

November, 1981

V.E.P. HOMEOWNERS ASSOCIATION
REPRESENTING OVER 2000 HOMEOWNERS IN VISTAPARK,
ENCORE, ECHO VALLEY, PARKVIEW VALLEY, AND BLOSSOM HEIGHTS

V E P NEWS

The November meeting of the VEP Homeowners' Association will be on Monday, November 23, 1981, at 7:30 pm in the Parkview School Cafeteria (330 Bluefield Drive).

Meeting November ~~23~~³⁰

This month, we will have two speakers at our meeting; one to talk about San Jose City Council districting and the other to talk about the "CAST" initiative petition drive.

The "CAST" initiative is an effort to close loopholes in Proposition 13. There are articles about this inside the VEP NEWS and an open letter written by Howard Jarvis. David McKell from CAST (Citizens Asserting Supremacy over Taxation) will come to explain the initiative.

The recent redistricting of San Jose's City Council districts has split apart many established neighborhoods, including our own. A group of angry citizens is now making plans to circulate a petition to repeal districting (which passed by a narrow margin two years ago). Someone from this group will come to our meeting to talk to us about their effort.

OPERATION I.D.

Crime prevention with the use of a simple electric engraving pen is the theme of operation identification. By marking your property with your California driver's license or DMV card you discourage many would-be thieves. Should a theft occur, it provides law enforcement people a quick way to locate owners of recovered stolen property.

The engraving pen used for marking your property is available, free of charge, on a loan basis from your local library or from the VEP. When you return the engraving pen you will be given Operation Identification window stickers.

Please call first to see if a pen is available. Call Pearl Avenue Library at 265-7834 or call Marianne Lent at 629-7949.

CAST is coming

CAST Initiative petitions will begin circulating at the end of June 1981 so that CAST can qualify for the June 1982 ballot.

CAST is the most fundamental tax-reform measure in United States history. It will give California's taxpayers an unprecedented degree of control over all forms of taxation at the state level and below.

Basically CAST will amend the California State Constitution to do this:

- (a) Require a 2/3 majority vote of the people for approval of any new or increased tax, fee, or levy of any kind.
- (b) Require a designated specific purpose for any such new or increased tax, fee, or levy of any kind.
- (c) Require a sunset clause (normally 6 years) in any such new or increased tax, fee, or levy of any kind.
- (d) Require a voters' verdict (at the next scheduled election after CAST passes) on any new or increased tax, fee or levy that was passed since January 1, 1981, but that did not meet the requirements of the CAST Initiative as stated above.

Part (a) means that the power to pass taxes, fees and levies will be vested in the people of California, where it belongs. Our elected officials will propose them to us and try to convince us of their need. But the final decisions will be ours alone.

Part (b) means that our government will have to use our money the way we want them to. Unless we know and approve what it's going for, we won't give it to them.

Part (c) means that 6 years after we start paying, we'll stop paying—unless our government can convince 2/3 of us that they need that particular tax, fee, or levy for another 6 years.

Part (d) is called a "grandfather clause". It means that if our government reacts to the prospect of CAST with an orgy of new and increased taxes,

continued...

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fees, and levies before the election, their ill-gotten gains will be short-lived, because we will have the final say. We won't be able to get a refund, but we will be able to turn off the faucet.

THIS IS POTENT STUFF. It goes far beyond the mere reduction or abolition of this or that tax, fee or levy. It addresses the question: Who shall decide what taxes, fees and levies are to be paid, and in what amounts, and for what purposes, and for how long?

TAXPAYERS STAGGERING UNDER "FEES AND ASSESSMENTS" LOOPHOLE!

Among the principal reasons why CAST's Taxpayer Consent Initiative effort was undertaken, and is so vital to the future of all Californians, is the widening use by special districts, city councils, county supervisors and yes, our state legislators as well, of so-called "fees" and "assessments" to gouge more taxes from us. A few examples:

- In Marysville, Yuba County, supervisors on September 1 enacted a new tax on homes of \$3/month (\$36 per year) in addition to regular property taxes, but called it a "sewer fee" to escape Prop 13's tax limitation protection. The local taxpayers appealed to the State Attorney General, got a cold shoulder there, and do not have the money to pursue a lawsuit. The more than 1,000 signatures local taxpayers got on petitions calling for a referendum on the issue were labeled "invalid" by the Marysville City Attorney because, they were told, the city council had the sole power to set "taxes" in a city and the referendum was not available to test a "tax-setting ordinance." If we have ever heard bureaucratic doubletalk, this is it: A "fee" is imposed on taxpayers, who are then told they have no say in the matter because the fee is not a fee, but a tax...????
- In Oakland, Alameda County, the city council in August enacted ordinances which imposed a \$5 per parking space annual "fee" on all rental parking lot and garage spaces in the city, and another which boosted "business license fees" by a whopping 800% at one fell swoop. The latter, in fact, amounts to nothing more than an income tax on business because it is levied as a percentage of the dollar volume done by businesses in the city. Local taxpayers have filed suit, contending these are "special taxes" within the meaning of Proposition 13 (and thus require two-thirds' voter approval). City officials retort: "Go on and sue us! They're fees, not taxes!" So you need to ask us "...why CAST?"
- In Santa Cruz County, the Soquel Creek Water District hiked the water-connection fee last May, from \$780 to \$1,770; but that wasn't enough, they decided, so in early October they jacked it up again, to \$3,790 (for a net increase of 386% in about 4 months' time!). This is a "fair and reasonable" increase under the terms of Proposition 4 (Article XIII-B)...?????????

For petitions/information call: 408-438-2278//408-730-9085

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HOWARD JARVIS

The Constitution and its provisions are the supreme law of the land, beyond the legal power of legislators or other elected officials to subvert or disobey.

But various attempts have been and are being made by the Board of Equalization, county assessors, legislators and other professional freeloaders to illegally and improperly subvert Proposition 13, despite the 6 to 1 decision of the California Supreme Court that 13 was valid in every respect. (Bird only dissenting)

A Superior Court has held and declared that both the State Board of Equalization and the State Legislature have acted improperly and illegally to instruct county assessors to violate Proposition 13. Other courts have held in the same manner.

It is for these and many other reasons that citizens are circulating a petition for the Cast Initiative to further compel those elected to uphold the law and from continually breaking the law.

Howard Jarvis

FRONTIER VILLAGE GOES RESIDENTIAL

Despite uncertainty over traffic impacts and the need to fell thirty majestic oak trees, City Council gave its nod to an 817-unit condominium project on the old Frontier Village site. This was a disappointing end to a long, often bitter struggle by area homeowners to protect their neighborhoods against noise and serious traffic congestion.

Frontier Village had won Council approval to expand their operations; however, those expansion plans were to include city mandated site improvements of approximately \$1.8 million for impact mitigation (e.g., sound walls and off-site street and signalization changes). Stung by this assessment and tempted by the high price of local real estate, park owners applied for a change in zoning to medium density residential. Their request was granted in late 1979. The amusement park closed a little more than one year ago.

On October 27, the City Council voted 10:1 (Ianni opposing) to approve the final use of Frontier Village. Ianni's dissent was based on concern for transportation problems resulting from this large project. There were no citizens present to speak. It's over.

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Guadalupe Corridor Update

On November 3rd, the San Jose City Council added its assent to a growing list of supporters for light rail transit in the Guadalupe (Route 87) Corridor. In a 10:1 vote (Lu Ryden opposing), the Council approved a staff recommendation that includes these transportation elements

20 miles of light rail from Marriotts in north Santa Clara to IBM in south San Jose with a spur from Oakridge Mall along the Lick Branch to Winfield and Coleman Avenues. Estimated cost = \$187 million 1980 dollars.

15 miles of 4-lane expressway from the Guadalupe Parkway and Route 101 in north and Via Del Oro at Miyuki Drive (near IBM) in the south. Estimated cost = \$83 million 1980 dollars.

17 miles of high occupancy vehicle (HOV "diamond") lanes from Lawrence Expy down Rt. 101 to the Guadalupe Parkway (one new lane each direction) then south down the new expressway (described above) as widened shoulders for peak hour use as a third lane. Estimated cost = \$27 million 1980 dollars.

18 miles of bike lanes between north San Jose/Santa Clara and IBM, primarily in the Route 85/87 right-of-way. Estimated cost = \$1 million 1980 dollars.

The total estimated capital cost for this recommendation would be \$298 million in 1980 dollars. At the time of this writing, only two jurisdictions have not voted their choice of modes for the corridor: the City of Santa Clara and the Santa Clara County Board of Supervisors. A mix that includes light rail is expected to receive approval from both bodies. The final vote will be cast by the Supervisors on November 16th.

VEP's written request for an emphasis on point-to-point transit and grade separated intersections along the corridor were largely ignored by the City Council and the Guadalupe Corridor Board of Control. Iola Williams and Mayor Hayes are voting members of both. Only our request for HOV facilities was included in their choice, but more by coincidence with the technical staff than from concern for constituent preferences.

DEADLINE FOR THE DECEMBER ISSUE OF THE VEP NEWS

All articles and ads for the December issue of the VEP NEWS must arrive no later than December 11, 1981. Mail to: Marianne Lent, 450 Stratford Park Court, San Jose, 95136.

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... NEIGHBORHOOD WANT ADS continued from page 7

FOR SALE: pair GIRL'S RINK SKATES. White. Sold on best offer. Size 4. Call 227-5043, ask for Nancy L.

LICENSED CHILD CARE. 3 years & up. Nearest school is Parkview. 227-6231

BABYSITTING CO-OP: Day or night sits. Please call 226-3285 or 265-6474.

DAY CARE. School-aged children. Near Belden. 225-7352

DAY CARE. 3 blocks from Belden, 3½ and up. 226-2698

EXPERIENCED CHILD CARE in my home. ½ block from Belden. 225-4207

PIANO LESSONS. Former instructor at BYU. 629-7814

IF YOU ARE INTERESTED in having your child learn to play PIANO, contact a teacher with 10 years experience. Call 629-8502, Fri, Sat, or Sun.

VISTAPARK/ENCORE BABYSITTING CO-OP. Exchange day sits with other parents, take time out to shop, have lunch or go to the doctor without the kids. Call Mrs. Strauss at 578-1645.

MEDFLY COPTERS!

Want to send a recording of the roar of Medfly helicopters to your friends or relatives? This would make an unusual gift.

Our local VEP sound expert, Don Och, of Primetime Radio Classics fame, has captured for all time the thrilling thunder that jolted you from your sleep at 2:10 in the morning. The recording is from a window facing north as seven choppers are heading toward Milpitas. The first pass is to the left from the rear of the house. The second pass is directly overhead -- each beat of the blades gets louder until you are sure the malathion is going to crash right into the roof. The third pass is in front and the sound fades slowly.

The cost of MEDFLY COPTERS is \$5.95 and includes a spraying map. Call 227-9415 to order.

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NEIGHBORHOOD WANT ADS

NEED A BABYSITTER? Call 226-8121, ask for Jackie Homyak. I'm 14 years old and have 3 years experience. I charge \$1.00 an hour.

FOR SALE: custom drapes, lined, brown & beige pattern, fits Olympic L/D room. 224-9125

FAMILY ROOM SALE: large, comfortable couch, end table, carpet pad (fits Olympic). Make offer. 225-6317

SANTA'S LAST CHANCE BOUTIQUE December 4 & 5, 10:00 am to 4:00 pm. 387 Sunpark Lane (off Vistapark). Ceramics, Ornaments, Afgans, Jellies & Jams, & more.

VIOLIN, full size, Roth make. Excellent condition. \$200. 281-1800

TELEPHONE ANSWERER (PhoneMate) with remote control \$75. 281-1800

FOR SALE: 1/4-size violin \$75. Rental at store for just 1 school year would be almost \$120 including deposit, insurance, & tax. Own your own & save on the first year & pay nothing in future years. 226-3291

LICENSED DAY CARE. 2 to 6 years of age. Play area, meals, arts & crafts. \$45 per child per week, full time only. 226-5541

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FOR GREAT BABYSITTING call Sandie. I'm 15 with 5 years experience and I love kids. I charge \$1.00 an hour. 629-9356

continued on page 6...

FORM FOR PLACING WANT AD IN VEP NEWS

MAIL TO: Marianne Lent
Editor, VEP NEWS
450 Stratford Park Ct.
San Jose, CA 95136

Your name _____

Phone number _____

Text of ad _____

How many months do you want this ad to run? _____

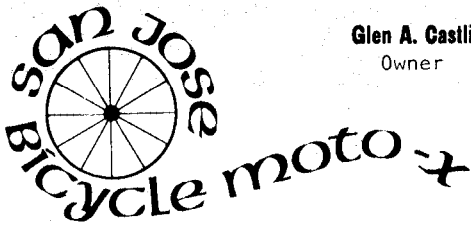
Neighborhood Want Ads are for VEP members only. (Have you mailed in your \$4?) To place an ad, mail in this form. Ads must arrive no later than December 11 to appear in the December issue. These ads are free. No commercial accounts.

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V.E.P. Homeowners Association

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