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Dear Barbara and Omowale,

Here is the draft. I think it is fairly readable at this stage, but it needs your input. I am interested in hearing about factual errors, additions, deletions, and problems of analysis and perspective. The report makes an effort to maintain a narrative and it does this sometimes at the expense of detailed information. Perhaps the final draft should have appendixes that would include some of these details like the content of the "22 Questions," as well as a calendar of key events in the incorporation process.

I hope you both are well and that a favorable court decision has been handed down by now.

Bob

## History of Incorporation (DRAFT)

In the early morning stillness and clearness that anticipated a fine California day, the streets of East Palo Alto basked in the colorful swirl of campaign paraphernalia. Posters stood on telephone poles, banners festooned University Avenue, signs peaked out of windows, and slogans on bright backing adorned the bumpers of parked cars. The festiveness of this display presaged the celebration that would take place in the evening once the ballots were counted and East Palo Alto had become a city. Yet the informed observer, gazing at this peaceful scene just after dawn on June 13, 1985, would recognize conflict in the messages on placards. The people whose signs read "Incorporate East Palo Alto" met fierce opposition from those whose slogan was "Save Our Homes," even though to the uninitiated observer the communications would appear complementary rather than antagonistic. The previous evening and many evenings before, a war of posters had taken place, as many were ripped down and replaced by those of the opposing persuasion. In addition, charges and counter-charges of a defamatory nature were hurled, and court suits were initiated to stop the incorporation election.

East Palo Alto indeed became a city on June 13, and this victory for incorporation proponents attested to their boundless stamina in addition to their exceptional organizing efforts. Still the margin of victory was extremely narrow. The lack of consensus on the merits of incorporation was rooted in East Palo Alto's past as well as in the dynamics of the drive for cityhood in the 1980s. This report first will very briefly outline East Palo

Alto's history. It is a record of false starts, of underdevelopment, and of halting efforts to achieve community control. Beginning in the late 1950s, as East Palo Alto increasingly became a Black community, efforts toward self-determination grew. Such attempts failed but the desire and demand survived and these in the <sup>early 1980's</sup> late 1970s became embodied in the East Palo Alto Citizens Committee for Incorporation (EPACCI). The bulk of the report will examine the movement EPACCI initiated. Finally, the report will evaluate the successful drive to incorporate East Palo Alto.

Over its first 100 years, East Palo Alto experienced a series of economic failures. Known as the Port of Ravenswood in the 1850s, it survived briefly as a shipping center. Then, in the 1870s a settlement arose around a brick factory, but with the demise of the manufactory in 1883, the population dropped to two families of ranchers. More significant settlement commenced in 1916 with the development of the Runnymede Little Farms Colony, a quasi-utopian scheme largely devoted to chicken-raising. Initially very successful, the poultry colony collapsed during the Great Depression, leaving by 1940 a population of 2,000 to occupy a geographical area significantly greater than present-day East Palo Alto. ~~between April 1983 and March 1984.]~~

The war boom of the 1940s attracted many thousands of workers to the ship-building industry of the Bay Area. Once the war ended, a stream of people migrated from Richmond, Oakland, and San Francisco to East Palo Alto, where sturdy houses in scenic surroundings could be purchased at relatively little cost. Between 1940 and 1950 the population leaped from 2,000 to 8,000 and it more than doubled again over the following decade. A lack of civic consciousness, however, manifested by repeated failures to incorporate, over

time resulted in the loss of huge tracts of valuable land.

In 1949 Menlo Park annexed Belle Haven. East Palo Alto thereby lost one-quarter of its population and tax base. Soon thereafter Menlo Park attached Menlo Oaks and North Palo Alto, and it received \$7.35 in state subventions for each new resident. East Palo Alto was further ravaged in the middle 1950s when the Bayshore Freeway was built, splitting the westside from the east and demolishing the community's major business district. In addition, Menlo Park stripped the Bohannon development from East Palo Alto in 1956, drastically curtailing the revenue of the Ravenswood Recreation and Park District. And to this Menlo Park in 1958 added the 100 acre Kavanaugh Industrial Park. Finally, the change of a county boundary made Palo Alto the beneficiary of the airport and land along Embarcadero road. By the early 1960s, East Palo Alto had been reduced to the 2.5 square miles it currently occupies.

An incorporated East Palo Alto could have forestalled the plunder of property whose significance<sup>+</sup> tax revenues enriched already wealthy communities, and it perhaps could have exerted enough pressure on the state to route the Bayshore around rather than through the community. Understanding the importance of becoming a city, some community groups pushed for incorporation as early as the 1930s. This effort quickly came to nothing as did another attempt in 1954. A more significant movement then developed in 1958.

Supported largely by Black residents and white members of civil rights groups, the effort met severe opposition from industrialists, large landowners, and residents of some all-white enclaves. Opponents feared they would be taxed to improve community services. Although there was a sufficient number of

petitioners for an election, these did not represent a sufficiently high percentage of the community's property for an election to take place.

The issue of incorporation did not come up again until 1969. In that year, the Nairobi Development Corporation undertook a feasibility study. The report indicated that continuation of the same level of services would cost an additional \$1.70 per \$100 of assessed valuation under a city government.<sup>2</sup>

While the report cautioned that incorporation would hold down the level of public services, it stated, on the other hand, that the creation of a city would permit community control over police, roads, and zoning. In addition, it would consolidate the mad array of disconnected governmental services that East Palo Altans had long endured. While the report took no definitive stand on incorporation, it held that cityhood would provide "greatly increased efficiency, economy and responsiveness in government,"<sup>3</sup> and concluded that "despite cost problems, low tax base and other finance-related difficulties, East Palo Alto can still succeed in an incorporation venture if the community unites itself to provide cooperation with and support of municipal government at all levels."<sup>4</sup> The report, however, did not provoke an immediate effort to incorporate the municipality, despite a growing commitment to community control. Rather, much of this commitment was channeled into schools.

Since the defeat of the 1958 bid for incorporation, the growing Black population of the community had turned its energies toward education. From the late 1950s through the middle 1960s quality education was sought through desegregation of Ravenswood High School, built within East Palo Alto in 1958. By the time that Ravenswood had desegregated in 1971, however, much of the momentum had turned toward community control. Still the school remained

majority Black, had a Black principal, and maintained a curriculum that to a certain extent spoke to the needs and interests of Black students. By this time also Black leadership over the Ravenswood Elementary School District had been achieved and the private Nairobi Schools had been created alongside the public effort. By the middle of the decade, however, the limits of such institutions were becoming clear. Both the Ravenswood Elementary District and the Nairobi Schools were plagued by a shortage of funds, and in 1976, after a protracted battle, Ravenswood High School closed. It became obvious to many community activists that more extensive change was necessary if the people of East Palo Alto were to have a significant role in determining their future. People like Barbara Mouton and Omowale Satterwhite, who had been integrally involved in education, now sought control over the civic and economic life of the community through incorporation.

By the late 1970s, interest in incorporation had become significant within East Palo Alto. In October of 1979 the East Palo Alto Municipal Council, established in 1967 to advise the county government about issues pertinent to the community's interest, became actively involved in pursuing incorporation. In a statement signed by Gertrude Wilks, it asked the San Mateo County Board of Supervisors for an endorsement of incorporation. Supervisor Gregorio amended a motion of categorical endorsement to one supporting exploration of incorporation by the Municipal Council. It carried<sup>5</sup> without dissent. Six months later the Municipal Council, noting a 30 year desire of residents to form a city, created the East Palo Alto Citizens Committee For Incorporation and unanimously designated June 1980 as kickoff<sup>6</sup> month for incorporation.

EPACCI was formed on January 15, 1980. In addition to organizing the electorate, EPACCI was charged with negotiating the bureaucratic intricacies that stood between an unincorporated territory and a city. In essence this meant garnering the support of both a lukewarm San Mateo County Board of Supervisors and a San Mateo County Local Agency Formation Commission (LAFCo) whose executive officer was hostile to incorporation. Without the approval of both these organizations, an election could not be held.

Activities directed toward generating a movement in behalf of incorporation commenced immediately. By the end of the June kick off month, EPACCI had received a foundation grant of \$4,000, had conducted a fundraiser at Ming's Restaurant, and had received endorsements of incorporation from Congressman Paul McCloskey and State Senator Marz Garcia. It had also produced bill boards and banners, held press conferences, conducted community seminars, and registered 500 voters.

The flurry of activity sponsored by EPACCI was guided by carefully elaborated work plans. The plan that extended from July 1980 to October 1981, for example, included sponsorship of an independent study of East Palo Alto's finances, acquiring endorsements, gaining the support of local agencies, learning about the petition requirements for incorporation and circulating an appropriate document. The plan, in addition, included acknowledging expressions of support, strategizing to change the minds of non-supportive groups, uncovering the preferences of commissioners and tailoring information to their concerns, generating questionnaires to fathom residents' civic concerns, setting up phone trees, generating letter writing campaigns to LAFCo, and establishing a variety of contexts for educating people about

**incorporation.**

The various work plans suggested not only punctiliousness on the part of EPACCI leaders, but also a high degree of political sophistication. In order to carry these plans out, four committees were established: Incorporation Application, for filing necessary paperwork, studying LAFCo's report on incorporation, and generating a three year budget for the proposed city; Community Mobilization, for outreach and voter registration; Public Information, for educating people to the value of incorporation; and Fundraising. On all these fronts, the organization moved rapidly ahead, planning for an election in November of 1981.

As the first election drive went forward, three arenas of activity became crucial. First, it was important to garner support for incorporation in the form of endorsements from relevant political bodies and individual leaders. Second, a justification for pursuing incorporation had to be refined. It had to embody both refutations of the reports that were antagonistic to incorporation and a reminder that incorporation spoke directly to people's felt need to attain self-determination. And third, it was important to create events and activities that would enable people to encounter and act upon these ideas about incorporation. Clearly, all three arenas of activity were interrelated and proceeded simultaneously, but for the purpose of analytical clarity they will be separated.

EPACCI aggressively pursued endorsements for incorporation. It compiled a list of all the businesses and organizations in East Palo Alto and proceeded to ask them for resolutions in support of cityhood. To facilitate this process it mailed out sample endorsement forms that linked incorporation to



the improvement of governmental services. Letters of support came arrived ✓  
 from a significant number of organizations, companies, and other institutions,  
 including the New Day Drug Rehabilitation Program, St. Francis of Assisi  
 Catholic Church, Mid-Peninsula Youth and Community Services, Barnes Moving and  
 Storage Company, Glover's Farmers Insurance, Palo Alto Boatworks, East Side  
 Nursery, the Ecumenical Hunger Program, Peninsula Auto-Tronics, and the  
 Stanford Midpeninsula Urban Coalition. In some instances endorsers had  
 vigorously opposed incorporation in early periods. This, for example, was the  
 case of Robert Bormann of Bormann Steel who was a leader of the  
 anti-incorporation drive of the 1950s.

EPACCI also pursued support from the various cities of San Mateo County.  
 Rather than doing this directly, it asked Bradford Stamper, East Palo Alto's  
 nominal mayor to seek resolutions. It was felt "that city councils would be  
 more responsive to a request from the Mayor of East Palo Alto than from EPACCI  
 itself."

EPACCI's request to Stamper, to which he readily agreed, was  
 indicative of the close relationship between EPACCI and the pro-incorporation  
 East Palo Alto Municipal Council at that time. Indeed, in contradiction to  
 the fractiousness that would soon develop over incorporation, all five members  
 of the Municipal Council (Henry Anthony, Berkley Driessel, Barbara Mouton,  
 Bradford Stamper, and Gertrude Wilks) approved a resolution supporting

incorporation.

Resolutions of support soon came from the cities of Halfmoon Bay,  
 Pacifica, Daly City, Hillsborough, and San Mateo. Support from the Menlo Park  
 council, however, was most important to incorporation advocates since the  
 LAFCo's chief officer, Sherman Coffman, supported annexation of East Palo Alto

to Menlo Park. But the council tabled a discussion in support of an incorporation resolution due to the need to analyze LAFCo's recently published Environmental Impact Report for Menlo Park and East Palo Alto. <sup>14</sup>

EPACCI also pursued support on the state and national levels, in a number of cases making contacts with key figures with historical ties to EPACCI <sup>15</sup> leaders. As a result, the National Black Conference of Mayors resolved to support incorporation, as did the National Black Political Assembly and the Black American Political Association of California. <sup>16</sup> Important political figures in California also indicated their support for cityhood. Robert W. Naylor, Minority Whip for the state assembly attended a luncheon on incorporation. Following this event, he wrote to Mrs. Oakes, saying "Please do not hesitate to call upon me whenever I can be of assistance with regard to you incorporation efforts." <sup>17</sup> Similarly, Thelton E. Henderson, U.S. District Judge wrote: "I want you to know that I continue to support the incorporation of East Palo Alto, and continue to feel that it is a most important step for the people of East Palo Alto to take." <sup>18</sup> In addition, strong supporters of incorporation, like State Senator Marz Garcia, were asked to help by communicating with LAFCo and the Board of Supervisors, and/or serving as <sup>19</sup> keynote speakers. Paul McCloskey received a similar request through his Staff Aid, Tommie Williams. The assumption, however, that McCloskey was equally supportive of incorporation proved to be incorrect.

While Garcia took an active role in supporting incorporation by communicating his position to Sherman Coffman of the LAFCo staff and to other local and county administrators, by taking the issue up at the state level, <sup>20</sup> and by having his administrative assistant represent him at EPACCI meetings ,

McCloskey was cooler toward the incorporation effort. He agreed to appear at a fundraising effort for incorporation and wrote a letter to the county board of supervisors reiterating his support for cityhood, but he made it clear that his support was qualified. In a letter to Omowale Satterwhite, he said of the incorporation effort, "I am happy to assist with the reservation that unless the proposed city's tax base is increased, incorporation does not seem

feasible." <sup>21</sup> Satterwhite responded by suggesting that McCloskey's concern about the tax base was premature. He noted that more evidence on the matter would be forthcoming when Stanford Research <sup>International</sup> Institute (SRI) issued its fiscal <sup>22</sup> analysis later that year.

The SRI report was funded by EPACCI and was one of the most significant decisions the organization made. While it was not a foregone conclusion that this report would be favorable toward incorporation, it was felt that there were serious flaws in two county-sponsored studies--the 1979 McDonald Report <sup>and</sup> ~~in~~ the 1980 Environmental Impact Report, both of which were unfavorable to incorporation. EPACCI members also recognized that the findings of these unsympathetic reports if uncontested would not only guide the decisions of county officials, but would fuel dissent over the merits of incorporation inside of East Palo Alto. It was vitally important, therefore, that incorporation supporters interrogate critical reports as well as conduct an educational campaign to remind people in the community that becoming a city <sup>d</sup> has the potential to significantly affect the quality of its citizens' lives. ✓

The McDonald Report pointed out that East Palo Alto compared unfavorably with other municipalities in the county in terms of its resources. It noted, for instance, that <sup>East Palo Alto</sup> it had a paltry one acre of park land per 1,714 residents

and had few recreational activities available. It pointed out also that sales tax revenue was \$50.35 per capita in Redwood City and \$48.18 in Menlo Park, but only \$8.33 in East Palo Alto. It traced East Palo Alto's unfavorable economic situation to its history of land loss due to annexations by other cities, and it noted that Proposition 13 had further strapped the community by reducing property tax revenues by two-thirds and by restricting the creation of special taxes. Perhaps most devastating to cityhood hopes was the assertion that East Palo Alto operated at a shortfall, that it received considerable subsidies from the county. For instance, the report found that the county expenditure for police services in East Palo Alto "exceeded the local contribution for these services by nearly four times." In summary, the McDonald Report asserted, "The fiscal analysis of East Palo Alto indicates that incorporation [sic] at the present time, given the assumptions we have made concerning municipal service costs and revenues, is infeasible."

The Environmental Impact Report issued by LAFCo in August of 1980 offered another negative assessment of incorporation. It allowed that the community's unincorporated status perpetuated isolation and hindered the development of both a more favorable housing market and better transportation. Yet it also determined that East Palo Alto could not survive on its own. The report estimated that East Palo Alto needed to be subsidized by \$886,000 per year and noted that the 1969 median family income in East Palo Alto was \$9401 as opposed to \$13,222 for the county as a whole. It consequently urged annexation of East Palo Alto to either Palo Alto or Menlo Park. It nonetheless noted that such a situation would reduce per capita revenues and put more

the host city 30..  
pressure on the municipal services of both cities.

International

In reponse to the county studies, the Stanford Research Institute issued three reports: an analysis of the Draft Environmental Impact Report, a report supporting an incorporation election in East Palo Alto, and an examination of Menlo Park's fiscal relationship to its Belle Haven community with implications for annexing East Palo Alto. The SRI Report was critical of the Environmental Impact Report for a number of reasons. It pointed out that annexation of East Palo Alto to Palo Alto was an absurd notion, given that it would require changes in the county boundaries. It noted that a thorough analysis of costs and revenues to Menlo Park after annexing East Palo Alto had not been made.

With regard to the feasibility of incorporation, SRI drew on the 1979 McDonald Report and an analysis of it <sup>made</sup> drawn up by the staff of the East Palo Alto Municipal Council. It found that incorporation would be fiscally viable at the current level of services. While in the SRI scenario, certain services would be contracted with other agencies, East Palo Alto would maintain its own police force. With start-up costs provided by the county, the report estimated that the city would accumulate an annual surplus of \$100,000 to \$200,000 and would have a \$1,000,000 contingency fund for emergencies and improvements.

Finally, in its examination of the relationship of Belle Haven to Menlo Park, SRI discovered that a disproportionate amount of Menlo Park's services were absorbed by Belle Haven, a community which is similar in a number of respects to East Palo Alto. It found, for instance, that 40% of Menlo Park's community resources staff worked in Belle Haven and the polices services there were 25-50% above the city average. SRI concluded that annexation of East

Palo Alto would further drain Menlo Park's resources, requiring either higher taxes or lower services. "Otherwise," it stated, "the city could face an annual deficit ranging from \$200,000 to over \$1,000,000."<sup>33</sup>

The SRI analyses as a group, generated as they were by a highly respected organization, had far-reaching implications. Not only did they effectively refute the notion that incorporation was not viable and that annexation was viable, but they offered a compelling fiscal justification for becoming a city. Thus the traditional arguments for incorporation which spoke to the importance of self-determination and local governmental accountability were enhanced by a hard economic assessment. Equipped with this information, proponents of incorporation on many fronts proceeded to get across the economic reasons for becoming a city, in addition to the administrative and spiritual ones.

In the battle over ideas about the appropriateness of incorporation, one tactic involved reminding people of the limited services residents in East Palo Alto received. In a letter seeking endorsements, for instance, Carmaleit Oakes wrote: "East Palo Alto is under the political jurisdiction of the County Board of Supervisors....When we look at the nature and quality of Municipal services, the limited economic and employment opportunities, the quality of police and planning services, the limited influence and authority of the East Palo Alto Municipal Council, and the general unreponsiveness of County Government, we must logically conclude that we need LOCAL CONTROL of our community government."<sup>34</sup> It was assumed that the reader would get the message that no improvement of services was likely to emerge from the status quo.

To other sources of support, a more radical message was tendered. In a

letter seeking support of the National Conference of Black Mayors, Bradford Stamper wrote that through incorporation, "This predominantly Black community will be able to cast off the shackles of colonialism and exercise their duties as self-governed cities." <sup>35</sup> By implicitly indentifying the struggle of Blacks in East Palo Alto with the liberation efforts of people in the Third World, such a statement gave global import to the incorporation effort. It spoke to something greater than governmental accountability by linking up the movement for incorporation with the epochal quest for Black freedom.

In other contexts as well, it became clear that incorporation supporters saw their effort as being significantly more important than a simple administrative change. In a letter to the Chairman of the Board of Trustees of the Ravenswood Elementary School District, Omowale Satterwhite affirmed, "The East Palo Alto Citizens Committee for Incorporation (EPACCI) is very much concerned about the harrassment, intimidation, and unreasonable accusations lodged against the Ravenswood City School District Board of Trustees. We recognize that this is but one phase of an escalating pattern to undermine and <sup>36</sup> destroy our community-controlled institutions." Though incorporation had no direct bearing on the governing structure of East Palo Alto's schools, community control in all its manifestations was a goal of EPACCI leaders. The support for one of the few school boards in California that was run by minority people, like the battle for incorporation, was part of a powerful vision that saw those with unequal opportunities collectively acting to create lives of justice and equity.

In harmony with this vision, KCBS promoted an editorial. It called the movement for incorporation a "non-violent war of independence" waged by a

community "that has never realized its potential because too much of the power over its destiny lies outside its boundaries." It concluding by saying, "KCBS does not think the LAFCo researchers have taken into account the community's spirit and determination. After all, it wasn't only money that made American independence work. It was the strong decision of the people to govern themselves and their willingness to make sacrifices along the way.... KCBS believes government works best when it's closest to the people. We urge LAFCo not to stand in the way of incorporation." <sup>37</sup> While the editorial underestimated the potential city's financial situation, it underscored the link of incorporation to freedom, indicating that financial issues meant little when weighed in the balance with the urge for liberation.

The philosophy that underpinned incorporation and the practical implications of becoming a city were communicated to residents in a number of ways. First, however, questionnaires was generated to better discern what people thought about community services and what their attitude was toward incorporation. Residents were asked to prioritize needed improvements, and they were encouraged to join EPACCI. They were asked their age, whether they owned or rented, and whether they were registered to vote. <sup>38</sup> Information, then, was geared to the concerns of different categories of people. Among the devices for communicating with them was a Fact Sheet on Incorporation which listed the benefits of incorporation and summarized the various SRI studies. In addition, EPACCI conducted a community forum to which it invited staff of the East Palo Alto Municipal Council, the Senior Center, and the Drew Medical-Dental Center. EPACCI also encouraged its members to write letters to the Peninsula Times Tribune. Carmaleit Oakes, for instance, became a guest



columnist whose article was entitled, "Incorporation is the Rational  
Alternative for East Palo Alto."<sup>39</sup>

While information about the viability of incorporation was often geared directly to the concerns of residents, a broader effort was made to educate them about how government works. It was felt that such an understanding would help people thoughtfully decide on the merits of incorporation and, it was assumed, recognize its advantages. With an \$8,000 grant from the Packard Foundation, EPACCI joined the Community Development Institute and the League of Women Voters to sponsor four seminars. Forum leaders included Iola Williams, Vice Mayor of San Jose who spoke on "Local Government Alternatives in East Palo Alto; Henry Gardner, City Manager of Oakland, who talked on "Managing the Municipal Enterprise;" Fred Howell, Planning Director of Davis, who addressed the topic, "City Planning: The Planning Commission, the General Plan, and the Local Development Process;" and Wilson Riles, Jr., City Council Member of Oakland, who spoke on "City Finance: Budgeting for Municipal Services."<sup>40</sup>

Discussion about incorporation was also taken to the streets. Voter registration was important for maximizing the number of people who would come to the polls and for increasing state support which was tied to the number of registered voters. A registration drive commenced that afforded much opportunity for one-on-one interaction about the merits of incorporation. The drive, which included petitioning for an incorporation election, was carefully orchestrated. An elaborate system of canvassing was set up which included street, block, and precinct captains. All these workers received training

through role playing and sharing information with those who had prior experience. In addition to door-to-door work, block meetings were held to further discuss the incorporation question. On the west side, the West of Bayshore Homeowners and Renters Association (WBHRA) was formed by predominantly white EPACCI members to get the word out about incorporation. Voter registration there was conjoined to a petitioning effort designed to show county officials that west side residents considered themselves part of East Palo Alto. The 600 endorsements of an incorporation election which WBHRA acquired were important because the greatest resistance to incorporation came from this area, the most vocal opponents being landlords who desired  
41  
annexation to Menlo Park.

In addition, a plan to get youth more involved in thinking about and acting upon the issue of cityhood included an EPACCI-sponsored disco for which registering to vote was the admissions fee. A follow-up disco featured the Gwank Movement and Nate Branch, a member of the Harlem Globetrotters who was raised in East Palo Alto.

The total effort to win support for incorporation was complex and strenuous yet very finely tuned. Significant attention was paid to details. For instance, all contributions and all letters of endorsement received prompt, gracefully written acknowledgements. Similarly, foundation grantors received timely, appropriate periodic reports. In addition, new information relevant to incorporation was promptly mailed to potential supporters. Such attention to fine points is often absent in organizations with highly paid staffs. That a voluntary grouping open to all who attended its meetings was able to engage in diverse tasks with such a firm grasp of detail attests to unusual

organizational strength on the part of EPACCI.

As a result of EPPACCI's efforts, street workers came equipped to anticipate the concerns of potential constituents and to address them with appropriate facts. Public officials like Marz Garcia were able to rely on the SRI reports in buttressing his point of view. Garcia, for example, wrote to John Lindley, Chair of LAFCo, invoking an SRI study. "I have Read the SRI International report," he said, "and have found it favorable to incorporation." "Even if financial soundness is difficult to achieve," he added, "the community has the right to try since other help from the 'outside' doesn't seem to greatly improve the community." <sup>42</sup> Copies of this letter were mailed to the other LAFCo commissioners and the the county board of supervisors.

Although the enormous amount of work initiated by EPACCI paid off in the end, incorporation supporters were forced to make certain concessions. In order for an incorporation election to take place, three steps were necessary: approval by LAFCo, submission of a petition having 25% of the registered voters or 25% of the landowners representing 25% of assessed value of land, and approval by the county board of supervisors. Before reaching a decision, LAFCo needed to examine a community plan and sphere of influence study. EPACCI members believed that LAFCo was intentionally slow in generating these reports to forestall a November 1981 election and, consequently, to retard the momentum of the incorporation movement. Such stalling, they believed, was an intentional tactic of LAFCo executive Sherman Coffman. <sup>43</sup> EPACCI, nonetheless, pushed hard for prompt hearing dates. In a press release of May 1981, the organization made its case public, "EPACCI ... presented the Commission

[LAFCo] with a position statement on incorporation, endorsements from over sixty community businesses, agencies and organizations, and a study of the new city's government plan prepared by Stanford Research International." <sup>44</sup> The press release also encouraged people to attend the next LAFCo meeting to urge the board to set dates for hearings. LAFCo's six hearings, however, did not commence until August of 1981.

On September 16, LAFCo members by a 3-2 vote agreed in effect to dismember East Palo Alto. The west of Bayshore area was put into the Menlo Park sphere of influence, with the assumption that it would be eventually be annexed. The rest of East Palo Alto was put in a holding sphere for one year. Since it was clear from the various fiscal studies that east of Bayshore could not generate sufficient revenue to become a viable city, it appeared that LAFCo had destroyed the possibility of cityhood. EPACCI, however, having done its homework on finances, made use of the reports it had sponsored. The SRI studies had indicated the financial burden of Belle Haven on the rest of Menlo Park and had projected significant additional costs that would follow from annexation of East Palo Alto. This information was shared with city officials in Menlo Park, and they apparently were swayed by it. Councilman Billy Ray White indicated that the entire city council of Menlo Park opposed annexing any of the west side of East Palo Alto. <sup>45</sup> It is likely that such crucial opposition helped engender a reversal of LAFCo's position.

On October 15, LAFCo created an incorporation sphere for all of East Palo Alto except that portion of the west side that was north of Euclid Avenue, and three months later, the board of supervisors agreed to an election. LAFCo's resolution supported incorporation: "The Commission finds that economic

development is the best avenue for alleviating the isolation of East Palo Alto. Given the lack of success by San Mateo County and given the lack of feasibility to annex to Menlo Park, the best possibility for economic development and alleviating isolation is through incorporation of East Palo Alto." <sup>46</sup> There was, however, something disingenuous about this approval of incorporation, since LAFCo's exclusion of the North of Euclid area from the contemplated city disregarded a conclusion of its own Environmental Impact Report. The Peninsula Times Tribune pointed out that the decision, "Defies a recent LAFCo study conclusion tha East Palo Alto can't succeed financially without tax revenues from the entire west side of Bayshore area." <sup>47</sup> Though the EIR figures were disputable, the new decision maximized the difficulty of winning an incorporation election because the alleged financial vulnerability of East Palo Alto without the north of Euclid area served as a rationale for a byzantine election ballot weighted against

Pro-incorporationists. As will be pointed out below, had the LAFCo board desired that East Palo Alto lose its election, it could not have devised a better strategem. Compelling pressures for detaching the north of Euclid area came also from that area itself. It had a substantial number of transient residents, many of them, Stanford University students, who had no interest in the future of incorporation. It had a disproportionante number of white residents, some of whom opposed cityhood out of subtle or blatant racism. And it had a number of landlords who, feeling the resale of their property would be much higher in Menlo Park, adamantly opposed inclusion in East Palo Alto. Many community residents believed that the lobbying of landlords was decisive in shaping LAFCo's compromise, and that all of the west side would have been

severed from the proposed city if it had not been for the pro-incorporation campaign of the predominantly white West of Bayshore Homeowners and Renters Association, a group closely affiliated with EPACCI.

Given the claims that a city of East Palo Alto would have a vulnerable financial foundation and given the particular contribution to this situation made by separating the north of Euclid area from the potential city, LAFCo determined that the city could only be sound if it drew revenues from several special districts serving East Palo Alto's residents. Consequently, the election ballot asked voters to choose whether to dissolve three service districts, as well as to choose whether they wanted to form a city. All four propositions had to pass in order for incorporation to be successful. Despite the unfavorable ballot, incorporation supporters predicted victory on April 14. The day of the election, tee shirts, bumper stickers, buttons, posters, signs, and banners announced support for incorporation. Optimism was<sup>48</sup> virtually palpable. But in the end, the ballot vanquished cityhood supporters.

The proposition on incorporation passed by 349 votes and residents voted to dissolve both the Ravenswood Recreation and Park District and the Water District. But they failed to approve dissolution of the Sanitary District by 41 votes. Because the Sanitary District was not coterminous with all of East Palo Alto, 1,918 registered voters on the east side of the community were prevented from voting on this proposition. On the other hand, residents of the north of Euclid area and citizens of a small part of Menlo Park could vote on this proposition only. Cityhood in effect was defeated by people who would not have become citizens of the new city.

Menlo Park residents who defeated the proposition on terminating the Sanitary District by a vote of 137 to 22 dashed hopes for a new city in 1982.

According to the San Jose News, "Residents of that quiet, middle class neighborhood apparently feared the higher user fees that opponents of incorporation predicted would be imposed by the new city government." This<sup>49</sup> opposition, which clearly fanned racist sentiments, was lead on the west side by Arn Cenedella who represented real estate interests and was joined on the east side by Gertrude Wilks and Henry Anthony, municipal council members who had previously supported incorporation. The campaign of incorporation opponents, though, only got off the ground in the final weeks before the election. In March Arn Cenedella had filed suit against the county in an attempt to stop the election.<sup>50</sup> When it failed, Wilks and others formed an organization called Concerned Citizens for Responsible Incorporation, a name that conceded it was politically unwise to oppose the concept of

incorporation. The group took the position that incorporation should wait<sup>51</sup> until East Palo Alto developed a greater tax base. Its literature comprised a leaflet signed by Wilks that was entitled "Save Our Homes" and an attachment signed by Evelyn Wallace which was entitled "Your Taxes Will Go Up, Your Services Will Go Down." The Wilks document claimed that incorporation was being pushed by outsiders and temporary residents. The Wallace leaflet announced that a city of East Palo Alto would be largely run by county officials, that it would not qualify for state funds, and that it would not have its own police force. That such assertions were contrary to fact would become obvious once East Palo Alto did become a city, but it is difficult to assess whether this last ditch effort to affect the outcome of the election

swayed many voters in 1982. Given the narrowness of their victory, however, opponents of incorporation would be more ready to do battle the next time cityhood became an issue and that next time was virtually immediate as EPACCI once more geared up for an election. Within two weeks of the election EPACCI had resumed preparation for a vote on incorporation. The basic organizing strategy had been laid out two and a half years before, but in a meeting that focused on self-criticism, members agreed to pursue street work more aggressively, to encourage more voters to come to the polls, to more thoroughly address the issues and concerns the opposition was raising, and to more exhaustively recruit EPACCI members. It was also agreed that it was of paramount importance to simplify the ballot in the next election, in particular, to separate the matter of service district dissolutions from the vote on incorporation.

While EPACCI benefited enormously from a stable organizational structure and from an arsenal of strategies and tactics that had been tested over time, in a number of respects the effort was now more difficult. One reason for this was that those who opposed incorporation realized how close to losing they had been, and they consequently began organizing immediately after the election to try to prevent the establishment of a city. A second reason was the fact that a two year waiting period was normally necessary before another election could be approved. A third reason was that absolute need to avoid compromise on the interference of voting on service districts with voting on cityhood. Fourth, the <sup>a</sup> fifth member of the East Palo Alto Municipal Council, Berkely Driessel, resigned, leaving pro- and anti-incorporationists at two against two. The Council, then, offered no direction around incorporation,



and the palpable hostility between the opposing factions brought virtually all the Council's activity to a halt. Finally, the work had thus far been taxing fiscally as well as physically, and losing such a hard-fought, protracted battle had taken an emotional toll. People were simply exhausted, and it wasn't clear that they would muster the stamina to meet and surpass the various obstacles before them.

While opposition to incorporation was financed and largely organized by white landlords who, for the most part, owned apartment buildings on the west side of East Palo Alto, the most important symbol of anti-incorporationist sentiment was Municipal Councilwoman Gertrude Wilks. A community activist since the 1950s, she had long been associated with the struggle for equal education and self-determination. Whether her recent disavowal of support for incorporation stemmed from personal economic interest, recognition that she could not lead pro-cityhood forces, political aspirations at the county level or above, or pure conviction, her position was unyielding and her willingness to debate the matter non-existent. Although her message was simplistic, many people—particularly senior citizens—believed her when she claimed that cityhood would result in higher taxes that would make it impossible for people to keep their homes.

Mrs. Wilks' position on the Municipal Council gave her ample opportunity to invoke save-our-homes rhetoric, and it was this rhetoric that EPACCI forcefully aimed at in its literature. Wilks administrative frailties, however, hurt her cause. On April 27, 1982 the Municipal Council unanimously asked the county board of supervisors for a new incorporation election. Wilks would not have supported such a resolution, but because she had not read

materials submitted to council members, she knew nothing about it. In a letter to Jacqueline Speier of the board of supervisors, Mayor Barbara Mouton made it clear that Mrs. Wilks was culpable for such oversights. "If council members choose not to read material that is submitted to them," Mouton stated, "that is their right; however, they must also bear responsibility for not being informed as they should be, could be, on matters impacting East Palo Alto." <sup>53</sup> The Board of Supervisors, despite Mrs. Wilks' complaints, unanimously agreed to begin proceedings for another election. EPACCI quickly galvanized itself to combat the save-our-homes campaign and to lobby for an election in which people's vote on the incorporation measure alone would determine the city's destiny.

By the end of September 1982, EPACCI had collected more than 5% of the registered voters' signatures in behalf of holding another election and LAFCo, through the influence of the county board of supervisors, suspended the two-year waiting period normally observed between elections of this type. In all such negotiations between EPACCI and county officials, Tom Adams, EPACCI's attorney, played an important role in communicating the interests of EPACCI.

Another boost for cityhood supporters came in December when Angus MacDonald issued a sphere of influence report with positive implications for incorporation. Perhaps influenced by the SRI studies, MacDonald significantly altered his position on the feasibility of incorporation. According to an article in the San Francisco Examiner, "McDonald reported that annex <sup>ation</sup> of the area to Menlo Park would require an annual subsidy from the rest of the city as high as \$292,000, while incorporation could create a substantial revenue over five years." <sup>54</sup> A consensus over the workability of incorporation now

stood among researchers, and supporters of cityhood had acquired an arsenal of data to combat those who argued the new city would collapse financially.

Influential endorsements resulted and some of these came from the media.

During the round of LAFCo hearings on incorporation that began in January 1983, KCBS radio broadcasted a favorable position on incorporation seven times in one day. The statement by general manager Ray Barnett announced, "KCBS believes East Palo Alto can make it financially as a city. More important, residents have the spirit to make their city work." At the same time, the Peninsula Times Tribune issued an editorial supporting incorporation. It said in part: "The incorporation of East Palo Alto, an area with a strong community of interest and surging pride, makes more sense than a continuance of the community's struggling status quo under remote-control governance from Redwood City. And to LAFCo it offered the following advice: "LAFCo commissioners, in pondering East Palo Alto's frustrations for many years, should exhibit enough confidence in that community's leadership and its self-rule potential to order another vote on incorporation. And without any special-district hitches to confuse the main issue."

In the face of strong public support for incorporation and in light of a petition drive organized by the West of Bayshore Homeowners and Renters Association that got 588 signatures in support of including the north of Euclid area in the next election, west side landlords hired former congressman Pete McCloskey to represent their interests. In hearings before LAFCo and later before the board of supervisors, McCloskey argued that the entire west of Bayshore belonged with Menlo Park. However, the testimony of pro-incorporationist west side residents and the weight of WBHRA's petition

that contained more than 50% of north of Euclid's registered voters held

57

sway. Both LAFCo and the San Mateo County Board of Supervisors approved an election for June of 1983, and the ballot could not be completed by a vote on service districts

While the basic battle plan for incorporation had been laid back in 1980, certain innovations were made during the new campaign. In an effort to draw a broader base, EPACCI nurtured the development of a coalition of organizations, supportive of cityhood, that would campaign for incorporation and draw up a slate of pro-cityhood candidates. A series of Sunday breakfast programs, under the aegis of the coalition, was also initiated to reach the community at the grassroots, revitalizing its sense of common purpose and relating the fulfillment of that purpose to the creation of an independent governmental entity. In addition, a greater effort was made to utilize the resources of Stanford University. Two EPACCI members who were Stanford graduate students initiated the Stanford-East Palo Alto Information Committee. It set up speaking engagements for various leaders of the incorporation movement and helped facilitate the creation of a course, taught by EPACCI members, that sought to educate students about the battle for cityhood and ultimately sought to engage their participation in the effort. Another innovation was the East Palo Alto Progress. The idea of reviving a community newspaper came from EPACCI, as did some members of its editorial board. The paper, however, though it clearly supported incorporation, was no mere tool if EPACCI, and from its inception in the fall of 1982 until today, it has addressed a variety of community issues. Finally, and perhaps most importantly, residents who were unlikely to be able to go to the polls were encouraged to fill out absentee ballots. It is likely that the margin of victory for incorporation

in 1983 was due to the absentee vote.

The East Palo Alto Progress, the Sunday breakfasts, the coalition, and the Stanford speaking engagements and classes were all new ways of getting across the position of incorporationists. Still it was hard to combat the anti-incorporationists because they had no reasoned position.

Incorporationists relied on publicizing the findings of the SRI Reports and the second McDonald report. They also continuously pointed out the limitations Proposition 13 posed <sup>to</sup> on the ability of city to raise taxes. But anti-incorporationists, for the most part, ignored the evidence. Their message was emotional: "Save Our Homes" was a mere slogan, but it effectively played on the economic insecurity of many East Palo Alto residents. A corollary to concern with losing property was the message, articulated most loudly on the west side, that citizens of East Palo Alto could not effectively run the government and that west-of-Bayshore-citizens would suffer injustice from this government. One apartment house owner on the west side, for instance, circulated a flyer that in addition to the save-our-homes refrain and the insistence that taxes and rents would rise, claimed that the "giant East Side" would "enslave the west side" and that "utter tyranny will reign." <sup>58</sup> The emotional pitch of the conflict was further fired by the claim of Councilwoman Wilks that she was in personal danger. She was quoted in the San Jose Mercury as saying, "I've never had such threats before. I feel its necessary to get a gun." She stated that the brake fluid had been drained <sup>59</sup> from her car and suggested that a particular incorporation supporter did it. While no evidence accompanied Mrs. Wilks claims, her comments got wide attention and detracted from a climate open to reasoned debate on the subject

of incorporation.

Incorporation supporters nonetheless tried until the election to submit the issue of cityhood to rational judgement. In April of 1983, a resolution of the San Mateo County Democratic Central Committee offered a unanimous support for incorporation and urged all Democrats to contribute to a successful election. The resolution indicated that both LAFCo and the San Mateo County Board of Supervisors had reached the position that East Palo Alto would be fiscally sound as a city. <sup>60</sup> Other supporters pointed out that taxes would be unlikely to rise significantly under a new city. In a letter to the editor of the Peninsula Times Tribune, William Tinsley, president of the South San Mateo County NAACP, indicated why residents' homes were not at risk. "We feel it is especially important," he said, "to fight the totally mistaken idea that we will lose our homes if we incorporate. We know Proposition 13 prohibits both the raising of property taxes and service and user fees without a 2/3 vote of the people, unless there is an inflationary rise in the cost of services...." <sup>61</sup> Tinsley also addressed the anti-incorporationists' position that cityhood supporters were largely renters and newcomers to East Palo Alto: "We wish to stress the fact that many of our members are longtime homeowners in East Palo Alto." <sup>62</sup> And claiming that opponents to incorporation "appeal to fear, not responsibility," he held that since he and the other members of the NAACP are "dedicated to civil rights and self-determination, we realize that East Palo Alto residents, both homeowners and renters, would of necessity be better off as part of a self-governing city." <sup>63</sup>

Though EPACCI and other supporters of incorporation tried hard to refute the strongest arguments of their opponents, no really strong arguments were

forthcoming; for as Bill Tinsley offered, their appeal was to fear. Perhaps realizing the thinness of their rationale and consequently the likelihood of failure at the polls, anti-incorporationists took to the courts. In April of 1983 Pete McCloskey, representing landlord Joseph Horvath and other foes of incorporation, filed a writ of mandate against LAFCo. McCloskey claimed that the incorporation petition was inadequate because it only included 5% of East Palo Alto's registered voters. He argued that LAFCo erred in applying the provision of the District Reorganization Act (DRA) which required this percentage. Instead, he asserted, the Municipal Organization and Reorganization Act (MORGA), which required 25% of voters, should have been invoked. <sup>64</sup> On April 7, the Superior Court granted Horvath's petition to stop the election. Judge Cohn ruled that the 25% provision applied and that LAFCo had failed to adequately justify why it waived that normal two-year waiting period for a new election. While Cohn took the position that MORGA supersedes DRA in matters of incorporation, he admitted to some uncertainty: "The court does feel that the Legislature should address the problem ... and clarify the procedure." Cohn's decision was then stayed by the combined appeal of LAFCo, <sup>65</sup> the County Supervisors, and EPACCI. In the appeal, attorneys Adams and Summey argued that MORGA did not apply since it is used to find out if there is sufficient public support for an election. Because the previous incorporation election had been defeated by a failure to dissolve the Sanitary District <sup>(Measure C)</sup> and "the margin of defeat for Measure C was supplied totally by voters who do not live in the area to be incorporated," public support had <sup>66</sup> been amply demonstrated. The attorneys also argued that DRA indeed applies to the incorporation of a city and that "MORGA explicitly yields to the

67  
primacy of the DRA." Convinced by these arguments, the court ruled in favor of the appellants and preparations for the election proceeded.

As the election drew near the Citizens Committee Against Incorporation (CCAIN), which united west side landlords with the membership of Concerned Citizens for Responsible Incorporation, issued a statement about East Palo Alto's financial situation. It claimed that \$22 million was needed to repair roads in East Palo Alto and that the county was eager to "dump" East Palo Alto because it subsidized the community to the extent of one million dollars annually. These claims were refuted in court and in the streets. In the LAFCo v. Horvath appeal, attorneys for the county and EPACCI pointed out that the cost of repairing roads amounted in actuality to a little under nine and one-half million dollars and that these fees would not be paid by the new city, but by a combination of "county funds, Pacific Gas and Electric, assessment districts, developer fees and dedications." The lawyers also noted that the one million dollar figure cited by Horvath et al. referred to services that the county was obliged to pay for regardless whether East Palo Alto was a city. They concluded, therefore, that such funding "is not a subsidy to East Palo Alto."

68  
EPACCI and other groups supporting incorporation continued to refute the unsubstantiated pronouncements of <sup>CCAIN</sup> ~~eGain~~ in person-to-person conversation, in leaflets, in the May and June issues of the East Palo Alto Progress, in The Incorporator, in wide circulation of the "22 Key Questions," and in dissemination of a one page flyer, "Shattering the Myths of Incorporation." By the middle of April, however, reasoned discourse at times conceded to the tactics of outright battle between competing interests. In addition to Mrs.



Wilks' announcement that threats had been made against her life, there ensued a virtual war over election signs and banners. According to the San Jose Mercury, "Both proponents and opponents are claiming the other camp has chipped, torn out, and thrown away election signs." <sup>-70</sup> In addition, many west side residents were informed by landlords that their rents would be drastically raised if incorporation succeeded, and, in at least one case, an EPACCI member was evicted for pro-incorporation work. <sup>71</sup>

In the final days before the election and on election day itself, both sides made every effort to encourage known supporters to vote. EPACCI members periodically checked the polls to see who had voted, making calls or personal contact with those who had not. When the votes were tallied that evening, resident learned that the west side precincts had come out strongly against incorporation, yet supporters of cityhood still won--by the very narrow margin of 15 votes. Four of the five new city council members were EPACCI leaders, including Barbara Mouton who became the city's first official mayor. Only Gertrude Wilks of the anti-incorporationists received enough votes to join the Council.

The new Council, often with only Wilks opposing, took an activist stand in matters related to the quality of life in the city. It immediately and boldly issued a freeze on rents, and in short order enacted a rent-control law, ~~selected department heads, hired a city manager, and established its own police force.~~ The thin margin of victory, however, laid the new city open to legal assault by the west side landlords and their allies. These apartment owners were chagrined to see their properties become part of East Palo Alto and enraged by the rent control ordinance. As has become common in the Black

*Initiated the search on 9/15/71 permanent*

Belt South where Black people have gained a measure of power through the voting process, antagonists to the city claimed that the vote was fraudulent because of alleged manipulation of absentee voters. While <sup>Supreme</sup> Judge Cruikshank <sup>✓</sup> found no evidence of fraud in September of 1983, landlords, still represented by Paul McCloskey and supported by apparently unlimited financial resources, took the issue to the State <sup>Appellate</sup> Supreme Court. <sup>72</sup> Over the last two and one-half years this litigation has exacted a heavy price—spiritually as well as materially—on the city and its leader.

A more substantial margin of victory would have made the absentee vote irrelevant and stripped anti-incorporationists of legal recourse. The reasons for such a close election are manifold. While EPACCI pursued the incorporation of all of East Palo Alto for compelling financial reasons, west side residents never expressed significant levels of support for a city. The addition of the north of Euclid area in the second election exacerbated this difficulty. Despite efforts by WBHRA to organize the area, nearly all the permanent residents were white homeowners and the more transient renters remained largely apathetic about the election. Those who did vote on the west side were often motivated by an inextricable combination of economic fear and racist feeling. Also perhaps relevant was an increasing sense of separation from, even abandonment by, EPACCI felt by some WBHRA organizers. In the final days before the election WBHRA did not always work with the requisite intensity. At best, however, organizers on the west side might have trimmed the negative vote a little more.

While street work on the west side was sometimes less than fervent, the same was true of such efforts east of the Bayshore. The plan to educate

residents and get out the vote was elaborate, but few people in the end were willing to carry the campaign from door to door. EPACCI members both west and east of the Bayshore were exhausted from three years of continuous struggle. In addition, work on this level has often been most effective when young people have brought their boundless enthusiasm and energy to it. Activist organizations like the Congress of Racial Equality, the Student Non-Violent Coordinating Committee, and the Black Panther Party were necessarily made up of young people. The incorporation movement, though brilliant from an administrative viewpoint, failed to ignite the interest of young adults in East Palo Alto.

A further weakness of the incorporation effort was the failure to create a truly viable coalition. Although the East Palo Alto Organizations for Independent Government sponsored some important events, it never took a major role in the organizing process. Some members complained it was the tool of EPACCI and in a sense it was. EPACCI formulated the idea of the coalition and initially brought it together. While it scrupulously avoided packing the organization, EPACCI did have an agenda for it, including the development of a slate of candidates congenial to EPACCI leaders. While it is unclear whether EPAOIG would have been effective if it were fully independent of EPACCI's influence, prior to the election it collapsed under the weight of dissension.

Another possible error was the hastiness with which the new city council enacted a rent control ordinance. The people who disproportionately benefited from this were renters on the west side who by and large opposed incorporation. On the other hand, the measure irrevocably galvanized landlords in opposition to the election, making prolonged litigation on their

part a foregone conclusion. As long as the north of Euclid was included in East Palo Alto, however, some level of opposition from west side landlords would have been forthcoming whether or not a rent control law was passed, and the ordinance went far in forging an identity of interest between west side renters and the new city.

A final weakness of the incorporation effort had to do with a failure to publicize the victory of cityhood. This was due in all probability to a shortage of personnel. EPACCI members were so busy starting up the city and defending the new municipality against legal assault, that there was no time left to carry out a satisfactory media campaign. The absence of such an effort meant that many magazines and newspapers failed to carry the story and some that did, like the New York Times had a decidedly anti-incorporation bias.

A satisfactory media campaign might have created an atmosphere that would have made it more difficult to resist the fledgling city. In addition, an accurate portrayal of what occurred would have inspired people elsewhere in the United States to carry on the struggle for self-determination. For despite the various shortcomings of the incorporation effort, the victory was significant. In a period when the national movement for social change was moribund, in a period when dramatic unemployment and financial hardship discouraged risk-taking, in a period when a presidential administration undertook a systematic assault of the legal protections enacted during the 1960s, a community successfully acted to take control over its destiny. If there is a final lesson to the incorporation saga, it is that for those who have been historically disenfranchised, even those gains that speak to

exercising fundamental democratic rights meet the stiffest resistance, yet the people, ever resurgent, meet that resistance and sometimes haltingly, sometimes decisively advance toward freedom.

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1. For a more detailed discussion of the first hundred years of East Palo Alto's history, see Bob Lowe's six part series in the East Palo Alto Progress between April 1983 and March 1984.

2. Untitled study by Nairobi Development Corporation, p. 1, in Fiscal Analysis File.

3. Ibid.

4. Ibid., p. 41.

5. Agenda of the Board of Supervisors, November 27, 1979, in Board of Supervisors File.

6. Resolution of April 21, 1980 in Certification Approved File.

7. "History, Goals, and Objectives of EPACCI, in File of Education Committee: Block Captains.

8. See Committee Work Plans File.

9. Ibid.

10. Endorsements File

11. Ibid.

12. Omowale Satterwhite to Brad Stamper, September 4, 1980 in Endorsement File

13. Executed October 17, 1980.

14. The matter was tabled on October 14, 1980.

15. See, for example, Omowale Satterwhite's letter of October 30, 1980 to Ron Daniels, Chairman of the National Black Political Assembly in Certificate Pending File.

16. See Mrs. Oakes to Honorable Willie Brown, Chair, Black American Political Association of California, October 30, 1980 in Certificates of Endorsements File.

17. Robert W. Naylor to Oakes, November 3, 1980 in Elected Officials Files.

18. Thelton E. Henderson to Mrs. Oakes, December 1, 1980 in Certificates of Endorsements File.
19. See Omowale Satterwhite to Senator Marz Garcia, March 20, 1980 in Elected Officials File.
20. Garcia to Satterwhite, May 9, 1980.
21. Paul N. McCloskey Jr. to F.J. Satterwhite, May 13, 1980
22. Satterwhite to McCloskey, May 19, 1980 in Elected Officials File
23. Angus McDonald and Associates, East Palo Alto Fiscal Analysis Prepared for Association of Bay Area Governments In Cooperation with the East Palo Alto Municipal Council, Berkeley CA, 1979, p. 36.
24. Ibid., p. 68.
25. Ibid., p 1.
26. Ibid., p. 3.
27. Ibid., p. 10.
28. Draft Environmental Impact Report for the Menlo Park/East Palo Alto and Districts Sphere of Influence Study, San Mateo County Local Agency Formation Commission, August 1980, p. 9.
29. Ibid., pp 9, 46.
30. Ibid., p. 168.
31. See summary of SRI Studies, insert of Fact Sheet on Incorporation, March 1981.
32. Ibid.
33. Ibid. and also see Peninsula Times Tribune, October 8, 1981.
34. Oakes to Friend, November 9, 1980 in Endorsements File.
35. Bradford Stamper to Richard C. Hatcher, Chair, National Conference of Black Mayors, March 31, 1980.
36. Frank J. Omowale Satterwhite to Mel Harris, May 15, 1980 in Elected Officials File.
37. Editorial by KCBS General Manager Ray Barnett on February 3, 1981, File Publicity Committee.

38. Surveys were also transferred into Spanish, see file of Education Committee Questionnaire.
39. No date, Newspaper File.
40. Peninsula Times Tribune, October 28, 1981 and November 2, 1981.
41. Peninsula Times Tribune, October 14, 1981.
42. May 1, 1981 in Endorsements File.
43. See Peninsula Times Tribune, April 13, 1981. Also, see Oakes' letter to editor on May, 5, 1981 which claims that legislative counsel for California believed the executive officer of LAFCo should have acted earlier.
44. May 15, 1981 in Publicity Committee File.
45. PTT, October 16, 1981
46. Resolution No. 639, LAFCo of San Mateo, October 22, 1981, p. 2.
47. October 19, 1981.
48. The cost of these items in part was paid by a grant to EPACCI of \$6,000 from the Vanguard Foundation. See "Periodic Report For Vanguard Public Foundation," October 1980-October 1981 in Finance Committee File.
49. April 15, 1982.
50. PTT, March 18, 1982.
51. Ibid.
52. See discussion of EPACCI meeting in document of April 27, 1982 in Committee Work Plans File.
53. April 28, 1982 in Board of Superisors File.
54. January 13, 1983.
55. Broadcasts of January 19, 1983 and January 22, 1983, in Endorsements File.
56. January 22, 1983.
57. See PTT January 26, 1983, and Marvin Church, County Clerk-Recorder to Arlen Gregorio, Supervisor, September 29, 1982. This memo indicated that of 588 signatures, 409 represented currently registered voters.
58. Flyer by Pearl Wong cited in WBRHA Flyer, March 1983.
59. April 19, 1983.

60. April 7, 1983 in Endorsement File.

61. May 20, 1983.

62. Ibid.

63. Ibid.

64. Horvath et al. v. LAFCo, Appellants' Opening Brief, p. 2.

65. Ibid., Joseph Horvath et al. v LAFCo, p. 3.

66. LAFCo of San Mateo County, Board of Supervisors and County Clerk of San Mateo County and EPACCI v. Joseph Horvath et al., Appellants' Opening Brief, April 20, 1983, p. 4.

67. Ibid., pp. 7 and 8.

68. Appellants' Reply Brief, p. 6

69. Ibid., p. 7

70. April 19, 1983.

71. Conversation with Bill Powell, May 1983.

72. Within 3 weeks of the election, landlords, according to Arn Cenedella's estimate, had already spent \$20,000 to overturn the election. Over time this figure multiplied many times. See (San Jose Mercury), June 27, 1983.