsible decision making and seek to work with all people and groups who reflect our community diversity.

Join the LEAGUE OF WOMEN VOTERS today!

Any person, man or woman, who subscribes to the purpose and policy of the League may join. To be a voting member, one must be at least 18 years of age and a U.S. citizen. Members under 18, or non-citizens, are welcome as non-voting Associate Members. Dues include membership in LWVFNUC, Bay Area League, and the California and National Leagues. Financial support for dues is available through our scholarship program. Contact Andrea Schacter, Membership Chair, for information.

Name (s) _____

New Member Renewal
 Transfer from _____

Address _____

Phone _____

E-mail _____

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 LWVFNUC and mail it with this
 form to:*

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 P. O. Box 3218
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Individual Membership—\$60
 Household Membership—\$90
 Donation to LWVFNUC

\$ _____

Donation to Ed. Fund (*Make
 separate check payable to
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 \$ _____

Total Enclosed \$ _____