

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, SITTING
AS THE REDEVELOPMENT AGENCY

♦♦♦♦♦

REPORTER'S TRANSCRIPT

OF

PUBLIC HEARINGS ON THE RUSSELL CITY REDEVELOPMENT PROJECT

Supervisors' Chambers
Alameda County Courthouse
1225 Fallon Street
Oakland, California
January 8, 1963 - 2:30 p.m.

Veterans' Memorial Building
22737 Main Street
Hayward, California
January 15, 1963 - 7:30 p.m.
January 22, 1963 - 7:30 p.m.

ROBERT B. MANNERS, D S R
DEPOSITION REPORTER - NOTARY
315 DOWLING BLVD.
SAN LEANDRO, CALIFORNIA
LOCKHAVEN 9-4088

REDEVELOPMENT AGENCY STAFF

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Board of Supervisors, sitting as Redevelopment Agency:

- Kent D. Pursel, Chairman, 4th District
- John D. Murphy, 1st District
- Robert E. Hannon, 2nd District
- Leland W. Sweeney, 3rd District
- Emanuel P. Razeto, 5th District
- Jack K. Pool, Chief Clerk

Earl R. Strathman, County Administrator
Roland Mayne, Assistant County Administrator

Douglas Dunning, Assistant District Attorney
J. Alden Lewis, Deputy District Attorney

George C. Herron, Executive Director, The Redevelopment Agency,
224 West Winton Avenue, Hayward, California

Harold Davis, Relocation Supervisor, the Redevelopment Agency,
224 West Winton Avenue, Hayward, California

Robert L. Williams, Planning Director, Alameda County Planning
Department, 224 West Winton Avenue, Hayward, California

Marcus S. Carlson, Building Official, County Building Inspection
Division, 224 West Winton Avenue, Hayward, California

Ruth M. Jolly, M.D., Assistant County Health Officer, 2226 Santa
Clara Avenue, Oakland, California

Robert J. Perrich, Chief Deputy Surveyor, Alameda County Courthouse

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1 SUPERVISORS' CHAMBERS, ALAMEDA COUNTY COURTHOUSE
2 1225 Fallon Street, Oakland, California
3 Tuesday, January 8, 1963 - 2:30 o'clock, p.m.

4 *****

5 CHAIRMAN PURSEL: The meeting will please come to order. Your
6 Board of Supervisors wants to welcome you here today to be with us
7 while we discuss this very important matter, and also to hear ques-
8 tions from you a little later on in the meeting.

9 I think it would be appropriate at this time, since this is our
10 first official meeting on this very important matter, that we all
11 rise and pledge allegiance to the flag. This will be lead by
12 Supervisor Murphy. (Pledge to the flag.)

13 Did you all find your seats? (Laughter)

14 Well, we appreciate that it is very crowded at the moment. I
15 think they're attempting to get some additional chairs. Under the
16 circumstances, we ask your indulgence and we hope you bear with us
17 and to the best of your ability and to ours make yourselves as com-
18 fortable as you can under the conditions, if you will, please.

19 We are convening this meeting today as the Redevelopment Agency
20 of Alameda County, and to that point I would first like to read, for
21 the benefit of all, a statement from the Board:

22 "The matter before us today, sitting as the Redevelopment
23 Agency of the County of Alameda, is a public hearing of the Rede-
24 velopment Plan for the Russell City Redevelopment Project, as re-
25 quired by Section 33700 of the California Community Redevelopment
26 Law. This plan has been prepared by the agency staff, reviewed by
the Board of Supervisors, and is now to be presented for approval or

1 amendment by the Redevelopment Agency. Rules governing the hearing
2 will be announced by the staff.

3 "Now, it is our intent, both as the Board of Supervisors and as
4 the Redevelopment Agency, to eliminate severely-blighted conditions
5 in the Russell City Area that have for a long time been a source of
6 great concern to us - to restore the lands in the project area to a
7 condition and use of significant benefit to all of the County of
8 Alameda.

9 "We also intend that the relocation of persons displaced from
10 the project area shall be carried out without undue hardship on
11 those people, and that every assistance by our staff be given them
12 in finding safe, decent, sanitary homes in which to live.

13 "The plan, as presented, is designed to express our intent."

14 Mr. George Herron, who is here present, will now present the
15 plan. I introduce to you Mr. George Herron.

16 MR. HERRON: Thank you, sir. First, I would like to introduce
17 other members of the staff present, and distinguished guests:

18 Mr. Lewis, Deputy District Attorney, acting as counsel for the
19 agency. Mr. Robert L. Williams, Planning Director, County of
20 Alameda. Dr. Ruth M. Jolly, Assistant Health Officer, County of
21 Alameda. Harold Davis, Relocation Supervisor, Redevelopment Agency.
22 Mr. Robert J. Perrich, Chief Deputy County Surveyor. Mr. Marcus S.
23 Carlson, Building Official. Mr. Douglas Dunning, Assistant District
24 Attorney, representing the Board. Mr. Earl R. Strathman, County
25 Administrator.

26 We have, as guests: Mr. Herbert Crowle, Director of Public

1 Works, County of Alameda. Mr. James R. Vivrette, County Surveyor
2 and Road Commissioner. Mr. Gerald Worthly, Chairman of the Citizen's
3 Advisory Committee.

4 I would like to ask Mr. Lewis, as counsel for the agency, to
5 set up the rules of procedure to be carried out during the hearing.

6 MR. LEWIS: Good afternoon, ladies and gentlemen. As the
7 Chairman has noted, we have many people here today. All of you are
8 interested in hearing what is said by the members of the staff, by
9 the members of the Board, and those in the audience participating.
10 For that reason we would wish to have as much quiet as possible, so
11 that everybody can be heard - not only in this room, but also in the
12 hall.

13 As you will notice, this gentleman up here in the front row,
14 Mr. Manners, is taking down everything that is said. He is a Certi-
15 fied Court Reporter and he is here for the purpose of making a com-
16 plete record of all the witnesses and all of the matters that are
17 spoken upon. Now, then, for Mr. Manners' convenience - and it may
18 seem unusual to you if you have to announce yourself more than once
19 - but all members of the staff and of the Board, when speaking, will
20 announce their name. Now a person first, that is speaking from the
21 audience, will announce his full name. You have been given cards
22 and those cards provide a space for each person to fill in his
23 name, his address, and whom or who he represents. Now, these cards
24 will be filed, and I would request that they be given to Mr. Manners,
25 sitting up here in the front row, and he will make a list of them.
26 Those are for providing him the correct spelling of names and

1 addresses where pertinent.

2 This hearing, as Mr. Herron said, is for the purpose of pro-
3 viding public forum for the ideas on this plan. The notices pro-
4 vided that anybody who wishes to may speak for or against any par-
5 ticular part of the plan. I hope that this is clear to everybody.

6 Now, the Board of Supervisors, sitting as the Redevelopment
7 Agency, will, at the conclusion of these hearings, adopt the plan
8 or not adopt the plan, or require any amendments thereto that are
9 necessary in their judgment. After this the plan will then be re-
10 ported upon by the Commission, if adopted, and will come back up to
11 the Board of Supervisors, sitting as the Board and the Governing
12 Body of the County. At this time a final determination will be made,
13 if the proceedings go that far, on the plan and it will be either
14 adopted or rejected.

15 Now, then, I would like to turn the meeting back to Mr. Herron,
16 who will proceed with the plan as set forth. Thank you very much.

17 MR. HERRON: Prior to presenting the plan itself, to establish
18 the legality of proceedings leading up to the establishment of the
19 plan -- pardon me, should I be sworn in?

20 THE CLERK: Raise your right hand. (Mr. Herron is sworn in.)

21 MR. HERRON: I will read brief summaries of each of the actions
22 that have taken place. The original documents in all cases are on
23 file in the offices of the respective agencies which issues them.

24 "The 3rd of October, 1961. Ordinance No. 656 N.S. established
25 the Redevelopment Agency of the County of Alameda.

26 "3 October 1961. Resolution No. 98322 declared the Board of

1 Supervisors to be the Redevelopment Agency of the County of Alameda.

2 "3 October 1961. Ordinance No. 657 N.S. provided positions
3 and compensation for the Redevelopment Agency Staff.

4 "3 October 1961. Resolution No. 98324 approved a budget for
5 the Redevelopment Agency and made appropriations thereto for the
6 remainder of Fiscal Year 1961-62.

7 "16 January 1962. Resolution No. 99231 directed the Planning
8 Commission to prepare and adopt an amendment to the County Master
9 Plan by the addition of a Redevelopment Element.

10 "19 February 1962. Resolution No. 4438 of the Alameda County
11 Planning Commission, after public hearing on this date, adopted a
12 Redevelopment Element of the Alameda County Master Plan, and made
13 recommendation thereon to the Board of Supervisors.

14 "6 March 1962. Resolution No. 99613 received the report and
15 recommendation from the Planning Commission and set 10:30 a.m. on
16 the 20th of March 1962 as the time for public hearing on the amend-
17 ment to the Master Plan by adding a Redevelopment Element.

18 "20 March 1962. Resolution No. 99700, after public hearing
19 thereon, adopted an amendment to the County Master Plan by adding a
20 Redevelopment Element.

21 "20 March 1962. Resolution No. 99701 generally described the
22 Russell City Area, made a finding of blight in that area, designated
23 the described area as a blighted area, and directed the Planning
24 Commission to study the area, formulate a plan for the redevelopment
25 thereof and to submit the Plan to the Redevelopment Agency of the
26 County of Alameda.

1 "23 April 1962. Resolution No. 4540, Planning Commission, ap-
2 proved a preliminary plan for redevelopment of the Russell City Area,
3 consisting of a map and text, and transmitted same to the Redevelop-
4 ment Agency.

5 "1 May 1962. Resolution No. 4, Redevelopment Agency, accepted
6 Preliminary Redevelopment Plan submitted by the Planning Commission
7 and directed the Executive Director to prepare the Redevelopment
8 Plan.

9 "23 October 1962. Resolution No. 8 of the Redevelopment Agency
10 received the tentative Redevelopment Plan and accompanying report,
11 set 2:00 p.m. on the 20th of November 1962 as the time for a public
12 work session on the plan and directed that copies of the Plan and
13 report be transmitted to the City Council, City of Hayward, for
14 official comment.

15 MEMBER OF AUDIENCE: A little louder, please.

16 MEMBER OF AUDIENCE: I protest this thing. A hundred people
17 can't know what is going on. How about having a room large enough
18 so that we can hear what is going on? There is a hundred people
19 don't know what is going on down here.

20 CHAIRMAN PURSEL: Are there people out there in the hall, sir,
21 that can't get in?

22 MEMBER OF AUDIENCE: That's right.

23 CHAIRMAN PURSEL: Perhaps, under the circumstances - is there
24 another room available anyplace that is larger?

25 MR. LEWIS: Not that I know of.

26 CHAIRMAN PURSEL: Just a minute, please. Yes? What did you

1 say, sir?

2 MR. LEWIS: Mr. Chairman, I don't believe there is a larger
3 room in the Courthouse. This meeting has been noticed for today, in
4 this room, and the only thing we can do is express our regret that
5 the room isn't large enough.

6 MEMBER OF AUDIENCE: Postpone it and get another place.

7 MEMBER OF AUDIENCE: Mr. Chairman, if there are any present
8 here who are not property owners, or are not here for the purpose of
9 this meeting, I wish they would give way to those who have.

10 CHAIRMAN PURSEL: I am of the opinion that those who are here
11 are people who are either property owners or in their judgment have
12 a vital interest in this redevelopment plan. Now, are there any here
13 who are not interested, either directly or indirectly, in this
14 hearing today? If there is anybody, I would ask, if you would, out
15 of courtesy to those standing, if you'd please excuse yourselves.

16 MEMBER OF AUDIENCE: Well, we - we - we don't live in the area;
17 we own property there.

18 CHAIRMAN PURSEL: You do own property there? Well, then, you
19 have an interest in this, sir. I regret very much, and I speak for
20 all of the Board, that our quarters aren't large enough to adequately
21 take care of everybody that would like to be in this room today, but
22 we have given official notice, as prescribed by law, that this
23 meeting will be held in this room at this time, today, and it's
24 necessary that we comply with the legal requirements of the law as
25 well as with those that were stated in the notice. So I - I hope
26 you all appreciate the circumstances under which we are conducting

1 this meeting in this room.

2 SUPERVISOR MURPHY: Mr. Chairman, I don't think those people
3 who are property owners should be requested to leave.

4 CHAIRMAN PURSEL: Listen, sir --

5 MEMBER OF AUDIENCE: These peoples out here haven't heard
6 nothing you said.

7 CHAIRMAN PURSEL: I'm sure - just a minute - I'm sure that
8 everyone who is interested and wishes to either protest or agree, or
9 who has any comment that they wish to make to this Body after the
10 report has been officially presented, will be given an opportunity
11 so to do. If it means that we'll continue this meeting and have
12 subsequent meetings on the matter, you will be afforded an oppor-
13 tunity to speak on it - I can assure you of that.

14 SUPERVISOR MURPHY: Mr. Chairman, I think you should put a
15 cutoff time for this afternoon so that many of these people who
16 won't have an opportunity will be able to leave and come back at a
17 future date - if we say 5:00 o'clock, or whatever time you choose,
18 to cut it off.

19 CHAIRMAN PURSEL: What time would you suggest, Mr. Murphy?

20 SUPERVISOR MURPHY: About ten to 3:00 (laughter). No, 5:00 or
21 5:30 I would suggest that we call a halt to it and people can antici-
22 pate whether or not they are going to have an opportunity to be
23 heard - if they feel they are not going to, due to the fact they are
24 not in the room, they can come back at a future date. We undoubtedly
25 will have to continue this.

26 CHAIRMAN PURSEL: In lieu of that may I suggest that we here,

1 now, advise these people that there will be another hearing, that
2 we will continue this matter - and I think under the circumstances
3 that it is very apparent that it will be necessary and proper to do
4 just that. So I'd ask the Board now to set a time at which this
5 hearing will be continued.

6 SUPERVISOR SWEENEY: And place, because we certainly can't hold
7 it here.

8 MEMBER OF AUDIENCE: May I say something, please?

9 MR. LEWIS: Just a minute. Will you identify yourself,
10 please?

11 CHAIRMAN PURSEL: Just a minute. We have a matter before us
12 we're discussing, please. Mr. Herron, approximately how long, in
13 your judgment, will it take to present this report? It's necessary,
14 I know, that you present it in accordance with the agenda that has
15 been presented here, so we'll comply with all legal requirements.

16 MR. HERRON: It will take approximately one hour and fifteen
17 minutes to complete all the staff presentation. If the Board
18 desires to come only to the point where we present the plan but
19 don't discuss it, that will be a matter of fifteen or twenty minutes

20 CHAIRMAN PURSEL: I think, in view of the fact that so many
21 people are here today, you do want an opportunity, a good many,
22 perhaps all of you, to discuss this plan after he has presented it
23 - but I would like to suggest for the Board's consideration, then,
24 that we also set Tuesday, one week from today, at this same hour,
25 2:30, for a - set this time and place --

26 SUPERVISOR MURPHY: Mr. Chairman, we already have a matter set

1 at that particular time, I believe.

2 THE CLERK: Yes, the County Fair study.

3 CHAIRMAN PURSEL: That is not a published meeting. I think
4 we can --

5 SUPERVISOR MURPHY: What is it, just a work session?

6 CHAIRMAN PURSEL: Yes. Under the circumstances is there any
7 objection on the part of any Member of the Board that this meeting
8 will be continued upon its completion 'til 2:30, one week from today,
9 in this room? Is that --

10 SUPERVISOR MURPHY: I would suggest we figure out some
11 Veterans' Building.

12 SUPERVISOR SWEENEY: Another place. This will not hold the
13 people.

14 SUPERVISOR MURPHY: Why don't we take over the Veterans'
15 Building and set it up?

16 CHAIRMAN PURSEL: Have you any suggestions, Mr. Lewis?

17 SUPERVISOR SWEENEY: Mr. McCullam (Donald P. McCullam, Attorney
18 at Law, 1615 Broadway, Oakland, California) wants to say something.

19 MR. LEWIS: They say they have sound there, Mr. Chairman, now,
20 the Veterans' Building in Hayward.

21 CHAIRMAN PURSEL: The Veterans' Building in Hayward - is that
22 all right?

23 MR. HERRON: Yes.

24 CHAIRMAN PURSEL: We have been advised that the Veterans'
25 Building in Hayward has a room considerably larger than this, with
26 adequate loudspeaking equipment and so forth, and so, with that in

1 mind, at the conclusion of this hearing it will be continued until
2 one week from today, at 2:30, in the Hayward Veterans' Memorial
3 Building. You all know where that is located, in Hayward?

4 MEMBER OF AUDIENCE: Where is it situated?

5 CHAIRMAN PURSEL: What is the exact location?

6 MR. HERRON: Main Street, between C and D.

7 CHAIRMAN PURSEL: It is on Main Street, between C and D, im-
8 mediately in back of the City Hall of Hayward.

9 THE CLERK: 22737 is the street number.

10 CHAIRMAN PURSEL: 22737 Main Street, Hayward.

11 MR. McCULLUM: Mr. Chairman, if you would permit me might I
12 suggest that in view of the fact that this is a public hearing and
13 it is designed to inform the public of the plan and if you propose
14 to continue it until next week, the persons who will be there next
15 week who are out in the hall today will be unable to hear the plan
16 today and might I suggest, since you have called the meeting, that
17 it be continued right at this moment until next week, where we will
18 have an opportunity to hear completely the plan?

19 SUPERVISOR SWEENEY: I think that makes sense.

20 CHAIRMAN PURSEL: Just a minute, please.

21 MEMBER OF AUDIENCE: I second the motion.

22 CHAIRMAN PURSEL: Just a minute. We have scheduled this
23 meeting and all of you in the main have come some distance to be
24 here - let's resolve this in an orderly manner. What is the feeling
25 of the Board with respect to it?

26 SUPERVISOR SWEENEY: Well, I think - I think it makes - to me,

1 makes sense. They have people I don't know how far out in the hall,
2 and it is vitally important - it may be all right for you people
3 sitting there comfortably, but these people want to know what is
4 going on, and what have you. No matter where you came from or how
5 far away you came from, this is very important to each and every one
6 of us.

7 CHAIRMAN PURSEL: Would there be any objection on the part of
8 the staff or the legal advisor and the District Attorney's Office --

9 MR. LEWIS: No.

10 CHAIRMAN PURSEL: -- from continuing this matter until then?

11 MR. HERRON: The only thing I suggest is that I be allowed to
12 complete these three items - that will complete this.

13 CHAIRMAN PURSEL: If there is no objection, he will continue
14 these three items.

15 MR. WILLIE SCILIANO: Is there --

16 MR. LEWIS: Your name, please?

17 MR. SCILIANO: Willie Sciliano.

18 MR. LEWIS: Where do you live?

19 MR. SCILIANO: In Russell City. I would like to suggest one
20 thing, for the people theirselves - there is a lot of women here and
21 their husbands can't be at this meeting. I think they should have
22 the meeting after five o'clock where they could, the husbands and
23 wives, could be there - because half of the women, they don't know
24 business, and I would rather be there myself. I have to lose half
25 a day's work to come there.

26 SUPERVISOR SWEENEY: It is a good idea.

1 MR. SCILIANO: I think all the husbands should be there to know
2 that is going on, because half of the women don't understand this.
3 Cause guys are - we're all off of work, so that means that half of
4 the ones are on work.

5 SUPERVISOR SWEENEY: That is a good suggestion.

6 MR. SCILIANO: I think that is. You can have a better kind of
7 meeting.

8 CHAIRMAN PURSEL: Do you know whether that room is available
9 for that night?

10 SUPERVISOR MURPHY: Jack says he can do it.

11 THE CLERK: What night do you mean, next Tuesday?

12 SUPERVISOR SWEENEY: Yes, next Tuesday, the 15th.

13 CHAIRMAN PURSEL: If you will bear with us for just a minute or
14 two we will find out whether or not the room is available on that
15 evening and firm this up.

16 SUPERVISOR SWEENEY: Why don't we let him continue reading?

17 THE CLERK: They're going to have to check and see. By the time
18 Mr. Herron gets done we should have the information.

19 CHAIRMAN PURSEL: All right. Ladies and gentlemen, if I may
20 have your attention again, please - it is going to take a few
21 minutes to check and verify for sure whether or not that room is
22 available, and at that time of course we can make a firm announce-
23 ment. In the meantime, if you'd bear with us, we would ask Mr.
24 Herron to please continue his report for a few minutes pending
25 finding out whether or not the room is in --

26 MEMBER OF AUDIENCE: Mr. Chairman, will Mr. Herron give us the

1 same report next Tuesday?

2 CHAIRMAN PURSEL: Yes.

3 MEMBER OF AUDIENCE: Then why give it now?

4 CHAIRMAN PURSEL: You are here now. You are going to have to
5 wait a few minutes. Do you have any objection to him doing it?

6 MEMBER OF AUDIENCE: I'm just thinking of these folks back here

7 CHAIRMAN PURSEL: That's right. We appreciate that.

8 MEMBER OF AUDIENCE: Haven't you got a microphone?

9 CHAIRMAN PURSEL: He has a microphone. Please, if you will,
10 now - admittedly these are difficult circumstances with such a big
11 crowd in this room that is inadequate, so under the circumstances
12 please cooperate with us to the very best of your ability. Proceed,
13 Mr. Herron.

14 MR. HERRON: These items that I am reading now are only refer-
15 ences to actions by the Board of Supervisors, the Planning Commis-
16 sion, or the City of Hayward which have already taken place and have
17 been published in the newspapers, but we're reading the summary today
18 to establish the legality of the background for the hearing only.

19 "13 November 1962. Resolution No. 62-435 C.S., City of Hayward,
20 endorses and supports the Plan and Report and urges implementation
21 thereof.

22 "16 November 1962. Report and Recommendation No. 745, Alameda
23 County Boundary Commission, description and map declared satisfac-
24 tory as corrected, report filed with the Board of Supervisors."

25 The last item, "20th of November 1962. Resolution No. 10 of
26 the Redevelopment Agency sets 2:30 p.m. on January 8, 1963 as the

1 time for public hearing on the Redevelopment Plan for the Russell
2 City Project and directs that notice be given in accordance with
3 Section 33700 of the Health & Safety Code."

4 That brings the matter up to the time of hearing today.

5 CHAIRMAN PURSEL: Does that conclude your presentation, Mr.
6 Herron, then, for today?

7 MR. HERRON: I can introduce the Plan and Exhibit, but not go
8 into it.

9 CHAIRMAN PURSEL: Can you hear all right with the use of the
10 microphone now?

11 MEMBER OF AUDIENCE: Yes.

12 CHAIRMAN PURSEL: Go ahead, proceed, Mr. Herron. He will
13 briefly introduce the plan.

14 SUPERVISOR MURPHY: He will have to go over it again anyway.

15 MR. HERRON: I will present the Plan as an exhibit only. We
16 will not, in accordance with the Board's wishes, go into any dis-
17 cussions at this time. This is the Redevelopment Plan for the
18 Russell City Project Area. There were some copies available - ap-
19 parently they are gone. There will be an additional supply avail-
20 able at the next meeting.

21 (Document marked by the Clerk)

22 MR. HERRON: This is a copy of a Report on the Redevelopment
23 Plan for the Russell City Project. This has been prepared by the
24 staff, although we are not legally required to render this report
25 until it is being - until the plan is being heard by the Board, sit-
26 ting as the legislative body of the County. This has been prepared

1 - with the exception of one part required by law, has been prepared
 2 to support the plan and to explain it in as much detail as possible.
 3 This also was available and will be available with copies of the
 4 plan. It lacks Part 5, which can only be placed in the report after
 5 the Planning Commission renders its report and recommendation to the
 6 report. These two are offered as exhibits.

7 (Documents marked by the Clerk)

8 Sir, that is all I have.

9 SUPERVISOR MURPHY: Mr. Chairman, would it be possible - I'd
 10 like to ask Mr. Herron, would it be possible for any of these
 11 reports to be run off in time for these people to pick them up prior
 12 to the next meeting at some designated place?

13 MR. HERRON: I have approximately fifty extra copies at the
 14 present time at the Winton Avenue Building.

15 CHAIRMAN PURSEL: Would it not be possible - excuse me - in
 16 line with this discussion, to run off some extra copies and have
 17 them available by the time the --

18 MR. HERRON: I don't know what Central Services' work load is,
 19 but I can have it in to them tomorrow morning.

20 CHAIRMAN PURSEL: Well, I think, in view of the importance of
 21 this matter, that the Board should direct the Central Service System
 22 to give priority to this matter and to have - to run off sufficient
 23 copies so that they will be available for you by the time of the
 24 next meeting.

25 SUPERVISOR MURPHY: Mr. Strathman says that it can be available

26 CHAIRMAN PURSEL: It can be.

1 SUPERVISOR SWEENEY: I am thinking - my thinking is this: Don't
 2 get them to them that Tuesday, let's get them at a date so they'll
 3 have a chance to read them.

4 SUPERVISOR MURPHY: That is the idea.

5 SUPERVISOR SWEENEY: You can't come to school and start
 6 reading as you go on - not me.

7 SUPERVISOR MURPHY: They will be able to pick them up at Mr.
 8 Herron's office sometime in the future prior to next Tuesday.

9 MR. HERRON: There are twenty-five copies available upstairs,
 10 I believe in the County Administrator's office, which we can have
 11 brought down to the Clerk of the Board. I have an additional fifty
 12 copies at the Winton Avenue Building, and we will have an additional
 13 two hundred prepared. So there are seventy-five available today and
 14 tomorrow, and an additional 150 or 200 as soon as Central Service
 15 can turn them out.

16 CHAIRMAN PURSEL: Thank you. Well, then, Mr. Strathman, as I
 17 understand it shouldn't be too much of a problem, inasmuch as we
 18 are asking that the Central Service Division give priority to this
 19 matter, to have them by, say, Friday of this week?

20 MR. STRATHMAN: Friday Noon of this week, 200 additional copies
 21 will be available.

22 CHAIRMAN PURSEL: By Friday Noon of this week 200 additional
 23 copies will be available.

24 MEMBER OF AUDIENCE: Where?

25 CHAIRMAN PURSEL: They will be available at the Winton Avenue
 26 Building, at the Redevelopment Office where Mr. Herron is in charge.

1 Is that clear to everyone now? (There was no response.) Have you
2 heard anything of the availability of the room yet, Jack?

3 MR. CARL HERSEY: Mr. Chairman, don't feel too bad - the
4 committee hasn't even got copies of this yet.

5 MR. HERRON: Mr. Hersey, the committee was given copies of this
6 in October, without the fancy covers, sir.

7 CHAIRMAN PURSEL: While we are waiting for word to come about
8 the building, although you can see the names, I'm sure it can be
9 appropriate at this time that we introduce the Members of the Board
10 to you. You will see more of us as these hearings continue, of
11 course.

12 On my right is Supervisor Murphy, John Murphy; seated next to
13 him is Mr. Emanuel Razeto. On my extreme left is Supervisor Robert
14 Hannon; seated next to him is Supervisor Leland Sweeney - and my
15 name is Kent Pursel. And I might say, in going over these names
16 once more, that we all represent districts, as you probably know.
17 Mr. Murphy represents the district encompassing the extreme southern
18 end of the county, including the areas of Fremont, Newark, Union
19 City, Livermore, Pleasanton, and a large amount of unincorporated
20 areas.

21 SUPERVISOR MURPHY: And parts of Hayward.

22 CHAIRMAN PURSEL: What?

23 SUPERVISOR MURPHY: And parts of Hayward.

24 CHAIRMAN PURSEL: Parts of Hayward - Hayward has annexed quite
25 a bit of property. Next is Mr. Razeto, whose district embraces a
26 good part of Oakland and the City of Emeryville - part of Central

1 Oakland, North Oakland, and so forth. Next - I happen to represent
2 the cities of Albany, Berkeley, Piedmont and a portion of North
3 Oakland section, Montclair, and out to the 38th Avenue area. Next,
4 Mr. Sweeney represents the city of Alameda and, in the main, East
5 Oakland Area. And our new colleague, who is sitting for - this is
6 his first meeting, today is his first day - we had a meeting this
7 morning, so he realizes that this Board does have some sizeable
8 problems I'm sure at this point - Mr. Hannon represents the area
9 between Mr. Sweeney and Mr. Murphy, embracing in the main the Hay-
10 ward Area, the San Leandro Area, Castro Valley, Ashland, and the
11 Russell City Area. So with that, I think -- (Applause.)

12 SUPERVISOR SWEENEY: Save that 'til after the next meeting.

13 CHAIRMAN PURSEL: You know, this - this Russell City matter, if
14 we may term it that, has been before us for many, many years, and
15 probably you are all aware, all of those who live there and all of
16 those who have property there, this has been the subject of discus-
17 sion by the Board of Supervisors, by interested groups in the
18 County, and by Grand Juries and so forth, for the past ten or twelve
19 years. It has been discussed by this Board in connection with the
20 City of Hayward and there have been many other meetings.

21 Finally it has been determined that we should go ahead and
22 prepare a plan, and that is the reason we are having this meeting
23 today, which as you know will be continued - a plan for the re-
24 development of that area, which, in the judgment of many people over
25 this period of time, has been badly in need of a suggested program
26 to redevelop that area.

1 Now, I might ask the Clerk - he has just returned: Do you have
2 word at this point, Mr. Pool?

3 THE CLERK: No, we haven't.

4 CHAIRMAN PURSEL: Well - any more speeches? (No response.)
5 May I ask how many here, if you'd raise your hand, are property
6 owners within the Russell City Area? (Hands raised.) Now will you
7 lower your hands. Now, will all of those who are not property
8 owners but who live in the Russell City Area raise your hands?

9 MR. LEWIS: Mr. Chairman --

10 CHAIRMAN PURSEL: Do you understand the question? And I
11 presume you are tenants of landowners in this area? Yes, Mr.
12 Lewis?

13 MR. LEWIS: May the record show that the audience is pre-
14 dominately almost entirely made up of persons who reside, own --

15 SUPERVISOR RAZETO: Who own.

16 MR. LEWIS: -- who own property in the project area, and, to a
17 substantially lesser percentage, those that reside there.

18 SUPERVISOR RAZETO: Could we have that again? Just those who
19 are in attendance and reside there?

20 CHAIRMAN PURSEL: We will now ask those who reside or who live
21 in the Russell City Area but do not own property there - would you
22 please raise your hand?

23 SUPERVISOR RAZETO: That is one, two, three, four, five --

24 CHAIRMAN PURSEL: Six.

25 SUPERVISOR RAZETO: Will the record show in this room there are
26 six who are tenants and not owners in Russell City. And the rest I

1 presume - raise your hands, those who own land in Russell City.
2 (Hands raised.) Everybody else evidently is an owner.

3 MEMBER OF AUDIENCE: Seventy-five outside.

4 SUPERVISOR RAZETO: Including outside, may the record show that

5 CHAIRMAN PURSEL: Once more, are there any visitors or specta-
6 tors here?

7 SUPERVISOR SWEENEY: What are you waiting on, Jack?

8 SUPERVISOR RAZETO: How many would you estimate are in the room,
9 for the record? How many are here present, would anybody estimate?

10 MR. LEWIS: Mr. Razeto, I would estimate somewhere around 250.

11 SUPERVISOR RAZETO: The estimate is there are 250 people
12 present here today. Will the record show that.

13 CHAIRMAN PURSEL: I want to thank you all, in behalf of the
14 Board, for being so patient, so considerate, under these rather
15 difficult circumstances. Had we contemplated that there would be
16 such a crowd I will assure you we would have planned to hold the
17 meeting someplace else.

18 In view of the fact that we are going to hold it in the Hayward
19 Veterans' Building I would like to suggest to the Board right now
20 that they pass a motion as of now directing that the meeting be held
21 in that, and if there is some other group has tentatively planned to
22 use it, that this supersedes that.

23 SUPERVISOR HANNON: Mr. Chairman, I would move that we hold the
24 meeting in the Veterans' Memorial Building, City of Hayward, on next
25 Tuesday at - commencing at 7:30 in the evening.

26 SUPERVISOR SWEENEY: Second the motion.

1 CHAIRMAN PURSEL: You hear the motion, and it has been seconded
2 - that is, that this meeting be continued 'til one week from today
3 - that is, Tuesday, next Tuesday - at 7:30, in the Hayward Veteran
4 Building at ²²⁷³⁷~~747~~ Main Street, Hayward.

5 MEMBER OF AUDIENCE: 7:30 p.m.?

6 CHAIRMAN PURSEL: 7:30 p.m., yes - is that clear to everybody?

7 MEMBERS OF AUDIENCE: Yes.

8 CHAIRMAN PURSEL: In the meantime --

9 SUPERVISOR SWEENEY: You get these books, don't forget.

10 CHAIRMAN PURSEL: May I ask the Board - it has been moved and
11 seconded; Mr. Clerk would you call the roll.

12 THE CLERK (After calling the roll): Five Ayes.

13 CHAIRMAN PURSEL: Now you understand that the meeting has been
14 continued until that time, ladies and gentlemen. There will be
15 copies available in the Winton Avenue Building, in the Winton Avenue
16 office, next week - copies of the plan. So please make - make them
17 available, it's up to you --

18 MEMBER OF AUDIENCE: Is that election week? Is that election
19 day?

20 CHAIRMAN PURSEL: Election day?

21 MR. LEWIS: School election.

22 CHAIRMAN PURSEL: That doesn't make any difference, does it?

23 MEMBER OF AUDIENCE: The polls close at 7:00.

24 CHAIRMAN PURSEL: Somebody has made mention of the fact, ladies
25 and gentlemen, if you will, please, that there happens to be an
26 election in that area - but I'm sure that there will be no conflict.

1 The polls close at seven o'clock and this meeting is scheduled for
2 seven-thirty - so the meeting will be continued until that time and
3 place.

4 So, with that, we thank you for being here today - we are very
5 sorry that the quarters were inadequate. We look forward to seeing
6 you a week from today at 7:30 in the Hayward Memorial Building.

7 MEMBER OF AUDIENCE: Tuesday the 15th?

8 CHAIRMAN PURSEL: Yes.

9 *****

10
11 (Thereupon the matter was continued to the
12 date, time and place as above set forth.)

13 --oOo--

VETERANS' MEMORIAL BUILDING
747 Main Street - Hayward, California
Tuesday, January 15, 1963 -- 7:55 p. m.

CHAIRMAN PURSEL: Good evening, ladies and gentlemen. Before we start the meeting will you all please rise and join with me in the pledge of allegiance to the flag.

If as many of you as possible will come down, there are some seats in the front. Now, if you are all seated, everybody is happy, we will start the meeting.

I would first like to announce, and I regret to say this, that Mr. Murphy, a member of the Board of Supervisors, is absent tonight because of the death yesterday of his father. So I hope you will understand.

As you know, this is a recessed meeting of the Alameda County Redevelopment Agency from a week ago today, last Tuesday, at the Courthouse. It was recessed to this time in this Hayward Memorial Building. So before we officially start the meeting - or, rather, to officially start it, may I first read a statement:

"The matter" before us today, sitting as the Redevelopment Agency of the County of Alameda, is a public hearing of the Redevelopment Plan for the Russell City Redevelopment Project, as required by Section 33700 of the California Community Redevelopment Law.

"This plan has been prepared by the agency staff, this Board of Supervisors, and is now to be presented for approval or amendment by the Redevelopment Agency. Rules governing the hearing

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procedure will be announced by the staff.

"Our intent, both as the Board of Supervisors and as the Redevelopment Agency, is to eliminate severely-blighted conditions in the Russell City Area that have for a long time been a source of great concern to us, to restore the lands in the project area to a condition and use of significant benefit to all of the County of Alameda.

"We also intend that the relocation of persons displaced from the project area shall be carried out without undue hardship on those people, and that every assistance by our staff be given them in finding safe, decent, sanitary homes in which to live.

"Finally, the plan as presented is to - is designed to express our intent."

Mr. Herron will now present the plan. Mr. Herron.

MR. HERRON: Mr. Chairman, may I first introduce members of the County Staff who will support the plan by evidence here tonight:

Mr. J. A. Lewis, Deputy District Attorney, counsel to the agency. Mr. Robert L. Williams, Planning Director, County of Alameda. Dr. Ruth M. Jolly, Assistant Health Officer. Mr. Marcus S. Carlson, Building Official. Mr. Harold Davis, Relocation Supervisor, the Redevelopment Agency. Mr. Earl R. Strathman, County Administrator. Mr. Douglas Dunning, counsel to the Board. Mr. Roland Mayne, County Administrator's Office. Mr. Robert J. Perrich, Chief Deputy County Surveyor. Mr. Gerald L. Worthley, Chairman, Citizens' Advisory Committee. Also present are: Mr. Herbert G. Crowle, Director of Public Works. Mr. James Vivrette,

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1 County Surveyor and Road Commissioner.

2 I would now like to ask Mr. Lewis to promulgate the rules of
3 procedure.

4 MR. LEWIS: Ladies and gentlemen, as I explained at our last
5 meeting on Tuesday, the Board, as the Redevelopment Agency, has
6 requested that all persons wishing to speak will sign slips indi-
7 cating their name and certain information. We would appreciate
8 very much if that would be done. It will help us in taking this
9 hearing down and making it a matter of record.

10 Now, then, also as you - those of you that were present at the
11 meeting last week, will have noticed, Mr. Herron, the Executive
12 Director, was sworn. All members of the staff will be sworn, and
13 we request that all persons speaking and presenting testimony for
14 or against the plan - staff or otherwise - be sworn. The Clerk
15 will do the swearing in and, basically, this is to have for the
16 purpose of the record the truth of the matters spoken about.

17 So I think with that there is not much more to say. Now, also
18 the person speaking will try to make their statements as short and
19 to the point as possible. We don't want to cut anybody off from
20 speaking, we want to have as much time as possible so that everyone
21 wishing to speak can speak. So to that end I hope that we will
22 all observe these very simple rules and I think that we will pro-
23 ceed very nicely.

24 MEMBER OF AUDIENCE: Your mike is not on.

25 MR. LEWIS: Excuse me?

26 MEMBER OF AUDIENCE: Your mike is not on.

1 MR. LEWIS: Well, I'll just have to talk louder (laughter).

2 CHAIRMAN PURSEL: I thought it was.

3 MR. LEWIS: Did anybody hear what I had to say?

4 MEMBER OF AUDIENCE: I didn't hear you.

5 MR. LEWIS: First, persons will be sworn who wish to speak;
6 those speaking should take as short a time as possible to express
7 what they have to say. We want everybody to express his opinion
8 for or against any particular provision of the plan, or the plan
9 itself. Now, then, also we hope that everybody will give his
10 neighbor a chance to speak and that we can proceed fast.

11 That is about it. Thank you.

12 SUPERVISOR RAZETO: Mr. Chairman, for the purpose of the
13 record I wonder if we could have an estimate of the number of
14 people here, to show the participation of this meeting. How many,
15 about, are present here tonight? Would somebody estimate?

16 MEMBER OF AUDIENCE: Probably between three and four hundred.

17 SUPERVISOR RAZETO: May the record show there are present about
18 four hundred people. And, also, your statement will be taken down
19 in shorthand - all of your testimony will be recorded.

20 MR. HERRON: At the recessed meeting on Tuesday of last week
21 there were introduced, under oath by myself, three documents; one,
22 a chronological list of all statutory steps under the state law
23 required to bring this hearing - or, to bring this action to the
24 point of public hearing starting last Tuesday; second was the
25 Redevelopment Plan. Those who did not receive copies of the plan
26 and report at last Tuesday's meeting, they are available at the

1 table just inside the door - this is the light blue cover with the
 2 black ink printing; this is the Redevelopment Plan. The third item
 3 introduced was the report, which accompanies this plan. This is
 4 identified by a white cover and backing, and is entirely printed
 5 throughout in blue ink. This report is incomplete in a legal
 6 sense, inasmuch as the section required by law for the report and
 7 recommendation of the Planning Commission will not be entered into
 8 this report until after this hearing and the matter has gone to the
 9 Planning Commission - otherwise it is complete with the material
 10 which is to be heard tonight.

11 First, in establishing the boundaries, on page 1 and page 2 of
 12 the plan itself - that is the blue covered document - there is a
 13 written legal description of the boundaries of the project. These
 14 are also shown on Exhibits 1, 2 and 3, which are the last drawings
 15 in your plan - they are the last three sheets.

16 This description and the map which accompanies it, which I am
 17 about to hand to the Clerk, are in accordance with the description
 18 amended and approved by the Alameda County Boundary Commission by
 19 its Report No. 475. I will now hand this map to the Clerk, which
 20 is a true copy of the map approved by the Commission. This is
 21 the map; it follows the same boundaries shown on your short sketches
 22 and on the large exhibits which are on the board tonight.

23 (Clerk marks documents.)

24 In summarizing the proposal of the plan implementing the in-
 25 tent of the Redevelopment Agency, on page 3 of your plan there is
 26 a section entitled "Summary of Proposed Actions." I will summarize.

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1 even more:

2 In order to implement the plan you will remove and eliminate
 3 the existing conditions of severe blight in the project area and
 4 restore the lands to a use compatible with the economy of the
 5 County of Alameda. The Redevelopment Agency of the County of
 6 Alameda proposes to take the following actions:

7 Acquire by purchase, gift, exchange, condemnation, or any law-
 8 ful manner all real properties within the project area except
 9 those excluded as shown on the land use plan, Exhibit 1. The only
 10 lands excluded and as shown on that plan are the areas which are
 11 in white and constitute West Winton Avenue and a portion of the
 12 Southern Pacific right of way.

13 Relocate all persons and businesses now occupant in the area.

14 Demolish and remove all existing improvements on the land
 15 within the project area. Remove such - clean, treat and fill,
 16 properly fill, all shallow water wells and other man-made
 17 excavations. Remove trees and other large natural growth.

18 Abandon or cause to be abandoned all public right and interest
 19 in existing or mapped roads not essential to the purpose of this
 20 plan.

21 Install or cause to be installed all public improvements es-
 22 sential to the purpose of this plan.

23 Dispose of all property acquired in one or more large parcels
 24 for redevelopment to industrial uses, preferably to one large user
 25 or competent developer.

26 I would like to ask Mr. Robert L. Williams, Planning Director,

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1 to take over the next section. Mr. Williams.

2 ROBERT L. WILLIAMS

3 being first duly sworn by the
4 Clerk, testified as follows:

5 THE CLERK: Your name and position?

6 MR. WILLIAMS: Robert L. Williams, Planning Director, Alameda
7 County.

8 Can I make a test here? Can you hear me if I hold this about
9 three inches from my mouth?

10 MEMBER OF AUDIENCE: Speak louder.

11 MR. WILLIAMS: Members of the Agency, ladies and gentlemen. My
12 part of the presentation will deal with developing some of the
13 general characteristics of the project area, establish the factors
14 of blight, report to you certain Grand Jury recommendations con-
15 cerning the project area, and to develop for you the findings of
16 the Alameda County Planning Department as one portion of the
17 findings made in the report which you have before you, entitled
18 "A Tentative Redevelopment Plan for the Russell City Project."
19 I am quoting now from the second page of this report just stated,
20 under the description of characteristics of the project area, and
21 I quote:

22 "The Russell City Redevelopment Project Area is a blighted
23 area, the redevelopment of which is necessary to effectuate the
24 public purposes of the Community Redevelopment Law of the State
25 of California.

26 "Existing improvements on the land in the Project Area are

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1 predominately residential in character, housing approximately
2 235 family units and individual householders. There are no sani-
3 tary sewer facilities within the area, waste disposal being accom-
4 plished by use of septic tanks or pit latrines. There is no
5 treated domestic water supply available to the area, water for all
6 purposes being obtained generally from shallow and uncased local
7 wells, subject to contamination by sewage. Approximately 83% of
8 the dwellings within the project area are classed as deteriorating
9 or dilapidated. Many of these are structurally unsound by reason
10 of defective design, improper construction, and deterioration of
11 materials. Most dwelling structures within the project area are
12 deficient in interior arrangement and facilities for cooking,
13 sanitation, ventilation, heating, lighting, and other needs con-
14 sidered essential for family housing. Lot and street patterns are
15 inadequate and obsolete.

16 "The area is characterized by depreciated values, impaired in-
17 vestments, social and economic maladjustment, by improper and in-
18 compatible uses of land, and by other conditions conducive to ill
19 health and juvenile delinquency."

20 In order to bolster this contention I will now quote from
21 several excerpts of the Grand Jury of Alameda County; starting with
22 the year 1956, located on page 14 and 15 of the 1956 Grand Jury
23 Report are the following statements:

24 "A survey of Russell City was made in 1940 which showed a
25 serious health condition at that time; this is on file with the
26 Alameda County Health Department. The 1956 Grand Jury recommends

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1 that the 1957 Grand Jury cause a new survey to be made, together
2 with a further study with a view to condemning the area and of re-
3 location of the present population through some plan of urban
4 redevelopment."

5 In the 1957 Grand Jury Report, on pages 12 and 13, are the
6 following statements: "The Grand Jury investigated the conditions
7 and potentialities of the Russell City area. The investigation
8 indicated that with neither a water system nor sewage disposal sys-
9 tem available it would be inadvisable to approve continuance of
10 the slum conditions found, nor would it be to the best interests
11 of the community for any additional residences to be permitted."

12 The following year, 1958, the Grand Jury, on page 16 and 17
13 thereof, made the following statements: "This Grand Jury, through
14 the action of its Russell City Committee, has ascertained the fol-
15 lowing facts: (a) Water supply is from shallow domestic wells,
16 practically all of which are contaminated to some degree. (b) Sew-
17 age disposal, if any, is by septic tanks, which in many instances
18 are inadequate and faulty, making them a contributing factor to the
19 contamination of the wells. (c) Practically all buildings are
20 substandard, many of them merely shells. (d) Other than the three
21 county roads, streets as such with curbing, drainage and paving
22 are non-existent. Due to this condition, there is a drainage and
23 flood problem. However, this is an intract problem only, as sur-
24 rounding lands are serviced by flood channel facilities. The
25 above facts tend to make this --" -- namely, the Russell City area
26 -- "-- area an ever present and highly explosive health menace and

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1 social problem in all phases, with some emphasis on law enforcement!

2 The 1959 Grand Jury, on pages 21 through 26, stated the fol-
3 lowing, regarding the Russell City area: "The Russell City tract
4 is not included in a water or sanitary district. Water is drawn
5 from shallow wells; the crudest of sanitary facilities are the rule.
6 Additionally, the land is so low and flat that it presents a con-
7 stant drainage and pollution problem."

8 The 1960 Grand Jury said the following, on pages 15 through 17:
9 "The Grand Jury visited Russell City and found that conditions which
10 have existed there for many years are deplorable and a disgrace to
11 the county. Undoubtedly the conditions at Russell City are a con-
12 stant threat to the health of the inhabitants of Russell City and
13 to those of neighboring communities as well. Epidemics have ap-
14 parently been avoided only because of the vigilance of the Health
15 Department of Alameda County."

16 I would now like to quote from this same report, the proposed
17 - I want to get the title correct, "Russell City Redevelopment
18 Project Report," that deals with the physical, social, and economic
19 conditions that exist in the area. This is as - this is two para-
20 graphs that lead to this section on physical, social and economic
21 conditions existing in the area:

22 "With the full support of the Alameda County Grand Jury the
23 Board of Supervisors explored the Russell City problem through a
24 Technical Advisory Committee and subsequently adopted a Redevelop-
25 ment Element as part of the official Alameda County Master Plan."

26 This is the statement, it's within a yellow cover, on file

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1 with the Agency and with our department.

2 "As a further action the Board of Supervisors directed the
3 Alameda County Planning Commission to prepare a Preliminary Re-
4 development Plan for the Russell City area, thus establishing and
5 designating the area as blighted."

6 I have with me tonight a copy of this Preliminary Redevelopment
7 Plan, as adopted by the County Planning Commission.

8 "The bases for officially labeling the Russell City area as
9 blighted, and therefore subject to redevelopment, were many-fold.
10 The following summary outline sets forth the most significant
11 physical, social, and economic indices of blight as reported by
12 several technical agencies of Alameda County."

13 And because these agencies are represented by experts and
14 people who have worked with our technical committee over a period
15 of time I will not dwell upon their particular portion. I would,
16 however, like to submit to evidence now that portion of the techni-
17 cal studies determining the factors of blight that evolve from our
18 County Planning Department, and this in a written statement en-
19 titled "Redevelopment Element of the County Master Plan," the
20 report with the yellow cover I just noted, and this was adopted by
21 the Planning Commission on February the 19th, 1962, said as
22 follows:

23 "(a) Results of a February 1962 land use survey in Russell
24 City area indicate severe conditions of blight, such as arrested
25 development, inadequate utilities, unimproved roads, unsafe and
26 unsanitary housing.

1 There is behind me - and I will have to leave the mike and just
2 step up my voice volume and show it to you - a copy of this par-
3 ticular land use survey conducted by technical persons within the
4 County Planning Department, shown here on this map entitled "The
5 Redevelopment Area Land Use Detail." It sets forth in various
6 colors and symbols the legend of land use, the basic uses of land,
7 and the criteria are principles under which the various determina-
8 tions were made as to sound or dilapidated or deteriorated conditior
9 of the structures. We use standard structural definitions for this
10 purpose. This particular map indicates --

11 MEMBER OF AUDIENCE: Why don't you put that up there. Every-
12 body can't see it. I can't even see nothing.

13 MR. WILLIAMS: The map will be on review. We have another one
14 just like it that we will place on the far wall following the pro-
15 ceeding.

16 MEMBER OF AUDIENCE: Put it up where we can see it.

17 CHAIRMAN PURSEL: Wait just a minute. Pardon me. We are
18 doing the very best we can under rather difficult circumstances,
19 I'm sure you will admit, and I presume that most of the people in
20 the room are able to see this. Now, if that is not the case I'd
21 ask a show of hands of those who cannot see this at this time.

22 MEMBER OF AUDIENCE: I can't see nothing, before you have it
23 up there with your arms.

24 CHAIRMAN PURSEL: Would you mind moving over? There are just
25 two or three of you in that category. If you move over on this
26 side, there are some seats there, then you can see it - because the

1 balance of the people indicate that they can see it. Will you
2 please permit the plan to go ahead without interruption. Thank
3 you very much. Go ahead, Mr. Williams.

4 MR. WILLIAMS: Mr. Chairman, at the request of the District
5 Attorney's representative I would like to place this particular map
6 in evidence and mark it as Exhibit D.

7 MR. LEWIS: Excuse me. Ladies and gentlemen, for the purposes
8 of the record and also for the purposes of having the map available,
9 we will give this to the Clerk at the end of the hearing and request
10 that this map, which has been identified, be marked Exhibit D and
11 made a part of the record in this matter.

12 MR. WILLIAMS: I would note to your attention that the informa-
13 tion on the map does describe the development area limits. It
14 describes the dwellings as determined to be sound, the number of
15 dwellings and locations determined to be deteriorated and those
16 determined to be dilapidated. It also gives additional information
17 on the types of primary use of the property, in case there was a
18 trailer on there in lieu of a house structure that is also noted.
19 There is other information on here to describe the, in effect,
20 field conditions - not only of land use but of age and condition
21 of the structures thereon.

22 Our report continued, under item (b): "Russell City is a
23 residential slum pocket in an area rapidly developing in industrial
24 land use. Environmental conflicts are prevalent in the area - hog
25 farms, industrial uses, airport, junk yards, garbage dumps," many
26 of which are identified as those items upon this particular drawing

1 now known as Exhibit D.

2 MEMBER OF AUDIENCE: What is the zoning of that area presently
3 of the whole 200 acres?

4 CHAIRMAN PURSEL: Sir, would you mind letting the man finish
5 his presentation and then ask the question that you --

6 MR. LEWIS: After he has presented his statement, and also
7 anybody wishing to ask a question will please identify himself by
8 name, that way we will know for the record - and anybody can see
9 what he has said in writing.

10 MR. WILLIAMS: I think for those living in the area or having
11 some interest in the area the location of the various uses, such
12 as hog farms, airport, junk yards, are well known to you. They are
13 shown on the map, however, that I have just described.

14 Under item (c) our report says: "County Master Plan and the
15 Hayward Master Plan both indicate the desirable long-range use of
16 the Russell City area to be industrial. Present residential use of
17 the area is in conflict with these established public policies.
18 Continuing presence of substandard residential area surrounded by
19 industrial zoning will be a blighting influence upon both uses."

20 These drawings - the one on top indicates the Hayward General
21 Plan, adopted by the City of Hayward at the Planning Commission
22 and City Council level. It indicates, approximately under the
23 pointer, the location of the Russell City area and it is noted in
24 this purple color as industrial - everything on this map shown in
25 purple is industrial. The Alameda County Master Plan, adopted by
26 the Planning Commission and the Board of Supervisors in 1957, shows

1 the area here in grey, immediately south of the Hayward Airport,
2 including the Russell City area, as being industrial. This, in
3 terms of the planning considerations and the factors of blight from
4 a planning standpoint, are included within this particular staff
5 report sent to both the Commission and the Board of Supervisors.

6 One concluding statement I would like to make, and because the
7 - the information from Chief William Wolters of the local fire
8 district, Fairview Fire District specifically, was not presented in
9 writing but was an oral statement made to the Planning Commission
10 at the time they held their public hearing on February 19 to adopt
11 the Master Plan Amendment, what we call the Redevelopment Element,
12 this report in yellow - Chief Wolters appeared and made an oral
13 statement for the record dealing with the Russell City area and I
14 am giving you, from the Minutes, a true quote from Chief Wolters:
15 "Chief Wolters, Fairview Fire District, stated that his District
16 has been giving the Russell City Area fire protection for 20 years
17 and at least 60% of their calls are in that area. The savings of
18 buildings in a fire is very little. They have 400 gallons of
19 water that they can bring and they receive some additional help
20 from the Hayward and Cherryland Fire Departments. He concluded
21 that many of his men have fallen into privy pits that are not
22 covered, and it is very difficult"--unquote.

23 This is all the testimony I propose to submit.

24 MR. LEWIS: Mr. Chairman, may the Redevelopment Element of the
25 County Master Plan be marked Exhibit E and placed in the record?
26

CHAIRMAN PURSEL: Yes.

(Document marked by the Clerk.)

1
2 MR. HERRON: I would like to ask Dr. Ruth Jolly, of the County
3 Health Department, to make a statement on behalf of the County
4 Health Officer.

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RUTH M. JOLLY, M.D.

Sworn as a witness by the
Clerk, testified as follows:

THE CLERK: State your name and position, please.

DR. JOLLY: Ruth M. Jolly, Assistant Health Officer, Alameda
County Health Department.

CHAIRMAN PURSEL: Could everyone hear that?

MEMBERS OF AUDIENCE: No. No. No.

CHAIRMAN PURSEL: Would you use the microphone.

DR. JOLLY: My name is Ruth M. Jolly, Assistant Health Officer,
Alameda County Health Department. The report which I have to give
tonight is relevant to the health picture of Russell City.

Russell City is a community in which multiple health hazards
exist. As has already been described, it can be characterized by
its crowded, dilapidated housing, contaminated wells, inoperable or
malfunctioning sewage disposal systems, areawide accumulation of
refuse, and an above-average incidence of fire, flooding, and other
life-threatening occurrences. These conditions in their present
state are not remedial.

The residents of Russell City are not as healthy as the general
population of the County. (Laughter) Airborne, waterborne, food-
borne, and vectorborne diseases are all prevalent in Russell City.

1 Upper respiratory and gastrointestinal infections are extremely
 2 common. The level of nutrition is below average. Nuisance
 3 diseases - such as impetigo and ringworm - are a frequent occur-
 4 rence. Birth, death, and illness rates are commonly used to
 5 describe the health of a community, and in this regard birth rates
 6 tend to bear an indirect relationship to the health of a community,
 7 and the illness of course and death rates bear a direct relation-
 8 ship.

9 In 1961 the birth rate of the county was approximately 23 births
 10 to 1,000 population. The birth rate in Russell City was twice
 11 this - 46 per 1,000 population. The death rate in this same year
 12 for the county as a whole was 9-1/10ths per 1,000 population; the
 13 death rate in Russell City was 9-7/10ths per 1,000. Previous to
 14 this past year infectious hepatitis has been a disease fairly
 15 prevalent throughout the county. In that year the case incidence
 16 rate for the county as a whole was 4 per 10,000 population; this
 17 same rate in Russell City was 60 per 10,000 population. This
 18 health picture exists in Russell City in spite of an accelerated
 19 preventive health program which has been provided by the Health
 20 Department for several years.

21 Russell City receives a disproportionately greater amount of
 22 service than other areas of South - of the southern part of the
 23 county. There is six to seven times as much Public Health Nursing
 24 Services given in Russell City as compared to the county as a
 25 whole. One Public Health Nurse has two-thirds of her family
 26 caseload in Russell City. This level of service is equivalent to

1 one nurse per 2000 population. This is nearly five times as great
 2 as the level of service for the county as a whole.

3 Well-baby services, which are preventive services, are 28 times
 4 more abundant per unit of population in Russell City than in the
 5 county as a whole.

6 Immunization clinics have a similar proportion. Immunization
 7 clinics exist throughout the county for a wide area of the popula-
 8 tion. Russell City is the only small area in the southern part of
 9 the county which has an immunization clinic exclusively for the
 10 area. These immunization services have enabled us to maintain an
 11 immunization level for Russell City children of about 95%. This
 12 undoubtedly has had a great deal to do with the fact that the
 13 diseases preventable by immunizing agents have been practically
 14 non-existent in Russell City. Through the vigilance of the Health
 15 Department epidemic illnesses and death have hereby and in this way
 16 been prevented in Russell City.

17 This is the end of my report.

18 MR. LEWIS: Mr. Chairman - this is Mr. Lewis speaking again -
 19 I would like to have Dr. Jolly state for the record her training
 20 and qualifications. Would she do that?

21 DR. JOLLY: I am a physician and a graduate of the University
 22 of Minnesota Medical School. In addition to that I have had one
 23 year postgraduate work in Public Health.

24 MR. HERRON: I would now like to ask Mr. Marcus Carlson, County
 25 Building Official, to be sworn and make a statement concerning the
 26 matters of his own knowledge.

MARCUS S. CARLSON

sworn as a witness by the
Clerk, testified as follows:

THE CLERK: State your name and position.

MR. CARLSON: Marcus S. Carlson, County Building Official.

The Building Inspection Division of Public Works is most concerned with the aspect of blight in Russell City. This Division is in charge of the enforcement of the building, electrical, plumbing, heating, and housing codes of Alameda County.

The Division has records of inspections of 155 dwellings which were initiated by the Health Department, our own staff, by the Fire Department, and by others. As such dwellings in Russell City become vacant and hazardous electrical and gas installations exist the Building Inspection Division notifies the utility company to disconnect gas and electric service from such dwellings. An order of demolition of such structures cannot legally be accomplished except by action of the owner or by the abatement procedure, which is a civil action initiated by the Board of Supervisors. A number of buildings in the Russell City Area so vacated have been destroyed by incendiary action of unauthorized persons.

It is the opinion of the Building Official that at least 80% of the dwellings in Russell City are substandard, as measured by our housing code, and in the majority of such rehabilitation to the minimum standards is not economically feasible.

We have records of inspection as late as May in 1962 of 26 dwellings, vacant dwellings in Russell City. Ten of these

ROBERT B. MANNERS, C S R
DEPOSITION REPORTER - NOTARY
315 DOWLING BLVD.
SAN LEANDRO, CALIFORNIA
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dwellings still had the gas and electric heaters in, indicating they had been vacated within the last year or so. We notified the utility company to remove service from these ten dwellings - the remaining out of the whole twenty-six.

MR. HERRON: In substantiation of the general statements concerning the condition of buildings made by the County Building Official, I have here and would like to enter into evidence 17 photographs taken in April or May of 1962 by members of my staff, who can testify as to their authenticity - 17 different locations taken within the area. I would like to introduce these. This picture is No. 1 - I will not identify the parcel; if anybody is interested, it can be checked with the Clerk. This is Photograph No. 2 -- Photograph No. 3 - Photograph No. 4 --

MEMBER OF AUDIENCE: So what? There are blight areas here in Hayward, too.

MR. HERRON: Photograph No. 5. We will not identify the owners of any of these properties. If you care to examine these photographs, they can be seen at the Clerk's desk. Photograph No. 6 - Photograph No. 7 - Photograph No. 8 - Photograph No. 9 - Photograph No. 10 - Photograph No. 11 - Photograph No. 12 - the other five prints were found to be duplicates and were excluded. I will now hand these to the Clerk for entrance as exhibits.

THE CLERK: May those be marked Exhibit F, Mr. Chairman?

CHAIRMAN PURSEL: So admitted.

(Clerk marks documents.)

MR. HERRON: Before proceeding to the portion of the hearing

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1 in which the public speaks I would like to review very briefly,
2 section by section, what the Redevelopment Plan contains.

3 On pages 1 and 2 there was already mentioned to you a legal
4 description of the project area.

5 On page 3, a summary of the proposed actions - which I sum-
6 marized at the earlier part of the hearing.

7 On page 4, the land use plan. This plan is shown on Exhibit 1.
8 That is the first sketch that is in the back of your copy of the
9 plan. All land is proposed for redevelopment to industrial use.
10 No area is provided for residential use. Public roads or easements
11 to be vacated or protected are shown on the public road plan,
12 Exhibit 2. There are no public parks or other public open spaces
13 specifically provided for in the plan. Industrial uses permitted
14 in general are manufacturing, processing, assembly, warehousing,
15 and other directly related uses and structures. Limitations on
16 sizes, height, type, limitations on building setbacks, and the code
17 requirements are set forth as those now or then existing in the
18 County of Alameda or the City of Hayward, whichever has jurisdic-
19 tion under the zoning ordinances.

20 On page 5, other covenants, conditions and restrictions -
21 specifically sets forth in the precise language of the law that
22 any land sold, leased, or rented by the Redevelopment Agency to
23 any other party shall hold a covenant that there will be no restric-
24 tion or discrimination by reason of race, creed or color.

25 On page 6, in the "other conditions" - section (b) provides
26 that in any contract between the Agency and the buyer or

1 developer that there shall be a due diligence clause - meaning, in
2 other words, that they can't sit and hold this land forever before
3 they improve it. In "other restrictions" - section (c), the buyer
4 must show the Agency evidence that his proposed plan for use of the
5 project lands is satisfactory to the County of Alameda or the City
6 of Hayward, whichever may have jurisdiction.

7 Paragraph 5, or Section 5, Duration of Covenants and Controls,
8 provides that the covenant with respect to elimination of dis-
9 crimination and segregation shall run in perpetuity with the land,
10 all other restrictions shall be in force so long as their need is
11 required.

12 On page 7, again it represents that on Exhibit 1 all property
13 shown in the dotted area is to be acquired by the Agency for
14 redevelopment.

15 Section 2 refers to the exercise of eminent domain - that is,
16 condemnation. It finds that for the purpose of the plan - for
17 carrying out the plan - that the exercise of eminent domain under
18 the law is required and the Agency makes a finding that it is
19 necessary. It further finds that should it be necessary for the
20 Agency to acquire by condemnation, owners of such property shall
21 be paid the fair market value of said properties as required by
22 law. Further, no action to acquire by condemnation shall be
23 initiated by the Agency unless there are funds adequate for and
24 committed for the purposes. (

25 Real Property Management. All property - real property manage-
26 ment will be under the Agency.

1 On page 8, Public Improvements: 1. The Agency proposes that
2 there will be minimum public improvements constructed at public
3 cost - only those essential to the basic service to the project
4 area.

5 As far as Public Road Improvements, it is only proposed that
6 West Winton be widened within its existing right of way and a
7 transverse section constructed.

8 Public Road Abandonment: Any or all public roads within the
9 project area, other than West Winton Avenue, may be abandoned by
10 the Board of Supervisors of the County of Alameda in due process of
11 law on request of the Agency - the Agency has no power to abandon
12 a public road.

13 Sanitary Sewer Interceptor: The City of Hayward has agreed to
14 construct a sanitary sewer main to or within the project limits.
15 This means only to the line, or slightly within it - not to the
16 interior of the project.

17 On page 9, Domestic Water Supply Service: The City of Hayward
18 has agreed to bring the existing water main in West Winton Avenue
19 from about Bush Lane down West Winton Avenue to the westerly
20 project limit. It will only be in West Winton Avenue.

21 On page 9, Section E, Land Disposition: All real property ac-
22 quired by the Redevelopment Agency shall be disposed of by lease or
23 sale by the Agency, except that any property they - therein may be
24 conveyed by the Agency to the County or the City for public pur-
25 poses. This means a grant of right of way for road purposes, or
26 for - well, largely for road purposes, in this plan.

1 Section 2, Participation by Property Owners: In consideration
2 of the fact that all buildings and structures on the project lands
3 are to be demolished and removed, being inadequate for the intended
4 industrial use and deteriorated beyond economic rehabilitation;
5 that the number of contiguous parcels under one ownership, within
6 the project area, which total one-half acre or more, represent a
7 small percentage of the total parcels, and that it is the intent of
8 this plan to abandon all existing County and public roads within
9 the project limits, no provision is being made in this Redevelopment
10 Plan for owner participation.

11 On page 10, Buyer or Redevelopers Obligations: The buyer or
12 redeveloper will be obligated to handle the land either by resale
13 or by use only for the objectives and uses set forth in the plan -
14 that is, for industrial purposes, under certain restrictions.

15 In addition to the covenants, conditions, and what not, set
16 forth elsewhere in the provisions of this plan, a developer shall
17 submit for approval by the Agency his proposals for site planning,
18 building design, signs, landscapings, etcetera, together with
19 evidence that such proposals have the approval of the County or
20 the City, whichever may have local jurisdiction at the time.

21 Methods of Financing, at the bottom of page 10 - and this also
22 appears in detail on pages 7, 8 and 9 of the report which you have
23 a copy of: The estimated gross cost is \$1,843,500, which includes
24 non-cash grant-in-aid work by the City of Hayward and by the
25 County of Alameda on roads.

26 It is estimated that the return on the sale of land will be

1 \$1,700,000, which leaves an apparent deficit. It is proposed that
2 this deficit be abated by use of the tax allocation principle.

3 Basically, the support of the program would come from the Board of
4 Supervisors of the County of Alameda.

5 At the top of page 11 it lists all of the legal methods which
6 may be used for financing a program of this type.

7 Section 3 on page 11 is, in detail, the so-called tax alloca-
8 tion authority, which is established in the Community Redevelopment
9 Law of the State of California. It has been found constitutional
10 and is a legal process.

11 On page 12, paragraph 4 provides that all cash and non-cash
12 grant-in-aid from County or from the City shall be repaid from
13 revenues accruing to the Agency. An agreement covering the City,
14 the County and the Agency is now in process.

15 Page 12, Other Provisions of the Redevelopment Plan: The
16 relocation portion states, in brief, that this Agency has and will
17 carry out a feasible plan for the relocation of persons displaced
18 in the project area in order to find safe, decent, and - safe,
19 decent, sanitary housing, reasonably convenient to their employ-
20 ment and other needs, and at prices and rents within their means,
21 and effecting moves thereto.

22 It also provides, as does the relocation plan, which is Part
23 4 of your report, in much greater detail - it will provide for
24 relocation payments to individuals for the actual and necessary
25 cost of moving.

26 Page 13, Section 2, Conformity with County Master Plan, finds

1 that this Redevelopment Element and the Redevelopment Plan do con-
2 form with the County Master Plan.

3 In Paragraph 3 it provides for any changes to be made in the
4 approved plan under a process of law established in the Community
5 Redevelopment Law.

6 Sir, that is the staff presentation.

7 CHAIRMAN PURSEL: Ladies and gentlemen, you have now heard the
8 presentation of the plan by the staff. We now come to that portion
9 of the program when we open the subject up to questions from the
10 public. While I know that there are a lot of people interested in
11 this, and a lot of people that would like to speak to the plan as
12 has been presented to you tonight, I am going to suggest, first of
13 all, that we place a limitation on time and that we will attempt
14 to conclude this hearing tonight by not later than 10:30.

15 Now, so that those who wish to speak on the subject before the
16 Agency - we're going to suggest, first, that those who own property
17 within the project area but who live outside of the county, that
18 is the first category; secondly, those who own property but live
19 on the project or live within the project; the third category,
20 those who own property within the project area but live outside of
21 the area - not outside of the county, but outside of the area; and,
22 finally, those who live in the project but do not own property -
23 probably speaking with respect to relocation; then, after that is
24 concluded, we will then open the meeting to organizations to make
25 a presentation who are interested in this project and to individual
26 persons who are interested in this project. So I hope you

1 understand that order of priority.

2 I'm going to suggest, if you will, that perhaps there are
3 attorneys here present tonight that would be representing perhaps
4 more than one property, more than one ownership, and that being the
5 case it might be to our advantage to suggest that the attorneys
6 representing property owners within the project area be the first
7 ones to be allowed to speak in the following categories.

8 And let me admonish all of you who intend to speak - further,
9 we would like to limit your presentation, if you will, to not to
10 exceed three minutes. And I hope that you will abide by that.

11 So now - I would also like to say this; it is now about a
12 quarter to nine, and it has been suggested that since we may carry
13 this meeting forward to - for possibly until 10:30, that we take a
14 recess, say at approximately 9:30. So you will bear that in mind.

15 Now, with respect to the presentations: In the first category,
16 those who own property in the project area but live outside of the
17 county, are there any attorneys here present tonight that wish to
18 speak to that particular category or represent anybody that fits
19 in that particular category? (No response)

20 If not, are there those here present who own property within
21 the project area but live outside of the county that wish to speak
22 to this proposal?

23 MR. BOZANT: Yes, sir.

24 CHAIRMAN PURSEL: Do you live outside of the area?

25 MR. BOZANT: Yes.

26 CHAIRMAN PURSEL: If you will, please, be sworn.

1 JOHN BOZANT

2 sworn as a witness by the
3 Clerk, testified as follows:

4 THE CLERK: Your name and address for the record?

5 MR. BOZANT: My name is John Bozant, and my address is 3985
6 o'Neill Drive, San Mateo.

7 CHAIRMAN PURSEL: Would you talk right into the microphone so
8 that we can all hear you, if you will. Thank you.

9 MR. BOZANT: All right. I have two - I checked two things on
10 the slip and I think I will be well within three minutes of what I
11 had in mind.

12 CHAIRMAN PURSEL: Well, proceed.

13 MR. BOZANT: First of all, I'm not familiar with condemnation
14 procedures and I would like to ask the attorney what - who would
15 bear the costs if I challenge the price? Say - supposing the
16 price offer of my place was lower than I have anticipated; who
17 would bear the cost aside of a private appraisal?

18 MR. LEWIS: Attorney fees and appraisal fees, and so forth?

19 MR. BOZANT: Yes.

20 MR. LEWIS: Those would come out of the award, I presume. It
21 would depend upon the contract that you made with your attorney and
22 the appraiser. This is in the event that, of course, you challenge
23 it. If the award is there, most attorneys take a certain percentage
24 of the award for their services. Appraisers are hired generally on
25 a flat fee or a per diem basis.

26 MR. BOZANT: I see. I bear it myself, in other words.

1 CHAIRMAN PURSEL: Kindly talk right into the microphone.

2 MEMBER OF AUDIENCE: The mike isn't working. Up on top --

3 MR. BOZANT: Oh, it's on now. Sorry, not acquainted with your
4 machinery.

5 The next thing: It is obvious that progress has to come here,
6 and this is progress that we're speaking of.

7 CHAIRMAN PURSEL: Will you talk a little louder, please, because
8 some of the people in the back of the room can't hear you.

9 MR. BOZANT: Does this run off of here? Well, I feel that --

10 MEMBER OF AUDIENCE: The mike is not on.

11 MEMBER OF AUDIENCE: Press the button in.

12 CHAIRMAN PURSEL: Just one minute. Is it on, Mr. Herron?

13 MR. HERRON: Let me check.

14 MR. BOZANT: Yes, it's on. Maybe the volume is not up, but --

15 CHAIRMAN PURSEL: Don't be afraid to speak loud.

16 MR. BOZANT: No, I'm not afraid to speak, but I hope - I'm
17 using up my three minutes here. But I realize this is progress.
18 I mean, there is no - I have no objection. You see, it has to come,
19 there is no question about it, and the people here recognize the
20 reports that are made by the County technicians that have all
21 presented their views and their work very effectively and very
22 efficiently, and there is just no denying something has to happen -
23 but how it happens is my - my point.

24 I feel that the Redevelopment Agency is also effectively doing
25 their work, but they have another problem - this relocation of
26 people.

1 Well, in the county I'm from this same thing was started and
2 folks welled up. Of course I don't know if there is an organiza-
3 tion here, I haven't been to any such meetings, or been notified
4 of any, but that is another point. Just the same, the people
5 welled up and objected to the redevelopment agency. They wanted -
6 oh, they just said "Leave us alone, no cost to the county, just put
7 'Industrial' on the map, that is all we ask you to do, just to
8 rezone it through the planning commission to industrial." And once
9 it was rezoned to industrial the land values changed immensely and
10 all folks - all the people of the area - participated in this
11 progress.

12 Now, in this instance here, if the County sells this property
13 to a developer and supposing they - supposing the - supposing the
14 appraised expected returns are greater because of the time that is
15 going on, increasing some of these values - because this is really
16 deluxe prime industrial property, near an airport, heavy roads,
17 close to the Bay, everything is ideal for this use that they have
18 in mind. But if the people themselves will be able to take ad-
19 vantage of this I think they are able to - if they were able to
20 participate in the progress, at no cost to the County, the County's
21 tax rates would go up - you have to have assessment districts to
22 put in sewers and put water in. If the folks don't want to pay
23 these higher fees, they sell out and move on. But they are re-
24 locating themselves and assisting in the redevelopment plan.

25 Now, my point is, I opposed this at the last little session
26 they had and of course it did make a nice package with a bow on

1 present who represent people in that category?

2 MR. BANKS: Yes, sir.

3 ALAN BANKS

4 sworn as a witness by the Clerk,
5 testified as follows:

6 THE CLERK: Your name and address, counsel?

7 MR. BANKS: Alan Banks, 414 - 13th Street, Oakland, California,
8 and I represent Forrest L. Brown, who owns the piece of property
9 commonly known as 2659 West Winton Avenue.

10 Now, it is the contention of Mr. Brown that his property should
11 not be included within this area, and I have here a brief letter to
12 the Board of Supervisors, as the Redevelopment Agency sitting for
13 those reasons, which I would like to hand to the Clerk in the
14 interest of time.

15 CHAIRMAN PURSEL: Thank you.

16 MR. BANKS: And I would also like to make one further state-
17 ment. The present proposed border of this project does not take
18 into account the fact that there is a natural dividing strip
19 within this area, and that is West Winton Avenue.

20 SUPERVISOR RAZETO: Pardon me, counsel. Will you locate the
21 area on the map that you represent - or somebody locate it, show
22 us what --

23 MR. BANKS: West Winton Avenue.

24 MR. HERRON: This triangular parcel.

25 SUPERVISOR RAZETO: The triangular parcel, that is what you
26 are representing your remarks to?

1 MR. BANKS: I represent the party who owns that, but the
2 present remarks extend not only to that piece but to other
3 pieces - that is, that area which is north or above West Winton
4 Avenue. It's the whole area, including that triangle.

5 I believe the reports as given have not differentiated between
6 the conditions above and below the road. West Winton Avenue
7 divides the area. Above West Winton Avenue you have larger
8 parcels of different use, and they should not be included within
9 the designation as provided for the property below West Winton
10 Avenue. I believe that area should be differentiated as altogether
11 different and not an actual blighted area. They do not have the
12 small lots, the number of people. Much of it is open land. Some
13 of it is industrial at present. Thank you.

14 CHAIRMAN PURSEL: Thank you, Mr. Banks. Is there anyone else,
15 now, who owns property in the project area and who lives on the
16 property within the project area who wishes to speak at this time?

17 (No response)

18 If not, the next - pardon me, there is a lady here.

19 MRS. TOURCHETTE: I do.

20 CHAIRMAN PURSEL: Pardon me. Would you raise your voice,
21 please. You own property and live on it, and that is within the
22 Russell City area?

23 MRS. TOURCHETTE: Yes.

24 CHAIRMAN PURSEL: All right. Would you care to speak to the
25 proposal?

26 MRS. TOURCHETTE: Yes, sir.

PAULINE TOURCHETTE

sworn as a witness by the
Clerk, testified as follows:

THE CLERK: Your name and address, please?

MRS. TOURCHETTE: Pauline Tourchette, 2901 West Winton.

CHAIRMAN PURSEL: Would you mind showing that approximate location, Mr. Herron?

MR. HERRON: Just east of the railroad tracks, being on West Winton Avenue (indicating).

CHAIRMAN PURSEL: All right. Will you proceed? What do you think of the plan? What comments do you have to make?

MRS. TOURCHETTE: Well, I don't want to sell my property.

CHAIRMAN PURSEL: You don't want to sell it. You live there, but --

MRS. TOURCHETTE: I don't. No. Because I have a cased well.

CHAIRMAN PURSEL: A what?

MRS. TOURCHETTE: My well is cased. And my house is good, and I asked Mr. Carlson for a permit and he denied me the right to put up a 10 x 12 steel building, modern. They denied me the right, the Building Inspector, and I - I don't want to sell my property.

CHAIRMAN PURSEL: You don't want to sell it, even though you know that you'd receive a fair price for the property?

MRS. TOURCHETTE: They wouldn't give me a fair price.

CHAIRMAN PURSEL: How do you know? You don't know that. That is our responsibility, and that is following the provisions of the Community Redevelopment Law, and it's procedure is that you would

receive a fair price for your property. That is the law. That is the responsibility.

MRS. TOURCHETTE: Well, I'd have to receive my price.

CHAIRMAN PURSEL: You think that your price would be different from the fair price that you would be paid for your property?

MRS. TOURCHETTE: I expect it would, because I have 132 feet by 165.

CHAIRMAN PURSEL: Of course, that you don't know - I don't know what your price is, but I do know this, and that is that under the procedures established to develop this area it's necessary and it's legally a responsibility that you receive a fair price for your property, Mrs. Tourchette, that is all I can tell you.

MRS. TOURCHETTE: Well, I don't know whether I'm going to sell it or not. I don't think I have to --

CHAIRMAN PURSEL: Well --

MRS. TOURCHETTE: -- because Alameda County takes my taxes yet.

CHAIRMAN PURSEL: Alameda County takes your taxes?

MRS. TOURCHETTE: Yes, the taxes for the property.

CHAIRMAN PURSEL: Yes, that's right, the project hasn't started yet.

MRS. TOURCHETTE: They still take it. Well, I can put up a project, if they will give me a chance.

CHAIRMAN PURSEL: A project?

MRS. TOURCHETTE: I can put up something.

MEMBER OF AUDIENCE: Don't they tell her polite?

CHAIRMAN PURSEL: Let Mrs. Tourchette talk.

1 MISS TOURCHETTE (Mrs. Tourchette's daughter): Why don't they
2 give her a permit?

3 CHAIRMAN PURSEL: Let Mrs. Tourchette talk.

4 MISS TOURCHETTE: I'm her daughter. I don't care.

5 CHAIRMAN PURSEL: Pardon me, just one at a time. You are not
6 sworn in, so we have to listen to your mother.

7 MISS TOURCHETTE: I don't care.

8 MRS. TOURCHETTE: If I have my building permit here - that was
9 denied. And I have eight children. I have got eight living
10 children at the time I had to support. And Marcus Carlson wouldn't
11 see me, and he denied it. My place burnt down there, in 1947.

12 Marcus Carlson come down January 14, 19 and 47, and fussed with me
13 for three hours, him and two other guys, and I can prove that.

14 CHAIRMAN PURSEL: Well, let me just say this, Mrs. Tourchette:
15 I don't know about your dealings with Mr. Carlson, other than I
16 know he has a responsibility under the law to see to it that all
17 structures within our province are up to standard and up to the
18 code --

19 MRS. TOURCHETTE: Well --

20 CHAIRMAN PURSEL: Let me just finish, just a minute. You
21 understand what we are trying to do here. This has been a blighted
22 area, as you know --

23 MRS. TOURCHETTE: Well, they condemned it.

24 CHAIRMAN PURSEL: It was - wait a minute, let me finish and
25 then you can talk. It's been so designated by the Grand Jury, it's
26 been so designated by the Planning Commission in its review in this

1 matter. You have heard the report of the Health Officer. You have
2 heard the report of the Building Official. It is my personal - and
3 I believe the Members of this Board - feeling that by any standards
4 this area that we propose to redevelop is at the present time a
5 substandard area - in fact, it is a blighted area. Now, what we
6 propose to do is to try and improve it for the best interests of
7 all the people of the County, including you, Mrs. Tourchette, and
8 we are compelled under the law, if we are going to, to move you out
9 of there and tear down your house and replace it with a new type of
10 zoning, so to speak - then we are compelled to see that you get the
11 fair market value for your property, and you may be assured that
12 that will be exactly the case.

13 MRS. TOURCHETTE: Well, I don't know about that. (Laughter)

14 CHAIRMAN PURSEL: You may not know that, but that is the law.

15 MRS. TOURCHETTE: I don't believe you. I never got anything
16 fair since 1947 yet, I'll tell you that much.

17 CHAIRMAN PURSEL: Well, do you have anything else to say, Mrs.
18 Tourchette?

19 MRS. TOURCHETTE: Well, they ain't going to get my property.

20 MISS TOURCHETTE: And if they want to fight, I will - if I have
21 anybody to fight, I will.

22 CHAIRMAN PURSEL: Is there anybody else who owns property in
23 the project and who lives on the property?

24 MISS RICHARDSON: Yes.

25 CHAIRMAN PURSEL: If you will come forward and raise your
26 hand and be sworn, please.

MARY ELLEN NELLIE RICHARDSON

sworn as a witness by the Clerk,
testified as follows:

THE CLERK: Your name and address?

MISS RICHARDSON: Mary Ellen Nellie Richardson, 2415 West
Winton Avenue.

CHAIRMAN PURSEL: Just one minute, now. Would somebody identify the approximate location of this property, please, on the map? (Mr. Herron indicates on map) Where is the railroad there, again, once more?

MR. HERRON: The railroad crosses the easterly boundary.

CHAIRMAN PURSEL: Proceed, Mrs. Richardson - is that your name?

MISS RICHARDSON: "Miss."

CHAIRMAN PURSEL: Yes. Proceed. Will you please talk into the microphone so we can all hear you for the record.

MISS RICHARDSON: You were telling here how - we all heard the statements given by the --

MEMBER OF AUDIENCE: The mike isn't on.

CHAIRMAN PURSEL: Will somebody see if the other microphone is working? Could you use that one?

MISS RICHARDSON: If they were given to me.

CHAIRMAN PURSEL: Would somebody bring a microphone -- would you go over there, Mrs. Richardson?

MISS RICHARDSON: Yes.

CHAIRMAN PURSEL: Go ahead. That is all right. Right there, Mrs. Richardson.

MISS RICHARDSON: I can stand here, it is all right.

CHAIRMAN PURSEL: Go ahead. Proceed.

MISS RICHARDSON: You were telling us how we had three reports on Russell City --

CHAIRMAN PURSEL: Talk right into the microphone. Now, go ahead.

MISS RICHARDSON: You were telling us - can you hear me? Can you hear me?

MR. WORTHLEY: Hold it a little closer.

MISS RICHARDSON: Can you hear me?

CHAIRMAN PURSEL: Yes.

MISS RICHARDSON: You were telling us about the three reports we hear about Russell City and the way it's concerned and everything, and the health out there and you prevented with the help of the County Nurses and all little epidemics and all. Now, what kind of epidemics have we had out there, or almost had? I'm happy this is the nurse.

CHAIRMAN PURSEL: Dr. Jolly, would you care to comment in answer to that question? The question is, she'd like to know what type of epidemics had we almost had.

MISS RICHARDSON: Or had.

DR. JOLLY: The statement that I made was that epidemics of illnesses and death, either one, have been averted where these illnesses were preventable by known immunizing agents - these diseases would be whooping cough, tetanus, smallpox --

(Noise in room interrupts speaker.)

1 CHAIRMAN PURSEL: Just a minute, now. Let's be quiet and just
2 permit the person that has been asked the question to answer it,
3 and the lady to talk.

4 MISS RICHARDSON: And I have another one for her, too. She says
5 there is one immunization clinic all to Russell City itself. Why
6 is it - isn't it a fact that they don't have adequate transportati
7 to get to and fro?

8 CHAIRMAN PURSEL: The question is - Mrs. Richardson states --

9 MISS RICHARDSON: "Miss."

10 CHAIRMAN PURSEL: Miss Richardson - that they have one immuni-
11 zation clinic just for Russell City.

12 MISS RICHARDSON: No. I said, why? Is it not a fact that they
13 have inadequate transportation for the people to go to and fro when
14 they need to see a doctor or something?

15 DR. JOLLY: We - we have encouraged all of the people in the
16 southern part of Alameda County to attend the immunization clinics
17 that are held in the Southern Health Center. These are held
18 daily, except for Thursday. A special clinic has been held in
19 Russell City throughout the year because we have found that there
20 are families who have not been able to get in to the Southern
21 Health Center for these immunizations. I'm sure that a large
22 factor here is transportation.

23 MISS RICHARDSON: Then why did you make it sound that Russell
24 City is just desperately dying? Why did you do it? You made it
25 sound like they have no way of doing anything that they want to.
26 (Applause)

1 CHAIRMAN PURSEL: Just let me just warn you, now - if we are
2 going to continue with this meeting, and I presume you are all here
3 and want us to go ahead with it and we want to go ahead with it, but
4 we're going to do it on one condition - and that is that we give
5 undivided attention to the speaker and to the person who answers
6 the question, and please bear that admonition in mind. We do not
7 want any applause for anybody.

8 MISS RICHARDSON: In other words --

9 CHAIRMAN PURSEL: Now, just understand. We will proceed now.
10 Go ahead.

11 MISS RICHARDSON: And I have another for the doctor. You said
12 that the air in Russell City is completely unhealthy, or almost in
13 some words unhealthy. Isn't it a fact that everywhere you go you
14 can come to unhealthy air? The air in Hayward is no better than
15 Russell City - you can breathe in any kind of germs.

16 DR. JOLLY: I am sorry, I think you misunderstood me. I said
17 that those diseases that are transmitted through air, airborne
18 diseases, are more prevalent.

19 MISS RICHARDSON: They are also like that in San Francisco, and
20 crowded areas where one can get polio from your next door neighbor
21 unless you have taken shots or something for it. Why make it sound
22 as if Russell City is the only place in it - the only place that
23 can start them up?

24 DR. JOLLY: The intention was to give a picture of disease
25 incidence of frequency and amount of services in contrast with the
26 remainder of the county, or the county as a whole. I'm sorry if I

1 gave a picture which was irrelevant, or which you feel is not - not
2 the truth. These were factual statements that were made.

3 MISS RICHARDSON: And now is there someone here from the Fire
4 Department?

5 SUPERVISOR RAZETO: May I ask you a question?

6 MISS RICHARDSON: Yes, you may.

7 SUPERVISOR RAZETO: Is it your position that Russell City is
8 not a blighted area? Is that it?

9 MISS RICHARDSON: Oh, it's damaged, all right. But you make it
10 sound like it's beyond hope.

11 SUPERVISOR RAZETO: I didn't hear the answer. You didn't answer
12 the question. Is it a blighted area?

13 MISS RICHARDSON: It is, to a certain extent - but so is Hay-
14 ward. You know, Hayward isn't perfect. Is there someone here from
15 the Fire Department?

16 CHAIRMAN PURSEL: Now, someone from the Fire Department here?
17 (No response)

18 MISS RICHARDSON: Who made the statement about - it was from the
19 Fire Department, "we have 400 gallons of water" when they come
20 charging out to the fire? Who made the statement?

21 CHAIRMAN PURSEL: Miss Richardson, you live there - may I ask
22 you a question?

23 MISS RICHARDSON: I just asked a question.

24 CHAIRMAN PURSEL: Just a minute. Just a minute. Do you have
25 a fire department within the Russell City area?

26 MISS RICHARDSON: I just asked a question about the fire

1 department. If we had one would I be asking it?

2 CHAIRMAN PURSEL: You don't have one?

3 MISS RICHARDSON: Did I ask you if we had one? I'm asking one
4 about it, not telling that we have one.

5 CHAIRMAN PURSEL: What about it? You don't have one?

6 MISS RICHARDSON: We have one - I'm trying to find out who is
7 bringing out the watermelon (sic).

8 CHAIRMAN PURSEL: Bringing out the what?

9 MISS RICHARDSON: Bring out the water, w-a-t-e-r.

10 CHAIRMAN PURSEL: Wait a minute. Wait a minute. Listen. If
11 you conduct yourself like a lady you will be treated like a lady.

12 MISS RICHARDSON: I am trying to be quiet with you. I am
13 asking about who brings the water out. Somebody said about 400
14 gallons of water brought out from Russell City; when you get there
15 the stuff - there is not a lot of money or anything put into the
16 fire, to the damages -- I'd like to know who made the statement.

17 CHAIRMAN PURSEL: I think that comment was made by the Planning
18 Director, Mr. Williams.

19 MR. WILLIAMS: Yes, Mr. Pursel, and I was quoting directly from
20 the Minutes of the Planning Commission meeting of February the 19th
21 of this last year, 1962, the hearing conducted on the possible
22 adoption of the - a Master Plan Element, known as the Redevelopment
23 Element to the County Master Plan. The statements were made by
24 Chief William Wolters, capital W-o-l-t-e-r-s, the Chief of the
25 Fairview Fire District. Would you like the statement read again?

26 MISS RICHARDSON: Yes.

1 MR. WILLIAMS: He said, quote - he stated that his District has
2 been giving the Russell City area fire protection for twenty years
3 and at least 60% of their calls are in that area. The savings of
4 buildings in a fire is very little. They have 400 gallons of water
5 that they bring - presumably this is their load capacity - and they
6 receive some additional help from the Hayward and Cherryland Fire
7 Departments. He concluded that many of his men have fallen into
8 privy pits that are not covered and it is a very difficult situa-
9 tion.

10 MISS RICHARDSON: I have a question from him.

11 CHAIRMAN PURSEL: Does that answer your question?

12 MISS RICHARDSON: No, I have one for him.

13 CHAIRMAN PURSEL: You have one. All right. Then let's remem-
14 ber your three minutes is just about up. You have another question
15 of Mr. Williams?

16 MISS RICHARDSON: Uh-huh.

17 CHAIRMAN PURSEL: Go ahead.

18 MISS RICHARDSON: Let's see --

19 CHAIRMAN PURSEL: I can't hear you. Talk into your microphone.

20 MISS RICHARDSON: I will. I'm so sorry.

21 CHAIRMAN PURSEL: I hope you are.

22 MISS RICHARDSON: I am. I truly am. (Laughter) You were
23 saying they bring out 400 gallons of water and that 60% --

24 MR. WILLIAMS: Yes, that is the notation in our Minutes that
25 he said before the Commission, that at least 60% of their calls,
26 presumably the Fairview Fire District, was to that area - namely,

1 the Russell City area.

2 MISS RICHARDSON: If Hayward is taking us as a city, why
3 couldn't they come out for fires when they were first called?

4 MR. WILLIAMS: Apparently, according to his statement - I would
5 take it to mean the Hayward and Cherryland Fire Departments have,
6 I guess, what they call a second response, that they are called
7 mutual aid pacts, and when called upon, if a fire gets away from the
8 Fairview District, why, additional trucks and equipment from Hay-
9 ward or the Cherryland area come out.

10 MISS RICHARDSON: Why can't they come when they are first
11 called, though? Do they have to be called from the other fire
12 department for help?

13 MR. LEWIS: I will attempt to give an explanation of this as
14 best I can. Chief Wolters also has County equipment, not that of the
15 Fairview Fire District - in this sense Russell City is in the un-
16 incorporated area and the County, therefore, supplies from the
17 County - general County area - fire equipment to Russell City. I
18 do not know whether or not Russell City is within the Fairview
19 District, I doubt it, but the County provides the fire protection,
20 it responds to the unincorporated area. Now, then, if there is an
21 emergency that can't be met by that County equipment - it gets
22 there as soon as it can from the available firehouse, then, as I
23 understand it, through the mutual aid contract the City of Hayward
24 units will respond. Now, this is the best I can explain it.

25 MISS RICHARDSON: All right. You said they get there as fast
26 as they can. How come when my house was on fire it took them a

1 hundred years to get there? I didn't hear one fire alarm. "I'm
2 sorry." "Oh, my, what's happened?" How can they get there when
3 they don't have a siren on to get people out of the way? When they
4 came to my house my yard was on fire three feet from my house and
5 I didn't hear a siren down the street until I was down at the
6 window and saw that they were there and then looked around and saw
7 my yard was on fire.

8 MR. LEWIS: I don't know any of the facts on this and I can't
9 answer. I'm very sorry.

10 MISS RICHARDSON: You were saying about property that might be
11 destroyed or something.

12 CHAIRMAN PURSEL: Property that might be destroyed?

13 MISS RICHARDSON: Yes. Our lot is divided into four parts. It
14 is in the process of being divided into four parts. Now, who are
15 they going to buy that from?

16 CHAIRMAN PURSEL: Would someone answer the question? She said
17 somebody made the statement that the property was going to be
18 divided into four parts.

19 MISS RICHARDSON: I did not make that statement just now, sir.

20 CHAIRMAN PURSEL: You said your lot was to be divided into four
21 parts. You restate it. You restate it.

22 MISS RICHARDSON: I will.

23 CHAIRMAN PURSEL: Go ahead.

24 MISS RICHARDSON: I say, our lot is being divided. It is now
25 in the process of being divided into four parts, and who is going
26 to buy the property when they get ready for it from our lot?

1 CHAIRMAN PURSEL: Mr. Herron?

2 MR. HERRON: The Redevelopment Agency will buy all land in the
3 project area, whether it be from one owner or four, or 400.

4 MISS RICHARDSON: All right. Now, if there is one deed to the
5 place, to the property, and it is stated instead of four separate
6 deeds that the property has been homesteaded and that each lot is
7 worth - or, they have to be paid \$12,000 for each lot on that,
8 each part of the property, will they get that price?

9 MR. HERRON: What is this? In a homestead?

10 MISS RICHARDSON: That is what I said. In other words --

11 MR. HERRON: Let me answer it this way, I'm not familiar with
12 the Homestead Law: The appraisal will be made on the property.
13 If the appraiser takes cognizance of anything that is laid in
14 there by law, that is one thing; if he does not, we will make an
15 offer based on the appraisal. If that offer is not satisfactory,
16 we probably will go to condemnation.

17 MISS RICHARDSON: Well, I'd like to tell you a little bit about
18 the Homestead Act now, if you don't mind.

19 MR. HERRON: It wouldn't do a bit of good here.

20 MISS RICHARDSON: I think I'm going to have to tell you anyway.
21 I hate to have my dogs trying to get you for telling you something
22 you don't know when you get ready for my talk - I'm going to tell
23 you about it. It's been homesteaded in the law, you have to give
24 them what they want or trade them for their home, and if you want
25 mine you are going to have to give me a ten-room house and wonder-
26 ful land.

1 MR. HERRON: I think we will have to wait until the time comes,
2 Mrs. Richardson.

3 MISS RICHARDSON: It's "Miss."

4 CHAIRMAN PURSEL: Miss Richardson --

5 MISS RICHARDSON: I'm through.

6 CHAIRMAN PURSEL: All right. Thank you. Now, is there anyone
7 else who owns property and lives on the property within the project
8 area who wishes to speak at this time? Will you come forward,
9 sir? Will you speak right to the point and we'll try and -- make
10 it not over three minutes. Raise your right hand.

11 BERNIE PATTERSON

12 sworn as a witness by the
13 Clerk, testified as follows:

14 THE CLERK: Your full name?

15 MR. PATTERSON: B. Patterson.

16 CHAIRMAN PURSEL: Talk right into the microphone.

17 MR. PATTERSON: Bernie Patterson.

18 CHAIRMAN PURSEL: Will you use this microphone over here, sir.
19 Anybody that knows how to fix this microphone here?

20 SUPERVISOR SWEENEY: Go ahead.

21 MR. PATTERSON: I want to ask the Planning Commission, after
22 they done already planned this redevelopment in Russell City - did
23 you know about the plan when you make the start?

24 CHAIRMAN PURSEL: You are too close to the microphone.

25 MR. PATTERSON: I said the Planning Commission have already
26 made the plan and they got the people down there upset that

1 don't know what to do or where to go or what to think, what they
2 have to do. Do you think - do you know when you going to try and
3 start the plan?

4 SUPERVISOR RAZETO: Start buying the property, you mean?

5 CHAIRMAN PURSEL: Mr. Herron?

6 MR. HERRON: After the second hearing. The actual buying should
7 commence taking place in May or early June.

8 MR. PATTERSON: And, two, I heard that they're going to try to
9 divide the properties by the footage. Would you all tell me if that
10 is true?

11 MR. HERRON: The property is appraised by the parcel, Mr. Pat-
12 terson.

13 MR. PATTERSON: Well, we know, too, that property appraised or
14 divided will be just about what it was down in Oakland, and we have
15 people out there, even myself, as not able to get behind the in-
16 debtedness at this hour of the day, and all we say, we better --
17 would that leave us head and heels over in debt, or owing?

18 MR. HERRON: I can't answer that until we know what the value
19 of the property is. Each parcel will be appraised independently.

20 MR. PATTERSON: Well, you know yourself, when you see property
21 and you - I think you got the ability to know what property is
22 selling for all over the United States of America. It is not - you
23 know, you can't get it for a song and a dance. If you could give
24 me some kind of an idea. My lots, I have two lots, 130 back and
25 50 foot front, what do you think? Just an estimation of what a lot
26 would cost if you was going to go out there and buy it and build

1 industrial property on it?

2 MR. HERRON: It depends on where you would buy it, whether it
3 was suitable for industrial purposes. We're talking about the sale
4 of existing properties.

5 CHAIRMAN PURSEL: Let me ask you something, may I, sir? Do you
6 mind - to give us some idea? What did you pay for it?

7 MR. PATTERSON: Well, that doesn't come under your heading!

8 CHAIRMAN PURSEL: Pardon?

9 MR. PATTERSON: That doesn't come under your heading - I think
10 that is out of order.

11 CHAIRMAN PURSEL: Okay. Proceed. Do you have any further?

12 MR. PATTERSON: Now, don't --

13 CHAIRMAN PURSEL: Just a minute, just a minute. I hope you
14 understood when Mr. Herron made his presentation that after the
15 second hearing and when we proceed with this project then an ap-
16 praisal will be made of the fair market value of all the property,
17 they they will contact you. I think that was the procedure as
18 outlined by Mr. Herron, and they will offer you the fair market
19 value of your property. Then if you do not accept that and you
20 think it is worth more, then it goes to court under condemnation
21 proceedings, and then it is in the hands of the court as to what is
22 a fair market price for your property. Now I think that is as fair
23 and honest a way as any that you can suggest to handle this prop-
24 erty.

25 MR. PATTERSON: Well, just like you asked me the question what
26 I paid for it - now you take you, I imagine -- I imagine you never

1 bought nothing that you sold for what you just give for it in your
2 life.

3 CHAIRMAN PURSEL: I can't understand you. Don't talk quite so
4 close.

5 MR. PATTERSON: I say, you asked me the question what I paid
6 for it, and you take you - you are a man, a businessman - would
7 you buy something and have to eliminate around with it, try to
8 improve it or do anything for it, and try to get just what you paid
9 for it out of it?

10 CHAIRMAN PURSEL: That wasn't your question.

11 MR. PATTERSON: That is what you asked me.

12 CHAIRMAN PURSEL: I ask you how much - you asked us how much
13 was your property - your property was worth. I certainly don't
14 know. Mr. Herron doesn't know. And, sir, as we told you, there is
15 a procedure set up for that. This - when these hearings are con-
16 cluded and when we adopt the plan, then and only then will we pro-
17 ceed with having an appraisal made of your property. I'm not an
18 appraiser.

19 MR. PATTERSON: Well, just a few more words --

20 CHAIRMAN PURSEL: Go ahead.

21 MR. PATTERSON: -- and I will be through. If you are being the
22 Planning Committee of Alameda County and you know, yourself, you
23 got peoples in here that's old people, and that's like we went
24 through the procedure when they opened up this meeting, we would
25 like for everybody to be fair and square to each other, and y'all's
26 the Planning Commission and you know you sent a fellow out there,

1 think about getting in debt buying any ten and fifteen thousand
2 dollar home. I'm not going to do that.

3 But it's one thing if I just have to get rid of my land - I do
4 have to have enough out of it to buy me another home. And as far
5 as - they been talking about the relocation; I don't want nobody
6 to relocate me noplac - noplac - not long as I got breath in my
7 body and I got a limb. I'm a man enough to hunt my own. I always
8 have. And if they want my property and got to have it, I mean pay
9 me for it when I can buy any other place I want to buy - before I
10 am located, I don't want it, if I can't have it.

11 And so I've heard them talk about this and this - of course it
12 is one thing I can't understand. Mens, when you work - that's all
13 I know to do is work - I've been a slave all my life, work and
14 trying to live right and do right, and people, while you sleep,
15 it's pencilled out - oh, they take advantage. But it's not right
16 to move people, take advantage of them that don't know nothing and
17 slip right up on them and all this stuff. The Lord ain't pleased
18 at it, I'm telling you what I know, and he going to punish us. We
19 going - we going give in time what we do here - and we going to be
20 awful careful and treat one another like we love to be treated.
21 Do that. You don't want - you don't want nothing bad. Don't deal
22 me nothing bad. You want the best? Give me the best. Give me a
23 chance to get the best here.

24 Anyhow, I appreciate it very much. I appreciate it very much.
25 You ain't got long to stay here nohow. If you don't do right here,
26 no need to think about Heaven, because --

ROBERT B. MANNERS, C S R
DEPOSITION REPORTER - NOTARY
315 DOWLING BLVD.
SAN LEANDRO, CALIFORNIA
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1 CHAIRMAN PURSEL: Thank you, Mr. Hughey.

2 MR. HUGHEY: I thank you very much.

3 CHAIRMAN PURSEL: Thank you very much, Mr. Hughey. Now, we
4 have a Reporter here and it is necessary that he take a rest, so
5 we will have a five-minute recess.

6 (SHORT RECESS)

7 CHAIRMAN PURSEL: All right, ladies, gentlemen, will you all be
8 seated, please. Let's come to order. Move down in front as close
9 as you possibly can so that you will be sure that you are hearing.
10 All right, sir, do you want to speak?

11 MR. ROSS: Yes, sir.

12 CHAIRMAN PURSEL: All right. Now, if everyone will be seated.
13 We will all be seated and we will resume the meeting. Now, the
14 next person who wishes to speak - you also live in the project area

15 MR. ROSS: Yes, sir.

16 CHAIRMAN PURSEL: And you own property in that area?

17 MR. ROSS: Buying property.

18 CHAIRMAN PURSEL: All right. Now understand, please - and all
19 those who follow you - that we will limit your presentation to three
20 minutes. Thank you very much.

21 EARL ROSS

22 sworn as a witness by the
23 Clerk, testified as follows:

24 THE CLERK: Your full name and address?

25 MR. ROSS: Earl Ross, 21176 Nebraska. Now, first I'd like to
26 speak in regard to the - the Fire Department, Fairview Fire Depart-

ROBERT B. MANNERS, C S R
DEPOSITION REPORTER - NOTARY
315 DOWLING BLVD.
SAN LEANDRO, CALIFORNIA
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1 ment. The little girl spoke about this, now, and I can't but have
2 a lot of respect for those people, because I've helped down here
3 with them and I think they done a wonderful job - and maybe, too,
4 the young lady didn't know that the Hayward Fire Department didn't
5 have facilities to carry water like these in the rural district
6 and for that because we was a little slowful in getting help.

7 But now my basic reason in getting up here, I recently got
8 burned out out there and fortunately my wife and twelve children
9 and myself, and the shack caught on fire, full day in the morning,
10 and we were blessed to get out and lost everything we had - only
11 my fishing clothes in the car. And so my neighbors and the people
12 of the area responded to my disastrous condition and they gave me
13 clothes and helped me, and I'm very grateful for it - and they kind
14 of made me realize what a wonderful bunch of people we do have in
15 all our surrounding communities.

16 So in this condition of Russell City we realize that it's a bad
17 one, and then we must consider the mere fact that the majority of
18 the people there are laboring, poor class of people, and the most
19 of us are on relief. So we - we are inadequate to employ physi-
20 cians or for that because we depend entirely on the County Staff,
21 and that is your condition there.

22 Now, as far as our house and sewer, we know we can't afford to
23 pay tax enough to compute any money to do these things, so we
24 realize now on this condition we have to scold on the Supervisors,
25 because it should have been dealt with I think a long time ago.

26 We know we got to grow. We know the rest of the world is

1 growing, and we just leaving behind here. We have replacement
2 strips, we got a - we got a map there - I mean, a landing field
3 for airplanes, and an airport. We should do - just do something.

4 The condition is this - I have twelve children; I have a couple
5 in Sunset High, a couple in other schools, some in Russell School.
6 I work for ^(Ivaldi) Woundy Bros., the office is on 1st Street and we have
7 one on Hillary pit, so I'm just surrounded with my job, what have
8 you. I'm a little too old to build up on another job. I can't cut
9 it like I used to, so they got me flagging now. I'm a little weak.
10 So now I'm being replaced - I'm wondering where it would be, and if
11 I could get a house compared with that one I have now.

12 Now since I was burned out, well, the replacement people came
13 to my rescue and they tried to help me, and three weeks I waited on
14 them and then eventually they told me they couldn't find a place
15 for me. So I found it a little strange, right up in Hayward by the
16 cannery, the gentleman that gave me a stove and icebox, and I went
17 up there and got out of a big house on Sunday, and that Monday they
18 came by and said they couldn't find anything - so you know there is
19 different elements that we must face, and they're not spoken. We
20 don't want to make out anything --

21 CHAIRMAN PURSEL: Could you get to your question?

22 MR. ROSS: Yes. My question is this: What kind of facilities
23 are going to be appropriated for the people that are going to be
24 replaced, displaced, that you are going to move out when you take
25 over? What kind of insurance that they will have a home?

26 CHAIRMAN PURSEL: You are talking about relocation of these

1 people?

2 MR. ROSS: That's right. That's right. Yes.

3 CHAIRMAN PURSEL: All right, sir. In answer to that may I
4 introduce Mr. Davis, who is in charge of our relocation program.
5 Mr. Davis, would you be sworn in answer to the question?

6 HAROLD DAVIS

7 sworn as a witness by the
8 Clerk, testified as follows:

9 THE CLERK: Your name and position?

10 MR. DAVIS: My name is Harold Davis, Relocation Supervisor for
11 the Redevelopment Agency, County of Alameda.

12 To the members of the Agency, and Mr. Ross, we did - we have
13 met before; this is somewhat of an individual problem, but, briefly,
14 you will recall that we referred several what we thought would be
15 very good leads in regards to relocation housing for you - which
16 at the time you did not follow up, but this is another story.

17 In direct answer to your question, we will be prepared, and
18 according to surveys that we have made, to supply housing on the
19 basis of what the displacee will be able to afford. We have been
20 surveying houses in the median price class, and if people can af-
21 ford more then we are prepared to assist them and find them more
22 housing.

23 CHAIRMAN PURSEL: Thank you, Mr. Davis.

24 MR. ROSS: Thank you, gentlemen. I wanted to say more.

25 CHAIRMAN PURSEL: Is there anyone else who wishes to speak in
26 this matter, who lives on the project area and who own property on

1 the project area?

2 GEORGE FELICIANO

3 sworn as a witness by the
4 Clerk, testified as follows:

5 THE CLERK: Your name and address?

6 MR. FELICIANO: George Feliciano. I'm talking on behalf of my
7 mother. She lived there for forty-five years.

8 CHAIRMAN PURSEL: Where does she live?

9 MR. FELICIANO: On 2882 Galveston Avenue.

10 CHAIRMAN PURSEL: 2882 Galveston?

11 MR. FELICIANO: Yes.

12 CHAIRMAN PURSEL: Would you mind locating that?

13 MR. FELICIANO: She is 83 years old and I imagine if you have
14 to move her out in there you just as well get a gun and shoot her,
15 because she just removed from - we moved from San Francisco when I
16 was four years old and I have been there ever since, and I think I
17 got pretty darn good health drinking that well water. I have been
18 to the doctor about twice in my life. And my mother, I think the
19 doctor probably been to the doctors more time than she has in her
20 eighty-three birthdays - and I think she'll outwork any of us
21 today. And we live right by the hog ranch down there, and that
22 smell of the hogs really puts the health in her and myself (laugh-
23 ter).

24 CHAIRMAN PURSEL: Go ahead, Mr. Feliciano. You have a ques-
25 tion?

26 MR. FELICIANO: Yes. I'd like to know - and my father, he's

1 ill, and the property is willed over to my sister and myself, and
 2 they try to relocate my mother - how would they try to get that
 3 property, because it's willed to myself and it's not to be sold
 4 until both of them pass away. And according to my mother, she'll
 5 live to be a hundred.

6 CHAIRMAN PURSEL: All right. Mr. Herron, or Mr. Lewis? Would
 7 you mind rephrasing the question once more, now, specifically?

8 MR. FELICIANO: The property is willed over to my sister and
 9 I.

10 CHAIRMAN PURSEL: The property has been willed to you and your
 11 sister?

12 MR. FELICIANO: That's right, and it's not to be sold until
 13 either one of my folks are passed away.

14 CHAIRMAN PURSEL: Both of whom live on the property?

15 MR. FELICIANO: That's right. And the way my mother is today,
 16 I think she'll live to be a hundred and fifty.

17 CHAIRMAN PURSEL: Okay. Mr. Lewis?

18 MR. LEWIS: The provisions of a will have no effect on the
 19 acquisition of property. Of course, if your mother should become
 20 deceased before the property is acquired title would be transferred
 21 to you and your sister and the acquisition would be from you or
 22 your sister, or from her estate pending administration. In any
 23 case, the fact that it is covered by a will will not interfere
 24 with the acquisition of that property by the Agency, if - if, of
 25 course, the plan is adopted ultimately.

26 MR. FELICIANO: Another question.

1 CHAIRMAN PURSEL: Did you have another question, Mr. Feliciano?

2 MR. FELICIANO: Yes.

3 CHAIRMAN PURSEL: Go ahead.

4 MR. FELICIANO: I lived in the city of Hayward for 15 years,
 5 since '46 to about two years ago I moved back out there to be
 6 alongside of my mother, to make sure that she was taken care of
 7 because my father got a stroke. So at this time I was living in
 8 town - I got two boys; my two boys were missing from one to two
 9 days from school, being sick all the time. You probably won't
 10 believe this, but since we moved in Russell City over two years my
 11 kids haven't missed a day being ill.

12 CHAIRMAN PURSEL: It must be the water.

13 MR. FELICIANO: It's not only that, I think myself they got a
 14 lot of room out there to stretch out and play. And the people
 15 here in town, they think more of their golf sticks than they do
 16 their own children.

17 CHAIRMAN PURSEL: Think more of what?

18 SUPERVISOR RAZETO: Golf sticks.

19 MR. FELICIANO: Golf sticks. And that is one reason I think of
 20 all people that have no concern of delinquent children - that is
 21 why we have so much delinquency today. We have more room for kids
 22 to get out and play and stretch out and hike, we wouldn't have so
 23 much delinquency. And Russell City hasn't got too much delinquency
 24 compared to other cities. Like you read in the paper here a while
 25 back, in San Francisco where all these well-to-do children have
 26 these keys to these meters - we don't have meters, but our kids

1 don't do that because we have a few kids and we try to get them
2 on the right track.

3 CHAIRMAN PURSEL: Thank you, Mr. Feliciano, very much. Next?

4 MALAVIN STONE

5 sworn as a witness by the
6 Clerk, testified as follows:

7 THE CLERK: Your full name and address?

8 MR. STONE: Malavin Stone, 2794 Dallas Avenue.

9 CHAIRMAN PURSEL: Proceed, Mr. Stone.

10 MR. STONE: I was listening at the doctor that was giving --

11 CHAIRMAN PURSEL: I presume you have a question you want to
12 direct to someone?

13 MR. STONE: I'm getting to my question now.

14 CHAIRMAN PURSEL: Lift up the microphone. That is it.

15 MR. STONE: These pictures and things, they are sugar-coated,
16 you know, because you taken the worstest pictures in the worstest
17 part of Russell City. And I wonder why did you do that?

18 CHAIRMAN PURSEL: You are directing that question to the
19 Director, Mr. Herron. Would you care to answer that?

20 MR. HERRON: It is true. There are only twelve photographs,
21 but those twelve photographs represent a condition that exists in
22 more than 70% of the structures.

23 MEMBER OF AUDIENCE: Wrong!

24 CHAIRMAN PURSEL: You heard the statement, Mr. Stone. Did you
25 have another question?

26 MR. STONE: Now, Sister Richardson was up here talking about

1 this fire. Back I believe it was in '61 I was building my place
2 up, trying to make it look pretty good, I guess, and one of my
3 neighbors turn me in - I didn't have no building permit or nothing,
4 and I had to go down here to West Winton, to the Alameda Building
5 Official, I guess. And so I was pretty warmed up under the collar
6 about the thing, and they tried to give me the runaround and tell
7 me they didn't know who sent the call in.

8 CHAIRMAN PURSEL: Was that the Alameda County Building Depart-
9 ment on Winton Avenue?

10 MR. STONE: Yes, on West Winton Avenue.

11 CHAIRMAN PURSEL: I see. Go ahead.

12 MR. STONE: And - and the peoples told me down there that we
13 was going get run out of Russell City, or burned out, or we just
14 going to pick up and walk - and I quote that.

15 CHAIRMAN PURSEL: Now, from your remarks, do you want to
16 direct a question to our Chief Building Inspector and ask him to
17 comment on that?

18 MR. STONE: I do.

19 CHAIRMAN PURSEL: You said that - you realize that you were
20 under oath when you made that statement?

21 MR. STONE: Yes.

22 CHAIRMAN PURSEL: All right. Mr. Carlson?

23 MR. CARLSON: Mr. Chairman and ladies and gentlemen, the - the
24 fact that we do not divulge the source of our information on com-
25 plaints I think is one of the reasons why we have to depend on
26 people to - for our enforcement information. We can't possibly go

1 into all the dwellings or in the back yards or anything else, so
 2 I think it is only fair to keep the source of our information
 3 quiet - otherwise people will not give us this information, which
 4 is so necessary for the enforcement of our building laws.

5 Now, the reason we can't issue building permits in Russell City
 6 is right in our Alameda Building Code, our building, plumbing,
 7 electrical and all these housing codes we have enforced. Pre-
 8 requisite to issuing a building permit we must get approval from
 9 the County Health Department as to the status of the potable
 10 water and private sewage disposal. If that is not forthcoming or
 11 approved, we may not issue a building permit.

12 Not so long ago the Board of Supervisors had amended the
 13 Building Code to the effect that the Building Official may not
 14 issue permits in Russell City unless that conformed to all re-
 15 quirements of an A-2, or agricultural, zone. Now, the minimum
 16 building site in an agricultural or A-2 zone is 2-1/2 acres per
 17 dwelling, or 5 acres - is a 5 acre parcel, but 2-1/2 acres per
 18 dwelling. I don't believe there are any parcels within Russell
 19 City that can conform to this requirement. Therefore, it is not
 20 only our building laws but also our zoning laws that would be in
 21 conflict were we to issue permits in Russell City.

22 SUPERVISOR SWEENEY: Could I -- can you hear me?

23 MEMBER OF AUDIENCE: Yes.

24 SUPERVISOR SWEENEY: Is this on?

25 MEMBER OF AUDIENCE: Yes.

26 SUPERVISOR SWEENEY: So loud anyway I can't even get my own

1 voice. Did I understand you to say, sir, under oath, that somebody
 2 down at the Building Department said they were going to either run
 3 you out or burn you out?

4 MR. STONE: That's true.

5 SUPERVISOR SWEENEY: Listen. Just let me talk to the gentleman
 6 in front of me. Is that the statement that you repeated to me?

7 MR. STONE: Correct.

8 SUPERVISOR SWEENEY: Well, that - I don't think Mr. Carlson -
 9 I don't think any member of this Board or anybody in their right
 10 mind would tolerate for one minute, believe you me. Now, people,
 11 you say, said that to you?

12 MR. STONE: Yes.

13 SUPERVISOR SWEENEY: I always make it a point when somebody
 14 ever makes a remark to me, or analogous to that, to find out their
 15 name - the only way we can search them out. But believe you me,
 16 sir, I want you to understand - everybody in this audience - that
 17 this Board will never tolerate our people to treat people other
 18 than as people, so I just want to give that little point to you.

19 MR. CARLSON: Mr. Chairman, may I also interject - we don't -
 20 we have compassion in here, we think they are good people, they
 21 are nice people, they don't always understand the law - and I
 22 think without question members of my division have been courteous
 23 to anyone that comes in from Russell City. It is difficult to get
 24 over the law to them.

25 CHAIRMAN PURSEL: I think you have the answer, sir. We have
 26 about 5800 people that work for Alameda County and it is the

1 request and the policy of this Board of Supervisors that they treat
2 and accord services to people with courtesy, and we do not tolerate
3 any such remarks as you have reported here - and we are very sorry
4 if such an incident took place. Have you any further questions?

5 MR. STONE: Yes. And on the same fire, a house could get
6 caught afire out there and you can call the fire department - they
7 would never come out there until the house done completely burned
8 down. You go out there and you set a bonfire, or set a couch afire
9 - the fire department there putting out the couch.

10 CHAIRMAN PURSEL: Thank you. Thank you.

11 MR. STONE: That is all.

12 CHAIRMAN PURSEL: Do you wish to speak to the program, sir?

13 MR. ANTHONY: Why do I have to swear to tell the truth?

14 CHAIRMAN PURSEL: Why do you swear to tell the truth?

15 MR. ANTHONY: To take the oath, to be on oath to tell the truth?

16 CHAIRMAN PURSEL: Well, you understand that we are conducting
17 a hearing in conformity to the Community Redevelopment Law, Section
18 33,000, I believe, in the Community Development Act. Certain pro-
19 cedures are laid down there; one of them is when this Board - or,
20 in the conduct of this hearing as to whether or not it will approve
21 this plan, that when it hears witnesses that they shall be sworn.
22 Does that answer your question? Go ahead.

23 JAMES ANTHONY

24 sworn as a witness by the
25 Clerk, testified as follows:

26 THE CLERK: Your full name and address?

1 MR. ANTHONY: James Anthony, 2540 Atlantic.

2 CHAIRMAN PURSEL: May I suggest at the outset, Mr. Anthony, if
3 you don't mind - if you have a question would you try to direct it
4 to one of the officials there?

5 MR. ANTHONY: Yes. Well, I'd like to have the other mike, to
6 speak directly to the people in Russell City - this is concerning
7 the people of Russell City.

8 CHAIRMAN PURSEL: The reason I asked you, you understand we
9 are taking --

10 MR. ANTHONY: I just want to tell --

11 CHAIRMAN PURSEL: Just one minute, if you will. Do you live
12 in the project area?

13 MR. ANTHONY: Yes.

14 CHAIRMAN PURSEL: You own property --

15 MR. ANTHONY: My parents own property, yes.

16 CHAIRMAN PURSEL: You are speaking for your parents?

17 MR. ANTHONY: And myself, too.

18 CHAIRMAN PURSEL: Well, I hope, Mr. Anthony, and I wish, if
19 you will, that if you have a question you will direct it to one of
20 the department heads there, who are competent to answer it, please.
21 Thank you.

22 MR. ANTHONY: Well, may I have the other mike?

23 CHAIRMAN PURSEL: Where is the other mike? Okay, go ahead. Go
24 ahead, it's the same mike, but go ahead. Go ahead, Mr. Anthony -
25 three minutes, you know, we have allowed, to ask a question.

26 MR. ANTHONY: Well, first of all, I would like to tell the

1 people the truth, as according of the reports that's been read.

2 SUPERVISOR SWEENEY: The what?

3 MR. ANTHONY: The reports that have been read up. All the
4 reports that has been read about Russell City are outrageous lies,
5 and I guess all the people that live in Russell City know that it
6 is nothing but outrageous lies. And because all this here - all
7 that record that is wrote up is against the people that is in
8 Russell City - in other words, the property owners, for their
9 property. And this here, they would hold that against the people,
10 these reports, so that the people of Russell City, they can - they
11 won't receive the right price that they're expecting to get, a
12 fair price, because of these bad reports are - are such lies, I
13 should say, that are drawn up against Russell City. Thank you.

14 CHAIRMAN PURSEL: Thank you. May I just make this one comment,
15 sir? Nobody here, including the staff and certainly no member of
16 this Board, is making any outrageous lies. You know that. Next?

17 ALAN GROVE

18 sworn as a witness by the
19 Clerk, testified as follows:

20 THE CLERK: Your full name, counsel?

21 MR. GROVE: My name is Alan Grove. I'm an attorney, with
22 offices at 225 West Winton Avenue, in Hayward, and I'm here on
23 behalf of Miss Christine Zacher, who is at 20471 Pestdorf Lane -
24 she has a 3-bedroom home there, and I'm also here on behalf of Mr.
25 Austin Wigfall, who owns a house and lot at 20531 Pestdorf Lane,
26 and the question is: These two are on a jog and they are above the

1 S. P. tracks. This is the proposed redevelopment area. I think
2 that - particularly Mr. Wigfall, who has an 11-room house there -
3 he has three baths, he has made a great many improvements on it,
4 he has a 110-foot well, a septic tank, and he has good water which
5 is tested periodically by the Department of Social Welfare because
6 three foster children are placed in his home, and the question is:
7 Can this jog be left out of the proposed redevelopment area?

8 CHAIRMAN PURSEL: You are asking, then, that that area on
9 Pestdorf - is that the name of the street?

10 MR. GROVE: Yes, that is the name.

11 CHAIRMAN PURSEL: - represented in that jog on the map; you are
12 asking us to consider excluding that?

13 MR. GROVE: That's right. I notice that you have - Mr. Pursel,
14 there is a symbol on your map there, "A," for instance, on Mr.
15 Wigfall's property, indicating that he does have a sound structure
16 there.

17 CHAIRMAN PURSEL: Thank you. Mr. Lewis?

18 MR. LEWIS: Well, this obviously raises the question of ex-
19 cluding - two alternatives; excluding the property from the pro-
20 visions of the land use, or excluding the property by reason of
21 amendment of the designation of the area as determined by the
22 Planning Commission.

23 As you will remember, the Planning Commission originally set
24 the boundaries. We would recommend that if properties are to be
25 excluded that it be done by amendment of the boundaries through
26 the Planning Commission.

1 But I would like to state in this connection that the law, as
 2 I understand it - and I think it is fairly clear on this - is that
 3 the fact that one piece of property is not itself directly
 4 blighted does not effect the validity of a plan in including it.
 5 It's - so long as the accomplishment of a plan is reasonably
 6 necessary to the inclusion of this property, which is a legislative
 7 determination by the Planning Commission, then the courts would
 8 not overrule it.

9 SUPERVISOR SWEENEY: Mr. Chairman, on the same line could I ask
 10 a question of the Planning Director?

11 CHAIRMAN PURSEL: Mr. Sweeney.

12 SUPERVISOR SWEENEY: And what have you up here? What is this,
 13 a jury? No, I talk without that mike. I want to know, and I don't
 14 know whether I missed the meeting of the Board when they had the
 15 planning, why we don't follow what might be known as natural
 16 boundaries? This happens to be what, Winton? Winton Avenue? In
 17 other words, is this a blighted area? Was that the reason? How
 18 did you come to go up to here, maybe not here? In other words,
 19 there is a reason for everything - and how did you happen to stop
 20 here and not go to here? Will someone give me that information?

21 MR. LEWIS: May the record show Mr. Sweeney is pointing to the
 22 boundary on the north side of the project - that is, on Winton
 23 Avenue. Mr. Williams?

24 MR. WILLIAMS: Mr. Sweeney, in response to your question,
 25 there are several - several factors of blight; structural blight is
 26 one. We have emphasized this tonight because I think most of the

1 people in the audience are residents of Russell City and have homes
 2 there, and so they are concerned about what is going to happen to
 3 their houses, as well as to the land.

4 But the State Redevelopment Law, under particularly Article 2,
 5 where it sets up declaration of policy, indicates one of the
 6 characteristics of blight. I mentioned a couple in my remarks; I'd
 7 like to add a couple more to it, because I think it is applicable
 8 - appropriate particularly to the area north of West Winton Avenue
 9 within the project area as proposed. Here are factors of blight
 10 other than structural: Age, obsolescence, deterioration, dilapida-
 11 tion, mixed character, or shifting of use. A blighted area can
 12 also be characterized by economic dislocation, deterioration, or
 13 dis-use resulting from faulty planning. It can include areas where
 14 the subdividing and sale of lots of irregular form and shape or
 15 inadequate size for proper usefulness and development - paren-
 16 thetically, in this case for industrial purposes - would not be
 17 deemed adequate; where also the existence of inadequate streets,
 18 open spaces, or utilities are being - or, are not provided. And
 19 these are just a few. I only mention these as examples.

20 SUPERVISOR SWEENEY: Now, when this outline was made it was
 21 made on the premise of what you are reading now? I'm talking
 22 basically north - I guess that is north, of Winton Avenue.

23 MR. WILLIAMS: All right. And also not to landlock an area
 24 for residential purposes that is going to be blocked in by indus-
 25 trial on the north and industrial developement and airport on the -

26 SUPERVISOR SWEENEY: Mr. Williams, I am not arguing the point,

1 I just want to --

2 MR. WILLIAMS: Merely speaking for clarification.

3 SUPERVISOR SWEENEY: That's right. I just want to speak from
4 my own ignorance, or whatever you want to call it. I wanted a
5 reason why, and you answered me the reason that is in there.

6 SUPERVISOR HANNON: Mr. Williams, could I address a question in
7 regard to Mr. Grove's problem, referring to the area which lies to
8 the north and the east - to the east of the railway and north of
9 Winton, which area I'm familiar with - Mr. Wigfall owns the second
10 parcel there. I'm familiar with Mr. Wigfall's house and have been
11 in it several times, and to me it - well, I don't have to speak
12 further than to say the County Welfare Department has approved it
13 as a foster home.

14 Now, that parcel of property is ^{not} contiguous to the redevelopment
15 area, in the sense that it is across the railroad tracks from it,
16 nor could it be classified as blighted. The question is; How
17 could it be included?

18 MR. WILLIAMS: Mr. Supervisor, it is marked on the age and
19 condition map, what we call the land use detail map, as an "A"
20 condition dwelling - in other words, a dwelling of sound condition.
21 It is not a structural blight. It is a blight of irregular shape.
22 Property by itself that has no industrial potential until such
23 time as it were, in a sense, collected and gathered together with
24 other properties of adequate size where an industrial potential
25 could be realized. It is not an industrial potential. I don't
26 know, maybe Mr. Herron can speak to the facts of whether that

1 ll-room house might be relocated into a residential district fol-
2 redevelopment. It certainly may be available. I don't know. This
3 would be between the Agency and the applicant.

4 SUPERVISOR HANNON: As it stands now, that - as I say, it is not
5 contiguous to the area, it is across the railway tracks from the
6 redevelopment area. If they rezoned the parcel to any type of
7 end zoning or industrial zoning he would still remain as a non-
8 conforming use and could maintain a residence there indefinitely.

9 MR. WILLIAMS: Yes, he would, if it were rezoned either by the
10 County or the City. He would be in a non-conforming category,
11 that is correct.

12 SUPERVISOR HANNON: And could maintain - as I say, Mr. Wigfall
13 now is maintaining I believe four charges, or four foster children,
14 in the home; certainly is donating a great service to the County,
15 and he has an "A" class home.

16 MR. WILLIAMS: That is right. It is not a structural blight.

17 SUPERVISOR HANNON: And it is not contiguous to the area. I
18 don't understand why it would be included in the area.

19 MR. WILLIAMS: For many of these reasons I just read to Super-
20 visor Sweeney, many other factors of blight than --

21 SUPERVISOR HANNON: The factor of blight you mentioned -
22 rather, the irregularly-shaped lot; there are literally millions
23 of irregularly shaped lots in the County. Why would we consider
24 this as --

25 MR. WILLIAMS: I would refer you to Article 2, dealing with the
26 declaration of state policy within the Community Redevelopment Law,

1 specifically, on page 173, which lists the factors and characteris-
 2 tics of blight, which are all taken into account in the determina-
 3 tion and delineation of the project boundaries as proposed.

4 SUPERVISOR HANNON: Is there a code section on that, or is
 5 that a regulation?

6 MR. WILLIAMS: It is the Health & Safety Code, Division 24,
 7 Statutes of 1951, Chapter 710.

8 SUPERVISOR HANNON: Do you have a code section number?

9 MR. LEWIS: There is - there is a specific code section, series
 10 of sections, up in the first part of the Redevelopment Law, starting
 11 from about 33000.

12 SUPERVISOR SWEENEY: Take the book home and read it.

13 SUPERVISOR HANNON: Any lot to be included in redevelopment
 14 would have to be blighted and contiguous to a blighted area, is
 15 that correct?

16 MR. WILLIAMS: Not necessarily. As Mr. Lewis indicated, the
 17 lot itself could be conforming in every respect - it might even
 18 have industrial potential in an isolated sense - but if it were
 19 surrounded by factors of blight it's legitimate under the Re-
 20 development Law to bring that property in, in the interest of the
 21 total project.

22 SUPERVISOR HANNON: Provided it is "surrounded by," and this
 23 is not.

24 MR. WILLIAMS: The Commission felt it was, and they so desig-
 25 nated it.

26 CHAIRMAN PURSEL: Any further questions on this matter?

1 MR. GROVE: Could Mr. Austin Wigfall be sworn? I think he
 2 has several questions.

3 AUSTIN WIGFALL

4 sworn as a witness by the
 5 Clerk, testified as follows:

6 THE CLERK: Your full name and address?

7 MR. WIGFALL: Austin Wigfall, 20531 Pestdorf Lane. I don't
 8 think I could make any addition as to what hasn't already been
 9 said, only that in 19 and 60 this Planning Commission passed a
 10 resolution - that is, No. 3438 - for me to move a structural
 11 building over the north boulevard down to Pestdorf Lane and make
 12 an addition for foster children, and at that time the chairman of
 13 the committee showed the picture of the building, the home, that I
 14 already had and he said "If this man can afford to put up a
 15 building like this, give him anything that he can afford," and
 16 they okayed it and I moved the building down there.

17 SUPERVISOR SWEENEY: Pardon me. I'm lost here. Just where
 18 are you in this deal?

19 MR. WIGFALL: I'm right up in the corner there.

20 SUPERVISOR SWEENEY: Oh, you are up on that section too.

21 MR. WIGFALL: On that section.

22 SUPERVISOR SWEENEY: Okay.

23 ✓ MR. WIGFALL: Speaking about health conditions, the Health
 24 Department come down and inspected my water, because I keep the
 25 foster children, and the health inspector say it's the best water
 26 in the area - several times he took a bottle of it home - bottleful

1 home. So when I was confronted that I was in the boundary lines,
 2 then I immediately wrote Governor Brown and asked him to help me
 3 in this situation, and he - he said the Planning Commission had
 4 it proposed this plan, but it hadn't gone through. He said in the
 5 event it did they would give a fair price, and yah-yah-yah, you
 6 know, like that. So I don't see why I'm hooked into the thing. I
 7 tried to do everything I could to live in a way that you should
 8 live. The onliest reason why, I just don't have City water and
 9 sewers. Other than that the house is in good shape. It's a
 10 eleven-room structure, up-to-date, with three or four or five baths.

11 CHAIRMAN PURSEL: I think we appreciate that fact, Mr. Wigfall.

12 MR. WIGFALL: Okay.

13 CHAIRMAN PURSEL: Anything further?

14 MR. WIGFALL: No, that's it.

15 CHAIRMAN PURSEL: Thank you very much, Mr. Wigfall. Now, is
 16 there anyone else who lives in the area and who owns property in
 17 the area who wishes to speak at this time?

18 MR. LOJO: I have been before the Supreme Court of this State;
 19 if you want me to take the oath again, I will.

20 CHAIRMAN PURSEL: I think it is proper that you should, sir.

21 PETER L. LOJO

22 sworn as a witness by the
 23 Clerk, testified as follows:

24 THE CLERK: Your full name?

25 MR. LOJO: My name is Peter Lawrence Lojo. I am an attorney at
 26 law. I'm here appearing on behalf of Mrs. Tinonas, who presently

1 resides at 2159 Mississippi Street, Russell City, and owns an
 2 adjoining parcel.

3 CHAIRMAN PURSEL: The pointer indicates the location of the
 4 property. Go ahead, sir. Did you have a question?

5 MR. LOJO: I have a question I'd like to introduce, perhaps
 6 with a little preliminary comment. My client, a little old widow
 7 lady who has lived on this property for some 24 years - it's paid
 8 for, she has no income to speak of. We've heard much discussion
 9 about the replacement value that will be paid to her - not
 10 replacement, I'm sorry, I will withdraw that - the market value to
 11 be paid to her if her property is condemned in this project.

12 My question concerns replacement value on the market of her
 13 home to her. What assurance has she of being relocated, as the
 14 gentleman spoke - where will she go? How much will she owe, and
 15 how will she pay for it?

16 CHAIRMAN PURSEL: I think --

17 MR. LOJO: I think this is a question, if I may continue for
 18 a moment --

19 CHAIRMAN PURSEL: All right.

20 MR. LOJO: -- that has come to many of the people that are
 21 sitting here. Where will they go? What will it cost them? And
 22 is this redevelopment move going to allow them to afford it? It
 23 is a question in the minds of all of us right now.

24 CHAIRMAN PURSEL: Mr. Davis? Thank you. Mr. Davis will answer
 25 that question.

26 MR. LOJO: If you can, sir.

1 MR. DAVIS: We cannot tell you exactly at this time where any
2 one family will go. If Mrs. Tinonas has a problem she is concerned
3 about now, we invite her - as we have at several public meetings
4 at prior times invited any person - to come down and talk specifi-
5 cally about their problem. If I attempt to answer your general
6 question now, I will be prone to have to give you misinformation,
7 which I will be held to later. They will go where their money will
8 allow them.

9 MR. LOJO: This the question in the minds of all of us now
10 involved in this project. How much money are we talking about, it
11 will allow them to go anyplace?

12 MR. DAVIS: We are talking about a fair market value. Now, I
13 don't know what a piece of property will bring, any more than you
14 do. It hasn't been appraised as yet.

15 MR. LOJO: It has been estimated the property will sell for
16 \$8500 an acre to the redeveloper - or, after redevelopment. Now,
17 do we have any figure on what it will be purchased for from the
18 parties who are being asked to sell?

19 MR. DAVIS: These appraisals haven't been made, sir. They will
20 not be made until after the plan has been adopted, or whatever
21 action will be taken.

22 MR. LOJO: Can you tell me, sir, is there any validity of the
23 figure of \$2000 an acre which the Redevelopment Agency wishes to
24 purchase this property?

25 MR. DAVIS: Not from my office, sir.

26 MR. LOJO: Thank you.

1 CHAIRMAN PURSEL: Bearing in mind we are fast approaching the
2 hour of adjournment, but it will permit of perhaps one more resi-
3 dent of the Russell City area who owns property there to speak -
4 somebody who at this point has not had an opportunity to speak. Is
5 there anyone? (No response) Anyone here present that lives in the
6 Russell City area, that owns their property there, that wishes to
7 speak to us at this time? (No response)

8 That being the case, then - it is now 10:25 and we agreed, did
9 we not, that we would adjourn this meeting at 10:30, so we - I take
10 it that we have finished the two categories; No. 1, the category
11 which includes those who own property in the Russell City area but
12 who live outside the county, and we have also finished the category
13 which includes those who own property in the project area and who
14 live within the project area, so we are now at the point where at
15 the next meeting we want to hear, first, from those who own property
16 in the Russell City area but who live outside of the area but
17 within the county. So with that we will bring this meeting to a
18 close and we will recess it until 2:30 in this same hall this
19 Thursday.

20 SUPERVISOR RAZETO: This Thursday?

21 CHAIRMAN PURSEL: This coming Thursday. Do you object to that?

22 MR. McCULLUM: Mr. Chairman. Mr. Chairman.

23 CHAIRMAN PURSEL: Mr. McCullum?

24 MR. McCULLUM: Mr. Chairman, I wish you would give considera-
25 tion to a night meeting. Most of our constituents work and it's
26 hard enough to journey over here - but to make it at 2:30 makes it

1 uniqueness of their position.

2 Now, realizing that you gentlemen are delegated to the welfare
3 of the whole county and will keep your stated intention to relocate
4 a displaced business, and would never allow citizens to be deprived
5 of their property without fair and adequate compensation, the San-
6 tuccis will cooperate with you and your staff to the end that this
7 project may be a success and this fine county can continue its
8 forward movement.

9 I feel that the County cannot survive this project with a clear
10 conscience if the approach to value is purely technical, legal, and
11 fair market. You are dealing with a unique situation, and this
12 calls for imagination. The majority of these people cannot re-
13 locate satisfactorily or with dignity if they only receive market
14 value - and neither can my clients, the Santuccis.

15 The Santuccis have requested that I express their appreciation
16 for the courtesy extended to them by your staff, and particularly
17 by Mr. George Herron. Thank you.

18 CHAIRMAN PURSEL: We appreciate your presentation, Mr. Fairwell.
19 Mr. Herron, would you mind identifying this property on the map
20 within the project?

21 MR. HERRON: On the map, sir, is the hog processing installa-
22 tion, the lower parcel. The 14-acre parcel which is used as an
23 adjunctive holding use is here. On the aerial photo it shows very
24 clearly. This is the farm operation, this is the holding and
25 pasture area.

26 CHAIRMAN PURSEL: Thank you. Do you have any comments with

1 respect to the presentation of Mr. Fairwell on behalf of the
2 Santucci brothers?

3 MR. HERRON: No, sir. I think it is an excellent statement.

4 CHAIRMAN PURSEL: Thank you.

5 SUPERVISOR HANNON: Mr. Chairman.

6 CHAIRMAN PURSEL: Mr. Hannon.

7 SUPVR. HANNON: Might I ask Mr. Herron: As I understand the
8 enabling legislation on this you would have - the Redevelopment
9 Agency is obligated to locate another parcel of property within
10 the county in which the Santuccis could locate a hog farm, at a
11 price commensurate with what the Redevelopment Agency pays them
12 for the existing farm is that correct?

13 MR. HERRON: We are not obligated to assist any business. We
14 are obligated to assist residents. But it has been the practice
15 in all agencies to render whatever assistance is possible for any
16 person or any business dislocated or displaced from the project
17 area.

18 CHAIRMAN PURSEL: Does that answer your question, Mr. Hannon?

19 SUPERVISOR HANNON: Yes, it does, Mr. Chairman.

20 CHAIRMAN PURSEL: Is there anyone else who falls in this
21 category; namely, they own property within the project, do not
22 live in the project area, who live in the county? Would you give
23 your name and be sworn by the Clerk.

24 JOHN FARRELL

25 sworn as a witness by the
26 Clerk, testified as follows:

1 THE CLERK: Your name and address?

2 MR. FARRELL: My name is John Farrell, 168 Maiden Lane, Oakland.
3 I own property on the north side of West Winton Avenue. I think
4 Mr. Herron will point it out, he is familiar with it.

5 MR. HERRON: It is this parcel right at the anglebend, as shown
6 here on the anglebend.

7 MR. FARRELL: This consists of slightly over one acre of vacant
8 property. At the present time it is zoned commercial, so I could
9 develop it if I was allowed to for my own use. The properties
10 surrounding that are all vacant properties, with the exception of
11 one or two homes right in that area.

12 Now, I feel that West Winton Avenue is a natural boundary line
13 and that the majority of the property up there isn't considered
14 blight - although there is a definition of blight because there is
15 a lack of sewers, I know that, but speaking of the structures,
16 there are very few structures on the north side of West Winton
17 Avenue - especially in that area where we have our property.

18 Now, we would like to develop this property ourselves. As long
19 as it's zoned commercial now, we'd like to have the opportunity.
20 We've held it for approximately ten years with the intention of
21 developing it. We would be willing to cooperate with any of the
22 agencies in bringing our property up to whatever standards are set
23 in the area.

24 I have one question I would like to have answered, if Mr.
25 Williams is ready - it is relative to the boundary, the eastern
26 boundary - that would be the northeast corner of West Winton

1 Avenue there: What I would like to know - do you know the property,
2 the line I'm talking about, Mr. Williams?

3 MR. WILLIAMS: No.

4 MR. FARRELL: Opposite that red line up there. That boundary
5 line, the black one. What relationship does that have to Russell
6 City line, or to the Hayward line? In other words, I want to know
7 where Russell City line runs and where the Hayward City line runs.

8 MR. WILLIAMS: For the record, the line being identified is
9 the most easterly boundary line of the proposed project limits, and
10 northerly of West Winton Avenue.

11 MR. FARRELL: I still want to know where Russell City line is.

12 MR. WILLIAMS: There is no such thing as Russell City line.

13 MR. FARRELL: Well, then, how did we arrive at that line on
14 the right side?

15 MR. WILLIAMS: This is considered as the Russell City Area, or
16 the Russell City and its environs, which would include, for our
17 purposes and studies, the area north of West Winton up to the City
18 Limit lines in this position.

19 MR. FARRELL: And where does Hayward come down, over on the
20 east side?

21 MR. WILLIAMS: I believe it does come down this way, as I
22 recall - maybe one variation on that, I'd have to refer to Mr.
23 Herron.

24 MR. FARRELL: I'm very interested in it. I'd like to get a
25 clear answer where Hayward is on that line. There must be some
26 designated spot on there to let us know.

1 MR. WILLIAMS: It may be on this map more clearly defined.

2 MR. FARRELL: Well, I'm quite - I'm familiar with that, that
3 map, the one you were pointing at.

4 MR. HERRON: The City of Hayward boundary follows the project
5 boundary along this line; it then departs northerly and reaches
6 this line and goes this way. The nearest north-south boundary from
7 the City of Hayward is approximately this parcel line here, the
8 parcel - the approximate parcel line that I refer to is the westerly
9 line of that parcel containing approximately 1.41 acres and desig-
10 nated as Parcel 1. I don't have the book number for that.

11 MR. FARRELL: In other words I mean your area - you developed
12 these lines through your staff; I mean it's not definitely a city
13 line of any kind.

14 MR. HERRON: That is correct.

15 MR. FARRELL: In other words there has been exceptions made on
16 the eastern line, where you drew the line, and there could be ex-
17 ceptions made elsewhere on the northern side of West Winton Avenue?

18 MR. HERRON: There are - there are no exceptions made anywhere.
19 The staff laid out this area for a number of principal reasons. We
20 neither included nor excluded anything for the particular value or
21 lack of value of one parcel. In setting up any sort of a redevel-
22 opment operation, such as we have going here, obviously it would be
23 not favorable at all to chop anything off at an artificial boundary
24 such as a road. Granted that there are parcels lying north of the
25 road which, of themselves, except for the lack of sewer and water,
26 which occurs all through this area, they do not contain deteriorated

1 structures - that I will agree. Still, they have blighted elements
2 - talking again about physical blight - contiguous to them, or
3 blighting uses - such as large-scale stock operations, which are
4 fly breeders, odor breeders - to some extent vector problems - that
5 have to be removed. You can't chop a line off short and move any
6 development up to that line and say "What's on the other side
7 doesn't amount to anything." Now, those were the principles in
8 which the staff was guided.

9 We have set up an area which we feel removes the existing
10 blight. It provides sufficient buffering so there will be no
11 further encroachment of blight on the project area.

12 SUPERVISOR SWEENEY: Mr. Chairman, may I ask Mr. Herron: Why
13 didn't you go over to the Hayward line on this side? What was the
14 reason?

15 MR. HERRON: To the east side, sir?

16 SUPERVISOR SWEENEY: That's right. In other words, how far is
17 it over, roughly, to the Hayward line - and north?

18 MR. HERRON: It's approximately 800 feet easterly, sir.

19 SUPERVISOR SWEENEY: Why? Why was it? What is the reason that
20 you didn't go to that Hayward line? That it wasn't blighted? Or
21 - they evidently don't have sewers or water there.

22 MR. HERRON: No, sir. That is correct. But we - following the
23 same logic, we could have gone clear up to Clawiter Road.

24 SUPERVISOR SWEENEY: That is quite true.

25 MR. HERRON: This is sufficient, the point we reached, to
26 satisfy ourselves that there would be no blight encroachment, close

1 encroachment, on the project area.

2 SUPERVISOR SWEENEY: But there is, at the present writing, some
3 of that near Mr. Farrell's property?

4 MR. FARRELL: Correct.

5 MR. HERRON: Right next door. Mr. Farrell's property is on the
6 other end, sir - and this line here is also the City of Hayward
7 boundary.

8 SUPERVISOR SWEENEY: That is --

9 MR. HERRON: This is the easterly limit of the City of Hayward,
10 at this point, and the westerly limit of the project area. This
11 is the southerly limit - this line is the southerly limit of the
12 City of Hayward and the northerly limit of the project area. These
13 are contiguous lines.

14 SUPERVISOR SWEENEY: All right. Then let's go north. You said
15 just a few minutes ago that the Hayward - northeast, that the Hay-
16 ward line was just above that. Is the same reasoning that you gave
17 me for the eastern part applicable to that section?

18 MR. HERRON: Yes, sir. There would have been no particular
19 purpose in carrying the boundaries to the City of Hayward line
20 along here, considering the uses and the size of the parcels. This
21 we believe is adequate to provide the buffer zone.

22 SUPERVISOR HANNON: Mr. Chairman, might I ask --

23 CHAIRMAN PURSEL: Mr. Hannon.

24 SUPERVISOR HANNON: Along the same lines of Supervisor
25 Sweeney's question, as I understand it 800 feet east of the
26 easterly-most projection you run into the Hayward line?

1 MR. HERRON: Sir, that is --

2 SUPERVISOR HANNON: Along with --

3 MR. HERRON: -- that is correct, sir. But that is a corridor.

4 SUPERVISOR HANNON: Then northerly three or four feet you run
5 into the northerly -- northerly three or four feet from the
6 northerlymost line of the project area also would be following the
7 Hayward City Line, is that correct?

8 MR. HERRON: Not quite, sir. The Hayward City Line comes up to
9 this corridor. This parcel of 3.62 acres, lying southerly from
10 West Winton Avenue, picks up - the City has taken, has annexed, at
11 some previous time, this one parcel - it brings up a narrow corri-
12 dor approximately 156 feet wide up to and across West Winton
13 Avenue, follows the same parcel line northerly until it reaches the
14 northerly limits, and then proceeds westerly.

15 SUPERVISOR HANNON: The area - the area lying to the east of
16 the railway track that is included within the project area, is that
17 considered to be blighted?

18 MR. HERRON: A good portion of it is, yes, sir.

19 SUPERVISOR HANNON: The land lying east of the railway?

20 MR. HERRON: Yes. You are referring, now, to this area?

21 SUPERVISOR HANNON: Yes.

22 MR. HERRON: That is correct, sir.

23 CHAIRMAN PURSEL: Does that answer your question, Mr. Farrell?

24 MR. FARRELL: Yes, Mr. Pursel, it does. The only thing, as
25 long as you have gone 800 feet this side of the Hayward line you
26 could go the other side. We have commercial property there, too,

1 and that is the basis of my protest. It isn't an all-inclusive
2 area. If it was all-inclusive, all Hayward, I would feel it is
3 justified - and I feel it is not. I have been on Clawiter Road,
4 you can get half acres of industrial land - and I have over an
5 acre and I feel I should be able to develop that myself.

6 CHAIRMAN PURSEL: Do you feel that to the right - I don't know
7 how you would put that, is that northerly or easterly?

8 SUPERVISOR SWEENEY: Easterly.

9 CHAIRMAN PURSEL: Easterly. You feel that that project line
10 should be extended easterly the additional 800 feet until it
11 concided with the Hayward line, the same as it does --

12 MR. FARRELL: I feel if it is going to go over that far it
13 should go all over the 800 feet up to the northerly end and make it
14 all-inclusive. I feel if this property is vacant property up
15 there above, it has been left out - I don't see why our property on
16 the other end, if they are going to move the line in on this side
17 why not have it on the other side. If they, say, to me, have a
18 little pocket - they aren't having a pocket. Our property is
19 commercial. There is a lot of development on Clawiter Road that
20 takes in less than an acre and we can develop this very nicely
21 ourselves.

22 CHAIRMAN PURSEL: Mr. Herron?

23 MR. HERRON: If we follow Mr. Farrell's reasoning, then we
24 should proceed with the exception of this one corridor approxi-
25 mately 3500 feet easterly to the entrance to the Hayward Airport,
26 or, conversely, if it is true that his particular parcel here is

1 not essentially blighted, there is no more reason this should be
2 excluded by extent of its location than any individual parcel in
3 the project area which of itself is not blighted.

4 MR. FARRELL: As I - we have a natural boundary line, West
5 Winton Avenue. There is a lot of property above that that is
6 vacant property and it is pretty well separated. I don't want to
7 take the time up, because a lot of people want to talk. But I
8 wish to protest to losing my property.

9 CHAIRMAN PURSEL: The record will show Mr. Farrell desires to
10 protest the inclusion of his property within the project area, as
11 referred to in Exhibit D, I guess it is, on the map, by Mr. Herron.
12 All right. The next speaker?

13 GEORGE SPOTT

14
15 sworn as a witness by the
16 Clerk, testified as follows:

17 THE CLERK: Your name and address?

18 MR. SPOTT: George Spott, 4882 Shetland Avenue, Oakland, Cali-
19 fornia. I am the owner of three parcels of land on the north side
20 of West Winton Avenue - two parcels being one acre in size, more or
21 less. These parcels of land are presently zoned for industrial use

22 CHAIRMAN PURSEL: Excuse me, now. Would you mind having Mr.
23 Herron locate your property on the map?

24 MR. HERRON: You are referring to both of them, Mr. Spott?

25 MR. SPOTT: I have three parcels. That is one, and two on
26 Pestdorf.

MR. HERRON: One, two, and three (indicating).

1 MR. SPOTT: Right.

2 CHAIRMAN PURSEL: Thank you.

3 MR. SPOTT: They are both well located; one has 180 foot front-
4 age on West Winton Avenue and the other has 205 foot frontage on
5 the Southern Pacific Railroad spur siding and 175 feet on Pestdorf
6 Lane.

7 I would like to protest the inclusion of this property in your
8 plans for the redevelopment of Russell City. If this property were
9 to be excluded, it would not interfere with any of your planned
10 improvements which are to be done according to your booklet dated
11 December 1962 - that is this booklet here, the Redevelopment Plan
12 for Russell City Project. Under the land use, Exhibit No. 1, your
13 plan calls for the property to be zoned industrial. This property
14 on North Winton is already zoned industrial. Under your Public
15 Road Plan, Exhibit No. 2, your plan calls for West Winton Avenue
16 to be improved, and states "within the existing rights of way" -
17 also some public roads are to be abandoned, none of which are on
18 the north side of Winton Avenue. Under the Public Improvements,
19 Exhibit No. 3, the water main will be placed in Winton Avenue and
20 the sewer line will come from the south end of Russell City. None
21 of the above - none of the above improvements would hinder - would
22 be hindered by excluding the property north of West Winton Avenue.

23 I have sent letters of protest to the Board of Supervisors and
24 the Redevelopment Agency, and I understand that most of the prop-
25 erty owners on the north side of Winton have done the same.

26 I am willing to cooperate with Alameda County, the Planning

1 Commission, the Redevelopment Agency, and the City of Hayward - but
2 protest strongly being included in the condemnation thereof.

3 Now I'd like to ask a question also on this boundary, may I?
4 Is this correct (indicating)?

5 CHAIRMAN PURSEL: Would you mind using the microphone, for the
6 record?

7 MR. SPOTT: Is this correct? Doesn't this map show this is the
8 boundary of the City of Hayward - or is this an error?

9 MR. HERRON: That is an error on that map.

10 MR. SPOTT: In other words the map is in error?

11 MR. HERRON: What exhibit is that?

12 MR. SPOTT: Exhibit 2.

13 MR. HERRON: On Exhibit 2 in the Plan, this line that I will
14 point out on the map is shown as the City of Hayward boundary
15 line. This is an incorrect showing. Exhibit 2 shows this line,
16 a northerly boundary line, as being the limit of the City of
17 Hayward (indicating). The boundary line as properly shown is this
18 heavy line, which is concurrent with the project boundary.

19 CHAIRMAN PURSEL: Does that answer your question, Mr. Spott?

20 SUPERVISOR SWEENEY: Could I ask a question of Mr. Spott?

21 MR. SPOTT: Yes.

22 SUPERVISOR SWEENEY: You started out about your own properties
23 north of Winton, then you made a statement to have all those
24 properties excluded, am I correct? Is that what you --

25 MR. SPOTT: Well, in a way I don't feel that you could exclude
26 my property and not the others. You would be --

1 SUPERVISOR SWEENEY: Well, you would be spot (Spott?) zoning,
2 so to speak.

3 MR. SPOTT: Right. So I think the only thing to do would be
4 to exclude all the property north of Winton Avenue.

5 SUPERVISOR SWEENEY: Wherein your properties are?

6 MR. SPOTT: Yes, uh-huh. Something else I would like to ask
7 also: Now, there's only approximately 14 residents on that north
8 side in approximately 32 acres, and it seems our biggest problem
9 is sewers. Now, I don't think that those 14 residents can create
10 too big a problem on 32 acres, and I would like Mr. Davis, if he
11 has the information, so that the Board of Supervisors would also
12 know, to point out the properties that are improved and the
13 properties that are unimproved, and explain the condition of the
14 properties. I think the properties are all in fairly good condi-
15 tion on the north side of West Winton Avenue, other than a few -
16 I think it would be quite an eye-opener.

17 MR. HERRON: May I answer that for Mr. Davis? He is not
18 familiar, particularly, with conditions.

19 CHAIRMAN PURSEL: You have no objections, Mr. Spott?

20 MR. SPOTT: No. No.

21 CHAIRMAN PURSEL: Go ahead.

22 MR. HERRON: The exact condition of each structure varies.
23 There are your structures that are seriously deteriorated, there
24 are others that are less deteriorated. Again for the purpose of
25 the staff - the purpose of the staff in setting those boundaries
26 was to remove all blight. You cannot say that one parcel is

1 slightly blighted, another is more heavily blighted. These areas
2 are in or surrounded by blighted conditions of one type or another.
3 We have pushed these boundaries up as far as we went not because
4 particularly there were no sewers at one house or sewers in
5 another, but to make certain that the redevelopment project area
6 was buffered over again from the encroachment of any further
7 blighting conditions.

8 CHAIRMAN PURSEL: Does that answer your question, Mr. Spott?

9 MR. SPOTT: Well, I still protest very strongly. I want to go
10 on record. I don't think that that property is as blighted as it
11 is meant to seem. There are some fine homes in there. I know the
12 area quite well, and there aren't many residents living in that
13 area - many of the homes only have two people living in them, so
14 it's not much of a problem. And a lot of it is vacant land. And
15 I don't know who you can call vacant land too blighted.

16 CHAIRMAN PURSEL: Mr. Herron?

17 MR. HERRON: May I answer again, sir - there is no more reason
18 to exclude a piece of property such as Mr. Farrell's or Mr. Spott's
19 because it is vacant land than there would be to exclude any other
20 piece of property anywhere in the project area because it was
21 vacant land.

22 MR. SPOTT: I can't go along with that. Some of the properties
23 in the other areas - I know we're not here to argue - are small
24 parcels, there's clouds in the titles, there's streets that have to
25 be done away with, and all kinds of problems. North of Winton
26 Avenue we have none of those problems - and we have all large

1 parcels of ground. And I don't thing that cattle operation that
2 we were referring to up there is very large - I think there is about
3 three or four cows there on five acres of ground - it is more of a
4 hobby than anything else.

5 SUPERVISOR HANNON: Mr. Chairman, could I ask Mr. Spott a
6 question?

7 CHAIRMAN PURSEL: Mr. Hannon.

8 SUPERVISOR HANNON: Mr. Spott, would you be willing to parti-
9 cipate with the Redevelopment Agency in the development of your
10 property?

11 MR. SPOTT: I have stated that in letters to the Board of
12 Supervisors and the Planning Commission, and I have stated it
13 tonight also - yes.

14 SUPERVISOR HANNON: As I understand it, Mr. Chairman, this is
15 perhaps a question of Mr. Herron, the last three speakers, Mr.
16 Spott, Mr. Farrell, and the Santucci Brothers, are all willing
17 apparently to participate with the Redevelopment Agency in the
18 development. I understand the enabling legislation allows owner
19 participation. Would you tell us the requirements on owner
20 participation in redevelopment?

21 MR. HERRON: Owner participation, in general - this is not a
22 statutory requirement, but owner participation in general with
23 redevelopment projects in the State of California has been limited
24 to one or - one of two items; either the extension, alteration or
25 expansion of an existing structure or operation on the property,
26 or the demolition and reconstruction of a new physical property on

1 the land. There have been, insofar as we can find, no individual
2 occasions in the state wherein owner participation was permitted
3 on vacant land.

4 SUPERVISOR HANNON: Under the legislation setting it up it is
5 permitted, though, is that correct?

6 MR. HERRON: Yes, sir.

7 SUPERVISOR HANNON: And are there minimum requirements as to
8 acreage, or anything such as that, as to when an owner can parti-
9 cipate?

10 MR. HERRON: No, sir. That would depend on the zoning.

11 MR. SPOTT: Thank you very much.

12 CHAIRMAN PURSEL: Thank you very much, Mr. Spott. Next speaker.

13 ROBERT KENNON

14 sworn as a witness by the
15 Clerk, testified as follows:

16 THE CLERK: Your name and address?

17 MR. KENNON: My name is Robert Kennon, 16662 Rolando Avenue,
18 San Leandro. I would like to object to this plan on the grounds of
19 the entire people of Russell City. I own a piece of property with
20 my mother, Mrs. Kennon. We don't think our property should be
21 included. But I think there is a bigger issue.

22 CHAIRMAN PURSEL: Could I ask you, Mr. Kennon, if you don't
23 mind, what is the address of the property, so that Mr. Herron, for
24 the record --

25 MR. KENNON: It is about 100, 200 feet from the corner of
26 Louisiana and West Winton, on the west side.

1 CHAIRMAN PURSEL: Right in there.

2 MR. KENNON: It is a vacant lot, so it does not have an address,
3 to my knowledge.

4 CHAIRMAN PURSEL: Thank you.

5 MR. KENNON: In the first place, I think that there could have
6 been a better plan adopted for Russell City. I used to work in
7 Oakland on the Urban Renewal Department, and usually when plans
8 like this are taken up for redevelopment they are done with
9 Federal assistance - this helps to remove a lot of expense from
10 the County.

11 If this plan is taken up purely by County participation, as is
12 considered for Russell City here, the entire burden is going to
13 fall on the people of all Alameda County. I think if there is any
14 chance for extra funds to come in from the Federal Government - and
15 they are large funds - that the taxpayers of Alameda County do
16 deserve to have that help with Russell City.

17 Secondly, in connection with this plan I'd like to point out
18 this fact, that there are guarantees, at least two specific guaran-
19 tees, that come to the people on the federal plan which do not come
20 under the plan which is adopted for Russell City. These guarantees
21 would be for the betterment of the people, they would give them
22 additional privileges and extra protection. One point is that if
23 - if you have a federal plan there is a stipulation that the people
24 must be relocated within the neighborhood in which they are
25 presently residing or own property. This is usually taken to be,
26 say, within one half an hour's driving distance.

1 Now, in the case of federal - Russell City, under this County
2 plan, I was at one meeting and it was said that the redevelopment
3 - that the relocation officer was looking for homes for people as
4 far away as Albany. I don't think that it is any way logical that
5 people in the Russell City area who have to work in this area are
6 going to be shunted 'way over to another county, practically
7 speaking.

8 Secondly, there is another point which is involved - that is,
9 that under the federal plan the people have a chance to say what
10 will happen to them. There has to be what is known as a workable
11 plan, there has to be a community participation. None of that is
12 being given to the people under this Russell City plan.

13 Now, this comes to the question as to why is this not being
14 given. I'd like to point out the fact that in this area, in
15 Russell City, that there is a considerable number of minority race
16 people, Latin and Negro people. Now, this area - let's call the
17 shots like they are - the Hayward area is one of the most racially
18 segregated areas on housing in the United States of America. Now,
19 that is a fact (applause).

20 CHAIRMAN PURSEL: Just a minute, please.

21 MEMBER OF AUDIENCE: Well, it's fact. He's telling facts. It's
22 true, but it's facts.

23 MR. KENNON: Now, how do these people happen to be in Russell
24 City in the first place? Now, if we go back in the history in this
25 area we will find that most of the people in Russell City are
26 immigrants during the wartime to this region. They came here - I'm

1 not only talking about colored people now, or Latin Americans - I
2 am talking about white people, too. When they came to this area
3 they found a great deal of conservatism, they weren't wanted in
4 separated regions, the housing was short - Russell City was one of
5 the areas where they could go to get a home.

6 Now, these people have sweated it out in this region. There
7 have been attempts on the part of these people time after time to
8 get services in to this area. I myself organized a Community
9 Service District with these people and they worked along 100% to
10 have this put in. Now, the Board of Supervisors was the group that
11 broke that Community Services District in two, so it was impossible
12 at that time for the services to come down West Winton Avenue to
13 Russell City. That is a fact, it's in the record.

14 Now, it happens that in this region, as of this time, all the
15 area surrounding Russell City have developed on a very beautiful
16 pattern, and if the people were left for a season or so the facts
17 and development in this area are that the industrialists, or who-
18 ever is going to get this property in the end, would have to pay
19 for that property at a fair market commercial price - not a low
20 zone price now for a few hundred dollars and up, when a thousand
21 dollars and five hundred dollars now and then a year or so later
22 see that same property sold for five or ten thousand dollars.

23 This whole plan should be dropped, because it is being taken
24 on the basis of what is good for industrialists. It's not being
25 taken up on what is good for the people in this region. I think
26 that the primary consideration is for the people.

1 Now, as a property owner in this region I would say this: Any
2 industrialist that wants to come to me and pay me an industrial
3 price for my property is able to have that property now. But, on
4 the other hand, if we take up this plan the people are paid low
5 money, they are forced to go away and try to get homes with not
6 enough money to buy in a new region. This is creating partiality.

7 Now, let the people stay where they are. Have some considera-
8 tion for the people. I may say this, further, that as a colored
9 man there is widespread interest among the colored groups as to
10 what is happening in Russell City. Now, we have powerful organi-
11 zations that think that too many black people are losing too much
12 property too cheap in this area.

13 MEMBER OF AUDIENCE: Amen.

14 MR. KENNON: Now, this is just the way it is. Now, we have
15 organizations that are tying up people on the national level.
16 Those people and those organizations - I am going to say this, that
17 there are those of us that intend to not let this thing go down
18 the drain easily. If the Board of Supervisors will consider well
19 protecting the civil rights of the colored mission - of the
20 colored people in this case, I think it would be for the best
21 interests of these people - it would be for the best interests of
22 the Board of Supervisors in this area.

23 There are politicians sitting in this room that are living in
24 towns where they have a very heavy colored vote, and I think that
25 they should consider well that the people are not going to take
26 this thing laying down, if our people are driven down hundreds of

1 thousand dollars' worth of property for nothing. That is my
2 objections (applause).

3 CHAIRMAN PURSEL: Please, let's try and be courteous to every-
4 body and everybody will have an opportunity to speak that wishes
5 to speak that falls in any of these categories, but, please, let's
6 maintain an orderly procedure and please don't applaud, no matter
7 who is the speaker. Thank you very much. Mr. Davis, would you
8 care to comment on the statements of the last speaker for the
9 record?

10 MR. DAVIS: For the record, sir - is this mike on?

11 MEMBER OF AUDIENCE: No.

12 MR. DAVIS: Is this mike on?

13 CHAIRMAN PURSEL: Yes.

14 MR. DAVIS: For the record, sir, on the public meeting held in
15 the Russell City School some two or three months ago it was stated
16 in answer to a question "Where was relocation housing being sought?"
17 The answer was "Within all of Alameda County." Naturally, this did
18 mean Albany to the north, but certainly Livermore to the south,
19 and all of the areas that contain Alameda County. It did not mean
20 that any person would be specifically placed in Albany if he
21 didn't wish to go. On that point, sir, I think that, as a County
22 Agency, the law enables such an agency to look for relocation
23 housing within the area in which it has jurisdiction over - that
24 accounts for the differences between a city holding it's reloca-
25 tion housing seeking to the city boundaries, differentiating
26 between the city and the county. I think those are the two points

1 he covered in regard to relocation.

2 CHAIRMAN PURSEL: Thank you very much. Mr. Herron, would you
3 care to comment for the record on that statement?

4 MR. HERRON: I think the members of the Redevelopment Agency
5 have on several occasions when sitting as members of the Board of
6 Supervisors received the reports of the technical advisory com-
7 mittee which dealt with the comparison between proceeding with
8 this under federal participation and under our own system.

9 I disagree strongly with Mr. Kennon that there is any free
10 money of federal funds of any type whatsoever. Actually, to carry
11 out this program under the federal requirements would have cost us
12 somewhere in the neighborhood of \$5,000,000 - a large part is not
13 for payments to people on the land but for expensive public im-
14 provements, the expenses which must be borne by the agency.

15 Now, insofar as the effect of a so-called workable program is
16 concerned, this program obligates nobody, except in the sense of
17 satisfying the Federal Government that the basic government or
18 local public agency is sound, and I don't think in the county of
19 Alameda we have to make up any program to convince the Federal
20 Government of that; in the second place - or, rather, succeeding,
21 insofar as the price of land is concerned, I will point out to Mr.
22 Kennon that the appraisal procedures for the purchase of lands in
23 Russell City is identical with that carried out under the federal
24 plan.

25 CHAIRMAN PURSEL: Thank you very much. Next speaker that
26 wishes to address this Board?

HIAWATHA IRVING

sworn as a witness by the
Clerk, testified as follows:

THE CLERK: Your name and address?

REV. IRVING: I am Hiawatha Irving, Pastor of the First Baptist Church in Russell City.

CHAIRMAN PURSEL: Could I ask you, sir, we're - pardon me one moment, we're trying to follow along the procedure set forth on the agenda, and --

REV. IRVING: I have property there.

CHAIRMAN PURSEL: -- we are now in the category of hearing persons who own property in the project but live outside the area.

REV. IRVING: And I own property there.

CHAIRMAN PURSEL: And you live outside the area?

REV. IRVING: I live in Oakland, 1366 34th Street.

CHAIRMAN PURSEL: Thank you, sir.

REV. IRVING: I own property, I think it is 105 feet, on the street they call Casper, I think it is. I also own a lot 25, I believe, by 125 on Louisiana Street, which I guess is about four or five lots, I don't know just how it is - but, anyway, for the last 15 years I've been working approximately in Russell City, and the question was in my mind as I heard the condition of Russell City, I know it to be - why is it? The answer that came to me tells me that any area where people are not allowed to improve their property will go down.

The second question in my mind I think was mentioned some years

ago, back in 1956, I believe - I'm one who asked the Board of Directors to consider Russell City being a residential area, for I know the struggle that the people had gone through. I know one family who attempt to buy property elsewhere, but they told them that Russell City was where they belong - that man is in the building tonight, and he built a home in Russell City, as well as the others, I'm sure, with the permit that was given to him by the - whosoever give them, and today he's living in a blighted area.

I also heard mention on last week the - I think the Assistant Director of the Board of Health of Russell City mentioned the condition of Russell City and since I've been working in the area of Russell City they have - the Board of Education rented the church which we now own as a kindergarten school, and again I thought, again, about the many trees that were - apricot trees, that were along the area, while people were endeavoring to seek housing or to better their housing, or to build houses, there were fruit trees which were purchased and many projects - or, many houses, have been built.

The question in my mind is - why did not the Board of Supervisors, or whosoever as I have forestated give the permits, give the people an opportunity as they were building around the area of Russell City? Now, Russell City, in plain - in plain words, I believe, is condemned.

And I heard it mentioned about a fair price. Does condemned land have any market value? I'd like to direct that question to anyone who will answer it.

1 CHAIRMAN PURSEL: Mr. Herron?

2 MR. HERRON: Reverend, the land is not condemned, sir.

3 REV. IRVING: I see. Oh, I see. The land is not condemned,
4 but the --

5 MR. HERRON: There are - there are a few structures on the land
6 which are posted against human occupancy.

7 CHAIRMAN PURSEL: But no land has been condemned?

8 MR. HERRON: That's correct, sir.

9 REV. IRVING: I also heard it said that any sound dwelling in
10 that area would be as a blighted area, so I was under the impres-
11 sion that the land also was considered as being condemned.

12 Again I would like to make this statement - I asked the Board
13 of Supervisors in Oakland one day in a meeting to consider the -
14 to give the people of Russell City a chance, and they would im-
15 prove their properties. That has been many years ago. They would
16 improve the living conditions in Russell City. I know them. I
17 work with them. I pastor them. But we were failed to be con-
18 sidered.

19 The next question is, I heard the Redevelopment - or, Relo-
20 cation Agency, I guess it must have been, a member of it, saying
21 that from Livermore to - well, all over Alameda County they're
22 going to redevelop. I happen to be in the ministerial associa-
23 tion here of Hayward, of which I have been a member of, and I heard
24 this plea made, asking the ministers of the area about the - being
25 courteous and making possible plans of helping the people, ad-
26 vising their people for - to not be segregated against - not

1 segregate against the housing. But I would like to say also, as
2 long as the world stand, as long as people feel that they don't
3 want you in their neighborhood, I'm one person that don't want to
4 be there.

5 So this is more than just relocating people. This is people
6 who have spent their lives for their homes, what they call home.
7 This is people who have sacrificed all that they - some of them
8 will never get another home. And if you move them out, you will
9 destroy them for all that they ever had.

10 I'm asking again, as I said, give this - I'm speaking, I
11 believe, for several of the members of - of the people that live
12 in Russell City, to give these people a chance, and they will show
13 you. I'll build homes. I have enough land to build a apartment
14 house, or possibly a dwelling unit. If the people are given that,
15 a chance, they would have been - they wouldn't have been in the
16 condition that they are in, because I would have stood in my pulpit
17 as I've stood already and advised them to clean up around your
18 houses - and I can name many - I've seen the pictures here of
19 that - that were taken, and I can name - why didn't they go down
20 and take Buster Brooks' house, why didn't they take Austin Wigfall's
21 house, why didn't they take Prior's house, a picture of it, why
22 didn't they take Leona Alvinson's, a picture of her house, why
23 didn't they take a picture of Andy Gillette's house, why didn't
24 they take a picture of the late Fred Bigham's house - it's many
25 houses there that would - would not cast such a reflection on
26 Russell City. I know. I know all the good houses out there, and

1 I know the shacks and shanties, I know the people that live there.
2 I have worked in that area almost 15 years.

3 And may I say that I have property there, I'm buying property
4 there. I bought it when you redevelop this thing - I'm going to
5 sit down in just a minute - I bought property there when you zoned
6 this as a redevelopment - as a industrial land. I hold a license
7 with the State, as well - I can also build an industry and operate
8 it. I have a license from the State. I'm a small businessman as
9 well as a minister, and I bought the property that I felt that
10 would supply my need that I could give somebody a job, that I could
11 help somebody earn a living. But now they tell me that I have to
12 sell it.

13 Thank you. I hope you consider that.

14 CHAIRMAN PURSEL: Thank you, Reverend. Mr. Herron. would you
15 care to make any comments?

16 MR. HERRON: One thing, sir. There has been repetition in all
17 of these public meetings and hearings of the proposal to "let the
18 people build on the land, they'll take care of everything." There
19 are 209 parcels of the 594 that are owned by resident owners; the
20 greater proportion of parcels are owned by non-resident owners,
21 many of whom have no interest in the area. I think both Mr.
22 Kennon and The Reverend Irving have made reference to the Russell
23 City Community Services District. Why this failed completely I
24 don't know of my own personal knowledge, but certainly one very
25 strong element of failure in there was the failure of the owners
26 to back up the process which would have brought sewers and water

1 in under special assessment district proceedings.

2 MEMBER OF AUDIENCE: That is not so, sir. That is not so. That
3 is not so.

4 CHAIRMAN PURSEL: Just a minute. Finish, Mr. Herron.

5 MR. HERRON: To provide adequate sewers and water now would
6 cost in excess of \$600,000. Who would pay the \$600,000?

7 CHAIRMAN PURSEL: Thank you, Mr. Herron. Anybody else who
8 wishes to speak at this time, who owns property within the project
9 area but does not live there?

10 SUPERVISOR HANNON: I would like to ask both Mr. Kennon and
11 Mr. Irving a few questions. This is a hearing, I'm trying to
12 acquire information here, and I ask them sincerely so I can arrive
13 at an opinion. The first question - you know the area well --

14 MR. KENNON: Yes, sir.

15 SUPERVISOR HANNON: -- do you consider in your opinion it is
16 a blighted area?

17 MR. KENNON: The area is in an area - first, I think the
18 County Officers have pointed out that there is nothing that can be
19 called Russell City Area; now, there have been various people here
20 have pointed out that on one count - say, for instance, their
21 property cannot be blighted because there is nothing on there -
22 "My property cannot be blighted because there is nothing on there."
23 Most of the property in Russell City there is nothing on, so that
24 property cannot be blighted - no matter what the experts say here,
25 it's not possible for vacant property to be blighted. Now, I
26 would say that, as the good reverend has pointed out, that there

1 are many structures there that are in good condition and, curiously
2 enough, we never see pictures of those properties which are in good
3 condition. There are a number of structures which are in bad
4 condition, but why are they in bad condition? The fact is that
5 there are no permits allowed to bring them up into good condition.
6 That happens to be the fact.

7 Now, with respect to this gentleman's remark that -

8 CHAIRMAN PURSEL: Excuse me one minute, Mr. Kennon. I think
9 the question was --

10 SUPERVISOR HANNON: I think he has satisfactorily answered it.
11 I know myself. I have been down there. Some are not blighted.

12 There is one other question: Would you be willing to partici-
13 pate with the Redevelopment Agency in redeveloping the area?

14 MR. KENNON: In what way?

15 SUPERVISOR HANNON: Well, as I understand it, under the
16 enabling legislation the Redevelopment Agency can participate with
17 the owners in redeveloping it. As I understand it, this is
18 industrial - excuse me, excuse me, let me ask Mr. Herron: Is
19 that - is that participation redevelopment - would that be
20 participation in industrial redevelopment?

21 MR. HERRON: Yes, sir.

22 SUPERVISOR HANNON: Mr. Kennon, would you be willing to parti-
23 cipate with the Redevelopment Agency in industrial redevelopment
24 of the area?

25 MR. KENNON: On what basis, sir? That this is my property and
26 they bring an industrialist to me to buy it from me?

1 SUPERVISOR HANNON: I assume that is the way it will work.

2 MR. KENNON: Is that what you mean?

3 SUPERVISOR HANNON: You and the Redevelopment Agency, I assume,
4 would sell your property jointly to the industrial developer.

5 MR. HERRON: No, sir. This is not "participation," in the
6 sense of the sale. Owner participation in a redevelopment project
7 consists of the owner developing his property, either by the
8 addition of - as I mentioned before, either by altering, extending,
9 or expanding his existing business or structure on the land, or
10 demolishing an old one and constructing a new one to the new pur-
11 poses. It is not a sale participation basis.

12 SUPERVISOR HANNON: Is sale participation precluded by the Act?

13 MR. HERRON: Yes, sir. All land must be held by the Agency, in
14 fee.

15 MR. KENNON: Then your answer is that you would --

16 MR. LEWIS: Just a moment. May I interrupt just a moment? If
17 Mr. Hannon's question was "Does the enabling act mention anything
18 in regard to this type of plan, as far as owner participation?" -
19 it does not.

20 I think what Mr. Herron has meant is that under our plan as we
21 have developed it, the staff plan as presented to this Board, the
22 plan does not call for participation, because of the opinion of
23 the - the staff drawing the plan it was impossible under the cir-
24 cumstances to make it work. Does that answer your question?

25 SUPERVISOR HANNON: Not entirely. Doesn't the State enabling
26 legislation make provisions for - perhaps in a general sort of

1 way, doesn't it make provision for owner participation in redevelop-
2 opment?

3 MR. LEWIS: There is a section which has been interpreted by
4 the courts to provide permissively for participation by owners.

5 SUPERVISOR HANNON: Now, under this particular section, or -
6 which has been so interpreted, there is nothing in that to preclude
7 an owner participation in the sense of sale, or is there?

8 MR. LEWIS: There is nothing specifically mentioned in this
9 section. All it says is that the plan may provide for owner
10 participation.

11 SUPERVISOR HANNON: Does the enabling legislation require the
12 title of the land to vest in the redevelopment agency?

13 MR. LEWIS: If the plan provides for condemnation, it does.
14 And if it's necessary to - to promote the purposes of the plan by
15 acquisition of the land, yes, then the land must vest in the County,
16 which is the situation here, Mr. Hannon.

17 SUPERVISOR HANNON: I want to separate the state laws from the
18 policies arrived at by the staff, or the redevelopment agency. So
19 far as the state law is concerned you could have owner participa-
20 tion, in the sense of --

21 MR. LEWIS: You could have owner participation in any plan if
22 it provides for it, under the law.

23 SUPERVISOR HANNON: Under the state law it is not necessary
24 that the title vest in the redevelopment agency.

25 MR. LEWIS: It is not, per se, necessary for the title to vest
26 in the agency, if the plan does not call for it. If the plan calls

1 for it and it's necessary to execute it by having the agency ac-
2 quire the land, either by condemnation or acquisition, one way or
3 the other, then of course it is necessary for title to vest in the
4 agency - it must necessarily do so.

5 SUPERVISOR HANNON: Mr. Kennon - I'm not trying to interrupt
6 you, but I asked you, as I understand it - perhaps I will ask it
7 again: Would you be willing to participate with the Redevelopment
8 Agency in the industrial development of your property?

9 MR. KENNON: Well, sir, if the agency had a plan that would
10 allow me the maximum opportunity to participate. This is one of
11 my objections to this plan, because it allows nothing except the
12 property - that the property be taken from the people and sold to
13 the Redevelopment Agency. I'm saying this is one of the reasons
14 why this is a bad plan.

15 Now, there are areas, even under the present setup, where other
16 things could be done to give the people more of a chance - for
17 instance, I am a general building contractor, I am a promoter of
18 these type of things. Now, I qualify as an industrialist. I have
19 property. Under this plan the only thing that there is for me and
20 people in my category who presently own the property is for this
21 Agency to take the property and to sell it to some other indus-
22 trialists - at an inflated price, when they have only paid me a low
23 price for this.

24 Now, that's one of the things that is wrong with this plan. And
25 there are other items which are too restrictive about the plan -
26 despite what they say against the Federal Government, it is a fact

1 that there are Federal funds available and that under the federal
2 plan there is a chance for owner participation. As a matter of
3 fact, this is one of the conditions of the federal plan.

4 CHAIRMAN PURSEL: Do you have any further questions?

5 SUPERVISOR HANNON: I might ask Reverend Irving the same two
6 questions I asked him.

7 CHAIRMAN PURSEL: Reverend, would you mind coming up?

8 SUPERVISOR HANNON: Reverend, the first question I had was -
9 do you consider the area as a whole to be blighted?

10 REV. IRVING: On the area as a whole, there are some good
11 residences there, there are - as I pointed out a few minutes ago,
12 that there is one resident, or several that I could name, that are
13 as good - Austin Wigfall has a residence as good as anybody's,
14 inside and outside.

15 CHAIRMAN PURSEL: I think we are familiar with that. We know
16 that, Reverend.

17 REV. IRVING: You know, don't you. Mr. Brooks has a residence--

18 CHAIRMAN PURSEL: Yes, yes.

19 SUPERVISOR HANNON: Perhaps, Reverend, you misunderstood my
20 question - the two questions I have. Perhaps I could ask the
21 second one: Would you, as an owner in the area, be willing to
22 participate in an owner-redevelopment agency joint project - in
23 other words, owner participation in redeveloping the area? Would
24 you, as an owner, be willing to participate with that?

25 REV. IRVING: I would be willing to participate to - that
26 depends to what extent.

1 SUPERVISOR HANNON: Well, I understand the participation would
2 have to be in the sense of industrial development under the exist-
3 ing state law. Would you be willing to participate for industrial
4 development, rather than any other?

5 REV. IRVING: I would rather not.

6 SUPERVISOR HANNON: Thank you very much.

7 CHAIRMAN PURSEL: Thank you. Thank you. May I ask a question
8 of Mr. Lewis, if you would briefly comment, Mr. Lewis, on the
9 proposed plan as to whether or not this plan contemplates or in any
10 way provides for an opportunity for owner participation?

11 MR. LEWIS: No, Mr. Chairman. I might add that the comments
12 that were previously made in regard to participation, as set forth
13 in the federal program - I cannot state to my knowledge what the
14 federal law is on this; however, I am lead to believe by the cases
15 I have examined, annotated in our California law, the Community
16 Redevelopment Act, that the federal plan does not provide neces-
17 sarily in all cases as a mandatory requirement that there be owner
18 participation. For example, in Fellow vs. The Redevelopment Agency,
19 157 CA2d 243, which was a case arising out of the San Francisco
20 redevelopment program over there, which, as I understand, was
21 federally assisted, the court, in construing the law, California
22 law, which is substantially similar to that which has been enacted
23 by Congress, held that the sections involved, and I'm speaking
24 specifically of 33701 and 33702 of the Health & Safety Code, do not
25 require participation as a mandatory requisite.

26 Now, then, we get further into the problem involved. I do not

1 know the specific conditions, as far as title of any particular
 2 piece of property, but I have heard - it is my understanding, that
 3 many of these properties have problems with titles. Now, in
 4 considering owner participation, what would happen if the owner
 5 agreed to participate but could not grant clear title to any
 6 purchaser, if the land were to be acquired? This would mean that
 7 there would have to be quiet title, it would have to be brought by
 8 the landowner at his expense - there are a number of different
 9 factors that I'm sure have not been considered by some of the
 10 persons speaking this evening, insofar as why or why not the plan
 11 should require participation.

12 I can state that it is the feeling of the staff, and I'm
 13 speaking as counsel for them, that owner participation is not
 14 feasible under the circumstances.

15 I'd like to add that if participation is a desirable part of
 16 the plan, that the law does in that case provide it must be
 17 reasonable - that is, it cannot be given to some and denied to
 18 others. So, with that I will end.

19 CHAIRMAN PURSEL: I think that will suffice. Thank you very
 20 much, Mr. Lewis.

21 May I just, before the next speaker makes his presentation,
 22 remind those who are waiting for their turn to address the Rede-
 23 velopment Agency that we have asked that you limit your remarks,
 24 if you will, not to exceed three minutes, and that if you will
 25 limit your remarks - make them pointed to your specific reasons
 26 why your particular property should or should not be included

1 within the project, and perhaps it might facilitate your questions
 2 if you directed a question to the - one of the members of our staff.

3
 4 P. E. PARENT

5 sworn as a witness by the
 6 Clerk, testified as follows:

7 THE CLERK: Your name and address?

8 MR. PARENT: The name is P. E. Parent, I'm representing my
 9 wife, who resides at 650 East 17th Street, Oakland 6, California.
 10 Mr. Chairman, since my question will depend on the clarifica-
 11 tion of various paragraphs and sections of your plan I think I need
 12 more than three minutes - however, I'll try to confine myself
 13 within the three minutes. I believe, since this report here needs
 14 a lot of clarification, I should be given time enough to phrase
 15 my question after you have explained the terms that need to be
 16 clarified.

17 Mr. Chairman and Members of the Agency, I'm not here to ques-
 18 tion your integrity, your honesty, nor the veracity of your
 19 reports, the Agency's report, nor the Grand Jury report. However,
 20 there are many of us here willing to concede that this particular
 21 area is a blight area, but the responsibility for its blight and
 22 its worsened condition over the period of years could be laid at
 23 whose door? That is an open question.

24 In view of the fact of the many restrictions that were placed
 25 on the property owners regarding making improvements on existing
 26 buildings in this area, or even getting permits to build new
 homes - now the plight of this here area may be due to its location

1 for one factor, since it lies in an area bounded by a railroad on
2 one side and a private dump on one end, and a hog farm on the
3 other. Well, we'll think about that, that's the question, regarding
4 the plight of this area.

5 Now, turning to page 7, under section C, number 2, "The Rede-
6 velopment of all lands within the project area is necessary to ef-
7 fect the purposes of the Redevelopment Plan. To this end the
8 exercise of eminent domain by the Agency to acquire properties
9 which owners either will not sell to the Agency or cannot partici-
10 pate in the Redevelopment thereof..." Now, since I would dare say
11 that 99% - 99-44/100ths of us here are not a member of the Cali-
12 fornia Bar Association, I would like you to clarify these legal
13 terminologies.

14 CHAIRMAN PURSEL: What specific question do you have?

15 MR. PARENT: I'm coming to them. There are several. "-- or
16 where such action is necessary to clear clouded titles, is con-
17 sidered essential to execution of the plan." Now, who will pay,
18 inasmuch as you ask us to relinquish our rights, turn our property
19 over to your for administration, we will no longer have the right
20 to administer it - who will pay the costs of clearing these titles?

21 CHAIRMAN PURSEL: All right. If I may, that is Question No. 1.
22 Mr. Lewis, would you answer that question?

23 MR. LEWIS: The answer to this question is that if it's neces-
24 sary to condemn property the title will be cleared in that action,
25 the judgment will be granted by the court. The Agency will bear
26 the expense of the condemnation action.

1 MR. PARENT: All right. Okay. Well, that is clarified.

2 MR. LEWIS: Further, now, if any land is acquired - if condem-
3 nation has not been used and the title is clouded it would be
4 necessary for the Agency thereafter to file a quiet title action to
5 clear any of the clouds from the title, to be borne at Agency
6 expense.

7 CHAIRMAN PURSEL: Question No. 2 coming up.

8 MR. PARENT: Now, the second paragraph under the same No. 2,
9 Section C - "Should it be necessary for the Agency to acquire
10 property by condemnation..." all of such property should be paid
11 the fair market value of said property as required by law. Now,
12 here's the clause, "Further, no action to acquire by condemnation
13 shall be initiated by the Agency unless there are funds adequate
14 for and committed to the purpose." Now, in the interim what agency
15 or authority will administer our account and transfer properties as
16 read into the plan?

17 CHAIRMAN PURSEL: Specifically your question is directed to
18 Mr. Lewis? Go ahead.

19 MR. PARENT: It says, "Further, no action to acquire by con-
20 demnation shall be initiated by the Agency, unless there are funds
21 adequate for and committed to the purpose." Now, in the interim
22 - that is, in the time between you getting the funds to acquire
23 property and the time that the property is disposed of - what
24 agency, or - what agency or authority will administer or account
25 in transfer of property entered in the plan?

26 MR. LEWIS: I think I can say to this question: This section

1 provides that eminent domain or condemnation will not be authorized
 2 until the Agency has budgeted - that is, funds earmarked - for the
 3 acquisition of any particular property or properties. In the
 4 eminent domain law immediate possession is not provided for in
 5 redevelopment projects; therefore, if eminent domain is commenced,
 6 pending judgment by the court there is no taking of title and the
 7 landowner is free to do with his property as he wishes to. Of
 8 course, on the filing of an eminent domain action there is what
 9 lawyers call a "lis pendens" action, or pleading, which is filed
 10 with the Recorder, which contains a description of the property
 11 subject to the lawsuit.

12 Now, any person who acquires a property pending that time
 13 knows that there is a lawsuit pending to acquire it. But I think
 14 in specific answer - until the property is acquired the owner of it
 15 has control over it and remains in possession if he wants to, and
 16 otherwise has all the - the requisites of a landowner.

17 CHAIRMAN PURSEL: Next question, Mr. Parent? Go ahead.

18 MR. PARENT: Yes, No. 3, on the same section - "All properties
 19 acquired in the project area will be managed by the Agency until
 20 the land is disposed of. Once vacated by bona-fide owners or
 21 tenants..." - and etcetera.

22 Now, my question is this: During the period of time the
 23 Agency acquires the property and until the property is disposed of,
 24 will present owner pay taxes and/or assessments on property? Im-
 25 provements made by the Redevelopment Agency?

26 CHAIRMAN PURSEL: Mr. Herron, will you answer that?

1 MR. HERRON: Once the title passes to the Agency, sir, all
 2 responsibility is on the Agency, the owner is relieved.

3 CHAIRMAN PURSEL: Thank you.

4 MR. PARENT: In other words, the property owners will have to
 5 assume the additional taxes or assessment for the improvements
 6 you shall make?

7 MR. HERRON: No, sir. None at all.

8 MR. PARENT: Okay.

9 CHAIRMAN PURSEL: If you have any more questions, Mr. Parent -
 10 we are going to have to move along, if you don't mind.

11 MR. PARENT: Well, I know, but this plan should be explained,
 12 you know, so that a layman can understand it.

13 CHAIRMAN PURSEL: We appreciate that. If you will recall, at
 14 the first meeting we went over the plan in very great detail -
 15 but, go ahead, if you have any specific questions. I just urge you
 16 if you will to hurry as fast as you can.

17 MR. PARENT: Now, under Section D, Public Improvements, under
 18 "General" - "In general, the kind and extent of improvements to be
 19 constructed or installed at public expense as part of this plan
 20 will be limited to that necessary to provide essential basic
 21 services to the project area." I don't know just to what extent
 22 you are going to make basic services.

23 CHAIRMAN PURSEL: Would you answer that, Mr. Herron?

24 MR. HERRON: A basic service --

25 MR. PARENT: And who pays?

26 MR. HERRON: A basic service makes available only what you

1 might call a connection point, the water and the sewer - from that
2 point on, insofar as any service within the area is concerned, none
3 will be provided at public expense. At the present time the City
4 of Hayward has agreed, and a legal agreement is in process, to bear
5 the expense of extending the water main in West Winton Avenue and
6 of bringing a sanitary sewer interceptor only to or within the
7 project limits, at City expense.

8 CHAIRMAN PURSEL: Thank you.

9 MR. PARENT: Now, another - under 2, Public Road Improvements,
10 "As shown on the Public Road Plan, Exhibit 11, it is proposed to
11 improve West Winton Avenue from Clawiter Road westerly through the
12 project area. The improvement will consist of reconstruction with-
13 in the existing right of way lines to provide a transverse sec-
14 tion adequate for industrial traffic, and a widened travelled way.
15 This is a County road, and the improvement will be carried out by
16 the County of Alameda as a non-cash grant-in-aid project."

17 Gentlemen, this is beyond my understanding, comprehension -
18 understanding. I don't know what the hell - pardon the language --

19 CHAIRMAN PURSEL: Mr. Herron?

20 MR. PARENT: -- a non-cash grant-in-aid project is.

21 CHAIRMAN PURSEL: Mr. Herron? Go ahead, will you answer the
22 question?

23 MR. HERRON: Aids to a redevelopment project may be in two
24 forms; either cash granted for any purpose whatsoever, or a non-cash
25 grant-in-aid, which is, simply, the providing of a service or a
26 facility by another governmental body. In this case, the County of

1 Alameda, out of its special road improvement fund, will improve
2 West Winton Avenue within those limits.

3 CHAIRMAN PURSEL: Thank you. Go ahead, Mr. Parent. You have
4 had about eight - eight and a half minutes, now.

5 MR. PARENT: Now, under the same section, Number 4-A, "As shown
6 on Other Public Improvements Plan, Exhibit III, it is proposed to
7 bring a sanitary sewer interceptor line from the sewage treatment
8 plant of the City of Hayward, lying southerly and easterly from
9 the project area, to or within the project area boundaries." You
10 have explained that. Now, B, Domestic Water Supply --

11 CHAIRMAN PURSEL: Could I make a suggestion - pardon me, Mr.
12 Parent, if you will, just a minute. I think it would be appropriate
13 at this time, in view of the fact that we have a reporter here who
14 is taking everything that is said verbatim for the record - per-
15 haps it would be appropriate if we give him a rest. So we will
16 declare a recess now.

17 May I suggest, Mr. Parent, that during the interim, during the
18 recess, that you ask any of these questions of the staff - I'm
19 sure they will be able to answer any of them.

20 MR. PARENT: Well, maybe others present would like to have
21 this answered, too.

22 CHAIRMAN PURSEL: Well, I would appreciate it if you would ask
23 some of these questions of the staff during the recess, and then
24 we will take up the meeting after that, if that is all right.

25 We'll recess, then, for five minutes.

26 (SHORT RECESS)

1 CHAIRMAN PURSEL: Will you all be seated, please. All of those
2 in the aisle, will you please take your seats. Are the members of
3 the staff ready to continue the hearing? If you will all take your
4 seats we will continue.

5 Now, I believe Mr. Parent had his questions answered by members
6 of the staff during the recess. Now, who is the next speaker that
7 owns property within the project area, that live outside of the
8 project area, that wish to address the Redevelopment Agency at this
9 time?

10 ALAN GROVE

11 having been previously sworn by
12 the Clerk, testified further:

13 MR. GROVE: My name is Alan Grove, I'm an attorney with offices
14 at 225 West Winton Avenue in Hayward, and I represent Mr. and Mrs.
15 Joseph Johnson - they live outside of the area, but own a home at
16 2077 West Winton Avenue, and they also own an unimproved lot.

17 MR. HERRON: That is this parcel (indicating).

18 MR. GROVE: And they also own an unimproved lot at the top of
19 Pestdorf Lane, just inside the boundary line.

20 MR. HERRON: This is the upper end of Pestdorf Lane (indicating)

21 MR. GROVE: Just inside the boundary. The two points that Mr.
22 Johnson would like to make are, one, he feels that this particular
23 jog at the top and right of the plan should be excluded, and,
24 secondly, he feels that he should be allowed to improve this him-
25 self, and that he regards this as investment property.

26 He is not a young man. He has a good home, it's listed on the

1 - in the legend as a sound structure. He has a septic tank. He
2 has the plumbing installed in the home and so on. It is a good
3 rental unit. He has put time and money in on it, and this is his
4 own form of social security.

5 He has a vacant lot he would like to improve himself. He is
6 not a young man and he would like to improve this property as he
7 sees fit, and I'd like to call Mr. Johnson forth - I think he'd
8 like to say a few words.

9 JOSEPH JOHNSON

10 sworn as a witness by the
11 Clerk, testified as follows:

12 THE CLERK: Your full name and address?

13 MR. JOHNSON: Joseph Johnson, 686 - 33rd Street, Oakland. I
14 would like to try to explain something to the committee.

15 I bought that property in 1942. I bought the first piece of
16 property in 1942, and when I bought it I intend to build a home on
17 it. So I went and - I had me some new plans made up on the home
18 and I taken it to the Board of Health Department, and I talked to
19 Mr. Jaurez. He came out to the property and they had me to dig two
20 or three holes around, about two feet deep; then he came back about
21 two or three days later and then he told me that I couldn't build
22 on this piece of property. And I asked him why; he said because I
23 couldn't put a septic tank down there.

24 So I didn't argue with him. Later on I found out that the
25 property on Winton Street was for sale. It had a septic tank, a
26 good septic tank, and it had water and everything in it. Then I

1 went back to Mr. Jaurez, brought him out to this property and
 2 showed him this house. Then he told me - I told him I was figuring
 3 on buying it. He said, "Well, say, if you buy it," he said, "the
 4 septic tank and everything, you can go ahead and make the improve-
 5 ment."

6 This is the thing that bothers me. I did go to the County and
 7 get permits to improve this property, and I spent quite a bit of
 8 money on that property. The first thing I did there, I put a - I
 9 tore the roof off of that house completely, I put a new roof on
 10 it. The next thing I did, I had the house raised up and I put a
 11 concrete foundation around it. Then I had the house stuccoed on
 12 the outside. And then the Building Inspector came down and told
 13 me I had to put 220 in - I put 220 in the house. And I plaster the
 14 house on the inside. Now, the money I spent for that property -
 15 I paid down that property, I was fortunate I could borrow it, the
 16 money to pay down on cash. The money I paid on that property I
 17 could have bought property anywhere in Oakland, if they would have
 18 sold it to me. But I like the place. I like the location. In
 19 fact, I lived down there for around two years, and the onliest
 20 reason we moved, on account of I had sickness in my family and I
 21 had to move back to Oakland.

22 And the thing that really puzzles me - why that I can't finish
 23 developing my property? I wait around 13 years for them to put
 24 sewers out in the street - that is what I've been waiting for.

25 CHAIRMAN PURSEL: Your question is, why you can't --

26 MR. JOHNSON: Why that I can't develop my own property? The

1 onliest thing lacking is sewage and water.

2 CHAIRMAN PURSEL: In other words, you'd like to have that
 3 question answered?

4 MR. JOHNSON: That is right.

5 CHAIRMAN PURSEL: All right. Mr. Carlson, would you answer
 6 that question - or, Mr. Carlson, does that --

7 MR. CARLSON: No, that is --

8 CHAIRMAN PURSEL: Or, Mr. Herron?

9 MR. HERRON: Sir, the minimum parcel, acceptable parcel, on
 10 which industrial development can take place is one half acre -
 11 neither of Mr. Johnson's parcels are one half acre or larger.

12 CHAIRMAN PURSEL: Thank you. Did you have another question?

13 MR. JOHNSON: I have one more question.

14 CHAIRMAN PURSEL: All right.

15 MR. JOHNSON: The money that I can prove that I put in this
 16 property, I want to know can I get it out? That is the first one.

17 CHAIRMAN PURSEL: All right. Mr. Lewis, I presume that is a
 18 proper question for you.

19 MR. LEWIS: Well, if I were you I'd hope so.

20 MR. JOHNSON: I sure do hope so.

21 MR. LEWIS: I don't mean to be laughing about that, but the
 22 only answer I can give you, not having gone over the property and
 23 not having an appraisal of it, is that I assume that you don't
 24 develop a piece of property over - well, you don't build a hotel
 25 on a piece of property that isn't suited for a hotel.

26 MR. JOHNSON: Uh-huh.

1 MR. LEWIS: The only thing, you'd have to figure up how much
2 you put into the house, how much you paid for the land, and then
3 figure out on that basis whether or not the land could be sold to
4 somebody else for that price. Now, if you could go out and sell
5 it to somebody else for the amount of money that you get into - that
6 you got for it, then it's pretty certain that an appraiser is going
7 to come to just about the same figure. But if you couldn't sell it
8 to somebody for the amount that - the amount that - a willing buyer
9 was coming around, let's presume, and you couldn't sell it to him
10 for the amount that you put into it, then it might be that an ap-
11 praiser would find that you had overdeveloped the property for the
12 price you could get out of it. That is the only way I can honestly
13 answer the question.

14 MR. JOHNSON: Well, just one other thing --

15 CHAIRMAN PURSEL: All right, Mr. Johnson.

16 MR. JOHNSON: They did let me have a building permit and ap-
17 proval of this property, to have that and put this property in
18 first-class condition. I don't think it is right. I don't think
19 it is right, but the State is going to condemn this property. There
20 is nothing wrong but sewage, and I waited around 14 years for sewage
21 and I'm able to put sewage in my property whenever I have to do it,
22 and I have more than - I have a piece there, it is 36 by 65; there
23 is another piece there 100 by 210, and I appreciate it very much if
24 this committee will go on record to exclude my property from the -
25 from this redevelopment.

26 CHAIRMAN PURSEL: In other words you believe that your property

1 - and you are asking us to consider excluding your property --

2 MR. JOHNSON: That is right.

3 CHAIRMAN PURSEL: -- from the boundaries of the project?

4 MR. JOHNSON: Yes. Thank you very much.

5 CHAIRMAN PURSEL: Who else wishes to speak, who owns property
6 within the project area but who lives within the county? (No
7 response) I take it, then, that we - all of those who are in that
8 category have had their opportunity to speak before the Alameda
9 County Redevelopment Agency.

10 So, with that we'll proceed on to the next category. The next
11 category, those people who live within but do not own property in
12 the proposed project area. I'd ask all of those, any of those, who
13 fall in that category and wish to address the Agency to step for-
14 ward and present yourselves before the microphone at this time -
15 and I would also encourage you, if you will, the hour is getting a
16 little late, to limit your remarks, if you will, please, to not to
17 exceed three minutes, and direct any question that you have to one
18 of the experts that make up our staff. Yes, sir?

19 MR. FELICIANO: I live in the area.

20 CHAIRMAN PURSEL: That's right.

21 MR. FELICIANO: And I don't own any property. I live with my
22 mother.

23 CHAIRMAN PURSEL: Okay. You addressed the Board at the last
24 meeting; did you have some other question or some new questions
25 you'd like to raise tonight?

26 MR. FELICIANO: Yes.

GEORGE FELICIANO

having been previously sworn by the Clerk, testified further as follows:

MR. FELICIANO: I have a couple of question. I'd like to ask the members of the Board how many do own property there - of this Board right here?

SUPERVISOR SWEENEY: Own property?

MR. FELICIANO: Yes, own property right there in Russell City.

MR. LEWIS: I can answer that. I hope that none of you do, because the law provides that if they do they're liable to be disqualified from their office.

CHAIRMAN PURSEL: Now, if you addressed that question to the members of the Board --

MR. FELICIANO: That's right, yes.

CHAIRMAN PURSEL: -- I will speak for myself, and we can all speak for ourselves: I do not own any property within the area.

SUPERVISOR SWEENEY: I do not own any property.

SUPERVISOR HANNON: No.

SUPERVISOR MURPHY: (Shakes head in a negative manner.)

CHAIRMAN PURSEL: No member of this Board owns any property within the area, sir. Does that answer your question?

MR. FELICIANO: I think the Doctor's husband does own property there.

DR. JOLLY: No.

MR. FELICIANO: Didn't you tell me that at the last meeting we had?

DR. JOLLY: No.

MR. FELICIANO: Now, I think if you would tell me the truth --

CHAIRMAN PURSEL: Now, just a minute, sir, if you will. Mr. Pool --

MR. FELICIANO: Because her and I - she asked me how much the property could be sold for --

CHAIRMAN PURSEL: Just one minute, please, if you will. Mr. Pool, would you mind swearing in Dr. Jolly once more?

MR. LEWIS: She's already been sworn.

CHAIRMAN PURSEL: All right. Dr. Jolly, would you answer the question over the loudspeaker? The question has been - or, the statement has been made that you or your husband own property within the project area. Would you answer the question for the record?

DR. JOLLY: No, we de-~~not~~.

MR. FELICIANO: I thought you told - your husband told me he owned one lot there on Mississippi.

DR. JOLLY: No, I don't believe that you talked to my husband.

MR. FELICIANO: Well, who was that man with you?

(LAUGHTER)

CHAIRMAN PURSEL: All right. You pretty near broke up the meeting with that. Okay, I think she answered the question, sir, if you don't mind, and if you have another question --

MR. FELICIANO: Yes.

CHAIRMAN PURSEL: All right. Direct it to somebody else, then.

MR. FELICIANO: Another question: According to the people - a

1 We're all voters, and when all the people that wants a vote, they
2 all come up and give you a sweettalk, give you a little sugar, but
3 when the time is all over and they're in, they got their position,
4 they forget about that voter. I'm a voter, and I'm a union - I'm
5 a union worker, and I belong to the union, and I think that every-
6 body should get a fair deal.

7 CHAIRMAN PURSEL: Let me just --

8 MR. FELICIANO: And I think more of - I think they think more
9 of the outside people instead of our own. I think we should look
10 after our backyard - our front yard before we look at someone else's
11 back yard. That's all I've got to say.

12 CHAIRMAN PURSEL: Thank you very much. I appreciate it. Any-
13 body else wish to speak, who live within the project area? (No
14 response) I take it, then, that all of those who live within the
15 project area have had an opportunity to speak. There being no -
16 no more interested in speaking, we'll proceed on, then, to the next
17 category.

18 MEMBER OF AUDIENCE: Can you talk - sell all the property out
19 of there, sir?

20 CHAIRMAN PURSEL: We will now proceed on with the category of
21 organizations who are interested in the proposed project, anybody
22 who represents any organizations who wish to speak on this matter
23 now. Mr. Lewis, do you think - under these circumstances, in this
24 category, do you think those who represent and speak for an
25 organization should also be sworn?

26 MR. LEWIS: No, Mr. Chairman, I don't think it is necessary.

1 They are representing a point of view of their membership. Also I
2 would suggest that probably these gentlemen have more or less of a
3 prepared statement to make, and it might be advisable to relax the
4 time limit in this regard.

5 CHAIRMAN PURSEL: All right. Well, we'll relax the time limit,
6 unless there be objection. We'll extend it to - to not to exceed
7 five minutes, if you will. We will place a limitation, then, of
8 five minutes, instead of three.

9
10 HIAWATHA T. ROBERTS

11 on behalf of

12 NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE

13 MR. ROBERTS: I am Hiawatha T. Roberts, local attorney having
14 offices at 428 - 13th Street in the city of Oakland. I'm the
15 Chairman for the Housing Committee of the Oakland Branch of the
16 National Association for the Advancement of Colored People, and
17 included in that committee is the Subcommittee on Urban Affairs.

18 Mr. Chairman, Members of the Redevelopment Agency, Ladies and
19 gentlemen. I can assure Dr. Jolly that I will not ask any ques-
20 tions which will necessitate her having to take the Fifth Amendment
21 now (laughter).

22 The broad concept of urban renewal and its lesser counterpart,
23 redevelopment, finds no basic objection in the philosophy of the
24 National Association for the Advancement of Colored People. In its
25 more broadened concept, as federally administered, it includes not
26 only the removal of slum conditions through slum clearance, but

1 also provides for the prevention of slums by aiding the rehabili-
 2 tation of slum structures and encouraging the conservation of
 3 desirable property. When properly administered, urban renewal and
 4 redevelopment can serve as a most progressive and constructive
 5 housing program.

6 The philosophy of eradicating blighted and deteriorated areas
 7 through urban redevelopment is regarded by the N.A.A.C.P. as a
 8 program of great value and potential, provided certain minimum
 9 requirements and safeguards are complied with.

10 Two of the major requirements would be: One, an adequate
 11 relocation plan, whereby present occupants of the project area
 12 would be relocated in safe, sanitary and decent housing in an area
 13 in close proximity to their jobs, friends, churches, and schools;
 14 two, to insure the owners in the project area the fair market
 15 value of their property.

16 Unless extensive cooperation and planning is given to the
 17 above two factors, the proposed plan will fail. Without proper
 18 planning in the above two areas the N.A.A.C.P., both nationally
 19 and locally, is violently opposed to urban redevelopment, because
 20 rather than achieve its objective of the improvement of housing
 21 conditions of American families it serves to transplant ghettos,
 22 or to enlarge and reinforce existing ones.

23 Too often we have witnessed programs conceived to accommodate
 24 residential or commercial redevelopment result in the uprooting of
 25 negroes and other minority groups and the transporting of them
 26 beyond the community of their choice. Too long has urban

1 redevelopment been identified with the land-grab psychology wherein
 2 the once-undesired property peopled by the economically deprived
 3 and minority group has become important and valuable to the interest
 4 of the majority group. Urban redevelopment then becomes a useful
 5 and legal weapon to accomplish the unconscionable result of ac-
 6 quiring the land and removing the occupants to a new ghetto. One
 7 needs only to look at Detroit, Pittsburgh, Chicago, Washington D.C.,
 8 San Francisco, and, if present trends continue, even to Oakland, to
 9 see the pattern repeat itself.

10 The N.A.A.C.P. can agree that Russell City is a blight area and
 11 that the idea of improving conditions therein is basically a sound
 12 one. However, we cannot overlook the fact that the conditions which
 13 exist there did not develop today, nor yesterday. In fact, the
 14 conditions under which the present occupants of the project now
 15 reside appear superior to what they were several years ago.

16 I feel that the common concensus of the population of that
 17 area would be, and I quote, "Our Dear Supervisors: Why the
 18 belated concern about Russell City? Why have you failed to hear
 19 our feeble cry from the wilderness in the years we begged and
 20 pleaded for fire protection, water, sewerage, gas, and mosquito
 21 abatement? Why was no concentrated effort ever made to assist in
 22 finding the solution for our common problems in a manner consistent
 23 with our continued residential development? Why was not the
 24 federal program exploited to ascertain whether or not by moral
 25 coercion the City of Hayward could annex this area and use federal
 26 funds which would be available for supplying the services needed?"

1 From our vantagepoint your present concerns are somewhat akin
2 to the philosophy of the farmer who locks the barn door after the
3 horse was stolen.

4 In reviewing the statistics of this project we note that the
5 residents of the area are predominantly of two minority groups,
6 to-wit, Negroes and Mexican Americans. It is also revealed that of
7 the estimated 258 families presently residing in the project area
8 approximately 80 or more families number from six to fifteen per-
9 sons each. From these facts it becomes immediately apparent to us
10 that the job of relocating these families would be a difficult
11 one indeed. This job would be even difficult if these people
12 belonged to the majority group.

13 We certainly cannot accept the thinking, as reflected in the
14 statistics, when it is reported that relocation housing is avail-
15 able in Oakland and its neighboring cities of Berkeley and Alameda
16 to satisfy the needs of relocatees of Russell City. This in our
17 opinion is an incorrect assessment of the situation for a number
18 of reasons, the first of which is that Oakland presently has its
19 own relocation problems; secondly, a majority of the people in
20 the project area work in Hayward and South Alameda County and have
21 expressed a desire to continue to live in that area; thirdly, the
22 pattern across the country as relates to urban redevelopment has
23 been that the prime residential land of the core city has been
24 inhabited by minority groups as a result of the flight of the
25 majority to suburbia. In this instance the trend is reversed -
26 the small handful of the minority group have escaped the rigid

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1 confinement of city dwelling and now live in the suburbs, and by
2 official act you would transfer them to the core city and refortify
3 and renlarge the existing ghetto. This would perhaps constitute
4 the first such reverse urban redevelopment process in this nation's
5 history, and would be strongly protested by our organization.

6 We take no position pro or con at this time as to the proposed
7 project. However, in looking to the future we express the present
8 concerns: One, we question the wisdom of the Board of Supervisors,
9 the legislative body of our great county, in setting themselves up
10 as a redevelopment agency to perform executive functions. We feel
11 such a dual role is one very difficult to fill, even by men of
12 good will and integrity, and we feel that all of you possess these
13 equitable properties. However, we feel this function could be best
14 performed by persons skilled in this type of endeavor. We feel
15 that you should address yourselves to this problem and if you
16 decide to continue in your present capacity as the Redevelopment
17 Agency, that the least you should do to rectify what has been done
18 is to appoint a broad-based citizens' advisory committee.

19 Secondly, we are deeply concerned about the price, the quote
20 "fair market price," if you please, which will be paid to present
21 owners of the project area.

22 Number Three, the proposed relocation plan causes us the
23 greatest amount of concern. We will violently oppose enlargement
24 of the existing ghetto in the core city by the reverse process
25 above referred to.

26 Likewise, we trust that within the next decade we will not

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1 arise one morning to find that sufficient bids were not forthcoming
2 for industrial purposes and that this project will end up in the
3 hands of private developers to be converted to prime residential
4 redevelopment.

5 The idea of solving the relocation problem on an individual
6 basis as they arise, as advanced by a member of the relocation
7 staff, is totally inadequate. Specific advance planning must be
8 had, even if housing in the South County area must be resorted to by
9 the Agency to solve this problem, if the need should develop. We
10 feel that if the need develops, the Agency should have the moral
11 courage to advocate public housing or low-cost housing. Moral
12 courage will certainly be needed, because the same forces in the
13 community which approved this redevelopment plan will be the
14 greatest opponents of having the occupants of the project area
15 rehoused in safe, sanitary and decent public housing.

16 Lastly, although the state law is a well-drafted piece of
17 legislation, founded on broad-based democratic principles, we are
18 concerned as to the reasons that the federal program, with its
19 tremendous financial assistance and concrete relocation principles,
20 was not employed in developing this project.

21 In closing, we say that the N.A.A.C.P. champions the rights of
22 a New Negro in American life. It is our considered opinion that
23 the vast majority of negroes, and correctly we think, desire to
24 be completely integrated into every phase of American life. We
25 desire the opportunity to earn our livelihood by the sweat of our
26 brow or the ingenuity of our mental faculties, as the case may be;

1 to participate in governmental activities at every echelon and
2 every stage of its development; to enjoy the facilities of decent
3 integrated schools for our children; to serve God as we choose and
4 consistent with the dictates of our Constitution, and to shoulder
5 our fair share of responsibility to our city, county, state, and
6 country.

7 Based thereon we feel it is very little to ask that the Negro
8 as a group and the occupants of Russell City in particular be af-
9 forded the opportunity to occupy safe, sanitary, decent houses of
10 their choosing, anyplace in the county of Alameda that their
11 economic status qualifies them for. This should be done if it
12 becomes necessary in the final analysis for you and in your legis-
13 lative capacity as Supervisors to adopt a Fair Housing Ordinance.

14 We hope that in the future you will be guided by human values,
15 rather than the value of land. The N.A.A.C.P. feels that human
16 values are far more important than the value of a project area or
17 the desires of any particular interest group that have a particular
18 purpose to accomplish.

19 We hope that in the future you will be able to agree with us
20 when we say, in summation, as the official body of the N.A.A.C.P.
21 and on behalf of the unfortunate victims of Russell City, as we
22 paraphrase one of our most eloquent leaders, to-wit, The Reverend
23 Martin Luther King, when he said, in describing the present Negro:

24 "The Negro has come to feel that he is somebody. His religion
25 reveals to him that God loves all of his children and that every
26 man, from the bass black to the treble white, is significant on

1 God's keyboard. He can now cry out with the eloquent poet:

2 "Fleecy locks and black complexion
3 cannot forfeit Nature's claim
4 Skin may differ, but affection dwells
5 in Black and White the same

6 And were I so tall as to reach the pole
7 or to grasp the ocean at a span
8 I must be measured by my soul,
9 the Mind is the standard of the man."

10 I thank you.

11 CHAIRMAN PURSEL: Mr. Roberts, permit me, if you will, to
12 advise you, and to introduce here now, some of the members of our
13 Alameda County-Russell City Redevelopment Advisory Committee. Mr.
14 Worthley is the chairman, who sits up here with the staff - he is
15 the chairman of that committee. I know that Councilman Dowe, of
16 Union City, is here present - Mr. Oscar Dowe. Mr. Carl Hersey I
17 know is in the audience - yes. Is there anybody else in the
18 audience here who are members of the Russell City Advisory Commis-
19 sion?

20 MR. PRIOR: Yes.

21 CHAIRMAN PURSEL: Yes. Would you rise, please?

22 MR. PRIOR: Yes. Mr. Prior.

23 CHAIRMAN PURSEL: Oh, Mr. Prior, of course - you are a member
24 of the Commission, and Mr. --

25 MR. WHALEN: Whalen.

26 CHAIRMAN PURSEL: Yes, all members of the Alameda County Ad-
visory Commission. I trust you'd like to know that, Mr. Roberts.

MR. ROBERTS: Thank you very much.

CHAIRMAN PURSEL: Now, I'd like to ask Mr. Herron --

1 MR. HERRON: May I ask Mr. Davis to comment on the apparent in-
2 tent to relocate large numbers in Oakland?

3 CHAIRMAN PURSEL: Yes. Mr. Davis, will you please?

4 MR. DAVIS: Mr. Chairman, members of the committee, Mr. Roberts.
5 I would first like to quote from the opening statements of our
6 declaration of intent as it refers to relocation, of the Redevelop-
7 ment Plan: "The Redevelopment Agency of the County of Alameda in
8 effecting the relocation of persons from the redevelopment project
9 area will adhere to the California State Legislature's declaration,
10 Section 33070 Health & Safety Code of California, of its public
11 policy that 'rehabilitation or redevelopment programs shall not be
12 undertaken and operated in such a manner as to exchange new slums
13 for old slums or as to congest individuals from one slum to another
14 slum.'"

15 I think - we trust that this will allay some of the organiza-
16 tions' fears in regard to the establishment of new ghettos. In
17 regards to the attempted concentration of any displacees in Oak-
18 land, I assure you that this is not the correct interpretation of
19 the plan. As a County Agency we have the responsibility to show
20 that there is available housing within the County of Alameda. It
21 just so happened that the areas explored here and reported in the
22 plan are - showed predominance of Oakland areas.

23 We might also say, and I do have exhibits here which I would
24 not like introduced, but we have them as working tools to indicate
25 each area that we see as a potential for relocation housing, has
26 been proved to be an integrated area - in some cases there are more

1 of a minority group living than in others of the areas. We also
 2 attempt to express our desire to relocate people in any area
 3 dependent not only upon their race, creed, or color, but upon their
 4 economic ability, which will allow them to go wherever their money
 5 takes them.

6 We have reports from the 1960 census, which we know to be two
 7 years old, indicating that each of these areas are now segregated
 8 and we understand that there is no out-migration but in-migration
 9 and, consequently, these figures have increased. To express or to
 10 prove our concern over this matter, it is the policy of most re-
 11 development agencies to contact the potential displacees after
 12 their property has been acquired - and to date we have contacted
 13 91% of the families living in Russell City, and the plan has not
 14 been accepted as yet. We have done this in an effort to get to
 15 know the people, to know something about their problems, and to
 16 begin immediately with the planning of this relocation move.

17 There are not - there is not 258 families in Russell City,
 18 there are 234 families, and to date we have contacted 214 of these
 19 families.

20 We also feel that this is a community problem and we enlist the
 21 assistance of all the interested organizations to help us in sol-
 22 ving these problems - not only as an Agency, but as an agency
 23 working with this community. Thank you, sir.

24 CHAIRMAN PURSEL: Thank you very much, Mr. Davis. Is there
 25 anyone else who represents an organization who wishes to address
 26 the Agency at this time?

1 THE REVEREND EUGENE R. WOLFE

2 on behalf of

3 THE OAKLAND CITIZENS' COMMITTEE FOR FAIR HOUSING

4
 5 REVEREND WOLFE: Honorable Members of the Board of Supervisors
 6 and Members of the Alameda County Redevelopment Agency and its
 7 Advisory Committee, my name is Reverend Eugene R. Wolfe, I live at
 8 2451 Alida Street in Oakland, and I am now Chairman of the Citizens'
 9 Committee for Fair Housing in Oakland.

10 I'm speaking tonight, not indicating that the Fair Housing
 11 Committee in Oakland is taking a position at this point yet in
 12 favor or opposed to this project, but we are studying it and they
 13 asked me to come tonight to raise some questions with you which we
 14 have about the proposed alleged relocation plans, and we plan
 15 I understand, am I correct, and this is one question, there will be
 16 one additional public hearing, won't there, before any final action
 17 is taken?

18 CHAIRMAN PURSEL: You are correct, sir. Yes.

19 REV. WOLFE: My main comments and questions are in regard to
 20 relocation, the relocation plan as outlined in one of your docu-
 21 ments - I don't know which one it is, it is the one which goes
 22 more in detail on relocation, starting on page 10 to page 20, the
 23 section Mr. Davis just read from. The thing that confuses us is
 24 the declaration of intent, which comes at the beginning, which
 25 indicates the various codes of the State of California, and the
 26 Federal Government in some cases, in terms of your concern and

1 your integrity and spirit to find relocation housing in desirable
 2 neighborhoods at rents or prices within the financial means of the
 3 families displaced; in addition, they would have the opportunity to
 4 occupy decent, safe and sanitary dwellings, reasonably accessible
 5 to their places of employment - such principles as these, which are
 6 very sound if they can be implemented. But we see at this stage
 7 nowhere in your report or statistics any concrete plans which show
 8 that this can be implemented, and actually it would demonstrate to
 9 us the facts that you give in regard to the incomes, the family
 10 size, and the persons living there, and factors like that - where
 11 they live and where they work, those that do work - that you would
 12 not be able, so far, to document sufficient relocation housing for
 13 the vast majority of these people who will be pushed out by this
 14 plan.

15 Let me illustrate in this way: In your census materials, which
 16 come along later, where you go into detail on several pages in
 17 regard to the housing availability and you give information on
 18 tracts in Alameda, Berkeley, Emeryville and Oakland, and then you
 19 give also the rental values and the gross rent ranges in these
 20 census tracts - then you supplement this with, actually two years
 21 later, a - a car survey, going door to door looking for the
 22 "vacant" signs, or rents, and homes purchased. This all looks
 23 good in the report, it looks like a lot of good work was done - and
 24 a lot of good work was done - but there is nothing here to docu-
 25 ment, as you know, that in these census tracts where vacancies
 26 existed in 1961 or where they might have existed when your people

1 went by in 1962, that the vacancies are of the room size and of the
 2 rent cost that these people can afford. And I would suggest to
 3 you that since we are very close to the problems and needs of low
 4 and moderate income persons in the city of Oakland, I just don't
 5 think there is housing that is decent, safe and sanitary in Oakland
 6 in these census tracts you mention at the price range where people/^{who}
 7 are living on \$60 a month, or \$80 a month, or \$100 a month, or even
 8 \$4000 in a year, can get into, which are decent, safe and sanitary.
 9 And we're concerned because even though it's perhaps irrelevant to
 10 say "What is the experience of other cities on relocation?" - and
 11 there has been extensive studies done by the University of Southern
 12 California, the School of Public Administration, in regard to 41
 13 other cities, of redevelopment. The great numbers of persons who
 14 had voluntarily relocated themselves, without the assistance of the
 15 agency - the vast majority of those in these 41 cities went into
 16 substandard housing. And those families that did take the services
 17 of - the relocation services provided by the agency, they fared
 18 better. But, still, at least a third of those families found
 19 themselves ending up ultimately in housing which was not decent,
 20 safe and sanitary. And also it's reported in these studies that
 21 these families are continually being relocated - one project
 22 relocates them to another place, and along comes another public
 23 improvement project or redevelopment and they are relocated time
 24 and time again, because they have never gotten yet into decent,
 25 safe and sanitary housing.

26 And I'd like to ask Mr. Davis: What is there concretely in the

1 way of housing resources in this report which would suggest that
 2 people - one third of the people according to this report who are
 3 on disabled or retired persons, on public assistance, with very low
 4 income, or another third unemployed or partly unemployed, or even
 5 those working whose median income is \$4000 - where, specifically
 6 - how do you know that there is housing - according to their
 7 income, according to their family size, that is vacant at this
 8 time, or even a year from now, in the City of Oakland? How could
 9 your report document that?

10 CHAIRMAN PURSEL: Do you mind, Mr. Davis? Would you speak to
 11 that?

12 MR. DAVIS: Yes, sir. Mr. Wolfe, I would also refer you to -
 13 I suggest that you - do you have a copy of our house-to-house
 14 canvass report?

15 REV. WOLFE: You refer to it in this document.

16 MR. DAVIS: I asked, do you have a copy?

17 REV. WOLFE: Not any separate copy.

18 MR. DAVIS: I see. All right, sir. I think perhaps if you had
 19 a copy of this house-to-house canvass report you might see that the
 20 income situation is not as bad as some of us would have others
 21 believe.

22 Now, what people do with their money is their particular busi-
 23 ness. However, we do know that with a wise - a wiser use of our
 24 money we can make it go further. There are some people paying
 25 \$65, \$75 rent in Russell City. I'm certain that in these areas
 26 that we have outlined in our census tracts that we could also find

1 housing for this rent, which would be safe, decent and sanitary.

2 You say you do not believe us there. I say that I do. I
 3 believe it, because I have been out there to look and to find it,
 4 and have been inside it, and this is what I have documented it with.

5 Now, as far as continued availability of this housing - cannot
 6 guarantee it. But with the mobility of our population it is as
 7 reasonable to assume that it will be there as it is reasonable to
 8 assume that it will not be.

9 We have also noted in this same situation that you have re-
 10 ferred to that this is not complete data in the particular report.
 11 We have shown that this plan is feasible in the report. We have
 12 more complete and detailed data in our office, and we invite you
 13 or the members of your committee to come down and see it.

14 CHAIRMAN PURSEL: Thank you very much.

15 REV. WOLFE: My concern was --

16 CHAIRMAN PURSEL: Any other questions?

17 REV. WOLFE: My concern was whether you had any data specifi-
 18 cally on the vacancies you say exist, in terms of what they want
 19 for these vacancies. Do you have that kind of information in your
 20 office?

21 MR. DAVIS: Yes. In fact, I have it over by this table.

22 CHAIRMAN PURSEL: I suggest, then, Reverend, you take advantage
 23 of that information.

24 REV. WOLFE: Then I would call your attention to a statement
 25 made in here where you suggest that - you conclude that "It is
 26 therefore expected that the activities of the County's Agency and

1 Oakland's Agency will be mutually exclusive."

2 Some of us have some questions about this. We are relocating
3 over 1300 units in our Acorn Project alone, which is the first of
4 our redevelopment projects in Oakland - three or four times the
5 units you have to relocate here. In order to do this, because of
6 the same type of situation - people with low incomes and low-
7 medium incomes - we have accepted that we have to build low-cost
8 public housing for many of our public citizens and other persons
9 whose incomes are insufficient for the private market to get decent
10 safe and sanitary housing.

11 We have only so far relocated one third of these units that
12 are having problems. You say these are mutually exclusive - we
13 are competing for the same type of low-cost housing that is decent,
14 safe and sanitary, and I would wonder whether the Redevelopment
15 Agency, yourselves, would not be well advised to get some official
16 ruling from the Oakland Agency as to whether they feel your con-
17 templated project here would handicap that one there - and, if so,
18 in what way you could resolve this thing. I doubt whether your
19 work is exclusive.

20 CHAIRMAN PURSEL: Could we ask Mr. Davis to answer that, please

21 MR. DAVIS: Yes, sir. In regards to this Oakland Agency -
22 again, I am sure, you have read Oakland's redevelopment plan, as I
23 have - in their relocation section this same low-cost housing that
24 you are talking about that they are building is the very housing
25 that it is supposed to, according to their expectation, eliminate
26 or greatly reduce their problem, and it is for this reason that it

1 is a fact that we are not, in fact, competing for the homes of
2 private housing within the county, that we expect to be able to get
3 along in a most compatible way.

4 Now, as far as our Agency is concerned, I don't think they have
5 got any official action, but we have worked together - that is, the
6 two divisions, the County Division of Relocation and the City
7 Division of Relocation, and we understand each others problems and
8 we feel we can both get along together.

9 CHAIRMAN PURSEL: Thank you.

10 REV. WOLFE: One final comment, in regard - it is true, many
11 people, as you indicate, could, if they desired to, pay increased
12 money for their housing costs, whether it be home payments or
13 rental, but the studies indicate, again, in Oakland that over 50%
14 of those non-white families in Oakland who have income under
15 \$3000 have to pay way over 35% of their income for this housing,
16 regardless of what shape and standard it is. And when you take
17 these salaries that you indicate in your report here, the person
18 pays 35% or 40% of that for housing, whether it is decent or not,
19 he has very little left to take care of his other basic needs of
20 human existence. And the cases that were illustrated here, when
21 you get the specific case every time, what do you do when you have
22 a man with ten kids in this income, even if he gets \$3000 or \$4000
23 for his home - on this income he cannot go into the private
24 housing market and carry a mortgage on a house. Yet he could
25 maintain himself in his present situation - it's the best he has.

26 So my point is that people with low income pay a higher

1 proportion of their income for housing, and this is - this works a
 2 real hardship, a real handicap. And when you say that they have
 3 the same opportunity when they go to look for housing - they cannot
 4 increase as much as maybe you or I could increase our money for
 5 housing, and I think this needs to be considered.

6 MEMBER OF AUDIENCE: That's right.

7 CHAIRMAN PURSEL: Thank you; Mr. Davis, would you care to make
 8 one final comment on that, on Mr. Wolfe's question?

9 MR. DAVIS: Thank you. It is being considered, but it is just
 10 a basic and hard fact - the lower a person's income the higher the
 11 proportion he pays for his housing. This is true in all of our
 12 situations.

13 However, this is not justification for leaving someone in a
 14 blighted and despicable condition and then justify it by the fact
 15 that he has a low income and we don't choose to do anything about
 16 it. And this is why it is necessary for agencies like yours to
 17 join with agencies like ours to attempt to solve the problem.

18 CHAIRMAN PURSEL: Thank you very much.

19 REV. WOLFE: Let me say, we are basically in sympathy with the
 20 broad ideas of redevelopment, that we would like to see new
 21 revenues coming to the County from an industrial park - but we are
 22 equally and even more generally concerned in terms of the human
 23 impact, human values, as it relates to the relocation of these
 24 people. To this point we are not convinced that you have in your
 25 records - and this I will be glad to come in and see if we are
 26 convinced otherwise - but we don't think this kind of housing

1 exists in Oakland. But it is our contention, and this is my
 2 recommendation to the Agency - we will probably be considered as
 3 an organization - that in the program as you proceed that you begin
 4 to include in the plan a rehousing program which will include low-
 5 cost housing, or low-middle income housing, that you will build
 6 here in Southern Alameda County to help the people that you force
 7 out, and that you utilize the various programs provided in our
 8 Federal Government and State of California new proposed legisla-
 9 tion which is being introduced in Sacramento this term, which will
 10 be - it is my understanding that the Governor's Commission on
 11 Housing Problems is issuing its report this month, and in their
 12 several recommendations is a plan which will assist redevelopment
 13 programs in suburban areas to be able to include in their redevel-
 14 opment programs low-cost housing, lower-middle cost housing, and
 15 receive assistance in low-interest loans from the State to do this.
 16 And it would be our contention that this would be showing real
 17 human treatment for the families and would insure you a resource of
 18 getting new housing that is decent, at decent incomes and costs
 19 that these people could afford, and we would like you to consider
 20 this legislation and look into it and consider building some new
 21 housing, even as we build a new industrial park.

22 CHAIRMAN PURSEL: Thank you, Reverend Wolfe. I can assure you
 23 that this Board, too, is very concerned with the human values in-
 24 volved in this project. Is there anyone else who wishes to speak
 25 here representing any organization? Now is the time so to do, if
 26 you care. (No response) If not, we will proceed to the final

1 category.

2 MR. LEWIS: Mr. Chairman - excuse me for interrupting, but I
3 think our Reporter has had a real workout here; if we could give
4 him a five-minute recess to rest up before going on, I think he'd
5 appreciate it.

6 CHAIRMAN PURSEL: All right. With that admonition, we will
7 again recess for five minutes.

8 (SHORT RECESS)

9 CHAIRMAN PURSEL: You will all be seated so we can proceed.
10 All right, ladies and gentlemen, if you will please take your seats
11 and all members of the staff, if they will take their proper seats.

12 We are now down, as you know, to the final category, and in
13 this category we're going to hear from those persons or individuals
14 who are interested in the Russell City Project, and of course, as
15 I'm sure you know, this means those persons who have not up to this
16 point had an opportunity to speak to the Board on this project.
17 So all persons or any person or individual who has not had an op-
18 portunity to speak to the Redevelopment Agency on this project,
19 would they now step to the microphone - any individual or person
20 who wishes to speak.

21 MR. JENNINGS: My name is Jennings, C. R. Jennings. I reside
22 at 2272 Kelly Street, Hayward.

23 CHAIRMAN PURSEL: Mr. Lewis, shall we swear the witness in?

24 MR. LEWIS: Yes, I think so, if he wishes to give testimony.

25 C. R. JENNINGS

26 Sworn as a witness by the
Clerk, testified as follows:

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1 MR. JENNINGS: Mr. Chairman, Members of the Board of Supervi-
2 sors, Members of the Citizens' Advisory Committee, I am representing
3 Mr. Frank and Catherina Maita - they reside at 20275 Nebraska
4 Street, Code Area 8-11-13 -- pardon me, 8-11-3, Map 82, Block 45,
5 Parcel 2. It represents some five - some five and fifty-six
6 hundredths acres, more or less.

7 It is our request at this time that the above-mentioned private
8 property be excluded from the proposed redevelopment plan of
9 Russell City.

10 We further propose and support the deletion of all property
11 north of County Road No. 1009, which is commonly known as West
12 Winton Avenue - refer to Community Redevelopment Plan Exhibit 1,
13 dated October 1962.

14 We are not opposed to the property improvement and development.
15 However, this action has been impossible for the present property
16 owners due to certain actions of various governing bodies and other
17 groups.

18 This relatively large parcel was purchased by Mr. and Mrs.
19 Maita for the purpose of the pursuit of happiness, and also as a
20 long-term private investment. We therefore feel that if given the
21 opportunity to develop and use or dispose of, based upon sup-
22 porting action from the County Board of Supervisors, the Planning
23 Commission and/or other governing bodies, that the pursuit of
24 happiness of this family would best be fulfilled, also that the
25 property evaluation would equal or exceed that of the property
26 south of County Road No. 1009 after its redevelopment as proposed,

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1 thereby increasing the monetary benefit to the County as well as a
2 more equitable investment return to the present owner.

3 Mr. and Mrs. Maita have raised a large family, all members of
4 which have been a fine example for all citizens. There has never
5 been a social problem, as mentioned so often in various reports.
6 There has never been illness in the family due to water sanitation,
7 including grandchildren or greatgrandchildren who visit Mr. and
8 Mrs. Maita quite often.

9 However, we do concur that these facilities are inadequate,
10 the house on this property is adequately sound and sanitary -
11 however, it is in a deteriorating condition due to the lack of
12 proper support in order to bring it to the proper condition in the
13 years hence.

14 No member of this family has ever posed a police problem. No
15 member of this family or its 30 to 40 heirs have ever needed,
16 asked for, nor received any welfare or assistance, either local,
17 State, or Federal - which also includes Social Security.

18 I respectfully submit that this hearing and the hearing of
19 January 15th has failed to justify condemnation and seizure, either
20 by reason of deterioration, health, or social problems - or lot
21 sizes, or for reasons other than deterioration as attested to at
22 the January 15th meeting.

23 We further submit that a natural boundary, such as County Road
24 No. 1009, which is commonly known as West Winton Avenue, should be
25 used, instead of a meandering boundary as is indicated by the
26 present proposal. I can see no conflict with the present laws

1 governing annexation regarding islands and so forth if all the
2 properties north of West Winton Avenue are excluded, as has been
3 requested by most property owners north of Winton - West Winton.
4 Any reasonable zoning or rehabilitation, even to the point of
5 demolition, will be accepted and we will gladly work with the Board
6 of Supervisors in this matter.

7 In conclusion, we resubmit that this is an individual situation
8 involving five and fifty-six hundredths acres of land and the
9 private home of Mr. and Mrs. Maita, which have resided in this
10 residence for some 30-odd years. Their best interests and sound
11 judgment will be unanimously supported by their heirs. All legal
12 recourse will be pursued to protect their request and the best
13 interest of this community.

14 We therefore request that this individual situation be given
15 prompt consideration. Respectfully submitted.

16 CHAIRMAN PURSEL: Thank you, Mr. Jennings. Mr. Sweeney has a
17 question.

18 SUPERVISOR SWEENEY: Do you live there, sir?

19 MR. JENNINGS: No. My father-in-law lives there. I live in
20 Hayward.

21 SUPERVISOR SWEENEY: Now, as I understand, you have how many
22 acres?

23 MR. JENNINGS: Five and fifty-six hundredths. It's the north-
24 west portion, the large parcel in the northwest, which is in white
25 on the map to your right.

26 SUPERVISOR SWEENEY: And one home on it?

1 MR. JENNINGS: There is one home and several dwellings which
2 are in a deteriorated condition. However, as I stated before, we
3 will work with anyone, make any demolition necessary, or any
4 rehabilitation necessary, in order to bring it to standard, or any
5 zoning which might be so desired.

6 CHAIRMAN PURSEL: Thank you. Did you wish to comment on that
7 at all?

8 MR. HERRON: No, sir. The same concept applies to the Maita
9 property as to all the properties north of West Winton Avenue.

10 CHAIRMAN PURSEL: Thank you. Thank you, Mr. Jennings. Now we
11 are in the final category, as you know - is there any individual
12 or person here tonight who has not had the opportunity to address
13 us, sitting as the Alameda County Redevelopment Agency, who wishes
14 to speak to us now? (No response) Yes, lady? Step up to the
15 microphone.

16 MRS. (WILLIS) CANNON

17 sworn as a witness by the
18 Clerk, testified as follows:

19 THE CLERK: Your name and address?

20 MRS. CANNON: Miss Cannon, 2680 Freeport Avenue. I live in
21 Russell City.

22 CHAIRMAN PURSEL: You live in Russell City?

23 MRS. CANNON: Yes, I do. I lives on my granddaughter's land -
24 place.

25 CHAIRMAN PURSEL: Proceed.

26 MRS. CANNON: And I - about the redevelopment, I - the other

1 day , last - I think it was last month, I was - wanted to move out.
2 And so I - my daughter say, "Well, I will carry you down to the
3 redevelopment place to get you a place." So she carried me down
4 there.

5 They didn't have any place, and so they carries me to East
6 Oakland. They advised - they told me to go to East Oakland or
7 somewhere and try to get me a place. So I went to East Oakland.
8 They gives me \$95 a month, and the cheapest house I found in East
9 Oaland was 85. That left me \$5 to live on a month, so I'm still
10 in Russell City.

11 CHAIRMAN PURSEL: You understand, Mrs. Cannon, that we have not
12 approved this project at this point yet, don't you?

13 MRS. CANNON: I understand they ain't got no houses, I under-
14 stand that much.

15 MEMBER OF AUDIENCE: Hooray!

16 CHAIRMAN PURSEL: Mrs. Cannon, just a minute, we'll ask our
17 Redevelopment Director, the Relocation Director, Mr. Davis, to
18 comment on that. Just stand right there.

19 MRS. CANNON: All right.

20 MR. DAVIS: Mr. Chairman, I'm not familiar with the particular
21 situation, but we're not obligated at this time to have any housing
22 We could not at this point go to landlords and ask them to make
23 their list available to us, and so forth, because we would perhaps
24 have so many and so many prospects for them as tenants. Until this
25 plan is officially adopted, if and when it is adopted, we shall
26 then begin to assimilate a housing file where potential displacees

1 might refer to.

2 CHAIRMAN PURSEL: Up to this point, Mrs. Cannon, we're still
3 holding hearings on whether or not we should adopt the plan.

4 MRS. CANNON: I could get a low low rent house for maybe \$50
5 or \$60, but it would be a ratbed - it's just like I'm moving out
6 of, so I would just - so I just come back to Russell City.

7 CHAIRMAN PURSEL: I see. All right. Thank you, Mrs. Cannon.
8 Anyone else in the audience here who wishes to speak to this Board,
9 sitting as the Redevelopment Agency --

10 MR. LEWIS: Mr. Chairman?

11 CHAIRMAN PURSEL: -- who has not had an opportunity?

12 MR. LEWIS: Before this gentleman speaks I would like to
13 inform you that the Clerk has a letter from a lady that is sitting
14 in the audience and she wishes that it be read at an appropriate
15 time before the hearing closes.

16 CHAIRMAN PURSEL: Are you suggesting that it be read now?

17 MR. LEWIS: Following this gentleman.

18 CHAIRMAN PURSEL: Immediately following this gentleman; all
19 right, sir.

20
21 JAMES L. YOUNG

22 sworn as a witness by the
23 Clerk, testified as follows:

24 THE CLERK: Your name and address?

25 MR. YOUNG: James L. Young, 2247 West Winton Avenue, Hayward.

26 CHAIRMAN PURSEL: Proceed, Mr. Young.

MR. YOUNG: Now, I've got a little piece of property on Russell

1 Road there - I call it "Russell," it's "Winton." It is two acres,
2 it's just this side of this Mr. Maita's, it is right on the corner
3 of Winton and --

4 CHAIRMAN PURSEL: Just a minute.

5 MR. YOUNG: Right on the corner of Winton and Nebraska.

6 MR. HERRÓN: Parcel No. 6 - for reference purposes, this is
7 Map 82, Block 38, Parcel 6.

8 MR. YOUNG: Right. That's right.

9 CHAIRMAN PURSEL: Okay, Mr. Young.

10 MR. YOUNG: If have got a pretty nice piece of property. I
11 have got a pretty nice piece of property. Referring back to the
12 last time, you refer --

13 CHAIRMAN PURSEL: Mr. Young, would you mind talking a little
14 slower? We have a Reporter taking every word you speak.

15 MR. YOUNG: I have had the place appraised already, see, the
16 house alone has been appraised. And it was really worth beyond
17 \$7000, but - I was offered for it, so - oh, that didn't include
18 the land, of course - I got two acres of land. So if I would be
19 permitted to, I think I would be able to bring my property up ac-
20 cording to specifications, and I'm on the north side of Winton
21 Avenue, so I think that if it's possible to take that - the whole
22 - let that side go along with it and take it from the other side,
23 exclude it from the rest of the fellows, I would be willing to go
24 along with it. That is all.

25 CHAIRMAN PURSEL: Thank you, Mr. Young. Now, Mr. Pool, would
26 you read the letter that was addressed to this Board?

1 MR. LEWIS: Mr. Pool, would you ask the lady to stand up and
2 identify herself and swear that the letter contains what she would
3 state?

4 THE CLERK: I believe it is "Mrs. Stella Magdallano"?

5 MRS. MAGDELLINO: No, Stella Magdellino.

6
7 MRS. STELLA MAGDELLINO

8 sworn as a witness by the Clerk
9 testified orally and through
letter written to the Board and
read by the Clerk, as follows:

10 THE CLERK: The letter is addressed to the Board. It is dated
11 January 17, 1963:

12
13 2632 Freeport Avenue
Hayward, California

14 The Board of Supervisors
15 County of Alameda Redevelopment Agency
224 West Winton Avenue

16 Dear Sir:

17 I want this letter to be read at the next
meeting, January 22, 1963.
18 You know and I know and everybody concerned
19 with this redevelopment deal knows that we, the
people of Russell City, want to keep our properties.

20 MRS. MAGDELLINO: Why don't you read it through the micro-
21 phone, sir.

22 MEMBER OF AUDIENCE: Yes, that's right. We can't hear.

23 MRS. MAGDELLINO: Yes, sir.

24 THE CLERK: I have no objection to using this one. The letter
25 is dated January 17, 1963:

26 2632 Freeport Avenue
Hayward, California

ROBERT B. MANNERS, C S R
DEPOSITION REPORTER - NOTARY
815 DOWLING BLVD.
SAN LEANDRO, CALIFORNIA
LOCKHAVEN 9-4088

1 The Board of Supervisors
2 County of Alameda Redevelopment Agency
224 West Winton Avenue

3 Dear Sirs:

4 I want this letter to be read at the next
5 meeting, January 22, 1963.

6 You know and everybody concerned with this
7 redevelopment deal knows that we, the people of
8 Russell City, want to keep our properties. Why
9 don't you put this matter to a vote for the
people of Russell City to decide what we want
to do with our properties? We have the right to
have the matter put to a vote and in this way
find out what we, the people, want done.

10 I understand that something has to be done
to improve conditions now facing the Russell City
area, but relocation of its people is not the
answer.

11 We, the people of Russell City, should be
12 given an order by law to bring our housing up
to standard, and whosoever fails to do so to
13 move out of the area. It is cheaper for us to
do this than to buy another home. Most of us
14 cannot afford to buy another home. Most of us
have large families. What is to become of these
families?

15 I understand you will relocate us. Yes,
16 this is easy to do. But how long will we remain
relocated? We cannot afford high rents, nor
17 payments on new homes. Most of us much better
prefer to be given an opportunity to bring our
18 housing up to standard.

19 This land, and any other land in California,
is becoming more and more valuable, and that the
20 more we are allowed to keep our land the more
valuable it will become to us, and the sooner you
21 get it from us the more valuable it will become
to you. Whatever you do, just remember that land
22 in California is very valuable, no matter where it
is, and that we want you to keep this in mind when
you come to buy our land. Land is becoming more
23 valuable than gold itself - that is why the rich
is trying to get it from the poor, but just remember
24 that God does not forget, he will pay everyone ac-
cording to his deeds.

25 I want this to be put to a vote because I feel
and understand that we have a right, based on the
26 Constitution of the U.S.

Yours truly,
/S/ Mrs. Stella Magdellino.

ROBERT B. MANNERS, C S R
DEPOSITION REPORTER - NOTARY
815 DOWLING BLVD.
SAN LEANDRO, CALIFORNIA
LOCKHAVEN 9-4088

1 MEMBER OF AUDIENCE: That is right.

2 MEMBER OF AUDIENCE: Amen.

3 CHAIRMAN PURSEL: Thank you very much, Mrs. Magdellina.

4 (Applause)

5 CHAIRMAN PURSEL: Please. Now, is there any other individual
6 who has not had an opportunity to speak to the Board, who wishes to
7 speak at this time?

8 MRS. MACDELLINA: Would you please answer my letter, sir?

9 MR. BURNETTE: Mr. Chairman, I'm sorry I'm a little late
10 getting here to speak when I'm supposed to. I'm a property owner.
11 I would like to say a couple of words to the Board.

12 CHAIRMAN PURSEL: Excuse me, would you be sworn?

13 ROBERT BURNETTE

14 sworn as a witness by the
15 Clerk, testified as follows:

16 THE CLERK: Your name and address?

17 MR. BURNETTE: My name is Bob Burnette and my address is 729
18 19th Street, in Oakland. I'm a property owner in Russell City. I
19 own - let's see, Mr. Herron have the stick there on it, about three
20 acres, a little better than three acres there. That's on the - I
21 guess the northeast side, you would pronounce it.

22 I would like to have that not included in it, this Redevelop-
23 ment Agency, as I think I'd like to leave it be improved by myself,
24 because I think I have experience in developing land and, as I
25 know, if the - if I could develop it myself it would be much better
26 off if I did it than if the Agency taken and did it, and I'm not -

1 I own some property on the other side also, at -- I'm against some
2 of the plans over there.

3 This lady stated in her letter "What would happen to some of
4 the poor peoples should be considered." Why disrupt some of the
5 people? They got to go someplace and they used to living in a
6 place like Russell City, and you got to have some place for those
7 type of people that like to live there they can maybe have a
8 couple of chickens or something else that doesn't have to be
9 restricted like you would in a nice - well - a neighborhood, say
10 like the little boy was, in San Diego, he wrote the nice letter to
11 the Mayor or somebody - they tore down his little mountain; he had
12 a little cave in there, you know, and the bulldozers was tearing
13 out all the caves and everything and the kid didn't have a place
14 to play in. I thought you might remember that article in the
15 paper.

16 That was getting to be the same way we're doing now. You take
17 Russell City, those people, some of them, are happy out there.
18 They enjoy it, even - even if we - somebody else - might think
19 this look like a slum, or this or that - but they're happy. And
20 I'd say well, it could be improved. I think what we could do,
21 myself - this is just an idea, I think each individual - I think
22 like the lady stated in the letter, if this Agency or some indus-
23 trial wants the property, all right, let them buy it. That's -
24 that's okay. But let them deal directly with the owners. If there
25 is any profit to be made, let the owners - let them have the op-
26 portunity to make the deals themselves. If they need sewer and

1 water, okay. How about the sewer and water? How we going to get
 2 that? Okay, that is a good question. All right. How do we get
 3 other things we want in Alameda County? If the individual doesn't
 4 have the money what do we do? We float a bond. How about this
 5 transit railway going to cross the Bay? Who is going to pay for
 6 that? I'm going to have to help pay for it. What they going to
 7 do? They going to float a bond, I'm pretty sure. A lot of other
 8 things they float a bond issue, they could do the same thing for
 9 Russell City. If they want sewer and water out there, float a
 10 bond. Let us all pay for it, if it is the County, and let the
 11 people stay out there if they want to and improve the property -
 12 and if they can't build on - you can have restriction on the lots,
 13 if you want to. They got - some have small lots, say 25-foot lots.
 14 I have seen cities where they have restriction like that, where
 15 you can't build on a 25-foot lot, and they have to have maybe two
 16 lots to build, and that way I think they would be better off, too,
 17 than taking people's property away from them.

18 And on this fair market value, because I - I have gone through
 19 that, and I know just what it - what a fair market value looks to
 20 an appraisal. It doesn't look the same to the owner. So I would
 21 say I'm against it. Thank you.

22 CHAIRMAN PURSEL: Okay. Thank you, Mr. Burnette. Mr. Lewis
 23 or Mr. Herron, either one, would you care to comment on some of
 24 the points, the statements made by this gentleman - and also that
 25 were made in Mrs. Magdellino's letter?

26 MR. HERRON: Insofar as Mr. Burnette's property is concerned,

1 the largest parcel is north of West Winton Avenue and just west of
 2 the railroad tracks. It has a large two-story very old residence
 3 on it, which I believe at the present time is rented out to several
 4 families. It also has an old water tank - a water house in an
 5 adjacent building. We have the same reason for including Mr.
 6 Burnette's parcel in the project as we claim for the others.

7 As far as Mrs. Magdellino's letter is concerned, or Mr. Bur-
 8 nette's statement concerning letting the individual property owners
 9 develop the area themselves, we point again to the fact that over
 10 the last several years there has been displayed no ability to
 11 provide their own sewers and water. It can't be done by bond.
 12 There are for approximately 430 properties owners of homes - I
 13 don't have a count, but comparatively few have spoken to the Board.
 14 To do anything in this project area it would be dependent upon the
 15 action of the owners - you would have to have a very large propor-
 16 tion of the ownership committed to the program, and, gentlemen, I
 17 do not believe this is possible.

18 CHAIRMAN PURSEL: Thank you. Now, may I ask - is there any --

19 MR. LEWIS: Mr. Chairman, I believe there was one question
 20 unanswered, as far as the lady's letter was concerned - at least I
 21 think one of the major questions that she had, and that was the
 22 right of the people to vote on it.

23 The law does not provide for a vote in the project area under
 24 any circumstances. Now, as far as the adoption of the ordinance,
 25 I do not know whether or not an initiative measure or referendum
 26 would be allowable on this; however, the Act does itself provide

1 that nothing shall be done in the way of any action or any attack
 2 on any part of the plan, as far as legal procedures or such, until
 3 the final plan has been adopted, and then such an attack may be
 4 made on the plan or any provisions thereof must be made within
 5 60 days thereafter -- and after that time there is no further action
 6 that may be taken to directly test the provisions of the plan. And
 7 I refer, just for the record's sake, to Section 33746 of the Health
 8 & Safety Code.

9 CHAIRMAN PURSEL: Thank you. Now, ladies and gentlemen, we've
 10 been as fair and considerate as we possibly can be and we want to
 11 draw these hearings to a close, but if there is anyone else, any
 12 individual who has not had an opportunity to address this Board,
 13 now is the time. Okay, sir.

14 RUFUS DAY

15 sworn as a witness by the
 16 Clerk, testified as follows:

17 THE CLERK: Your name and address?

18 MR. DAY: Rufus Day, 15182 Belmont, Hayward. Committee
 19 Members, I'm just an interested party, citizen of Hayward, citizen
 20 of the United States. From what I heard tonight, I gather that the
 21 people of Russell City want to stay there.

22 If the County Planning Commission intends to bring water and
 23 sewerage into this area for industrial use, I don't know why they
 24 can't do it for the people that live there.

25 MEMBER OF AUDIENCE: That's right. Yes.

26 MR. DAY: This area can actually be made a beautiful garden

1 city. This is one of the few places that I have seen where we can
 2 get out and we can see ducks, we can see chickens, we can see goats
 3 and cows.

4 I do admit that there is a slum condition, but I understand
 5 from what I have heard there has been some kind of a city ordinance
 6 or restriction on repair of the property for some time. I feel
 7 that the Redevelopment Committee could help develop the existing
 8 area and the cost could be assumed by reassessment of the improved
 9 facilities by the people that live there and by the property owners.
 10 It would make it a system in bringing the sewerage -- I think it
 11 would do an awful lot to bring this area about so that it would be
 12 livable. I know the people enjoy it down there, those that live in
 13 decent homes. Those that don't I'm sure that they would like to
 14 help rebuild their own places, and if the City would allow them
 15 permits sometime ago I don't think it would have gone on in the
 16 manner it is now. It's just falling apart in places, and I spoke
 17 to several of the people and they say they have tried to get per-
 18 mits to fix it up but they couldn't do it. Thank you very much.

19 CHAIRMAN PURSEL: Thank you very much. Now, is there anyone
 20 else here who wishes to speak? Make your remarks as brief as
 21 possible, we'd appreciate it. Thank you.

22 LEONA ALVES

23 sworn as a witness by the
 24 Clerk, testified as follows:

25 THE CLERK: Your name and address?

26 MRS. ALVES: My name is Leona Alves, and I own property at

1 2692 Freeport Avenue. I own a restaurant at 2696 Freeport Avenue,
 2 and I have had property in Russell City since 19 and 35, and I'm at
 3 the age now that my home is paid for, my property's paid for, and
 4 I'm aware that I'm 86 - I'll soon be 86 years of age. I don't draw
 5 any Social Security or no Unemployment, no welfare. I work to try
 6 to make my own living by running my restaurant and renting it out
 7 when I can, trying to make my own living, and I like to be indepen-
 8 dent.

9 And I have a pretty fair house there. I have a pretty fair
 10 restaurant. It is - the Reverend said they didn't take the picture
 11 of it, but - and everyone know me around know that I do try to keep
 12 things running clean and feed the people the best of food when I'm
 13 the cook there.

14 So I have asked and I have tried - which they did give me a
 15 permit. I taken out a permit to build my house, fix it up as far
 16 - then after we began it the Redevelopment came in. I stopped,
 17 because I - but I tried to build. Then we had one home was burned
 18 down, but that was built as well as any home in town. We had it
 19 - everything. Dr. Malcolm and everybody have been there and visit
 20 and ate in it. They know.

21 So now we have asked to try, I have asked, and they know if
 22 they'd give me the privilege I would fix my place up as well as
 23 anybody can, a poor person.

24 Now, my - my tax went from - when I went there in 1935 I was
 25 paying \$9, but they have gone up, so you know I must have tried to
 26 improve - it's gone up now to \$214 a year I have to pay. I have a

1 corner there 100 by 125. I really feel like if they are going to
 2 take my place, as I am my self support I feel like that they should
 3 give me a paid-up home somewhere - because it's paid, I don't have
 4 any mortgage. But if they give me sewer, they give me the privilege
 5 of fixing, I would like to fix it better - and they would find me
 6 doing so. So I thank you very much.

7 CHAIRMAN PURSEL: Thank you. Was there another lady that
 8 wished to speak at this time?

9 MRS. J. M. HENRY

10 ✓ sworn as a witness by the Clerk,
 11 testified as follows:

12 THE CLERK: Your name and address?

13 MRS. HENRY: I'm Mrs. J. M. Henry, 2254 West Winton Avenue.

14 What I want to say, I own the property at 2254 West Winton
 15 Avenue. We want to fix the house. I had a little flood in the
 16 small part, the garage part of the house. I goes up to this
 17 Redevelopment Agency, they gave me - they told me to go and lift
 18 this house, which I couldn't do that. I goes back to them. They
 19 come out, "Well, you fix this house." All right. I go and put out
 20 my money to fix this house, got it up - here they send some man
 21 down, Mr. Harper - that's right, Mr. A. L. Harper - and stick this
 22 on it (exhibiting document). This house was too good, they said -
 23 this was too good for temporarily. Well, I told them I wasn't
 24 going to live in water when I can do better, and they - this is what
 25 they stick on my house, to stop the - the house is halfway up now,
 26 and if they would let people in Russell City before, if they had of

1 told me that when I was buying - paying that \$7500 for it, I
 2 wouldn't have been there. They didn't say that. They wait until
 3 I got it paid for, tell me now I can't fix the house and going to
 4 give me a fair price - they going to give me all my money back. I
 5 put a lawn, it was a mudhole - I put 200 loads of dirt in that place
 6 to fill it up. I got a nice place. My children going - graduated
 7 from Hayward High, they gone now. So why I want to move now all
 8 over the world, when I got a place? Just let me finish it, fix it.
 9 We fix it up. My husband have a good job, been there 16 years, he
 10 can fix it. Now, allow me a break - not stick these tags on the
 11 house and holler at the people "nasty rathole." It's no ratholes
 12 in my house. It's not nasty in there, either - you better know
 13 it. You think it's nasty? Come in anytime and find out if it's
 14 nasty. Then if you find rats there, then I'll pay you for them -
 15 all the rats you found around there. It's lot more people out
 16 there.

17 I wants to fix the house. I got proof. The house is up there
 18 now, and then they go stick this - this thing. I taked it off.
 19 And after this meeting I'm telling you right here, after this
 20 meeting - I told them, after this meeting, if it doesn't come to
 21 something, I'm going to fix my house - and don't nobody bother me,
 22 don't bother me.

23 CHAIRMAN PURSEL: Anybody else who wishes to speak at this time,
 24 any other individual who hasn't had an opportunity? (No response)
 25 We have covered all the categories, as you know, that were on the
 26 agenda. Has everybody who desired to do so had an opportunity to

1 speak, presented themselves before this Board? Yes, sir, you
 2 there way in the rear, did you wish to speak? All right. After
 3 you, then, that will conclude the hearing. Have you spoken before,
 4 sir?

5
 6 FLOYD HUGHEY

7 having been previously sworn by the
 8 Clerk, testified further as follows:

9 THE CLERK: Your name and address?

10 MR. HUGHEY: Hughey, Floyd Hughey, and I --

11 CHAIRMAN PURSEL: Have you spoken before, sir?

12 MR. HUGHEY: Not tonight. I have spoken here once before, but
 13 not tonight.

14 CHAIRMAN PURSEL: Yes, you spoke before. Yes.

15 MR. HUGHEY: Here. Right here, last Tuesday night.

16 CHAIRMAN PURSEL: All right. Well, on this condition, sir,
 17 because we have tried to limit it to one appearance before.

18 MR. HUGHEY: Okay. Thank you very much.

19 CHAIRMAN PURSEL: You may make a few comments if you want. Go
 20 ahead. Make it as brief as possible.

21 MR. HUGHEY: Oh, I will do that. I could preach all night, but
 22 it wouldn't do no good. I just wanted you to see one point. Out
 23 of everything we do, don't care how we struggle, yet it's a
 24 stumbling block - you put stumbling blocks in all of the Russell
 25 City people's path, as well as I know.

26 MEMBER OF AUDIENCE: That's right. That's the truth.

MR. HUGHEY: And listen, I'm not satisfied in it, God's not

1 satisfied. But whatever you got in mind to do, regardless - even
2 when they fired the building brick homes - you tell me to build a
3 brick home; if you give me the permit I will build a brick home,
4 stand specifications anywhere.

5 But this is the main thing, y'all want the property. You
6 didn't want it up until just now. You got something in mind. You
7 won't let us know nothing. You tell us nothing. And while we
8 sleep you doing nothing at all but pencilling us out of our life.
9 And I - let me tell you, and I own my piece of property and I - I
10 want to say this - regardless to the condition, I want to stay
11 there, even I got what lots of them haven't got - I mean every-
12 body's not able to do what others is. I've got a bath, hot and
13 cold water, good water - never made none of my people sick, and I
14 raised all my family there, then I'm satisfied. Somebody always on
15 my backdoor with a book - I don't like that, because I'm too old
16 now for that.

17 But let me tell you one thing, if you got to have my property
18 don't relocate me nowhere. I wouldn't - I wasn't relocated there.
19 You didn't tell me to go out there. I had to go someplace. I used
20 to stay in Oakland, too, but rent got so high until I had to leave
21 there, I couldn't pay it. But I worked, I worked hard for that
22 little piece of property, thanks to the Lord, give me health and
23 strength to come out more than once, and now if you take the place--

24 CHAIRMAN PURSEL: I can't hear you.

25 MR. HUGHEY: -- just pay me for it. Don't relocate me. I go
26 wherever I'm welcome.

1 CHAIRMAN PURSEL: Okay. Thank you very much. Lady, did you
2 wish to speak?

3 MRS. FRANKLIN: I would, please. I'd like to ask a question.

4 CHAIRMAN PURSEL: Okay, ask a question.

5 MRS. FRANKLIN: Do I have to be sworn?

6 MR. LEWIS: If she just wants to ask a question --

7 MRS. FRANKLIN: I don't want to make a speech, I just want to
8 ask a question. I will be sworn in.

9 MRS. LODIA FRANKLIN

10 sworn as a witness by the
11 Clerk, testified as follows:

12 THE CLERK: Your name and address?

13 MRS. FRANKLIN: Lodia Franklin, 2600 - 65th Avenue, Oakland. I
14 would like to ask the gentleman, he stated a while ago that - how
15 many property owners did you say there was in Russell City, ap-
16 proximately 430, and did I understand you clearly to say that it
17 was almost impossible for you to contact those, as they were
18 mentioned voting?

19 MR. HERRON: No, ma'am, I did not. I said it would be almost
20 impossible to obtain common agreement amongst those property
21 owners to do anything like sewer and water.

22 MR. FRANKLIN: How do you expect to get in touch with all
23 these property owners, as they are some out of the state and in the
24 state to take their land when they haven't had any say-so? You
25 just take it anyhow?

26 MR. HERRON: We have had no problem in getting in touch with

1 it, then it would go down to the Planning Commission for that
2 report and recommendation.

3 The Planning Commission would make that report they are re-
4 quired to; if they don't, then it comes back up to the Board of
5 Supervisors, this time as a legislative body - this is a legal term,
6 but the Board of Supervisors, and it would be the same gentlemen
7 but they're sitting as the governing body of the County of Alameda.

8 Now, another hearing is legally required. This hearing is to
9 provide a public forum, again for the exposure of the plan to
10 public comment. This hearing must be conducted after four suc-
11 cessive publications once a week - in other words, a month's pub-
12 lication four times. Then the hearings are conducted.

13 Then the law requires that certain findings must be made. Now,
14 there are seven or eight, and they are quite lengthy and I won't
15 go over them, but they are legally required before the plan can be
16 legally adopted. If those findings cannot be made and the evidence
17 does not support it, then of course the ordinance which must adopt
18 a plan could not be passed as legally sufficient.

19 But I did want to emphasize that there is going to be another
20 hearing if the plan is approved, or approved as amended, so you
21 can watch your newspapers and you can get in touch with the
22 Redevelopment Agency for any information on that.

23 Now also I would like to mention that not only the Board, the
24 Agency, will be afforded the opportunity of examining the trans-
25 cript, but also copies of this transcript will be made available
26 to any person or organization, at cost, for the purpose of their

1 examination. Now, we are doing this for two reasons--one, if the
2 plan does become approved and it is necessary, and it will be
3 necessary, for another hearing to be held, the staff testimony
4 that you have heard during the course of basically the first and
5 possibly the second meeting here can be introduced merely from the
6 record. You all know generally what it was. If somebody missed
7 something, they can go down to the Redevelopment Agency and then
8 they can look through the transcript, even if they don't want to
9 buy one, so that this can be done and we won't have to take up a
10 lot of time, your time, the Board's time, with repetitious matter.
11 Anybody who wishes to speak there could also include - could ask
12 that his remarks made here be included by reference, and that way
13 I believe that we could facilitate the whole hearing procedure.

14 Now, this about concludes any remarks that I have to make. I
15 would like to turn this back to the Board. Thank you very much.

16 CHAIRMAN PURSEL: Thank you very much, Mr. Lewis. I hope you
17 all understand Mr. Lewis' comments and directives as to procedure.

18 As I understand it, Mr. Lewis, our procedure would be that we
19 conclude these hearings as of tonight --

20 MR. LEWIS: Yes.

21 CHAIRMAN PURSEL: -- but that we continue this matter to a
22 time certain - if it meets with the approval of the Board, on next
23 Tuesday's agenda, at 10:00 o'clock. Would that be --

24 MR. LEWIS: Or, Mr. Chairman, if it's the Board's - I suppose
25 somebody would make a motion, but if the Board - the Agency, excuse
26 me, feels that it would want more time to examine this - I don't

1 whether Mr. Razeto will be able to get this part of the transcript
2 right away, it may be several days before it is typed up, so I
3 would suggest possibly a week or two weeks, in your judgment, that
4 is best suitable.

5 CHAIRMAN PURSEL: May I suggest two weeks from today?

6 SUPERVISOR SWEENEY: That is good. I will move it.

7 SUPERVISOR HANMON: Seconded.

8 CHAIRMAN PURSEL: Mr. Sweeney moves, Mr. Hannon seconds, that
9 this matter be continued, to be placed on the agenda two weeks
10 from today at a regular Board meeting in the Court House.

11 MR. LEWIS: There is one thing more, ladies and gentlemen. It
12 has been possible to sit out in Hayward here because it is under
13 no restriction as to where the hearings are to be held, but as far
14 as the Board of Supervisors is concerned the law requires that they
15 conduct their hearings in the County Seat, which is the City of
16 Oakland, so therefore we would probably have to hold the final
17 hearings in the Board's Chambers. Now, if any other larger facility
18 becomes available, that will be considered in our publication of
19 notice. We won't make the same mistake twice, if we can avoid it,
20 but if it is in the Board Room we will have to establish, I think
21 right now, the ground rules - that it will have to be first come
22 first serve.

23 Now, if we can put up additional facilities, there are going to
24 be interested people that can't get in, maybe we can provide a
25 loudspeaker or something like that - but if we are going to be
26 faced with that circumstance, I hope you will understand when you

1 see it does have to be in Oakland - the Board can't sit outside the
2 City of Oakland.

3 CHAIRMAN PURSEL: Before we vote on the motion, may I ask a
4 question of the Reporter - would the transcription of these pro-
5 ceedings be available for Mr. Murphy and Mr. Razeto and any other
6 Board Member to review within the next week?

7 THE REPORTER: More, or less than one week - I will do my best.

8 CHAIRMAN PURSEL: Certainly it would give them an opportunity
9 to review it for a meeting before two weeks from today.

10 SUPERVISOR SWEENEY: The 5th of February, is that the date?

11 CHAIRMAN PURSEL: All right. There has been a motion and a
12 second that this matter be continued on this agenda for February
13 5, said meeting to be held in the Courthouse. Call the roll.

14 THE CLERK: On that, I notice there is a grievance appeal set
15 before the Board at 10:30 on February the 5th, how long would you
16 expect this to last?

17 CHAIRMAN PURSEL: What would you suggest, Mr. Lewis?

18 MR. LEWIS: Well, I wish to ask permission of the Chair to make
19 additional comments - I'm sorry, things keep coming along. I wish
20 the record to show that exhibits marked 1 through 3 should be
21 changed to read A, B and C, and also that the photographs intro-
22 duced previously - they were identified as 12 in number; that
23 should be changed to be 13 in number, there being numbers 6 and 6-A.

24 CHAIRMAN PURSEL: Thank you.

25 MR. LEWIS: Excuse me, Mr. Chairman. So ordered?

26 CHAIRMAN PURSEL: The record will show as indicated by the

1 legal adviser, Mr. Clerk. All right, then, on the motion, Mr.
2 Clerk, will you call the roll?

3 THE CLERK: I don't have the time on that.

4 CHAIRMAN PURSEL: That the matter be continued to the time of
5 11:00 o'clock, at the Tuesday meeting, February 5th, of the Board
6 of Supervisors, in the Courthouse in Oakland.

7 (Roll was called; Ayes, 4 - Noes, none.)

8 CHAIRMAN PURSEL: Four Ayes, such is the order. So the hearing
9 is concluded, and we want to thank every one of you for your co-
10 operation in helping us conduct these proceedings in an orderly
11 manner.

12 *****

13 REPORTER'S CERTIFICATE

14
15 STATE OF CALIFORNIA }

16 COUNTY OF ALAMEDA }

ss

17 This is to certify that I, Robert B. Manners, a licensed
18 Certified Shorthand Reporter of the State of California, was
19 present and did take down in Stenograph writing the foregoing
20 proceedings and did thereafter transcribe my Stenograph writing
21 into typewriting, and that this transcript is a full, true, correct
22 and accurate transcription of my said Stenograph writing.

23 DATED: Monday, January 28, 1963.

24 
25 Certified Shorthand Reporter
26