

1990

\$1.00

U • R • B • A • N
ACTION

a publication of the urban studies program at san francisco state university

URBAN ACTION 1990

Editors

Janet Bayers
Lisa Davis
Howard Der
Carter Mau
Daj Oberg
Matthew Ridgway
Tanya Saul
Brian Slie

Faculty Advisor

Richard T.
LeGates

Technical Assistance

Brad Dosland
Robin Levine

contents

- 3** Interview with Robert Corrigan
by *Brian Slie*
- 5** Conflicting Land Use: Preservation vs. Development in San Mateo County
by *David Peterson*
- 7** Urban Change and the Oakland Diocese
by *Renee Delfosse*
- 11** San Francisco County Jails: The City's Safety Net
by *Tanya Saul*
- 17** Growth in Emeryville: Objectives and Proposals
by *Andrew de la Rosa*
- 24** Pleasanton: The Next Silicon Valley?
by *Sherry Ward*
- 29** Berkeley Rent Control 1989
by *Matthew D. Ridgway*
- 33** Davis vs. City of Berkeley and Voter Approval of Low Income Housing
by *Rick Lewis*
- 37** The Role of Non-Profits in Housing Development
by *Michael Eaton*
- 41** The Office Affordable Housing Production Program: Its Effect on the San Francisco Housing Deficit and Its Political Ramifications.
by *Daj Oberg*
- 45** Publicly-Assisted Housing: Policies vs. People
by *Cindy Young*
- 50** The Hidden Potential of Secondary Units
by: *Linda Scourtis*
- 54** The Great Kindergarten Debate
by *Beth Ann Berliner*
- 60** An Overview of Children's Self-Care
by *Jennifer Galehouse*

from the editors...

We are proud to present the 1990 edition of *URBAN ACTION*, a student-produced journal of urban affairs from the Urban Studies program at San Francisco State University. As we enter our second decade of publication, we must extend warm thanks to the faculty of the Urban Studies program for their helpful input over the years.

Our heartfelt appreciation goes out to the contributors of this year's edition, as their thought-provoking and insightful contributions are the foundation of *URBAN ACTION*. Praise is also in order for the diligent time and effort spent by our editorial staff. We are sure that this year's edition is as interesting, pertinent, and up to the tradition of high standards that all past editions have been held to.

This is the third edition of *URBAN ACTION* published utilizing desktop publishing techniques. Since the bulk of our work was done at the BSS Computer Lab, we would like to thank the assistants of the lab for their help when used.

Furthermore, we would like to thank Carter Mau, our scrupulously honest treasurer for keeping us from the depths of financial despair.

We sincerely hope that you, the reader, enjoy the finished product. Our aim is to provide you with material that goes beyond what is commonplace with allowance for consideration of the alternatives. Enjoy...

URBAN ACTION is published annually by students in the Urban Studies program at San Francisco State University, with funding from the SFSU Instructionally Related Activities Program. Views expressed are those of the authors and do not necessarily reflect those of San Francisco State University or the Urban Studies Program. Correspondence and requests for additional copies should be sent to: *URBAN ACTION*, Urban Studies Program, SCI 379, San Francisco State University, 1600 Holoway Ave., San Francisco, CA, 94132. For additional copies, please enclose a check or money order for \$2.50 (including postage and handling) made payable to *URBAN ACTION*.

SFSU - We Know Our Place

by Brian Slie

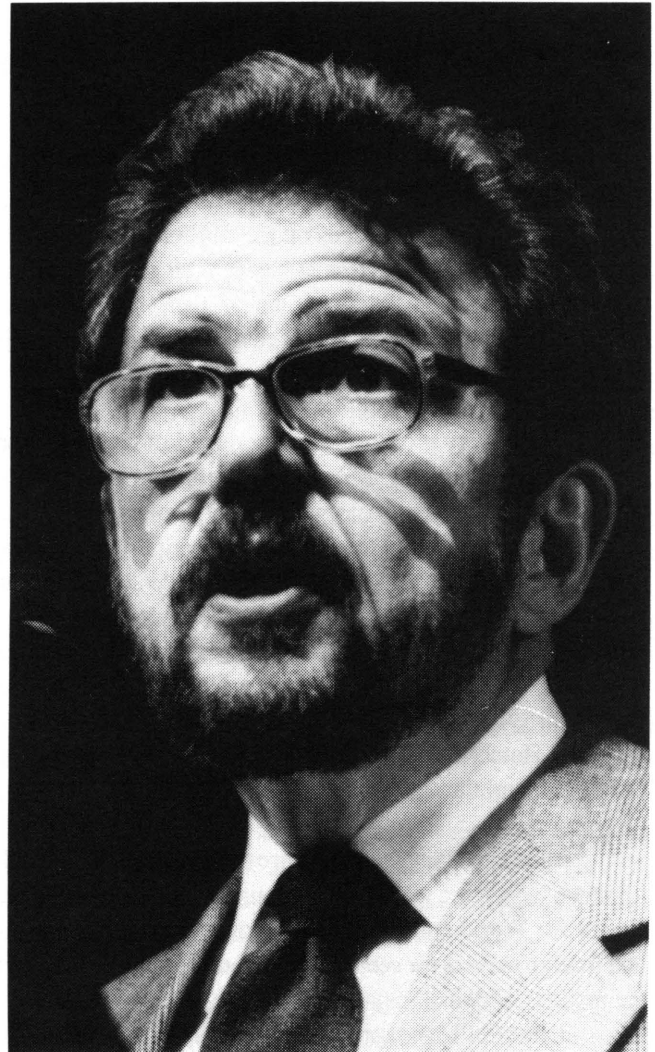
Urban Action recently met with San Francisco State University's President Robert A. Corrigan. We realize that urban areas are faced with an escalating amount of issues. Solutions to these issues do not come easy; rather the solutions require unique and innovative approaches. During the past 18 months that he has been at the helm of San Francisco State, President Corrigan has been spreading the message that our institution is a capable and effective means to deal with the issues that our urban community faces. Here is the President's view as to what role San Francisco State University should play:

"The message is fairly simple. Although I am originally from the East Coast, I spent time at some of the land grant universities in the Midwest. These universities are not only teaching institutions, they are involved in research. They are the engines that drove the economies of their areas. The land grant institutions helped the great states of the Midwest to develop and their agricultural enterprise to prosper.

"Urban universities can - and should - work with their cities. San Francisco State is an urban university and that means it is much more than a university located in a major metropolitan area. We have a university that in its academic program, its research interests, and its student and faculty activity, sees itself as an active partner, working with the city and the region on key problems and issues: housing, employment, transportation, social services, and more. We can use our expertise to tackle urban problems.

"We have historically used our resources for teaching. Our master plan focuses on applied research for the area. We must continue the development of centers and institutes - we have the staff, knowledge, and students. We have a range of ongoing activities that detail our current involvement with our city and region.

"Our Public Research Institute, which was created by faculty members in our Urban Studies and Political Science programs, provides policy research, training and technical expertise to its clients. PRI conducted its first "State of the City Poll" last spring and found that San Franciscan's were sharply divided in their support for a new ballpark and that they also favored legalizing distribution of sterile needles to addicts,



University President Robert Corrigan

among other things. PRI has conducted research projects for clients as diverse as the North Beach Merchants Association, the San Francisco Arts Commission, and California Common Cause. The institute is an outlet for faculty research and a training ground for students.

Brian C. Slie is a senior in the Urban Studies department at SFSU. He is interested in the ongoing process of urban change and the resultant social consequences. He is active in various organizations which seek to promote harmony and understanding of social issues.

"The university has received a \$37,000 start-up grant from Hewlett-Packard to study ways to create a program on homelessness that would join several universities in research and outreach. This came out of our class on homelessness which was first taught last spring. Our faculty are joining with community colleagues and with students, whose statements about the "me generation" notwithstanding, are tremendously eager for community involvement and community service.

"How healthy is the San Francisco Bay? The great estuary system of which it is a part? The researchers of our Romberg Tiburon Center focus on the environmental concerns of the Bay Area. Their research has been used as expert testimony in the Legislature. One of their recent studies criticized the long-term practice of disposing of dredge spoils in the Bay.

"We are very proud of our long record of creativity and activity dealing with the needs of the disabled. Our Rehabilitation Engineering Technology Training Project draws students, clients, and faculty together to design first-of-their-kind assistive devices for the disabled. Two examples: a detachable unit which can instantly motorize a wheelchair and a device activated by a disabled person's alpha waves that can turn on the television, open the door, or shut off the lights. We have the Center for Wheeled Mobility, headed by our MacArthur Fellow, Ralf Hotchkiss. We expect it to become an international center for breakthrough wheelchair design.

I could cite many more instances of San Francisco State's joining of academic work and community needs including our Center for World Business, which brings together American and foreign experts for seminars and conferences dealing with the realities of doing business with Japan, Korea, China, Canada, and the USSR; our applied mathematics group, which has done research and solved problems for community clients including Levi Strauss; our Community Involvement Center, which each year provides thousands of free hours of trained student time to hundreds of community agencies; our Contract Education Program which takes custom-tailored classes in everything from language skills to management techniques to businesses throughout the Bay Area.

"All of these examples show the natural connections between our academic program and our community, as well as our deep, deliberate involvement in the region we serve. Our letterhead says we are 'The City's University.' That is rhetoric unless it is operationalized. This is where the partnership comes in. The people need to know that we are here to work for the City and the Bay Area."

Conflicting Land Use:

Preservation Versus Development in San Mateo County

by David W. Peterson

As progress speeds through the country, inevitably using up land in its path, competition for this land becomes both heated and numerous. Often times, this competition for the use of the land may be between the need for development and the need for preservation of open space. One such standoff now exists between the need for a new sanitary landfill site and the preservation of a pristine wilderness.

San Mateo County is simply running out of places to bury their trash. The garbage contractor for the County, Browning-Ferris Industries ("BFI"), a private company, has proposed as its future landfill site the Apanolio Canyon Expansion Site. A conflict arises, in that this canyon is considered to be a valuable natural resource and would be destroyed as a result of the landfill activities. This article is an account of this conflict, including the history of landfill activities in San Mateo County, the natural history of Apanolio Canyon, the impact of the proposed site, alternatives to the proposed site, and wildlife and open space mitigation plans.

In San Mateo County, the availability of land suitable for sanitary landfill facilities had steadily decreased in the last twenty-five years. This is largely due to the closure of many small landfill operations which have, or will soon, reached their capacity.

The situation is quite clear: San Mateo County must, both from engineering feasibility as well as environmental impact perspectives, locate a suitable landfill facility. The solution, however, is quite complex and involves a number of interested parties which form two distinctive and diametrically opposed sides.

Beginning in 1960, San Mateo County commissioned a study to evaluate various potential future sanitary landfill sites. Based on the engineering feasibility and environmental impact (or the absence of any impact) recommendations of the study,

the Corinda Los Trancos canyon, located at the Ox Mountain Ranch (three miles east of the City of Half Moon Bay) was chosen as the preferred site.

In 1965, use and grading permits for the Corinda Los Trancos site were issued by the County. The property was purchased by the San Mateo County Scavenger Company (later to become BFI) to hold in reserve for future development of this area for landfill activities. In 1974, an Environmental Impact Report ("EIR") was prepared for the Corinda Los Trancos site. Upon certification of the EIR, the necessary permits were attained and the plant began operation in 1976.

Pressure on Corinda Los Trancos is tremendous and it is expected to reach its capacity in early 1990. Forseeing the imminent closure of the Corinda Los Trancos site, BFI applied for a county use permit to expand the development of the Ox Mountain landfill into the adjacent Apanolio Canyon. An EIR, prepared by Thomas Reid and Associates for Apanolio Canyon, was certified by the county in February 1984.

Upon certification of the EIR, BFI applied for and received a use permit, and grading permits from the county and a coastal development permit from the California Coastal Commission.

The mitigation plan proposed by BFI is based on a four-part priority system. The first priority calls for replacement of all lost wildlife and habitat sites on or adjacent to the project. If complete on-site mitigation is not possible, replacement of habitat types at an alternate site will be the next priority. If replacement of existing habitat is not possible, new habitat development would occur at either the project site or at an alternative site. Use of alternative sites is the last priority. BFI will post a corporate guarantee of \$1.25 million to insure the effectiveness of the mitigation plan. In addition, each mitigation program will be monitored for a period of five years. If, after

the five-year period, this mitigation plan is considered to be effective, BFI will be relieved of all mitigation responsibility.

The EIS prepared for the Apanolio Canyon Expansion site includes three possible alternate landfill sites. All are short-term facilities and are seen by BFI as not preferable. Apanolio Canyon may be used in a reduced-capacity manner, decreasing the final altitude of the fill from 1,200 feet to 850 feet. A second alternative is a forefill (addition) project in the already existing Corinda Los Trancos facility. The forefill would increase the life span of the Corinda Los Trancos by as much as twenty years. The last alternative is a proposed site in Nuff Canyon adjacent to the east of Corinda Los Trancos. Each of these alternatives is a short term placebo (Apanolio Canyon has an estimated life of 93 years). However, all of the alternatives will have considerably less impact on wildlife and habitat types.--than what?

The proposed expansion of the Ox Mountain Ranch landfill facility into the adjacent Apanolio Canyon seems a drastic and hasty measure. The mitigation plan developed by BFI is grossly ineffective in that it does not fully address the on-site replacement of habitat types. — what is the author saying here? The five-year monitoring plan is not nearly enough time to fully examine the effects of a long-term, large landfill facility.

BFI should be held responsible for their actions and mitigation plans for the life of the site--not just for a five-year period. A more comprehensive study of alternative sites must be undertaken prior to any issuance of a permit by the Army Corps. The most viable alternative presented by BFI would be to use Corinda Los Trancos as a forefill area while increasing BFI's recycling efforts to reduce the amount of solid waste coming to the landfill sites. This could effectively double the life span of Corinda Los Trancos, while also conserving a valuable natural resource by preserving Apanolio Canyon.

References

- | | |
|--|---|
| Gilliam, Harold
1988 | "Standout between trash and trout" S.F. Examiner, April. |
| Shelby, Steven
1989 | "Final EIS for coastsides makes the rounds", San Mateo County Times, May 4. |
| Final Environmental Impact Statement: Ox Mountain Ranch-Apanolio Canyon Sanitary Landfill Expansion Site, Army Corp of Engineers-San Francisco | |

Urban Change and the Oakland Diocese

by Renee Delfosse

Introduction

The recent employment and demographic trends in the Roman Catholic Diocese of Oakland correlate quite easily with John D. Kasarda's model of urban change. This report uses Kasarda's model to explain what has transpired in the diocese with emphasis on the parish level.

After stating the model, statistics will show how over the past six years the diocese fits Kasarda's model. Five diocesan parishes will then be examined to see how they have been affected by urban transformation in the Diocese of Oakland.

The Kasarda Model

The urban change model is based on John B. Kasarda's article "Urban Change and Minority Opportunities." Kasarda states that older, larger cities in the United States have changed "from centers of production and distribution of material goods to centers of administration, information exchange, and higher-order service provision" (1985: 33). Furthermore, their populations are now dominated by blacks, Hispanics, and other minorities, instead of white Europeans (Kasarda, 1985: 33). These urban minorities are at a disadvantage because they "lack the formal schooling to take advantage of information-processing jobs that are expanding in the cities" (Kasarda, 1985: 53). Another impediment urban minorities face is their increased distance from current sources of blue-collar and other entry-level jobs: as industries providing such jobs have moved out of urban areas, racial discrimination and restricted incomes have prevented many from moving with their traditional sources of employment (Kasarda, 1985: 55).

Characteristics of the Diocese of Oakland

The Diocese of Oakland, containing Alameda and Contra Costa Counties, fits the Kasarda model of urban change in several ways:

Employment

- * The area's economic base has changed because of the

loss of manufacturing jobs. 29,000 jobs were lost between 1980 and 1985 due to plant closures. During the same period, 35,000 jobs were created, but two-thirds were in the low-paying service area with annual full-time salaries between \$9,300 and \$23,000 (Cummins, 1988: 9).

- * While service jobs include high-level professional occupations such as doctors, consultants, nurses, computer operators, and data processors, the majority of the jobs were low-paying unskilled positions such as cashiers, hospital and convalescent home employees, janitors, security officers, and retail clerks (Cummins, 1988: 9).

- * The unemployment rate for Alameda and Contra Costa Counties in 1987 was 5.4% (State of California EDD, 1987). Unemployment among blacks is three times that of whites; unemployment among Hispanics is twice that of whites (Cummins, 1988: 9).

Population

- * The population of the two-county area has grown continually over the past several years. Alameda County has grown by 9.6%, and Contra Costa County by 11.2%. Most of the growth has occurred in the eastern and southeastern regions of the counties (Cummins, 1988: 8).

- * The region's rural-agricultural areas are being developed for new housing and business parks as many corporations move from San Francisco to sites along three major freeways: State Highway 4 in Northern Contra Costa County, Interstate 680 in San Ramon, and Interstate 580 in Pleasanton (Cummins, 1988: 10).

- * Current population figures for the two-county area suggest a Catholic population of 440,863, or 22.1% of the general population (Cummins, 1988: 7).

- * Father William Macchi, vicar general of the Roman Catholic Diocese of Oakland, said Oakland may be unique among local dioceses in its "mix of city and suburbs where the suburbs are really exploding" (Baggot, April 1989: 9).

* Ethnic populations are unevenly distributed throughout the diocese. The western urban areas—Oakland, Berkeley, Richmond—have a higher percentage of minorities, while the eastern and southeastern regions are predominantly white (Cummins, 1988: 15).

* Since the last U.S. census, immigration to the region has increased, especially from Central America due to political upheavals and from Mexico. In addition, the Filipino community continues to grow (Cummins, 1988: 15)

Interviews by the author with Ray Sioungpang, director of the Refugee Employment Program at Catholic Charities, Diocese of Oakland, and Clydis Rodgers, director of Bay Area Jobs (also with Catholic Charities) underscored the above diocesan information and called attention to the large refugee population in the diocese. Sioungpang has a monthly goal to find ten refugee jobs out of an average eighty cases he has on file at one time. Approximately 60% of the refugees Sioungpang tries to place have little or no education, and the unskilled jobs he searches for are moving out to the suburbs. Since the refugees are tied to the support-oriented affordable housing base in Oakland, they cannot reach those jobs, nor has Sioungpang had much success with ridesharing. Rodgers added that there is intense competition for such unskilled jobs between the refugees and the American-born populace. In addition, there is a large support network: nine Ethnic and Pastoral Centers plus the Division of Refugee and Immigrant Services, Catholic Charities, tend to the refugees and immigrants of the diocese. Also, 44 parishes offer Mass in different languages.

Growth and stagnation in the diocese

The five parishes examined with respect to Kasarda's model are St. Augustine's in Pleasanton, St. Raymond's in Dublin, St. Patrick's in Oakland, St. Raymond's in West Oakland, and St. Andrew's-St. Joseph's in Oakland. The parishes represent extremes: both St. Augustine's and St. Raymond's have grown and prospered over the past six years due to the changing economy, while the parishes in Oakland and West Oakland have struggled to meet their community's needs.

Prosperity in Pleasanton and Dublin

"It takes a lot of good organization to run a parish this

size," Father Dan Danielson, pastor of St. Augustine's, said in an interview with the author. "Sometimes I'll schedule a wedding and a funeral simultaneously, but all in all things run smoothly." In fact, things are running so smoothly that, in a first-of-its-kind financial arrangement, the Pleasanton parish is in the process of planning, building, and paying for a "daughter parish," St. Elizabeth Seton, which will be fully independent in eight years. In the largest pledge drive ever conducted by a parish in the Oakland Diocese, St. Augustine parish is starting to raise more than \$2 million for the first part of the three-phase St. Elizabeth Seton project, which will total more than \$5 million (Clark, 1988: 3).

"The financial responsibilities of a new parish are just impossible with today's building rates," Father Danielson said. "So we basically feel that, like parents trying to give children a leg up to help them get on their feet financially, we as a parish at St. Augustine's ought to do that for our daughter parish" (Clark, 1988: 3).

"This so-called mission or daughter parish represents a new way in which parishes are created," said Father Macchi. "The loan funds (which come from the Chancery) are not available...Otherwise we'd probably be building in several locations" (Baggot, April 1989: 9).

According to figures used by a parish exploratory committee, the population of the Pleasanton area is expected to increase from 50,000 to 60,000 by 1990 and could grow to 80,000 within the next 10 to 15 years. St. Augustine parish, with over 4,000 registered families, is one of the largest parishes in the Oakland Diocese (Sanfilippo, March 1989: 11). In addition, the Pleasanton households fare quite well financially: the average income in 1987 was \$49,906 (Cummins, 1988), and Father Danielson stated that most of the parishioners are employed by A.T. & T. and other firms located in Pleasanton's Hacienda Business Park.

Urban change has also meant growth and prosperity for Dublin's St. Raymond parish. Dublin's population grew by 42% between 1983 and 1987 (Cummins, 1988). According to Edi Coleman, the parish's business manager, people came to Dublin to take advantage of the relatively affordable housing and expanding suburban job market. Until recently St. Raymond's had been a community of racially diverse, middle-to-upper income, two-income earner families. But as housing prices have continued to rise, Coleman explained, younger households in the parish cannot afford to live in Dublin and are

forced to relocate. She feels the parish is losing some of its continuity and stability as a result.

Nevertheless, the parish's biggest problem, according to Coleman, is space. "We're growing so fast we have offices in the rectory and parish groups meeting in private homes," she said. Subsequently, St. Raymond's is planning to build a parish center.

Education in the diocese

In 1986, St. Raymond's opened an elementary school, the first Catholic school to open in the diocese in twenty years. Total funding for the new school had come from the parish in a manner similar to St. Augustine's new undertaking, St. Elizabeth Seton. Initial funding for the school came from

parish funds accrued through an ongoing 'sacrificial giving program' in which families pledge five percent of their income to the parish and five percent to a non-parochial charity of their choice...The parish will pay for the buildings, but the school will be self-supporting (Clark, September 1985: 1).

"Twenty years doesn't seem like a long time to wait for a school when you consider it costs approximately \$2 million to build one," stated Sister Barbara Flannery, coordinator, teacher, and planner for the Diocesan School Department. In the diocese, keeping a school from closing is much easier than opening a new one: "In the last seven years (since 1973), 18 parish schools in the city of Oakland have lost 1825 students. If you consider each school (to be) 300 students, the equivalent of six school student bodies have dropped out of the parish schools," said Sister Madeline Rita, associate superintendent of elementary schools (Sanfilippo, February 1973: 12). The schools remain open despite tough times and rising costs, Sister Barbara said, because the Bishop of the Diocese of Oakland believes that healthy neighborhoods are dependent upon healthy schools; \$900,000 is spent annually to keep the Oakland schools from closing.

Over the last six years, enrollment has remained steady in the Oakland schools, but their compositions have changed. As could be predicted by Kasarda's model, Sister Barbara's statistics show a decline in white students and an increase in minority students. Minorities are attracted to the Catholic schools, Sister Barbara believes, because they perceive the schools as places of order, discipline, and safety. Controversy

arises because less than one-fourth of the children attending these heavily-subsidized schools are Catholic. Many suburban parishioners feel it would be best to serve the Catholics in Oakland and use the surplus funds to build new suburban schools and parishes.

Father Donagehey, pastor of St. Raymond's in West Oakland, feels fortunate just to have a school and is grateful

the children are well-cared for...The diocese covers 100% of our operating costs and provides all the students who need it financial aid, and Jubilee West (a nonprofit organization serving West Oakland) sponsors a lunch and afterschool program for the children.

Father Donagehey also mentioned that only two white children are attending St. Patrick's and approximately 20% of the total student body is Catholic.

Decline in Oakland

The impact of urban change on the individuals of St. Augustine's parish has been similar to the impact on the general Pleasanton population, as has St. Raymond's with respect to Dublin. This relationship has not been the case in Oakland, in which parishes do not reflect their larger community.

The church-going population of Oakland represents a more stable and family-oriented group. As a result, for parishes such as St. Patrick's and St. Andrew's-St. Joseph's, the average age of the parishioner has increased, since many younger families have moved with employment. Such families have more at stake, explained Sister Maria de Porres, director of Oakland's Private Industry Council, because "They have a standard of living to maintain so they are willing to retool themselves, commute long distances, or move." In Sister Maria's experience, homeowners have been more likely either to commute or retrain; many have had success in finding jobs with Oakland-based companies such as Kaiser Permanente, Pacific Bell, A.T. & T., and city and county government.

For those unable to take advantage of the growing opportunities in the suburbs or unqualified to fill better-paying service jobs, welfare is more lucrative than an entry-level job in most cases. It is this growing unemployed, largely non-Catholic population which the parishes of Oakland have been increasingly called to serve at a time when the numbers of their

younger "vital core" are declining.

"We don't talk recession around here; this is a very real depression," said Father John Maxwell, pastor of Oakland's St. Andrew-St. Joseph Church. "You don't talk unemployment; there is just no employment. People are struggling terribly just to stay alive. It's worse than the Great Depression" (Dempsey, December 1982: 1). At that time (1982) and every Sunday for the previous eight years, the parish had served a hot meal to anyone who came through the door. Today the parish soup kitchen is open daily and relies on donated food and volunteer labor. "What started out as a social gathering fifteen years ago has become a necessity," Father Maxwell said.

In addition to its soup kitchen, St. Andrew-St. Joseph provides the community with senior and substance abuse housing and a child care center; the parish also participates in the Alameda County Emergency Food Coalition. "It's a good ministry," added Father Maxwell. "It puts a Christian presence in the community" (Dempsey, December 1982: 6). Moreover, Jubilee West provides St. Raymond's parish in West Oakland with low-income housing, youth programs, day-care, transportation to jobs, and emergency food. Over the past six years, Father Donagehey has noticed an increased demand for these services.

Conclusion

Kasarda's model does indeed describe what has taken place in the Diocese of Oakland over the last six years: growth and prosperity in the suburbs and "soup kitchens and low-cost housing" in Oakland. Kasarda's model is probably not a perfect predictor for all diocesan parishes, but for this simple analysis no modifications have had to be made. Analysis of questions such as whether the diocese should continue to subsidize the Oakland schools at the growing expense of suburban parishes or whether Oakland parishes are using their resources effectively are left for another study.

References

- Baggot, Teresa
1989
"Four parishes continue to shelter homeless at church facilities". *The Catholic Voice* (January): 12.
- Baggot, Teresa
1989
"Tri-Valley parishes respond to area's population growth". *The Catholic Voice* (April): 9.
- Clark, Monica
1985
"Dublin to be site of the first parish school in 20 years". *The Catholic Voice* (September): 1.
- Clark, Monica
1988
"Pleasanton parish launches campaign to raise funds for sister parish". *The Catholic Voice* (May): 3.
- Cummins, John S.
1988
Quinquennial Report 1983-1987 (Diocese of Oakland).
Oakland: Diocese of Oakland.
- Dempsey, Jim.
1982
"Parishes and the unemployed". *The Catholic Voice* (December): 1.
- Kasarda, John D.
1985
"Urban change and minority opportunities". Pp. 33-55 in P. Petereson (ed.), *The New Urban Reality*. Washington D.C.: Brookings Institute.
- McLish, Carrie
1980
"Parish school or not, 'that's the questionnaire'" *The Catholic Voice* (August): 5.
- Sanfilippo, Sandra Maria
1973
"Survey to study school finances". *The Catholic Voice* (February): 12.
- Sanfilippo, Sandra Maria
1989
"City hits urban crises with unique answers". *The Catholic Voice* (March): 11.

San Francisco County Jails: The City's Safety-Net

by Tanya J. Saul

In 1978 several county jail inmates filed a suit against the City and County of San Francisco (Stone, et al., vs. the City and County of San Francisco, et al.). The inmates maintained that they slept on floors and tables due to overcrowding; that the mentally ill spent days in cold, damp "safety cells"; and that their medical needs were inadequately met (Complaint, Dec. 1, 1978). In July 1982, the parties stipulated to a Consent Decree which required an end to all the constitutional violations. In the years that followed, regular reviews were required of the San Francisco County Jail No.1 and continue in 1990.

Twelve years after the 1978 suit, overcrowded conditions are still prevalent in the San Francisco jails. This is not an isolated local phenomenon. The San Francisco County Jails mirror in many significant ways the conditions of jails elsewhere in the United States. A common contributing factor is the dramatic increase in jail populations throughout the nation. In the United States over eight million people are processed annually through jails (U.S. Department of Justice, 1987:7). Midyear 1983 there were 223,551 inmates housed in 3,338 jails, a 41 percent increase over the 1978 jail census totals (U.S. Department of Justice, 1988a: v; U.S. Department of Justice, 1984: 1). By 1987 the average daily jail population was 290,300 and 28 percent of the surveyed jurisdictions reported at least one of their jails as under court order to limit their inmate population (U.S. Department of Justice, 1987: 6; U.S. Department of Justice, 1988b: 1).

The typical policy response to the problem of jail overcrowding has been to expand existing facilities or build new facilities to accommodate more beds. In an effort to meet the demand of growing numbers of inmates in the nation's jails and reduce overcrowding, five percent of the jurisdictions planned to add more than 13,400 beds by renovating existing facilities at the cost of \$280 million (U.S. Department of Justice, 1988a: v). Planning at that time also included building or acquiring 248 new facilities to add more than 48,700 beds at an estimated cost of two billion dollars.

The allocation of millions of tax dollars toward renovating and building facilities has done little to resolve the problem of jail overcrowding nationally or locally. Consider the facts: The population in the San Francisco jails grew by 27 percent between 1981 and 1987 (NCCD, 1988a: 36). San Francisco currently has one of its jails under court order for crowding and most of San Francisco's jails are facing the pressures of crowding. Following the 1989 completion of a new 300 bed facility, the San Francisco Jail Advisory Committee and the Sheriff continued to propose plans to renovate existing facilities or build a new jail for the purpose of increasing the number of jail beds (Aronson, 1989: 1; Balderston, 1989: 15).

Despite the large number of individuals processed through local jails annually and the overcrowding of jails in San Francisco and around the nation, little energy has been generated towards developing alternatives to incarceration. The typical response is often to build additional jails to hold growing number of arrestees. Generally, community-based options have not been implemented.

This article proposes diverting appropriate population sub-groups from jail to community-based programs. The discussion that follows will provide a brief description of the San Francisco County Jails, demographics of the jail population and description of sub-groups in the general jail population, and potential causal factors for arrest. In conclusion, community-based alternatives are identified which could potentially reduce jail crowding.

Background

Tanya J. Saul is a master's student in the Public Administration program at SFSU. Tanya currently works for Forensic Services, a division of the San Francisco Department of Public Health. Forensic Services provides health care to inmates in the S.F. county jails.

The nation's jails are designed as holding facilities for "persons awaiting arraignment who may be held for a few hours, persons awaiting trial or sentencing, and sentenced offenders serving up to one year. The length of time inmates spend in jail is usually brief" (U.S. General Accounting Office, 1980: 2). In San Francisco the jails are under the control of the sheriff who is an elected officer. The San Francisco County Jail system includes facilities in San Francisco and San Mateo County. The Hall of Justice has two floors dedicated to holding inmates with a total of 798 beds. In San Mateo County there are 902 beds between three facilities: the original structure built in the 1930's; a new structure with 300 beds; and a small women-only facility.

It is difficult to determine how effectively San Francisco's County Jails are fulfilling their function within the criminal justice system. The National Council on Crime and Delinquency or NCCD (1988a: 6) states in their final report of the *San Francisco Jail Needs Assessment* that the quality of criminal justice data in San Francisco County is inadequate and incomplete. The NCCD (1988a: 6) explains that the lack of data limits county planners who must allocate scarce fiscal resources. Additionally, "the poor quality of data limits the capacity of local officials to evaluate the impact of current programs and policies — or to accurately estimate the impact of policy shifts. The absence of good data has also frustrated criminal justice officials trying to reduce overcrowding" (NCCD, 1988a: 6).

Klofas (1987: 403) suggests that the diversity and complexity of the jail population may in part explain the lack of research focusing on local jails. In fact, the San Francisco jail population does include large numbers of offenders with multiple problems (NCCD, 1988a: 44). The nation's jails are often described as being utilized for the purpose of "dealing with a whole gamut of social problems—they act as everything from contemporary poorhouses to agencies dealing with problems of alcoholism and drug addiction to houses of confinement for serious violent offenders" (Goldfarb in Klofas, 1987: 403).

Characteristics of the Jail Population

John Irwin maintains that the vast majority of persons are arrested, booked, and held at the San Francisco County Jails for minor crimes that often relate to disreputable behaviors. Irwin's observations echo the conclusions of many researchers who study the nation's jails. Goldfarb (1976: 4) writes, "The jail houses a disparate collection of social out-

casts and underprivileged people in desperate need of unavailable social services . . . The populations of our jails are heterogeneous conglomerations of humanity spewed from the gutters, and alleys, and the city dumps; tumbled about by the tangled complexities of modern life; or losers in calculated and bold ventured in criminal activity."

The NCCD (1988a: 44) study confirmed that the San Francisco County Jails do house a large number of offenders with multiple problems. The causes for their behavior and subsequent arrest, as suggested by Irwin, may be explained in part by disreputable behaviors associated with social problems. The increase in crime, as explained by the NCCD (1988b: 6), is also linked to the changing structure of the economy which has reduced opportunities for inner-city residents, especially Black and Hispanic youth.

In addition to describing the jail population, the following paragraphs will address the problems and potential causal factors that predispose certain population sub-groups to arrest and detainment in the jail. Drug addicts, public inebriates, the mentally ill, and the homeless were identified as members of the San Francisco jail population by the NCCD (1988a: 44). These groups have been selected for consideration because they are recognized as members of the jail population and are potentially appropriate groups for diverting to rehabilitative programming outside the jail.

The Rabble

Over a one year period Irwin (1985: 18) randomly selected from the booking records of the San Francisco County Jails 100 persons charged with felonies and another 100 charged with misdemeanors. Irwin and his research assistant interviewed the felon arrestees and followed both samples from arrest to court disposition. Irwin (1985: xiii) concludes:

My critical discovery was that instead of 'criminals,' the jail receives and confines mostly detached and disreputable persons who are arrested more because they are offensive than because they have committed crimes. Moreover I learned that the primary purpose of the jail is to manage these persons, whom I finally decided to call the rabble. I also discovered that in managing the rabble by arresting them and holding them in jail, society inadvertently increases their number and holds people in rabble status.

The National Council on Crime and Delinquency (NCCD) randomly drew a sample of all cases for both sentenced and unsentenced arrestees in the San Francisco County Jails for one year. Almost 83 percent (N=769) of the non-sentenced sample and 84.5 percent (N=495) of the sentenced sample were male. For both non-sentenced and sentenced groups, approximately 50 percent were white; 46 percent (N=428) of the non-sentenced and 42.5 percent (N=249) of the sentenced were Black. The median age for both groups was 29 years. Approximately 85 percent of both groups reported a San Francisco address at booking. Irwin (1985: 1) notes that inmates are primarily poor, undereducated, unemployed, and minorities.

Of the estimated 52,270 persons booked at the San Francisco jail, the NCCD (1988a: 18, 25, 27) found that 90 percent of the bookings did not result in a jail sentence and the vast majority of admissions were non-violent and non-property offenses. About 83 percent of all jail admissions were misdemeanor-level offenses (NCCD, 1988a: 27). Irwin (1985: 19) also noted that the "vast majority of the persons who are arrested, booked, and held in jail are not charged with serious crimes. They are charged with petty ones or with behavior that is no crime at all." Irwin (1985: 18) maintains that the primary purpose to receive and hold arrestees is because they are offensive. Often the police charges are much more serious than the actual behavior of the arrestee (Irwin, 1985: 19).

The NCCD (1988a: 44) also found that the San Francisco jail population has large number of offenders with multiple problems including drug addiction, alcoholism, mental illness, and homelessness. There was a large number of public inebriate bookings in the NCCD sample and 40 percent of the pretrial felons were charged with a drug offense.

The NCCD (1988a: 44) also notes that according to the Sheriff's Department classifications, 20 percent of the in-custody population were addicts, nine percent were inebriates, and over 16 percent had medical or mental health problems or were suicide-prone. A study by the National Center on Institutions and Alternatives (NCIA) also found that 19 percent of the inmates on the 6th floor jail were homeless. The NCCD (1988a: 44) explains that:

For a large portion of San Francisco's jail population, criminal justice problems are part of a broader complex of social and individual problems with roots reaching deep into the offenders' personal histories and socio-economic milieus. It is well recognized that these other problems in-

crease the chances that such offenders will cycle through the jail frequently.

Arrest also contributes to the complex social and individual problems of the detainee. Irwin (1985: 45) describes arrest as often resulting in an interruption of the arrestees' affairs, total loss of mobility, restriction to a small area, absence of opportunities for recreation and expression, unavoidable and close contact with strangers, and reduced health regimen. Arrestees will often lose their jobs and fall behind in school. "Such occurrences also tend to reduce a prisoner's future opportunities. The family ties are also weakened" (Irwin, 1985: 52).

Drug Related Crime

Although San Francisco spends almost \$7 million a year on drug treatment, in 1988 there were 4,582 people on waiting lists at twelve different drug treatment programs (Olszewski, 1989: A-1, A-12). "Reports, letters and memorandums in city files stretching back five years have documented the need for additional treatment programs and the staggering increase in the abuse of stimulants, both methamphetamine and crack cocaine" (Olszewski, 1989: A-12). It is estimated that it would cost about \$7 million to eliminate the waiting lists for both drug and alcohol programs.

Fullilove and Fullilove (1989: 146) note that since 1986 there has been a dramatic increase in crack use and in crack-related crime. In their three-part study Fullilove and Fullilove (1989: 146) interviewed health and legal services providers and crack users and surveyed teenage users. "Legal, health, and social service providers need training, guidance, and support in order to respond effectively to the massive new demands they confront" (Fullilove & Fullilove, 1989: 152). They also note that it is important to recognize the economic as well as physical draw of crack. Sixty-three percent of the users in the sample reported having sold crack.

Bourgois (1989: 53) is conducting long-term ethnographic participant-observation research on street culture in the "underground economy." He notes that while the majority of the East Harlem residents are honest and hard-working, it is a struggle to resist the draw of the "underground economy." Bourgois (1989: 61) notes that all of the people he meets have at one time or another held a job but now speak with anger at their former low wages and poor treatment. "They see the illegal, underground economy as not only offering superior wages, but also a more dignified workplace" (Bourgois, 1989:

61).

Bourgois (1989: 65) asserts that ambitious, energetic, inner-city youths are attracted to the underground economy precisely because they believe in the rags-to-riches American dream. Bielski (1989: 16) notes that the "appeal of the underground economy in the projects is the structure and purpose it gives to teenagers' lives. It gives them a daily routine, and sometimes a new family."

San Francisco's police, prosecutors, public defender, courts, jail and probation office spent an estimated \$38 million last year on cocaine-related cases. There was no apparent effect on the number of abusers or dealers (Gordon, 1989: A-12). Gordon (1989: A-12) suggests that the crack epidemic has contributed to much of the jail overcrowding.

In 1987 the size of the Police Department's under-cover narcotics unit was doubled and resulted in 15,000 narcotic busts in one year (Bielski, 1989: 15). "While these street-corner dealers jammed the courts and jails, others took their place on the street. Law enforcement alone, Mayor Agnos and the police brass conceded last year, wasn't deterring inner-city youth from involvement in the crack culture" (Bielski, 1989: 15). The Police Department concedes that other kinds of intervention are as important as police work.

Public Inebriates

In San Francisco County alone there were 17,648 alcohol specific arrests in 1986 (NCCD, 1988a: 102). Based on the NCCD (1988a: 104) sample there are approximately 5,000 persons per year whose most serious charge is "public drunkenness." Several San Francisco studies and committee reviews have recommended various programs for meeting the needs of the City's public inebriates. These recommendations have yet to be implemented, leaving the public inebriate issue largely unresolved.

It is generally accepted that the problem of public inebriation should be treated as a social problem rather than a criminal justice problem. Yet, public inebriate arrestees are detained at the San Francisco Police district stations and the county jail on a daily basis. These arrests are characterized by a three to four hour stay and subsequent release with no court appearance required.

San Francisco's concern for public inebriation has generated several reports and studies in the last ten years. In the 1979 Jail Overcrowding and Pretrial Detainee (MCJC, 1979:

42, 46) report it was noted that the criminal justice system is a very expensive form of inappropriate treatment for public inebriates. The Mayor's Blue Ribbon Committee on Public Inebriates (1981: 8) predicted that the problems of the public inebriate would increase and noted that the system was inadequate to meet the increasing demand for services. More recently, the Jail Policy and Planning Advisory Committee (1989: 22) notes that the San Francisco Jail System appears to meet the qualifying criteria of the Board of Corrections regarding public inebriate inmates, but conclude that there is "great room for improvement."

In a 1984 NCCD (1984: 2) study, jail admissions were reviewed for Los Angeles, San Francisco, and Yolo counties. San Francisco had the highest level of dismissals with most the dismissals for crimes such as public drunkenness, public disorder, and prostitutions (NCCD, 1984: 7). The NCCD (1984: 7) explains, "This trend was consistent with a strong local business concern to keep downtown streets clean of individuals who could harm the city's tourism and convention trade, as well as development of the downtown financial area."

The Mentally Ill in Jail

Teplin (1983: 54-55) suggests that there has been an increase in the numbers of mentally disordered persons living in the community. She maintains that this fact can be linked to the following developments: (1) deinstitutionalization; (2) greater legal restrictions regarding commitment, the right of the patient to refuse treatment, and other psychiatric treatment issues; and (3) fiscal reductions in mental health programs. The result can mean arrest for mentally disordered persons who are detained to remove them from the community (Teplin, 1983: 55). Yet, Teplin's (1983: 54, 64) review of archival studies, investigations of police decision making, and studies of the prevalence of mental disorder among jail detainees finds little to support criminalization of the mentally ill.

While the criminalization thesis is not supported by Teplin's research, in her review of three studies of the prevalence of mental disorder in the jail population, the rates of mental illness among inmates ranged from 37 percent to as high as 63 percent for random samples (Teplin, 1983: 61-62). An increase in the number of mentally disordered individuals in the community may not have resulted in the criminalization of the mentally ill, but there is indisputably some number of mentally ill among the jail population.

In a 1979 study for the National Coalition for Jail Reform, it was estimated that 20 to 35 percent of the jail

population was mentally ill (U.S. General Accounting Office, 1980: 1). It was concluded that "extensive shortfalls still exist in the mental health services provided for jail inmates. Jails were not adequately screening inmates to identify their mental health care needs or providing them with adequate care" (U.S. General Accounting Office, 1980: 5).

Belcher (1988: 186) notes that the mentally ill often become involved with the criminal justice system because of norm violations that the public or police interpret as deviant. "An incidence of a high arrest rate among homeless mentally ill persons may not be indicative of their potential danger to society, instead it more likely reflects the fact that police officers have more frequent contact with these individuals because of minor norm violations, such as jaywalking" (Belcher, 1988: 187).

Jails Housing the Homeless

Snow, Baker & Anderson (1989: 532-33) tracked a random sample of homeless men through police department records of a large Southwestern city for 27 months. They found that the crimes of homeless men were "neither terribly serious nor dangerous" (Snow, Baker & Anderson, 1989: 537). The arrest rate for violent offenses is lower for homeless men than for the general male population by half. Snow, Baker & Anderson (1989: 538) explain, "it would appear that the homeless are certainly no more, and probably less, likely to commit crimes of violence than the general male population."

However, for property-related offenses of burglary, theft, and auto theft, the arrest rates for the homeless are significantly higher than for the general male population (Snow, Baker & Anderson, 1989: 538). In the case of theft, "nearly 50 percent of all homeless arrests were for shoplifting, mostly for cigarettes, food and drink, and occasionally calculators and other items that are then sold on the streets or in pawn shops" (Snow, Baker & Anderson, 1989: 538).

Snow, Baker & Anderson (1989: 546) conclude that the arrest rates for the homeless are higher than the general male population but the majority of their arrests are for non-violent, relatively minor, and victimless offenses. The authors further suggest that homeless contact with the criminal justice system occurs because "the homeless engage in criminal behavior to make ends meet or because the daily routines and idiosyncratic appearance and behavior of many of the homeless bring them to the attention of the police. In the former case, crime is an instrumental, adaptive strategy" (Snow, Baker & Anderson, 1989: 546). Crime is a by-product of homelessness. The

authors suggest that crime is related to the absence or inaccessibility of alternative survival strategies.

Alternatives to Incarceration

In January 1990 the National Center on Institutions & Alternatives (NCIA) submitted to the Board of Supervisors several pretrial and post-conviction alternatives to incarceration for consideration by the Supervisors. The NCIA approached alternatives from the perspective that concrete and steel is a less flexible approach and more costly than a range of community-based programs.

The NCIA's proposed alternatives are projected to reduce the number of required jail beds by 500. The NCIA pretrial alternatives include the following: citation reminders to remind persons released on citation to appear in court; enhanced own recognizance release with one-time voluntary return on failures to appear; monitored own recognizance release with frequent supervision contacts; supervised bail bond release; and psychiatric diversion. The post-conviction alternatives are: day reporting; mother/infant program; community service; transitional housing; court employment; and substance abuse treatment.

The Blue Ribbon Commission on Inmate Population Management (1990: 6) also recommends expanded public or community based sanctions and options. The Commission's recommendations include: electronic surveillance; house arrest; intensive probation supervision; work furlough; mother-child programs; community service; victim restitution centers and programs; community detention; and substance abuse residential and non-residential treatment programs. The Commission (1990: 6) notes the goal of this action is "to enhance community responsibility for their offenders and to maintain public safety by dealing with some of the causes of recidivism."

There is a significant number of individuals who are inappropriately housed in the San Francisco County Jails primarily because of disreputable behaviors sometimes associated with drug and alcohol use, mental illness, and homelessness. For these groups the jail becomes the City's "safety-net" for their varied social problems. These groups need alternatives to incarceration to meet their needs not specifically addressed in the county jail. As the NCCD (1988b: 4) explains, "Either we adopt new and bold approaches to crime and punishment that take into account changing demographic, social and economic realities of our times, or we continue to invest in the old approaches which are proving to be increasingly ineffective in dealing with crime."

References

- Aronson, Peter
1989
"New facility proposed for crowded jails". *The Recorder* (April 11) 1, 10.
- Balderston, Jim
1989
"A new SF jail?" *The San Francisco Bay Guardian* (June 7) 15.
- Belcher, John R.
1988
"Are jails replacing the mental health system for the homeless mentally ill?" *Community Mental Health Journal* 24: 185-195.
- Bielski, Vince
1989
"No way to fight a war". *The San Francisco Bay Guardian* (November 22) 15+.
Blue Ribbon Commission on Inmate Population Management
1990 *Blue Ribbon Commission on Inmate Population Management*. Sacramento: State of California.
- Blue Ribbon Committee on Public Inebriates
1981 *Report to the Mayor*. San Francisco: City and County of San Francisco.
- Bourgeois, Philippe
1989 "Just another night on crack street". *The New York Times Magazine* (November 12) 53+.
- Bureau of Justice Statistics
1985 *Jail Inmates 1983*. D.C., Washington: U.S. Department of Justice.
- Fullilove, Mindy Thompson & Robert E. Fullilove
1989 "Intersecting epidemics: black teen crack use and sexually transmitted disease". *JAMWA* Vol. 44, No. 5.
- Goldfarb, Ronald
1976 *Jails: The Ultimate Ghetto of the Criminal Justice System*. Garden City, New York: Anchor Books.
- Gordon, Bill
1989 "Crack's incredible cost to S.F.". *San Francisco Chronicle*, (February 21) A-1, A-12.
- Irwin, John
1985 *The Jail Managing the Underclass in American Society*. Berkeley: University of California Press.
- Jail Policy and Planning Advisory Committee
1989 *Major Needs Assessment and Master Plan: Final Report to the Board of Supervisors*. San Francisco: City & County of San Francisco. Klofas, John "Patterns of jail use".
- Journal of Criminal Justice* 15: 403-
1987 411. Mayor's Criminal Justice Council
- 1979 *Phase I Plan: Jail Overcrowding & Pretrial Detainee Plan Program*. San Francisco: City and County of San Francisco. National Council on Crime and Delinquency
- 1988 *San Francisco Jail Needs Assessment Final Report*. San Francisco: NCCD. National Council on Crime and Delinquency
1988b *Crime and Punishment in the Year 2000: What Kind of Future*. San Francisco: NCCD. National Council on Crime and Delinquency
- 1984 *Differential Use of Jail Confinement in California*. San Francisco: NCCD Research Center. National Center on Institutions & Alternatives
- 1990 Correspondence. Olszewski, Lori "S.F. addicts wait: drug programs overwhelmed". *San Francisco Chronicle* (April 5) A-1, A-12. Snow, David A., Susan G. Baker, and Leon Anderson
- 1989 "Criminality and homeless men: an empirical assessment". *Social Problems* 36: 532-549.
Teplin, Linda A.
- 1983 "The criminalization of the mentally ill: speculation in search of data". *Psychological Bulletin* 94: 54-67.
U.S. Department of Justice, Bureau of Justice Statistics
- 1988a *Census of Local Jails, 1983: Volume V. Selected Findings, Methodology, and Summary Tables*. Washington, D.C.: U.S. Government Printing Office. U.S. Department of Justice, Bureau of Justice Statistics, Office of Justice Programs
- 1988b *Bureau of Justice Statistics Bulletin: Jail Inmate 1987*. Washington, D.C.: U. S. Government Printing Office. U. S. Department of Justice, Office of Justice Programs
- 1987 *Correctional Populations in the United States, 1987*. Washington, D.C.: Government Printing Office. U.S. Department of Justice, Bureau of Justice Statistics
- 1984 *The 1983 Jail Census*. Washington D.C., U.S. Government Printing Office.

Growth in Emeryville: Objectives and Proposals

by Andrew de la Rosa

Two rules generally hold true about Bay Area cities. The first rule is that the fastest growing cities are distant from the core cities of San Francisco and Oakland. The second rule is that every city prefers commercial development to residential development. Emeryville is an exception to both rules. It is one of the Bay Area's fastest growing cities (LeGates et al. 1989a, 15) even though it lies adjacent to Oakland. Furthermore, while most cities prefer new commercial development over new residential development (Dowall 1984, 20-21), Emeryville has actually converted industrial land to residential uses.

Some explanations for these apparent anomalies may be found in this paper. Some reasons why Emeryville has sought population growth are listed. Three proposals for growth are examined. Finally, the outcomes of the proposals are evaluated.

Objectives of Population Growth

In 1964 Emeryville, which had 2686 residents in 1960, declared that it would be city policy to increase the town's population to 5000 within 10 years (Ruth & Krushkhov 1964b, Phase II, 12). The increase was intended to accomplish political objectives and planning objectives.

Political Objectives

Emeryville sees growth as a means to achieve three political objectives. First, Emeryville has sought to grow to at least the minimum population size needed to qualify for a charter (Kemery 1970). (Sources differ on what the minimum size is. Hardy [1970] says 3500; Kemery [1970] says 5000.)

A second political objective has been to protect Emeryville's fiscal condition. Currently California distributes tax dollars to local governments based on the amount of revenue they produce. This formula benefits cities in which many commercial transactions take place, such as Emeryville. A 1974 proposal would have altered the formula by distributing

tax dollars on the basis of population rather than tax source. Such a change would have been disadvantageous for cities with small populations, such as Emeryville (*Emeryville City News* 1974). To become less vulnerable to such a change, Emeryville would need to increase its population. Though Emeryville might lose some revenue by converting industrial land to residential uses, the city feels that the amount of revenue lost would be negligible, since the city's remaining industries already provide a large enough tax base to meet Emeryville's immediate needs, and since the city's public facilities are currently underutilized (City of Emeryville 1974, 33-34).

Perhaps the most compelling reason for Emeryville residents to support growth has been to maintain the independence of the Emery School District, which is coextensive with Emeryville. Before the Serrano decision equalized spending by California School Districts, the Emery School District spent more than twice the state average on each pupil (Shoemaker 1978). The district could spend that much because the City's overwhelmingly industrial character results in a small student population and a large tax base. The wealth of the school district occasionally has tempted outsiders to use subterfuge to enroll their children there (Kemery 1970). Because the district is so small, however, it risks being consolidated with a neighboring school district in Berkeley or Oakland (*Oakland Tribune* 1964). In 1974, Emeryville's city engineer said that Emeryville would need at least 400 more school-age children to avoid a state-ordered consolidation (*Emeryville City News* 1974).

Planning Objectives

Three planning objectives would have been accomplished

Andrew de la Rosa is a geography major at SFSU specializing in "human geography." He also has experience as an editorial assistant of Landscape, a magazine of cultural geography, social history, architecture, city and regional planning, art and related fields.

by growth: greater support of public facilities, a more balanced community character, and an improved image.

Many planners have assumed that a population size of 4000 is the minimum needed to support such public facilities as schools, parks, and neighborhood shopping centers (Ruth & Krushkhov 1964a, "Population Study," 3). It thus may be no coincidence that Emeryville, which never had 4000 residents before 1985 (Sedway Cooke Associates 1987, III-2-3), has been threatened with school consolidation and has never had sufficient parkland or retail activity.



photo by Karin Lamb

Just one of many parcels rezoned in Emeryville

A second planning objective has been to balance Emeryville's industrial character by encouraging other land uses (Ruth & Krushkhov 1964c, 3; Kemery 1970). Compared to most large American cities, Emeryville devotes unusually large portions of its land area to industry and streets and unusually small portions to public uses, housing and commerce (Ruth & Krushkhov 1964a, "Land Use").

A third planning objective would be to upgrade Emeryville's image. A need to improve Emeryville's image was indicated by a survey of 320 Bay Area residents that found Emeryville to be the region's least prestigious city (Belcher 1968). Many observers have suggested that this unfavorable image is largely due to the city's industrial character (Belcher 1968; Grabowicz 1983a; Kemery 1970; Ruth & Krushkhov 1964a, "Problems Analysis," pp. 1-2; *San Francisco Examiner* 1970). The city has regarded new non-industrial development

as a way to upgrade the city's image (Ruth & Krushkhov 1966).

Three Proposals for Population Growth

In recent decades there have been three major proposals for growth in Emeryville: General Plan 1985 (1965), Bayfront Development Plan (1980), and EmeryBay (1986). The following discussion examines each plan in terms of its major elements, its intended benefits, its perceived flaws, and its outcome.

General Plan 1985

The major elements of this 1965 plan were the phaseout of the city's Vallejo Street neighborhood (also known as the North End) and the creation of a new neighborhood on one square mile of reclaimed tidelands. The phaseout, which would have rezoned the North End for industrial uses, was rationalized on the grounds that the neighborhood was too small to be viable (Ruth & Krushkhov 1964b, Phase II, 9), contained substandard housing, and was being encroached upon by industry (Ruth & Krushkhov 1964b, Phase III, 7).

The tidelands development was intended to provide balance to Emeryville's predominantly industrial character. On 640 acres of landfill, an area nearly equal to the city's existing land area of 732 acres, a new city would rise. It would contain community facilities that Emeryville lacked, such as shopping centers and parks. It would also contain features designed to enhance Emeryville's image, such as a new civic center, a "prestige office-park," and a high-rise, luxury housing development which would house between 12,600 and 25,200 residents. The intent was to create "a water-oriented residential, commercial and office community of great beauty and amenity thereby creating balance with the existing Town." (Ruth & Krushkhov 1964c, 3) This community would also "produce sufficient school enrollment to satisfy the needs of the Emery School District" (Ruth & Krushkhov 1964c, 1) and enable Emeryville "to remold itself as a desirable place to live" (Ruth & Krushkhov 1964b, 6).

The plan encountered severe criticism. Residents of the North End protested angrily against the proposed phaseout of their area. Many doubted that they could afford to live in the tidelands development (Kemery 1970; *Oakland Tribune* 1965). Plans for the phaseout were omitted from a subsequent version of the plan (Ruth & Krushkhov 1966).

Many members of Emeryville's black community detected racial overtones in the plan. The North End, which was to be phased out, had been the first neighborhood in Emeryville to which blacks had moved (Smith 1976). The tidelands development was seen by many blacks as an attempt to segregate the city (Kemery 1970). Housing in the new development, which would have been across a freeway from the rest of Emeryville, would have been unaffordable to many blacks. Suspicions of racism were undoubtedly heightened by an ongoing controversy over alleged job discrimination by the city government (Fisher & Rubin 1973, 25-26; Kemery 1970; *San Francisco Chronicle* 1971).

One could interpret the plan as an attempt to counteract population changes that occurred in the city during the 1950s. These changes affected the city's size and its racial makeup. In that decade the city's population declined by seven percent, a much greater decline than in the neighboring cities of Oakland and Berkeley, whose populations declined by four and two percent, respectively (LeGates et al. 1989b, 67; Lurvey 1964). In that same period, Emeryville's black population nearly quadrupled, rising to eighteen percent of the total population. Meanwhile, the city's white population declined by 20 percent, falling to 80 percent of the total population (Ruth & Krushkhov 1964a, "Population Study," 4).

Environmental concerns related to landfill proved to be the plan's downfall. Four days after the Emeryville City Council approved the plan, the state legislature passed the McAteer-Petris Act in response to rising public concern over the environmental impact of landfill. The act created a new regulatory body, the Bay Conservation and Development Commission (BCDC), to oversee projects affecting San Francisco Bay. A legal battle then ensued over whether BCDC had jurisdiction over Emeryville's plans. The initial ruling, by Alameda County Superior Court Judge Robert H. Kroninger, held that the plan had been "grandfathered" in and was beyond BCDC's jurisdiction. This ruling was later reversed by the California Supreme Court, which ruled that Emeryville had not yet developed "a reasonably detailed and specific plan" when BCDC was created and that Emeryville would therefore need a permit from BCDC in order to proceed. BCDC had, however,

already denied Emeryville a permit. The ruling effectively halted the project (Kemery 1970; Muller 1968).

The principal legacy of the plan has been the Watergate Complex, a collection of high-rise offices and apartments. The complex changed the image of Emeryville and "brought about profound social changes" in Emeryville, greatly increasing the population and altering its demographics (Sedway Cooke Associates 1987, III-4).

The Watergate produced a change in Emeryville's image by becoming the City's most visible landmark. The construction of the Watergate, along with a campaign to plant trees in strategic locations (*San Francisco Examiner* 1970), appears to have been part of a strategy to make the city's industrial character less apparent to outsiders. Nevertheless outsiders have continued to perceive Emeryville as an industrial area (e.g. Grabowicz 1983a).

The construction of the Watergate greatly increased the City's population. Early observers thought the complex had doubled Emeryville's population between 1971 and 1974, increasing the total to about 4200 (Bassett 1981; Cleveland 1985; Smith 1976). Census figures show, however, that the city's population increased by only 39 percent during the 1970s, to a total of 3714 (LeGates et al. 1989b, 71; Sedway Cooke Associates 1987, III-3). However large the increase was, it enabled Watergate residents to take four of the city council's five seats by 1976 (Smith 1976).

The Watergate brought about demographic changes as well. On average, Watergate residents tend to have higher incomes and smaller households than other residents of Emeryville. The population of the complex also contains higher percentages of whites and professionals. (Sedway Cooke Associates 1987, III-4-6, III-36). Ironically, despite the attempts of planners to increase the numbers of Emeryville's school-age children, the Watergate has not brought many more children into the city, perhaps because it began as an adults-only complex (Fisher & Rubin 1973, 26; Isabel 1980).

Bayfront Development Plan

The second project to be discussed in this paper was the Bayfront Development Plan. This \$1 billion project, which was first proposed in 1980, would have transformed the city's Bayfront, an area of 140 acres between Interstate 80 and the Southern Pacific right-of-way. The warehouses and trucking facilities that have dominated the area would have been re-

placed by a mile-long row of 30-story condominiums and office buildings. The project would have provided for 10,000 workers in 1.1 million square feet of office space, 100,000 square feet of retail space, and a 500-room hotel. The project would also have increased Emeryville's population to about 7300 by providing 2165 units of housing, 1800 of which would have been in buildings of at least four stories (Fred 1983; Jones 1983a; 1983b; 1983c).

The proposal had several purposes. It was intended to transform Emeryville into "a modern commercial and residential center" (Grabowicz 1983a, A-1). It was also intended to boost the City's tax base, which had been undermined by the outmigration of industry (Grabowicz 1983a) and by Proposition 13 (Soennichsen 1980). The City hoped to replace departing industries with fast-growing industries such as biotechnology (McGrath 1983).

The plan encountered several criticisms. It was predicted to double the existing amount of traffic on Emeryville streets. The plan was expected to trigger gentrification in nearby portions of Emeryville and Berkeley, since the plan would provide three times as many jobs as housing units (Fred 1983).

The plan ultimately collapsed when suspicions arose regarding possible undue influence by the principal developer, Pacific Union. Suspicions first arose when a three-member majority of the City Council voted to exempt Pacific Park Plaza, the first part of the plan, from the requirement for an environmental impact report. Many observers regarded the exemption as inept, since Pacific Park Plaza is a massive development, a 30-story luxury condominium containing nearly 600 units (Cleveland 1985; Phinney 1987). The City Council members who voted for the exemption, had received campaign financing from Thomas J. Wenaas (Grabowicz 1983b). Wenaas was a close associate of police chief John LaCoste, who reputedly controlled the City Council (Grabowicz 1983c; 1984; Jones 1983a; Phinney 1983). Subsequently Wenaas was revealed to have had a secret financial interest in Pacific Park Plaza (Grabowicz 1983b). Another sign of undue influence was the fact that the Bayfront Development Plan was drawn up by a subsidiary of Pacific Union, the company that owned Pacific Park Plaza and 70 percent of the land in the Bayfront (Fred 1983; Jones 1983a; 1983b; 1983c; McGrath 1983).

The revelations gave rise to what one observer called a "voter revolt" (Phinney 1986, 24). Within a year three elections had been held, LaCoste had lost control of the City

Council, and the Bayfront plan had been voted down by almost two-to-one (Cleveland 1985; Grabowicz 1984; On 1985; Phinney 1986). New directors were appointed for almost every department in city government (Phinney 1986).

The sole remnant of the Bayfront plan is Pacific Park Plaza. Many observers regard it as the dominant feature of the Emeryville skyline (Cleveland 1985; Fred 1983; McGrath 1985). The project appears to have been somewhat unsuccessful financially, perhaps because its industrial setting may appear unattractive to prospective condominium buyers (McGrath 1985; Schmidt 1986). It now contains about 20 percent of the city's voters (McGrath 1987). If the project's promotional brochure is any indication, the project, which consists of one- and two-bedroom apartments, appears not to have added significant numbers of children to the city. The brochure is aimed at "professional couples," investors, "local corporations [that] may acquire units to house relocating and visiting executives," and "people who are seldom home."

EmeryBay

The third and last project to be discussed in this paper began in 1986. EmeryBay is a \$300 million development covering 85 acres (Danner 1989). David Martin, the principal developer, is a former partner of developer Joe Callahan. Martin assisted Callahan in developing Hacienda Business Park in Pleasanton (Evenson 1988a; Grabowicz 1987a).

EmeryBay consists of two office complexes containing a total of 431,000 square feet of office space, two shopping centers containing a total of 220,000 square feet of retail space, a ten-screen movie theater containing 3300 seats, a 424-unit residential complex, and a research park containing 175,000 square feet (Danner 1989).

EmeryBay appears to have encountered less criticism than the previous projects have. Martin, aware that Emeryville residents have turned down high-density projects in the past, has attempted to avoid this fate by incorporating public opinion into his planning process. He describes how he sampled public opinion while planning EmeryBay:

We met with a lot of citizens groups, business groups, homeowners, artists, to find out what their needs were. Some developers go out and draw pictures, do renderings and say "Here's what we think you need." We spent almost a year sitting down in front of people and pushing a blank piece

of paper at them. Not necessarily in a literal sense, but saying, "What would you like to see?" We spent nine months listening, and at the end of that period we tried to bring everything together in a plan (Fox 1989, 35-36).

Despite this apparent willingness to consider public opinion, Martin has encountered some criticism. He has been criticized for using glass facades in some of his office buildings, instead of the brick and wood facades that the city had approved (Evenson 1988a; Phinney 1987).

A more serious criticism has been that Martin possesses excessive influence over city government. Some observers feel that Emeryville is ill-advised to rely so heavily on one developer (Grabowicz 1987b; McGrath 1987). There are some indications that Martin may have excessive influence. Critics have charged that the current mayor of Emeryville, Ken Bukowski, is beholden to Martin, from whom Bukowski rents retail space (Schmidt 1989). Some impression of Martin's influence may be gained by comparing how Pleasanton and Emeryville obtained street improvements from major developers. Pleasanton is requiring developers to contribute \$143 million in capital improvements, \$21 million of which will be contributed by Martin's former partner, Callahan (LeGates & Pellarin 1989, 17). By contrast, Emeryville has agreed to pay Martin \$600,000 and lend him an additional \$1 million for the right-of-way of a new street (Harris 1987; Phinney 1987). In return, Martin is required to contribute two computers to the city fire department, to include a two-acre park within the proposed research park, to run a shuttle bus from the office complex to BART, and to post jobs for Emeryville residents (Blackwell 1988).

Nevertheless, despite the criticisms noted above, EmeryBay has proven more successful than the previous two plans. The main indication of its success has been that all of the project, except for the research park, has been built.

Evaluation

The results of growth in Emeryville are mixed. On the positive side, the new developments represent infill, a channeling of growth into existing urban areas, reusing existing infrastructure and preventing urban sprawl. Infill has been advocated by the Greenbelt Alliance as a way of conserving open space on the fringes of metropolitan areas (Rauber 1984).

There have also been some negative results of growth in

Emeryville. A major rationale for infill has been that infill projects are more accessible to public transit than are exurban developments. Unfortunately, growth in Emeryville has occurred mainly on the City's west side, remote from existing transit lines. The new developments lie along the Eastshore Freeway and are most easily reached by car. Needless to say, the dependence on cars removes a major justification for infill.

Another drawback of growth in Emeryville has been that the new developments have been largely commercial and have maintained Emeryville's status as a net importer of labor. This result was apparently intentional. Emeryville's 1979 general plan claimed that it would be "unrealistic and even bizarre" to require this traditionally industrial city to achieve jobs-housing balance (Emeryville Redevelopment Agency. 1979, 30).

Another drawback of growth in Emeryville is that it may draw retail activity away from existing centers in downtown Oakland (Evenson 1988b) and Berkeley (Fred 1985). As both of these centers are more accessible by public transit than is Emeryville, a transfer of retail activity to Emeryville could result in increased traffic and energy consumption.

Another drawback of growth in Emeryville has been that the high cost of acquiring and clearing industrial land has tended to make luxury high-rise apartment buildings the only new housing that would be economically feasible. The new developments have not alleviated the housing needs of residents of the older portions of Emeryville. Furthermore the new developments are isolated in otherwise industrial areas (Emeryville Redevelopment Agency 1979, 44, 48). This isolation is characteristic of relatively high-income urban renewal projects that are located in relatively low-income areas of the inner city. Such isolation is often created deliberately (Clay 1980, 154-5; Jacobs 1961, 50). Clay (1980, 172-3) suggests that the Watergate's location was chosen precisely because of its isolation. Brochures for Pacific Park Plaza and EmeryBay Club & Apartments depict the developments as islands in a whited-out sea. The isolation of Emeryville's new developments has exacerbated social divisions within the community (McGrath 1983). The 1987 general plan seeks to overcome this isolation by promoting housing in the non-residential areas between existing residential areas (Sedway Cooke Associates 1987, II-5, II-7).

On balance, I regard the new developments in Emeryville as a positive step. Although they have been isolated physically and socially from the remainder of the city, there remains much vacant land in Emeryville on which developments more sensitive to community needs may be built. The isolation of the new

developments from transit lines may be remedied by rerouting existing transit lines or creating new ones.

References

- Bassett, Conrad.
1981 (Apr.) An aesthetic blend of old and new . . . Emeryville. *Oakland Realtor*, pp. 7-8.
- Belcher, Jerry.
1968 (Nov. 10). Emeryville, Pittsburg: Lowest towns on the status pole. *San Francisco Sunday Examiner & Chronicle*, section D, p. 4.
- Blackwell, Marjorie.
1988 (Mar. 14). Remaking Emeryville: From an eyesore to a detour. *Northern California Real Estate Journal*, pp. 5-6.
- City of Emeryville.
1974. *General plan, vol. I*. Emeryville: City of Emeryville.
- Clay, Grady.
1980. *Close-up: How to read the American city*. Chicago: University of Chicago Press.
- Cleveland, Bradley.
1985 (Jan. 18). High stakes rendezvous: Emeryville's development saga continues. *East Bay Express*, pp. 3, 4, 6.
- Danner, Patrick.
1989 (May 8). Developer has difficulty with all the demand: Martin Group's Emeryville project has unusual success with tenants. *San Francisco Business Times*.
- Dowall, David E.
1984. *The suburban squeeze: Land conversion and regulation in the San Francisco Bay Area*. Berkeley: University of California Press.
- Emeryville City News*.
1974 (Sept. 6-19). City needs families. Pp. 1, 8.
- Emeryville Redevelopment Agency.
1979. *Emeryville general plan*. Emeryville: City of Emeryville.
- Evenson, Laura. 1988a (Jan. 11). Developer Dave Martin: Helping change Emeryville. *Oakland Tribune*, pp. B-1, B-3.
- 1988b (Feb. 5). A gala for Emeryville's public market. *Oakland Tribune*, pp. C-1, C-5.
- Fisher, Steve, & Rubin, Anita.
1973. *The environmentalist's guide to the East Bay shoreline*. Berkeley: Bay Press.
- Fox, Michael.
1989 (Nov.). The making of Emery Bay. *The Monthly*, pp. 33, 35-37.
- Fred, Clifford.
1983 (Aug. 10). Emeryville: Planning to become highrise city? *San Francisco Bay Guardian*, p. 9.
- 1985 (Dec. 11-24). Development madness in Emeryville. *Grassroots*, pp. 1, 6.
- Grabowicz, Paul.
1983a (Jan. 23). Emeryville has the only housing boom around. *Oakland Tribune*, pp. A-1, A-10.
- 1983b (Oct. 11). Campaign donor had secret interest in \$100 million project, records show. *Oakland Tribune*, pp. A-13, A-14.
- 1983c (Dec. 18). Emeryville: How it got the way it is. *Oakland Tribune*, pp. A-1, A-2.
- 1984 (June 5). LaCoste tells of rise, fall in Emeryville: Townhouse symptomatic of his growing isolation. *Oakland Tribune*, pp. A-1, A-2.
- 1987a (Nov. 5). Slow-growth candidates, issues win 4 and lose 2. *Oakland Tribune*, p. A-14.
- 1987b (Nov. 5). Slow-growth era dawns on Emeryville council. *Oakland Tribune*, pp. A-13, A-15.
- Hardy, Leroy Clyde.
1970. *California government*. 3d ed. San Francisco: Harper & Row.
- Harris, Barbara Lynne.
1987 (Oct. 7). Emeryville Marketplace project OKd. *Oakland Tribune*, pp. A-1, A-10.
- Isabel, Lonnie.
1980 (Aug. 17). Fiscal, academic problems plague Emery schools. *Oakland Tribune*, pp. B-1, B-7.
- Jacobs, Jane.
1961. *The death and life of great American cities*. New York: Vintage.
- Jones, Will. 1983a (Nov. 2). Emeryville at war over development: Police chief's sway over council is issue. *Oakland Tribune*, pp. A-1, A-2.

- 1983b (Dec. 18). Emeryville to vote on redevelopment. *Oakland Tribune*, pp. C-1, C-15.
- 1983c (Dec. 29). Emeryville will try for new development plan. *Oakland Tribune*, pp. A-9, A-11.
- Kemery, Dale.
1970 (Nov.). A troubled town. *San Francisco*, pp. 42-45, 58-63.
- LeGates, Richard T., & Pellarin, Claude.
1989. *Planning Tomorrowland: The transformation of Pleasanton, California*. San Francisco: San Francisco State University Foundation and the Public Research Institute. Working Paper 89-12.
- LeGates, Richard T., et al.
1989a. *San Francisco Bay Area growth in the 1980's*. San Francisco: San Francisco State University Foundation and the Public Research Institute. Working Paper 89-9.
- 1989b. *BAYFAX 1989: The San Francisco Bay Area land use and housing data book*. San Francisco: San Francisco State University Foundation and the Public Research Institute. Working Paper 89-10.
- Lurvey, Ira.
1964 (July 12). Preliminary report cites Emeryville's difficulties. *Oakland Tribune*.
- McGrath, Mike.
1983 (July 8). Sharp deals on the flats: Emeryville's development debate. *East Bay Express*, pp. 3-4.
- 1985 (Nov. 1). Annals of development: Pacific Park Plaza ... *East Bay Express*, p. 4.
- 1987 (Oct. 2). Reform slate to run in Emeryville. *East Bay Express*, pp. 3, 24.
- Muller, June.
1968 (Nov. 14). Emeryville can't continue bay fill project. *San Francisco Examiner*, p. 14.
- Oakland Tribune*.
1964 (Oct. 9). High living plan for Emeryville.
1965 (Oct. 26). Emeryville zoning row.
- On, Lester.
1985 (Jan. 9). Flashman, Fertig win Emeryville vote: 2 replace LaCoste supporters on board. *Oakland Tribune*, pp. B-1, B-3.
- Phinney, David. 1983 (April). Bay city intrigue. *Bay City Journal*, pp. 1, 13-17, 32.
- 1986 (July). The new Emeryville: Independent & imaginative developers forge a new direction for business at the heart of the Bay Area. *Bay Area Business*, pp. 24-26.
- 1987 (Oct. 14). Emeryville: Big battle for a small town. *San Francisco Bay Guardian*, pp. 9, 15, 16, 22.
- Rauber, Paul.
1984 (Mar. 9). Growing pains: Development as a regional issue. *East Bay Express*, pp. 3-4.
- Ruth & Krushkhov.
1964a. *Emeryville interim planning program*. Emeryville: Town of Emeryville.
- 1964b. *Emeryville general plan program*. Emeryville: Town of Emeryville.
- 1964c. *A summary report on the Emeryville tidelands plan*. Emeryville: Town of Emeryville.
1966. *Emeryville general plan 1985*. Emeryville: Town of Emeryville.
- San Francisco Chronicle*.
1971 (March 24). Emeryville sued on minority cops. P. 5.
San Francisco Examiner.
1970 (June 24). A move to clean up Emeryville eyesore. P. 56.
- Schmidt, Lisa.
1986 (Mar. 28). Warehouse lite: Gentrification hits Emeryville. *East Bay Express*, pp. 3, 19.
- 1989 (Nov. 3). Shifting alliances mark city council elections in fast-changing Emeryville. *East Bay Express*, pp. 3, 30-31.
- Sedway Cooke Associates.
1987. *Emeryville general plan*. Emeryville: City of Emeryville.
- Shoemaker, Susan.
1978 (June 1). Emery High loses accreditation. *Oakland Tribune*.
- Smith, Julie.
1976 (Sept. 28). Emeryville tries to get itself together. *San Francisco Chronicle*, p. 4.
- Soennichsen, Sue.
1980 (Aug. 2). Study urges rezoning for Emeryville condo complex. *Oakland Tribune*, p. A-8.

Pleasanton: The Next Silicon Valley?

by Sherry Ward

From the 1940's through the 1960's, the Santa Clara Valley boomed with a new industrial base and became known as the "Silicon Valley." In the 1970's however, problems emerged in the area due to the location and type of growth in the previous decades. The small East Bay city of Pleasanton appears to be on the path toward the same type of economic boom. Are the problems that sprung up in the Silicon Valley - namely high housing prices, traffic congestion, and environmental degradation - also going to appear in Pleasanton? Or is Pleasanton taking adequate measures to insure that they do not happen? In this paper, I intend to address this question by addressing the following topics: job growth, housing, jobs/housing/workforce relationship, transportation, and growth attitudes.

Job Growth

Job growth happened rapidly in the Silicon Valley, doubling itself each successive decade between 1940 and 1970 resulting in a total of approximately 350,000 new jobs created (Saxenian). But it was not only the rapid growth that led to the problems of the 1970's for the Silicon Valley, it was also the type of job growth that occurred. The Silicon Valley was dependent upon one type of industry, namely the semi-conductor industry, and thus the make-up of this industry was basically the make-up of the Valley's workforce. Unfortunately, the semi-conductor industry is a top-heavy, bifurcated industry with more highly paid, highly skilled employees than most other industries and a large amount of low skilled, low paid employees; there are no mid-level employees in the industry. Saxenian details how top-heavy the industry was as of 1971 in the article "The Urban Contradictions of Silicon Valley:" "(An) occupational survey classified 27 percent of the semi-conductor workforce in professional and technical positions alone (including engineers and other scientists, skilled technicians, and draftsmen), with another 13 percent in executive, administrative, marketing and supervisory positions."

The growth is just beginning in Pleasanton. A large business park known as Hacienda Business Park is presently filling. It contains 830 acres and is planned to employ 40,000 workers (LeGates and Pellerin, 1989).

In addition, other smaller industrial/business parks are spotted throughout Pleasanton and at buildout the Chamber of Commerce claims that 25 million square feet will be used for office, research and development, and industrial purposes. It is projected that a total of 75,000 jobs will be created (Pleasanton, 1986). Although it is difficult to say when buildout will occur, the Association of Bay Area Governments (ABAG) estimates that buildout for employment will occur around 2015 (Pleasanton, 1986). Thus, only 35 years will have elapsed from the inception of development in 1980 until the projected buildout date. If the ABAG projection is correct, the growth in Pleasanton is happening at a slightly slower rate than the growth that occurred in the Silicon Valley, which went on during the period between 1940 and 1970.

Since the growth in Pleasanton is still taking place, it is difficult to quantify what the workforce will be at buildout. But the developer of Hacienda Business Park planned and designed the park with the objective of luring electronics and high technology industries similar to those located in the Silicon Valley and most of the other business parks are hoping for the same types of businesses (Swift, 1982). In some cases, businesses moving out of the Silicon Valley have already relocated in Pleasanton (LeGates and Pellerin, 1989). It appears that Pleasanton will be a top-heavy, bifurcated workforce similar to the workforce make-up of the Silicon Valley.

Housing

In the Silicon Valley, housing types are generally separated by location. The northern area holds the larger, expensive, single-family homes which are mainly clustered in Los Altos Hills, Los Altos, Saratoga, and Los Gatos. The smaller, less expensive homes and multi-family dwellings are more prevalent in the southern areas, particularly in San Jose, Milpitas, and Campbell.

Pleasanton's housing currently consists predominantly of single-family detached housing. The Pleasanton Plan shows that 80 percent of the housing stock consists of single-family detached homes in medium or low density settings (Pleasanton, 1986). However, new development has shown an increase

in the number of multi-family housing units available. "The total of 976 new multiple family units added in 1988 has increased the percentage of multiple family units from 28% to 31% of the total housing stock" (Pleasanton, 1989). In addition, Pleasanton is projecting that more than one-third of all units to be completed between 1989 and 1991 will be multi-family (LeGates and Pellerin, 1989). Thus, Pleasanton is attempting to keep up with provision of both detached and attached housing.

Unfortunately, even though 30 percent of the housing stock is multi-family units, housing in Pleasanton cannot be deemed affordable. The rental cost of a two-bedroom apartment in the city range from \$500 to \$900, while new units are rented between \$700 to \$900 per month (Pleasanton, 1986). For-sale housing is also fairly expensive. According to the Growth Management Report of Pleasanton in 1989, some developments have prices that are 35 to 55 percent higher than last year, resulting in prices exceeding \$300,000 for medium density single family homes. The average price for homes in the Bay Area is approximately \$250,000; Pleasanton home prices generally exceed Bay Area averages. Many people are having trouble affording homes due to such high rents and prices. It must be mentioned that the city does provide some affordable housing. 625 units exist, all of which are affordable based on a 10, 15, or 30 year guarantee (Pleasanton, 1986), but most of these projects will no longer be under contract to remain affordable at about the same time that buildout is expected (Pleasanton, 1986). In addition, only 391 units are set at below market rates and these constitute only 1 percent of the local rental housing stock (LeGates and Pellerin, 1989). Another 200 units are for senior citizen use only (LeGates and Pellerin, 1989).

Pleasanton currently maintains a waiting list of low-income households for the 150 units of subsidized housing that are available in Dublin, on the northern side of I-580 (Pleasanton, 1986). 450 households were on this waiting list as of 1986 (Pleasanton, 1986). In addition, the 1980 census determined that 24 percent of owners and 38 percent of renters were paying more than 30 percent of their income on housing. If these renters are gauged by national standards, they were overspending on housing costs.

One of the reasons many households are having difficulty finding affordable housing in Pleasanton is that Pleasanton is not meeting its fair share of regional affordable housing. According to the Growth Management Report of 1989, Pleas-

anton is supposed to meet its share of regional housing needs by 1990. The requirement is for the city to approve an additional 718 very low-income units. This seems impossible given Pleasanton's growth management policies and the need for an extremely large subsidy.

But Pleasanton has been trying to increase the number of affordable units. Some of the policies adopted by the city include encouraging higher density projects, low-income housing, and mobile homes. Other measures taken have been to maintain a minimum percentage of rental units, denying apartment to condominium conversion, and encouraging 50 percent of multi-family projects to be rental units (Pleasanton, 1986).

Along with the increase in commercial development, an increase in the number of units is expected. Pleasanton expects to have 29,000 housing units by buildout (LeGates and Pellerin, 1989). With 15,299 units available in 1986, this constitutes an addition of 13,701 units. If the city is permitted to extend its boundaries past the ridges of the west and south by annexation (see Figure I-3), an additional 4,000 housing units could be accommodated (LeGates and Pellerin, 1989). But if market trends continue and the city does not push its policies for providing affordable housing, any new housing stock will continue to be high priced. Because of this, rents will also remain fairly high. The bottom line is that expensive housing will be found in Pleasanton and needed affordable housing will be provided by other cities. The result will be a separation of housing types by location as occurred in the the Silicon Valley.

Jobs/Housing/Workforce Relationship

Due to the structure of the employment base in the Silicon Valley, housing in the area was unaffordable for many workers. The demand for housing located close to places of employment was pushed up by the large number of high-skilled and high-paid employees. As a result, these people were able to live closer to their jobs in expensive single family homes on large lots. The low-skilled, low-paid workers were out-bid for housing close to work and therefore were pushed southward in the search for affordable homes (the separation of housing types mentioned earlier was the end result). A jobs/housing imbalance created the commute that workers had to endure.

Pleasanton's planning department takes an "area-wide" approach to providing an adequate jobs/housing ratio. Al-

though the city believes that it should contribute its share of housing to the local area, it wants to be recognized as an "employment center" (Pleasanton, 1986). So, instead of making sure that the number of jobs and housing provided in the area are in a 1:1 relationship, Pleasanton is striving to have itself along with the surrounding area in a 1:1 jobs/housing relationship. The city justifies its position on this matter by taking the stance that Pleasanton should provide more employment than housing and they recommend that neighboring communities provide the housing needed to balance the ratio.

In 1986, Pleasanton claimed a jobs/housing ratio of 1:1 (Pleasanton, 1986), but according to a report by LeGates and Pellerin in 1989, the number of jobs created has already outpaced the number of houses created. The report also states that the ratio is expected to increase to 6:1 upon buildout.

As mentioned earlier, many current residents of Pleasanton are having problems finding affordable housing. Depending upon the make-up of the new workforce, affordable housing may also be difficult for local workers to find. If the make-up of the new workforce is bifurcated as that of the Silicon Valley, some of the workers may have problems finding housing. In all likelihood, the high paid employees will be able to afford the high prices and the low paid employees will have to look elsewhere. Since Pleasanton is in the midst of growth, it is difficult to say how many of the employees will actually be high paid and hence how many will actually be able to live in the city. Currently, only about one-fifth of the Hacienda Business Park Employees live in Pleasanton (LeGates and Pellerin, 1989).

An example of a worker who cannot afford to live in Pleasanton is April Treece, an AT&T public relations employee. Even though she is part of a two-income household, April lives in Oakland and commutes to the job in Pleasanton. Other employees of AT&T live in Tracy or Manteca where prices and rents are much lower (Beers, 1987). Nearly 2,000 units labeled low-income by the City of Pleasanton were developed between 1987 and 1988 adjacent to the Hacienda Business Park and these units were quickly filled, mainly by Hacienda workers (LeGates and Pellerin, 1989). This shows that many of the Hacienda workers could not afford to live in the city until low-income housing was provided. These examples show that the need for more affordable housing units should be addressed. If it is not, given that Pleasanton has no plans to balance its jobs/housing ratio, lower paid employees will be pushed into outlying areas in their search for affordable housing and the situation will be seen as a repeat of the one that occurred in the Silicon Valley. It does seem likely that this will be the

case as the city has given into pressures and approved commercial development, low density high cost housing, industrial development, a golf course, and other uses instead of pushing for affordable housing (LeGates and Pellerin, 1989).

Transportation

As long as development and growth continued in Silicon Valley, the long commutes for low paid workers became more difficult. Lacking any strong form of public transit, these workers were forced to drive. The result was increasing congestion and gridlock which made the journey to work nearly impossible. Eventually, this congestion began to effect the high paid workers and business growth in the area began to fall off. The congestion and economic decline can be linked to a poorly planned transportation network that wasn't intended to support the vast number of commuting workers utilizing the network.

One of the reasons Pleasanton was chosen by the developer of Hacienda Business Park is because of its location at the intersection of I-580 and I-680. The developer sees the site as a prime location to maximize a commute shed. In 30 minutes, the commute shed "goes down to Fremont, it goes out to Manteca, it goes way beyond Walnut Creek and above Oakland" (Beers, 1987). Although a projection has been made that the freeways in the Pleasanton area will remain "less than heavily congested" through the mid 1990's (LeGates and Pellerin, 1989), what will happen to the freeways at buildout? The developer admits that traffic at peak hours will not travel anywhere close 55 mph (Beers, 1987). In fact, the Pleasanton Plan contains projected ratings for sections of the freeways at buildout. I-580 eastbound during the morning commute hours and the same section westbound during the evening commute hours along with I-680 northbound south of Sunol Blvd. in the morning and the same section southbound in the evening, are all rated "F" for "forced flow, excessive delay and jammed conditions" (see figure I-3). Since these sections of I-580 and I-680 are a major portion of the freeway system around Pleasanton, it must be concluded that traffic conditions on the freeways around the city will be horrendous with very little regular flow of traffic occurring during commute hours. The freeways are not the only transportation arteries that must adjust to the impacts of the projected growth; many streets are already or nearly flowing at capacity (Pleasanton, 1986).

Despite the fact that a new bus system has been started which serves Dublin, Livermore, and Pleasanton, public transit for commuters is virtually unavailable. Since Pleasanton does

not plan to balance its jobs/housing ratio and since prices for housing are relatively high, many workers will be commuting. BART is planning to extend to Pleasanton, but currently only BART Express buses and shuttles to BART exist. If the commuters do not live close to the BART system, they are left to carpool or drive themselves. As suggested previously, many workers will probably reside in the Tracy or Manteca area and they will be left with little access to work.

Recognizing the situation for transportation is serious, Pleasanton has attempted to remedy some of the problems. Many of the streets and intersections will be widened and adjusted to accept the additional traffic, as will I-580 and I-680 (Pleasanton, 1986). The city has also started a "Transportation Management System" (TSM) which encourages ridesharing, carpooling, telecommuting, and flexible working hours to lessen commute traffic effects (Pleasanton, 1986). TSM is more of an ordinance than a casual encouragement. In fact, it requires that employees reduce their peak hour car trips by 45 percent over a four year period by using alternative travel arrangements (Pleasanton, 1986). In 1988, the percentage of commuters traveling alone decreased from 1977 and the percentage of car/vanpools increased (Pleasanton, 1989). In light of this, it seems that the proposals made by the city have potential to alleviate some of the traffic problems but it remains to be seen whether the proposals will actually counter the expected ratings of "F" for the freeways.

Attitudes Towards Growth

Once the residents of the Silicon Valley began to feel the adverse effects of growth such as increased traffic, lack of open space, high housing prices, and environmental danger, feelings of no-growth manifested. Unfortunately, these feelings led to zoning which raised land prices even higher and lower paid employees were pushed farther out.

Pleasanton has traditionally held a very strong slow-growth attitude, choosing to remain small instead of develop and increase its tax base, and even though the city happily grasped at development in the 1980's, no-growth and slow-growth attitudes are still fostered by some of the residents. An example is Citizens for Balanced Growth, a group which has circulated a pamphlet discussing the trade-offs that accompany widespread growth by mentioning the Santa Clara Valley (Silicon Valley) and Los Angeles. This group and others like it have raised enough negative reactions to some multiple family and dense developments that future developments of

such may not be approved despite the city's encouragement (LeGates and Pellerin, 1989).

In order to help alleviate some of the negative feedback the city has received for its pro-growth policies, Pleasanton has zoned lands to create open space so that the impacts of growth are lessened. If the city annexes the ridges to the south and west, plans are that most of it is to be left undeveloped (Pleasanton, 1986). Unfortunately, designating land as open space has the adverse effect of pushing up land costs since the land available for development is less. Thus it is likely that with strong no-growth and slow-growth organizations, higher land prices and the forcing out of more lower income residents could occur in Pleasanton just as happened in the Silicon Valley.

Conclusion

When comparing the growth the Silicon Valley experienced with the growth Pleasanton is experiencing, parallels can be drawn. Just as the Silicon Valley's industry had a top-heavy, bifurcated workforce, Pleasanton is working toward attracting the same types of businesses. The city has also garnered low paying back-office jobs from major corporations such as AT&T. There is no doubt that Pleasanton will duplicate the employment base conditions of the Silicon Valley if growth continues as it has been. Different housing types are separated by location in the Silicon Valley, with the expensive, large homes in the north and the less expensive, small homes in the south. With Pleasanton's high housing prices, lack of true commitment to providing affordable housing, justified imbalance between jobs and housing, and projected workforce make-up, the city will also have a separation of housing types by location. The affordable housing will be found in neighboring or outlying cities. When this separation of housing is combined with the lack of efficient public transit for commuters and a strong slow-growth movement, Pleasanton seems to be following Silicon Valley's example of growth.

Although Pleasanton has already tried to address the growth problems the city may face, little has been done on a large enough scale to keep the city from experiencing the problems of the Silicon Valley. The only positive step Pleasanton has made is the TSM system for transportation. This system will help traffic flow better, but a public transit commute service is needed to truly alleviate congestion problems.

Pleasanton should also try to address its jobs/housing ratio and mandate that a certain amount of affordable and low-cost housing must be provided within the city. In addition, the city should encourage a variety of jobs to locate there, particu-

larly those with mid-level employees to help reduce the bifurcated workforce that is currently being encouraged. If Pleasanton continues to zone for open space, it cannot keep itself from the high housing prices, traffic congestion, and environmental degradation that the Silicon Valley has experienced. Even though Pleasanton is in the midst of growth, there are choices that can be made. The city can choose not to become another Silicon Valley. But if it doesn't, the situation will worsen and businesses and people will be discouraged from locating in Pleasanton.

References

Beers, David;

1987

"Tomorrowland," *Image Magazine* January, 18.

Citizens for Balanced Growth;

1982

"What Happened Today Will Change Your Life," pamphlet.

LeGates, Richard and Pellerin, Claude;

1989

Planning Tomorrowland: The Transformation of Pleasanton, SFSU Public Research Institute, June.

Pleasanton

1986

The Pleasanton Plan 1986, Pleasanton, Ca.

Pleasanton

1989

Growth Management Report 1989, Pleasanton, Ca.

Pleasanton Chamber of Commerce;

1986

"Community Guide and Membership Directory," pamphlet , Pleasanton, Ca.

Saxenian, Analee;

"The Urban Contradictions of Silicon Valley."

Swift, Brian

1982

EIR - Hacienda Business Park, Pleasanton, Ca., March .

Berkeley Rent Control 1989

by Matthew D. Ridgway

Introduction

Except in New York, where they have existed since 1942, rent controls were only used during wartime emergencies in most other places. Because New York City's "Rent Control" has had negative effects on the city's housing situation, in that many buildings have been poorly maintained and even abandoned by their owners, rent control is referred to as "Rent Stabilization" now. Rent control carries negative connotations. In 1969 and 1970, New York City rent control went through a major reform in which there was a switch from a system in which 15% increases were allowed each time a unit became vacant but no across the board hikes were allowed to a system where annual across the board hikes were allowed and the 15% increase upon vacancy was no longer allowed. After 1969, many other cities began to implement Rent Stabilization including Boston, Massachusetts and Washington, D.C..

In 1972, Berkeley adopted rent stabilization by initiative. Under Berkeley's system, landlords were required to individually apply for rent increases which would be considered unit by unit by a Rent Stabilization Board. This method of increase was obviously going to be a tedious and slow process in which landlords would probably be waiting a long time just to have their increases considered. In 1973, in *Birkenfeld v. City of Berkeley*, rent control opponents attacked Berkeley's rent control on the grounds that rent control is an emergency function and in an emergency policy there must be factual findings that an emergency exists. This argument was upheld. The Court of Appeals again agreed that the ordinance was unconstitutional on the grounds that it failed to have a termination date, something which every emergency policy must have. Finally, the California Supreme Court in 1976 found the ordinance unconstitutional but not on any of the same grounds as in the lower courts. The Supreme Court found Berkeley's rent control unconstitutional on the grounds that it was excessively cumbersome in its method of rental increases. While the California Supreme Court found Berkeley's rent control unconsti-

tutional, they decided that a housing emergency is not a prerequisite for rent control.

Berkeley Rent Control

Until 1979, there was no resurgence of rent control in California. In 1978, California passed Proposition 13 which lowered residential property taxes. Property taxes averaged about 7 percent of apartment owner's gross income (Baar, 1984). Renters were expecting their rents to go down as a result, but instead rents went up and renters in Berkeley revolted in November of 1978 by passing Measure I (a Proposition 13 rent rebate) by initiative. In December of 1978, rents in Berkeley rolled back to June 6, 1978 levels. In June of 1980, Measure D, which called for just cause for eviction, no vacancy decontrol, and an exemption for new construction, was passed. Rent increases were decided by a nine-member Rent Stabilization Board which came up for re-election every two years. Berkeley rent control covered all units including mobilehomes with the only exceptions being owner occupied duplexes and accessory units.

In June of 1982, Measure G was passed by the Berkeley voters and is still in effect. It is very much the same as Measure D with a few extras such as elaboration on the just cause for eviction. As such, Berkeley has the most stringent rent controls in California along with Santa Monica. The purpose of Berkeley's rent control is to "protect tenants from unwarranted rent increases and arbitrary, discriminatory, or retaliatory evictions, in order to help maintain diversity of the Berkeley community" (Measure G, Tenant's Rights Amendments Act of 1982).

The most important question which can be asked about rent control is, is it working? Are the rents actually being kept down? And, if so, are the low rents benefitting those people who are in need of lower rents? There are also some things that must be monitored, of which poor maintenance and lack of mobility are the most serious. A study published by a group called the Bay Area Economics entitled "Berkeley Rent Control 1988: Historically Low Rents And Tenant And Housing Profile"

investigates these issues and others. The Bay Area Economics conducted the study, published in December of 1988, by mailing a questionnaire to 2,000 households. The group prepared the study for the Berkeley Rent Stabilization Board.

The results of the study show that the 1987 average rent in rent controlled units in Berkeley was \$402.00. Almost two-thirds of the households interviewed paid less than 30% of

control, maintaining diversity in the community, is also being accomplished. The evidence also suggests that there may be a maintenance problem in the rent control units but that there is no lack of mobility with Berkeley tenants which also suggests that there is not a lack of available units. When asked about their perceptions of how well rent control is working in Berkeley, tenants were overwhelmingly positive.



photo by Matthew Ridgway

Just one of many Berkely tenants who benfit from Rent Stabilization

their gross income for rent. The group aimed part of the study at the units with "historically low rents." Historically low rents have been defined in two ways: it can be the lowest 5% of the rental stock or "break-even" rents. The "break-even" method measures the minimal rent necessary to maintain a rental unit. Historically low rents are those falling below the break-even rent level. About 34% of the households interviewed in historically low rent units earned less than \$10,000.00 per year, 50% of the respondents in historically low rent units were black, and one third of the respondents were over 55 years of age. Tenant households in rent controlled units in Berkeley tended to be small, relatively young, ethnically diverse and of moderate incomes. The study also found that 80% of the survey respondents reported maintenance problems in their buildings. Almost one-third of the respondents had moved into their current units since June of 1987.

With these results, we can safely say that Berkeley rent control is indeed holding down the rents in Berkeley and that the lowest of the low rents are targeted to those who need them. In addition, the overall rents are much lower than the overall rents in other Bay Area cities. The main purpose of rent

Two things the study does not do are provide findings on how much new construction is going on in Berkeley and directly address the issue of whether there are enough rental units in Berkeley. However, it becomes evident just by driving around in Berkeley that there is little new construction compared to other Bay Area cities.

Judicial Actions on Rent Control

Already discussed was the *Birkenfeld v. City of Berkeley* case in which the court ruled that a housing emergency was not a prerequisite of rent control. The decision stated that local governments

had the power to implement rent control under their police power. Another result of that case was that the court acknowledged that there might be a need for just cause for eviction policies.

In *Fisher v. City of Berkeley* in 1983, landlords attacked rent control on the basis that it was unconstitutional to make landlords individually petition the rent board to secure rent hikes to cover cost increases due to inflation and that Berkeley law violated anti-trust law. After the lower court ruled in favor of the landlords, the appellate court did the same. The City of Berkeley appealed to the California Supreme Court where the constitutionality of Berkeley rent control was upheld. The court stated that the fair return on investment standard is not confiscatory. Berkeley landlords filed an appeal with the United States Supreme Court, which agreed to review only the antitrust component of the case. The Supreme Court ruled eight to one that the ordinance was not a violation of the Sherman Antitrust Act (California Association of Realtors,

Matthew Ridgway is a graduating senior from the Urban Studies Department. His interests lie in housing.

1988).

In 1984, in the case of *Carson Mobilehome Owner's Association v. City of Carson*, the park owners challenged the constitutionality of mobilehome rent control and lost by a unanimous decision. Again in *Hall v. Santa Barbara*, when mobilehome rent control was adopted, park owners claimed that the ordinance was a taking without just compensation. The case was never even heard being dismissed at the district level and remanded at the appellate court level. The city appealed to the United States Supreme Court to uphold the original dismissal but the court refused, and the case will be re-tried at the Federal Court level (C.A.R., 1988).

Adler v. Elphic evolved when three individuals in Berkeley who bought a duplex attempted to occupy both units. The tenant claimed that the property was a community apartment project when the new landlords gave him an eviction notice. Both the district and the appellate court ruled in favor of the three owners (C.A.R., 1988).

State Legislative Actions on Rent Control

Many efforts have been made to do away with or limit rent controls through legislation. The latest was a bill co-sponsored by the California Association of Realtors, the California Housing Council, the California Apartment Association, and the California Building Industry Association. This bill, SB 1614 (Garamendi) from 1987 and those that went before it and lost, AB 965 (Costa) in 1983, AB 3808 (Costa) in 1984, and AB 483 (Costa) in 1985, worked for three basic provisions: vacancy decontrol/recontrol (which is when rental units are released from rent control at the time of vacancy, allowing the landlord to raise rents to market rate, and then the units are again subjected to rent control at the time of occupation) an exemption for new construction, and an exemption for single family homes. C.A.R. also introduced AB 1270 (Agnos) calling for an exemption for all new construction which lost in 1987. There is currently other legislation in the making (C.A.R., 1988).

The Ellis Act is another bill relating to rent control. The Ellis Act passed in 1986 in response to a Santa Monica case. The Ellis Act, SB 505, gives owners of residential rental property the right to evict all of their tenants in order to go out of business. On June 26, 1986 Berkeley passed its Ellis Bill mitigation ordinance which essentially made it impossible for residential property owners to use the Ellis Act to their advan-

tage. Berkeley's mitigation ordinance requires that a property owner give six months eviction notice to its tenants, that fees will be levied on property owners seeking to withdraw, that property owners must own the property outright in order to withdraw, and that the property that is to be withdrawn be brought up to code in order for the property owner to withdraw.

One blow which rent control advocates of Berkeley have taken in legislation is SB 692 (Keene), the Costa-Keene-Seymour Commercial Property Investment Act of 1987, which preempts any local entity from imposing rent controls on commercial properties (C.A.R., 1988).

The Berkeley Rent Stabilization Board

Measure G is written vaguely in places such as the section on the Rent Stabilization Board appointments. According to the actual measure, the City Council appoints the Commissioners of the Rent Stabilization Board according to the Fair Representation Ordinance. Their terms are not specified. The only requirement which must be met in order to become a Rent Stabilization Board Commissioner is that an individual reside in Berkeley. The position only pays \$5.00/hr and the amount of compensation can never exceed \$3,000.00 in a year.

The Berkeley Rent Stabilization Board is made up of nine commissioners who are elected by Berkeley voters. There are two opposing coalitions on the board: The Berkeley Citizen's Action (BCA) and the Citizen's for Fair Rent Control (CFRC). The BCA is the more liberal of the two groups, supporting rent control, while the CFRC is the more conservative of the groups, supporting fair rents and disliking rent controls. Presently, five BCA members and four CFRC members govern the board. However, until the recent recount in January 1989, after the election in November 1988 the CFRC was the dominant coalition. Richard Noguera, a BCA member, replaced Richard Holt, a CFRC member, after the recount found that Noguera won by one vote (Daily Californian, March 7, 1989).

The BCA is a very well connected coalition. Along with being the dominant coalition on the Rent Stabilization Board, it is also a strong coalition on the City Council. John Bauer, the former chairman of the Rent Stabilization Board, was also the chairman of the BCA. Florence McDonald, a BCA Rent Stabilization Board Commissioner, was with the City Auditor's office. Westley Hester, a Rent Stabilization Board Commis-

sioner, was a member of the City Council. In 1984, the BCA had control of the City Council, the Rent Stabilization Board, the School Board, and several others.

The CFRC, on the other hand, is a coalition existing solely on the Rent Stabilization Board. Actually, the CFRC is a combination of two coalitions: the Berkeley Democratic Club (BDC) and the All Berkeley Coalition (ABC). While each of these coalitions possesses considerable power, neither possesses as much support as the BCA. One advantage that the CFRC does have is that it receives more funding than the BCA. There are limits to how much can be spent on campaigning for the Berkeley Rent Stabilization Board, so the advantage is limited.

Conclusion

The way this paper is laid out, one may have gotten the impression that while there are many different aspects to rent control, as a whole rent control is a simple issue to understand and follow. This is not at all the case. Rent controls are constantly changing especially in Berkeley, where the rent control advocates hold such a small margin of dominance (five of nine Rent Stabilization Board Commissioners) yet the rent control policies are extremely liberal. Also, the paper is not meant to give the impression that there is a clear-cut policy on either side of the rent control issue. There are cases where members of coalitions cross-over on certain issues and on occasion the coalitions agree on issues. Lastly, the CFRC and the BCA are not the only coalitions affecting decisions on rent control in Berkeley. There are numerous other coalitions involved in this constant fight including the Berkeley Property Owners Association, the Black Berkeley Property Owners Association, the Berkeley Tenants Union, and the California Association of Realtors. There are also dozens of legal services offered to tenants and property owners alike. Each of these groups has its own ideas of what rent control should be like and whether or not there should be rent control at all. It continues to be a very controversial issue.

References

- Baar, Kenneth K.
1984
"Rent Control: An Issue Marked by Heated Politics, Complex

Choices and a Contradictory Legal History" *Western City* (June).

Measure G: Tenant's Rights Amendments Act of 1982.

President's Commission on Housing
1982

"Report on the President's Commission on Housing."

Bay Area Economics
1988

"Berkeley Rent Control 1988: Historically Low Rents and Tenant and Housing Profile" (December 15).

California Association of Realtors
1988

"Rent Control at the Local Level: an Analysis and Update" (March).

California Association of Realtors
1986

"Rent Control at the Local Level: an Update" (December).

Berkeley Rent Stabilization Board
"Evictions in Berkeley."

Selesnick, Herbert L.
1976

"Rent Control" Lexington, Massachutes: Harbridge House.

Stern, Susan.
1987

"Berkeley Rent Board Director Quits in Frustration" *Tribune* (April 7).

Anderson, Craig
1989

"Noguera Takes Seat, Opponent Vows Appeal" *Daly Californian* (March 7).

Brooks, Joe
1989

Interview with Director of Public Information of the Berkeley Rent Stabilization Board (April 24).

Davis v. City of Berkeley and Voter Approval of Low Income Housing

by Rick Lewis

A recent California State Supreme Court decision will significantly affect the type and quality of low income housing built in this state. The Court ruled in December 1989 on Davis v. City of Berkeley on a key aspect of Article 34 of the State Constitution which requires voter approval of any low income housing project. Specifically, the Court decided that certain minimum information about a proposed project must be provided to the voters. While, in theory, it is appropriate to give the public as much information as possible under the Article 34 guidelines, with the scarcity of federal housing funds and the short application period for such funds, to require the specificity that the Court now demands is tantamount to eliminating most low income housing construction in the state.

In this paper, I will review the history of Article 34, take a closer look at the Davis v. City of Berkeley case (hereinafter referred to as "Davis"), and look at what is being done in the wake of this decision to address the need for low income housing.

History

Article 34 was added to the State Constitution by an initiative on the November 1950 ballot. Known as Proposition 10, it was passed by 50.6% of the voters. "The proposition was inspired by a controversy that arose when voters in the City of Eureka sought to review, by referendum, the city council's authorization of a proposed housing project" (Davis v. City of Berkeley, CA Supreme Court, Dec. 18, 1988: page 24).

The key issues behind Proposition 10 were the fiscal impact on the community and concerns about the aesthetic environment (the assumption that low income housing would be unsightly). There is also evidence that the motivation behind the ballot initiative was at least partially racially motivated ((Los Angeles Times, November 3, 1950, ss2, page 4).

Article 34 states in brief: "No low rent housing project shall hereafter be developed, constructed, or acquired in any manner by any state public body until a majority of the qualified electors of the city, town, or county, as the case may be "...approve such project by voting in favor thereof..." (California State Constitution, Article 34, Public Housing Project Law, Section 1, page 515).

In the 1970's, there were two key court decisions that affected the application of Article 34 to low

income housing. In 1972, James v. Valtierra, sought a declaration that Article 34 was unconstitutional because its referendum requirement violated the Equal Protection Clause of the United States Constitution. Plaintiffs contend that Article 34 denied them equal protection because it "demands a mandatory referendum while many other referendums only take place upon citizen initiative" (James v. Valtierra, 402 US. 137, 142 [1972]). The lower court agreed, stating that Article 34 placed "special burdens on...minorities within the governmental process." (James v. Valtierra, 402 US. 140) This argument seems particularly compelling since Article 34 affects only low income housing and not other government subsidized housing (e.g., veterans, elderly, moderate income, etc.)

The United States Supreme Court, however, reversed the decision and dismissed the referendum requirement as a disadvantage but not a denial of equal protection. Justice Black writes for the majority, "[p]rovisions for referendums demonstrate devotion to democracy, not to bias, discrimination or prejudice" (James v. Valtierra, 402 US. 141).

The Supreme Court decision in Valtierra favored the "democratic nature of the referendum process over the right of indigents to the construction of decent housing" (Loyola Law Review, Volume 5, page 389, 1972). The Court decision ignored the fact that a disproportionate number of low income persons are from racial minorities. They will be forced to rely

on the more difficult-to-prove racial discrimination to guarantee decent, affordable housing.

In the 1978 case, California Housing Finance Agency v. Patitucci, the California State Supreme Court upheld the 1976 legislation which excluded from the definition of 'low rent housing project' "any development which is both privately owned and carries no ad valorem property tax exemption and in which not more than 49 percent of the units are made available to persons of low income" (California Housing Finance Agency v. Patitucci, 22 Cal. 3d 171, (1978)). The Court's decision is based on the fact that since a minority of the residents of such a project are low income, the project should be identified as mixed income. They also found that, since a primary purpose of Article 34 is to assure local voters the opportunity to vote on projects that are exempt from property taxes, a referendum would not be necessary in the above-described project. Finally, they held that the secondary purpose of Article 34, to assure a community voice in aesthetic environment, would be answered by the presumption that moderate income renters would demand a more attractive environment than would low income renters.

This ruling had a significant impact in assuring that various mandatory set aside programs (e.g., minimum 20% of units be set aside for low income renters) have been able to continue in spite of the fact that government assistance is provided.

Significance of Davis

In July 1984, the City of Berkeley decided to pursue the development of 75 units of low income public housing in

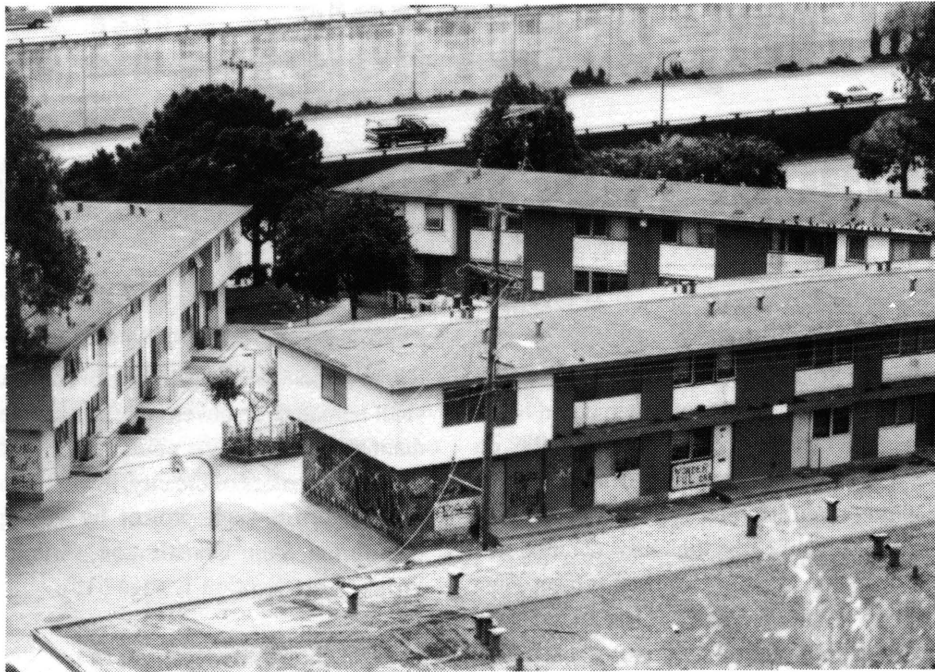


photo by Karin Lamb

The public housing projects in Bernal Heights, San Francisco

Berkeley. The City determined that two ballot measures approved by the voters in 1977 and 1981, authorizing the construction of a total of 500 low rent, public housing units, were sufficient to meet the Article 34 requirements. When the City

applied for HUD to finance the project, they submitted the required certification that Article 34 approval for the project existed.

In August 1985, five Berkeley residents requested that the city submit the 75-unit project for voter approval pursuant to Article 34 on the theory that the enabling voter-approved ballot proposals were phrased in such general language to fail to comply with Article 34's requirements. They sought to compel voter approval and halt all further development of low rent public housing projects pending such an election. The request was denied. After further legal action, the Superior Court ruled in August 1986, that the city had met its Article 34 obligations. That ruling was appealed to the Court of Appeals.

The Court of Appeals affirmed the lower court ruling, stating "[i]n discussing the principal issues whether project specificity in local ballot proposals is mandated for Article XXXIV housing, we undertake a comprehensive review of the constitutional provision and analogous statutes in light of relevant history and past interpretations. We conclude that none of the sources indicate that constitutional provision mandates the inclusion of specific details of a low income housing proposal in the enabling measures ultimately submitted for voter approval" (Davis, 238 Cal. Rptr. 730, 733 [Cal. App. 1 Dist. 1987]).

In Davis, the Court of Appeals concludes that "[f]or the past 37 years, numerous states and federal agencies, the State Attorney General, many California cities and counties and housing organizations have consistently interpreted the requirements of Article 34 as authorizing the electorate to simply vote its general approval or disapproval ("yes" or "no") on publicly assisted, low income housing in their city or county....California Constitution Article 34 requires no more than general voter approval of public housing, and that enacted measures A & D validly authorize the city's contemplated...project" (Davis, supra, page 744).

The Davis case was appealed to the State Supreme Court, which attempted to "determine what information regarding a low income housing project a state public body must submit to the voters when seeking authorization under Article 34, and whether the City of Berkeley provided such information when it sought approval of the project" (Davis, supra, page 1).

While the Court rejected Plaintiff's contention that "specific site and design of each proposed housing development must be submitted for voter approval" they ruled that greater specificity than the City provided was necessary.

The United States Supreme Court took a much closer look than the lower courts at the language of Article 34, scrutinizing the meanings of the words "project" and "development". They determined that a more developed plan than was supplied by Berkeley was necessary for voters to adequately consider the impact of the project, according to the implied intention of the authors of Article 34. "We conclude that the plain language of Article 34 requires voter approval of specific housing projects; it is not enough for a locality to obtain prospective authority to formulate and implement public housing policy within broadly defined limits. The city's 1977 and 1981 enabling measures therefore failed to conform with the requirements of the Constitution" (Davis, supra, page 36).

The Court further states that "required voter authorization should be obtained prior to the submission of a preliminary request for funding and thus without specification of all the details of a proposed project...they should be told at a minimum the size, household-type and structure-type of the project and also the community in which it will be developed...[as well as if] there are suitable sites for the proposed project for which

appropriate and adequate facilities and services are available" (Davis, supra, pages 36-38).

However, despite the detail the Court uses to spell out what they consider necessary for Article 34 complying votes, they conclude by stating, "[w]e leave it to the Legislature...to define more precisely the minimum factors required for project identification in an Article XXXIV referendum" (Davis, supra, page 38).

This three-to-four decision stood for only three months. In March 1989, the Supreme Court, for only the fourth time in its history, vacated its decision in Davis and agreed to rehear the case. They gave no indication of the reason for this action. However, it may be enlightening to look at the dissenting opinion of Justice Arguelles to see what may be considered in the review. Justice Arguelles wrote "...the interpretation of Article XXXIV which the majority now adopts represents a radical departure from the way Article XXXIV has been uniformly interpreted for the 38 years that this constitutional provision has been in existence....[M]unicipalities throughout California...have regularly submitted to their local electorates ballot measures virtually identical to the ballot measure at issue here to secure the voter approval required by Article XXXIV....[T]he validity of this form of...proposition had been approved by every governmental entity...over the history of this constitutional provision" (Davis II, J. Arguelles, dissent, page 2). "The public housing 'project' on which the residents of Eureka were seeking an opportunity to vote was in reality no more specific than the Berkeley ballot measures at issue here" (Davis II, J. Arguelles, dissent, page 17). This measure sited a specific number of units, but no site for the units, nor size, value of the property, time frame over which the units were to be built, etc. "...[T]he factual background of the 1950 initiative does not suggest that the drafters intended to require any more specific ballot measure than submitted to and approved by Berkeley voters (Davis II, J. Arguelles, dissent, page 18). "[G]iven the limited...federal housing funds available...it is not surprising that federal officials demand assurance at the outset that funds will not be invested in a project that faces the uncertainty of a local ballot election....[B]ecause of the very brief period of time between the federal agency's invitation...and the...deadline for filing such an application...there is absolutely no way Berkeley could have qualified for the federal grant if, as the majority now holds, Article XXXIV approval could not properly have been sought or obtained prior to...the announce-

ment of the specific federal preliminary funding grant." (Davis II, J. Arguelles, dissent, page 5) (State Election Code, Sections 3710 and 4020 requires 88 days from the announcement of a special election to the actual day of election.) "[I]t will transform the constitutional provision from a means of giving voters a say in local low-rent housing decisions into a practical barrier to obtaining federal low-rent housing funds." [Emphasis added] (Davis II, J. Arguelles, dissent, page 5) It is not clear how many projects may be affected by the decision however, there are \$111 million in HUD low income housing projects consisting of approximately 2,200 units. It is likely that there are thousands more.

Response to Davis v. Berkeley

In response to the Supreme Court decision, the State Legislature undertook measures to limit the impact of that decision, which resulted in the passage of two bills during the 1989 legislative session. Senate Bill SB1045 was emergency legislation to assure that projects previously approved by referendum similar to Berkeley's would be exempt from additional Article 34 elections. These projects are defined as: 1) those in various stages of completion and meeting certain conditions and timelines, and; 2) those having received HUD program reservation.

Assembly Bill AB1483 sought to establish Article 34 minimum election requirements, as mandated by the Court, and to further clarify the type of project necessitating an Article 34 election.

Although the legislature had broad support, ranging from homeless groups to the California Association of Realtors, major opposition came from the California Housing Council, an anti-rent control group of developers. They held up passage of the legislation, arguing that cities with rent control should not get the state housing assistance provided by the bills. When

SB1045 and AB1483 were finally passed by the legislature, they were both vetoed by Governor Deukmejian.

It was disappointing that the governor refused to sign these bills. However, since the Supreme Court vacated its decision, most cities are proceeding with previously approved projects. HUD is also continuing to provide funding.

Housing advocates now must wait for the rehearing of Davis v. Berkeley by the Supreme Court. The legislature will undoubtedly try again to pass clarifying measures, but it may also have to wait for a new governor in 1991 to sign it into law.

Conclusion

Article 34's original intent was to give citizens a voice in decisions relating to the financial impact of low-income housing on a community. For 38 years, a well established system for elections has provided this voice.

The California Supreme Court decision in Davis v. Berkeley threw out this established procedure and threatens a significant portion of future low income housing in California. As Justice Arguelles pointed out, the Supreme Court imposed impossible conditions for a city such as Berkeley to meet in order to comply with Article 34 provisions. It is hoped that upon rehearing that the Court majority will relapse this and reverse the decision.

The Supreme Court also charged the legislature with the task of clarifying the issue of how much information is required to meet the Article 34 requirements. The governor has an obligation to approve legislative efforts and allow the continued construction of much needed low income housing rather than catering to powerful single issue lobbies. If he does not, it is possible that citizens will once again take the matter into their own hands through referendum.

The Role of Non-profits in the Development of Affordable Housing Stock

by Michael T. Eaton

Introduction

This paper focuses on the interconnections between homelessness and the decreasing stock of affordable housing in the United States and more specifically, San Francisco. There will be an emphasis on a policy solution which can be implemented at the federal level and then applied locally to the San Francisco Bay Area. The policy solution that will be introduced involves the role of non-profit organizations, or more specifically, non-profit housing developers as a major component of a solution to end the affordable housing crisis in the United States. Non-profit sector firms have been utilized heavily in Canada to create and manage low-cost housing (Dreier, 1989) and there are currently a number of firms in the San Francisco Bay Area performing similar functions. Canada's policy of supporting non-profit housing developers will be examined in detail and an example of a San Francisco Bay Area non-profit firm will be cited as a model for a potential solution to the affordable housing crisis in the United States.

The Declining Stock Of Low-cost Housing In The United States

Homelessness wasn't considered a major problem in the United States during the years following WWII until the early 1980's. Prior to the 1980's, homelessness tended to be concentrated in the older core cities of the United States. Such cities would San Francisco, Oakland, San Jose, Berkeley, and Richmond in the Bay Area (LeGates, 1989). But a combination of economic factors and changes in national public policy have combined to create a homeless population in this country which has been estimated to range in size from two million (Hopper and Hamberg, 1986) to six million persons (Ovrebø, 1989). In San Francisco alone, it is estimated that there are from eight thousand to ten thousand homeless persons (National Coalition for the Homeless Survey, 1986).

Some of the elements that have contributed to the rising rates of homelessness through the 1980's have been the recession

of 1982 during which 22 million people lost their jobs and the current state of the economy that is reflected in the imbalance between average wage rates and housing costs. Basically, the costs of rental housing as well as housing for purchase are such that persons must spend increasingly larger portions of their incomes for housing costs which leaves less funds available for food, clothing, and other expenses (Ovrebø, 1989). This is particularly evident in San Francisco as it was estimated that 21.6 percent of the city's population fell below what was considered to be the very low poverty level - \$11,000 for a family of four - during 1985 (Huttman, 1988). It has been found that many San Franciscans spend well over half of their incomes on housing costs.

Not only is there an imbalance between the average wages paid and housing costs, but there continues to be a decline in the amount of low-cost housing that is available. The federal government was the major provider of low-income housing after WWII until the early 1980's. But under the Reagan Administration, low-income housing programs were slashed out of the national budget by 80 percent - down from \$33 billion spent in 1981 to \$8 billion spent in 1988 (Dreier, 1989). In San Francisco, the lack of affordable rental housing is illustrated by the decrease in the number of single-room occupancy (SRO) hotel rooms, the decrease in rental housing vacancy rates, and the lack of rental units which qualify under the Section 8 federal housing allowance program as fair market rental units (Huttman, 1988). SRO hotels, typically the only form of affordable housing for persons on the verge of homelessness such as SSI recipients, have declined in great numbers within the past two decades in major American cities. SRO's

Michael T. Eaton is a graduate student in the Public Administration program at San Francisco State University. His Undergraduate degree is in Psychology. He is currently employed by the Bay Area Homelessness Program, a consortium of universities in the San Francisco Bay Area working on homelessness prevention.

in New York City alone decreased by more than fifty percent between 1975 and 1981 and San Francisco has lost an average of 1200 SRO rooms per year since 1975, despite recent laws intended to protect the existing stock (Ovrebo, et al, 1987).

Vacancy rates in San Francisco were 1.5 percent during 1986 compared to a national average of 7.7 percent (Huttman, 1988). However, vacancy rates alone do not reveal whether vacant apartments are high-cost or low-cost units. One might assume that a higher proportion of vacant units are high-cost due to the demand for low-cost units by near homeless and homeless individuals.

The federal Section 8 housing program began in 1974. When a family or individual is enrolled in this program, they are provided with a certificate that entitles them to locate an apartment renting at a level the Federal Department of Housing and Urban Development (HUD) sets a fair market rent. Once a family finds an apartment, HUD pays the difference between the fair market rate and 30 percent of the family's income (LeGates, 1989). However, in San Francisco and nationwide, about fifty percent of the tenants who receive Section 8 vouchers return the vouchers unused because they are unable to locate apartments for the defined fair market rents.

Meanwhile, these homeless people are given temporary shelter in hotels at a monthly cost far greater than the defined fair market rents. In 1986, San Francisco spent \$9.8 million for housing its homeless population, with over half of that amount being used to rent rooms in 32 for-profit hotels. In *Rachel and Her Children*, Johnathan Kozol documents instances of New York City paying costs as high as \$3000 per month to house families in for-profit hotels (1988). One such family was limited to \$366 per month by their Section 8 voucher and was unable to find their way out of the substandard conditions in the hotel.

Hence, it is apparent that the availability of affordable housing stock has a direct correlation with homelessness. "Most homeless are without shelter because they cannot afford the rent for the unit and/or the initial housing outlay, and/or they have been evicted from their housing" (Huttman, 1988). Policies that increase the availability of low income stock can contribute to a decline in the rate of homelessness.

Factors Contributing To Decreasing Low-cost Housing Stock

In San Francisco, a decline in available low-income rental housing can be attributed to a number of factors. There

are declining numbers of SRO hotels because the majority of these businesses are found in the private for-profit sector and they are no longer the good investments that they were decades ago. Most of these hotels are in poor condition and have depreciated in value. As the value of the residential hotel business has decreased, the land that these hotels are built on has increased in value. "Currently the value of the land on which (residential) hotels are built exceeds that of the hotels themselves" (Ovrebo et al, 1987). As a result, no new SRO hotel rooms are being constructed and those that are converted to other uses remove needed low-income housing units from the market (Ovrebo et al, 1987).

Also, rent control laws across the country have been cited as a reason for the decline in the overall amount of housing stock. In *Rental Housing in the 1980's*, Downs states that rent control laws produce a disincentive for investors to invest in the rental housing business. Rent control laws protect stable populations that remain in the same housing structures while creating higher rents for individuals that relocate within or into the area. A situation is created in which higher-income individuals are able to afford the higher rents, but lower-income individuals have a much more difficult time finding affordable housing. The greatest beneficiaries of rent control are often middle class individuals (Stone, 1986).

Another factor contributing to the decline of rental housing stock is the high incidence of conversion of traditional rental housing to other uses. As mentioned above, there is definite incentive for for-profit private sector owners of SRO hotels to convert the hotels to other uses (such as tourist hotels) and many have done so in the last several decades. Apartment conversions to condominiums contribute to a decline in the stock of low-cost rental housing. San Francisco was among the leading cities in condominium conversions in the 1970's (Huttman, 1987). In addition, urban renewal projects such as San Francisco's Yerba Buena Project in the South of Market area have converted formerly residential units into commercial developments (Hartman, 1974).

These three factors - rent control, the decrease in value of SRO for-profit business, and conversions of housing stock - are immediate causes leading to the decline in low-income housing stock in this nation. Root causes of these events are based in the American economic system and in the typical ways the United States finances housing structures. In our capitalistic system, it is in the interest of private sector businesses to drive wages to the lowest possible level so that these firms are assured of the quality and quantity of labor they desire to

purchase. As a result, "the labor market continues to exert a downward pressure on working-class incomes and in turn, on working-class living standards" (Stone, 1986). Housing prices in this country are determined by the markets for houses and apartments and also by the construction and finance industry. Price is also greatly affected by the consumer's ability to pay for housing. This factor often drives the price of existing housing to a lower level than the costs of new housing production. Under these circumstances, it is not profitable for private sector housing developers to produce new units of housing. A housing shortage then ensues which has the effect of driving up the price of existing housing (Stone, 1986).

There have been serious problems with the "based on debt" housing industry. Borrowed funds, or mortgages have characterized the housing market in the United States since the 1930's. There are inherent weaknesses in such a system, the effects of which have manifested through the 1980's. First, debt in the housing market since the 1930's has grown at a much faster rate than the economy as a whole; the debt is increasing at a faster rate than the ability to repay the debt. Second, since the housing industry in America is highly dependent on debt, the industry is greatly affected by changes in interest rates. A third major weakness has been the vulnerability of savings and loans and thrift institutions (Stone, 1986). Indeed, we are currently observing a great crisis in the solvency of the savings and loan industry.

Non-profit Organizations As Housing Developers

Non-profit organizations developing and managing housing structures on a mass scale can help to increase our nation's stock of affordable housing. In order for non-profit organizations to have an observable effect on minimizing the housing shortage, a significant amount of funding from the federal government will be required. With such funding available, non-profit organizations can fill the gap which was created when the federal government cut the production of housing structures out of its budget. Increased participation by non-profits in the housing industry will bring about more jobs and stimulate the economy as a whole.

The production of housing should be aimed at meeting the needs of those consumers who have been cut out of the housing market by an inability to pay for or find existing affordable housing. It will be necessary, just as in public housing organizations, for there to be means testing so that those whose incomes are below a set level will receive the low-

cost non-profit housing that is developed. This would prevent the beneficiaries of such a program from being primarily middle-class as in the case of rent control laws. The costs to the federal government for this proposal will be significant, but if the 80 percent of the federal housing budget which was cut during the 1980's was to be restored and adjusted for inflation, that same amount could be invested in non-profits and a significant dent could be made in the affordable housing shortage. The political climate in Eastern Europe and the current status of Soviet-American relations has created a climate in which the military budget of the United States could withstand large cuts over the next several years. There is no reason why some of the savings couldn't be used for housing expenditures.

Non-profit involvement in the housing market can address some of those factors contributing to declining low-cost housing stock due to such stock being deemed as poor private investments. It was previously mentioned that SRO's are no longer profitable investments and therefore many private owners would like to convert or sell these businesses. If these businesses were run by the non-profit sector of our economy for reasons of income redistribution rather than as profit making investments, this vital housing stock could be maintained. Indeed, San Francisco is currently considering purchasing some of the earthquake-damaged SRO hotels and turning them over to non-profits (San Francisco Examiner, 1989). Non-profit involvement in the housing market can also counter some of the disincentives for investment created by rent control laws. After WWII, many countries in Western Europe imposed strict rent control laws and simultaneously countered decreased private investment in housing with increased housing production in the public sector (Stone, 1986). Non-profits can serve a similar function in this country. Non-profit housing development can lower the costs of housing and the imbalance between wages and housing costs can be ameliorated.

To observe the effectiveness of non-profit firms in housing production, Canada produced similar policies that have proven to be successful. The country began to direct government funds toward community-based, non-profit developers about 20 years ago in response to its government's disillusionment over their public housing structures. At about the same time, the United States began to channel its public housing resources toward the for-profit sector. Non-profit housing developers in Canada have been producing an average of about 20,000 housing units a year. This number is equivalent to the number of units HUD subsidized in 1988 (it must be

remembered that the population of the United States is 10 times that of Canada). The housing units that have been produced in Canada are well managed and designed. They have a combination of poor and middle-class residents and thus do not have the stigma that is attached to low-income housing projects in America. "The result is that Canadian cities are not overwhelmed with citizens sleeping in shelters, streets, and subways" (Dreier, 1989). Other industrial nations such as France, Sweden, and Holland have found success in investments in non-profit housing developers (Dreier, 1989).

Despite the lack of a significant commitment from the federal government toward the development of non-profit housing, there are many non-profit firms in the United States which are having a minor impact on the affordable housing crisis. Several of these non-profit firms are located in the San Francisco Bay Area. One such organization, the Bridge Housing Corporation which was established during 1983, has developed over 3,500 units of affordable housing in the Bay Area. One project currently in its completion stages is called Parkview Commons. This project, built on the site of a former San Francisco high school, will provide 114 units of housing for purchase by families making less than \$20,000 a year (Bridge, 1988). Unfortunately, the project attracted considerable excess demand and over 3,000 applications were received for the 114 units built. The lucky recipients were chosen by a lottery system. Such demand clearly shows that current development is only a small fraction of what is needed.

Goals Of Increased Non-profit Involvement In The Housing Market

The ultimate goal of increasing federal investment in community based non-profit housing firms is to increase the stock of affordable housing to a point where homelessness is once again a minor problem as it was considered to be prior to the 1980's. Non-profit firms can provide the housing that was once provided by the government but has since been cut drastically in the federal budget. By following the model set by Canada and by utilizing the expertise of America's existent non-profit housing developers, non-profit involvement in the housing industry can have a significant impact on the affordable housing crisis.

References

- Anonymous
1989.
"San Francisco may buy unsafe hotels". San Francisco Examiner (November 11).
- Bridge Housing Corporation
1989.
1988 Annual Report. San Francisco: Bridge Housing Corporation.
- Downs, Anthony
1983.
Rental Housing in the 1980's. Washington D.C.: The Brookings Institute.
- Dreier, Peter
1989.
"Lessons of the HUD scandal: communities not carpetbaggers". The Nation (August 21/28).
- Hartman, Chester
1974
Yerba Buena: Land Grab and Community Residence in San Francisco. San Francisco: Glide.
- Hopper, Kim and J. Hamberg
1986
"The making of American's homeless: from skid row to new poor". In R. Bratt et. al., (ed.), Critical Perspectives on Housing. Philadelphia: Temple Press.
- Huttman, Elizabeth
1988
"Homelessness as a housing problem in an inner city in the U.S.". In J. Friedrichs, (ed.), Affordable Housing and the Homeless. New York: Walter de Gruyter.
- Kozol, Jonathan
1988
Rachel and Her Children. New York: Crown.
- LeGates, Richard
1989
Lecture. San Francisco State University, November 27.

The Office Affordable Housing Production Program: Its Effect on the SF Housing Deficit

by Daj Oberg

Office Affordable Housing Production Program ("OAHPP") began as a draft ordinance ("DO") which was initially introduced by the Planning, Housing, and Development Committee ("PH&D") of the San Francisco Board of Supervisors ("Board") to the full Board on April 4, 1985. The DO was assigned a file number (#115-85-10), assigned an ordinance number (#358-85), and sent to the Clerk of the Board of Supervisors ("Clerk") for transmittal to the City Planning Commission ("CPC").

While the CPC and its supporting agency, the Department of City Planning ("DCP") were researching the environmental effects of the DO, PH&D were holding hearings regarding the DO. CPC proposed an alternative ordinance which was somewhat similar to PH&D's DO and was presently being used by the City of San Francisco in the form of the Office-Housing Production Program ("OHPP"). This alternative program came into being in 1981 when CPC adopted a set of interim guidelines (OHPP) for the implementation of a program which linked the construction of housing to the number of square feet of downtown office space approved by the DCP. OHPP was also being presently administered by the DCP.

On April 26, 1985, DCP issued a preliminary negative declaration for the DO. After almost a month of debate and drafts of the ordinance (by both PH&D and CPC), a hearing regarding the sixth draft of the DO was held before the Board on April 24, 1985. Supervisor Carol Ruth Silver (chair of PH&D) proposed that the Board direct the Clerk to transmit the sixth draft to the CPC for approval. Such a motion was carried by the Board on April 29, 1985. On May 11, 1985, the CPC transmitted a final negative declaration (file number F115-85-16.1) for the DO to the Board. A hearing on the ninth draft of the DO was scheduled for May 21, 1985 but was eventually continued until June 11, 1985. At this meeting, Deputy City Attorney Andrew Schwartz recommended, after he received and amended the tenth draft of the DO, that the Board, at their next meeting scheduled for June 17, 1985, adopt the DO. On

June 17, 1985, the hearing on the DO was continued until July 1, 1985, at which time it was passed after the second reading as amended. The full Board convened and, on July 8, 1985, the DO was approved. Mayor Dianne Feinstein approved the final ordinance ("Ordinance") on July 19, 1985. The Ordinance's effective date was August 18, 1985.

Focus

The focus of OAHPP is the large number of downtown office buildings which were constructed during the speculative real estate years from the early 1970s to the mid-1980s, the new employees to fill these buildings, and the existing housing deficit which was being worsened by the construction of office buildings due to the low rate of construction of housing in San Francisco. Proponents of OAHPP were concerned that the more office space that was constructed the greater the number of workers who needed homes (both owner-occupied and rental) and the faster the pace of the "Manhattanization" of San Francisco's downtown. Attached hereto is a table of annual building space from 1972 to 1980 (Attachment 1) which demonstrates the rapid growth of San Francisco's downtown. Additionally, new commercial construction is causing the demolition of some of the housing stock which is not being replaced as quickly as it is being lost while escalating the price for the existing stock. The housing situation is particularly dramatic in the downtown C-3 District. According to the 1980 Census, the ten downtown census tracts contained about 22,000 housing units; 98 percent of which were rental units. More than two-thirds of the City's 20,500 residential hotel units are in the downtown area (San Francisco Department of City Planning, November 1984, The Downtown Plan: 37). As the downtown office district continues to grow, the pressure from well-financed commercial and retail activities to demolish housing or convert it to nonresidential uses will increase. The operation of the basic economic rule of supply and demand has been causing another economic rule of thumb (that no more than one-third of a household's disposable income should be ear-

marked for housing) to be an irrelevant joke in San Francisco. "Only 30 percent of the renting households can afford the median rent for a two bedroom apartment today, and only 5 percent of the city's residents can afford to buy the average house..." (John Marks, May 3, 1989, "Proposal for New Housing Development". *San Francisco Independent*, Volume 34, Number 18:16.)

Furthermore, the local government agencies were feeling a tremendous pressure from community groups who felt that they had been and continued to be victimized by "massive urban renewal projects in the South of Market and Western Addition neighborhoods" (Edward Goetz, "Office-Housing Linkage in San Francisco" *Journal of the American Planning Association*, Winter 1989, Volume 55 1:66-77) and they were prepared to challenge downtown development with their organizations (which had apprenticed against the San Francisco Redevelopment Agency's renewal programs in those neighborhoods) "to push a community agenda that promoted low income housing preservation and development and challenged continued downtown growth." ("Office Housing Linkage in San Francisco", *supra*) San Franciscans demanded a stricter and more consistently applied office-housing linkage program and these demands led to the introduction of OAHF as a remedy to the situation. (Rufus Browning, Dale Marshall, and David Tabb *Protest is Not Enough*, Berkeley: University of California Press, 1984) One of the major differences between OAHF and OHPP is found in the introductory synopsis of OAHF wherein it specifically states its purpose as:

"to impose conditions on approval of permit applications for office development projects requiring the construction of a portion of which is to be and remain affordable to low and moderate income households, or payment of a fee to be used for the development of such housing..." (City and County of San Francisco, 1985, Ordinance Number 115-85-10)

Significance

OAHF is significant in that it is the first realistic effort of San Francisco's political powers to make permanent (as opposed to interim) changes to the unchecked and essentially unchallenged pattern of construction in San Francisco. In addition to reaffirming the right of decent, truly affordable

housing for persons of low and moderate income, OAHF clearly defines the terms used to establish what constitutes an "affordable dwelling unit". OAHF also pitted the interests of San Francisco's citizenry against the clout of the downtown development interests and provided the political wedge which culminated in the passage of Proposition M on the November, 1987 ballot.

The anti-development backlash had reached such proportions from 1984 through 1987 that once OAHF was adopted as a permanent linkage it was to be sandwiched between the Downtown Plan (eventually passed in 1985) and Proposition M (adopted in 1987) each of which successively limited the annual number of square footage of additional downtown office space construction—the crucial factor in the formula for determining the number of housing units required to be constructed (or the amount of in lieu fees to be paid).

Clearly OAHF was not proposed in a vacuum but was created as a response to a similar program which was not providing the level of service (Rufus Browning, Dale Marshall, and David Tabb, 1988. *Radical Politics in American Cities*. San Francisco: San Francisco State University Rapid Copy Press) required by the San Francisco community. It is impossible to adequately discuss OAHF without also including OHPP, the Downtown Plan, and Proposition M and their shortcomings and impacts on OAHF in this discussion. One interesting contradiction to note between the Downtown Plan and OAHF focuses on the very reason that OAHF was initiated: the percentage of San Franciscans who hold jobs in the downtown area. According to the Downtown Plan's statistics "56 percent of the 280,000 existing jobs are held by San Franciscans (*The Downtown Plan*, *supra* at page 5). OAHF's economic consultants reported that only 51.6 percent of the people who held downtown jobs in 1981 were City residents and this number is expected to decline to 45 percent by the year 2000 even though the number of downtown office workers who live in the City is predicted to increase. (Recht Hausrath & Associates. July 19, 1984 "Summary of the Economic Basis for an Office-Housing Production Program": 9) However, the formula for determining the number of housing credits required assumes the 40 percent of the office workers in new downtown office space would be City residents—significantly below OAHF's year 2000 projections and the Downtown Plan's statistics for limiting office growth. (The Downtown Plan estimates that as many as 90,000 jobs may be created in the C-3 District yet it recommends that only between 1,000 and 1,500 housing units be produced annually. Simple mathematics would demonstrate that the 6,429 annual estimated new work-

ers (multiplied by the "conservative" 40 percent City worker/resident factor) would require that 2,572 units be produced annually to maintain a worker/housing balance.) Because the Downtown Plan and Proposition M are such extensive topics in and of themselves that entire books have been written about them, this paper will focus only on the differences between OHPP and OAHP and will briefly mention the influence of the Downtown Plan and Proposition M.

OHPP Deficiencies and OAHP

San Francisco has historically had a demand for market rate housing which far surpasses its existing stock and production. The Association of Bay Area Governments ("ABAG") estimated housing needs at about 45,000 housing units annually through the year 2000. This seems to be a reasonable estimate until one considers the current 70,000 unit backlog (Units which should be produced, given the City's 0.6% vacancy rate, in order to make the San Francisco housing market healthy again) and the projected replacement of only 2% of the housing stock, ensuring the continuation of San Francisco's housing deficit. (Bay Area Council. 1988. "The State of the Market Today: An Overview of Trends, 1980-1985".) Add to this bleak formula the statistic that approximately one-fifth of these new dwellings are below market rate (thereby keeping "the supply of housing below the demand threshold" (Nina Gruen, 1985. "A Case History of the San Francisco Office/ Housing Linakge Program" in Downtown Linkages, Washington: Urban Land Institute: 48) and causing a continued escalation of housing prices) and factor in the loss of tax revenue due to the passing of Proposition 13 and you reach the precarious economic-housing situation San Francisco presently finds itself in. "This supply-induced price rise has affected both new housing and the existing stock...and (a)t best, OHPP can be viewed as a modest supply expansion effort." ("A Case History, supra)

One factor in the dilution of the potential effectiveness of OHPP was that it was administered by the DCP and was constructed to permit the maximum amount of "flexibility" in the negotiation process between the DCP director and each developer on a project-by-project basis for the number, form, and cost of the housing unit (or alternatively, the dollar amount of the fees paid by the developer in-lieu of the construction of housing).

The mechanism which triggered OHPP was the approval of any project which contained at least 50,000 square feet ("s.f.") or more of office space in the downtown (C-3 district)

beyond the amount of office space which presently exists on the project site, if any. This trigger required that one housing credit be satisfied for every 1,125 s.f. of office space but additional credits may be granted for certain design incentives which will be discussed later. This flexibility in OHPP made it politically suspect and minimally provided an opportunity for political and economic bias (although it would be extremely difficult to prove a conscious bias by the DCP director in behalf of large-scale developers). Bill Rumpf, Housing Finance Specialist with the San Francisco Mayor's Office of Housing and Economic Development ("MOHED") asserts that at the time of the passage of OAHP, 40-45 percent of the City's voter population had an inherent "gut reaction" against any type of downtown development. (Bill Rumpf. May 3, 1989 telephone interview with Daj Oberg) This made it extremely difficult for the downtown development interests to create coalitions large enough to mobilize effectively against this "gut reaction" which had been gaining political momentum for approximately one decade. The greatest concern the City politicians had about the anti-development legislation was establishing that there was a reasonable nexus between the development and the amount of the exaction and whether the city attorney would be able to defend the office-housing linkage formula in court, as they had had to do with the Transit Impact Development Fee. (Bill Rumpf. May 3, 1989 telephone interview with Daj Oberg)

One design incentive that OHPP offered was additional housing credits for each bedroom per unit or the multiplication of credits based on "affordability". However, developers could not use both housing credit multiplying methods; they could opt for additional credits through either additional bedrooms per unit or additional credits through housing affordability. One example of the ways in which developers used the flexibility of OHPP to their advantage was a mixed-use, 33 luxury unit project which received additional housing credits because its units contained more than one bedroom per unit even though the units were priced initially from \$300,000 to \$3,000,000.

The developer had the option of: (1) building the housing himself (either new construction or the rehabilitation of vacant, existing housing) or financially contributing to the construction of another housing development; (2) financially contributing to a housing development to ensure that the cost of the units are low enough so as to be affordable to low and moderate income households, or; (3) purchasing excess housing credits from another developer. The possibility of a developer purchasing excess housing credits was unrealistic because "the need (of credits) was usually much greater than any single developer had on hand...and in most cases, developers who had excess credits

had them in small numbers which made them extremely difficult to market" ("Office-Housing Linkage in San Francisco", supra) particularly since the average housing obligation was 222 housing credits.

Another example of OHPP's suspect politics and bias is the fact that since OHPP's adoption, 36 downtown office projects have been approved and 10,244,000 gross s.f. of office space have been constructed. Using OHPP's formula for the calculation of housing credits 9,105 credits should have been imposed on these developers; however, only 7,972 credits were required at an average cost of \$3.06 per s.f. of office space. (OAHP does not have a system of credits presumably to limit the "flexibility" inherent in OHPP's housing credit system. OAHP's triggering mechanism is the proposal of the addition of 50,000 gross s.f. of office space. The formula for imposing a "Straight affordability requirement on...housing" is the net addition of gross s.f. of office space \times 0.000386 = Housing Units. Quote from MOHED's June 1986 "Office Affordable Housing Production Program Summary" : 4) This fact is important when comparing OHPP's to OAHP's obligations; under OAHP the average cost per s.f. of office space is \$5.45 (or \$5.34 if the developer were paying in-lieu fees instead). This disparity between the costs is particularly interesting to note since the consultant who analyzed the "cost to provide affordable housing to persons attracted to large office developments in the C-3 district is \$9.47 - \$10.47 per square foot...(h)owever...the City...selected the conservative figure of \$5.34 per square foot as the cost..." (OHPP Ordinance, supra) OAHP's record fares marginally better than OHPP's when multiplying the 3,076,305 s.f. of office space which have been approved by the formula for housing credits set forth in the Ordinance: 1,187.5 units should be required. However, according to the "Annual Evaluation of the Office-Affordable Housing Production Program (OAHP)" dated December 1988, these office developments have been given only a 1,098.9 (total) housing unit obligation. Attachment 2 to this paper is a table which was attached to the aforementioned Evaluation and, as can be clearly seen by multiplying the Net Additional Gross Sq. Ft. Office Space by OAHP's 0.000386 housing formula, the housing credit requirement does not equal the figures shown for each project.

Most important in the comparison of these two programs is the fact that OHPP is restricted to commercial development in the downtown C-3 district but OAHP is triggered by any commercial construction in excess of 50,000 s.f. city-wide. Another important distinction is that OHPP did not define "affordability" or the period of time that a unit would be affordable if it were a rental unit. OAHP incorporated Califor-

nia Administrative Code Section 6932 which is a restatement of HUD's definition of affordability (120% of the city-wide median). OAHP also requires that the developer must certify to the City, at least five days prior to but no more than one year after issuance of the certificate of occupancy of the office space, that the construction units has commenced and that at least 62 percent of the units are, and will continue to be, affordable for a period of twenty years from the date of recordation of the deed of trust. (OAHP Ordinance, supra) The penalty for any person violating the affordability restriction subsections of OAHP are subject to a fine of not more than \$1,000 or by imprisonment in the County jail for no more than six months. The absence of punitive "teeth" in OAHP make it possible for wealthy corporations to pay low income persons to purchase these units and immediately sell the units to the wealthy corporations or persons who provided the low income people with the initial purchase money. The above scenario is one which had long been put forward by opponents to OAHP as a means of gentrification.

Conclusion

From 1981 to 1985, a total of 5,095 new units were completed and one-third of those units (1,810 units) were generated by OHPP and, as shown by the \$3,000,000 unit, not all of the units produced under OHPP have been affordable to households with low to moderate income. Dennis Keating reminds us that OHPP cannot by itself solve San Francisco's housing crisis (Dennis Keating, 1985. "Downtown Linkage Policies: A Case Study of Developer's Opinions on San Francisco's Program". In Downtown Linkages, Washington, D.C., Urban Land Institute) and one might hasten to add, a linkage program is only as effective and politically neutral as those persons who apply it. OAHP has been successful, like OHPP, in producing some degree of office-housing linkage however, as previously mentioned, its usefulness has been minimized since the passage of Proposition M which imposes a 500,000 s.f. annual limit on the maximum amount of downtown commercial space and (when coupled with the Downtown Plan) to greatly restrict the design, density, and size of all downtown commercial construction.

Publicly-Assisted Housing: Policies Versus People

by Cindy Young

For many years, Oakland has had a reputation for being a deteriorating city. With this label comes a vivid picture of a crime-ridden city full of drug problems and poor minorities, a run-down business district, over-crowded schools, and dilapidated and abandoned subsidized housing. In reality, Oakland is a beautiful city, with suburban-like areas, parks and lakes, and a majority of residents who take pride in their homes and neighborhoods.

A significant contributor to this bad reputation is the over-concentration of publicly-assisted housing in certain areas. City officials are caught in the delicate balance between a pressing need for more low income housing and distributing it to other not-so-blighted areas of the city. What happens when low-income housing is not welcome? Do neighborhoods have the right to set certain standards of their own choosing? What about when neighborhoods feel that city officials are not acting in their best interest? Can neighborhood coalitions negate the policies of a city intended for the common good?

All of these issues were present in the 15-year struggle to develop a vacant, city-owned lot on 35th Avenue above MacArthur Blvd. This paper discusses the need for publicly-assisted housing in a city like as Oakland, the policies and programs that guide such housing, and the tortuous path a development can take when city policies collide with neighborhood preferences.

Publicly-Assisted Housing in Oakland: The Need

In urban centers across the nation, safe affordable housing for low and moderate income families has long been an item of great need. Cities, such as Oakland, have addressed this need through publicly-assisted housing, primarily supported by Federal programs administered by the Department of Housing and Urban Development (HUD), recently however, these have been severely cut.

The Oakland Housing Authority (OHA) maintains an extensive waiting list for public housing. At times this list may include as many as 4,000 applicant families, many of whom have been waiting for several years for suitable

housing. There are thousands more families on the OHA's mailing list desiring to make an application. At the same time, soaring prices for quality housing have driven many moderate income families out of the housing market. This has created even greater competition for affordable housing, squeezing many low income families out of the housing market altogether.

Publicly-Assisted Housing in Oakland: Policies and Programs

All of this has put great pressure on local governments to develop policies and programs to address these growing needs. These must address not only the present needs of people but also the failures of past policies and programs to provide acceptable housing. For example, in Oakland there is evidence of a strong correlation between over-concentrated assisted-housing units and over-crowded schools, crime, vandalism, and deteriorating physical environment.

In 1966, Oakland's assisted housing consisted of 1,422 units clustered in eight projects. All of these were located in six census tracts. Operated by the OHA, these conventional housing projects were located almost entirely in East and West Oakland. By 1985, there were more than 12,000 assisted rental housing units in the City. All of these were concentrated in only 70 out of 104 census tract. As a rule, assisted and public-housing units have been located in areas where there are existing concentrations of low and moderate income families. There are relatively few subsidized units in higher income areas above MacArthur Blvd. and around Lake Merritt.

In the 1960s, serious concerns were raised about the concentration of the OHA's conventional projects. After passage of a referendum for 2,500 additional housing units in 1966, the voters were promised that new housing would be developed on scattered sites. To ensure that this new housing program met broad community objectives while achieving its primary goal of increasing the supply of low-cost housing, the planning commission and the city council adopted a set of guidelines for site selection and development. Many of these policy guidelines and criteria however, were bypassed and projects were still located within the same concentrated areas.

In response to numerous complaints from lower income neighborhoods, the city adopted supplemental guidelines in 1970 in an attempt to deal with the emerging problems. The city reaffirmed the basic approach of scattered-site housing by adopting the following policy in 1971:

Housing constructed with subsidies for low and moderate income families should be equally distributed throughout the city whenever such new construction is economically feasible, will conform to the city's zoning regulations, and will not overly impact the area's schools.

This policy was expanded in a planning department study authorized by the city council. This study resulted in the report Oakland Publicly-Assisted Housing: Distribution and Location. The basic task of the study was to create a system of policies, standards, and procedures that had the potential of achieving the following objectives:

1. To provide greater choice of housing by increasing the quantity and quality of the locations and types of housing available to low and moderate income households, consistent with the preferences of the intended occupants.
2. To discourage the concentration of publicly-assisted housing in a few areas in the city.
3. To direct the development of publicly-assisted housing to areas of the city where public services and facilities are available and to discourage such housing development in areas of the city where public services and facilities are either not available or are used beyond their capacities.
4. To avoid the excessive impact of publicly



The Laurel Courts development in Oakland

5. To ensure that publicly-assisted housing developments will be designed to provide a functional, convenient and attractive environment for its occupants and to fit into its immediate neighborhood.

These objectives were freshly imprinted in the minds of the city council as it confronted, within the next few years, a prime location for publically-assisted housing and the Pandora's box that came with it.

Setting the Stage for the 35th Avenue Assisted-Housing Development

In the early 1970s, the city of Oakland acquired state funds via the gasoline tax to widen 35th Avenue. It was needed as a feeder route between Highway 13 (Warren Freeway) and Highway 580. This section of 35th Avenue runs through the Redwood Heights district, a well-kept area located in the foothills. In 1973, the last of several single-family homes and some small family-run businesses were bought by the city and

either relocated or demolished. After the widening, a two-acre strip of land remained on the North side of 35th Avenue. This strip of land became an eyesore as it lay vacant for several years. According to Dick Spees, councilman for the Redwood Heights district, the city council wavered during those years between turning the land into a park area or building much-needed low-income family housing.

In February 1981, Oakland Community Housing, Inc. ("OCHI"), a local nonprofit housing group, requested to develop limited-equity co-operative townhouses on the two acre strip along 35th Avenue. This proposal raised a storm of protest from residents in the Redwood Heights and nearby areas. At a community meeting, the vote was 316 to 3 in favor of a resolution urging the city council to "put the land out for open bid by private land developers and builders" with certain restrictions. Thus the stage was set for a 5-year-long legal and political battle pitting neighborhood organizations against the city.



The Saga of the 35th Avenue Assisted-Housing Development

The Oakland Community Housing, Inc. development proposed in February 1981, called for 47 family townhouses and 34 elderly apartments for low and moderate income residents. The elderly apartments were to be built over commercial space at the corner of 35th Ave. and MacArthur Blvd., across the street from a drug store and supermarket, and sharing the corner with a bus stop and laundromat. The development was to be designed as limited-equity cooperatives, meaning that the residents would own shares in a nonprofit corporation entitling them to long-term leases and the same tax benefits that homeowners receive.

The neighborhood groups opposing this wanted the land sold at bid to private developers and certain restrictions placed on the design. They also favored retaining the existing zoning, which is a mixture of commercial, apartment, and single-family zoning. OCHI's proposal was criticized as "too dense and there's no room for the children to play."

assisted housing on any given distance between assisted-housing locations and by limiting the size of the projects.

OCHI board president Charles Drasnin countered, "These people are looking for straws. Their concern is that low-income people will come in and despoil the community. But we argue that under a co-op, people can be selected who even though they're low income will understand their responsibility toward the property and the community and would have pride of ownership."

Councilman Spees summed up the sentiments of the neighborhood opposition, "[They] have greater confidence in private development, something that would attract a multiplicity of owners, not owners at the lower end of the scale in terms of economics and age, that would automatically mean more children."

In July, 1981, OCHI was dropped from negotiations with the city over a technical snafu that required the city to first offer the 35th Ave. site to public agencies for development. The Oakland Housing Authority (OHA) was the only one of eighteen public agencies to

respond to the city's request. The OHA was given 60 days plus a 60-day extension to negotiate and reach an agreement with the city. The OHA proposal was based on the original OCHI proposal.

In March 1982, facing a federal deadline and the threat of losing at least \$600,000 in housing funds, the Oakland city council voted to develop at least 60 units of low to moderate income housing on the 35th Ave. site.

In September 1982, the city of Oakland, in an attempt to defuse continuing neighborhood opposition, stated it would consider reducing the number of units planned for the 35th Avenue public-housing project from 60 to 40 units. The city would look for alternative sites in non-impacted areas for the 20 remaining units committed under an agreement with HUD to prevent loss of federal funds.

By July 1983, the city had still not acted to develop the 35th Avenue site. Under pressure from HUD, additional conditions were placed on the housing project. Besides the housing going to low and moderate-income families, these families would have only a limited equity in the homes for the first 20 years. This was intended to avoid real-estate speculation. Also, the city or developer heading up the program would

have the right of first refusal on any resales during the first 20 years. The city agreed to these additional conditions in order to receive the \$600,000 in grant money which HUD subsequently released. However, the city never fully acted upon those conditions.

In January 1984, the city agreed to a compromise to end the three-year impasse over the 35th Avenue site. The compromise called for owner-built, city-subsidized housing. The city issued a request for proposals for 31 units for families with annual incomes below \$25,300 for a family of four. The city was to subsidize each unit by \$15,000, for a total of nearly \$500,000.

In January 1985, by a vote of 8 to 1, the city council approved Paul Wang and Associates as developer of 31 single-family owner-occupied homes. The proposal had previously won the unanimous support of the neighbor groups involved. At last, a proposal was on the table that apparently satisfied both neighborhood groups and the city. With the vote, the Laurel Courts Development began to take shape.

In March 1985, the city moved further from its original 1981 proposal by agreeing to drop the limited-equity ("affordability") clause. This was done to appease remaining neighborhood opposition. The neighborhood groups felt strongly that the affordability clause would remove any incentive to maintain the properties.

A Profile of the Laurel Courts Development

Construction of Phase One of the Laurel Courts Development began in September 1986. The final phase was completed in the Spring of 1988. The as-built development consisted of 30 manufactured housing units: 13 two-bedroom (840 sq.ft.) and 17 three-bedroom (1,200 sq.ft.) units. Because the developer had to purchase the sites at the appraised market value, manufactured housing was used to keep building costs in line. The development was also one of the first to use manufactured housing in a high-density project. Although the 35th Avenue site had a total land area of only 1.74 acres, the developer was able to achieve a net density of 17.5 units per acre.

Sales prices for the homes were approximately \$75,000 for two-bedroom and \$90,000 for three-bedroom units. Fi-

nancing was provided by the Oakland Housing Bond at 8.5%, fixed, for 30 years. Monthly payments on the three-bedroom homes were approximately \$660, only slightly above rents for three-bedroom apartments in the area.

Aftermath: Policies vs. the People

Public housing -- everyone sees the need for it, so long as it's not in their neighborhood. This not-in-my-backyard (NIMBY) mentality was certainly evident in the history of the Laurel Courts development. Fear of increased crime and lower property values is a strong motivator for those who currently own housing. As a former president of the Redwood Heights Improvement Association expressed his concern with the kind of people who occupy this type of housing, "We didn't want the city to put in welfare housing."

Although the problems associated with "welfare housing" are cause for concern, the NIMBY sentiments expressed in this case border on racist. In fact, in 1982, Mayor Lionel Wilson suggested that fear of blacks and other minorities moving above MacArthur Boulevard was evident in the opposition [to the Laurel Courts development]. "That's at the heart of it," said Wilson, "I've sat here meeting after meeting and I've heard what's going on here. It's there [racism]." Throughout the project's history, neighborhood residents strongly denied that race was a factor. Their concerns were over increased density, lack of recreational facilities for children and fears that the design might



clash with existing single family homes. In light of the overwhelming need for affordable housing in Oakland, these concerns seemed surmountable. However, one cannot help but wonder why such concerns resulted in such strong and sustained opposition to this project.

When the original 1981 OCHI proposal is compared with Oakland's assisted-housing policy, it appears to have met every one of the policy's requirements. Yet the proposal fell miles short of the neighborhood's requirements. Is Oakland's policy bad, or are neighborhood desires exclusionary or even illegal? The answer is probably "no" to both questions. Policy is made by representatives of the people at large to serve their

best interests. When this policy does not serve their idea of best interests, the democratic process allows for modification through political channels. It's up to the constitution to protect the rights of people. So long as these rights are not violated, the political process is essential to develop and implement policy, such as assisted-housing policy, that satisfies the varied needs of individuals, special-interest groups and society.

Conclusion

The process of negotiation and compromise used in this case is cause for concern. If every proposed assisted-housing development were to undergo the same laborious process, they might never get built, or if they did, that they wouldn't be affordable for the low income people who need them the most. If complicated problems such as poverty and housing shortages are ever to be dealt with effectively, some of the "haves" are going to have to sacrifice a bit to lift up some of the "have-nots."

There are some ways in which the Laurel Courts development process could have been improved and these improvements may apply to other developments as well. One key to success is how a proposed development is marketed to the affected neighborhood. The development agency must present the proposal in a way that highlights the benefits of the development to the community, and avoid the stereotypes of public-housing projects and low income people. One way to do this is to present success stories from developments in other areas. This helps to reduce fear of the unknown and may increase neighborhood support. In contrast, the OCHI alienated itself from the neighborhood groups involved during the initial stages of the Laurel Courts development.

Another important issue is the design of the development. The design must fit with the surrounding neighborhood. If residents feel that a development will lower property values, opposition is sure to mount. Any impression that the pocketbooks of existing residents might be impacted should be avoided.

Finally, all parties affected by the development must be given the opportunity to participate in the process and the agencies involved must act in good faith. Failure to include those affected or to act in good faith is a certain way to incite vigorous opposition. Lack of good faith procedures on the part of the city council was the basis for the lawsuit filed in 1982.

With this type of approach, publicly-assisted housing could be developed in non-impacted urban areas faster, with less controversy, and with closer adherence to initial proposals, while meeting the needs of both the communities involved and those waiting for affordable housing.

References

- Anonymous
February 18, 1981, February 25, 1981, July 29, 1981, March 10, 1982, May 19, 1982, September 8, 1982, April 19, 1983, July 26, 1983, March 26, 1985, and October 8, 1985.
The Montclarion Newspaper.
- Anonymous
August 29, 1983, January 22, 1984, and April 9, 1988.
The Oakland Tribune.
- California Manufactured Housing Institute
1988
Community Development File-Laurel Courts, Oakland, California.
- Field, Douglas
1989
Personal interview. Redwood Heights Improvement Association, attorney.
- Goetze, Rolf and Kent W. Colton
1983
Neighborhood Policy and Planning.
- Lieder, Constance
1979
The Practice of Local Government Planning.
- Nenno, Mary K. and Paul C. Brophy
1982
Housing and Local Government.
- Oakland City Council
1986
Housing: An Element of the Oakland Comprehensive Plan (March 4).
- Oakland Planning Department
1973
Oakland Publicly-Assisted Housing: distribution and Location.
- Oakland Planning Department
1980
Land Use-An Element of the Oakland Comprehensive Plan.
- Owens, Mary
1989
Personal interview. Resident of Redwood Heights neighborhood.
- Sandal, Herb
1989
Personal interview. Redwood Heights Improvement Association.
- Spees, Dick
1989
Personal interview. Redwood Heights District, Oakland City Councilman.

The Hidden Potential of Secondary Units

by Linda Scourtis

Introduction

The results of the 1985 Bay Area Poll indicate that while a 69 percent majority of the region's residents agree that townhomes and apartments can be designed to fit into most single family neighborhoods, just 46 percent feel that we need to build more units per acre to make housing more affordable (Bay Area Council, 1988). Sixty-one percent of those polled believe housing should be built on land outside of existing communities whereas a 1989 Field Institute (1989: 4) poll found 67 percent of Bay Area residents want the urban sprawl into undeveloped areas slowed down. With such contradictory viewpoints to color decision making, it is not surprising that affordable housing appears to remain beyond our grasp.

San Francisco is not immune to such perplexing problems. The need for an immediate increase in the supply of affordable housing has reached acute levels and is identified by residents as vital to the quality of life in the City. At the same time, density is cited as an equally confounding issue at the neighborhood level.

While debate over measures intended to remedy housing shortages continues in cities throughout the Bay Area, the unique geography of San Francisco requires that efforts focus on the creative utilization of a limited land area. This paper seeks to contribute to these efforts by exploring the issues surrounding the conversion of existing structures in order to add secondary residences.

Secondary Units

The scarcity of land in San Francisco and the high cost of that land which is available for building require that alternative sites be established for increasing the City's affordable housing supply. New zoning controls could free up previous industrial use areas, particularly in the eastern parts of the City, and with them carry affordable housing requirements and incentives for builders. A survey of publicly owned land could assess the potential for housing construction. Focusing afford-

able housing development along primarily commercial transportation corridors and in neighborhood commercial districts would contribute to the overall supply. These recommendations made by the Mayor's Housing Advisory Committee (1989: 16-17) are intended to create more opportunity for development.

Another potential source for affordable housing lies hidden in already existing dwellings: secondary units or in-law apartments. These are smaller units added onto, or through conversion, contained within primary housing structures. They exist frequently in areas of the City zoned for single family dwellings, but also appear in two and three-family buildings. The San Francisco City Planning Department estimates of the number of such units range from 15,000 to 30,000 with the most widely used figure being 20,000 (Mayor's Housing Advisory Committee, 1989: 75). The difficulty in acquiring more exact figures is explained by the illegal status of most secondary units. A 1982 state law sought to partially remedy the illegal status of secondary units by requiring cities and counties to develop guidelines for permitting them. Forced to respond officially, many communities adopted strict regulations, making it virtually impossible to build second units.

Opposition to Secondary Units

The San Francisco Department of Public Works records reflect the extent of opposition to existing secondary units. Although there has been an increase in the number of units added to existing buildings or units legalized, from 60 in 1987 to 96 in 1988, the figures for units lost through merger by alteration or eliminated due to code enforcement show an even stronger upward trend (S. F. Department of City Planning, 1989a: 12-13). There were 30 units in 1987 eliminated. In 1988, 89 units were eliminated.

Each year, primarily through neighborhood complaints, more than 250 cases of illegal units are cited (S. F. Department of City Planning, 1989b: 20-21). There is currently a backlog of 1,000 cases pending removal. None of these complaints

were initiated by housing inspectors. The volume of complaints has been increasing and it is estimated that 200-300 units will be removed due to code enforcement each year. Cited illegalities include violations of one-to-one parking provisions, excess number of units permitted under zoning regulations, and basement units with substandard ceiling heights. This codified resistance serves the deep opposition facing development of secondary housing.

The real effects of ordinances regulating secondary units have been to protect existing residential areas from the impacts of conversions. Compatibility of new housing within existing neighborhoods has been found to be a major concern of many San Francisco residents. Therefore a great number of ordinances address issues related to aesthetics.

The visual degradation of an area is viewed as an inevitable outcome of adding units, as is poor property maintenance resulting from the increased potential of non-owner occupancy. The introduction of renters, considered more transient than property owners, contributes to factors thought to precipitate a move toward multi-family status which, when coupled with increased density and activity, contribute to a perceived decline of the residential area. This concern for the erosion of the socioeconomic homogeneity of a neighborhood is ultimately based on the fear of a resulting drop in local property values.

The influx of additional automobiles with new tenants, resulting in increased traffic congestion, is also cited as a main reason for not allowing conversions. In high density areas, parking is a particularly strong point of opposition. Increased demand may also create an overload on public services such as schools, sewage systems, and water supply. Despite opposition and the constraints associated with secondary units, it remains that there is strong demand for affordable housing in San Francisco and secondary units represent an untapped resource to address this need.

Demonstrated Need for Secondary Units

High owner-occupied housing costs have increased the demand for rental housing while the decreased level of new construction has stunted the supply of available units. These factors have contributed to create a low vacancy rate in the City and a lack of affordable housing. Market rates on vacant rental units have increased 88 percent since 1980 while incomes have grown just 68 percent (S.F. Department of City Planning, 1989b: 13). At the same time the purchase price of a home has more than doubled in San Francisco.

Population gains have also resulted in an increase of the real number of households needing housing. The Association of Bay Area Governments' (1987) figures project a continuing net growth of 1,000 households per year. Mirroring, and even exaggerating, the national trend toward smaller households, the 1988 figures for San Francisco show more than 70 percent to be made up of one or two persons (S.F. Department of City Planning, 1989b: 22). Many of these are comprised of senior citizens or single-parent families, both traditionally low to moderate income groups. With an aging population, the need for appropriate smaller accessible units will increase. Because of rising costs, there will be an increased overall need for less expensive units.

The City's Planning Department estimates the number of new housing units needed by 1995 to be 26,230 (S.F. Department of City Planning, 1989b: 2). This figure does not include the existing 9,600 units facing expiration of federal housing subsidies, at which time market rates will be allowed to prevail. All of these units are expected to disappear from the stock of affordable housing effectively increasing the required number of units. These figures dramatically underscore the need for affordable rental housing. Particularly in light of recent and projected demographic changes, conversions to create second units will contribute to realistic solutions for individual housing needs.

Benefits

In respect to the above considerations, several factors work in tandem to substantiate secondary unit construction as an appropriate route to providing affordable housing. Verrips (1983: 10-11, 89) outlines the benefits of converting existing structures to add secondary residences:

- The faster construction time of secondary units, as much as 75 percent less than for new apartments, can help to address the immediacy of the problem.

- Rents based on the small size of the units place them in the more affordable category.

- Because secondary units are primarily the result of interior renovation, the existing walls, roof and foundation can be utilized, keeping down construction costs. Plumbing and electrical extensions are also less costly than the installation of new systems.

- Detached second units may accrue higher building costs, but for both in-law and detached units, additional land

costs remain zero. With the price of land at record levels in the City, this is an important consideration for housing development at any income level.

- The new units use existing infrastructure, therefore eliminating the need for installation of additional water, sewage, and power lines. This is favorable not only to the individual builder and tenant, but to local government as well, as development costs on new structures generally outstrip fees paid by builders and must be compensated with public funds.

Other benefits of secondary units include the additional income realized on conversion units. The individual homeowners realizes benefits on several fronts. For first-time buyers, the potential income from a legal in-law apartment may make the difference between loan approval and remaining in the rental market themselves. For established households, capital outlay for conversion costs will result in increased equity and rent collected will also provide long-term investment returns. For older homeowners on fixed incomes now unable to afford the move to smaller units, the extra income realized by converting an underutilized part of the house will aid them in keeping possession of their homes.

The creation of new secondary units, as well as the legalization of existing units, would contribute additional property tax revenues. This is particularly desirable since the passage of Proposition 13 established property tax levels which resulted in a dramatic decrease in local revenues. Increased patronage to local business would result from the higher density, increasing revenues collected through sales tax. The more intensive usage of existing infrastructure is more cost-effective to the community than the alternative of extending services to new areas.

Additional social benefits may also be realized by individuals as well as the community. A secondary unit will allow a structure to accommodate the changing needs of the homeowner. The family, for example, can remain in the same neighborhood throughout its life cycle, inhabiting and renting the space as needed. Extended families may also remain together. This is an increasingly important factor in favor of conversions in San Francisco, as a large proportion of recent in-migration families are Asian and Hispanic (S.F. Department of City Planning, 1989b: 10). These households are comprised of up to 50 percent more members than the median for the City as a whole and will serve to reverse the trend downward experienced over the past few decades (S.F. Department of City Planning, 1989b: 23). But while the household mix of San Francisco changes, and with it the contours of housing requirements, secondary units continue to sometimes face vehement opposition.

Conclusion

The recently amended Residence Element of the City's Master Plan contains a policy statement regarding encouraging legal secondary units "in areas where residents support such housing" (S. F. Department of City Planning, 1989c: I.1.5). This is weak support in light of consistent heavy neighborhood turnout before the Planning Commission against one-unit and even one-room additions to existing residences. Special emergency legislation, for example, designed to expedite rebuilding in the Marina in the wake of the October 17th earthquake came up against strong opposition by neighborhood activists due to the inclusion of a proposed amnesty program that would allow damaged illegal in-law units to be re-inhabited once brought up to current code specifications. By exempting a small number of such units, it was reasoned, the floodgates would be opened to City-wide amnesty. But it is just such a program that would upgrade the health and safety considerations of thousands of existing units while also creating a framework for future conversions.

Current procedure requiring construction plans to be submitted for public hearing before the Planning Commission and the same fee scales for secondary units as for completely new construction, represent significant constraints for individuals considering conversions. Simplifying application procedures and minor code requirements could further limit costs on these small scale projects. Specific standards are also needed for consistent enforcement of regulations. Alternative zoning that would regulate height and bulk, but not so strictly limit the number of units per structure, would directly increase the available housing stock. Rehabilitation loan policies could be extended to include bringing illegal units up to code, thereby modifying existing stock to better serve current needs. Unless alternatives to current policies are considered, San Francisco stands to lose thousands of existing housing units while also overlooking a cost-effective source of non-subsidized affordable housing.

References

Association of Bay Area Governments
1987

Projections '87: Forecasts for the San Francisco Bay Area to the Year 2005. Oakland.

Bay Area Council
1988

"Polls show support for housing, but . . .". Housing and Development Report No 1: Vol 7.

Field Institute
1989

"Growth and development". California Opinion Index 3: 1-6.

Mayor's Housing Advisory Committee
1989

An Affordable Housing Action Plan for San Francisco. San Francisco: Mayor's Office of Housing.

San Francisco Department of City Planning
1989a

Changes in the San Francisco Housing Inventory for 1988.

San Francisco Department of City Planning
1989b

San Francisco Housing Needs to 1995.

San Francisco Department of City Planning
1989c

Master Plan of the City and County of San Francisco.

Verrips, Bert
1983

Second Units: An Emerging Housing Resource. San Francisco: People for Open Space.

The Great Kindergarten Debate

by Beth Ann Berliner

After kindergarten comes first grade, or so it used to be. In many public school districts, after kindergarten comes kindergarten for as many as 40 percent of the enrolled five- and six-year olds. (1) Of the 3.3 million kindergarten students enrolled in 1986, thousands, perhaps hundreds of thousands, were retained. (2) Many others were "delayed" by their parents who did not enroll their youngster in kindergarten until one year later.

Retention is the practice of requiring students to repeat a given grade based upon social immaturity and relatively low academic achievement. In 1986, over 1 million K-8 students were identified as candidates for retention. (3) National retention rates are difficult to calculate. There are no systematic and reliable data on what has traditionally been a local school district issue. Retention rates are inferred from the proportion of students of a given age who are not enrolled in the modal grade. It is estimated that the overall retention rate is approximately 19 percent and rising. This is comparable to the retention rates in Haiti and Sierra Leone; the rate is less than 1 percent in Japan and most western European countries.

Kindergarten retention is a new trend in American public schooling. It began with a slow start in the late 1970s and has dramatically increased in both practice and popularity throughout the 1980s. According to a 1986 Gallup Poll, the public (72 percent) thinks that promotion from grade to grade should be more stringent, suggesting that the retention rate is apt to climb well into the 1990s.

The conventional "last resort policy" of retaining students not meeting minimum competency standards has shifted to a more casual policy of convenience. It is seemingly more convenient for teachers and the schools to retain marginal students than it is to teach them the content and social skills needed for annual promotion. Likewise, many parents have coopted kindergarten retention as a convenient way to prepare their youngster for success in the primary grades. What was once only a policy for "catching up" in the upper grades is now also a policy for getting a head start as early as age five.

With statistics in many school districts indicating that

more than one in three kindergarteners are being retained, the issue of whether they are failing school or the schools are failing them must be addressed. This paper is a critical examination of the kindergarten policy. It examines the impetus behind the retention movement and the controversy that has arisen in its wake. Retention is a high negative risk option for youngsters. Its utility is as a last resort policy. Teachers, students and parents should have a much richer pool of policy options to address issues of immaturity and low achievement. The most promising options suggest alternate ways to foster success in kindergarten and promotion into the first grade. They pose a challenge to the rising trend of retention and the popular belief that failing kindergarten is an effective school policy.

The Controversy

At the heart of the retention controversy is competing philosophical perspectives about how children develop readiness for school. The champion of the "nativist" perspective is the Gesell Institute, an eminent early childhood education research and service agency. Nativists believe that child development is a series of biologically determined stages. Accordingly, home instruction or the efforts of teachers to vary instructional strategies, offer remedial work and tutorials, and encourage peer support are fruitless efforts for the "unready" child. Remediation in any form is viewed as stressful and even dangerous.

In Gesell terms, what the unready child needs is the "gift of time." The gift could be delayed entrance into school, kindergarten retention or placement in a pre-first grade Developmental age, rather than chronological age, is the nativist's measure of school readiness, and Gesell has standardized developmental benchmarks and created assessment instruments for teachers to make determinations.

By reputation the Gesell Institute offers credibility to the retention movement. Their "gift of time" policy validates the current back to the basics fervor and "promotional gates." But not all educators, child development specialists, teachers and parents are biological determinists. Critics of the nativist perspective, and the retention movement in general, believe

that all five- and six-year-olds are ready for school if given appropriate learning opportunities at home and in the classroom.

Contrasting sharply to the nativist perspective is a view of child development that acknowledges that children develop at differing paces, but not because their biological timeclock strikes at different ages. Home environments, linguistic stimulation, exposure to other children and a host of other social variables are considered to effect the pace of a youngster's development. Accounting for an expected wide variation in academic and social skills, "remediationists" tailor their materials and instruction to better match individual learning needs. The "unready" kindergartener by Gesell standards is taught to be "ready" through tutorials, cooperative learning, manipulatives, parental involvement, and high expectations for achievement.

Why Retention?

It is more than the theoretical backdrop of the Gesell Institute that fuels the retention movement. An impetus behind the retention movement is an educational shift back to the basics of literacy and numeracy. There is a widely held perception that the public schools are failing to adequately prepare students to meet the challenges of the 21st century, and this is forewarned by the nation's dwindling pre-eminence in the world market.

Politicians and many educators, however, have translated educational excellence to minimum competency as enforced by exit standards throughout the grades. "Promotional gates" pass or fail students. The result has been a downward movement in the elementary curriculum. What was once the curriculum of the first grade is in large measure expected by schools and parents to be accomplished during kindergarten.

Parental pressure to push the elementary curriculum downward has quickened the pace of the kindergarten retention trend. Many parents who enrolled their children in academic preschools or provided home instruction have demanded a more rigorous curriculum. The popularity of "Sesame Street" among youngsters has raised the norms for kindergarten as well. It is no longer uncommon for a kindergartener to know how to read or use a personal computer or to be assigned graded homework. Other parents opt not to send their child to kindergarten until age six. This, they admit, gives their child a "competitive edge" or "head start" in kindergarten by being

among the oldest, educationally advantaged and socially mature. "There is no doubt that kindergarten retention is fashionable," said a kindergarten researcher, "and misguided parents believe it's the ticket to college." (4)

Many teachers believe, similar to the Gesell Institute, that until a child's biological timeclock strikes ready a five-, six- or seven-year-old may simply not be ready to enter school. This perspective of child development supports either retaining kindergarteners and taking them from the developmental bottom of the class to the top or delaying their entrance by one year.

Some teachers speculate that retention in the early elementary grades is a prevention strategy to avoid retention in the upper grades where the stigma is likely to be more hurtful. With the downward movement of the elementary curriculum has also come an "accountability culture." In response, kindergarten teachers have raised their exit requirements so that the following year their students will not be returned by the first grade teacher, claiming they were unready.

What's Right and Wrong with Retention?

Common sense tells us "if at first you don't succeed then try and try again." Gesell and other retention advocates assume this to mean that if a student does not measure grade level competency in a specified body of content and skill, then they should repeat the grade so competency is achieved. This assumption, however, has almost uniformly been refuted in research. There seems to be very little that is right with retention, especially at the kindergarten level. A meta-analysis of the research on retention overwhelmingly concludes that retention has negative effects upon both academic achievement and social and emotional development. (5)

According to scholars and critics of the retention movement, kindergarten retention hurts kindergarteners. "Contrary to popular belief," states a leading kindergarten expert, "the average negative effect of retention upon achievement is even greater than the negative effect on emotional adjustment and self-concept." (6) Kindergarten students who

BethAnn Berliner is a graduate student in the public administration program at San Francisco State University. Berliner works as a research associate at Far West Laboratories, a non-profit research and development agency, and is involved in various youth advocacy programs in San Francisco.

were candidates for retention but were nonetheless promoted do consistently better than their retained counterparts in reading and mathematics. Retained kindergarteners lost a one year opportunity to master age-appropriate and grade-level content and skills. Instead, they played the same games and repeated the same lessons as the year before. Retention stifles learning through play behavior and natural exploration as well.

Retention is stressful for kindergarteners. They tell of nightmares and ridicule from peers and feelings of shame and failure. Some have physical symptoms such as cold sores and wetting. "Next to blindness and the death of a parent, children rate the idea of retention as most stressful." (7) Even if the retention is handled sensitively by parents and teachers, kindergarteners know that they were not promoted with their peers. Some parents have described the experience as traumatic.

The long-term effects of retention even at the kindergarten level ranges from neutral to detrimental. The extra year can actually lower the youngster's self-concept and cause or exacerbate a negative attitude toward school. In a classroom composed of six-, seven- and eight-year-olds, the age differences are less apparent than when the composition allows for some junior high school students to drive themselves to school or obtain a work permit. Research shows that retention in the elementary grades increases the likelihood of dropping out before high school matriculation.

Kindergarten retention is discriminatory because it singles out those youngsters who are relatively young or small, those who have behavior problems and boys who tend to mature more slowly than girls. It is an elitist policy because the poor have fewer opportunities than the middle and upper classes to provide accelerated learning experiences before kindergarten. These students are retained at a higher rate than more advantaged youngsters, and the parents of the more advantaged kindergarteners are more likely to have the option to delay school entrance, provide home instruction or lobby for the conventional first grade curriculum to be implanted in kindergarten in order to meet the learning needs of their children.

What is wrong with kindergarten retention appears to be plenty. Despite its popularity, it may not be the optimal policy for addressing issues of social immaturity and low academic achievement among five- and six-year-olds unready relative to seven-year-olds. Together these policies have contributed to an escalation of the curriculum and the corresponding retention of large numbers of youngsters.

Policy Change Isn't Easy

A shift in educational policy away from retention is likely to decrease the number of retained kindergarteners and increase the level of academic achievement and social skills among youngsters. The efficiency of such a policy shift, however, necessarily hinges on the extent to which implementation constraints are addressed. Not every policy that addresses the issues of retention and promotion is feasible or promises to measurably impact the problem attributes. In considering policy options to kindergarten retention, the primary identifiable constraints are:

1. Beliefs About School Readiness and Learning Theory. There is likely to be resistance from parents, teachers and educational policy-makers who believe that entrance into school should be based on readiness measures and that kindergarten retention is the kindest way to fail school if social immaturity and low academic achievement is imminent. The vogue of the Gesell message, coupled with the back to the basics fervor, offers justification for the increasing numbers of youngsters being retained. With widespread concern about educational excellence, policies that run counter to the status quo are likely to be considered soft and contributing to the perceived decline in schooling.

2. The Present Educational Delivery System. Children are legally mandated to enroll in school by age six years - nine months. Kindergarten attendance is compulsory in only two states. Yet in many states, upwards of 78 percent of five- and six-year-olds are enrolled in public school kindergartens. (8) While the present educational delivery system does not oversee the wide range of preschool learning experiences, it does hold children accountable for mastering certain measured skills as evidence of school readiness. Before entering kindergarten, children are served in a variety of ways. Among them are day care, home care, child development programs and private and community-based academic and experiential preschools. The percentage of three-, four- and five-year-olds enrolled in a preschool program has increased nationwide from 30 percent in 1966 to 50 percent in 1988. (9) The range, depth and quality of learning experiences prior to school entrance vary, however, and consequently prepare six-year-olds for school in different ways.

3. The National Political Climate. Since the back to the basics fervor is linked to the sweeping political conservatism of the 1980s and the perceived decline in America's role as a world power, educational policy-makers will be reticent to

stray from the retention movement. The kindergartener retention trend echos the fear that followed the launching of Sputnik in 1957. There is now, as there was then, a national perception that the schools are failing and the remedy should be a downward push in the content of the curriculum. Comparisons with the rigorous Japanese education system and the country's booming economy has encouraged policies of educational excellence under the guise of measured exit standards.

4. Fiscal Considerations. Public schools cost money to support and school reform costs even more money. Policy options other than retention require changes in both the quality and quantity of educational services available to youngsters.

Implementation of these options either incur a one-time or ongoing cost which probably is not earmarked in the proposed budgets of most school districts. Fiscal considerations about basic operational costs are the primary concern of educational yer of schooling. (10)

For example, it cost New York City \$20 million to meet the special instructional needs of 20,500 retained students while it cost Philadelphia \$16 million to conduct a remedial summer program for 40,000 promoted students. (11)

Options Other Than Retention

There are options other than retention that are not a high negative risk to youngsters. In fact, close examination of these options suggest improvement in schooling for all students, not just for kindergarteners considered immature or low achievers. More effective than retention and less costly in dollars in the long term, are the following options:

1. The Educational Program for Kindergarteners Should be Based Upon an Appropriate, Integrated and Experiential Curriculum. As described by the National Association for the Education of Young Children (NAEYC), the nation's largest professional organization of early childhood educators, early primary curriculum should be appropriate to the age groups being served, and delivered with attention to the wide variety of developmental differences within the normal range. The NAEYC states that children ages four through six learn best by doing and that age-appropriate instruction takes advantage of a child's curiosity, abilities and enthusiasm. Young children acquire knowledge "about their cognitive, physical and social worlds through playful interaction with objects and people." (12) Their learning of reading and mathematics as well as sharing and dexterity is experiential.

Since children's learning is integrated, so too should be the kindergarten curriculum. An integrated curriculum does not distinguish learning by subject areas. It includes "opportunities for reading speaking, writing and listening; for logical and mathematical thinking; for experiencing the arts; for health education; for awareness of self, family and expanded community; for valuing cultural diversity; for psychomotor development; and for building self-esteem." (13)

The curriculum should be planned around the experiences, interests and abilities of children. Manipulative instructional materials such as blocks to sort by color, shape and size and to count could be used more extensively. Curriculum articulation throughout the primary grades is also important. Given the wide range of skills, knowledge, coordination and learning experiences of young children, the preschool through third grad curricula should be based upon shared expectations, goals and understandings of how children learn.

According to the California School Readiness Task Force, many teachers and parents do not understand either the importance of or how to develop an appropriate, integrated and experiential curriculum. Some State Departments of Education have responded by developing new frameworks and model curriculum guides for teachers. Of overarching value are the NAEYC's published position papers outlining appropriate and inappropriate primary school practices based upon "the most current knowledge of teaching and learning as derived from theory, research and practice." (14)

2. Class Size Should be Reduced. Teachers with a large class size and a wide range of developmental and ability levels cannot individualize teaching and implement an experiential curriculum. The ideal maximum ratio is a class size of 22-24 students supervised by one credentialed kindergarten teacher and a trained aide (1:11; 1:12).

3. Children with Exceptional Learning Needs Should Have Services Met Prior to School Entrance and Continued Throughout the K-12 Grades. In some states, monies have been allocated to serving preschool children ages three through five with special learning needs, including non-English speaking students and those with physical or emotional disabilities. To the extent possible, preschool programs for students with exceptional learning needs can help prepare them to attend mainstreamed classes and age-appropriate grades with their peers.

4. Kindergarten Teachers Should Receive Appropriate Preservice and Inservice Training and Remuneration.

With the current delivery system, all public school K-12 teachers are required to have a teaching credential but are not required to have training in early childhood education or child development. All preservice teachers should be required to have training in early childhood education and child development before they receive a credential; and all credentialed teachers should be required to participate in a similar inservice training. Ongoing inservices for parents, teachers and school boards about developmentally appropriate educational practices should be instituted as well as technical assistance available to make necessary changes in instructional materials and teaching strategies.

Salary schedules for teachers are based on training, credentials and experience. Highly trained teachers must be sufficiently rewarded through salaries, benefits and cost-of-living adjustments to reduce turnover and ensure their tenure to the profession.

5. Assessment Methods for Preschool and Kindergarten Students Must Change. Along with the increase in kindergarten retention has been a significant increase in the use of assessment instruments. The Gesell School Readiness Test and other formal assessment instruments are used to screen children for school entrance and to track them either back to kindergarten or into a transitional pre-first grade classroom. The validity of these tests are questionable according to many researchers.

Furthermore, standardized tests have changed and items that were scored for the first grade in 1960 are now scored as kindergarten items. The California School Readiness Task Force states that no "single assessment test should be used for exclusion or placement of a child; assessment can instead be used for planning curricula." (15)

Standardized tests must meet the American Psychological Association's guidelines and should only be used to help identify special learning needs. In these instances, it would be helpful to teachers if health care specialists, special education teachers, social workers and parents were involved in the assessment process and diagnosis.

Teachers need to make more and better use of individualized assessments of kindergarteners. Individualized assessments are informal daily observations made by teachers, classroom aides and parents. To conduct effective assessments,

teachers need extensive training in early childhood education, child development and observation techniques and reporting.

6. Increase Parental Involvement. A positive link between parents and school helps to build a positive link between parents and their child's learning. Ways to involve parents need to be sensitive to language, cultural, educational and work schedule differences. Parents' meetings can provide child care and parent education centers can provide books and toys on loan for those who otherwise would not be able to afford the service or goods. Parent advisory groups have been both important advocates for schools and policy-makers. For example, as the child care crisis heightens throughout the 1980s, parents have lobbied for their kindergartener to have school-site child care before and after the school day. Whether this policy option is for only income eligible or also fee paying families, it is further cause for a better articulation of the early primary curriculum.

7. Mandatory Summer School. A remediation strategy for students at-risk of failing a grade level is smaller classes and more individualized instruction during summer. Summer programs can be tailored to specific social or academic needs and retention can be prevented through additional learning opportunities geared toward grade level promotion.

8. High Expectations for Achievement. Teachers and parents should maintain high expectations of achievement for all youngsters. There is strong evidence to support that if teachers and parents reduce their expectations of students than students will reduce their level of achievement. Conversely, the higher the expectations the higher the level of achievement students attain.

This list of policy options to kindergarten retention is not exhaustive. It offers low negative risk, high potential policies for better preparing five- and six-year-olds to meet the challenges of the first grade. The implications of these options, however, are more far-reaching than the first grade.

They are designed to positively impact both teaching and learning throughout the K-12 grades. No one of these policy options is intended to be a "solution" to the increase in kindergarten retention. Together, though, they provide a justification for reducing the number of retentions by offering feasible tools to encourage educational excellence, high levels of learning and annual promotion.

Conclusion

There is no sound reason for a child's first school experience to be one of failure. Teachers, scholars, parents and other educational policy-makers must become better partners in school improvement to assure success. Kindergarten is supposed to be fun, not stressful. With increasing numbers of kindergarteners failing school each year, it can be concluded that the schools are failing kindergarteners. Success, not failure, is the key to motivation, learning and mastery.

"Appropriate Education in the Early Primary Grades: A Position Statement of the National Association for the Education of Young Children," Washington D.C. , 1988, p.2

References

- Barbara Kantrowitz
1987
"The Big Kindergarten Grind," Newsweek, 110:55, August 10, , p.55
- US Bureau of Census
1988
Statistical Abstract of the United States: (108th ed.), Table No. 194, Washington D.C., 1987
- David C. Berliner and Ursula Casanova
1986
"Do Failing Students Benefit from Being Retained?" Instructor, April pp.14-15
- Telephone interview conducted with Dr. Lorrie A. Shepard, professor of education, University of Colorado, Boulder, Colorado, Oc. 6, 1988
- Mary Lee Smith and Lorrie A. Shepard
1988
"What Doesn't Work: Explaining Policies of Retention in the Early Grades," Research Information for Teachers, 2:2, , pp. 1-5
- "Here They Come, Ready or Not!", Report of the School Readiness Taskforce, California State Department of Education, Sacramento, CA, 1988, p.1
- Thomas Toch
1984
"The Dark Side of the Excellence Movement," Phi Delta Kappan, Nov. , pp.173-176

An Overview of Children's Self-Care

by Jennifer Galehouse

When the First National Conference on Latchkey Children convened in Boston in May 1984, it became immediately clear that the subject of children in self-care polarizes people. Although the evidence is not conclusive, many children's advocates (e.g., Nichols and Schilit, 1988) consider self-care a social problem. Articles in the popular and professional press over the last decade have described and deplored the growing phenomenon of the school age child who is without direct adult supervision for some portion of the day. The suggestion that serious and wide-ranging negative outcomes may result from this practice has led to public debate and a variety of programs for 'latchkey' or self-care children.

The controversy over children's self-care manifests in the different ways the issue is framed. If one assumes that self-care children suffer negative consequences, policy will be targeted toward reducing the number of children left alone. If self-care is viewed as a feasible alternative to traditional day care, policy will be formulated to deal directly with determining the child's readiness, teaching safety skills, and preparing children to use the time that they spend alone productively.

This paper will review the body of research which addresses the issue of children's self-care and the respective policy implications. Related programs and activities will also be discussed. Recommendations will be made as to which framework for analysis should be adopted and how self-care policy research should proceed.

Framing the Issue

Is the self-care arrangement inherently harmful to children? Is it, in other words, a policy problem? Or is children's self-care an acceptable approach to the broader problem of childcare: a policy tool? A survey of popular and academic writing on 'latchkey' or self-care children reveals an apparent

lack of agreement on how to frame the issue.

Popular press on the topic of 'latchkey' or self-care children typically reflects an abundance of value-laden language and assumptions and a scarcity of objective criteria for defining the issue. Consider the following example:

"What happens to children of working parents when the school day is over? Some are cared for in commercial childcare programs, and a few fortunate ones live in an area where schools have auxiliary programs, but the vast majority are latchkey children. These are children who arrive home to an empty house with no adult supervision until parents arrive home from work." (Campbell and Flake, 1985: 381)

The above statement communicates unequivocally that self-care is a social policy problem and that women's increased participation in the work force is the cause. It does not, however, offer empirical evidence that self-care involvement is unique to children of working mothers; nor does it describe the target population by age or other characteristics; nor does it suggest any formal analysis of causes and impacts.

Professional and academic reports on children's self-care lend themselves more readily to policy analysis but by no means provide a coherent picture. The few formal studies that have been completed to date employ ambiguous or divergent criteria to define the self-care issue and, perhaps for this reason, yield contradictory results.

Jennifer Gatehouse graduated cum laude from California State University, Chico in 1987 with a bachelor's degree in Social Psychology and Information Studies. She is currently a graduate student at San Francisco State University in the Public Administration Program. She begins a fellowship in the Californai Assembly in October, 1990.

Proposed Operational Definition

Comparison between studies and objective analysis of children's self-care are problematic because the research does not reflect a universally agreed upon definition of the issue. Some studies deal only with afterschool arrangements for children whose parent or parents are at work. These studies tend to exclude arrangements that occur at different hours or for other reasons besides parental employment. The existing body of research is also inconsistent in defining such parameters as the minimum and maximum age of the child, and the duration and frequency of the arrangement which qualify it as self-care.

I recommend that a comprehensive definition of children's self-care be selected and incorporated into future research and policy analysis. After careful review of the literature, I have chosen the operational definition provided by Cole and Rodman (1987: 93):

"A self-care child is one between the ages of approximately 6 and 13 who spends time at home alone or with a younger sibling on a periodic basis."

This definition is comprehensive in that it provides inclusive and exclusive criteria to identify the self-care population and describe the self-care arrangement. For the sake of appropriate policy formulation and action, I propose that further criteria be generated to identify the self-care population by distinct age categories. Correct policy for dealing with a six year old may also be applicable to a seven year old but is probably not appropriate for a child of thirteen.

Demographics

The self-care arrangement is a growing phenomenon. It appears to be related to an increasing gap between (a) the accessibility of day care and (b) the childcare need created by demographic shifts in household composition and parental participation in the work force. There appears to be a shortage of appropriate, affordable childcare; while the numbers of working mothers and single parents have increased dramatically over the past three decades (Bartolome, 1982).

A review of the pertinent body of research reveals that somewhere between 200,000 and 15 million children spend time in self-care arrangements. In 1984, the U.S. Census Bureau conducted the first national study of children's self-care and reported that the nation's 'latchkey' dilemma was less severe than had been thought. Census Bureau statistics showed that seven percent of the 29 million or about 2.1 million children between the ages of five and thirteen spend some time after school each day without adult supervision (in Schwartz, 1987: 638).

Some researchers (e.g., Schwartz, 1987: 638) contend that these Census Bureau figures are a serious underestimation of the actual number of self-care children. Gray and Coolsen (1987) attribute the low figures to parents' reluctance, due to guilt and safety concerns, to report self-care arrangements. One might also interpret the wide range of estimates as resulting from differences in frameworks used to define the issue of children's self-care and in methodologies employed to determine these figures.

Contrary to popular beliefs about children's self-care, this arrangement is practiced more frequently by high income families than low income families, and more often by whites than blacks (Schwartz, 1987: 638). The primary users of self-care are two parent families with incomes over \$30,000 per year (Galambos and Garbarino, 1983: 3). The self-care arrangement is not peculiar to children whose parents hold 8a.m. to 5p.m. jobs. While seventy-six percent of self-care children are at home alone in the afternoons, a significant number practice self-care at other times: fifteen percent in the mornings and nine percent after 6 p.m. (Nichols and Schilit, 1988: 50).

Evaluating Impacts

Objective evaluation of the impacts of self-care on children is prohibited by author bias which permeates both popular and academic analyses. For the purpose of this review, however, I will attempt to distinguish between analyses that are primarily normative in intent and those that prioritize empirical data.

Normative Evaluations

The negative consequences of the self-care arrangement have generated the most attention. The media has often used dramatic, anecdotal evidence. The media widely and uncritically disseminated the early findings which tended to emphasize the negative consequences of self-care. Child advocates frequently testified before federal and state governments on the dangers of self-care and the need to fund alternative supervised programs and policies (Flynn and Rodman, 1986).

The question of consequences has been framed in a predominantly negative social and legal context. Public opinion regarding self-care has been influenced and reflected by relatively hostile media coverage. Only within the last few years has the media begun to present a more objective view of the self-care arrangement. Meanwhile the legal status of self-care is unclear. Vague state laws that do not differentiate

between the self-care arrangement and child neglect may place some parents at risk for incurring criminal charges and/or losing custody of their children. This negative climate has, until recently, hindered discussion of the self-care phenomenon and obscured the facts about what has become a major form of childcare (Belsky, 1985).

The contemporary debate over children's self-care parallels in many respects the controversy over day care during the fifties and sixties (Scarr, 1988). At that time, a great deal of social commentary was devoted to the dangers of day care. Belsky (1985) notes that subsequent research findings ultimately deflated this opposition to day care, which may have had less to do with actual negative impacts than with ideological preoccupations and a desire to keep women out of the work force.

Professionals and child advocates vary in their assessments of the potential impacts of self-care on children. Some child educators consider self-care a social and policy problem. Others claim that older self-care children may actually benefit from the opportunity to learn independence and responsibility (Nichols and Schilit, 1988: 50). Scarr (1988) contends that less mature self-care children become frightened and lonely, waste time, or get into trouble. All of these assertions should be regarded as tenuous pending further research.

It is interesting to note the evaluations of children themselves on the impact of self-care. Hedin (1986) surveys children in kindergarten through eighth grade and finds that 80 percent claim to love or like their self-care involvement.

Empirical Evaluations

Few formal studies have been performed on the impact of self-care on children's functioning and development. Some early research findings correlate self-care with a number of negative outcomes that other studies do not confirm.

For example Woods ([1972] in Rodman and Cole, 1987: 102) finds that self-care girls have significant problems in personality adjustment and academic achievement. Galambos and Garbarino (1983), in contrast, obtain no statistically significant differences between self-care children and adult-care children on measures of academic achievement, classroom orientation, and teacher-rated school adjustment. Furthermore Rodman *et al.* (1985) find no correlation between children's involvement in self-care and teachers' ratings of

their social adjustment and interpersonal relations.

Long and Long ([1981] in Shannon, 1987: 33) report that self-care children suffer from frequent nightmares. Long and Long (1982) also find that self-care children are more fearful than children supervised by adults or even older siblings. The methodologies of both studies have been criticized, and the results are refuted by Vandell ([1987] in Shannon, 1987: 31). Galambos and Garborino (1983) also fail to correlate self-care involvement with children's fears of going outdoors alone.

Rodman and Pratto (1987) find that parents of self-care children often impose severe restrictions to minimize the possibility of accidents, exploitation, or misbehavior. Hence self-care involvement may have the effect of limiting a child's opportunities for socialization and interaction. Rodman and Cole (1987) assert that the extent of this effect is probably mitigated by the hours during the day that the child spends in school.

Discussion and Preliminary Recommendations

It is difficult to determine what can be concluded about the consequences of self-care for children. The amount of research that has been done is limited and the research findings are mixed. Some report no differences and some report that self-care children are at a disadvantage. The ambivalence of the findings can be used to support those who have vested interests in showing that self-care is harmful and those who have vested interests in showing that it is not.

It is beyond the scope of this paper to provide a comprehensive policy analysis of children's self-care. I propose, however, that for the purposes of policy analysis and development the issue be framed as a policy tool rather than a policy problem. I am not suggesting that claims about the negative consequences of children's self-care be ignored or arbitrarily dismissed. It is my bias, however, that these claims can and should be further researched and evaluated in the context of an analysis of the relative merits and problems associated with a potentially viable childcare alternative.

The childcare issue needs to be framed to include the alternative self-care because governmental spending on childcare is limited and a significant number of children are in fact left alone to care for themselves. According to Nelson (1988: 4), self-care is the most prevalent childcare arrangement for

children between the ages of five and fourteen. A policy agenda aimed at eradicating children's self-care is far less likely to be successful than is a policy program which develops appropriate constraints and supports for effectively utilizing an established arrangement.

Goals and objectives of childcare policy at this point should be to increase the feasibility and safety of the self-care alternative. First a climate needs to be created in which self-care is understood to be an acceptable childcare option. Next a research agenda should be developed and policy analysis should be employed to determine what types of programs are needed to support or supplement children's self-care.

Ironically, some of the most vehement opponents of children's self-care are also advocates of programs that increase the potential and enhance positive outcomes of this childcare tool. For example Long and Long advocate a program called PAW (Pets Are Wonderful). This national non-profit organization provides self-care children with dogs or cats for companionship. In addition, the organization provides the children with activity books emphasizing safety principles (Home Alone, 1986: 2).

Programs that have been piloted to supplement self-care arrangements include roughly 200 telephone support lines for children. These 'warmlines' provide technical assistance, companionship and/or crisis intervention services for children alone at home. Some programs specifically promote phone contact between self-care children and elders (Nichols and Schilit, 1988). Also available are electronic monitoring devices which signal emergency services for self-care children in trouble (Long and Long, 1988).

A number of programs have also been developed to help parents assess their child's readiness for self-care. These self-care programs teach children how to make productive use of alone-time and promote safety and survival skills.

Although the above-mentioned programs are designed to increase the feasibility of children's self-care and facilitate positive outcomes of this policy tool, they do not offer a comprehensive policy agenda. Future research and policy analysis should be utilized to determine the effectiveness, equity, efficiency as well as the feasibility of potential self-care programs. Successful self-care policy will affect and involve families, childcare professionals, children's and working women's advocates, and the research community.

Key political alliances which promote a favorable policy climate for implementing programs must be created. In California, I recommend creating a statewide clearing house which would provide parents with information on safety skills, preparedness, and readiness and sponsor a related annual conference. Additionally, a statewide hotline for self-care children and parents could be established through the same agency. Other possible alternatives which would require further study are incorporating basic survival skills into the public school curriculum, and linking elderly members of the community with self-care children.

These preliminary recommendations are only a few potential solutions which will require research and development before appropriate policy can be enacted. In order to promote research that will determine the potential impacts of self-care policy on children, the issue must first be framed consistently and definitively. Otherwise effective policy is improbable.

References

- Bartolome, P.I.
1982
"The changing family and early childhood education". Pp. in (ed.), *Changing Family Lifestyles: Their effect on children*. Washington, D.C.: Association for Childhood Education International.
- Belsky, J.
1985
"The science and politics of day care". Pp. 237-62 in R.L. Shotland and M.M. Mark (eds.), *Social Science and Social Policy*. Beverly Hills, CA: Sage.
- Campbell, Lloyd P. and Flake, Ann E.
1985
"Latchkey children—what is the answer?". *The Clearing House* 58: 381-83.
- Cole, C.M. and Rodman, H.
1987
"When school-age children care for themselves: issues for family life educators and parents". *Family Relations* 36: 92-96.

Flynn, C.P. and Rodman, H.

1986

"Latchkey children and after school care: a feminist dilemma?". Paper presented at the meeting of the National Council on Family Relations, Dearborn, Michigan.

Galambos, N.L. and Garbarino, J.

1983

"Identifying the missing link in the study of latchkey children". *Children Today* 12: 2-4, 40-41.

Gray, Ellen and Coolsen, Peter

1987

"How do kids really feel about being home alone?". *Children Today* 16: 30-32.

Hedin, D.

1986

"Summary of the family's view of after school time". Unpublished paper, University of Minnesota at St. Paul (Center for Youth Development and Research).

Home Alone

1986

Children Today. 15: 2.

Long, T. and Long, L.

1982

"Latchkey children: the child's view of self care". Catholic University of America: Washington, D.C. (Eric document No. ED 211229).

Long, T. and Long, L.

1988

"Hotlines for children: what makes them effective?". *Children Today* 17: 22-26.

Nelson, Milo

1988.

"Doors that open without latchkeys". *Wilson Library Bulletin* 62: 4.

Nichols, Ann Weaver and Schilit, Rebecca

1988

"Telephone support for latchkey children". *Child Welfare* 67(1): 49-59.

Rodman, H. and Cole, C.M.

1987

"Latchkey children: a review of policy and resources". *Family Relations* 36: 101-5.

Rodman, H. and Pratto, D.

1987

"Child's age and mother's employment in relation to greater use of self-care arrangements for children". *Journal of Marriage and Family* 49: 573-78.

Rodman, H. and Pratto, D. and Nelson, R.

1985

"Child care arrangements and children's functioning: a comparison of self-care and adult-care children". *Developmental Psychology* 21: 413-18

Scarr, Sandra

1988

"How to find quality day-care". *Consumers Digest* 27: 45-48.

Schwartz, F.

1987

"Census bureau estimate of number of latchkey children disputed". *Phi Delta Kappan* 67: 638.

Shannon, Jacqueline

1987 "Crisis in child care". *Health* 19: 29-34.