Voter

The League of Women Voters Of Fremont, Newark

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October, 2004

CANDIDATE FORUMS

Because we are doing forums, there will be no Unit meeting in October.

Monday, October 4 at Comcast Studios. 500 Mowry Avenue, Fremont Washington Hospital Board—7:00 PM—8:00 PM
AC Transit—8:15 PM—8:45 PM

<u>Thursday, October 7</u> at Newark City Council Chambers, 3701 Newark Blvd, Newark

Newark Unified School District Board—7:00 PM— 8:00 PM

Monday, October 11 at Comcast Studios, 500 Mowry Avenue, Fremont Fremont City Council – 7:00 PM—8:00 PM
State Assembly District 20—8:15 PM—9:00 KPM
United States Representative District 13—9:15 PM—10:00 PM

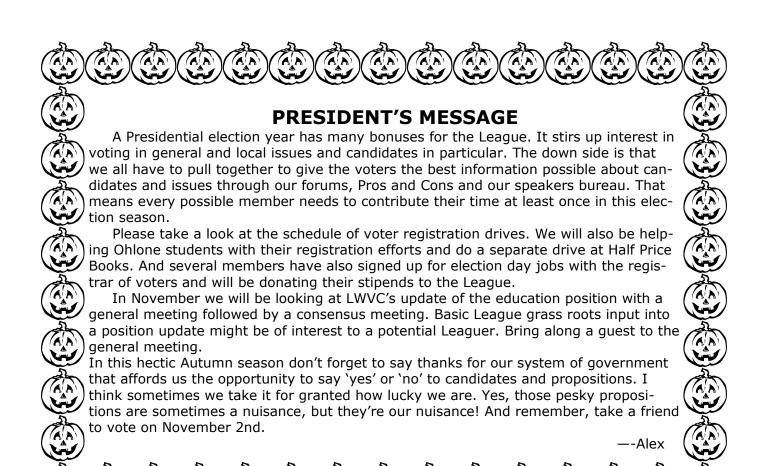
Thursday, October 14 at Comcast Studios, 500 Mowry Avenue, Fremont Mayor, Fremont—7:00: PM—7:30 PM
Fremont Unified School District Board—7:45 PM—8:45 PM

Monday, October 18 at New Haven School Board Chambers, 34200 Niles Road, Union City

Mayor, Union City—7:00PM—7:45 PM Union City Council—8:00 PM—8:45 PM New Haven School Board—9:00 PM—10:00 PM

Ohlone College Board, TBA

COMCAST WILL REPEAT ALL FORUMS DAILY FROM OCT. 25-29 AND NOV. 1



BOARD BRIEFS

Approved participation in Democracy Dinner in Spring 2005 with Ann Crosbie as our representative.

Approved Voter Service Guidelines update.

Reviewed forum dates, registration drives, and speaker requests.

Approved writing Pro/Con on Utilities Users Tax and hospital bond measure.

Reviewed calendar dates.

COME HELP REGISTER VOTERS

Oct. 2- Newark Safeway, Oct. 9 - Warm Springs Safeway, Oct. 16 Union City Safeway, October 17, 12—4 PM—Half Price Books, Fremont.

All are two hour shifts with a partner. Call Ellen Culver, 656-7973

City of Fremont 2002 Hill Area **Initiative Implementation-**Amendment to the Zoning Ordinance and Development Policies to conform to the General Plan.

Fremont voters adopted Measure T the Hill Area Initiative in November 2002. This task was accomplished due to the hard work of many with the endorsement and effort of the League in Fremont. This citizen-initiated amendment was to keep the hills as you see them now and to return the Toe of the Hill (TOH) to the previous 1981 Hillside standards of the first 20% grade that designates the beginning of the Hill Area. However, the implementation of this Measure T to the General Plan has still failed to occur.

After hearing testimony of homeowners from the Avalon Development, the Planning Commission had great difficulty accepting City Staff recommendations and only did so on July 22, 2004 with "conditions" to the City Council. The Planning Commission is requesting an independent consultant to explore new principles to draw the Toe of the Hill. The present four principles were decided primarily by the text of Measure T, the City Engineer, Norm Hughes and the City Attorney, Harvey Levine. An idea from Planning Commissioner Dr. Sharma was to carve around Avalon and leave it out of the TOH; however, Pauline Weaver said that built. would "arbitrary and capricious"; certainly not legal.

Another condition was that City Staff further enhance the application submittal requirement handout to include examples. In addition, staff should continue to develop definitions/evaluation criteria

for undefined terms and phrases used within Measure T, including but not limited to terms such as "visibility" from public places. The condition would include designated points of reference. This could be a problem. The Hill Area is from the TOH to the eastern border of Fremont. To protect the open character of our hills, Measure T specifically states that the building not be visible from public places, roads and trails. To select the definition of public places less restrictive than Measure T is not legal. An example: we recently appealed the building of a home to City Council, after the Planning Commission passed it. People from Quarry Lakes or in the Niles Area could see the 16,214 sq. ft. home on a hilltop. If Lake Elizabeth and Mission Blvd. were to be the only public places picked, then that home could have been built as submitted.

The Staff has worked diligently to move this project along, even with employment changes. Your letters to City Council members or the newspapers, or oral communications when it finally comes to City Council would be appreciated. We have waited two years for the implementation of Measure T and feel further delays are not reasonable. A line exists where the grade first becomes 20% and the line has been drawn by staff. Other documents that should be developed like floor area ratio is not directly related to this Measure and can be developed simultaneously or after as an aid to Planners as to how much land is usable after the home is

—-Susan R. Gearhart



NOTE: If you are on line and not receiving the LWVFNUC E-Tree, Please send an e-mail to jojovest@aol.com. Write "subscribe" in the message area.

"Every gun that is made, every warship launched, every rocket fired, signifies in the final sense a theft from those who hunger and are not fed, those who are cold and are not clothed."

President Dwight D. Eisenhower

ACTION COMMITTEE

Fremont Utility tax: After discussing possible issues, the committee decided by consensus to recommend to the LWVFNUC Board that we endorse the utility users tax.

Election: Letters to the Editor will be written supporting Propositions 59 and 72 and opposing Proposition 69. We recommended to the board to be neutral on the hospital bond.

Measure T: We discussed the letter that Susan Gearhart wrote to inform us of the actions of the Planning Commission and certain members of the community. Miriam will attend the Sept. Study session on the toe-of-the-hill and other Measure T issues. It will go to the City Council in Oct. We will inform members at the Sept. Kickoff and put an article in the October Voter.

Voting Matters: Programs are planned to discuss Utility Users Tax and the Washington Hospital Bond. Another program will cover the new Ohlone campus in Newark. .

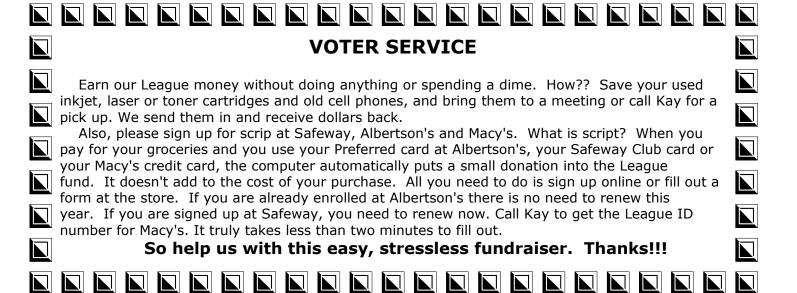
Fremont Utility Users Tax. A "My Word" article will be written

Ohlone Issues: Julice Winters has organized students to do registration drives. She will provide some training sessions. The Ohlone Board approved spending \$95 million on the Newark Campus, \$22 million on the student services building in Fremont, and \$28 million on other campus projects.

Cable Programs:

September—Election Issues – LWVC tape on the Initiatives October—Judge Peggy Hora and Proposition 36 November—Ohlone campus in Newark

—-Miriam Keller



EDUCATION COMMITTEE

The Education Committee has been busy preparing for the November Unit Meeting. It will be an informational meeting to study and possibly update LWVC's Education positions. We are looking at the present positions. There will be a consensus meeting later in November. The November Voter will contain information about the report.

We are studying the California Performance Review as it pertains to education.

Also, we are studying the Master Plan for Education. Several bills are up for voting in the Legislature. Miriam is tracking those.

We are presently without a chairperson for the committee. Anybody interested in the job?

--Vesta Wilson

OBSERVER REPORT ON THE OHLONE BOARD OF TRUSTEES

Sept 8, 2004

Workshop at 5:00 PM to show the Newark Ohlone Center Design Drawings.

Elevation drawings and samples of materials available.

The board had voted to include LEED standards when the contract was approved. There was discussion about the efficiencies in upkeep and energy savings in buildings following LEED standards. I find it exciting to see the "green" technology becoming a reality.

Regular Session: 7:00 PM

Jim Wright: The 15 weeks term is in use in Newark and is very popular. 18 weeks is the norm.

East Bay Regional Park District General Manager Pat O'Brien reported that the lease has been negotiated with staff and hoped it would be approved. The Park had made improvements to the trail to Mission Peak and to the gate. EBRP District is flexible if Ohlone wants to use land for development.

Fourth Quarter Financial Report: Ohlone has kept to budget. Staff seems very much on top of their numbers and everyone has worked hard. Report on Bond: Every dollar is in place on the report. Newark campus is allotted \$95 million; Student Support Service Building on the Fremont Campus is allotted \$22 million, Projects on Fremont campus \$28 Million. Board questioned up

keep and maintenance costs, Bond money can not be used. Dr. Treadway said that this was part of the reason they scaled back on size of Newark campus to keep

upkeep and maintenance costs low.

MBT Architecture Firm working on the
Newark campus asked agreement for subconsultants: food service and IT. Apparently the architectural contract allows for
sub consultants. Weed noted that the
committee system didn't work and suggested that Board members could meet
with architects to keep up to date on details (color of tiles in restrooms perhaps)
This was to save time spent talking about
details and going over points already voted
on. Approved after much discussion.

Approval of Architectural Service Contract for Fremont Campus with BP Architecture Firm, this contract is for the campus projects and design of Student Support Service Building on the Fremont Campus.

Approval of Resolution #4/04-05. This is so that the Registrar of Voters can certify that those Union City voters in the small enclave formerly a part of Fremont can vote for the Ohlone Board. These voters will vote for a Fremont candidate.

Approval of contract with Eller & Associates for Legal Services Related to Development of Property. At this time they are thinking of the Mission Blvd properties.

Sept 22, 3:00 to 5:00 PM Special Workshop on approval of design drawings.

What is a Structural Budget Deficit?

Many experts believe that California faces a "structural budget deficit." This means that with the current revenue structure (e.g., taxes, fees, and other sources), the state has insufficient income to maintain services at the current level.

Each year, the Legislative Analyst's Office (LAO) publishes a forecast of the California fiscal situation for five years into the future. In November 2003, the LAO's estimate was that without corrective action, the ongoing gap between revenue and expenditures is about \$14 billion dollars, assuming that the state continued funding the Vehicle License Fee backfill, as Governor Schwarzenegger has promised it will.

The LAO has also analyzed the budget the governor has proposed for 2004-2005. This budget proposes significant reductions in expenditures. These included reduced expenditures for education, transportation, social services and a ten percent reduction in Medi-Cal reimbursement rates. There are increases in fees, such as increased tuition for higher education, but no increase in general taxes. According to the LAO, about 37 percent of the budget savings are one-time savings. The office concludes that even if the budget were enacted as proposed, the General Fund would face a shortfall of about \$88 million for 2004-05, and a continuing structural deficit of about \$7 billion dollars.

In its analysis of the 2004-05 budget, the California Budget Project (CBP) attempted to refute the governor's assertion that, "If the government had simply spent at the same rate that California's economy has grown, the state budget would be balanced today." According to the CBP, state spending has not kept pace with growth in personal income. In addition to the loss of revenues from the decline in collection of the personal income tax, the CBP identifies several other areas of revenue loss. These include sales tax (service



consumption is growing and not taxed), Internet, mail order sales and the phase-out of federal estate taxes. Moreover, corporations are paying a smaller percentage of their net incomes in corporate income taxes. Shifting costs to local governments also account for some of the savings in the 2004-05 budget.

In its publications the Public Policy Institute of California (PPIC) is essentially in agreement with the CBP and the LAO about the reasons for the current budget situation. It also identifies the drop-off in revenues from personal income tax on stock options and capital gains as the major factor in the decline in General Fund Revenues, and asserts that these revenues are "unlikely to return to peak values in the foreseeable future." The PPIC also points out that voter initiatives limit the flexibility of the state's legislature.

An ongoing activity of the PPIC has been a series of statewide surveys of Californians. A recent survey showed widespread support for the governor but widespread distrust of state government in general. Respondents are generally committed to funding education, local governments, and health and human services. In the responses to the survey about 64 percent stated they would be willing to pay higher taxes to maintain current levels of support for K-12 education. They overwhelmingly opposed an increase in the Vehicle License Fee or state sales tax. They support "sin" taxes—although even doubling the state's tax on cigarettes would have only a very small effect on the state's revenue stream.

With the proposals being considered and the acclaim a state budget agreement will engender, it appears that California's structural budget deficit will continue.

APPRECIATING OUR RIGHT TO VOTE

History, despite its wrenching pain, cannot be unlived, but if faced with courage, need not be lived again. - Maya Angelou "On the Pulse of Morning"

Remember how women gained the right to vote? The women were earnest and defenseless. And by the end of the night, they were barely alive. Forty prison guards wielding clubs and their warden's blessing went on a rampage against the 33 helpless women wrongly convicted of "obstructing sidewalk traffic." They beat Lucy Burn, chained her hands to the cell bars above her head and left her hanging for the night, bleeding and gasping for air.

They hurled Dora Lewis into a dark cell, smashed her head against an iron bed and knocked her out cold. Her cellmate, Alice Cosu, thought Lewis was dead and suffered a heart attack. Additional affidavits describe the guards grabbing, dragging, beating, choking, slamming, pinching, twisting and kicking the women. Thus unfolded the "Night of Terror" on Nov. 15, 1917, when the warden at the Occoquan Workhouse in Virginia ordered his guards to "teach a lesson" to the suffragists imprisoned there because they dared to picket Woodrow Wilson's White House for the right to vote.

For weeks, the women's only water came from an open pail. Their food-- all of it colorless slop -- was infested with worms. When one of the leaders, Alice Paul, embarked on a hunger strike, they tied her to a chair, forced a tube down her throat and poured liquid into her until she vomited. She was

tortured like this for weeks until word was smuggled out to the press.

So, let's review ... Some women won't vote this year because -- why, exactly? We have carpool duties? We have to get to work? Our vote doesn't matter? It's raining?

In 2000, over 40 million women didn't vote!!! Even if only 10% of them had gone to the polls, America would be a very different country right now. Spread the word ... get more women to vote and Change the World!

HBO has a new movie "Iron Jawed Angels." It is a graphic depiction of the battle these women waged so that we could pull the curtain at the polling booth and have our say. HBO will run the movie periodically before releasing it on video and DVD. It is jarring to watch Woodrow Wilson and his cronies try to persuade a psychiatrist to declare Alice Paul insane so that she could be permanently institutionalized.

And it is inspiring to watch the doctor refuse. "Alice Paul is strong," he said, "and brave. That doesn't make her crazy." The doctor admonished the men: "Courage in women is often mistaken for insanity."

Please make it a point to see this movie, and share it with your friends.

LEAGUE RUMMAGE SALE!!!

SATURDAY OCTOBER 8th-8 am to 2 pm How would you like to clear your clutter and help the League at the same time? Here is your chance! Clean out your garage, your closets, your junk drawers. Your store rooms. Make room for more stuff in your house.

Starting Monday October 4th, you may drop off your treasures (books, knick-knacks, clothing, linens, household items, sports equipment. etc.) to Holly Walter's Home: 2754 Olive Ave. Fremont; the site of the annual League Rummage Sale. Your loss is our gain! There will be a pricing party; dinner included, Friday, October 8th. Drop by anytime between 5 and 9 pm. Sign up to help at the sale on Saturday October 8th for a short 2 hour shift starting at 6 am and ending at 2 pm by calling Alison Kieft at 657-8454. Many Hands Make the Workload Light! This is a relatively easy and fun way for the League to make money. Please help us make this a success. Thanks,

Weekender's Fashion Fundraiser Open House Saturday Nov. 6

Looking for clothes that are comfortable, fashionable, easy care, flattering and also perfect for traveling? Come try on and see all the fabulous fall Weekender colors, fabrics and styles! The new colors are hazelnut, harvest gold, blue royale, almond, merlot, pink passion, and autumn red, along with the standard navy and black. From casual French terry hoodies and Yoga pants to the bourrelet suits and evening wear shimmers, there is something to complement everyone's wardrobe and body style!

Official Open House hours are Saturday, November 6, 9:30 a.m. - 3:30 p.m., but any sales to League members and friends that occur in the week prior also count towards the fundraiser. So, don't hesitate to call and schedule an alternate appointment. Any weekday after 3:00 p.m. can work.

2754 Olive Ave., Fremont (near Washington Blvd. intersection) Alternate appointments, 656-0459

Holly Walter



Second in a series of informative articles for an Update of the LWVC Energy Position

FLIPPING THE SWITCH The League and Energy

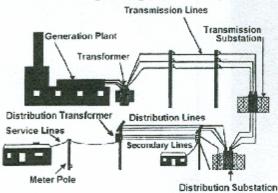
When we flip the light switch, we expect the lights to go on.



We expect reliability. To understand this, we must know the three key elements of our electricity system. It is the operation of these elements that creates our expectation that the lights will

come on when we flip the switch.

The three key elements are generation, transmission and distribution, as pictured below. Generation is the creation of electricity. Transmission is the movement of the electricity from generation to a delivery system. The distribution system delivers the electricity to your home so that when you flip the switch, the lights do go on.



Prior to 1996, all these elements were owned and operated by a utility—a vertically integrated monopoly. When you flipped the switch, you sent a signal to the utility to provide you with electricity. The utility had planned ahead for that demand for electricity based on historical trends, and economic and sociological forecasts. It built generating plants, transmission lines, and distribution lines, and operated the whole system. The utility had an obligation to serve you, the consumer, with reliable, reasonably priced electricity whenever you flipped the switch.

As a major element of its planning the utility had to learn about the usage patterns of all its customers - when households are likely to turn on their air-conditioners, when merchants will switch on their outdoor lights. when major industries will power up their major equipment. From this understanding, the utility developed a 20-year Load Forecast (how much electricity will be used on an hourly basis every day for the next 20 years!) Using this forecast, the utility judged what resources it would need to supply the demands of all its customers, including the resources needed to meet the peak demands-generally on hot summer afternoons when business and industry are in full swing and air-conditioners are humming in nearly every home.

These peak demands are met by peaking plants, or "peakers." They run only at peak demand times because they are usually less efficient, thus more expensive to operate. Average demand is provided by what is called base-load generation—big, generally more efficient generators that hum along most of the time.

Californians are served by three investorowned utilities (IOUs), 21 municipal utilities (muni's), three rural electric cooperatives (RECs), two federal agencies and 13 irrigation districts, all in the electric utility business and all engaged in one, two or all three aspects of the industry. For consumers, it is good to know that the average retail price per kilowatt hour in 2002 was 13.4 cents, and it is forecasted to be 12.6 cents in 2005.

The structure of our state's electric industry changed radically in 1996. Seeking to foster competition, the state legislature passed AB 1890, which proved to be a deeply flawed attempt at "deregulation" by separating the pricing of wholesale and retail generation. Through this bill the Legislature "unbundled" the vertical utility, separating generation from transmission and from the delivery of power. The hope was to make room for more

players in the generation field. Each vertically integrated utility was knocked on its side, and was required to sell off its generation facilities (except for hydro and nuclear facilities).

Generation could now be provided by merchant generators, independent power producers, out-of-state utilities or aggregators (brokers of wholesale generation). Generation greater than 50 MW of capacity is still licensed by the California Energy Commission, but pricing of wholesale power is now monitored by the Federation Energy Regulatory Commission. Reliability is no longer the major criterion for the state's electric system, and even the jurisdiction of the CPUC with regard to pricing is limited.

Transmission became the responsibility of a new not-for-profit, quasi-governmental organization known as the California Independent System Operator (CAISO). CAISO has the competency and responsibility to measure congestion along the transmission lines, but there is some contention among the Energy Commission, CAISO and the Public Utilities Commission over the definition of need for new transmission lines, and whose responsibility it is to finance and build them.

The distribution system has remained the responsibility of the utility, and regulatory oversight has stayed with the California Public Utilities Commission. Part of the work of the distribution system is to reduce high-voltage electricity to a voltage safe for use in your home. This is usually done first at a distribution substation in your general area, then at a pole-mounted or perhaps underground transformer very near your home.

Today, generation is owned by a variety of providers but not typically by the distribution utility. Power flows over the transmission grid operated by CAISO. It is delivered to the distribution system operated by your local utility, which delivers it to your home.

With the passage of the deregulation legislation, reliability and the utility's obligation to serve gave way to power shortages and spiking prices. The "perfect storm" occurred in 2001, as mentioned earlier. It certainly

caused most of us to pay heed to a resource we thought to be reliable.

As the policy makers and regulators struggle to find a new model which will provide competition and choice and thus lower prices without sacrificing reliability, the League must understand these key elements, their interrelationships, and the policies and their impacts on the electric system. Local League members must Flip the Switch and turn the lights on our Energy Policy.

Resources for your use in learning more!

www.ferc.gov - The Federal Energy Regulatory Commission

www.cpuc.ca.gov - The Calif. Public Utilities Commission

www.energy.ca.gov - The Calif. Energy Commission www.caiso.com/SystemStatus.html - The Calif. Independent System Operator's statewide status of the electric system

www.cmua.org - Calif. Municipal Utilities Association - see Links for more informative sites

WHWHWHWHWH

ELECTRONIC CORNER

An interesting adventure: Write into your browser: U.S. Congress. You will get 324,667 sites. (That's what I got.) But watch out! The first two I looked at were blatantly partisan. The third was informational only as far as I could tell. It is: Thomas-**US Congress on the Inter**net. Http://Thomas.loc.gov Here you can track bills that are before Congress, see **House Committee home** pages, and lots more. Have fun

—Vesta Wilson

PROPOSITIONS —UPDATE FROM LWVC

The League of Women Voters of California is supporting two measures, opposing one, and is neutral on nine of the 14 propositions. It has deferred a decision on one measure, Proposition 65, Local Government Funds and Revenues, State Mandates, because it wanted to take into account provisions of the State budget and possible additional ballot measure that might be part of the agreement which produces the final budget.

Proposition 59. Access to Government Information—SUPPORT. LWVC supports this constitutional amendment that would make public access to meetings and public records a constitutional right. It puts the principles behind the Brown Act and other open meeting laws into the State Constitution.

Proposition 69—DNA samples. Collection. Database. Funding.—OPPOSE. The LWVUS position on Individual Liberties states, "The League is convinced that individual rights now protected by the constitution should not be weakened or abridged." DNA samples can help solve crimes by comparing stored DNA of known offenders to DNA evidence from other crimes. However, while fingerprints are useful only as a form of identification, DNA contains an amount of personal and private data which makes its collection extraordinary. DNA samples "can provide insights into the most personal family relationships and the most intimate workings of the human body, including the likelihood of the occurrence of over 4,000 genetic conditions and disease." (ACLU)

The LWVC opposition to Proposition 69 is based on the invasion of privacy implicit in collecting DNA samples from all persons arrested or charged with felonies, rather than, as present, those convicted of "certain sex offenses or other violent crimes."

Proposition 72—Referendum Petition to Overturn Amendments to Health Care Coverage—SUPPORT. The LWVC decided to support retaining the Health Care Coverage Requirements of SB2. In order to retain the current law, one must vote YES on Proposition 72.

The LWVC decided to take a neutral stand on nine of the fourteen November ballot measures. It decided to use the term "neutral" rather than "no position" in stating its stand. For some measures, the League has no applicable positions or would have to stretch existing positions beyond what the LWVC board deemed advisable. For others the League has conflicting positions and the board decided not to judge that one side should overbalance the other.

KICKOFF MEETING

Speaking of Propositions, we had a fine Kickoff meeting on September 20. It was well attended. It was held at the Fremont Bank Building in Niles. The facility was unusually nice. We sat around a large polished table in leather bound, soft swiveling chairs. The décor was impressive. Art adorned the walls and tall windows were beautifully curtained. Everything was impeccably clean. The host of the facility was great. He made sure everyone was comfortable and that we had everything we needed. There was music while we ate and even Kleenex on the tables.

The finger food potluck was, as always delicious. Our League has some talented cooks.

We had two speakers, Gus Morrison and Mike Wallace. Mr. Morrison spoke in favor of the Utility Users Tax and Mr. Wallace spoke in favor of the hospital Bond. After the speakers and a question and answer period, we broke into groups and discussed the propositions. Julice led the group studying matters of health, Sam Neeson led the group on Government Issues, and Alex Starr and Miriam Keller led the group studying everything else.

A good time was had by all.

--Vesta Wilson



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WATCH VOTING MATTERS

LWVC program on the Propositions

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
Hayward, Channel 28, every

Monday at 9:30 PM

VISIT OUR WEBSITE

Http://www.lwvfnuc.org
Peter Starr, Webmaster,
Jack Keller, Back-up

CALENDAR			
Fri., Oct 8	LWVFNUC Board	7:30 PM—9:30 PM	Holly Walter's home
Fri., Oct. 8	Rummage Sale Pricing	5:PM—9:PM	Holly Walter's home
Fri, Oct. 8	Education Committee	9:00 AM-11:00AM	Ken Ballard's home
Sat., Oct. 9	Rummage Sale	8:00AM-2:00 PM	Holly Walter's home
Tues., Oct 12	Action Committee	9:30 AM—11:30 AM	Mission Coffee
Mon., Oct. 18	Last day to register to vote		
Tue., Oct. 19	Absolute Voter Deadline		
Thurs. Oct 21	Cable Taping	2:30 PM-4:30 PM	Comcast Studios
Tues., Nov 2	Election Day		
Sat., Nov. 6	Fantastic Fashions	9:30-3;30	Holly Walter's home