



League of Women Voters Berkeley Albany Emeryville

The Voter

“ . . . to promote informed citizen participation in government.”

510-843-8824

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<http://lwvbae.org>

September 2012

BERKELEY BALLOT MEASURES NOVEMBER 2012

This November the City of Berkeley will have 10 measures on the ballot. Eight were put on by the City Council and two were put on using the citizen's initiative process. They are listed below for your general information. If you want to learn more, the text of the ballot measures can be found on the City's website by going to the "Election Information" tab and clicking on it. Then go to Ballot Measure Information 2012 and click on it.

The Action Committee met and advised the board on five of the ten measures. See the article on page 3 of this *Voter* for the LWVBAE positions.

1. Gann Limit - Ballot Measure Re-Authorizing Expenditures of Voter-Approved Taxes for Parks Maintenance, Library Relief, Emergency Medical Services, Emergency Services for Severely Physically Disabled Persons and Fire Protection and Emergency Response and Preparedness, Under Article XIII B

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Fall Meeting September 27 Features Candidates Running for Berkeley City Council

Join us for the Fall Meeting on Thursday, September 27 and hear the candidates for Berkeley City Council Districts 2, 3, and 5, discuss their views on Berkeley city government issues.

When: Thursday, September 27, 2012, 5:00-8:15 pm

Where: Northbrae Church, 941 The Alameda,
Berkeley

Six candidates are running for the three offices, and all have been invited to be with us that night.

The evening starts at 5:00 with members of our League Committees describing their work in a poster session, and inviting you to participate in their activities for the coming League year.

At 5:30, a dinner planned by our own gourmet chef, Rainey Sykes, will be served. The menu will include coq au vin, tossed salad, and carrot cake. If you wish to eat with us (and surely you will) the cost will be \$15, and you can make a reservation by calling the office at 843-8824 and paying at the door.

The main event after all this initial enjoyment, starting at 6:15, will be presentations by the City Council candidates, commenting on questions that will be sent to them in advance. There will also be time for audience questions and answers. The meeting will be adjourned at 8:15.

Sherry Smith, President

BERKELEY BALLOT Continued from page one

of the California Constitution – Council put on ballot.

2. Sunshine Ordinance (Open Government measure)

Initiative Ordinance Enacting New Requirements for the City Council and Rent Stabilization Board and Boards and Commissions Relating to Agendas and Meetings, Requiring Additional Disclosure of Public Records, and Creating a New Commission - Citizen's Initiative.

3. Utility Users Tax renewal -An Ordinance of the City of Berkeley Amending Chapter 7.70 of the Berkeley Municipal Code to Modernize the Application of the Utility Users Tax (UUT) - Council put on ballot.

4. Pools Bond - General Obligation Bond (\$20 M) for Pools and Associated Facilities – Council put on ballot.

5. Pools Operating Funds Tax - Special Tax to Fund Operation and Maintenance of the Replacement Warm Water and Willard Pools - Council put on ballot.

6. Redistricting initiative - Charter Amendment to Allow City Council to Adopt Decennial Redistricting Plan – Council put on ballot

7. Sitting Ordinance - An Ordinance of the City of Berkeley Adopting New Section 13.36.025 of the Berkeley Municipal Code to Prohibit Sitting on Sidewalks in Commercial Districts – Council put on ballot.

8. FACTS Initiative - Initiative Ordinance Requiring the City to Prepare Biennial, Certified Financial Reports of Its Financial Obligations for the Next 20 Year Period; and Requiring Certification of Such Reports Before Council May Propose or Voters May Approve Any Debt Financing, or New or Increased City Taxes, and Before Council May Approve Any Assessments or Property-Related Fees – Citizen's Initiative.

9. West Berkeley Project Ordinance: Ordinance to change the West Berkeley Plan to allow for large development projects – Council put on ballot.

10. Streets and Sewer Bonds: \$30M bond for funds to repair the city's streets and sewers – Council put on ballot.

Lively Pros & Cons Meeting on “Sunshine” and West Berkeley

A record crowd of about 60 people turned out to LWVBAE's July 24 pro and con meeting held at the Albany Public Library to discuss two of the hottest measures on Berkeley's municipal ballot this fall—the “Sunshine” Initiative Ordinance and the West Berkeley Plan Amendment. Many strong supporters and opponents of each measure, City Council members and other community leaders and League members attended.

Former Mayor Shirley Dean spoke in support of the “Sunshine” Initiative Ordinance and Vice Mayor and Councilmember Linda Maio (District 1) spoke against the measure. Councilmember Gordon Wozniak (District 8) spoke for the West Berkeley Plan Amendment and Patrick Sheahan, a member of the West Berkeley Artisans and Industrial Companies group, and a member of the Berkeley Planning Commission, spoke against it. Marion Taylor, President of the Bay Area League, moderated the discussion. Vigorous defenses and rebuttals of each measure opened each discussion; many pointed questions submitted on cards by the audience followed. A sample of the controversial issues follows.

The enforcement provisions of the “Sunshine” Initiative Ordinance were defended vigorously by former Mayor Dean and attacked energetically by Vice Mayor Maio. Audience questions asked about why the Initiative's new Commission would have power to enforce provisions of the Ordinance over the City Council and its members, some City staff and all other City legislative bodies such as Boards and Commissions. The Commission could hold hearings on alleged violations, require corrections of violations and, if it thought necessary, could sue the City and require the City to supply funds to hire an independent attorney to pursue the lawsuit. Mayor Dean argued that lawsuits would be very rare, since, if a Commission hearing confirmed a violation, the Commission would require the offending body to correct it, by, for example, holding an additional public hearing and voting again on a decision that had been inadequately noticed or for which the supporting documents had not been available to the public the required number of days in advance of the meeting where the initial decision had been made. Vice Mayor Maio argued that a body appointed by the Council should not have power to discipline or sue the elected Council. Overall, she argued that the measure would impose large additional burdens of work and reporting on City staff and volunteer commissioners and interfere with staff carrying out the business of the City. The voters

LWVBAE Decides Positions on Berkeley Ballot Measures

Our League has reached a decision on the positions we will take on Berkeley ballot measures. Thirty six members attended the Action Committee on Monday, August 6 to discuss and recommend positions to the Board. The following day, the Board agreed with the majority votes at the Action meeting on four of the five measures and responded to the split vote on the West Berkeley measure by a decision to remain neutral. In addition, the Board decided on our positions on the remaining measures. The positions the Board has adopted are:

Berkeley Ballot Measures	Position
Redistricting Measure	Support
Streets and Watershed Bond	Support
FACTS (Fiscal Accountability, Clarity, Transparency and Sustainability Ordinance of 2012	Oppose
West Berkeley Amendment	Neutral
Sunshine Ordinance	Oppose
Gann Limit Renewal (Re-Authoring Expenditures of Voter Approved Taxes)	Support
Utility Users Tax	Support
Sit-Lie Ordinance	No Position
Pools Bond	No Position
Pools Special Tax	No Position

The five key measures discussed at the Action Meeting were: Redistricting, Streets and Watershed Bond, FACTS, the West Berkeley Amendment, and the Sunshine Ordinance. Discussion was spirited. The straw votes on four of the measures clearly indicated the preferences of a large majority of the group. The vote on the West Berkeley measure was split; fourteen favored support, eight wished to oppose and eleven voted to remain neutral.

After considering the results of the straw votes and the discussion at the Action Meeting, the Board decided to support the Redistricting measure and the Streets and Watershed Bond, and to oppose the "FACTS" and "Sunshine" measures.

The decision to remain neutral on the West Berkeley measure reflects the Board's recognition that, although a plurality of the group supported the measure, there was substantial support for a neutral position and in opposition, so there was not clear member agreement. In addition, elements of LWVBAE's relevant positions could be seen as both sup-

porting and opposing the measure. Further, no League representative had been following the West Berkeley project and plan closely over the past several years.

The Board also decided that our League would request and/or agree to be among the signers in the voter pamphlet of the ballot argument in favor of Redistricting, the Streets and the Watershed Bond, and in opposition to FACTS and the Sunshine Ordinance. If the League is invited to sign an argument and/or rebuttal, a Board representative will participate in drafting them and will insist that the League not be cited within the text of an argument or rebuttal as a supporter or opponent, but only appear by having Sherry Smith, President, sign for herself and the League of Women Voters of Berkeley, Albany, Emeryville.

We welcome volunteers to help campaign in support of our positions. Please contact Linda Swift (office@lwvbae.org) to volunteer. We'll keep members posted on our campaign activities.

The research and analysis that preceded the Action Meeting were extensive. Five members of the Board—Linda Swift, Carol Stone, Dean Metzger, Nancy Bickel and Sherry Smith—worked in pairs to interview at least one supporter and one opponent of each of the five ballot measures. The teams drafted analyses and pro and con arguments for each and followed up on questions of fact and opinion. They reviewed all League positions and identified positions relevant to each measure. These materials were distributed by email to members and informed the discussions at the Action Meeting and the Board.

Linda Swift, Action Coordinator

Pro Con Continued from page 2

can vote out Council members if they disapprove of their actions, she pointed out.

Both Dean and Maio agreed that the Sunshine Ordinance had prompted the City Council to adopt the Open Government Ordinance which includes many provisions similar or identical to the Sunshine Ordinance – for example, substantially increasing the time before a Council Meeting when the Agenda must be adopted and the supporting documents for items on the Agenda must be published and available to the Council Members and the public.

Councilmember Wozniak argued that the West Berkeley Plan Amendment would stimulate economic growth in the area, by enabling a few larger projects to get built in the next ten years. Patrick Sheahan strongly disagreed, arguing that the area, with a mix of artists, artisans and small manufacturers and businesses, was thriving and that bigger projects would send up rental costs in the area and drive smaller businesses out. In addition, he said that even a few buildings that could be 75 feet tall, with an average height of 50 feet over 75% of a city block, would destroy the current scale of the area-- looming over their neighbors. He argued that traffic would be greatly increased and that the EIR had pointed out that many of the detriments of the proposed projects could not be mitigated. Wozniak argued that the EIR showed that many of the detriments could—and he believes would—be mitigated at least in part, because none of the three large projects likely to be built in the next ten years would be approved without substantial and otherwise unavailable benefits to the area and the city being provided by the developers. The economic stimulus and additional jobs that the changes would bring are essential to the area as well as the city, Wozniak asserted.

Sheahan criticized the process through which the plan was adopted; many residents and small business people, he said, had not found out about the plan and its possible impact on them until late in the process. Wozniak said that the City had followed the required public notification for the plan changes—which includes publication in a general circulation newspaper and other methods—and had held so many public hearings that most people should have heard about it over the several years of discussion.

Many additional arguments for and against the two measures were discussed. These arguments may appear in the official ballot measure arguments and in the League's own pros and cons. Stay tuned.

Nancy Bickel, Communications Coordinator

Seven League Members Attend LWVUS Convention in Washington, D.C.

Attending the biennial League of Women Voters of the United States convention in Washington, D.C. June 8-12 were seven members of LWVBAE, representing our League and also the Fremont/Newark/Union City and Livermore/Amador Leagues. (Leagues are encouraged to allow members of other Leagues to represent them if their own members cannot attend.)

Forming one of the larger delegations from California were Jan Blumenkrantz, Helene and Harold Lecar, Gail Schickele, Sherry Smith, Linda Swift, and Li-hsia Wang. All were involved with some aspect of Convention, including preparing and presenting well-attended workshops and caucuses on climate change, education and health care reform.

Attorney General Eric Holder gave a powerful address on protecting voter rights and reforming the election process. The Attorney General praised the League for its “fierce commitment” to expanding and protecting voting rights, and supporting neutrality in redistricting.

Other featured speakers included Pollster John Zogby, Kathleen Hall Jamieson, creator of the web site Fact Check and its blog, Flack Check, all kept referring to the politically motivated attempts of state legislators, under the name of “preventing voter fraud”, to place barriers of expenses, paperwork, and registration requirements to deprive senior citizens, students, minority and impoverished eligible voters of their right to cast a ballot.

The approximately 600 delegates re-elected Elisabeth MacNamara of Georgia to another two-year term as President, and the following decisions were made:

- a. The LWVUS Agriculture Position, approved in 1988, will be reviewed and updated. The review will investigate genetic modification, consolidation in the food industry, money in the regulatory process, and the consumer's right to accurate and comprehensive food labeling.

- b. The Convention voted to adopt a new Sentencing Policy, by concurring with the existing policy of the LWV of the District of Columbia: The LWVUS believes alternatives to imprisonment should be explored and utilized, taking into consideration the circumstances and nature of the crime. The LWVUS opposes mandatory minimum sentences for drug offenses.

c. A comprehensive program to educate members and communities on the issue of campaign finance in order to inform our education and legislative efforts as needed was adopted.

d. All other current LWVUS Positions in the areas of Representative Government, International Relations, Natural Resources, and Social Policy were retained.

e. The Per-Member Payment made by each League to support LWVUS was raised by one dollar per member to \$31 (LWVBAE also pays \$23 to support LWV California, and another \$1 for the Bay Area League).

f. The following Resolution was drafted, proposed, and adopted instead of a narrowly-defeated proposal for a Study on the issues raised by the Supreme Court's decision in *Citizens United*. This Resolution was the result of negotiations that extended into the night, in which California delegates were instrumental: We, the representatives of local and state Leagues assembled at the 2012 LWVUS Convention, call upon the LWVUS Board to advocate strongly for all appropriate, duly-considered measures which may include, but are not limited to, a constitutional amendment and which: are consistent with our current positions on campaign finance reform and individual liberties; allow Congress and the States to set reasonable regulations on campaign contributions and expenditures; and ensure that elections are determined by the voters.

The positions adopted through the Privatization and the Federal Role in Education studies we did in 2011 are available on the LWVUS website

<http://www.lwv.org/content/privatization-position>

<http://www.lwv.org/content/federal-role-public-education-position>

Our delegation enjoyed itself tremendously and were proud of what was accomplished. Attending League conventions provides an opportunity to become more familiar with the inner workings of League at all levels, and is a wonderful educational, social and "political" experience as well. Consider attending the next national convention, to be held in Dallas in 2014.

Yours in League, Sherry Smith, President

Vote Climate with California!

Members of the LWV-Berkeley, Albany, Emeryville, led by our Climate Change Team, together with LWV-California, sponsored a caucus at the June LWVUS National Convention called "Vote Climate with California!" Attendance was standing room only with participants from across the nation. The purpose of the caucus was to encourage Leagues to emphasize climate change as an issue on which candidates need to take a stand.

Climate Change is Now! The lead-off talk was by Linda Swift, PhD in geology, and the new LWVBAE Action Coordinator, describing the science of climate change. She described the scientific evidence, which is very clear. Heat records are being broken, glaciers are melting, biodiversity is declining, and the seas are rising. We have reached a point where no matter what we do we cannot avoid a very different climate future.

She stressed that our ability to curb this change diminishes with every passing day. We must act now to prevent truly catastrophic consequences. And the most powerful action is our knowledgeable vote.

California's Legislative Actions Sarah Diefendorf, Climate Change Director for LWV-California summarized what we are doing in California. We have taken some meaningful steps to reduce greenhouse gas (GHG) emissions. The Renewables Portfolio Standard Program (RPS) (2002, modified in 2006, 2011) required that renewables make up 20% of the state's electricity mix by 2010 and 33% by 2020.

Efforts were accelerated with the 2006 landmark legislation, the Global Warming Solutions Act (AB 32). This established as law that 2020 greenhouse gas emissions cannot exceed 1990 levels. In 2008, the Sustainable Communities and Climate Protection Act (SB 375) required regional GHG emission reduction targets for cars and light trucks, and coordinates land use, transportation, and housing decisions to help achieve the target. In 2011, Cap-and-Trade set a declining cap on allowed GHG emissions. Beginning in 2013 the largest carbon emitters will be required to meet the caps or buy credits. In 2012 the Advanced Clean Cars Standard set GHG standards for cars and light trucks for model years 2017-2025.

How Do We Engage? Jenny Waggoner, President of LWV-California, completed the presentations with emphasis on how to use communications of all sorts to reach out to Leagues and citizens. We critically need an informed electorate to drive the political will that is essential

to make the necessary changes. Resources for education and advocacy are available and growing. We must reach people in whatever way is best for them – be that social media, email or written communications. We can get involved with our local climate action plans, or initiate development of a plan.

Nearly all California communities are at some stage of building a climate action plan. Also we can get involved with adaptation strategies for climate change – how we will deal with the changes.

The LWVC website on climate change

<http://ca.lwv.org/lwvc/issues/climatechange/index.html> has links to articles and additional resources for all Leagues to tap. This is a growing source of information, so stay tuned!

Where from Here? The reaction of the participants was overwhelming support. All were eager to take advantage of resources and were supportive of the efforts. The work continues. Join the Climate Change Team to be a part of it.

Linda Swift, Action Coordinator

Monday, October 22

Last day to register to vote in the November 6 election.

Conversation: State Pros & Cons

**When: Tuesday, October 9,
noon-2 pm.**

**Where: Albany Public Library
1247 Marin, Albany**

Early Action on State Ballot Measures

The California League supports **Prop. 30, the Governor's Schools and Local Public Safety Protection Act of 2012**, because it begins to move California toward financial stability and the ability to provide adequate funding for all the services we want from our government.

We are neutral on the Munger/PTA initiative, Our Children, Our Future. It provides significant funding for education, and for the first four years, provides money to help the other underfunded government services. However, in the longer term, it earmarks essentially all the money for education. Education definitely needs and deserves to be adequately funded, but so do all of the government programs we support, from mental health programs to the court system to childcare.

It is absolutely essential that California voters pass at least one of these two measures in November. We need to provide some relief to the endless cutting of vital government services.

For more information about our advocacy work for the November election, visit and bookmark our Web site www.lwvc.org and like us on Facebook.

No on Prop 32

Big Money Tries To Trick Us!

Oppose The Special Exemptions Measure

We are joining the Stop the Special Exemptions campaign to oppose the so-called Stop Special Interest Money initiative. It is a wolf in sheep's clothing; it looks like a campaign finance reform measure but unfairly targets one set of large campaign donors while giving others unlimited power. It does not fix the problem of money in politics because it lets corporations spend without limits while cutting off labor union donations.

Yes on Prop 34, SAFE (Savings, Accountability and Full Enforcemet) Act : No More Death Penalty

We support the SAFE California Act, the initiative that will replace the death penalty with life in prison without the possibility of parole.

Yes on Prop 40 Redistricting Referendum

VOTE YES on the Referendum! Yes! We know that sounds strange. YES! We know that seems confusing. But that's what the opposition wants you to buy into—confusion—so you'll vote the wrong way.

You need to vote YES to affirm the state Senate maps drawn by the Citizens Redistricting Commission and upheld by the State Supreme Court.

For more information: visit and bookmark www.lwvc.org.

LBNL to Expand Public Interest Partnership and Consolidate Big Team Science

Proposed consolidation of the Lawrence Berkeley National Laboratory biosciences programs to the Richmond Field Station was discussed by LBNL Manager of State and Community Relations, Sam Chapman, at the LWVBAE Natural Resources May 14 meeting. The informative presentation offered the history, current initiatives and future plans of the illustrious laboratory, which employs 4,200 people, trains 800 University students each year, and is renowned for science leadership that includes 15 Nobel Prizes and collaboration with 55 Nobel Laureates.

The integrated biosciences vision is to establish the world's best biology program dedicated to health, energy and the environment adjacent to the Richmond Bay Campus (RBC), which now houses U.C. Berkeley Departments including Pacific Earthquake Engineering Center; Institute for Transportation Studies; Center for Occupational and Environmental Health; UCSF/UCB Ergonomics Program; and School of Public Health. LBNL integrated biosciences will add new capabilities that will include cancer research; biofuels research; functional annotation and genomics; BioFab; computational/mathematical biology; data management; 4-D imaging; synergistic UC Berkeley, UC Davis and UCSF programs; and creation of a research park for private-public partnerships.

LBNL and UCB have benefited from proximity and interaction since the Lab was founded, Chapman noted, and RBA is an opportunity to build upon and expand its partnership in the public interest. The LBNL move also will bring together Lab facilities that are now at various locations throughout the Bay area.

Opportunities For Big Team Science

LBNL was founded on the Berkeley Campus in 1931 and moved to its current site in the Berkeley Hills in 1940. Pioneer Ernest Lawrence introduced 'Big Team Science' by bringing scientists from different disciplines together to create "a legacy of improving our lives and understanding the world around us," Chapman said.

In 1970, three-quarters of LBNL work focus was high-energy physics, nuclear physics and nuclear chemistry. By 1990 this work became about a third of its focus, and today physics and fusion occupies about 15 percent of its focus, which also includes biosciences, energy and environmental sciences, photon sciences, cosmology and computing sciences, "plus one," Chapman said. "We look for solutions to the world's biggest problems in energy efficiency,

solar, PV (photovoltaic), energy storage, artificial photosynthesis, biofuels, carbon capture, storage combustion and climate modeling."

Consequently, LBNL has been spread out from its main site in the Berkeley Hills to include such other facilities as: Life Sciences in West Berkeley; Geonomics at the Joint Genome Institute in Walnut Creek; Biofuels/Joint BioEnergy Institute (JBEI) in Emeryville; Joint Center for Artificial Photosynthesis (JCAP) in West Berkeley; administration in Emeryville; and supercomputing in Downtown Oakland. "This isn't good for Big Team Science," Chapman offered.

The integrated biosciences vision would house Life Sciences; the Joint Genome Institute; and the Joint BioEnergy Institute at the preferred site of the Richmond Field Station.

- Life Sciences' vision and focus is to advance basic knowledge and improve the health of humans and the biosphere;
- The Joint Genome Institute, founded to speed the completion of the Human Genome Project, DOE, JGI now serves as a genomic user facility in support of the DOE missions of bioenergy, carbon cycling and biogeochemistry;
- The Joint BioEnergy Institute (JBEI)'s mission is to advance the development of the next generation of biofuels – liquid fuels derived from the solar energy stored in plant biomass. The integrated-under-one-roof approach promises sustainable, low-cost next-generation fuels and high-value chemicals.

Meantime, three buildings are under construction at LBNL main site of major facilities on the hill: the Solar Energy Research Center (SERC) home of Joint Center for Artificial Photosynthesis; the computational theory and research facility to house the super computer and computer research facilities (now in downtown Oakland); and a general purpose lab.

Chapman said societal needs for solutions to energy and environmental problems will intensify and said measurement tools will open new realms of inquiry, the biology revolution will deepen and impact other disciplines, and reliance on computation will expand while massive data sets will pose new challenges.

LBNL is a U.S. Department of Energy laboratory managed by the University of California, and all must be approved by the Regents, Chapman said. "When the dust settles, we will hope we will be consolidated in two locations," he concluded.

For information contact the Lab's Community Advisory Group at www.lbnl-cag.org

Gail Schickele, Natural Resources Coordinator

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Calendar — Berkeley addresses unless otherwise noted

August

31	Fri	3:00-5:00 pm	Board Meeting, LWVBAE Office 2530 San Pablo Ave	S. Smith	548-1769
31	Fri	5:00 pm	<i>Voter</i> deadline	F. Packard	845-3037

September

10	Mon	7:00-9:00 pm	Environmental Concerns 1174 Euclid Ave	C. Stone	549-0959
14	Fri	1:30-3:30 pm	Civics Education LWVBAE Office 2530 San Pablo Ave	J. Gardner	548-5292
17	Mon	1:30-3:30 pm	Healthcare Com LWVBAE Office 2530 San Pablo Ave	L. Wang	848-5765
27	Thur	5:00-8:15 pm	Fall Meeting Northbrae Community Church 941 The Alameda	C. Stone	549-0959
TBA			Climate Change email regina-a.beatus@gmail.com for details	R.Beatus	524-6904

October

2	Tue	1:00-3:00 pm	Board Meeting, LWVBAE Office 2530 San Pablo Ave	S. Smith	548-1769
5	Fri	5:00 pm	<i>Voter</i> deadline	F. Packard	845-3037
9	Tue	noon-2 pm	Conversation: State Ballot Measures Albany Library 1247 Marin Ave, Albany	C. Stone	549-0959
26	Wed	3:00-5:00 pm	Board Meeting, LWVBAE Office 2530 San Pablo Ave	S. Smith	548-1769

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The League of Women Voters is a nonpartisan political organization that encourages active and informed participation in government, and influences public policy through education and advocacy.