

Santa Clara Libertarian

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LP OPPOSITION TO SNI LAND GRAB IN S.J. SEEN BY MANY AT CITY HALL AND ON TV

Allen Rice Leads Collier, and Umphress In Coordinated LP Speeches At June 11th Blight Meeting Plus Arne At June 25th Tropicana RDA Meeting

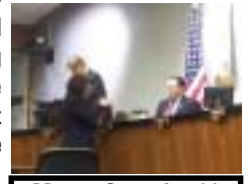
Written by Marv Rudin; photographs by SCL Reporter Randy Overbeck

On June 25th, four brave Libertarians - Allen Rice, Robert Arne, Zander Collier, and Dennis Umphress - stood up and



Allen Rice Protests SJ CC/RDA On Land Grabs

spoke for the individual rights of San Jose property owners against a calculated conspiracy of the Mayor and city management, supported by 8 out of 10 City Council members to force owners from their property in selected regions of the city arbitrarily deemed "blighted" for the purpose of giving sweetheart deals to developers under the aegis of the San Jose Redevelopment Agency (RDA). Of course the goal is noble as with all government undertakings - they intend to make San Jose a better place to live under the euphemistically named "Strong Neighborhoods Initiative" they've created as citizen-front window dressing to make their plan appear to come from "the people." Whether the folks who will be sent packing will be



Mayor Gonzales (r)

able to afford or want to live in the new digs that will be offered after development is completed to the council's and the RDA's taste - (identical since both bodies are one and the same!) probably is of less interest to the council than looking forward to a city that a council member can be proud of. No doubt this program will be tantamount to banishment from the city for many owners and renters. But to insure the appearance of propriety, the mayor, city management, and council concocted a scheme to make it appear that members of the selected neighborhoods were asking for condemnation and redevelopment of their neighborhoods,



Big crowd at city hall and on cable TV heard LP speakers

so they trumped up elected boards called "Neighborhood Advisory Committees" (NAC's) from the neighborhoods that were established by a vote of just 4.2% of the residents!!

In a prelude to the June 25th RDA meeting, on June 11th in the same room, an unusually large crowd appeared at council chambers in opposition to the blight ordinance as changes to its wording were before the council. But as usually happens in city politics, the council willfully ignored all but a large group of RV and boat owners, whose ire they avoided by granting a waiver to keeping such "unsightly" vehicles in front of homes. It was the usual divide and conquer tactic of kings, dictators, and democratic politicians who know that most people don't care about the freedom of others if they are granted the particular freedom that matters to them.

The successful appearance by Libertarians at both televised meetings at the S.J. Council chambers was not by accident. Allen Rice's exemplary organization effort produced it. He worked tirelessly to line up cohorts for speeches and support at these events and managed to attract from the 400 to 500 dues-paying Libertarian of which more than 120 are residents of San Jose. He visited and talked before the LPSCC Excom asking for support. He contacted organizations concerned about the issue. He prepared a series of four very memorable and colorful coordinated speeches for volunteer comrades to use at the Blight Ordinance hearing the city council conducted as a prerequisite for condemnations of targeted neighborhoods. And he produced a flyer to be handed out to the audience at the blight

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Allen Rice

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MT. VIEW ETR HELPS GET PUBLICITY AS VOICE RUNS GOOD ARTICLE ABOUT LP

Solid Exposure For LP Ideas, LPSCC's ETR Efforts, And Inks' Activism

Reported by Marv Rudin

Disappointment at being unable to attract enough volunteers to complete the Mt. View ETR initiative petitioning and put the issue on the November ballot was partially salvaged by a great article in the Mt. View Voice by reporter Candice Shih, undoubtedly engendered by the initiative effort put forth by the determined efforts of the few party members who participated on the MVETR project. Some of them - initiative manager, Steve Prestrelski, Chair and petition manager Ray Strong, and petitioner and Mt. View political activist John Inks, were interviewed by Shih for the article. On our local party eboard (xxxx) Steve and John told of their interviews with some trepidation about how kindly the usually government favoring Voice would describe their Libertarian viewpoint. Fortunately their fears were unfounded. Maybe Shih is intelligent enough to see through the social demos BS. Or maybe she's just fair. In any case an open minded reader of her article is more likely to form a favorable rather than unfavorable opinion of the LP in this reporters estimation. Following is the text of Shih's article



John Inks re MV activism & MVETR



Initiator Prestrelski was interviewed

Mt. View Voice Friday, July 05, 2002

Libertarians pursue agenda in Mountain View

By Candice Shih

Of 34,621 registered voters in Mountain View, only 377 are Libertarians. But their impact is not insignificant. The fiscally conservative and socially liberal Mountain View residents are hoping to make a considerable impact on city politics. People frequently describe themselves as politically leftist or rightist but Libertarians use a two-dimensional model to describe their political beliefs, which tend to be far left on social issues and far right on economic issues, said Mountain View resident and Libertarian John Inks. (The party is made up of both ex-Republicans and ex-Democrats but proportionally few women and ethnic minorities).

"Perhaps the Libertarian movement is 'everything goes,'" said Inks, suggesting that big government limits individual freedom. Libertarians contend that, when left to their own devices, people will naturally do good for themselves and for others. According to the Libertarian philosophy, if government welfare ceased, citizens would naturally become more charitable towards each other. Inks said Libertarians don't approve of Social Security and income taxes, prosecuting medical marijuana cases, and public schools, in addition to "politically driven city ordinances."

He refers to the Downtown Precise Plan as an ordinance which hurts downtown merchants because it limits the choices they can make regarding their businesses.

The treasurer of Council member Matt Pear's 2000 campaign, Inks said he believes people should have "maximum personal freedom and maximum economic freedom" and applies that principle to his role as a Parks and Recreation Commissioner. As a commissioner, he helped allow kite buggies back into Shoreline Park, despite complaints from some park enthusiasts who say they can be a danger to pedestrians.

In addition, Inks said he felt for residents of the Cuernavaca Planned Community who wanted the large heritage trees in their neighborhood removed because they were diseased and attracted bugs.

Inks also has an opinion about the proposed senior services, including a new senior center, to replace the current structurally unsafe one, and a new intergenerational center. He said city funds might be better spent on improving the existing senior center rather than building an intergenerational center which few seniors support.

Inks is not the only Libertarian hoping to make a difference in Mountain View, however. Libertarians from



Ray Strong was interviewed by Voice

LPC'S OPERATION BREAKTHROUGH THREATENED, WARNS GIL CARROLL

Charge For Elections May Cause Small Districts To Fill Boards by Appointment, Reducing Number Of LPers Gaining Unopposed Offices Under O.B.

Reported by Marv Rudin

LPSCC member Gil Carroll, who, along with member Gary Molle has been in voting control of a small local government entity - the Guadalupe-Coyote Resource Conservation District - reports that elections for his and other small governmental entities are threatened by unusual costs this year. According to



Gil Carroll

Molle, these costs are due to census changes, new gerrymandered boundaries affecting the Registrar of Voters' workload in setting up for new district boundaries and populations, and the slower economy's causing a downturn of tax revenues. Carroll said each governmental entity must pay for election services in proportion to the number of its voters out of its own budget. For districts with large budgets, the affect is trivial. But for entities with small budgets like the Guadalupe-Coyote District, election cost represents a big chunk of the total budget.



Gary Molle

Gil Carroll first described the situation with the following note:

"I am a libertarian director of a small special district in Santa Clara who was elected as a result of operation breakthrough. The registrar of voters sent our board a letter informing us that we would have to pay a ballot access fee for the next election which exceeds our total budget. The alternative is to vacate the election and allow the board of supervisors to appoint our district directors. If every other small district faces this choice it will vitiate operation breakthrough in Santa Clara, We have until 6/28/02 to decide. We have sent a letter to the supervisors to find out their intentions. The libertarian party may wish to mobilize around this issue."

Gil was asked the extent of the charge and replied, "were given a range of 56k to about 113k. Our yearly budget is around 80k. It applies to all districts equally but would have relatively little effect on a large multi-million dollar district like the water district. For that reason our staff is contacting the other small districts to see if they will join us in seeking a remedy. I have not heard of the option of paying for a private election. I thought elections were a government monopoly."

Carroll and Molle both say they plan to go ahead hoping they won't have to pay for elections because of insufficient office seekers, the situation that occurred when they ran - no election needed. Molle said he and Carroll don't need to run this election, and that ideally two of you Libertarians will apply and no one else, and the board will then have four members - all Libertarians. What a coup that would be - an all LP government board!

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across Santa Clara County rallied behind a recent petition to put a measure on the Mountain View ballot this November. Mountain View resident Steve Prestrelski led the fight to enact an energy tax rollback. The proposed measure was a response to Mountain View's 3 percent utility tax, which generated significant revenues due to high electricity rates. It would have restored earlier electricity rates, and thus lowered the utility tax. Prestrelski, who said that Libertarians think all taxation is wrong, blames, in part, his decreased involvement in the campaign (due to a family emergency) for the organization's failure to gain enough signatures by the deadline. But he said there will be a later attempt at putting the measure on a Mountain View ballot. "The Libertarian Party is the only party protecting the taxpayer in Mountain View," said Ray Strong, chairman of the Libertarian Party of Santa Clara County. Strong said that the response to the petition was small but "overwhelmingly positive" and hopes to help include Mountain View among several cities in Santa Clara County which may soon have their own city-level Libertarian organizations.

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Zander Collier vs eminent domain at CC chambers

hearing. He then posted a call-to-arms soliciting message on the party's eboard that was carried on page 6 of the May SCL News. Unfortunately the latter didn't arrive in time for many of you who would have, to join in in helping Allen. A monthly newsletter isn't designed for fast alerts; for future reference, those of you willing to help on such political outreach events, please let Allen know at allenmontr@earthlink.net or call him at 408-267-1142.

Just prior to the June 11th meeting Rice instructed prospective volunteers on the party eboard: "Our staging area will be the corner of San Pedro and Mission, beginning at 5:30 PM. That's FIVE thirty, to allow time for briefing of volunteers and to be reasonably assured of finding a seat in Council Chambers. I will

bring 8 signs, and flyers to be distributed on the way into City Hall. The flyers show the LPSCC URL. I am not sure if the Party banner has been located yet or not. If it has, we'll show that too, and carry it into Chambers, provided there are volunteers there to hold it. The exact details of the action within Council Chambers will be described at the briefing."

As it turned out, the affair was reasonably successful although just two Libertarian co-speakers volunteered to help Allen at the blight hearing, Zander Collier and Dennis Umphress, with everything but the banner. And a big payoff for party publicity came when one of Rice's colorful lines was delivered by Umphress to great effect - he got quoted in a SJ Mercury News. article on June 12th "San Jose OKs law to combat yard blight", "Lifelong San Jose resident Dennis Umphress, a Libertarian Candidate for Congress, scoffed at the idea of city officials and neighbors playing aesthetics police. 'Who died and made them Martha Stewart?' he quipped."



Some San Joseans had to stand at RDA hearing

And a major issue that will resonate with many voters for years to come was discovered. In the course of opposing the blight ordinance. Rice and his Libertarian contingent uncovered the full plot being hatched by the SJ City Council in its role as RDA board - the SNI program to ultimately force out a third of the San Jose's property owners and turn the land over to RDA developers using the pretext of blight condemnation.

STRONG OBSERVES HOW SJ POLITICIANS CONSPIRED TO USE BLIGHT TO JUSTIFY LAND GRAB

After the blight hearing, LPSCC Chair Ray Strong recorded the blight hearing video from the cable channel, and beautifully described what he saw transpiring. In a commentary about the June 11th meeting, he eloquently noted:

"I watched (and have re-recorded) most of the San Jose City Council Hearings last night. Libertarians Allen, Zander, and Dennis made great speeches against the blight ordinance (which the Council passed unanimously).

Dennis's quip (reported by Allen below and in the SJMN) was one of the high points of the evening. It got great audience response. At least half of the audience were there to oppose the related "Strong Neighborhood Initiative." So all the speeches against the blight ordinance with its usurpation of power were well received by the audience and ignored by the Council. I don't know how many other Libertarians were in the audience supporting our speakers; but there were lots of other speakers who should be Libertarians.

The entire show provided quite an education in how local politics works. Previous hearings on the blight ordinance had stirred up a hornets nest comprised of all the people who park their RVs, boats, etc. on or in front of their property. Since there are thousands of such voters and they were well represented, the Council bought them off by exempting them. The Council clearly wants the ability to declare individual properties and whole areas "blighted." But they didn't want too large a group of voters angry with them; so they changed the proposed rules. Then, ignoring our and other arguments about the whole issue, the Council proceeded to pass the ordinance.

Santa Clara Libertarian -- Schedule of Publication to Year End

COVERAGE PERIOD

July Issue:
August Issue:
September Issue:
October Issue:
November Issue:
December Issue

FINAL EDIT

August 12th,
September 10th,
October 11th,
November 15th,
December 13th,
January 10th

PUBLICATION

on web site August 13th
printed & bulk mailed September 20th
on web site October 14th
on web site November 18th
printed & bulk mailed December 20th
on web site January 13th

EXCOM BRAINSTORMS GROWTH IDEAS

Proposed Growth And Publicity Ideas Listed As A First Step In Process To Turn Around Decline And Grow Party Numbers

Reported by Marv Rudin

On June 1st, the LPSCC monthly meeting, held as usual at the Rose Garden Library, was primarily occupied with a growth idea brainstorming session scheduled by Chair Ray Strong. It was preceded by a brief presentation by Libertarian activist Allen Rice describing his plan to protest San Jose's Blight Ordinance at the June 11 City Council meeting and soliciting co-speakers and a resolution opposing the that ordinance and a connected eminent action by San Jose, and authorizing him and his co-speakers to speak in behalf of the party with the purpose of increasing public awareness of the party.

Although committee members were clearly supportive of Rice's project - two members joined him at the protest on the 11th - no resolution was motioned or approved because it was deemed unnecessary by the Chair. Blight ordinances and eminent domain are clearly contrary to Libertarian principles of individual freedom versus collective coercion.

The Chair's rules for the brainstorming were that ideas should not be inhibited by criticism, but that questions to clarify an idea could be asked. The resulting ideas were organized into categories by Secretary Joe Dehn as follows.

MEETINGS

- plan out meeting schedule a year in advance
- have parties with free pizza
- go back to monthly central committee meetings
- explain to people what "central committee" means
- more frequent meetings to facilitate face-to-face recruiting
- bring in amusing speakers
- get a speaker from the Costa Rican party
- have regular meetings at the city/district level
- weekly lunch or dinner meeting where actual work gets done
- use "freedom van" in conjunction with meetings
- hold meetings in the van or in a bus

LOCAL ACTION

- activists regularly contacting LPers in their neighborhood
- LP phone number in all local phone directories
- have regular meetings at the city/district level
- concentrate many kinds of activities in the same local area
- identify a local bond measure that we can oppose and defeat

PLANNING AND MANAGEMENT

- have a seminar on creativity
- proposals developed by small groups and reviewed for support
- hire paid staff
- EC just do fundraising; have paid staff to do everything else
- find marketing person by advertising for a paid marketing job
- telephone recruiting of people to do outreach projects

SPANISH

- have Spanish versions of our literature
- advertise on Spanish-language radio stations

PAID ADVERTISING

- LP phone number in all local phone directories
- join with nearby regions in a radio ad campaign
- advertise in local media like weekly papers
- flyer/card in direct-mail advertising packages

- advertise on Spanish-language radio stations
- advertise on certain kinds of radio talk shows

VOLUNTEER PUBLICITY ACTIVITIES

- outreach with compact booths over an extended period
- "freedom van" truck with sign & music
- use "freedom van" in conjunction with meetings
- start a libertarian column in a local paper

GENERAL VISIBILITY

- LP phone number in all local phone directories
- sponsor a high-profile debate on an interesting issue
- sponsor a debate on the radio
- high school essay contest with cash/scholarship prize
- get in lists of organizations (e.g., chamber of commerce)
- Use SF media opportunities like radio talk shows
- Apply the national "branding" strategy at the local level
- monitor newspapers to see when we are mentioned

NEW VOTERS

- register high school students and new citizens
- have Spanish versions of our literature
- high school essay contest with cash/scholarship prize

USE MORE MARKETING METHODS & PEOPLE

- survey or poll to find out what the public wants
- survey to measure our progress
- survey people who have dropped out of the party
- find outgoing/marketing type people at their gatherings
- find marketing person by advertising a paid marketing job

BUILD PROSPECT LIST

- watch letters-to-editor and contact people we agree with
- outreach with compact booths over an extended period
- approach high school students and new citizens

LP CANDIDATE UMPHRESS STANDS UP FOR MEDICAL MARIJUANA RIGHTS

With 5 LPers He Joins ASA'S U.S. Protest At San Jose DEA Office

Reported by Marv Rudin

In a sage move to affiliate with organizations supportable under Libertarian principles, Dennis Umphress candidate for U.S. Congress in the 16th district led a group of Libertarians in joining about 60 noon protesters at the San Jose Drug Enforcement Agency offices, holding up signs and passing out his Libertarian candidate cards to protesters while DEA employees covered inside unwilling to open their doors. The protest got no coverage from the Mercury News but did attract TV cameras. It was an across-the-nation event organized by the ASA to attract attention to the plight of medical marijuana patients being oppressed by the U.S. government despite the 10th amendment leaving such laws to the states, and laws passed by people's initiatives including California's prop 215 to legalize medical marijuana.



Dennis Umphress

Umphress reported the noon protest staged on Thursday, June 6th: "The event went better that I had hoped for! We had about 60 people take part in the protest. Many came over from Santa Cruz. So much for my telling the SJPD I expected between 10 and 20 protesters. I can't tell you how happy I was to be so wrong. We submitted 51 individually signed "cease and desist" orders to the DEA office. The DEA office door was locked, so we had to slip the orders under the door. Local Libertarians who I know participated were Allen Rice, Joe Dehn, Zander Collier, Elizabeth Brierly, Neal Weidenhofer and myself. Joe Dehn photographed much of the event. Channels 2 and 11 had cameras at the protest. Channel 11 did a live interview with at least one patient. I heard a Spanish language TV station also had a camera there. I don't know of any print reporters who covered the protest, other than a staff writer for "Free Lance" of Hollister. We had four uniformed and one plain cloths SJPD officers watching us. As far as I know they didn't hassle anyone. There were two other guys, possibly feds, who hung out with the officers. The protest was peaceful and we didn't block pedestrian or vehicle traffic. I brought 30 of my LP Congressional candidate business cards and handed them all out. If the DEA raids more local medical marijuana clubs, as expected, we may have another protest in the near future. I now have a list of about 50 activists. If you haven't already sent me an email volunteering to get involved with this issue and you want to be notified of future events, please contact me."



ASA & LP protestors outside San Jose DEA office



ASA & LP protestors drew TV coverage (but no LP signs)

The press release announcing the protest read as follows: "Americans for Safe Access. Contact: Dennis Umphress 0408-269-7432. San Jose Activists Join National Actions to Escalate Fight for Medical Marijuana Laws

San Jose, CA - In a first ever move to ratchet up the fight for state Medical Marijuana Laws, activists will hold a protest at the local outpost of the Federal Drug Enforcement Administration, 1 North First Street, on Thursday, June 6, from 12 to 1PM. This action coincides with similar events happening in over 50 cities across the country. Under the banner of "Americans for Safe Access", the groups demand that the DEA cease and desist with its plans to raid dispensaries now operating within the law in Alaska, California, Colorado, Hawaii, Maine, Nevada, Oregon and Washington. We will urge the DEA to show compassion towards medical marijuana patients and providers by ceasing harassment of medical marijuana dispensaries. Medical marijuana is the most effective treatment available for many with chronic pain and other illness.

On March 17, 1999, the National Academy of Sciences_ Institute of Medicine (IOM) concluded that "there are some limited circumstances in which we recommend smoking marijuana for medical uses." Despite medical evidence and overwhelming public support, our democratic will is being pushed aside by the Federal Government. Californians passed proposition 215, the compassionate use act, in November of 1996. In March of 1999 a Gallup national survey showed 73% of Americans support making marijuana a prescription drug. We strongly support the passage of H. R. 2592, the States' Rights to Medical Marijuana Act, currently in the United States House of Representatives.



Redress petitions on DEA's locked door :-))



Robert Arne gives his disapproval of S.J. land grab

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To see why the Council was so anxious to obtain this new power, one only needed to wait for the next three items on the Council's agenda. These were all part of the Strong Neighborhood Initiative, one of the good sounding, well intentioned, but very dangerous actions typical of BIG LOCAL GOVERNMENT. It seems that some 68,000 property owners have been notified (by letters addressed to "occupant") that their properties are subject to condemnation because they are in blighted areas. Hundreds of speakers lined up to speak against the horrendous threat of massive use of eminent domain to condemn properties and turn them over to developers for development of high density housing. When it was all over, one lone San Jose City Council Member, Chuck Reed, voted against the

Strong Neighborhood Initiative with its grant of eminent domain power to the dreaded Redevelopment Agency. The rest of the City Council went along with the Mayor, without a fuss. The Council tried to reassure the property owners that eminent domain would only be used as a 'last resort.' That means, they will only use it if the threat of it doesn't convince the owner to give up his property 'voluntarily.' The 'fair market' value for every property under threat of eminent domain has just been reduced significantly. The wealth of the property owners has been stolen by the Council for the crime of having property in 'blighted areas.'

Thanks to all the Libertarians who turned out. Special thanks to Allen Rice for organizing our event and to Zander and Dennis, who mentioned in their speeches that they were members of the Libertarian Party. All of the audience now knows that there is one, and only one, political party who will fight on principle against the real blight threatening San Jose: the massive threat of eminent domain with the goal of eventually creating much more politically correct higher density housing. I'm confident BIG LOCAL GOVERNMENT will do at least as good a job with the neighborhoods as they have done with the downtown area. And all these social experiments have BI-PARTISAN SUPPORT: the two BIG parties are equally in line to take credit for handing out the goodies."

RICE TELLS HOW BURBANK NEIGHBORHOOD GOT TAKEN IN BY RDA TACTICS

In preparation for the Council/RDA's coming hearing on Tropicana and other SNI matters, Rice attended a Burbank Neighborhood Association meeting and reported how the city had deceptively inveigled residents into support of SNI, and then betrayed them:

"The San Jose Redevelopment Agency did some work along San Carlos Avenue years ago, which turned out pretty well. So, when the Burbank community was invited to be a "partner" in the Strong Neighborhoods Initiative, they joined in enthusiastically. Looking at the history for the district on the SNI website (<http://www.strongneighborhoods.org/burbank.html>), one can see that this relationship goes back for a year and a half. In all that time, says Chavez, the Burbank residents believed they were getting "help" from the City to improve their neighborhood, much as private developers get subsidies to create office buildings downtown. The words 'eminent domain' were never heard.

Until May of this year, when Burbank residents got the now infamous letter (see copy at http://www.strongneighborhoods.org/sni_notices/JPHletterEnglish.pdf) with the words buried in the third to the last paragraph of the second page, slipped in as if they were an offhand afterthought of some sort. It was now clear that the price of the desired improvements would be the loss of neighbors, selected at the will of the Redevelopment Agency. That price was clearly unacceptable.

Despite this, the Neighborhood Advisory Committee, heavily influenced by RDA staff and consultants, voted to move the plan forward. The community rallied before and after the NAC vote to oppose the plan and to exclude the Burbank Area from the SNI plan. Nearly a thousand local residents signed petitions. The neighborhood made an impassioned plea at the City Council meeting of 6/11, to be omitted from SNI, and was summarily turned down. No longer 'partners', they had become, according to Mayor Gonzales, just another set of 'kidnappers' of SNI."

The June 25th followup hearing by the members of the City Council in their roles as RDA board members, was to take their next step in land grabbing by threat of eminent domain - namely confiscation of the Tropicana Shopping Center under a program dubbed "Disposition and Development Agreement (DDA)." Prior to the meeting they had used blight as the basis for condemning a multitude of large chunks of the city totalling to a whopping 33% of San Jose's properties (68,000 homes!) under their SNI program. Although it was supposed to be a hearing to decide on the Tropicana disposition, and despite an editorial by the Mercury News asking them to not condemn Tropicana but give the owners \$9 million redevelopment program in progress a chance (see it at XXXX), the council members minds were clearly made up before entering the room, and hearing was just a formality to them; but not to those affected, nor to Rice and his

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brave Libertarian comrades-in-protest. This time the Libertarians' speeches were extemporaneous, and there was an additional speaker - Robert Arne. And the result was again an LP publicity success but a legislative-persuasion failure. The RDA board voted 8-2 to go ahead with confiscation of the Tropicana Shopping Center to be turned over to Walnut Creek developer Blake Hunt under a previously negotiated DDA deal that Dennis Umphress says he believes subsidizes the developer to the tune of \$50 million from the S.J. Redevelopment Agency with under \$15 million to be repaid over time. What a deal! One can only imagine the benefits going to the facilitators of such a deal.

WHAT HAPPENED WHEN SJ CITY COUNCIL AKA SJ RDA MET TO TAKE TROPICANA?

Allen Rice beautifully described in detail what happened at the June 25th meeting, saying: After hearing a long series of speakers for and against, starting at 7:00 PM and continuing until 10:00, the San Jose City Council voted 8 to 2 last night to go ahead on a Disposition and Development Agreement, under which it will acquire the Tropicana Shopping Center and transfer it to a Walnut Creek developer, Blake Hunt Ventures. Per the RDA's proposed time line, construction is expected to be complete in 2005. Under the DDA, the current owners will be offered what the city considers to be a fair market price. If they are not willing to sell for this price, the property can be taken using eminent domain.

Libertarians Dennis Umphress, Zander Collier, Robert Arne, and Allen Rice were present, and spoke against the DDA. Randy Overbeck also attended, as reporter for the SC Libertarian.

Arguments in favor of passing the DDA were primarily of two kinds. One, coming from at least 6 (I lost count) representatives of various labor unions, was that large numbers of their members lived in the neighborhood and that the construction there would create jobs. The other was that the corner was blighted, had been blighted for decades, was a center for crime and drug-dealing, and was moving too slowly to correct its problems. Several local residents, especially those involved in neighborhood organizations and the local Strong Neighborhood Initiative NAC, expressed relief that at last something was being done.

Arguments against the DDA were of six kinds. First was that arguments about crime and drug-dealing were not pertinent, since it was the responsibility of the city, not the Tropicana owners, to enforce the law. Second was that, though plans and construction to fix the problems had begun in 1997, a major factor in slowing progress of the work was the delays in getting designs cleared by the RDA. Third was that the new design amounted to a "gentrification"

and cultural invasion of the neighborhood.

Fourth was a reminder that the merchants, whom the DDA goes to great pains to protect from increases in rent for 3 years, had voted 55 to 3 "no confidence" in the RDA's promises. Fifth was an appeal to the US Constitution which (Bill of Rights, Article V) limits the application of eminent domain to "public use". Sixth was an accusation that the DDA was directly contrary to the spirit of Mayor Gonzales' promise on 6/11 that eminent domain would be used only as a "last resort". Councilman John DiQuisto was absent due to illness. Of the remaining 10 council members, all but two spoke thoughtfully on both sides of the issue. Pat

COMING EVENTS...

Central Committee Meetings: 2nd Thursday in October/January; Location to be announced

LTE Sunday - 3rd Sunday of month, 3:00pm - 5 pm;

Stoddards Brewery and Eatery, 200 E. Campbell Ave. at 2nd, Campbell

Executive Committee Meetings Normally 1st Saturday of month, 10:00am

Usually on 1st: *Saturday of month* at Rosegarden Library, Naglee & Dana Aves, San Jose

Speakers Meetings 2nd Thursday in months without central committee meeting

Cocos Restaurant, Sunnyvale (Oakmead Pkwy & Lawrence Expy)

Next speakers meeting: *Thursday 8 Aug*

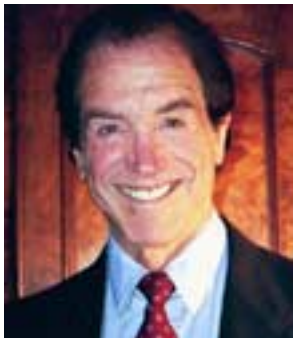
Come at 7pm for dinner, meeting at 8pm

Summer Picnic - Saturday - 17 August 12 pm

in park at corner of Potrero Drive and Park Wilshire Drive, San Jose.

Dando gave a moving defense of private property rights, seconded by Chuck Reed. Vice Mayor George Shirakawa (Jr.) and Nora Campos gave equally moving defenses of how important it was to finally get some of the RDA money into the neighborhoods. Dave Cortese promised to vote yes, based on the decades of blight at the shopping center. Forest Williams told us he'd vote yes because he was satisfied that the merchants were properly protected. Linda LaZotte voiced deep concerns about the DDA and the use of eminent domain, but promised to vote yes on it anyway. My recollection is that Cindy Chavez did not speak; as the Council member for downtown, where RDA is the guiding force, it could be assumed she would be in favor of the DDA. Mayor Gonzales pointed out that the Tropicana owners could now just go along with the RDA's plans and sell the Tropicana. Only if they refused to do so would eminent domain be applied, which was therefore completely consistent with his "last resort" promise. Those disgusted with the evening's results left the meeting vowing to fight on.

Despite the negative outcome of the legislation, from a Libertarian viewpoint - the LP's growth perspective, this may be a tremendous opportunity to attract the attention of the local citizenry as the only political party concerned about the plight of a substantial fraction of residents who feel oppressed by the SNI/RDA program.



Marvin B. Rudin, Editor

COULD WE USE PRE-INITIATIVE COAP POLLING?

by Marv Rudin

OPINIONS

Share your thoughts on making our party more successful and advancing the individual freedom with responsibility movement

In the May issue, Pg. 7, I proposed "COAP," continuous outreach and petitioning program to build party name recognition and registrations growth,. Initiative poster ads would explain the issue and attract passers by to sign petitions, and a Libertarian poster along with literature and registration forms given passers-by and signers on leaving would get the Libertarian message out. It can also be expected acquire some new registrants from the 1 of 6 Americans who think libertarian but are unaware the party agrees with them.

Since writing that proposal it occurred to me, remembering that for the Mt. View Energy Tax Rollback/Rebate campaign, Ray Strong directed a phone poll to resolve the question whether repeal or rollback would be more popular, that polling could also be a good way to attract people to our Personal Portable outreach Station. Of course polling can be done by phone. But by using COAP polling to test an initiative's popularity, prior to launching the initiative as part of the standard process would also be efficient LP outreach because issue polling can act as an interest attracter just as much as can an initiative. We may even find it advantageous to use polling, even for an initiative that is too big for us to see through to completion, just for its publicity value. And for some issues our COAP polling may demonstrate enough popularity to bring bigger organizations to bear, with the LP gaining friends for launching it. I'm thinking particularly, in this regard, of Libertarians polling San Jose citizens about banning eminent domain in their city. If the poll shows 60% want E.D. banned, an initiative to put the ban into the city's charter if a majority vote for it would be possible. Unfortunately charter initiatives require signed petitions from 15% of the voters. But if our poll shows 60% favor it, the anti E.D. folks, of which there are now undoubtedly many thousands may be emboldened to pay and work to get that many petitions signed. If that happens many will get a warm feeling about our party and maybe even register LP.

So, I imagine you're thinking - let's do it and stop talking? If so, O.K. - I agree, let's do it. If someone would just commit to handling the polling or the initiative, my offer in the May issue still stands to design and build the PPS's and to line up the needed COAP volunteers. Are you the needed freedom-loving brave soul out there? If so just email me at rudin@lpty.org or call me at 408-736-5626 to discuss.

WHAT WOULD IT TAKE TO OUTLAW REDEVELOPMENT?

So what would it take to put together a referendum to outlaw redevelopment efforts without a super-majority of voters approving the measure. I mean after all these efforts of eminent domain are gross violations of the constitution. And since the city council won't listen to an overwhelming number of residents, I think this would be an outstanding item that would have tremendous popular support. We can use the excellent organizations that have been started to fight eminent domain and especially the Tropicana district. Any one with more experience on these items or actions that would like to chime in?

Randy Overbeck

(Editor's Note: The answer is embedded in the first opinion above - a charter initiative followed by a majority vote.)



Randy Overbeck

WHO WILL MANAGE LAST THREE GUN SHOWS OF 2002 - AUG, OCT, DEC?

Gun shows have been our best recruiting outreach and recruiting booths over the years, but the LPSC hasn't been at any this year. Three opportunities are left to go on the following three week ends.. Who will organize them and who will volunteer to help?

TS GUN SHOW SCHEDULE:

August 24 & 25 San Jose, CA Santa Clara County Fairgrounds

October 5 & 6 San Jose, CA Santa Clara County Fairgrounds

December 14 & 15 San Jose, CA Santa Clara County Fairgrounds

Editor's Note:

Had a Libertarian outreach experience? Converted someone?

Write about it to the editor! email or phone - see at right

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THE LIBERTARIAN PARTY



of Santa Clara County

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The Libertarian Party is the party of principle. To assure and affirm that our party never strays from its principles, we request our members to sign the pledge below. (Non-signers cannot vote on party business).

I hereby certify that I do not believe in or advocate the initiation of force as a means of achieving political or social goals.

Signature: _____

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