

Ms. Sarita Berry, Executive Director
STANFORD URBAN COALITION
Escondido Road
Stanford University
Stanford, CA 94305

Ms. Berry:

Enclosed find a request from the East Palo Alto Association of Concerned Homeowners and Residents for consideration of your Board of Directors.

If additional information is needed, I can be reached at 327-5847. Robert Alexander is available at 326-4527.

Sincerely,

Barbara A. Mouton

(Mrs.) Barbara A. Mouton

Encl.

DUMBARTON DISTRIBUTION CENTER

submitted to the

URBAN COALITION

October 18, 1982

by the

EPA ASSOCIATION OF CONCERNED HOMEOWNERS AND RESIDENTS

Contacts: Robert Alexander and Barbara Mouton
326-4527 327-5847

INTRODUCTION

East Palo Alto is an unincorporated urban community located at the southernmost tip of San Mateo County. Because of its unincorporated status, it is under the jurisdiction of the San Mateo Board of Supervisors, the area's legal administrator. However, the supervisors are not accountable to the East Palo Alto constituency, thus making the approximately 19,000 citizens powerless wards of San Mateo County. Several very recent governmental actions have critically impacted the East Palo Alto community: (1) the action of the Local Agency Formation Commission (LAFCO) to approve a property tax transfer from the County of San Mateo to the City of Menlo Park for 29 properties on O'Connor Street in East Palo Alto. In effect, this gives East Palo Alto land to Menlo Park -- a further eroding of the community's dwindling tax base; and, (2) the decision of the City of Menlo Park to approve the Dumbarton Distribution Center; this project will have a devastating impact on East Palo Alto, its environment, citizens, and its children. These actions have occurred, in part, because East Palo Alto is seen as a powerless entity without legal and/or financial resources to carry on the litigation essential to protect itself from the perpetual ripping off of its lands and resources.

This request to the Urban Coalition is to obtain suitable resources from the Coalition to assist the East Palo Alto Association of Concerned Homeowners and residents to inform the citizens of East Palo Alto about their legal rights and to assist them in securing remedies in civil actions with a primary objective of reversing the decision made by Menlo Park to approve the Dumbarton Distribution Center, and if unsuccessful in that objective, to cause Menlo Park to implement mitigating measures which will minimize the impact of the project on the community of East Palo Alto, its schools, and the San Francisco Bay.

PROFILE OF TARGET COMMUNITY

East Palo Alto is an unincorporated urban community located in San Mateo County, about 35 miles south of the City of Saint Francis and 20 miles north of the City of Saint Joseph. It is approximately 2.5 square miles in size and has a predominantly Black population of approximately 19,000 residents.

East Palo Alto, located in one of the most affluent counties in the nation, is surrounded by several of the wealthiest cities in the state. Having the demographic characteristics of an inner-city neighborhood -- high unemployment, fragmented municipal and social service, limited influence over public policy, escalating crime and drug abuse, no control over law enforcement agencies, -- it is an economically depressed area.

East Palo Alto has a median family income of approximately \$24,000.00 per year. Almost one-fifth of the families are classified below the poverty level. There are a large number of single-parent families headed by women; a high percentage of the families received social security assistance, supplemental security income, and/or aid to families with dependent children. The unemployment rate exceeds twenty percent for adults and exceeds fifty percent for youth.

PROGRAM

The organization "East Palo Alto Association of Concerned Homeowners and Residents" (EPACHR) is an unincorporated association of members of the East Palo Alto community. The organization was created as a means to coordinate the actions of individual community members in challenging the use to be made of the environment by private parties and governmental action when such use has a significant and negative impact on the property, community, and neighborhood.

Robert Alexander and Barbara Mouton, the prime organizers of EPACHR, have undertaken the expenses of commencing litigation against the City of Menlo Park in order to preserve legal rights to which members of the community are entitled (the thirty day statute of limitations made it necessary for them to file a Complaint for Declaratory Relief on their own). The community has not been sufficiently organized nor have members of EPACHR the economic resources to collectively raise funds to retain an attorney; additionally, EPACHR has not been successful in obtaining pro bono legal services from the attorneys or referral services it has contacted.

STATEMENT OF THE PROBLEM

Menlo Park passed a resolution finding no significant impact on the environment from the proposed Dumbarton Distribution Center which directly abuts residential homes and schools in East Palo Alto

A suit was filed in pro per by concerned citizen homeowners and residents of East Palo Alto to avoid running of a thirty (30) day statute of limitations.

The suit alleges the City of Menlo Park improperly acted in finding no environmental impact, that the Environmental Impact Report (EIR) was not properly prepared, and that mitigation measures for the project were not adequately defined by the City of Menlo Park.

The effect on East Palo Alto residents, neighborhoods and streets were not clearly assessed or properly evaluated.

The effect on East Palo Alto schools, being directly across from the Project and within 500 feet of a railroad spur, was not properly or clearly addressed.

Mitigation measures were not properly implemented by the City of Menlo Park in approving the EIR.

Definition of "Bay Lands" was not properly determined by the City of Menlo Park or the EIR.

The City of Menlo Park has declared that the matter will be litigated.

The residents of East Palo Alto need information and legal assistance to address their legal rights when subjected to governmental action which may negatively effect their homes and environment.

The homeowners and residents of East Palo Alto are without significant funds to retain competent legal council to prosecute civil actions in court to challenge the approval of the Dumbarton Distribution Center by Menlo Park.

PROPOSAL

The objectives of this proposal are threefold: the first is to inform/educate the citizens of East Palo Alto about their legal rights and to assist them in securing remedies in civil actions related to property rights and in challenging actions of the City of Menlo Park which have a significant impact on their environment, schools, and neighborhoods; the second is to secure competent professional assistance to represent citizen homeowners and residents in prosecuting/litigating complaints against the City of Menlo Park to obtain a reversal of the decision to approve the Dumbarton Distribution Center, and challenge the EIR; and the third is to cause the City of Menlo Park to implement mitigating measures which will minimize the impact on the residential community of East Palo Alto, its schools, and the San Francisco Bay.

EVALUATIVE PROCESS

The implementation of this proposal can be evaluated by examining the success in court actions against the City of Menlo Park relative to the Dumbarton Distribution Center Project.

Further evaluation can be made by examining the commitment of the residents and homeowners of East Palo Alto to support a continuing legal action, should this be necessary, to protect their interests.

BUDGET

Costs will include retainer and legal fees to prosecute the civil action against the City of Menlo Park and reproduction/dissemination of information charges.