



# THE VOTER

## LEAGUE OF WOMEN VOTERS

### OF BERKELEY, ALBANY, AND EMERYVILLE

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President: Doris Fine

February, 1998

Editor: Bob Hawley

### February UNIT Meetings

#### Consensus Question: Should we make changes in our RENT CONTROL position?

##### Background

At our 1997 Annual Meeting, the membership voted to investigate whether, when, and how to take ACTION on our LWVBA position that recommends replacing the elected Rent Stabilization Board with an appointed one. Since then, a committee carrying out this charge has gathered information on the current rent control program, conducted comparisons with other rent control jurisdictions, and studied changes in rent control programs at the local, state and national levels. The committee now invites your participation in discussing changes to our current position, the result of a two-year study in 1989-91. Rent control has been a concern of the LWV for over 20 years; a pamphlet on Tenant/Landlord Relations, published in 1978, was prepared by a committee chaired by current UNIT Chair, *Sally Severance*.

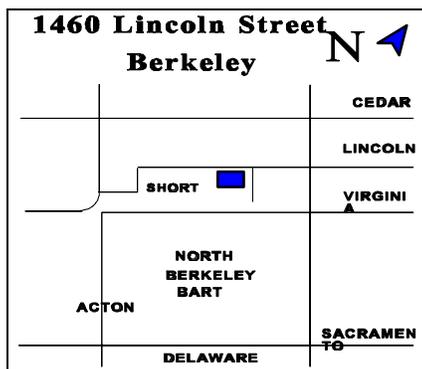
##### Discussion Questions

1. Our current position does not address the adversarial relations between tenants and landlords. Should we add as a goal of the Rent Control Program that it alleviate this adversarial climate?
2. Should we revise our position on the Rent Stabilization Board (RSB) as to its specific functions, composition, and method of appointment?
3. Should we specify how a Director should be hired under an appointed Board, and to whom he/she should be responsible?
4. Given the changes in California rent control law governing vacancy decontrol and the exemption of single family homes, should we eliminate our positions on these issues?
5. Under city administration, should the funds raised by the rent program be limited to RSB administrative expenses?

##### UNIT Meeting Times

We urge your participation in coming to consensus on these important questions. Please review articles on rent control published in the *Voter* since September, including this issue. UNIT meetings will be held as shown below. For more information, call Doris Maslach.

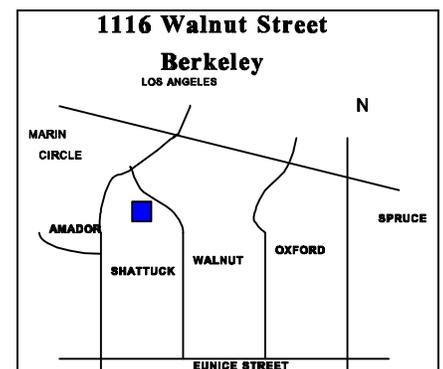
-Doris Maslach, Action Committee



Meeting Times and Locations

Thursday, February 5 at 7:30 pm  
At 1460 Lincoln Street

Tuesday, February 10 at 10 am  
At 1116 Walnut Street



## President's Message

Thanks. First, to all our many members who have made recent contributions to support our programs and voters services. Secondly, thanks to those members who, when asked to take on an assignment, say YES, namely to *Bill Chapman* for creating our web page; to *Virginia Laurence* for representing us at a hearing on the Berkeley Health Department's Five Year Plan; to *Barbara Nelson* for attending a meeting of the Californians Work Together group; and to *Carla Woodworth* for briefing us on what is happening to reform health care in California. And many, many thanks to all our dedicated office volunteers, consultants and committee members for your ongoing dedication and service.

As usual, from just glancing through this issue of the *Voter*, you will see the full array of activities we have underway: you can come to 1 of 2 UNIT discussion meetings as we seek consensus on a revised Berkeley rent control position; attend a forum on the Bilingual Education initiative that will be on the June ballot; join us for lunch in honor of this year's Soulages Award winner, Ann Swidler; participate in committee meetings on education and environmental concerns, and much more. Also, as you will see from the enclosed flyer, we are asking you to participate in the WRITE IT project. That involves joining with other civic-minded groups in responding to the high school students who have asked us to write them letters, sharing issues of common interest and helping them grow into responsible members of the community.

This is our League's response to the national program, Making Democracy Work. Increasing civic participation among young or potential voters is key to improving voter turnout. Even if you have only an hour to spare every month, you can be part of this effort. Just fill in the application and return it to the Berkeley School Volunteers which is helping coordinate this project.

February 14 is the LWV's birthday. Come celebrate with us on the 19th over lunch at the Berkeley City Club. Best wishes for the New Year.

-Doris



## December Board Briefs

The Board met on 12/3/97 at the South Berkeley Public Library. We heard reports of various meetings held or to be held by the League, both local and in the Bay Area. (See other articles in this *Voter*).

Members are responding generously to our end-of-the-year appeal for contributions.

Work on revising and bringing up to date our board policy manual is progressing and is nearly completed.

The Action Committee sent a letter to Berkeley school and city officials complimenting them on their commitment to the 2x2 process of cooperation between the city and schools. The letter also congratulated them on the Berkeley Alliance, a consortium that includes the city, the school district and the University of California.

A lively discussion was held about concurrence procedures. Concurrence and consensus in League activities will be topics at the meeting on 1/13/98 when program planning for the National Convention will be discussed.

LWVBAE's Annual Meeting will be held at the Northbrae Church on 5/16.

Project Vote Smart has sent us their new publication, "U.S. Government Owner's Manual." We are ordering more of this free booklet and it will become available in our office.

## January Board Briefs

The monthly Board meeting was held on 1/7/98 at the South Berkeley Public Library.

Many interesting and important League meetings are scheduled in coming months and it is hoped many members will participate in them. It is especially important that members attend the national program planning meeting on 1/13.

Our membership report, which was sent to LWVUS on 12/18/97, shows that we have 410 members of whom 4 have been in the LWV for 50 or more years. Although most of us are residents of Berkeley, we have groups of both Emeryville and Albany residents and a sprinkling from other parts of the Bay Area. We even have a member from Alexandria, Virginia.

-(Continued on Page 3)

## The City Council and the Brown Act

On Wednesday, December 10, a Speakers Series meeting co-sponsored by LWVBAE and the UCB School of Journalism reviewed key provisions of the Brown Act and the California Public Records Act. Guest speaker Terry Francke then responded to audience questions regarding a potential violation of the Brown Act by the City Council. It is widely known, according to members of the audience, that four members of the Council meet regularly to review upcoming agenda items, in a so-called "packet meeting" (named for the agenda material known as the "packet"). While a meeting of four members of the Council, constituting less than a majority, does not in itself amount to a violation of the Brown Act, an attempt to reach consensus by notifying a fifth member by phone, e-mail, or through a staff person, with regard to the substance of the meeting, might constitute a violation. In determining whether or not there is a violation, the intent of the meeting is crucial, whether or not it was intended to deprive the public of information.

The December meeting was the second in a series of informational gatherings to determine whether or not LWVBAE will sponsor the development of a local Sunshine Ordinance which would provide additional guarantees of public access to official meetings and documents. Oakland's LWV recently was instrumental in passing such an ordinance, and there are also Sunshine Ordinances in Richmond, San Francisco, and in Contra Costa County. Berkeley's City Attorney, Manuela Albuquerque, has indicated that she would not be in favor of such an ordinance.

Materials distributed at the meeting are available in the LWVBAE office, and if any members are interested in forming a study group on these issues, please call me or the office.

-Doris Fine

## Jan. Board Briefs - (continued from Page 2)

We are joining with the Gray Panthers to present a forum on the Bilingual Education Initiative. It will be on 2/11 at 1:30 pm in the North Berkeley Senior Center. This topic arouses strong feelings in many people so it should be a lively meeting.

We were sorry that Audrey VanDenburg had to leave her job as Administrative Assistant because of illness in her family, and we appreciate *Barbara Coleman's* willingness to step in and help until a permanent replacement is hired.

-Violet Feinauer, Secretary

## Forum Planned On

### "English Only" Initiative

The League will join with the Gray Panthers in sponsoring a forum on the "Unz Initiative" which will appear on the June ballot. It reads, in part: "All children in California public schools shall be taught English by being taught in English. In particular, this shall require that all children be placed in English language classrooms. Children who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year.....". Many people wonder whether bilingual education is working. Is it a failed concept or has it suffered from poor execution? Is it time to change? Is this initiative the best solution? We hope at our round table, to hear from people with different expertise, experience and background. The forum will be held on Wednesday, February 11 at 1:30 pm at the North Berkeley Senior Center. All members of the community are invited.

-Lois Brubeck

## Concurrence On State Positions

At a meeting on November 12, 1997, LWVBAE members discussed whether to concur with positions on libraries and on mental health, in order that they become State LWV positions. Those attending voted unanimously for concurrence with the library position.

The vote on the mental health position was divided: yes, 9; no, 2; abstentions, 6. When the results of this meeting were presented to the LWVBAE Board at their December 3 meeting, the Board decided not to endorse the mental health position vote for a number of reasons: (1) disagreement was substantial; (2) the subject was complex with many unanswered questions in the documentary materials; (3) endorsement would put in place an entirely new position without providing the LWVC Board with statewide information and background materials. The LWVBA Board took the following position: while we respect the views of those members participating in the discussion of the mental health item, we are not satisfied with the outcome of that discussion, and therefore we will not concur with the position statement on mental health as proposed by the LWVC.

We have not yet heard whether enough units statewide concurred with the two positions so that they could become State positions.

-Phoebe Watts, Program VP

**Donors As Of  
December 31, 1997  
General Fund**

<i>Joyce Baldwin</i>	<i>Sondra Kennedy</i>
<i>Ida G. Braun</i>	<i>Erika Kunkel</i>
<i>Lois Brubeck</i>	<i>Helene Lecar</i>
<i>Linda Burden</i>	<i>Marion Luten</i>
<i>Helen Canin</i>	<i>Ruth Maguire</i>
<i>Cecile Christian</i>	<i>Katherine McLean</i>
<i>Elly Christofilos</i>	<i>Angela F. Mitchell</i>
<i>Eleanor M. Cox</i>	<i>Jean Moses</i>
<i>Klaus &amp; Jean Dehlinger</i>	<i>Allie Norton</i>
<i>Elizabeth M. De Velbiss</i>	<i>Fran Packard</i>
<i>Elizabeth De Vogelaere</i>	<i>Nancy Polsky</i>
<i>Richard M. Diamond</i>	<i>Jane Paxson Estate</i>
<i>Dorothy Field</i>	<i>Peggy J. Reid</i>
<i>Grace Gildersleeve</i>	<i>Hugh &amp; Marjorie Rubinow</i>
<i>Maxine Greene</i>	<i>Yvonne San Jule</i>
<i>Nanine Greene</i>	<i>Sherry H. Smith</i>
<i>Robert &amp; Miriam Hawley</i>	<i>Ladonna Stoppel</i>
<i>Ora Huth</i>	<i>Lassie Ulman</i>
<i>Joan Kasten</i>	<i>Lessly Wikle</i>

**Foundation**

<i>Suzanne Adams</i>	<i>Glenda O'Donnell</i>
<i>Regina Beatus</i>	<i>Yvonne San Jule</i>
<i>Robert W. Birge</i>	<i>Geraldine Scalzo</i>
<i>Ann M. Crowe</i>	<i>Sherry H. Smith</i>
<i>Anne H. Good</i>	<i>Wm. &amp; Marie Stevenson</i>
<i>Ora Huth</i>	<i>Ladonna Stoppel</i>
<i>Virginia Laurence</i>	<i>Ruthann &amp; Clyde Taylor</i>
<i>Evelyn Light</i>	<i>Francis Tittmann</i>
<i>Marion Luten</i>	<i>Henry James Vaux</i>
<i>Regina Minudri</i>	<i>Doris L. White</i>
	<i>Alba Witkin</i>

**LWV Bay Area Update**

Monitors are needed to observe meetings of AC Transit, Port of Oakland and BART (an alternate). Observers report to the Bay Area League, which pays travelling expenses. LWVBAE also receives \$25 for every meeting observed. For more information, call *Eloise Bodine*.

There is good news regarding the location of the Transbay Terminal. San Francisco Redevelopment plans are on hold and the Mayor is not actively pursuing this issue.

**Education Committee**

The Education Committee is continuing its inquiry into decision-making in the Berkeley schools. Nancy Spaeth, BUSD Associate Superintendent for Instruction, brought her perspective to the Education Committee meeting in early December. As a case study of how policy is implemented, she described recent changes in the Gifted and Talented Instruction program (GATE). For five years a pullout program in the Exploration Center, it finally ran up against lack of space and many teachers' belief that if not chosen, students feel belittled. The administration held meetings with the parent advisory committee, and conducted research across the country. The resulting program features "differentiated instruction" and help for teachers with the core curriculum. Mini-classes were held after school for a year, and in May, 1997, the School Board approved this approach. Teacher and principal trainings were arranged. The Exploration Center instructors became the GATE resource staff working closely with teachers in support of the program so that they can become mentors for students designated as "gifted."

Asked about the administration's responsibility for oversight of goal achievement, Spaeth noted that while the administration creates goals and timelines, resources are lacking for supervision. Formerly there were more curriculum supervisors to support teachers, but now district staff are not available, and sorely overworked principals have to handle both administrative and academic responsibilities.

Ms. Spaeth is optimistic about the hiring of East Bay Community Foundation's Howard Kalmer, a consultant with school reform experience, to facilitate the creation of a strategic plan for Berkeley High. She also spoke of proposals for a performing arts and a law academy at the school, and the need to avoid past errors to assure that all students have a core curriculum.

Asked about changes in requirements for teacher credentialing, she noted that this is a state, not a local matter.

On January 15, the Committee welcomed Joann Biondi, Director of Special Education in the BUSD, and we hope to have Margaret Kirkpatrick, principal of Berkeley's Adult School, round out this series of meetings on Thursday, February 12.

*-Lois Brubeck, Education Chair*

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# Action Update

## **STATE:** Proposition 208

Proposition 208 has been declared unconstitutional. The voter-approved Campaign Finance Limits for California was tossed out and the state Supreme Court will now decide whether to review the case and to make adjustments.

When testimony on the court case on the constitutionality of Proposition 208 began before Federal District Judge Lawrence Karlton in Sacramento on October 15, 1997, there was hope by backers of the proposition (which passed with 61 percent of the vote in November 1996) that most of the sections of the new law would stand. It had been written by lawyers who were knowledgeable about what had been found to be constitutional and what had not in other states, as well as in federal law. Judge Karlton at first thought that he could render judgement by mid-November. However, upon hearing the first day's testimony, he acknowledged the distinct complexity of the proposition and the daunting task ahead of him. He revised this time line to after the first of the new year.

On January 6, 1998, Karlton's decision came down: Proposition 208 violates free speech because it sets campaign contribution limits too low. Now, California elections will return to the pre-1997 rules: no restrictions on campaign contributions to legislative and statewide candidates. Karlton left the door open for the State Supreme Court to rescue the initiative by ordering the Fair Political Practices Commission (FPPC) to take the case and let them ask the court whether it wants the FPPC to rewrite the law to fix the "constitutional errors" or whether parts of the law could be independently enforced. As Karlton is a federal judge and Proposition 208 is a state law, he stated that he lacked authority to make changes. Enforcement of the entire initiative will be blocked until such time as the State Supreme Court decides whether or not to adjust the law.

It is interesting to note that Karlton is the same judge who, in 1992, ruled unconstitutional Proposition 73, the campaign finance initiative passed by California voters in 1988.

## **LOCAL:** Letters to the City Council regarding the location of the County Courthouse

Letter #1 - LWVBAE sent a letter to the Mayor and the City Council for the meeting of December 19, 1997, at which the Council was scheduled to make a final decision upon the location of the new County Courthouse. The League recommended the Civic Center site based upon many sound reasons, including: the planning process, citywide needs, transportation concerns, efficient transfer of prisoners, economic health of the downtown, and the symbolic placement at the Civic Center.

Many other civic, business, and educational organizations, as well as the city's Planning Department, weighed in for the Civic Center site. One nearby small, vocal neighborhood said "NO! - place it on the Hinks Garage site." One larger, unorganized, not vocal neighborhood immediately adjacent to the Hinks site said nothing. In a 5 to 4 vote, the Hinks site was chosen. Upon hearing from county judicial officials that the County Board of Supervisors would be less likely to fund a Berkeley courthouse with less than an overwhelming vote, two of the city Council members changed their votes.

Letter #2 - LWVBAE, along with many citizens and organizations, especially the BUSD, the library, and downtown merchants, were greatly dismayed at the lack of wisdom and judgement displayed by the Council in this obviously political decision. The League Board decided to send another letter on the topic, reflecting our dismay and our hope that Council decisions in the future will meet the citizens' expected standard of care for the entire city and its future needs. A copy of this letter was also sent to the Voice.

-Jo Ann B. Price, Action VP

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## Rent Control: A Comparison

(Continued from Dec- Jan Voter)

City arr. by size	Financed By	Number of Rent Board Members	Selected By	Is There A Formula For An Annual Rent Increase?
Cotati	Fees+City Funds	5	Apptd. by City Council	Yes
E. Palo Alto	\$84/Unit	7	Apptd. by City Council	Yes
W. Hollywood	\$120/Unit	5	Apptd. by Individual Councilmen	Yes
Santa Monica	\$132/Unit	5	Elected	No
Berkeley	\$112/Unit	9	Elected	No
San Francisco	\$10/Unit	10	Apptd. by Mayor	Yes
San Jose	Fees	7	Apptd. by City Council	Yes
Los Angeles	\$14/Unit	7	Apptd. by City Council	Yes

A mail survey was conducted to compare Berkeley with other rent control jurisdictions in California. An elected rent board is the exception, even nationally. Having a formula for annual rent increases provides predictability for both tenants and landlords.

-Doris Maslach, Rent Board Action Committee

### Soulages Award Luncheon: February 19, 11:30 am - 1:30 pm

A luncheon honoring Ann Swidler, recipient of the 1998 LWVBAE-Soulages Award, will be held at the Berkeley City Club, 2315 Durant, on February 19.

The December 97 - January 98 *Voter* announced the LWVBAE-Soulages Writing Project Awardee for 1998, Professor Ann Swidler, UCB Department of Sociology. In that issue, League members and friends were invited to a League Literary Evening on January 28, 1998, at the home of *Fran Packard*, where Prof. Swidler agreed to have a conversation with us on her two collaborative books: Habits of the Heart and The Good Society. Her significant contribution to these books was the work for which the League is honoring her.

LWVBAE will present Prof. Swidler with the award at the February 19 luncheon. This will be a festive affair as the League will also be celebrating the 78th birthday of the founding of the League of Women Voters. We are inviting community organizations with which we have worked over the years to send representatives to join us in the celebration. The cost of the luncheon is \$15, including tax and tip. Please make your reservation as soon as possible as space will be limited. Do this through the LWVBAE office. Please let us know if you need a ride or are willing to drive others.

The Soulages Writing Project Committee of *Peggy Anne Davis*, *Ora Huth*, *Doris Fine*, *Fran Packard*, and *Jo Ann Price*, Chair, is very pleased with the body of work upon which this year's award was based. It reflects perfectly the purposes for which the award was established and does honor to the memory of Madeleine Traynor, the League member whose bequest is the source of the award. According to the terms of her grant, it may now be used without restriction for educational purposes as determined by the LWVBAE Board.

-Jo Ann B. Price, Chair, Soulages Project Committee

## Get Connected

Would you like to talk with Leaguers across the country to:

- share ideas?
- ask questions?



The opportunity is now and it is available (free) via your home computer. Communicate with Leaguers from coast to coast by subscribing to one of the following League services (**listservs**):

- **lwvfutureplan** - provided by LWVUS, is a place for members to provide input to the LWVUS Future Plan.
- **lwvoutreach** - provided by LWVUS, is a place to talk about membership, diversity, orientation, portfolio training, administrative issues and communication.
- **lwvtopics** - provided by Mary Howarth, LWV MI board member, is a place to talk about current LWV topics.
- **cybervoter** - the CyberVoter is a League newsletter containing news and issues for LWV members.

To subscribe to any of the above **listservs**, send an E-mail to: address: [listserv@thecity.sfsu.edu](mailto:listserv@thecity.sfsu.edu)  
message: subscribe *list* yourfirstname yourlastname  
(note: for *list*, substitute **lwvfutureplan**, **lwvoutreach**, **lwvtopics** or **lwvcybervoter** to subscribe to one of the above **listservs**.) Your "return address" will be the E-mail address used to send the above message.

- **lwvwebmasters** - provided by Olivia Thorne, PA League member, is a place to discuss League homepages and to obtain technical support for web page designers. To subscribe, send an E-mail to:

address: [majordomo@philadelphia.libertynet.org](mailto:majordomo@philadelphia.libertynet.org)  
message: subscribe **lwvwebmasters**

Have you visited LWV's national website yet?

You can find us at [www.lwv.org](http://www.lwv.org). In addition to public information published on the web, the League also has its own intranet (private) page. To get there, either click on the LWV logo at the bottom of the national website or enter the following url address to your browser: [www.lwv.org/internal/inhome.html](http://www.lwv.org/internal/inhome.html). This section houses information and updates specifically targeted to state and local League leaders and members across the country. -LWVUS

Blueprint For A Sustainable Bay Area  
The Environmental Concerns November meeting

featured a presentation by Maria Sanders from Urban Ecology. Since 1975, the Bay Area-based Urban Ecology has comprised a broad spectrum of people dedicated to promoting urban environments that are ecologically, socially and economically healthy. The group's mission has been to develop and communicate innovative alternatives to the ways we plan and build. The quarterly journal Urban Ecologist exemplifies the organization's commitment to communicating ideas about sustainable urban development locally, nationally and globally. Urban Ecology's Blueprint for a Sustainable Bay Area states, "A Sustainable Bay Area supports and improves the quality of life of all its residents and recognizes the interdependence of its people, culture, economy and urbanized and natural environments." Its seven sustainable principles for the Bay Area are:

1. Choice - provide new choices for a prosperous life.
2. Nature - protect, restore and integrate nature into our lives.
3. Justice - work toward a Bay Area that is more socially, economically and environmentally just.
4. Accessibility - promote development and transportation alternatives that connect the region.
5. Conservation - encourage resource conservation and reuse as integral to our way of life.
6. Context - design with respect for the uniqueness and history of localities and the region.
7. Community - enable residents to nurture a strong sense of place, community and responsibility.

Action agenda items include: allowing second units on single family lots; building infill housing and support for infill developers; bringing back downtown living; halting development in the greenbelt by establishing urban growth boundaries; redeveloping "brownfields;" encouraging labor intensive industrial districts with employment densities that can support transit and local retail development; protecting and increasing transit services; supporting sustainable local agriculture; building fewer roads; using alternative energy resources; encouraging sustainable industries; planning with the region in mind; and understanding that all urban neighborhoods require ongoing investment.

-(Continued on Page 8)

**Blueprint** -(Continued from Page 7)

What can you do? Educate yourself about sustainability, find out what is happening in your local community, and get involved. For more information about Urban Ecology, write to 405 14th St., Suite 900, Oakland, CA 94612, or call (510) 251-6330. Their E-mail address is [urbanecology@igc.apc.org](mailto:urbanecology@igc.apc.org).

-*Gail Schickele*, Environmental Concerns

**Members and Membership**

Pieces, Bits, and  
News You Can Use

**Bits**

The number of LWVBAE members as we start a new calendar year: 417.

Congratulations and thank you: *Ruth Colby*, 60 year member of LWVB-LWVBAE.

Good News: Home from the hospital and recuperating from cardiac surgery: *Anne Wallach*. Warm wishes for a complete and speedy recovery.

Recovered from multiple surgeries and "better than ever:" *Ginger Alafi*.

Just arrived: a grandson for *Mina Jenner*. Congratulations to all concerned.

Warm welcome: New member *Alisa Einwohner*.

**Pieces**

We share with *Doris Maslach* her pride in the accomplishments of and the honors given to her daughter, Christina. Christina Maslach, Professor of Psychology at UCB has been named Professor of the Year by the Council for Advancement and Support of Education. Reporter Patricia McBroom wrote in the Berkeleyan, "Few members of the faculty have made a more humane impact upon Berkeley's student environment than Maslach. Her classes draw hundreds of students every year." Christina was Berkeley's Distinguished Teacher in 1987.

The Berkeley High School Awareness Committee is made up of eight or more young women students and a school appointed teacher/sponsor. Their charge is to become aware of situations in the high school that may engender "problems;" to present speakers who can enlarge and quicken Awareness; and to gather and distribute information on being Aware. Awareness member Emily Steele (daughter of *Mary Jacobson*) is adding to the Committee's resources by gathering information garnered by the League's recent studies of Juvenile Justice. Activities of this sort, when

undertaken by students, bode well for the future of the League.

**News You Can Use**

The New Member Orientation meeting held on Saturday, November 22, at the home of Karen Nelson was, by all evidence, a rousing success. New members *Ginger Alafi*, *Guy Benveniste*, *Charlotte Bernardin*, *Barbara Coleman*, *Carolyn Gan*, and *Joan Strasser* together with two potential members gathered for a gourmet lunch and a question and answer period. *Doris Fine*, *Marion Lutten*, *Karen Nelson*, *Jo Ann Price* and I were questioned on subjects from A to V: how the League takes Action to why eligible persons don't Vote.

We are looking forward to another Orientation Meeting for new members who were not able to attend the stimulating November 22 meeting. Watch for details in the *March Voter*.

Our supply of free (except for postage) "Join the League" pamphlets has arrived from LWVCA. These pamphlets are very light and will easily fit into a purse or an envelope. Now it is time to distribute them to places where they can be visible and easily available. If you walk by a kiosk, do grocery shopping, use public library services, have a latte now and then in a coffee bar or have any other access to sites where pamphlets may be displayed, please come into or call the office and we will mail you a small supply. If 20 members will distribute only 5 each, or 10 members place 10 each, more than half of our supply will be publicly displayed. We will monitor returns to determine if this activity was worthwhile. Be a participating member!!

The League needs YOU!!

-*Eleanor Cox*, Membership Chair

**Environmental Concerns**  
**Monday, February 9, 1998**  
**URBAN GROWTH BOUNDARIES**  
 Tom Mooers, Greenbelt Alliance  
 Meet at 7:15 pm, 1340 Arch Street, Berkeley.  
**NOTE:** This is the **second**, not the third Monday of the month due to President's Day on February 16. Contact Erika Kunkel

## The Brown Act

This Act, authored by Ralph M. Brown, was adopted by the California legislature in 1953 and was amended in 1993 and 1994. It requires that meetings of all local agencies and legislative bodies be open to the public.

Local agencies include counties, cities, school and special district boards. Legislative bodies are an agency's governing body and any board, commission, committee, task force, or other advisory body created by the agency, whether permanent or temporary. Also covered by the Act are standing committees formed by a legislative body, nonprofit corporations formed by a public agency or which include a member of a legislative body and which receive public money from that agency. All elected persons are covered by the Brown Act, even before being sworn into office.

All meetings of local agencies and legislative bodies are subject to Brown Act enforcement, including meetings via phone, electronic mail or staff "go betweens" if these methods are used by a majority to build a consensus on a current or potential issue.

Exceptions to the Act exist if there are individual contacts and no effort is made to "orchestrate a secret consensus," or if the majority attend a conference, an open and publicized meeting or social occasion, so long as there is no discussion among the members on matters of specific concern to their agency.

Anyone may use audio or video equipment at a meeting so long as it does not disrupt the meeting or limit access by the public. Copies of tapes or recordings made by an agency must be made available to the public.

Generally, regular and special meetings must be held within the boundaries of an agency's jurisdiction. School boards may meet outside their boundaries if members are attending a conference on non-adversarial collective bargaining techniques, interviewing people in another district if a new superintendent is to be hired, or to interview a potential employee. Meeting sites must be available to everyone with no charge or sign-in required.

An agenda containing a brief general description (20 words or less is sufficient) must be posted at least 72 hours prior to a general meeting, and it must specify the time and location of the regular meeting, and be posted in a location freely accessible to the public. Only those items appearing on the agenda are open for discussion or action. Action may also be taken if an emergency has developed since posting of the agenda, or if an item was continued from a

previous meeting. Time on the agenda must be allowed for public comment on items on the agenda as well as other items. Public officials may not censor criticism of the agency or its leaders.

If the public has been given an opportunity to comment on an agenda item from a previous meeting, then that item need not be reopened for comment at a subsequent meeting, unless there has been a substantial change.

Records distributed at a meeting are available for immediate inspection if they are prepared by the staff or members of an agency, or after the meeting if prepared by someone else. If the record is available under the Public Records Act, it must be released upon request, even if it has not been distributed to a legislative body.

Closed sessions of legislative bodies may be held to discuss real property negotiations; legal advice regarding existing or anticipated legal action or liability claims; civil disobedience or disorders which threaten public access to public facilities; employee hiring, dismissals, evaluation and salary negotiations; and drug crime enforcement by a joint powers agency. All actions taken in closed session may be disclosed immediately following the meeting or at a fixed thereafter.

If you have questions regarding the Brown Act, you may call the City Attorney, or order a free copy of The New Brown Act from the First Amendment Coalition at 926 J Street, Suite 1406, Sacramento, CA 95814. A copy of this publication is available on the Publications Shelf in the League office.

-Lenora Young, Publications Chair

### Reward Offered For Oral History Transcribers

Remember the recent call for transcribers to do League oral histories? We can now offer a small monetary reward for this work. Please contact *Therese Pipe*, or leave her a message at the League office.

# CALENDAR

## January

- Berkeley addresses unless otherwise indicated -

- 28 Wed. 9 am Executive Committee *Fine*
- 28 Wed. 7 pm Meet Prof. Ann Swidler *Price*
- 31 Sat. Bay Area League Day Caltrans Bldg., Oakland *San Jule*

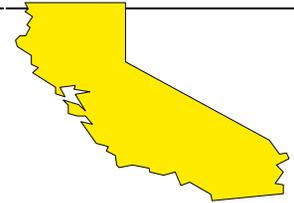
## February

- 4 Wed. 9 am Board Meeting South Berkeley Library *Fine*
- 5 Thurs. 7:30 pm UNIT Meeting - Rent Control *Maslach*
- 9 Mon. 7:15 pm Environmental Concerns *Kunkel*
- 10 Tues. 10 am UNIT Meeting - Rent Control *Maslach*
- 11 Wed. 1:30 pm Bilingual Ed. Init. Forum N. Berkeley Senior Center *Brubeck*
- 12 Thurs. 7 pm Education Committee *Brubeck*
- 18 Wed. 9 am Action Committee *Price*
- 19 Thurs. 11:30-1:30 Soulages Award Luncheon  
Berkeley City Club 2315 Durant Street *Price*
- 25 Wed. 9 am Executive Committee *Fine*

## March

- 4 Wed. 9 am Board Meeting South Berkeley Library *Fine*
- 11 Wed. 1 pm Local & Bay Area Program Planning Location TBA *Watts*

Please welcome our new administrative assistant  
**LINDA CAROTHERS**  
 who replaces Audrey VanDenburg.  
 And thanks to *Barbara Coleman* for  
 filling in on an interim basis.



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