

GRASSROOTS

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Election Rigging

by Andrew Rodriguez

The Berkeley Action Committee's so-called "majority rule" charter amendment is actually a thinly-disguised attempt to insure *minority* rule in Berkeley. The "non-radical" community, its minority status confirmed by the passage of rent control in June, is trying to rig future elections in order to keep itself in power.

Minority Rule

On the surface, the intent of the measure is noble. If candidates for city office fail to get at least 50% of the votes in municipal elections, a run-off will be held between the top vote-getters. What could be fairer or more democratic than that?

But it's not quite that simple. First, the amendment calls for city elections to be held "the third Tuesday in March," right in the middle of finals week at Cal. This is an obvious attempt to discourage student participation and give "non-radicals" a chance to get majorities right away, eliminating the need for a run-off. If that doesn't work, the added expense of one more month of campaigning will work against the poorer, usually more radical candidates. The "non-radical" bloc, with its (comparatively) unlimited funds, will use this advantage to misinform and confuse voters, a tactic it has used many times before.

It comes as no surprise that BAC chose the end of March as the new election date. When students gained the right to vote in municipal elections, the radical majority was finally able to assert itself. The victory of rent control was the first real sign of this. Hill radicals, the more progressive half (at least) of the black community and white flatlanders all supported the measure and all were needed for it to win. But students, who provided almost half of the "yes" votes, were the decisive factor. The "non-radicals," no longer able to merely ignore students, have come up with a unique way to try to disenfranchise them, and so cripple the radical movement in Berkeley.

If the first part of the election rigging scheme is directed against students, the second is aimed at all lower-income people. One more month of campaigning would effectively eliminate independent, non-rich candidates from Berkeley politics. For the Kallgrens and the Hones, two campaigns will present no real problem. They have ample funds of their own and can count on support from other people who have money to throw away. (A good example of this is the comic-opera

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Gate to Marina's new docks. As this gate excludes the public from the docks, the "majority" rule will exclude the people from City Government.

Photo by Louis Benatious

RAPE OF THE MARINA

by Evie Wozniak

A \$1,800,000 State loan resulted in the development of the Berkeley Marina into one of the "finest" Marinas in Northern California, and a \$1,500,000 1971 amendment to that loan will make it the "largest and finest Marina in all Northern California" according to its proud Supervisor. But what does the development mean to the people? It's one of the biggest rip-offs of public land and money that has occurred in Berkeley's history!

Before the 1965 Loan

Prior to the 1965 loan, development at the Berkeley Marina was simple and sparse. Unlocked piers (open to public purview) along with 232 boat berths existed within the south and west walls of the uncongested harbor. There was a free launching ramp for small boats (boats under 20 ft. not needing berthing). The small boats benefited from the relative protection of the harbor to putter around in and so sailing lessons. The fishing fleet was already harbor based, as were the Berkeley Yacht Club and the U.C. Sailing Club. Also at the Marina was the local fishing pier and two small simple low-cost restaurants (Dottie's and Moby Dick's). Though only sparsely developed in 1965, the Berkeley Marina still had the potential of future development beneficial to all economic and social groups in the community.

The First Rip-Off Loan

The 1965 State loan of \$1,800,000 to Berkeley was primarily for harbor improvement and berth construction (389 new locked berths in the east and north walls of the harbor), along with servicing facilities such as toilets and hot showers, lockers, parking lots, and a prize winning harbor administration building. The primary expenses were to be the following: Basin development: \$467,200; Berthing: \$423,690; Paving and Utilities: \$456,600; Building: \$208,700; and Landscaping: \$46,950. This is how the loan resulted in a rip-off of public money and land:

1. The primary beneficiaries of its funds were a few unrepresentative people. The new berths benefited only 389 people, and the harbor improvements benefited a total of 621 boatowners. Two-thirds of the berth renters are from outside Berkeley (legally Berkeley people cannot be given preferential treatment). Only 5,921 people in all Alameda and Contra Costa Counties have boats large enough to need berthing. Only 2% have boats at all. Most people cannot afford boats.
2. Loan conditions divided the Marina into two parts: project area under loan jurisdiction and non-project area under City jurisdiction. The entire Marina land area came under loan jurisdiction with the exception of the fishing pier, the Berkeley Yacht Club and the anticipated South Sailing Basin and Marina Park. Loan conditions required the leasing out of "project area" land to concessions to help pay off the loan.

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Backroom Budget City's Social Services Cut

One year ago, on August 31st, 1971, Councilman Wilmont Sweeney came to a Council meeting with a backroom budget. He had secretly made a deal with Mayor Warren Widener, and their budget passed with the additional votes of Councilmen McLaren, Price and Kallgren. The 1971 "Sweedener" budget outraged people by its failure to fund needed social programs and its failure to make additional cuts in the bloated police budget.

On August 31st, 1972, exactly one year later, Wilmont Sweeney came to the Council with a similar backroom budget. This time Councilwoman Susan Hone replaced Mayor Widener as the necessary fifth vote. Berkeley's 1972 backroom budget was the product of an amazing procedure.

Secret Meetings

For almost 12 hours over 2 days, the Mayor and up to 7 other members of the Council participated in a lengthy series of secret budget negotiations in the offices of the City Manager directly behind the Council chambers. The public Council meetings that had been scheduled were eliminated in favor of budget building behind locked doors.

This highly irregular procedure was initiated by Mayor Warren Widener. The Mayor stated that it was the only way 5 members of the Council could ever agree upon a budget. A public Council meeting at which a budget was put together with votes being taken in the opening could not have produced a budget, according to the Mayor.

At one time or another every member of the Council except Loni Hancock participated in the backroom negotiations. Councilwoman Hancock

boycotted the secret sessions, spending several hours at her place in the Council chambers waiting for the scheduled public meeting to start. It was a long wait.

The public meeting finally started on the evening of August 31st, over 24 hours behind schedule. By that time a budget had been completed whose prime architect was Councilwoman Hone. Wilmont Sweeney made his budget motion with the confidence of a man who knew he had the required 5 votes, his own plus those of Councilmen McLaren, Price, Kallgren, and Councilwoman Hone. When Mayor Widener voted to appoint Susan Hone to the vacant Council seat, he made it possible for the conservatives to pass a budget without him.

The Sweeney-Hone budget package funded most city departments at the level of their expenditures during the last fiscal year. It provided for a 19 cent property tax increase, a sharp contrast to last year's 1/2 cent property tax reduction. But the backroom budget of fiscal year 1972-73 was most notable for what it did not include.

Health Care Sellout

The budget failed to provide adequate funding for the Berkeley Free Clinic, the Women's Health Collective, and the George Jackson Clinic. \$37,500 was provided for the West Berkeley Health Clinic, but the other 3 free clinics were left to fight over the token sum of \$18,500, far less than the \$43,000 that these three clinics received from the Council last year. As a result of the new budget, services at these clinics will

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GRASSROOTS

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EDITORIAL

As Grassroots keeps growing, we, the staff, also keep changing our structure, trying to make it flexible enough to allow for growth, and capable at the same time to provide the paper with continuity and coherence. All jobs are now on a rotation basis, some lasting more than others, while all important decisions are taken collectively at weekly meetings.

The paper has received lots of criticism. People generally appreciated the substance of the articles, even though many stressed a need for more factual and succinct reporting, less interpretation and more background material. Many mentioned a lack of variety in the choice of article.

All these criticisms, plus our own internal discussion, have influenced this issue of the paper, but we know we are still far away from a satisfactory form. Meanwhile we were also greatly encouraged by the general consensus that Grassroots is conveying important and much needed information.

The staff has also agreed that, for Grassroots to become a truly community newspaper, should, among other things, cover some of the following subjects in each issue: Community organizing; City and electoral politics; problems of the community at large; Black, Asian, and Chicano communities; labor issues; women's issues; education; countercultural issues; national and international issues relating to Berkeley; media, arts and sports analysis; cartoons, etc. It sounds ambitious, doesn't it? But for the moment we can only try to establish a balance of the most meaningful and actual of these subjects in each issue of the paper; it's obvious however, that unless and until we shall be able to have more pages, and come out more often, it will not be possible to provide the community with all the information that it needs.

We have also decided that the paper should be sold, rather than given away, and here are some of the reasons for it: 1) we need money; until now money has come from subscribers, a few ads, very few donations. This has not been enough, and certainly it is not going to be enough if Grassroots is to become more than a monthly. 2) we believe that the Left must move toward self-sustaining organizations and financial independence. It's about time that working in the Movement provide at least some means of survival. In the long run, Grassroots might become one of these organizations. 3) By charging a price Grassroots is committing itself to become even more earnest to the community it wants to serve, because it will get direct economic support by all the readers. On the other side, many people have a tendency to value more what they pay for, than what is given away for free; often they are wrong (we do live in a capitalist society).

One more thing: we meet weekly, but we don't have an office yet. As soon as we have one, we intend to have open meetings at least once a month. In the meantime, if there is anybody with any journalistic skills, and who shares our politics, (as they are presented in the newspaper), and is willing to work in Grassroots, please get in touch with us through our P.O. Box. And that's it for now.

CRITICAL CITY COUNCIL VOTES

RENT CONTROL

Issue 1. Motion to place the Fair Rent Committee's Rent Control proposal on the June ballot. Hancock motion died for lack of a second, February 8, 1972.

For several months the Fair Rent Committee worked at drafting a Rent Control proposal. Numerous meetings were held and there was widespread community participation leading to the creation of the final draft. The Fair Rent Committee then requested the City Council to place the Rent Control proposal on the June Ballot. Loni Hancock's motion died for lack of a second.

Issue 2. Motion to place the Fair Rent Committee's Rent Control proposal on the June ballot after the required number of signatures had been collected. Hancock motion passed 5-1-1 (5 in favor - 1 opposed - 1 abstaining), March 21, 1972.

After having been turned down by the City Council, the Fair Rent Committee put on a whirlwind campaign to gather the necessary 7,500 valid signatures to qualify for the ballot. Sufficient signatures were turned in just before the deadline. At this point the City Council had to place Rent Control on a ballot, but not necessarily on the June ballot. However, on the last possible day, a majority of the City Council did vote to include Rent Control on the June ballot.

Issue 3. Endorsement of Rent Control Charter Amendment, Proposition i. One councilmember in favor (Hancock), five opposed, and three took no position.

In the bitter campaign over Rent Control, Proposition i received the endorsements of numerous elected officials, including Congressman Ron Dellums, Assemblyman Ken Meade, Assemblyman John Miller, and School Director Louise Stoll. However, Loni Hancock remained the only member of the Berkeley City Council to support Rent Control.

MARIJUANA

Issue 4. Motion to endorse the California Marijuana Initiative. Hancock motion passed 8-1, March 28, 1972.

The California Marijuana Initiative (C.M.I.) is designed to de-criminalize marijuana. The measure would remove the present legal penalties against the possession, use, and cultivation of marijuana, while retaining the prohibition against sale. Enough signatures were gathered throughout the state so that the California Marijuana Initiative will appear on the November 7th ballot as Proposition 19.

Issue 5. Motion to instruct the Berkeley Police not to make arrests for the possession,

FLY ON THE WALL

While tensions mounted over the imminent budget deadline, the Mayor, who is known to recess the city council under the slightest provocation, refused to convene the regularly scheduled council meeting of August 30 and instead urged councilors to confer informally in the backroom (that favorite ecological niche of frightened politicians).

As pieced together by GRASSROOTS, Hone, Price, Sweeney, AND Widener put together that final, absurd budget that increased money for the police, cut all community social programs, and raised taxes 17 cents. (McLaren and Kallgren were absent). But here is the rub - the Mayor, who helped the conservatives get it together than refused to reconvene the council until ALL the conservatives were present. First Kallgren was summoned from vacation. Then McLaren from out of town. Finally all nine councilors convened, and couldn't you have guessed it? Widener joined Bailey, Simmons, and Hancock and voted against the budget. No explanation. Just a soft no. The five conservative patsies looked a little stunned. But they passed their idiotic budget and so what more could they ask from their Mayor who had

made it all possible.

Speaking of the budget. The police fared well in spite of their public groaning. Here is an example of what the coppers plan to do this year to make your streets a little safer - crack down on bicycle riders. Recently, Super-Joel Tornabene, a well known Berkeleyan was sighted by the police riding his bicycle the wrong way on Telegraph. His transgression was halted with a 'Bonnie and Clyde' style roadblock - patrol car across the street, etc., etc. A confusion of priorities? What with the enormous hauls of marijuana (\$262,000) for the first 5 months of 1972 compared with the puny (\$810) amount of heroin confiscated, our stout lads will soon be after the tricycle set.

Backers of the 'election rigging amendment' apparently have money to burn and a large amount of gall. A liberal, ex-staff writer for the DAILY CAL was offered \$500 a month by Stefan Zimmerman to work in the campaign. Since the charter amendment would functionally disenfranchise students (election is neatly scheduled to coincide with final exams) he incredulously declined the offer.

use or cultivation of marijuana. Hancock motion failed, 3-5-1, March 28, 1972.

It was very easy for the City Council to endorse the principle of the California Marijuana Initiative that law enforcement should not interfere with people who possess, use, or cultivate marijuana. It was quite another thing when a motion was made to instruct the Berkeley Police to put those principles into practice. The motion to implement the California Marijuana Initiative in Berkeley failed.

LABOR

Issue 6. Motion to prohibit Berkeley city employees from in any way acting as scabs during the U.C. labor dispute and from crossing picket lines to pick up garbage. Hancock motion passed 6-1, May 2, 1972.

During the U.C. labor dispute, Berkeley city employees were discovered crossing picket lines to pick up garbage around the dormitories. Members of the campus unions protested to the City Council. In response the Council passed a motion to forbid that practice. Passage of this motion was considered a victory by the unions.

Issue 7. Motion to rescind the previous action of May 2 (No. 6) and to order city employees to pick up garbage everywhere. Sweeney motion passed 5-4, May 16, 1972.

The acting city attorney informed the Council, that, in his opinion, the city was legally obligated to pick up garbage for the University of California. The Council rejected a proposal by Loni Hancock that the Council seek the opinion of a union attorney regarding the Council's obligations. Instead the Council majority chose to immediately rescind the action of two weeks earlier which forbid city employees from crossing picket lines to pick up garbage.

Issue 8. Motion that the City Council publicly discuss the issues of the city strike, rather than hold all discussion in executive session behind closed doors. Hancock motion died for lack of a second, July 25, 1972.

Traditionally, City Council discussions of labor matters are done behind closed doors, hidden from the public who have no way of knowing what positions the Council members are taking. By the use of secrecy Council members tried to shield themselves from an angry public while the city strike was going on.

At the Council meeting of July 25, just as the Mayor tried to recess into executive session, Councilwoman Hancock attempted to have a public discussion of the issues in the Berkeley City employees strike. No other

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The chart below shows how each councilperson voted on these critical issues.

	Hancock	Hone	McLaren	Price	Sweeney	Widener	Bailey	Simmons	Kallgren
1.	Y	N	N	N	N	N	N	N	N
2.	Y	A	Y	N	Y	Y	Y	Y	Y
3.	Y	N	N	N	N	?	?	?	N
4.	Y	Y	N	Y	Y	Y	Y	Y	Y
5.	Y	N	N	N	N	A	Y	Y	N
6.	Y	Y	Y	Y	Y	Y	Y	Y	N
7.	N	Y	Y	Y	Y	N	N	N	Y
8.	Y	N	N	N	N	N	N	N	N
9.	Y	N	N	N	N	Y	Y	Y	N
10.	N	Y	Y	Y	Y		N	N	Y

KEY: Y-Yes; N-No; A-Abstain; BLANK-Absent; ?-No Position

McGovern and the Left: 3 Views

The discussion recorded in this article was held especially for Grassroots. Rick Brown is a long-time Berkeley activist and former April Coalition candidate in the 1971 City Council elections. Ying Kelley is a teacher for the Berkeley U.S.D. on leave of absence, works for the American Reparations Committee, and was a McGovern delegate to the Democratic Convention. Joel Kotkin is a 19-years-old McGovern worker and campaign fund raiser for Contra Costa County. The subject of the discussion was: *The Left and McGovern.*

Photos by Louis Benainous

Rick Brown: For the sake of the Vietnamese people it's very important that George McGovern win the presidency in November. I think the role of the left in the United States should be not simply to join the McGovern bandwagon and drop the mass political activity that many people have been engaged in around the war and other issues but to organize independently of McGovern's campaign to continue to raise as we have for nearly a decade the important issues that the McGovern campaign is founded on.

It was not politicians who first raised the issue of the Vietnamese war. It was a mass movement that grew from a small beginning to a major antiwar effort and it's mass action by people in the U.S. that will ultimately end the war. I think that McGovern is an outgrowth of the antiwar movement. He must be supported not because his constituency is a guarantee, but because it's some assurance that McGovern will have to fulfill his promise of withdrawing troops from Southeast Asia and ceasing all bombing of Vietnam. I think simply for the sake of ending the war that McGovern should be elected.

If the left were simply to join the McGovern campaign, it would lose any kind of independent base and any ability to raise issues by its own independent mass action. It would suggest to people that the solution to all the social problems we are faced with lies in the election of George McGovern. And while I want to elect George McGovern I don't want to put my faith in George McGovern.

I want to put my faith in the building of mass movements, raising of consciousness in the society about not only the war but domestic issues—the things that affect people's daily lives right here. We can best do that by organizing independently of the McGovern campaign around the war, housing, child care, health care, etc. We should continue to raise the issues and at the same time be supportive of McGovern. **Ying Kelley:** I'm not quite sure that I understand what you mean by "supportive," and there are several things that I would argue about. One is what your support means. Two, the mass movement that you talk about. It's true that the antiwar movement developed the

American conscience about the Vietnam war. If the Vietnam war had not been more disastrous, and it's hard to imagine how that could be, it has been because of the peace movement.

On the other hand, all of us who've been in the peace movement for the past few years have realized the despair that most of us feel... It is some comfort thinking that Vietnam has not been more destroyed because of the organizing and the marches that we've gone to; and yet all of us, I for one, have a great impatience when I am told that things could be much worse, that instead of all of Vietnam being a moon-scape, only parts of it are; this isn't enough.

I want to see, first of all, the bombing to stop, and second of all, that we should pull out of Southeast Asia. I don't think the antiwar movement was able to get beyond the point of being a protest movement; we were not changing fundamental policy, and this is why I've shifted from working in the peace movement to working for McGovern. My way of supporting McGovern is to really go out and register people on the day-to-day level, answer the telephone; I don't quite know what else to do.

I think it's true the left has to stay as a recognizable, integral part, but I don't see that this has to be done at the expense of a lukewarm support of McGovern. I feel very independent. I was a McGovern delegate and yet I feel that should McGovern betray us at any point, I am totally free to stand up and criticize him to the extent that I would criticize him were I not a McGovern supporter. In fact, I would feel in a stronger position. I don't understand the relationship of being a committed supporter and a partial supporter from the left, because I don't feel that supporting McGovern has made me relinquish any of the rights to be a critical person living in this sort of society. When people on the left stand apart and say that McGovern may not keep his promises... I feel that we have no other choice.

All the frustrations that we've felt have been the result of the particular system that we're in and at this particular time, between now and November, I can't see that the mass movement exists as a



From left to right: Joel Kotkin, Rick Brown, Adrian (from Grassroots), and Ying Kelley.

movement. I don't think we're sufficiently disciplined. We haven't produced anything in the past year, except possibly for McGovern, and the closer he comes to success, the more critical people are.

At this point in time, there are hardly any American priorities; it's only a Vietnamese priority. It's to stop killing hundreds and hundreds of people every day. Just for that, if for nothing else, we must support McGovern completely; he has to win in November. Otherwise, it's unbearable to stay an American.

Joel Kotkin: There's an issue which in a sense is even more important than the war and this is another place where McGovern comes in—the civil liberties question and the Supreme Court. If Nixon is reelected, then we're going to get more anti-civil libertarian justices. Also the press has been very restrained by the pressure Agnew has been placing on it; then there is the question of the environment. Basically, it's the relationship between the rights of property and the rights of individuals.

I'm talking about pressing reasons for everyone to support McGovern. You may not be worried about the tax structure because it's not what you think is most important for yourself, but the civil liberties issue is very very clear. The Republican Convention, for instance, was a very frightening thing. McCloskey couldn't speak; they wouldn't let anyone speak and we're going to see a lot more of that. The question of public broadcasting. These seem like effete issues but they're not. The question of information is very keen in this society especially as the information sources become more and more interlocked.

I agree with Ying about the weakness of the so-called movement. I don't think there is much of a movement anymore. It's really weak. I think it died because it couldn't expand its base. The cooperation between the Blacks and Chicanos and the rest of the movement has been really poor in the last few years, and moreover the important thing is that it has failed to reach out to the mass working class. The movement has never gotten outside of Berkeley and the college towns. The McGovern campaign is the first vehicle to move outside of the college towns. We ran very strong. For instance, we took Manchester, New Hampshire and Milwaukee. That's the most important political news of the year.

A poll just came out which shows somewhere around 60-65% of the people thought the Republican Party was too close to Big Business. Now that's obvious to everyone in the movement, but when you get a majority of the people in the country saying that (with all the ramifications of populism) then you're really going somewhere. And what I'm saying is we have to go past being a movement. Populism which at this stage McGovern is trying to represent—he doesn't quite do it yet—populism is the

traditional American mechanism for change. With all its imperfections and with all the problems it has we've got to learn to deal with it. The left movement has always been an elite movement of the educated and occasionally some labor elements—never the entire labor movement. We must be very careful to remember that American radicalism is populism.

Rick: I don't know if we want to leave the growth of the movement at the stage of saying that traditionally and historically it's been populist in this country when it's been largest and let it go at that. There was a time earlier in the century when a million people voted for Eugene Debs running on a revolutionary Socialist ticket, and that did go beyond populism. The issue is not so much whether McGovern will become the leader of a populist movement in the United States.

We have to separate McGovern from his constituency. To me, McGovern is a politician. McGovern would like to use the political movement in the United States to accomplish some things that he believes are worthwhile and good and at the same time to further his political career. That's out front. I don't hold that against him. He was clear on that when he talked about how he built his campaign. He did not talk about the importance of building a deep conscience amongst the people of the United States, he did not talk about mobilizing them as an independent political force. He's talked about his ability to build a new kind of political machine that could see where voters were, what their concerns were and to translate that into an effective political organization that could win primaries. I don't think there's anything terribly wrong with that for a Democratic party politician who wants to become President...

McGovern's value is two-fold. One, the constituency he has rallied around him is a constituency made up of minorities of the society; political minorities, women who are concerned about their rights and their role in society, Blacks, Chicanos, Asians, Native-Americans who have been struggling around their own issues and their own concerns and the general body of the white Left in this country. That's a very important constituency, and it's worthwhile that McGovern has been able to develop that because he does represent a very decisive choice in this election when you compare him to Richard Nixon. There is no question about that.

And so to me, the issue is not a one of Tweedledee-Tweedledum, as many people in the past have characterized the Democrats and the Republicans. It's a matter of having to choose between supporting that base and the efforts of the people who have rallied behind McGovern and saying to them, "No, your efforts were no isolated. We recognize them, we respect them and we support your efforts to get

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council vote

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member of the Council wished to have such a public discussion and the motion died for lack of a second.

PEACE

Issue 9. Motion to pass the ordinance presented by Ying Kelley establishing a program of peace between the people of Berkeley and the people of Vietnam. Hancock motion failed 4-5, May 9, 1972.

This motion called for the appointment of a Berkeley Reparations Committee and the allocation of \$1,000 of city funds towards rebuilding the hospital at Thanh Hoa, North Vietnam, which was destroyed by American bombers on December 26, 1971. The City Council was meeting at a time of great citizen outrage against President Nixon's escalation of the war. After failure of the motion, the American Reparations Committee went on to collect thousands of dollars from the community to aid in rebuilding North Vietnamese hospitals.

WEST BERKELEY INDUSTRIAL PARK

Issue 10. Motion to submit the third year funding application for West Berkeley Industrial Park. Kallgren motion passed 5-3, June 6, 1972.

The West Berkeley Industrial Park is a pet proposal of former Mayor Wallace Johnson and the Chamber of Commerce. The project involves the demolition of many homes that provide low cost housing. For several years the project has been fought by the Ocean View Committee which is composed of residents of the area. Both the wisdom and the feasibility of the project are open to question.

A study commissioned by the City Council advised abandonment of present plans. There is little evidence that industry has any interest in purchasing the land. The City Council majority decided to disregard all objections to the project and submit a third year funding application for the West Berkeley Industrial Park.

McGovern and the Left...

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McGovern elected as President." It's especially important because McGovern



... If McGovern doesn't win it's unbearable to be and to stay an American....

can end the U.S. involvement in Indochina, and I think as Ying does that undoubtedly the most crucial issue facing us in this country is ending our involvement there, ending the slaughter of those people, the Laotians and the Cambodians.

But that's not really sufficient. At the same time we want to see McGovern win, we have to think about what is best both to help McGovern get elected and to continue to develop an independent Left base in this country. If we ignore the second part of that, then we will find ourselves further isolated after the elections, regardless of who wins, whether it's Richard Nixon (and we cannot ignore the likelihood at this point that Richard Nixon will win the election in November) or even if it's George McGovern. At that time there will still be a need for an independent left in this country.

As McGovern moves toward the November election he is further compromising the politics of his campaign in order to appeal to a wider constituency, in order to appeal to the establishment of the Democratic party, because he feels that he has to win the party in order to win the election. McGovern is trying to win the working class, but I don't think that he's attempting to or wants to build the working class in this country as an independent political force. He wants to build them into a constituency that can help him win the election. I do think at the moment that's an important priority. But left people, who have not been traditionally involved in the Democratic party, have a job in rebuilding the antiwar movement, in creating large dump Nixon demonstrations, because that's the clearest way, the most effective way to keep the war as the primary issue in this election campaign.

Ying: The concern about child care and public health are desperately important. I think that's real because you do expand your base—you can relate to people. But I don't see that as being exclusive of total support for McGovern. You're working on two levels—a very local level which, except through federal funds, doesn't have much to do with presidential elections; and another level—where you have to relate to a federal government that's so powerful it can destroy the whole world including the child care centers we're concerned about. And I feel very divided when I have to relate to both of these groups. So I think of one level as the killer machine—and we've got to relate to that and that's the McGovern election—and the other is my own house, my own health, my own

children and that of my neighbors. And it's such a large split that I don't see how any one movement can relate these two things together. ... But why is the left disenchanted with McGovern? What can the left expect of a presidential candidate? Rick: Speaking only for myself, the issue is not whether to elect McGovern. McGovern would be such a vast improvement for the country as a whole—would be able to end the war, help assure less repression, and would oppose "Nixonomics." He is without a doubt in my book worth electing.

When we work directly for the McGovern campaign though and we ask other people to work for him, we're saying "Do put your faith in George McGovern." Implicitly we're saying put your faith in the ability of the Democratic party to change its politics sufficiently to be responsive to the changing political views of the populace of the U.S. I think that that is a hoax.

I'm not afraid of a sellout by McGovern because I don't put faith in him as a person but as an astute politician not wanting to alienate his broad base of support. I think it's a mistake to tell people that the Democratic party is the party by which we can change the institutions of the society, redistribute the wealth, and bring about either an egalitarian or socialist society.

Joel: The American people must relearn an attitude of antagonism toward government and overcome the past 20 years of unquestioning loyalty. It's been my country right or wrong all the way.

McGovern has shown people on local levels who have never known anything about these issues how to organize and get them into politics.

In the mass tract suburbs because of McGovern there are political groups emerging that would never have emerged if you had gone there and talked to them about the war.

The most important thing about the McGovern movement is that it's not all students. Outside of Berkeley most of the organizations are not even a majority students. In Richmond, only 1 member of the leadership of the campaign is under 30.

(Rick mentioned McGovern's rejection of the abortion plank at the convention. Ying responded this way.)

Ying: In Miami after the abortion plank was voted down, for the first time I had a dialogue with my Chicano friends and co-delegates and others who had strong feelings about abortion from the other side. I still felt I was fundamentally right, but abortion would have really split the McGovern supporters.

I think that for the white left abortion and gay lib are two things which are almost luxuries at this point because it doesn't face the reality that America is a very large



... Remember that American radicalism is populism. ...

country and there is no compromise on abortion.

At one point Grassroots asked what Ying and Joel thought of the way the McGovern campaign was being run. This, in part, is what Ying answered:

Ying: I think it's amazing that in such a large country as the U.S. we can have a unified political movement of this sort. There certainly is some elitism in the national campaign, but the Berkeley office is not like that. I remember that when the delegates were selected there was a 12% margin for the state level to appoint people in order to equalize the ethnic and sexual balance. The state level appointed someone to our local delegation, which we thought was terribly unfair; it took us two days to get to McGovern (it was a weekend), but we did get through to him. We complained, as simple McGovern supporters, and within a day there was a compromise set up. Now, that was pretty fast! We have written to McGovern on all kinds of issues, including support of the



... I want to put my faith in the building of mass movements. ...

Vietnamese students—and we have gotten very positive responses. I have a fear of Hart and Mankiewicz, like a Kissinger and Nixon, as an example. I don't like Rasputin-like advisors.

I think, however, that each McGovern office has a style of its own, and here is where our strength comes from. HQ can tell us what they want: whether we carry it through or not is something else, and the marvelous thing is that we have autonomy because we have a base. If we dislike something that the top does, we write a petition as we have done in the past—and we get a response.

There have been attempts to change the structure of the campaign in regard to local autonomy; like when we were told about a month ago that we couldn't open our office in Berkeley until the county chairman had been appointed, and that we needed his signature on the lease and all kinds of approval from the top. We said: "Shit, we are going to go ahead and do our thing. We got the money, we got the manpower, if you don't like us you can tell us to quit." We opened our office, and everything was just fine. Our power comes from the bottom, and not from the top. I really think that this way we are really building a mass movement.

Rick: I wanted to mention what people could do both to aid McGovern and to help to rebuild or build an independent movement at the same time. I think it's very fine that people who aren't involved in other political work are coming into the McGovern campaign, doing precinct work, going door to door, talking to people, doing voter registration. But people who have been involved in antiwar and other

activities should continue to remain involved in them.

One thing we can help build is the October 14 "Dump Nixon" demonstration coordinated with door to door and street leafletting. For those people who want to say that George McGovern is the answer, this provides them an opportunity to do that. For those of us who feel that George McGovern is a part of the answer and somebody we would like to see win, we can maintain our own line which is "dump Nixon."

Focus on the Nixon policies and why we need an alternative. To the extent people identify George McGovern with that alternative, let them vote for George McGovern.

I identify George McGovern as a step toward that alternative, an end to the war, a step back from repression of the Nixon administration, and a step back from the intolerable appointments he's made to the courts and other bodies.

I would like to work with McGovern people. I feel we have common goals. We have differences over how we implement those goals and that's a basis for dialogue and learning from each other.

Ying: For those who want to work in the McGovern campaign, the address of the McGovern HQ in Berkeley is 2068 Center St., and by the way that is also the office for a good group of Democrats: Dellums, Meade, Petras, and Miller. I am very proud of this slate.

★★★

TRANSLATORS

A translators collective is forming in Berkeley to translate radical European literature into English. Concentration in the beginning will be on French, German, Italian and Scandinavian materials. If you have language skills and are interested in doing this work, please contact Bonnie 327-8432 or Anita 843-4983.

★★★

THIRD WORLD JOURNAL is a new publication being put out by a group of brothers and sisters at Grove Street College. It will be devoted to helping develop a writer's voice and participation in the struggle for the preservation of human rights everywhere, and will provide an outlet for all types of writing and art. Anyone interested in contributing: art, photos, essays, short stories, poems, cartoons, plays, etc., can submit them to: Grove Street College, 5714 Grove Street, Oakland, Calif. 94609 c/o Rudy Espinosa.

★★★

STREET FAIR

SAT. SEPT. 23

A Happening for Ron Dellums

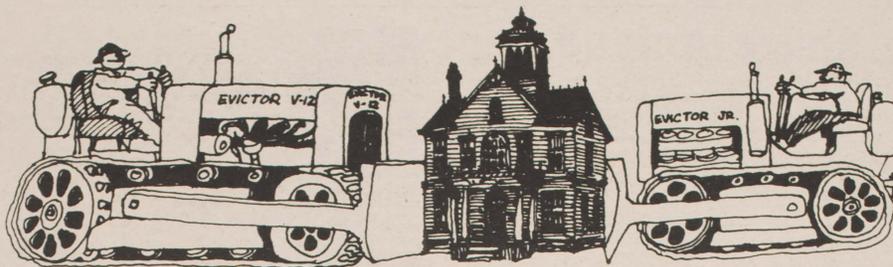
Sponsored by:

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Brownlee and Maudelle Shirek
2705 Walker Street, Berkeley
ART MUSIC FOOD

For more information: 658-9241

Grassroots Housing Supplement



PEOPLE'S HOUSING COUNCIL

Embracing all the diverse activities around rent control, housing rehabilitation and development, land use and zoning is the People's Housing Council, formed earlier this year to coordinate these manifold struggles and focus them in the political context of Berkeley.

Affiliated organizations include the Fair Rent Committee (which ran the successful campaign for the rent control initiative), the Tenant Action Project, the People's Housing Corporation group, the Ocean View Committee, the rehab-and-co-op group described elsewhere in this issue, People's Architecture, the North Berkeley Neighborhood Association, and numerous other issue or neighborhood organizations.

The Council, though, is no paper "coalition" of groups that pursue their own activities while lending their names to an umbrella letterhead. Rather, it's an information clearinghouse for land use activists and a coordinating body that tries to put diverse housing and land use struggles together to achieve maximum impact in Berkeley. Virtually all of the activities reported in this supplement are part of the Housing Council.

This month several important housing

Peoples Housing Council Meeting
12:00 noon Sunday, Sept. 17
Berkeley Black Caucus Office
3216 Adeline Street, Berkeley
information: Martha Nicheloff
845-7967

and land use questions are coming forward. The fight to enforce the rent freeze and the campaign to elect members of the rent control board are just getting into high gear. The "liveable space" amendment and related zoning questions are being brought before the City Council. The Westbrae Community Action group has won a preliminary round in its attempt to stand off high-density development, but the final decision remains to be made.

All these and more will be discussed — and actions planned — at the next People's Housing Council meeting. This affects everyone — tenants and homeowners, students and permanent residents. The Housing Council needs and deserves the active participation of everyone in the community.

For further information: Martha Nicheloff, 845-7967.

HOUSING AND LAND USE -- A GROWING BATTLE --

This special housing and land use supplement to *Grassroots* was inspired by the activities of the Peoples' Housing Council. At the Housing Council's August meeting, reports were given on the continuing struggle to make rent control a reality; on the organizing going on around the Liveable Space amendment; on the People's Housing Corporation; on the co-op project to rehabilitate old structures; on the Westbrae fight to preserve a parcel of open space; on the Albany Hill super-development and the efforts of Albany residents to halt it. All these struggles are covered in these pages.

In addition, we've tried to analyze the history of land use and ownership trends in one specific area — the South Campus neighborhood — that's a textbook case in developer exploitation of a neighborhood.

But, if we've succeeded in our intent, these stories should go beyond mere reportage. We have to do more than interpret events. The point, in Marx's phrase, is to change them.

Housing For Profit

The housing and land use crisis — and, as these articles show, it's no exaggeration to call it a crisis — is not limited to Berkeley, nor is it a temporary aberration that will straighten itself out, to everyone's satisfaction, if we just let it alone. It's linked to the fact that, in our society, land and housing — like everything else — don't exist as resources to meet people's needs. Instead, they're profit-making entities to be mined for cash by the institutions that ultimately control how the land is used: banks, savings and loan companies, insurance companies. These institutions, as the sources of construction loans, are the final arbiters of what gets built where, and for whom. Their relentless pressure for profit motivates the decisions made at a lower level by developers, contractors, and landlords which in turn translates into the costs absorbed — whether as rent or as mortgage payments — by the rest of us.

Tied to these powerful institutions is an elaborate governmental apparatus that guarantees support for development loan profits and actually makes the operations of the lending institutions even more profitable. The cost of all this, of course, is borne by taxpayers — working people, tenants, small homeowners.

As the South Campus story makes clear, developers and financial institutions also make extra profits by speculative investment — juggling rents, tax advantages, and fluctuating land prices in order to drain maximum profit from the land we live on and the houses we live in. Even the kinds of stores where we shop are affected, as land speculation with its attendant inflationary pressure drives small, independent businesses out of existence, to be replaced by fast-buck chain operations and schlock merchandisers themselves controlled hand and foot by the banks and lending institutions.

Finally, all this is usually cloaked in impenetrable legal-economic jargon aimed at disguising the ugly facts of exploitation and discouraging ordinary people — in other words, the exploited — from trying to understand or even change the basic character of land use and ownership.

Housing For People

This supplement, then, is intended as a guide to action. It isn't complete: the question of land use touches virtually every area in the society, playing a role not only in where you live and what it costs you, in what you buy and from whom, but also in the kind of food you eat (mass-produced on huge agribusiness "food factories"), how you get to work or school (who profits by freeway expansion and parking-lot building?), and even the basic quality of your life — since financial institutions are a major bulwark of racist and sexist discrimination.

Berkeley is the scene of many developing challenges to the whole system of land use and ownership. This supplement is meant to get people involved in some or all of this activity. Political control of our city will be an empty victory if the city itself turns into a plastic horror in which a humane life is impossible. In fact, if the developers have their way, poor people, working people, students, communal living groups — the people who stand so close to controlling their city after so long — will be driven out, unable to afford the cost of the ticky-tacky commuter town that is on the drawing boards.

No, housing and land use aren't the only issues; nor is this the single hinge on which the revolution turns. But as Martha Nicheloff of the People's Housing Council has said, "Community control doesn't mean very much unless people control the houses they live in, the parks and playgrounds their kids play in, the shopping areas where they trade, the streets where they live their public lives."

City Ignores Rent Freeze

by Nick Rabkin

When the Secretary of State signed the Berkeley rent control charter amendment into law on August 2, he started a freeze on all controlled rental property that will last until 90 days after the election of a board to administer the city's rents. The victory of that charter amendment in the June primary marked the end of the steady rent increases that Berkeley tenants have suffered since the end of WWII.

But it is a victory that will be snatched away if the city's tenants don't guard it jealously. Berkeley's landlords will not give up their enormous privileges and prerogatives without a fight. In the month since the rent freeze went into effect, dozens of landlords have raised rents on frozen units. B&G Properties intends to return to its winter rates in the next month—a rent increase of 50% on its 700 units. Other large landlords have indicated similar disregard for the new city rules.

Bureaucratic Sabotage

From the time when the city council refused to place the charter amendment on the June ballot, city officials have been hostile to rent control. Except for Loni Hancock, no council member was active in the campaign for rent control. Now that it is law the city continues to passively and actively sabotage the amendment. During August, acting City Attorney Cherie Gaines offered the opinion that there was indeed a freeze on Berkeley rents, but that there was no way to enforce the law. The newly appointed City Attorney seems to

be of the same opinion. Although the City Attorney is empowered by the charter to prosecute charter violations as misdemeanors, his office is refusing to register tenants' complaints and pursue landlords.

Fortunately the amendment leaves tenants other avenues of defense against landlords' transgressions. Any landlord who demands or accepts a rent in excess of the maximum lawful rent (the frozen level, for now) may be subject to \$200 in damages payable to the tenant, lawyer's fees and court costs. Such a provision might prove quite costly to a landlord if all his tenants were to make use of it.

Needless to say, though, the courts are not a tenant's best friend. At best they are a painfully slow remedy. At worst they are downright unfair. Many tenants who are currently looking for places will face landlords who simply won't let them move in without paying a rent increase. Recourse to litigation will not find these people homes. They will be forced, at least initially, to pay the increases.

What will happen if tenants refuse to pay illegal rent increases, or roll back rent increases after moving in? As of now the answer to this question is unclear. Landlords may try to evict tenants for non-payment, or may try to recover the increases through small claims court. In strictly legal terms, tenants are not required to pay illegal rent increases. But eviction defenses are time consuming and

If You Receive a Rent Increase from Your Landlord:

- 1) Call the city manager — 644-6580
- 2) Call the city attorney — 644-6380
- 3) Call the Tenant Action Project — 843-6601

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HOUSING SUPPLEMENT

Livable Space Amendment

by Ken Hughes

The Land Use subcommittee of the People's Housing Council has in the works a strategy that, if successful could make basic changes in land use policy in Berkeley—the first real changes since the city came into existence.

Gazette Merchants

From the beginning, Berkeley was sold from the auction block by real estate merchants whose newspaper, the *Berkeley Daily Advocate* (later metamorphosed into our familiar *Gazette*) ballyhooed Berkeley as the most desirable location in the East Bay. Complaint city officials obligingly bent rules at the behest of realtors and developers—as in 1906, when Claremont lot owners were compelled to guarantee high-priced construction while flatlands developers got building standards lowered so they could slap together cheap housing for poor and working people.

Recent trends—including premiums offered by the city to high-density developers like B&G Enterprises and Values, Inc.—have also reflected the chummy relationship of city government with real estate interests. The needs and desires of ordinary people affected by the developers' plans have always been ignored.

Land Use Plan

The Land Use subcommittee has a two-stage plan to change this traditional pattern. Stage one—known as the Interim Proposal—calls for controls on development and demolition until a full-scale planning proposal can be adopted. These controls include:

- No new construction in residential zones exceeding the limits of the present R-2 zoning regulations (R-2 requires at least 2500 square feet of land per unit—in plain words, no more high-rise apartment buildings); no construction or demolition permits or zoning variances permitting such construction, without a public hearing and authorization by the Board of Adjustments.
- Grounds for the Board to grant such permits or variances would be that the proposed project is for low rent or low-cost housing, provides public facilities to the neighborhood, and has the participation and approval of neighborhood or community groups.

Demolition permits would only be granted in the case of hazardous structures or to make possible construction that meets the "public interest" criteria outlined above.

Permanent Alternatives

This interim proposal, important as it is, is only a holding action to keep the developers from gobbling up Berkeley while the community writes its own land use plan for permanent adoption. This permanent plan—stage two in the subcommittee's strategy—is still unformulated, but various alternatives have been proposed. They are:

- Straight down-zoning of the whole city to R-2. While effective and clear-cut, this is seen as a very rigid structure that would call for frequent use of the variance procedure—leaving the way open for developers to continue as before, merely getting variances for each new project. Albany Hill was zoned below R-2, remember.
- Area zoning. This would create about 6 areas, each with about 20,000 people. A certain percentage of each area (say 12%) would be devoted to higher density, 30% to medium density, etc. After the high density percentage limit has been reached all other parts of the area would be immune to further development. This proposal would still leave present low-density areas open to considerable new development before percentage limits were reached, though in high-density areas like South Campus it could halt further growth.
- "Present use" zoning. Apartment houses would be zoned R-5 and taxed as such. Single family homes—even if next door to a multi-unit structure—would be zoned R-1 and taxed as such. When structures run down and are demolished, the land reverts to lowest use, R-1. Variances for high density construction could be obtained only for fees set at confiscatory levels—thus effectively discouraging profit-minded developers.
- "Neighborhood zoning" would divide the city into 60 or so neighborhoods. Neighborhood caucuses would meet regularly to discuss new development plans and would have authority (subject to appeal to the Board of Adjustments) to grant or deny



Photo by Louis Benainous

CHILDREN NEED PLAYGROUNDS

Land use means more than housing and stores. It also means tot lots and playgrounds like the one above—enough of them so that parents and kids don't have to travel long distances to reach them.

Alex Forrester of People's Playgrounds (and an employee of the city Parks & Recreation Dept.) told us: "Every neighborhood that can get itself together to push for a lease or purchase of land—or a street closing—can create a tot lot or a playground." Biggest obstacles, according to Forrester: prying loose the needed money from the city, and actually finding available parcels of land.

One way to make more land available for tot lots is to adopt policies that will turn away developers eager to make profits from high-density construction.

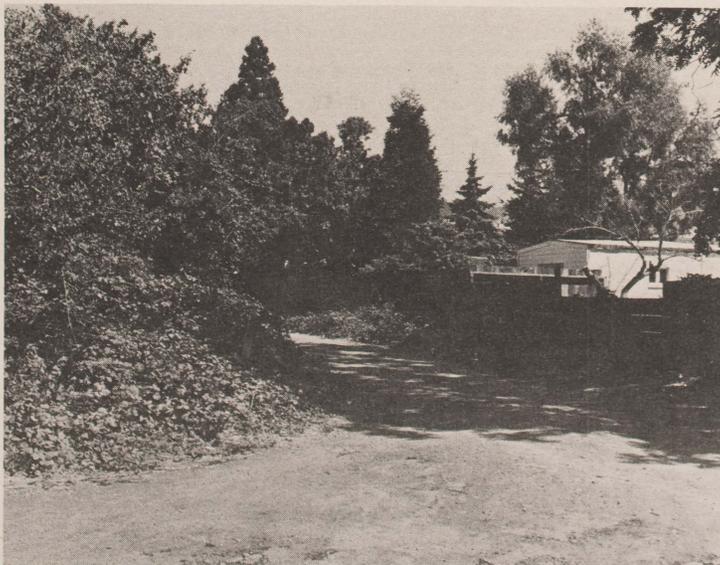
For further information contact: Alex Forrester at the City Dept. of Parks & Recreation, 644-6530.

approval for new construction or demolition in the neighborhood.

The Land Use subcommittee plans to bring the Interim Proposal before the City Council at the scheduled public hearing on housing and land use Sept. 26. Meanwhile the subcommittee continues to work on a final version of the long-term planning proposal.

Ultimately, this could be one of the most far-reaching changes possible in Berkeley, taking control over land use policy decisively out of the hands of developers and real estate interests and giving it to the people in line with the principle (as stated by the People's Architecture collective) that "Housing should be a public utility, regulated by local communities, provided to everyone at a low cost." For further information contact: Ken Hughes 849-4330.

City Council Public Hearing
Housing and Land Use
September 26
Call City Clerk for exact
time and place: 644-6480



Housing Development threatens needed park land

Photo by Louis Benainous

WESTBRAE WILDERNESS

by Stan & Veronika Fukson

Westbrae, an almost-forgotten quiet corner of the north Berkeley-Albany flatlands, recently became a political entity in the struggle against the intrusion of high density development in the area. Last July 12, developers applied for a use permit and variances for the construction of 40 condominium units on a vacant parcel of land on Tevlin Street between Peralta Avenue and Neilson Street stretching from Berkeley across Codornices Creek into Albany. In response, the Berkeley-Albany neighborhood formed the Westbrae Community Association to continue opposition to high density and formulate positive plans for the development of the area.

The WCA successfully defeated the development at the Board of Adjustments by stressing density, traffic congestion, access, economic costs to the community, incompatibility with the existing neighborhood and ecological concerns

Continues on page 8

HOUSING SUPPLEMENT

South Campus Land Mis-Use

The South Campus area provides a clear example of how developers and real estate interests, working alongside University officials and complaisant city politicians, can destroy a neighborhood without overturning a single trash can or breaking a single plate glass window.

Until the late 1950's, land use policy in the South Campus area was an arena of conflict, on traditional "town-gown" lines, between Berkeley city government and the University Regents. Postwar University expansion plans, calling for construction of student housing to accommodate at least 25% of the student population came into head-on conflict with land-owning interests which saw the tax base shrinking out from under them. In effect, every acre the University acquired was withdrawn from the city property tax rolls, leaving an increasingly heavy burden to be borne by private landowners. And early efforts at city planning — Berkeley's first zoning ordinance wasn't passed until 1949 — were met with silence from University officials about their own plans for land acquisition. U.C. Stomps In

The city's Master Plan, finally adopted in 1955, restricted University expansion to a small strip of land east of Telegraph. The University's plan, released the following year, ignored city restrictions and outlined a massive land acquisition program in the South Campus area. Taxpayer resistance to this plan melted after the City Council surrendered to the University in late 1957.

By this time, South Campus landlords — uncertain about what else the University might have up its sleeve — were embarking on the familiar pattern of "disinvestment" — neglecting housing properties in anticipation of selling them to the University or to speculative developers for demolition and construction of new high-density housing. As a result, South Campus housing began to deteriorate — furnishing one prop to the "blight" argument later advanced in support of urban renewal.

At the same time, private consultant firms began to try to sell city officials and South Campus landowners the "growth" theory — that higher residential density would create greater demand for business services and thus generate enough economic growth to make up for tax losses that followed University expansion. The consultant studies conveniently ignored the fact that higher density makes greater demands on city tax-supported services — police, fire, health, parks, and so on — and thus absorbs at least as many tax dollars as it generates.

"Threat" Of The Left

The final ingredient in the South Campus recipe was the growth, in the early and mid-1960's, of the campus and non-student left, through the 1963-64 civil rights actions, the 1964 Free Speech Movement, the Vietnam Day Committee actions in 1965, and other activities. This movement, perceived as a threat by University and city government alike, and coupled with the persuasive blandishments of the growthmongers, added up to a new town-gown alliance against South Campus residents. Simultaneously, federal urban renewal money became available to the city with which to acquire and combine land parcels for new development. Typically this new development meant high-density apartment construction and parking facilities to aid area businessmen.

More fuel was added to the case for "renewal" by the Berkeley Police Department, which in 1965-66 began systematically inflating arrest statistics in

the South Campus area by making harassment arrests for jaywalking, littering, petty marijuana offenses and the like. The objective was to create, by raising arrest figures, an apparent crime wave that would justify the argument that South Campus was a "blighted" area in need of urban renewal.

Tax Rate Hikes

The next few years were marked by accelerated demolition of older, low-rent housing in the South Campus area — usually in conjunction with stepped-up building code enforcement that helped drive small landowners out. Contrary to the blithe predictions of the early 60's, tax rates continued to climb, adding to the pressure on small landowners to sell out to speculative developers. Meanwhile land values in the area climbed as well, so that the small landowner was left with the choice of hanging onto his property and paying ever-higher taxes, or selling it in a boom market after minimizing his investment by neglecting maintenance for a few years. Landlords, as a group, have not traditionally been famous for putting social considerations ahead of personal profit. Most of them were happy to sell.

Pressure was also applied to South Campus merchants, who increasingly found that their landlords were demanding a percentage of sales as rent. The result was that small, independent businesses, with low cash volume, were forced out, to be replaced by chain outlets that could meet the rising demands of landlords. Thus both of Telegraph Avenue's small shoe-repair shops were forced to move by 1970, giving way to retail shoe stores merchandising fashionable, high-priced shoes.

Developers' Invasion

After 1966, multi-unit housing construction grew sharply. Economic pressure and the University-City Hall squeeze play had done their work; small landowners sold out by the scores, opening the door to developers who promptly put up high-rise, expensive apartment units, often using substandard materials and construction methods. By this time, high taxes and inflated land values made it impossible for any but large-scale, highly capitalized developers to enter the South Campus area. By far the biggest single developer was B & G Enterprises, with total holdings of over 650 units, 75% student-occupied, — and concentrated in large developments with an average of 44 units in each. B & G's commanding position in the student housing market has given it the ability to force rental trends to follow its own pattern — which is invariably upward.

From a quiet campus fringe community fifteen years ago, the South Campus area has been changed by developers, police, and the University into a fully-developed modern American urban disaster, complete with monstrous, dehumanizing apartment complexes, heroin, random street violence, schlock retail merchants — and a growing tenants' movement.

Changing the trend in South Campus — making it once again a community that people can live in — will mean, first, effective rent control based in a strong organization of tenants; second, downzoning and restructuring land use and ownership patterns in line with the Liveable Space amendment; and third, establishing community controlled institutions (like the People's Housing Corporation and the rehab-and-co-op group) that can put decision-making about land and using back in the hands of tenants and homeowners where it belongs.

Community Owned Housing

by Lee Coe

One goal of the People's Housing Council is to see that public housing in Berkeley is really public — meaning owned and run by the people, principally those who need it.

To that end a Housing Council subcommittee is drawing up papers for a Berkeley People's Housing Corporation, to be set up by the Housing Council and its affiliated organizations, who will elect members to run it.

The first hurdle is corporate law itself. It's not easy to organize a democratically run corporation when the basic purpose of corporate law is to destroy democracy and tighten elite control of land or capital.

Tentative plans call for the People's Housing Council and its affiliates to elect members of the corporation, who will in turn elect directors. The purpose of the corporation — carefully spelled out in its proposed bylaws — will be to rehabilitate, develop, or assist in developing housing on a non-profit basis for poor and working people, making loans or investments for this purpose. The bylaws

also commit the corporation to non-racist, non-sexist operating principles — in sharp contrast to banks and other lending institutions which discriminate flagrantly against Third World people and women. The corporation will, in fact, be expressly pledged to facilitate racial integration of neighborhoods and blocks.

Key to the success of the corporation as a genuinely democratic organization is continued involvement of community groups with the Housing Council. Memberships and directorships will be subject to annual review to prevent the rise of an entrenched "management bureaucracy" with only remote ties to real community organizations. But unless the Housing Council remains a vital, active group, the corporation risks dying on the vine — or turning into a top-heavy institution like Model Cities.

For further information, contact: Lee Coe, 843-4382.

Lee Coe is a member of the Peace and Freedom Party and Ocean View Committee



Profit replacing aesthetics

Photo by Louis Benainous

REHAB & CO-OP

One familiar housing story in Berkeley goes like this. A landlord, owning a fairly old house that's been divided into apartments, finds his taxes going up at the same time that land values in the neighborhood are climbing. For a few years, he hangs onto the structure, neglecting maintenance, taking a tax write-off on depreciation, and occasionally raising rents to match the citywide rent patterns. Then he sells the lot and structure to a developer. The developer immediately tears the old building down, gets a variance or zoning change, and puts up a jerry-built, multi-unit ticky-tack, which provides a steady stream of high rents and high profits for years to come.

One group affiliated with the People's Housing Council has come up with a strategy to stop this kind of housing ripoff. Ed Kirshner, land use law expert John Denton, and others have a plan whereby a private group would buy old housing structures, repair them, and sell them at no profit to tenant co-ops which would then become the actual owners of the housing.

None of this would be possible if not for the past activities of organized tenants' movements, beginning with the Berkeley Tenants' Union in 1969. Briefly,

Berkeley real estate interests are in a panicky frame of mind. The rent control victory in last June's election has made developers and realtors think twice about Berkeley as an inexhaustible source of rental profits. Speculators who bought deteriorating properties in the past few years, with a view to demolition and high-rise development, are looking for ways to get out. The result has been a decline — in some cases a sharp decline — in the prices of rental housing, as developers try to escape the prospect of rent rollbacks once rent control goes into effect next Spring.

The "rehab-and-co-op" group — it has no formal name — can thus take advantage of the depressed rental housing market to buy older structures at bargain rates, finding mortgage capital in conventional sources, so that tenant-owners would probably need to pay no more than they now invest in rental properties in the form of security deposits, "last month's rent," and so on. Monthly maintenance payments could be kept well below present rent levels.

Says Ed Kirshner, "Rent control has, in effect, accomplished something very revolutionary — it's expropriated the landlords on a kind of piecemeal basis."

Continues on page 8

★ ★ ★ ★ ★ ★ ★ ★

HOUSING SUPPLEMENT

Westbrae

From page 6...

including the threat to Codornices Creek and the need for open space. They further submitted a petition containing the signatures of an overwhelming majority of residents in the neighborhood opposed to the development.

Aside from the developers, no one spoke in favor of the project. The developers appealed to the City Council and on August 2 their dubious appeal was returned to the Board of Adjustments for further study. On August 31 the community was informed of the developers' decision to withdraw their original plans in favor of a new proposal not yet submitted.

This north Berkeley area with more than 900 children has long felt the need for recreational land since the closest park is one mile away. The City has finally acknowledged this need in its 1972 Parks Deficiency Report. The vacant natural area on Tevlin Street seems an ideal location for a park enhanced by the presence of Codornices Creek. A neighborhood committee has discussed the situation with the Director of the Parks and Recreation Department and is currently formulating plans for park development on the site.

Tricky Zoning

The Westbrae area is presently zoned R-2, a normally low-medium density, but was threatened by a section in the zoning ordinance which allows for builders to capitalize on contiguous lot acquisition. Normally two dwelling units are allowed per 5000 sq. ft. but for each additional 2000 sq. ft. another unit is permissible. Thus what at first seems reasonably restrictive zoning becomes an incentive for speculators to amass large parcels by which they are able to subvert the intent of the zoning ordinance.

The community, realizing that the present zoning is not reflective of the single-family dwelling character of the neighborhood, began a drive to rezone the area within the Santa Fe tracks, Hopkins Street, Acton Street and the city boundary. A petition signed by over 80% of the area's residents was submitted to the Planning Commission on August 3 and received the votes necessary to initiate reclassification. The Planning Commission has scheduled a public hearing for September 20.

For further information, contact Stan or Veronika Fukson at 524-8336.

Rent Freeze

From page 5...

complicated. Most evictions can best be prevented if tenants are well organized and prepared to fight landlords at a variety of levels.

Organize

The tenants of large landlords might organize into councils by landlords. Tenants of smaller landlords might join with these councils in putting pressure on the city to prosecute landlords who violate the freeze. There is the possibility of both class actions and individual litigations against violators as well. Evictions will certainly be less likely if entire buildings refuse to pay increases and defend new tenants who roll back their rents to the freeze levels.

Tenant organization around rent control shouldn't stop with defending the freeze. Early next year there will be an election for a rent control board. The board can have enormous power over a variety of issues surrounding the housing crisis. It will have control over all evictions in the city. What will it consider a just cause for eviction? It will set rents on all new construction. Will it encourage further construction of ticky-tacks by allowing profits on those buildings? Or will it set rents at levels so low that no more housing for profit will be built in Berkeley?

A variety of other possibilities comes to mind. Will the board pass landlords' cost increases on to tenants automatically? Will it lower rents on buildings held by absentee landlords as tax shelters? Will it take steps to put dilapidated housing into receivership? Will the board seek to enable the construction of non-profit housing for low and middle income people? What will be its formula for setting rents? Will it be based on a reasonable rate of profit for the landlord, or on the tenant's ability to pay?

The principles upon which the board will base its decisions should be developed by a tenant organization that may have its beginnings now with the defense of the rent freeze. Those principles will directly affect the quality of life of every Berkeley citizen. The rent control board will have the potential to take housing out of the capitalist market system that has made it a scarce and costly commodity, controlled by speculators, banks and profiteers. A strong tenant organization will have the potential to seize control of housing in Berkeley. But it can fail at that task if tenants are slow to respond when their rights are threatened.

For more information call:
Fair Rent Committee 841-6208
Tenants' Action Project 843-6601

Nick Rabkin works in the Tenants' Action Project; he is also a member of the Fair Rent Committee and of NAM.

DEMONSTRATE FOR RENT CONTROL

At its meeting on September 19, the City Council will decide on a date for the Rent Control Board Election. It will also consider a motion to instruct the City Attorney to enforce the law and pursue landlords who violate the freeze.

**DEFEND THE FREEZE!!!!
SET THE DATE - JANUARY 23d!!!!**

Demonstrate at the City Council meeting September 19. Contact the Tenant Action Project (843-6601) for time, location and details.

Albany Hill Development



Pictured is the proposed Albany Hills Complex - 20 high-rise buildings bunched on 12 acres between the hill and the Eastshore Freeway (seen at bottom of picture.) Not shown: the expected 5,750 residents; the additional 12,000 vehicles on surrounding streets; the massive impact on Albany schools, city services, and public life. Also not shown is the heavily polluted air residents of the proposed complex would have to breathe courtesy of the freeway at their doorstep. Rents, according to the developer, would range from \$250 for a studio to \$380 for a larger apartment.

This monstrosity very nearly slid through an acquiescent Albany City Council and Planning Commission hearing last month. Only community protest forced the Council to delay action pending further study. Next public hearings are scheduled for Sept. 11-12 amid strong indications the Council will try to ignore community organizations and let the developer write his own ticket.

Residents of Albany, El Cerrito and Berkeley all have a stake in stopping this development. For further information contact Catherine Webb of Friends of Albany Hill at 525-2115.

rehab & co-op

From page 7...

In other words, while landlords still own their properties, the imposition of rent controls has taken away their power to drain unlimited rent from housing.

The rehab-and-co-op group is one mechanism for taking the next step - for prying the actual property loose from the landlords and transferring it to the tenants themselves, eliminating the profit structure that helps keep rents high. One "pilot" building is already under study for rehabilitation and co-oping. The present housing market indicates that more will become available in the coming months.

First priority is to make sure that rent control becomes effective; without it, real estate interests will soon realize that they can continue to do business as usual in Berkeley. In addition, tenants should begin now to form organizations in individual buildings that can plug into the rehab group's efforts, looking toward an actual takeover of the buildings themselves.

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the strike settlement

HOW GOOD WAS IT ?

by Railroad Bill

Railroad Bill is a locomotive fireman and a nine-year member of United Transportation Union Local 31 (San Francisco)

Striking Berkeley employees represented by four unions returned to work with a new contract August 2. A month later, union members and officers gave *Grassroots* their comments about the settlement and prospects for the future.

Paul Varacalli, Executive Secretary of Public Employees' Local 390 — representing refuse workers among others — describes the new contract categorically as having "achieved all of (our) major objectives — and then some." The one-year contract includes a \$45-a-month raise for all 390 members plus the controversial \$22.50-per-month "add-on" for refuse workers. 390 also won a full agency shop (requiring non-members to pay dues equivalents for union bargaining services), full binding arbitration, extended health benefits, and almost all other demands, including parental leave for both men and women workers.

The \$22.50 add-on — first proposed by City Council members Bailey and Simmons and widely viewed as a tactic to divide black men in the refuse unit from other striking workers — was defended by Varacalli as "grave" on top of the other gains won by the unions. But even some refuse workers were critical of this aspect of the contract.

Members of other striking unions also were less than 100% satisfied. Dave Aroner, Field Representative for Social Services Local 535, described the settlement as "one that will hold us for a year." Members of 535 got only a limited agency shop clause applicable to newly hired employees; according to Aroner, they'll renew the demand for full agency shop at contract time next year. As to the \$22.50 add-on, said Aroner, "We feel the refuse workers deserved it but other inequities also need adjusting. Refuse collection is not the only city department that underpays minority workers." Bailey and Simmons had originally proposed the add-on as a way to right discriminatory pay scales of refuse workers, who are mostly Black men. Somehow they managed to ignore the many Black women in Local 535 who earn even less than refuse collectors.

Aroner also praised the role of the Ad Hoc Strike Support Committee in getting strike issues before the community and breaking the smokescreen imposed by the City Manager and negotiator Ray Smardon during the first days of the strike.

Pig Of The Year

Least satisfied with the settlement were library workers represented by AFSCME Local 2077. Susan Aumiller, 2077's chief shop steward, sharply criticized what she called "Bailey and Simmons' political games" while praising refuse workers for having fought to extend the \$22.50 add-on to all workers on the basis of worker unity. 2077, like Local 535, won a 5% increase that amounts to about \$33 in cash, plus limited agency shop and arbitration clauses that fall significantly short of the original union demands. "Nobody objected to the \$22.50 add-on," she emphasized. "What was disgusting was the way Bailey and Simmons played politics with it." She added that "nobody in the unions was taken in by the add-on offer" but the unions had no choice but to accept it — the same explanation Varacalli gave 390 members in recommending they accept the city's settlement offer.

Library union members were especially bitter because, as the strike showed, they are among the very lowest-paid classifications of city workers. "As usual," said Aumiller, "we got the short end of the deal because we're women." Local 2077's plans for next year include

demands for shorter hours (expected to meet stiff resistance from the city), extended medical and dental benefits, and child care for employees. 2077 drew particularly vicious attacks from negotiator Smardon (described by one library worker as "something Charles Dickens would think up in a nightmare") who told them they were "too highly paid already" and who seems in general to be a leading candidate for the nine-county Sexist Pig of the Year Award.

The Struggle Goes On

With the settlement a fact of life, Left forces in Berkeley still need to assess their relationship with city employees and other workers in Berkeley. The Ad Hoc committee was able to force some issues into the open and produce at least signs of cooperation on the part of some Council members. But it was unable to mobilize the kind of support that might have nipped the Bailey-Simmons politicking in the bud and won a better deal for all the strikers.

A new pattern of labor unity has been emerging in the Bay Area since last year, exemplified in the Teamsters' bottling strike, the UC strike, and (most clearly) in the recent Emporium strike — which was also primarily fought over the agency shop agreement and which ended in virtual surrender by the employer. The pattern calls for swift, massive, united action by all labor forces in support of pace-setting strikes in particular industries or classifications.

One element in this pattern is community support of the kind the Ad Hoc Committee worked to mobilize. Berkeley union members will not soon forget that Loni Hancock defended their right to strike and supported their union-rights demands, nor will they forget how other Council members tried every trick in the book to divide the workers and break the strike. The lines of communication between city union members and the political left must be kept open. Programs for Berkeley — in the key area of personnel policy but also in the related fields of taxation and charter reform — must reflect the needs of the people who work for the city. Continued isolation of the left from city workers would be tragic; the possibilities of real concerted action are tremendous.

ecologists

by Selina Bendix

Vietnam Patrol Tactics

In an effort to defuse civilian resentment of the military, California marines have jumped on the ecology bandwagon and it's going to be up to us to push them off if we don't want their company. How many ecoactivists want to work with Marine Captain Dean Swickard who uses "Vietnam patrol tactics to keep track of the wildlife"? (Sunday ExChron 8/27/72)

With the help of the California Department of Fish and Game (DFG), the Sunday ExChron, and other friends, the huge Marine Corps' Camp Pendleton training base is being promoted as a "conservationist's delight" and "the only substantial green space left between Los Angeles and San Diego."

What use do the Marines have for over 300 acres of coastal wetlands which are not being used for amphibious training? Since when are the Marines concerned with providing "quality deer hunting on the reservation for the military and civilians alike"? (*Outdoor California* magazine, July/August 1972, published by the California DFG) Why was our tax money used by the California DFG to introduce "wild-trapped turkeys on 1,000 acres of the Pendleton reservation believed suitable as turkey habitat?"

Why does this land belong to the Marines instead of to the National Park System?

San Francisco Lawyer Sherman Chickering is Vice President of the Fish and Game Commission. Write to him and tell him what you think of this situation (111 Sutter Street, San Francisco). The Editor of DFG's *Outdoor California* wants to know what changes people would like to see in the magazine, write him that DFG should not be a front for the military (Doug Martin, Editor, *Outdoor California*, 1416 9th Street, Sacramento, 95814.)

Nuclear Power

If I ever had any doubts about the relative ecologically harmful potential of conventional and nuclear power plants, those doubts have been totally dispelled by perusal of *Eco*.

What is *Eco*? Originally it was published by the unofficial delegates to the international ecological congress in

Stockholm; during August it was published in Washington, D.C., by the Oceanic Society, Friends of the Earth, and the English magazine "The Ecologist" to report the Atomic Energy Commission's Atomic Reactor Safety Hearings. Some of the testimony presented at these hearings is enough to make your hair stand on end. Some of the testimony that was ruled inadmissible is even worse. Sets of the 10 reactor safety issues of *Eco* are available for \$3.00 from Books Unlimited's new store at 1975 Shattuck.

The material presented in these newspapers leaves me with the feeling that Proposition 9 didn't go far enough with its ban on new nuclear power plants. The only rational thing to do is to close down all nuclear power plants until we know enough to design, construct, and operate them properly.

A list of sources of information about the potential hazards of nuclear power is available from the Northern California Committee for Environmental Information, P.O. Box 761, Berkeley 94701. Ask for a copy of the September issue of *EnFo* which also contains a calendar of Bay Area events of interest to ecologically concerned people. Subscriptions \$1.50/yr.

Political Action Coalition for the Environment

PACE is developing a vigorous program for increased community control of regional agencies. If you would like to bring ecology into your politicking for this November election, call Jerry Meral at 548-2203 to find out about current PACE activities.



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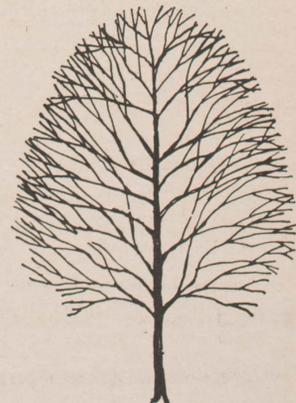
by Louis Benainous

Campus Texaco Station, at Hearst and Oxford streets in Berkeley, attracts its customers with an offer of "5 times" Blue Chip Stamps. Though this offer may appear appealing to some, simple arithmetic shows it can only be termed as a rip off.

At the station's "No Stamp Island," regular gas usually costs 35.9 cents per gallon, already one of the higher prices in the area. For the stamp "bonus," the price soars to 42.9 cents per gallon of regular. On

a ten gallon purchase, the price difference would be 70 cents. This \$4.29 purchase at the stamp island would bring two hundred and fourteen stamps — worth less than 22 cents total.

In short, on a ten gallon purchase, one is paying 70 cents for less than 22 cents worth of stamps. This is one example of the types of traps unaware consumers can fall into. Perhaps a boycott of Campus Texaco would cause owner Stuart Johns to reevaluate the sophistication of Berkeley consumers.



budget

From page 1 . . .

probably have to be cut back.

The budget failed to provide any money for the Berkeley Emergency Food Project. This service, based in the University Lutheran Church, has provided free dinners to many thousands of hungry people. Its continued existence is now threatened by a lack of funds.

The budget failed to provide funds for the Berkeley Youth Hostel. This service, which provides a low cost place for people to stay, may now be forced to close.

Child Care Sellout

The budget cut by more than two-thirds the amount of money which had been set aside as matching funds for child care. There is now only \$50,000 in the budget for child care rather than the anticipated \$168,000. As a result many badly needed child care programs will not be funded.

The budget cut in half the amount of money Councilmembers will have for staff and expenses. This cut will penalize those Councilmembers who have an office and a staff, but no outside sources of money. It will specifically make it much harder for Loni Hancock to maintain her office.

The budget writers were able to find enough funds to provide \$28,000 for the Berkeley Redevelopment Agency and \$20,000 for "business promotion" that will probably go to the Chamber of Commerce.

Some useful programs were included in the budget. \$100,000 was set aside for the implementation of rent control, \$56,000 for the administration of the new affirmative action hiring program, and \$2,500 for upgrading the food prisoners receive at the Berkeley Jail.

At the Council meeting, the Sweeney-Hone budget was presented to a



Women's Health Collective neglected by budget

hostile crowd which consisted in large part of people from the many social programs being cut.

Hancock Loses Struggle

The crowd applauded efforts by Councilwoman Hancock to restore funds for child care, the health clinics, the youth hostel, the Berkeley Library, and other programs.

She made a motion to reduce the Fire Department by \$103,000 and allocate that money to child care. Accusing the Fire Department of blatant featherbedding, she argued that the money could be saved without reducing services by eliminating 3 unnecessary assistant fire chiefs and by having civilians rather than firemen staff the alarm and dispatch center. The motion failed.

Loni Hancock then made a motion to fund the health clinics, the Berkeley Youth Hostel, the free food projects, and to restore funds to the Berkeley Library. The money was to come from reductions in the Police Department budget. She argued that a police budget of 3.9 million dollars was excessive and that if the

Council funded services such as health clinics, free food projects and youth hostels, it would not be necessary to spend so much money policing people. Ms. Hancock pointed out specific parts of the police budget that could be cut without reducing actual police services. She made the analogy between the need to reorder national priorities by cutting the defense budget and the need to re-order city priorities by cutting the massive police budget. The motion failed.

All such motions were doomed to fail that night by the same vote of 4 to 5. The 5 Council conservatives, Hone, Sweeney, McLaren, Price and Kallgren, had produced a backroom budget package that none of them would vote to change. Councilwoman Hancock, Mayor Widener, and Councilmen Bailey and Simmons, although unhappy with the backroom budget, were powerless to make a single change in it.

And so against a background of jeers from the hostile crowd, Berkeley's backroom budget for fiscal year 1972-73 was passed by a vote of 5 to 4.

Herbicide Toxicity

by Selina Bendix

Defoliants are not chemical warfare agents according to the United States government, even though they cause neurological damage and skin disorders! For many years, the Government has claimed that defoliants are used to deny jungle sanctuary to troops, not to poison people. Use of 2,4,5-T, the favorite defoliant agent, has been slowly and reluctantly discontinued since the revelations that it contains an impurity which is one of the most toxic substances known to man, dioxin, and that it may take hundreds of years for the ecological damage wrought in Vietnam to be repaired by nature.

As if the prospect of contamination of the environment with non-bio-degradable dioxin, which causes malformed births in animals and probably in humans, were not enough, information about the direct effects of defoliant sprays on Vietnamese peasants has finally become available, thanks to two English persons, Hilary and Steven Rose, who interviewed 98 South Vietnamese refugees who had been sprayed with defoliants before their escape to Hanoi. This is what the Roses found out:

- * "93% said that no leaflets were dropped or other warning given before the raid." (Supposedly we always warn before spraying.)

- * "89% reported that crops were destroyed or became inedible." (The purpose of defoliants is supposed to be elimination of hiding places among trees, not starvation of the local populace.)

- * 16% reported persistent skin effects, including pustules, scabs, and eczema, beginning within 3 hours of exposure. "There were frequently described as difficult to cure." (A persistent type of acne has been reported as one consequence of exposure to dioxin.)

- * 92% reported fatigue of dizziness after the spraying.

- * 17% reported that the tiredness was prolonged, with comments such as "unconscious for 3 or 4 days," "unendurable fatigue," and "fatigue lasting forever." Doctors reported that one case appeared similar to the nerve damage caused by absorption of the related herbicide 2,4-D through the skin (2,4-D is used as a herbicide in the United States; the San Francisco Health Department considers it "safe."), or by exposure to organophosphorus pesticides.

- * 11% "stressed long illnesses among the elderly or children."

- * 8% described deaths from the spraying in their village.

- * 33% had diarrhea.

- * 58% had vomiting and nausea.

- * 4% "spontaneously referred to human abortion as one sequel of the spraying episodes."

- * 5% "claimed that cattle had died; others referred to cattle going into convulsions - 'struggling' - or getting skin disorders, but surviving."

- * 39% reported that domestic animals died.

- * 48% "stated that fish in ponds and rivers died following the spraying."

If you think this is a dead issue because Vietnam isn't being defoliated any more, think again. The Roses report that "The use of chemical defoliants by the Portuguese against guerrillas in Angola is authenticated, and there have been repeated reports that the chemicals are still in use on a large scale elsewhere in Indochina, notably in Laos. . ."

You can read the complete report in the August 25 issue of Science, the weekly magazine of the American Association for the Advancement of Science. For a detailed discussion of chemical warfare in Vietnam and Cambodia, read "Harvest of Death" by Berkeley's J.B. Neilands, et al. (Free Press, 1972, \$10.00, available from Books Unlimited bookstores).

finally - affirmative action

Early September one year ago the City hiring freeze was adopted - no more city hiring until an "affirmative action" employment program could be adopted. One year and many political battles later the City of Berkeley finally adopted a program.

What took so long and who played what role? The answer is not simple.

What began as one committee representing Councilpeople Hancock, Widener, Bailey and Simmons exploded into seven proposals and at least that many factions. The major differences were: whether to institute "affirmative action" at all, if so how strong implementation and accountability should be, and to what extent women are indeed discriminated against and whether as a group they should be included in affirmative hiring.

Representatives of Hancock, Widener, Bailey and Simmons met in early September 1971. In one week, after a hard 60 to 70 hours, the committee drew up a working document. It included strong accountability measures, definite citizen input, centralized personnel procedures (especially important in the case of police hiring) and specified an affirmative action officer responsible to Mayor and Council. And as required by federal and state regulations, it included women as an "underutilized" group.

Using this original draft, Bailey and Simmons made changes and presented it to the Council as their own. In the Bailey/Simmons plan White women (without dependents) were excluded as neither sufficiently underutilized in their opinion nor needy enough to warrant inclusion in the program. All minority women were included, but in the same group as minority men. (Note: Past experience shows that without specifying separate goals for minority female hiring, minority hiring often translates into just

the hiring of minority males. Also note that federal and state regulations require affirmative action programs to include all females.) Bailey and Simmons also removed the job restructuring section agreed upon by the committee which included provisions for part-time work, special training, parental leave and employee childcare. They added specific procedures for the police and other departments.

Meanwhile Widener remained silent on his choice of programs.

Kallgren then rewrote the Bailey-Simmons document to include women as a class and to drop some aspects of accountability. Price and McLaren likewise came up with short proposals and the Personnel Board wrote a plan and got into the act, too.

At this point Personnel Director Larry Williams wrote a synthesis of the many programs including all women and all minorities. Accountability was weaker than in the original document and job restructuring was missing, but otherwise it seemed a workable program.

December 9, the Council's first special meeting on "affirmative action" was a fiasco. Bailey filibustered while the Council members voted, point by point. Bailey grew louder and Kallgren, Price and Sweeney left, destroying the quorum.

The Council remained stalemated until May 2 when some 50 people testified at a crowded public hearing. Women, men, blacks, whites, Chicanos and Asians testified for various parts of the employment program. They supported part-time and flexible employment ("new-time employment"), childcare, salary equity between similar jobs and just a chance for those on the outside to get some of the jobs usually reserved for white men. There were representatives from the Berkeley Chapter of National Organization for Women and Women for

Affirmative Action, the two groups most involved in the campaign. People also spoke from Union Women's Alliance to Gain Equality, Breakaway, the Co-op, the Black Caucus, Local 29 Office and Professional Employees' Union, A.F.S.C.M.E. 2077 and 1695.

The Council, in its usual fashion, then let "affirmative action" lie dormant another three months while the hiring freeze continued. One working meeting actually came off and one more meeting was attempted - the famous "Buffoon Meeting." The minutes read, "Councilman Kallgren was excused from the meeting. Meeting adjourned for lack of a quorum." What happened, however, was a predictable difference of opinion between Kallgren and Bailey. Bailey then labeled Kallgren a "buffoon" and Kallgren left. The Council had discussed "affirmative action" all of ten minutes.

Finally, in an obscure moment, the Council undramatically voted to adopt Larry Williams' plan with only minor changes. Hancock, Widener, Bailey, Simmons, Price and Kallgren voted yes; McLaren no; Sweeney and Hone were absent.

This ended a year of struggle by community groups. "The program is good," states Loni Hancock. "I now expect women and minorities hired in all jobs formerly closed to them - from department head to fire fighter." Already two women have been hired on a temporary basis during the freeze as gardeners.

Now we have affirmative action. How do we begin to create more jobs so all of us who want or need to work can find a job? And further, how do we create jobs that are humane? The City of Berkeley cannot change the economy. But it can create part-time and flexible employment for those who want it - a beginning.

The Rape of the Marina

From page 1 . . .

Today 70% of the Marina land is used for concessions (too costly for most people to use) and their servicing cement parking lots. Alternative types of development are no longer possible for this scarce waterfront land.

3. Profits from pre-existing berthing and concessions (as well as new berthing and concessions) within the loan's project area were required to be used toward the loan repayment. These profits belonged to City funds. A minimum of \$100,000 of revenues are lost annually to Berkeley's General Fund in this manner.
4. The new berths built by the loan increased harbor congestion, forcing small boats out of the harbor. Berkeley became obligated to develop the less protected South Sailing Basin for small boats at the cost of several hundreds of thousands of City monies, along with the use of scarce non-project waterfront land. (Loan conditions negated the possibility of using loan funds outside the project area here or elsewhere.)
5. The loan contract obligated Berkeley to finance an additional ca. \$2,000,000 (during the 25-year term of the loan) in services and facilities for the harbor project, such as replacement of existing roads with fancy four-laned ones, parking lots, sewerage system, administrative overhead services toward harbor operations and auxiliary departmental services to the harbor. These expenditures are categorized as "local contributions" and covered by several City funding sources including Capital Improvement Funds and Waterfront and Marina Development Fund. How much Berkeley has spent to meet its loan obligations is kept a secret by City bureaucrats who maintain an auditing technique of not differentiating between City expenditures in project and non-project areas.
6. Loan conditions determined that even if profits were generated in excess of that needed to meet loan payments, those revenues would not be available for public use. They could be used solely to pay the loan off faster.
7. The loan not only did not provide low and moderate cost boating opportunities, it put into jeopardy the one low-cost boating facility that did exist at the Marina. The Cal Sailing Club is open to a large segment of the public (all staff, students and alumnae of U.C. and their families). Since they charge low fees and are not University subsidized, they are unable to make the extensive capital improvements required by loan conditions. As a result, they are not allotted the special status given the Berkeley Yacht Club (an exclusive club with by-laws requiring 90% of its membership being boatowners). The Cal Sailing Club pays \$4,000 rent yearly and the Berkeley Yacht Club only \$1,000.
8. Loan conditions also put into jeopardy the two low-cost restaurants that stood at the Marina before the loan. Dottie's restaurant was razed to make room for a concrete parking lot. Moby Dick's (a simple tent which sells bait and sandwiches) has a precarious month to month lease as opposed to the 50 and 60 year leases granted the three new \$7.00 a meal restaurants.

Unrequired Rip-Offs

The people have been ripped off even more extensively than required by the 1965 loan conditions due largely to decisions by Berkeley bureaucrats:

1. In 1965 it was anticipated that there would be far more recreational development for the public at the Marina than occurred, though not within the project areas of the loan nor financed from loan funds. The 1965 contract anticipated along with Marina development resulting from the loan which was called "Phase I," a more

publicly oriented "Phase II" development:

- a. "Phase II" was to include the purchase of 35 acres of land just South of the South Sailing Basin for public recreational uses such as parks, vistas and fishing areas. But Berkeley lacked funds to make this purchase.
 - b. "Phase II" development originally included development of vistas, fishing areas etc. on the peninsula on which Hs Lordships is now located. Originally that peninsula fell outside of the loan's jurisdiction and was to be developed for public recreational uses. But Hs Lordships became dissatisfied with all the site options within the loan's project area, and Berkeley renegotiated the loan with the State to accommodate Hs Lordships. Berkeley monies also paid for the necessary landfill for Hs Lordships to locate there.
 - c. As a result of (a) and (b), "Phase II," the public phase of Marina development was limited to the South Sailing Basin for small boats, and the 2½ acre swampy Marina Park.
2. The Park. The "first-class" restaurants included within the original master site plan were built but the two cafes were not. One of the cafes was eliminated in favor of the Marriott Inn which requested both the space allotted on the master site plan for a Motel and the adjacent cafe site. The Marriott Inn occupies eleven acres of Marina land with the right to expand even further.
 3. An office building called Akol Lee was recently constructed on the Marina. Like the Marriott Inn and new expensive restaurants, it does not meet community needs. It provides office space for a few firms and brings in only \$2,000 annual revenue toward loan repayment. Berkeley's City Attorney Robert Anderson recognized that both the existing and anticipated kinds of use of the building were probably in variance with the kinds legally allowable under the Tideland Trust Act. In a note to Berkeley's City Manager William Hanely February 26, 1971 he wrote: "Perhaps an office building was not appropriate in the first instance. However, that decision was made, and it would now appear that we will not be able to exercise the tight control over the use and occupancy of the individual office spaces as perhaps we should have done."

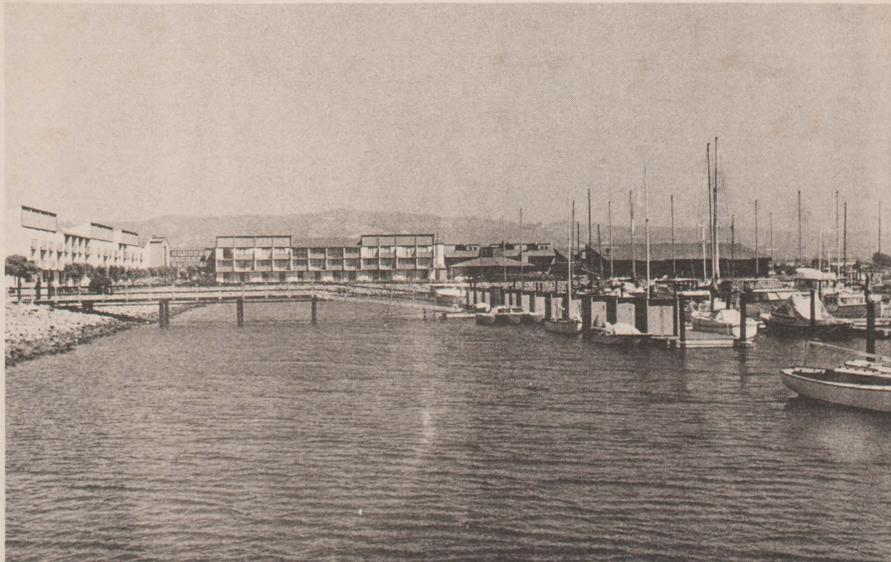
Continues on page 12



This is what is left for the public

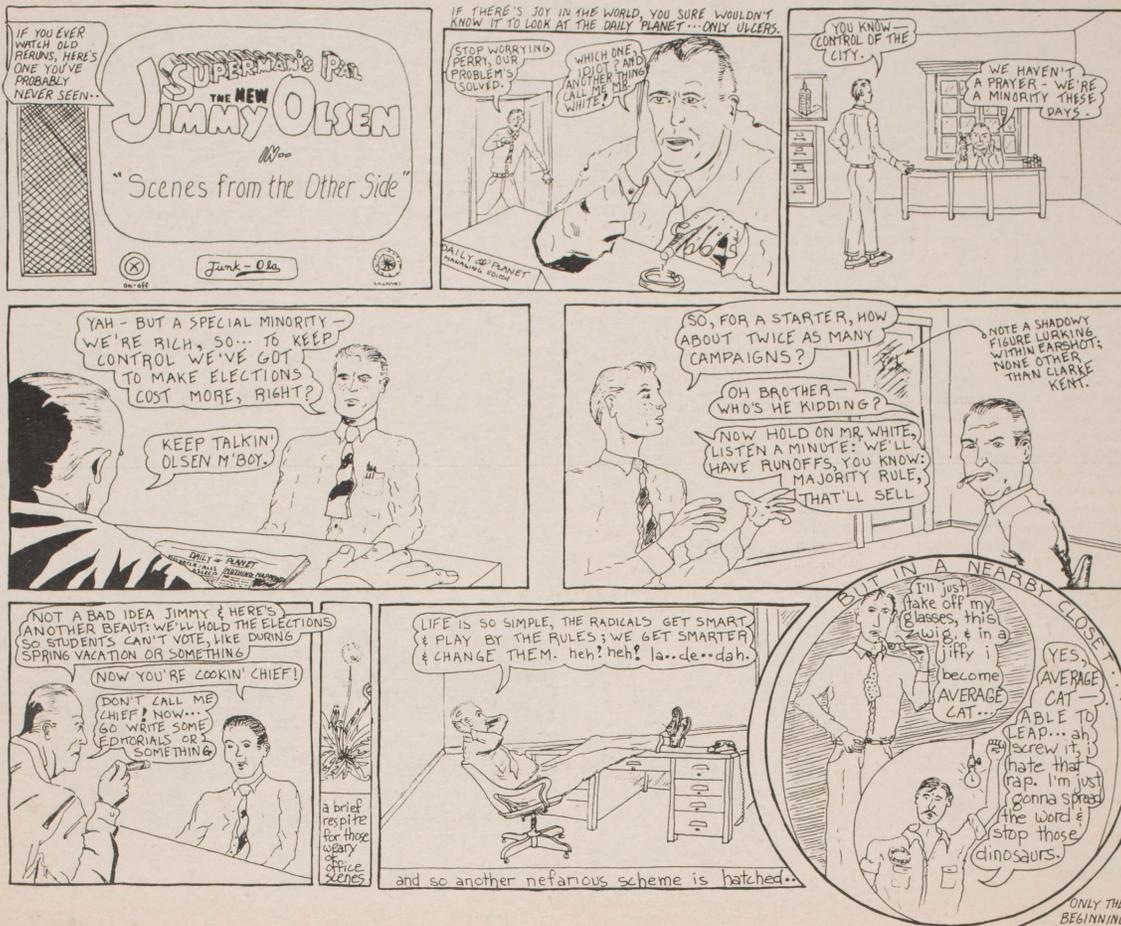


His Lordship parking lot: bureaucrats sell-out



The Marriott Inn Motel: 11 acres of public land

Photos by Louis Benainous



ELECTION RIGGING

From page 1...

recall campaign, which has somehow managed to attract thousands of dollars in contributions, despite not being able to decide how many or which council members should be recalled.)

Increased Tax Burden

There are other reasons for opposing BCA's election rigging scheme. For instance, it would double the cost of holding municipal elections. Berkeleyans already have an incredibly high tax burden to carry and to add to it in order to pay for a totally unnecessary extra election is insanity. Also, the plan would reverse Proposition H, which was passed just last June by a margin of over 26,000 votes. "H" moved city elections from the beginning of April to the end of the month,

in order to coincide with the Peralta College District elections. It was hoped that this would get more Berkeleyans interested in that race, but now that will be dependent on a run-off. So the money and effort spent in passing "H" will have been wasted.

Last Gasp

But the principal reason the election-rigging scheme should be rejected is clear: it is the hypocritical last gasp of a group which has fallen from power. As long as the "non-radicals" who support BCA's scheme could run Berkeley unchallenged, they thought the system was just fine. But as soon as the "outs" gained real political power the former champions of the democratic process changed their

tune. For all their talk of "one Berkeley community," it is apparent that BCA and other groups of that ilk are not interested in working with radicals to solve this city's problems. They will continue paying lip-service to democracy as long as it works

in their favor, and no longer. It will take the combined efforts of all other Berkeley citizens, both radical and non-radical, to let BCA's hypocrites know once and for all that in Berkeley the existence of a new majority is an indisputable reality.

Andy Rodriguez is a local muckraker

Marina Rape...

From page 11...

4. A contract renegotiation in 1966 allowed the Berkeley Yacht Club to expand into an area originally designated as within the loan's project area. The State agreed to this expansion but it cost the City \$1,000 a year. The \$1,000 yearly rent paid by the BYC to Berkeley now had to go toward loan repayment. (The State also stipulated in the amendment to the contract that the BYC provide free public sailing lessons, a requirement which has gone unenforced by Berkeley bureaucrats).
5. Rates at the Berkeley Marina for berth and locker rental have not been raised since 1965. Though the Berkeley Marina is one of the finest in Northern California, Berkeley charges the lowest rates in the entire Bay Area. Berkeley charges 85 cents per lineal foot while other first-rate Marinas charge \$1.50 per lineal foot. Ca. \$150,000 yearly in revenue is lost in this manner (with Berkeley subsidizing boat-owners in such a manner, it isn't surprising that two-thirds of the present users are non-Berkeley people and also, that there is a waiting list of 330 persons,

275 of whom, or five-sixths, are non-Berkeley people).

6. Loan repayment obligations to the State included interest and loan payments, and maintenance of specified amounts within a Reserve Depreciation Fund and a Reserve Fund. The latter or Reserve Fund was a total fund of \$340,000 which Berkeley was to set aside over a seven year period to rehabilitate the 232 old existing berths in the south and west walls of the harbor. City bureaucrats never put that money aside. Hanley, the City Manager in 1970, explained this omission as a result of a lack of funds. Today bureaucrats explain that the money was used instead for the public benefit within the project area. Whatever the real reason that the bureaucrats failed to live up to our legal obligations under the contract, the end result was in 1970, the State informally agreed to lift the Reserve Fund requirement on the condition that Berkeley apply for an additional loan for berth construction. (Part II next month: The Berkeley Marina Rip-Off of 1971)

Evie Wozniak has been working since December 1971 on Marina land use and has had access to City Marina files. As a result of her research, a special subcommittee of the Planning Commission was formed to review the Marina. The subcommittee will present its report to the Planning Commission on September 20 in the City Hall Chambers.



EAST BAY WOMEN FOR PEACE

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