

BRISBANE  
*City of Stars*

THE FIRST  
TWENTY - FIVE YEARS  
1961 - 1986

Written and Produced by  
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Sausalito, California

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## Preface

In 1986, the City of Brisbane, in conjunction with its 25th anniversary celebration, launched an oral history project, with the goal of producing a commemorative history of the community. Because aspects of Brisbane's history since incorporation in 1961 involve complex political issues, the city decided to publish its history in two books – the first covering the period before incorporation, and the second covering the 25 years from 1961 to 1986. Oral History Associates, a Bay Area firm specializing in corporate and municipal histories, was hired to conduct interviews and to research, write, and design both books. The first volume, *A Spirit of Independence*, was published in November 1986. Work on the second volume, *Brisbane, City of Stars*, got underway in 1987 and was completed in 1989.

Nearly two years in the making, *Brisbane, City of Stars* presents a detailed picture of Brisbane's first 25 years of cityhood. While the focus of the book is on the community itself, the story's scope extends far beyond the city limits, since Brisbane has been a major participant in events that have had repercussions at the county, state, and even national levels of government. To capture the flavor of the times and to gain first-hand insight into the city's history, 32 people who have figured prominently in the community's affairs were interviewed. Their individual oral histories have been woven into the fabric of this book's narrative, making it a unique and wide-ranging account of a remarkable period of time. The tapes and transcripts of these interviews have been given to the city and are available in the Brisbane Library.

I wish to express my gratitude to all those who helped to create *Brisbane, City of Stars*. The writing and design of the book was overseen by a special committee appointed by the Brisbane City Council. The committee members were Fred Smith and Ray Miller of the City Council; Dolores Gomez, manager of the Brisbane Library; and Dorothy Radoff, city historian. Rosemary Cameron, the assistant to the city manager, coordinated the project on behalf of the city administration. Frank Walch supplied many of the photos used in the book. Sam Hasegawa of Oral History Associates was the writer.

On behalf of the City of Brisbane, I would also like to extend special thanks to each of the 32 individuals who graciously agreed to be interviewed and provided the primary source material for *Brisbane, City of Stars*. Without their participation, this book would not have been possible.

Sharon Mercer  
President  
Oral History Associates



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## *Chapter One*

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### THE CITY OF STARS

Every Christmas, the eastern slopes of San Bruno Mountain undergo a miraculous transformation. On the rooftops of Brisbane, a multitude of stars appear, sparkling with the spirit of the community that lives nestled in the shelter of the mountain. Like the city itself, the Christmas stars were for many years a well-kept secret. Since Brisbane incorporated in 1961, however, more and more people have discovered the Christmas stars, and the little community has become well known for the role it has played in some of the biggest political developments in Northern California in the past several decades.

Anyone driving into Brisbane for the first time experiences a pleasant surprise. Just minutes after you get off the Bayshore Freeway, you find yourself in a small town that seems out in the country, hundreds of miles away from urban congestion. The physical setting of Brisbane, with San Bruno Mountain soaring into the sky behind it, is spectacular. The town itself, with its mix of older and newer homes on narrow streets, is utterly charming. Secluded and peaceful, Brisbane seems the very image of small-town life from a bygone era.

The origins of this small-town character, which makes Brisbane unlike any other city in the Bay Area, can be traced to the 1930s. Although the first homes in Brisbane were built shortly after the turn of the century, the community really began to grow up during the Great Depression. Brisbane was built by people who know how hard you have to work to get something in life, and how hard you have to fight to keep it. The character of Brisbane reflects the best, and sometimes the worst, qualities of small-town life. On the one hand, there is a neighborliness that makes Brisbane feel totally different from the anonymity of the bigger cities to its north and south. On the other hand, the city's political battles have been bitterly fought, and the big issues have split the community.

Brisbane has a strong democratic tradition that harks back to the town meetings of another century. Because the population is only slightly over 3,000, people know each other. You can call up your neighbors on the City Council and give them a piece of your mind. Better still, you can go to council meetings yourself and let the rest of the community know exactly what you think. Brisbane's strong democratic tradition, combined with a fierce spirit of independence, have added up to constant factionalism and disputes. Brisbane citizens have become masters of the arts of the recall, ballot initiative, and lawsuit.

Nestled on the eastern slopes of San Bruno Mountain, Brisbane is geographically isolated from its neighbors — San Francisco to the north, South San Francisco to the south, and Daly City and Colma to the west (photo from 1959)



Compared with Brisbane's rambunctious politics, city government in other parts of the Bay Area can seem colorless. Yet what makes the struggles of Brisbane unique, and exciting, is not just the volatility of these disputes but their nature. While Brisbane is small, the issues in its history have been big indeed. The battles over the environmental hazards of garbage disposal, conservation of San Francisco Bay, development on San Bruno Mountain, and the struggle for municipal survival after Proposition 13 — these have been some of the most important political issues not only in Brisbane but throughout all the Bay Area in the 25 years between 1961 and 1986.

Through all the conflicts that Brisbane has weathered, there is one recurring theme — the issue of local self-determination. Like Brisbane's town-meeting style of city politics, the desire for home rule is something that goes back to the earliest days of this country, and it brings up one of the basic issues in American government. In a democracy, the majority rules, but this does not mean that the opinions and rights of the minority are simply dismissed. However, standing up for one's rights through the legal and political system is not always easy. For a small city like Brisbane to assert its right to home rule has been a constant battle.

Brisbane's political history since incorporation in 1961 has been every bit as turbulent as that of our country in recent decades. But the controversies that have rocked the city have not destroyed the community's small-town atmosphere. Stop in at the 23 Club or at Flo and Carol's for lunch on a weekday, and you will find a down-home, neighborly atmosphere. Walk the city streets, and you will feel a calmness that perfectly matches Brisbane's beautiful rural setting.



Brisbane's peaceful atmosphere is nicely expressed in its nickname. People began to call their community "the City of Stars" because of the tradition of putting large Christmas stars on the city's rooftops. Since the Chamber of Commerce started this tradition back in the 1940s, the number of stars in Brisbane has grown until now they light up most of the city during the holidays. The Christmas stars have become a display not only of holiday cheer, but also of pride in the city and its unique identity.

Indeed, the Christmas-time spectacle of stars twinkling on the mountain makes Brisbane "the City of Stars." But the city is also filled with human stars – not of the Hollywood type but of the kind that comes from the constellation of ordinary folks. Together, Brisbane's ordinary people have accomplished some truly extraordinary things. They are the real luminaries that shine on the slopes of "the City of Stars."

This is their story.



One of Brisbane's  
Christmas stars

## *The Christmas Stars Tradition*

According to Frank Walch, Brisbane's first Christmas star appeared way back in 1939, when a man named Gaynor on Kings Road put up a large green star. Art Kennedy, who was active in the Chamber of Commerce, liked the idea, and the next year he decided the chamber should start building Christmas stars. "Art got a lot of lumber together," Walch recalls. "Then we just scrounged up some wiring from different places, and we all went to work up there at his place. I think we put about 20 stars up that first year. That was a good beginning."

After a temporary blackout during World War II, the Chamber of Commerce started building stars again in 1945. The stars were supplied free of charge to any Brisbane resident who asked for them. Over the years, the number of stars on Brisbane roofs grew steadily. Today, anyone coming to Brisbane on a holiday evening will see several hundred large stars sparkling on the city's hillsides. "It's gorgeous," says Paul Schmidt, who lights his entire acre of property. "Brisbane looks just like a Christmas postcard."

Beautiful and cheery, the Christmas stars on the slopes of San Bruno Mountain have become the main symbol of Brisbane's civic identity. "The stars are a part of living here," says Bill Del Chiaro, owner of Brisbane Hardware. "When you go to Texas, you wear cowboy hat and boots. When you live in Brisbane, you put up a star." Jeanne Bermen-Hosking, a resident of the city since the 1960s, puts it this way: "Because of the stars, people feel more like they belong in Brisbane."

Frank Walch, who helped start the tradition back in 1940, looks out over the city's stars each Christmas with pride and accomplishment. "We've had a lot of satisfaction with the Christmas stars," Walch says. "And they've brought Brisbane something that no other community up or down the Peninsula has. Now we are known as the City of Stars."

**Bill Del Chiaro presents Richard Hosking with an award in 1969 for his work as the chairman of the Christmas stars committee**

**The 1968 and 1980 winners of the Lions Club's annual Christmas star and lighting contest**



## *Chapter Two*

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### **CREATING A CITY: 1960-1964**

#### **Powerful Neighbors**

In 1960, the United States stood poised on the threshold of a decade that would rock the nation with unprecedented historical, political, and cultural changes. With the Eisenhower era in its final year, the presidential campaigns of John F. Kennedy and Richard Nixon shifted into high gear. This campaign, the first ever to feature televised debates between the candidates, ushered in a new era in national politics. The immediacy and visual impact of television brought to the American public two candidates with views that looked in opposite directions. Nixon represented continuity with a highly successful past, a Republican administration that had overseen eight years of unprecedented prosperity. Kennedy presented a compelling vision of the future, a new society that would make sweeping changes.

In 1960, the town of Brisbane also found itself at a political crossroads, looking both to the past and to the future. Like the country, the little community had passed through the 1950s in relative tranquility. A township under San Mateo County rule, Brisbane had over the years developed a strong sense of identity and civic pride. People liked the quality of life in their community, its rural atmosphere, and its forthright small-town simplicity. Many of its residents saw no reason why anything should change.

While the people of Brisbane took great pride in their town, many outside the community viewed it as a backwater without much distinction. The town was relatively poor, had only a small business sector, and was geographically isolated. For most of its history, Brisbane simply seemed to escape notice. In the 1950s, however, that situation had begun to change. Powerful political and financial interests had realized that Brisbane occupied a prime piece of real estate, right in the heart of one of the largest unincorporated areas in northern San Mateo County.

As a political entity, the Brisbane of the 1950s was like a small neutral country surrounded by much larger and more powerful neighbors – the city and county of San Francisco to the north, Daly City to the northwest, and South San Francisco to the south. Daly City had made no secret that it wanted to annex all the unincorporated lands between its southeastern boundary and the San Francisco Bay. Brisbane also figured in the plans of San Francisco, which

**Brisbane and the Bay in the early 1960s, as seen from the ridges of San Bruno Mountain above the city, looking north**



by law prohibits dumping of garbage within its city-county limits. Since the early 1900s, Brisbane had been a dump site for the San Francisco garbage companies.

Because any decisions on the use of unincorporated lands were ultimately subject to county law, the San Mateo County Board of Supervisors in Redwood City was also scrutinizing Brisbane's situation, particularly with regard to urban renewal projects. The Brisbane area, with its large tracts of open space only minutes away from San Francisco, was a highly desirable location for the housing development the county needed to meet future growth. County planners estimated that the county's population, which was then slightly over 444,000, would soar past the 1,000,000 mark by 1985.

Brisbane was not only surrounded by powerful political neighbors, it was also hemmed in by big financial interests. The Southern Pacific railroad yard occupied about 600 acres of valuable industrial property adjacent to the town. One of the nation's largest railroads, Southern Pacific had an impressive real estate portfolio. At that time, the railroad was by far the largest private landowner in California, owning more than 2 million acres of property throughout the state.

While Southern Pacific had no immediate plans for the large vacant portions of its property, Brisbane had another neighbor with large landholdings who definitely was contemplating development. This was the Crocker Land Company, a subsidiary of the Crocker Estate Company, which was owned by the heirs to Charles Crocker, founder of Crocker Bank. Crocker Land Company owned properties throughout California, in several other western states, and in Mexico. Its San Mateo County holdings included all of the undeveloped property on San Bruno Mountain and a large tract of tidelands on the east side of the Bayshore Freeway. The town of Brisbane was almost completely surrounded by Crocker-owned property.

Crocker's San Bruno Mountain property was originally part of a Spanish land grant called the Rancho Cañada de Guadalupe la Visitación y Rodeo Viejo, which at one time occupied about 9,500 acres. In 1884, Charles Crocker acquired 3,814 acres of this land for \$260,000. By the 1950s, Visitacion Rancho,



as the property was commonly called, covered 3,600 acres, or about one-ninth the area of San Francisco. Crocker Land Company saw this acreage as the ideal location for what it hoped would eventually be one of the largest residential and commercial developments in San Mateo County.

### **A Prelude to Incorporation**

The political and financial forces that would shape Brisbane's history had begun to converge in the early 1950s when Crocker Land Company announced plans for an industrial park in the Guadalupe Valley, directly to the north of the town. Since this development would need police, fire, water, and sewer services, the development would eventually have to be annexed to one or more cities. Crocker management believed that their development plans would be simplified if Brisbane were to incorporate and then annex the industrial park.

Not long after Crocker announced its plans for the proposed industrial park, a group of Brisbane residents began meeting to discuss the idea of incorporation. In the summer of 1953, these discussions led to the formation of the Brisbane Citizens' Committee, a group which felt the town should incorporate. Chairman of the committee, which had over 20 members, was Arthur Kennedy. Frank Walch, David With, Louis Duncan, and Fred Schmidt also played prominent roles. The pro-incorporation group was well organized and produced a series of newsletters to promote the advantages of cityhood. The finance subcommittee, headed by Frank Walch, produced a first-year budget for the proposed city, as well as other financial documents which showed the tax breaks incorporation would bring. The committee also began canvassing the neighborhoods to collect the signatures needed to arrange a special election to decide the issue of incorporation. Within several months, the committee had obtained the required number of signatures and filed the necessary papers with the county. The election was to be held on January 12, 1954.

This first attempt to incorporate Brisbane was strongly backed by Crocker Land Company, which helped finance the publicity campaign and also offered to donate land for a new city hall. M. Sherman Eubanks, who started

working for Crocker in 1948 as an engineer and eventually became the company's president, was involved in this effort. "We financially and publicly supported that incorporation attempt," Eubanks says, "because we wanted the community to get off the ground and become well established before we put much of our property into it." Eubanks personally drew up the map which outlined the proposed city's boundaries.

While the leaders of the Brisbane Citizens' Committee tended to view Crocker as a much-needed ally, other residents of the town were suspicious of the company's motives. As the election date neared, an anti-incorporation group was formed and began to mail out letters which disputed the pro-incorporation committee's figures on tax rates. This group claimed that cityhood would mean large increases in the taxes Brisbane residents paid. They also claimed that the Brisbane Citizens' Committee was being manipulated by Crocker Land Company. They said that Crocker, not the people of Brisbane, stood to benefit most if the town incorporated.

Although the people responsible for the anti-incorporation campaign never revealed their names, a good portion of Brisbane residents opposed incorporation and did not hesitate to express their opinions. A major complaint was that Crocker's proposed industrial park had not been placed within the city boundaries. Without this industrial tax base, an incorporated Brisbane would have to generate most of its revenues from its homeowners' property taxes. Many people were convinced that their taxes would go up if the town became a city, no matter what the pro-incorporation group predicted.

As the day of the special election drew near, the controversy over incorporation intensified, and it was clear that opinion was almost evenly divided. On January 12, 1954, a record turnout of 1,096 Brisbane residents, 73 percent of the town's 1,496 registered voters, went to the polls to decide the issue. The next morning, after all the ballots had been counted, Brisbane remained a township. Incorporation was voted down 554 to 495, a margin of only 59 votes.

This outcome drew a mixed reaction in Brisbane. Depending on which side of the issue people were on, the vote was either a triumph or a bitter defeat. Art Kennedy, the chairman of the incorporation committee, took the loss personally. "We might have had one of the finest little towns in California," Kennedy told a *San Mateo Times* reporter. "It's a shame. I don't understand how anyone could believe that taxes would go up anymore than if the town remained a ward of the county." Kennedy went on to tell the reporter that he was personally through trying to help the town politically. "It is too much of a strain trying to hold down a responsible job and campaign, too," he said.

While the failure of the incorporation drive drew a mixed response in Brisbane, people in Daly City found the outcome of the vote to be great news. The *Daly City Record* immediately ran an editorial on the subject of Brisbane's failure to incorporate. "Fortunately, for Daly City, residents of Brisbane this week turned down incorporation for their community," the editorial stated. "You can be sure, however, that future efforts will be made to make Brisbane a city. In the event that the move is successful, how will incorporation affect Daly City? The general consensus is that, taking a long-term view, the results won't be good. If the citizens of Brisbane someday decide to incorporate, Daly City may eventually lose some choice land that otherwise might come within her

boundaries. Chief cause for worry is the fact that a city of Brisbane could encroach on Daly City's last outlet for expansion — the 3,600 acres of Crocker Estate land to the east."

The editorial went on to note that Daly City had to continue to grow, and that annexation of Crocker-owned land should be one of the city's top priorities. The article also noted that the proposed industrial park in Guadalupe Valley could be the key to Daly City's financial future. "The negative voters in Brisbane have given Daly City a breather," the editorial concluded. "Now it's up to the city fathers to jump in with both feet and see what Daly City's chances are for moving eastward over into the Crocker Estate's 'frontier.'"

### The Second Incorporation Drive

The people in Brisbane who had opposed incorporation in the 1950s felt that they would be giving up too much independence by becoming a city. Strangely enough, it was exactly this same spirit of independence that led to a second incorporation drive in 1960. A key figure in this Brisbane-led effort was businessman Dick Schroeder, who had owned and operated Brisbane Hardware from 1938 to 1958. Because of Schroeder's involvement in community affairs, many people in Brisbane referred to him as the town's "unofficial mayor." Like Art Kennedy before him, Schroeder had taken it upon himself to "represent" the town at the county seat in Redwood City. When problems such as street repairs and the like came up, Schroeder was often the man who went to talk to county officials to try to get action.

In April 1960, Schroeder learned that the San Mateo County Planning Commission was working on a general plan for Brisbane. He and several of his friends went down to Redwood City to attend a meeting of the county supervisors to see what was going on. What the Brisbane group discovered was that the general plan had already been drafted. To their amazement, they found in the back of the room a display filled with pictures of their town. The photographs and drawings showed Brisbane before and after an urban renewal project. This was evidently part of a Planning Commission presentation scheduled to be held in Brisbane later in the week. Schroeder and his friends were upset that no one in Brisbane had been consulted about this tentative general plan for their town. They went back to Brisbane and started telling people what the county was up to.

Although no one in Brisbane had been consulted about the general plan, the county ultimately intended to seek the advice of the community. The first draft of the plan was sent to the county Planning Commission with a cover letter signed by Frank Skillman, the county's planning director. "Owing to the urgency of preparing this study, we did not have the opportunity to enlist the active participation of Brisbane residents," Skillman wrote in his letter. "With the accompanying proposals as a frame of reference, perhaps a majority of Brisbane's citizens will wish to organize and delegate their leaders to make their community aspirations known to you at public meetings."

This last sentence turned out to be prophetic, but in a way that Skillman probably never imagined. When the Planning Commission meeting convened a few days later at Brisbane's Natalie Lipman Intermediate School, it was the county officials' turn to be astounded. They entered the room and found it



Dick Schroeder in 1959

packed with angry people from Brisbane. "Frank Skillman asked me, 'How could you get this many people together in three days?'" Dick Schroeder recalls. "We started complaining right then and there. We told them that they had better hold off until they had a few hearings. Skillman said, 'This is the first hearing.' We said, 'Then how come you have all these pictures?'"

Just days after this meeting, the second incorporation effort got underway. Dick Schroeder, Art Kennedy, Jay Fichera, and Frank Walch were among the community leaders who helped organize a town meeting on May 2, 1960 at Lipman School to discuss incorporation and the prospect of urban renewal. "Some of the committee members from the first incorporation attempt got this meeting together," Schroeder explains. "I think we had 300 people, although we were only supposed to have maybe 150. We also had Skillman and the county there. They tried to explain certain things about urban renewal, and they were lucky they didn't get lynched!"

As a result of this meeting, the Brisbane Citizens' Committee for Incorporation was formed to study the advantages and disadvantages of becoming a city. Committee members John Turner, Fred Schmidt, Louis Duncan, and Barbara Pratt decided that this second incorporation effort would be handled as a grassroots affair, right from the beginning. This included the financing. "The original funding for this incorporation effort came from us as individuals," says Fred Schmidt. "The people put into it themselves. We all donated a certain amount to pay for the paperwork and all the other things that were necessary to get this incorporation going. It was a home-grown situation, and it was a good one." Throughout the spring and summer, the committee grew rapidly. Eventually, its membership included more than 70 individuals and local businesses.

Crocker Land Company watched the new incorporation effort with interest, although an incorporated Brisbane no longer figured in its immediate development plans. In 1959, the company had opened Crocker Industrial Park. Crocker had found a way to proceed with this project without putting any of its property into a municipality. Company officials had gone to Sacramento and obtained legislation which would allow a private land-owner to set up a special district. This legislation, which would later be used as a model by the developers of Foster City, was passed in 1959 and resulted in the creation of the Guadalupe Valley Municipal Improvement District. The district, which supplied water and sewage treatment services to the park, was administered by Crocker out of its offices in San Francisco.

The main reason why Crocker had chosen this course of action was that by setting up its own special district, it was able to build a water system for the industrial park and then charge its tenants for water services by billing them through the district. Under normal circumstances, it would be illegal for an individual or private business to "resell" Hetch Hetchy water. Setting up the special district also made it practical for Crocker to build a sewage treatment system for the park, which it needed since there was none close by. At the time, the Brisbane Sewer Maintenance District, like other small districts in the Bay Area, had no treatment plant and was simply dumping raw sewage into the Bay. Half the funding for the new treatment plant came from Crocker. The other half came from the Brisbane Sewer Maintenance District, which was allowed to share the facility, under a contractual arrangement with Crocker.



Although Crocker had found a way to provide, and charge for, basic services normally supplied by a municipality, the company still hoped that Brisbane would incorporate. Crocker decided that this time, however, it would maintain its distance. "We thought that our involvement might have been the kiss of death to that first try at incorporation," explains Sherman Eubanks. "So we decided not to support the second one financially or in any other way." Crocker also made it clear that it did not want its new industrial park to be included in Brisbane's city limits.

### Pros and Cons

After considering a variety of ideas, including annexation to South San Francisco, the incorporation committee recommended that Brisbane vote to incorporate a 2.5-square-mile area and suggested boundary lines. The committee also recommended that Brisbane become a general law city, which meant it would have a city manager form of government, with no mayoral elections and no city charter. This choice seemed most practical because nearly all the cities in San Mateo County are general law cities. Redwood City and San Mateo are the county's only charter cities. The incorporation committee then began to circulate petitions to get the signatures needed to arrange a special election.

With Crocker staying away, people in Brisbane felt that this time they could decide the issue on their own. The incorporation movement gathered strength quickly. "We all were committed," says Frank Walch, who again helped lead the incorporation effort. "We committed ourselves to the fact that we wanted to do it, the people wanted to do it. At that point, we had to weigh the benefits and what we were going to face as obligations."

The first problem was trying to sell the benefits. Some Brisbane residents felt that home rule was not necessarily a good thing. "Some of the people really didn't want a mayor or somebody else telling them what the heck to do," says Fred Schmidt. "They felt the town would be more rural if it was kept in the county system." Those favoring incorporation pointed out that, as a township, Brisbane paid for this lack of local government by not having any control over basic municipal services. Police protection, for example, was handled by the county sheriff, who sent a patrol car to the town for most of the day but did not police the town after midnight. San Mateo County was also responsible for street repairs. The county had no set schedule for doing this, and the condition of Brisbane's streets showed it.

Other people in Brisbane expressed concern about taxes, stating that incorporated cities cost taxpayers more than unincorporated townships did. Proponents of incorporation pointed out that the taxes Brisbane was paying to all its special districts added up to a considerable load. Brisbane was already paying more than an incorporated city's taxes, they argued. In fact, unincorporated Brisbane had one of the highest tax rates in the county. Furthermore, the town was not getting very much for its tax dollar.

Through the summer and fall of 1960, as Brisbane continued to discuss incorporation, it became clear to most people that the best way to preserve Brisbane's rural atmosphere was to incorporate. Proponents of incorporation pointed out that the community's future independence was endangered in two major ways. One threat came from Daly City, which appeared more anxious than ever to extend its boundaries to the Bay. "That was something the people

didn't want any part of," says Dick Schroeder. "Daly City had its own troubles. They had no industry or anything like that."

The other danger was urban renewal, and this turned out to be the issue that convinced most people that Brisbane should incorporate. Urban renewal was a county-administered program, and Brisbane with its 3,000 people had very little influence on the county supervisors, who governed a population of more than 400,000. To find out how much say unincorporated Brisbane actually had, Fred Schmidt wrote a letter to Keith Sorenson, the county district attorney, asking him to spell out what urban renewal meant to Brisbane and what the county's powers were.

The answer Schmidt received was not encouraging. "The letter said we didn't have enough people to argue against this thing," says Schmidt, "because this was a program that required a percentage of the whole population of the county to determine what to do with it. So I printed that reply and mailed it out to the people. I think that helped decide whether or not we were going to incorporate."

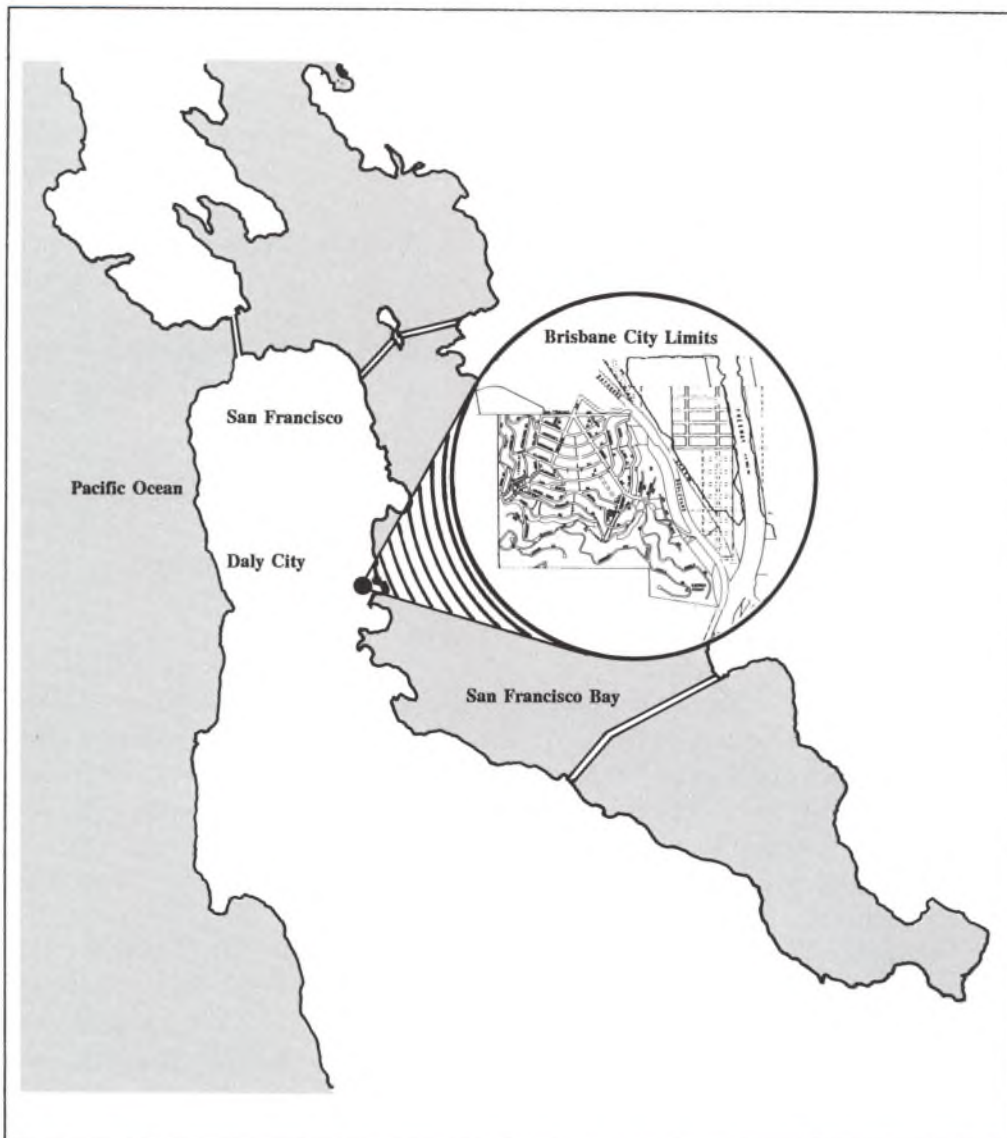
While the second incorporation effort was primarily a grassroots one, Brisbane found a powerful ally in Southern Pacific, the railroad whose large property would be adjacent to the city limits. Southern Pacific had already established relations with Brisbane by becoming part of the Brisbane Fire District. This had happened shortly after Brisbane firefighters had put out a big fire that firemen from the county and from the railroad's own fire department had not been able to control. "Southern Pacific did all our leg work for us as far as the incorporation was concerned," says Dick Schroeder. "Anything that had to go to Sacramento, they took to Sacramento."

Brisbane also had a highly placed friend in Redwood City. This was John Bruning, the county clerk, who helped the incorporation committee with its paperwork and also kept the committee informed about Daly City's annexation maneuverings. "We went down to Redwood City at seven o'clock in the morning to apply for incorporation," says Schroeder. "Daly City could have beat us to it, but we had John Bruning on our side."

### **Putting It to a Vote**

On May 25, 1961, a little over a year after that first town meeting on incorporation at Lipman School, the San Mateo County Board of Supervisors approved the boundary lines for the proposed city and scheduled the special election that would decide the issue. September 12, 1961 was chosen as the date when the voters of the town would answer the question, "Shall the proposed City of Brisbane become incorporated as a general law city?" The voters would also elect five city council members, who would become the city's first council if incorporation passed.

Eventually, 16 candidates filed for the election. In 1961, Brisbane had about 1,500 registered voters, so most of the candidates ran door-to-door campaigns, ringing doorbells and talking to their neighbors. On September 12, 1961, the residents of Brisbane voted 710 to 296 to incorporate. John Turner, Jess Salmon, Ernest Conway, James Williams, and Edward Schwenderlauf took the top five spots in the voting for the City Council. Turner, with 625 votes, was the election's front runner and the new council's probable choice for the city's first mayor.



Brisbane city limits at incorporation in 1961

This first City Council was an interesting cross-section of Brisbane's population. Turner was a retired executive from the naval shipyard at Hunter's Point, where many of Brisbane's blue-collar workers were employed. Salmon was an auto shop teacher at Berkeley High School. Both Schwenderlauf and Conway were building contractors and had built many of the newer homes in Brisbane. Williams ran the auto body shop in town. Despite the differences in their occupations, these five men had two things in common. First, they were all long-time residents of Brisbane and well-known in the little community. Second, none of them had any experience in politics.

Although the new City Council may have been made up of amateur politicians, they handled their duties with an admirable level of professionalism. To allow enough time for handling all the myriad details that had to be dealt with before the town could become a city, the City Council set November 27, 1961 as the date of incorporation. John Bruning had advised the council that one of its first items of business should be to name a city attorney. This was because unincorporated Brisbane was under county law, but these laws would

cease to be in effect the moment Brisbane incorporated. Since the city would then be without any laws whatsoever, the City Council needed to prepare a set of emergency ordinances, ready to be enacted immediately. The council's choice for city attorney was Conrad Reisch, formerly an attorney for the Bayshore Sanitary District and the first city attorney of Pacifica. Reisch quickly drafted a set of emergency ordinances, based on county law.

The city also had to produce its first budget. Here, Ralph Smith, a Southern Pacific tax agent, proved to be a big help. "Through the efforts of Dick Schroeder, Frank Walch, and John Turner, we got a hold of Smith," explains Fred Schmidt. "Smith worked for Southern Pacific and had experience in budget affairs. They set up a budget that this community could operate with, with the funds that were available."

The council then began advertising for a city manager and asked Marion Moran to be temporary city clerk, a position that would exist only until the new city manager was hired. Besides a city attorney and a clerk, Brisbane needed a treasurer. Frank Walch was the person selected for this position.

#### **November 27, 1961: Brisbane Becomes a City**

On Monday, November 27, 1961, an audience of about 150 people gathered at Lipman School to witness Brisbane become the 17th city in San Mateo County and the 376th city in California. The chairman and two other members of the county Board of Supervisors, the mayors of Pacifica and Burlingame, and the city manager of South San Francisco were also present. The first item of business was administering the oaths of office to the five council members and to the city attorney, treasurer, and city clerk. This task was handled by John Bruning, the San Mateo County clerk.

After the city's eight officials were sworn in, the City Council voted unanimously to name John Turner the city's first mayor. Ed Schwenderlauf was named mayor pro tem. Earl Whitmore, the San Mateo County sheriff, was named temporary chief of police, and Don Wilson, the county's engineer, was named the city's engineer. Mayor Turner noted that the city had \$40 in its treasury. This money came from the incorporation committee, which had donated the last of its funds to the city.

These funds were not, of course, enough to get the new city up and running, and Turner's comment was meant to be taken in jest, although it was the truth for that evening. To meet its first city budget, which was \$69,000 for fiscal year 1961-1962, Brisbane was depending on startup money from the state. The state provided new cities a per capita grant. "Sacramento gave you money, \$7 for each person living in town," Dick Schroeder explains. "We had something like 4,500 people, according to the formula the state had, which was the number of registered voters times three. That money came in for police protection and this and that. It gave you money to work with."

After the swearing-in ceremony, the City Council proceeded to read and pass six lengthy emergency ordinances. These laws covered the basic community controls such as zoning, building, plumbing, electrical, and fire codes, and the like. By the next council meeting, a total of 14 municipal ordinances had been enacted. A city manager form of government was set up, with elections for City Council seats to be held in the spring of even-numbered years. Two council seats would be for two-year terms, and the other three would be for four years.

The mayor would be selected by a vote of the council every year. The City Council also established city taxes and transferred funds from the sanitation and police districts into the city treasury.

In December, the City Council began developing permanent laws and plans to run the city. A temporary city hall was set up in the Brisbane Water District offices. As 1961 came to a close, Brisbane celebrated its first Christmas as a city, with five more stars appearing on rooftops, for a total of 70. This tradition, which had been started in 1940 by Art Kennedy, was sponsored by the Chamber of Commerce. Made of wood, the stars came in two sizes, 12 or 16 feet high, with either 30 or 41 lights. There was no charge for materials or installation. The stars, which cost about \$12 each, were given to anyone who asked for them on a first-come, first-serve basis.

### **The First Full Year**

Early in 1962, the City Council began to consider policies for the future. In January, Brisbane's Planning Commission was established and immediately set to work. The first commission members were Chairman Bob Bedbury, Richard Trantham, George Neilson, Jack Blanchard, and Fred Schmidt. "The big issues were how to provide services to the community and how to provide for the expansion of the community," says Schmidt. "Did we want apartment buildings? Did we want single-family dwellings? Did we want to expand lot sizes for homes? Did we want to keep the rural atmosphere, or did we want to try to go big-time and create something else?"

While these long-term issues were being discussed, the most pressing question was how the city would finance its operations for the short term. Here, the new City Council made a pleasant discovery. Brisbane's industrial tax base turned out to be much larger than anyone had ever anticipated before



**Entrants in the 1962 Miss Brisbane beauty contest. Nancy Bell, on the left, was the winner.**

incorporation. The number-one contributor was Van Waters & Rogers, the big chemicals and scientific supplies company located on Bayshore Boulevard. "We found out that we were sitting on about \$120,000 a year in sales tax revenue from Van Waters & Rogers," says Jess Salmon. "All of a sudden, we were wealthy. Money-wise, VWR has been the backbone of this community since day one, as far as I'm concerned, because of their sales tax revenues."

The city also imposed a municipal business license fee and negotiated franchises with PG&E for gas and electric service and with the South San Francisco Scavenger Company for garbage collection. The city then took over the three special districts and combined their taxes into a single city tax of \$0.50 per \$100 of assessed property valuation. This was good news for Brisbane residents. Before incorporation, the taxes from the three special districts had totaled about \$1.40 per \$100 of assessed valuation. The new 50-cent city tax rate was 4 cents lower than the old police district tax rate alone.

Early in the spring, the City Council hired Brisbane's first city manager. This was Lanier "Len" Brady, who started work on March 1, 1962. The ad that Brady responded to made no attempt to make the newly incorporated city sound like paradise. "A hillside community with a very small business district, poorly laid out, with narrow streets and open storm drains," it read in part.

When Brady arrived in Brisbane, he saw that the condition of the streets and the other problems the city faced were major ones. Far from being dismayed, Brady says that he fell in love with the city at first sight. He also quickly discovered what he felt was Brisbane's greatest asset — its citizens. "I found Brisbane to be a congenial group of people," Brady says. "I was readily accepted by people I had never met before in my life. I was welcomed into their homes, at their dinner tables, and at social and business and civic club gatherings."

Brady was uniquely qualified for the job of helping the newly incorporated city of Brisbane get started. He had been the first city manager of Ripon, California. After serving there for 11 years, he had been hired as the first city manager of Hollister, California, a position he had held for five years. For Brady, going to work in Brisbane produced a feeling of *deja vu*. He went to work in Brisbane exactly 16 years to the day he had started in Ripon. Like Brisbane, Ripon had set up its first city hall in the local water district offices.

In April, Brisbane held its first City Council elections as an incorporated city. Because of state election laws, Ernie Conway, Ed Schwenderlauf, and Jim Williams were all required to face reelection for four-year terms, even though they had only been in office for six months. All three won reelection to the council easily. One of Len Brady's first tasks as city manager was to swear in these three council members.

### **The Southern Pacific and PG&E Annexations**

Len Brady saw that Brisbane's biggest problem in future years was going to be a lack of municipal revenues, due to its small population. Since property taxes on homeowners were not likely to supply the funds needed for major municipal improvements, he felt that Brisbane should try to increase the size of its industrial tax base. That was not exactly his mandate, however. "My initial interpretation of the goals of the leaders of Brisbane was that they wanted self-

determination for their own future," Brady explains. "But they weren't necessarily looking to grow tax-base-wise at first. I don't think they were looking to take in more territory."

Nevertheless, Brady decided to investigate the possibility of annexing the unincorporated land near the city limits. The Southern Pacific railroad yard was the first property Brady considered. Daly City had made it known it was interested in annexing this property. But Southern Pacific, which had been so helpful in the incorporation effort, seemed to favor annexation to Brisbane. Dick Schroeder introduced Brady to Ray Marks and Bill Schuster of Southern Pacific's land department. After beginning talks with the railroad officials, Brady started to meet with high-level PG&E staff to discuss annexation of the utility's Martin Substation, located on Geneva Avenue near the Cow Palace.

Through the summer and fall of 1962, Brady and the City Council continued to negotiate with Southern Pacific and PG&E. In the meantime, Brisbane's leaders were busy with other city affairs. In August, the council approved a \$106,000 budget for fiscal year 1962-1963. The biggest item was the police department budget of \$48,000. Brisbane also received good news when the county assessor placed a \$2,973,240 assessed valuation on the community, just slightly under the \$3 million value city officials had estimated. This assured the community that its tax rate would remain at 50 cents.

On September 1, 1962, the new Brisbane Police Department took over from the county sheriff, with Calvin Smith as the city's first police chief. On October 15, the city administration moved into its first official city hall, which was located at 31 Visitacion Avenue. The rent was \$100 a month. The council also continued to work on the city's first general plan and hired Williams, Cook & Mocine, a municipal planning consulting firm, to assist.

Late in 1962, both Southern Pacific and PG&E reached a decision on the annexation question. In December, Southern Pacific announced that it was requesting Brisbane to annex its property. PG&E came in shortly afterward. Dick Schroeder believes that credit for the success of the negotiations with Southern Pacific and PG&E should go to Len Brady. "That guy opened more doors," Schroeder says. "If he didn't have the key, he knew where to get it. If it hadn't been for Brady, we would have had a tough time getting started. He got the annexation through SP because he was well known. He was really active in the League of California Cities when he was at Hollister. That's how come we ended up being real close with SP. They knew the city was in good hands, and that's when they said, 'Well, we don't mind coming in the rest of the way, all the way to the county line.'"

Together, the Southern Pacific and PG&E properties, which totaled about 700 acres, doubled the land area of Brisbane. Since Southern Pacific's property lines extended into the Bay, Brisbane greatly increased the amount of water acreage within its jurisdiction. Including 8,350 acres of tidelands and Bay waters, Brisbane's boundaries now encompassed 9,750 acres, or slightly more than 15 square miles.

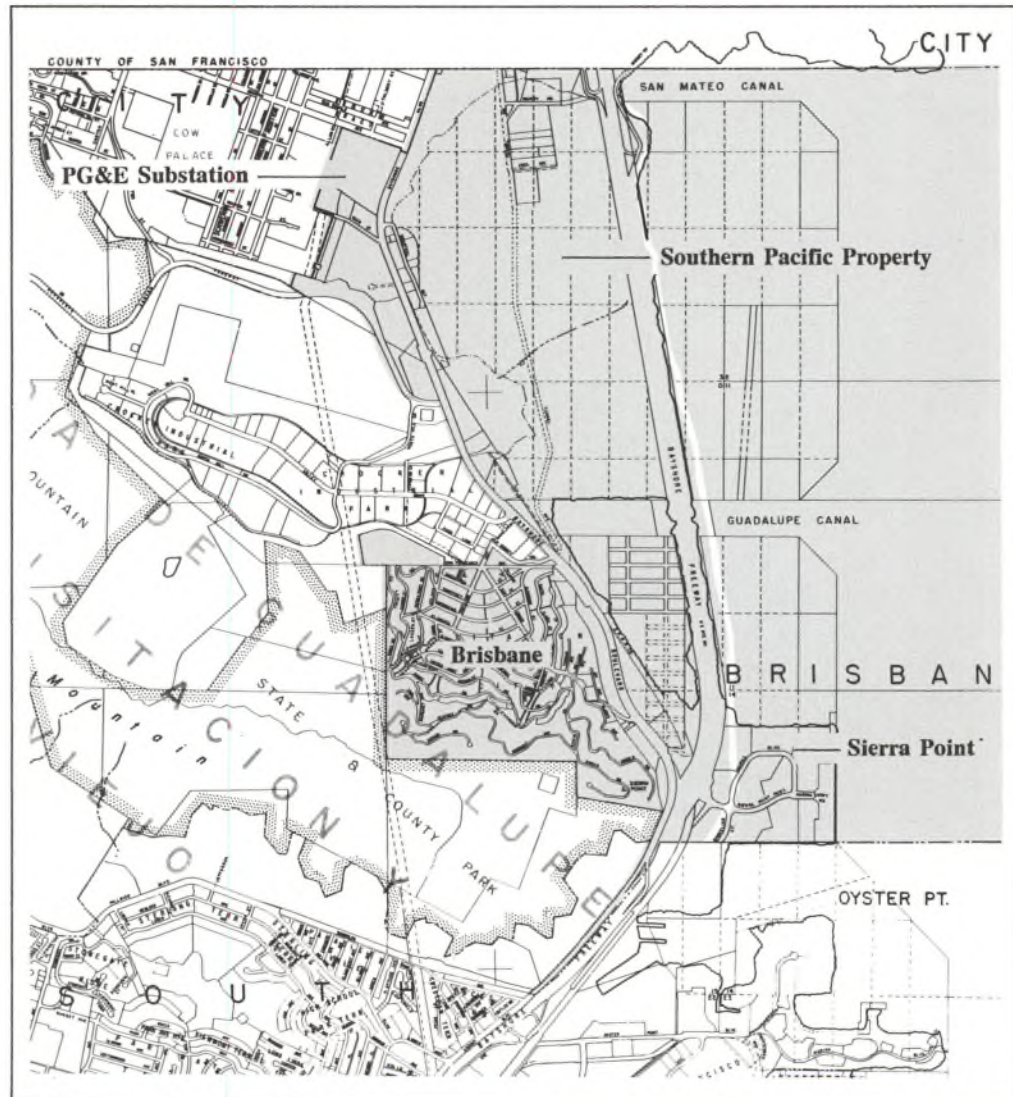
The Southern Pacific and PG&E annexation increased Brisbane's tax base tremendously. The city's assessed valuation tripled, going from \$3 million to \$9 million overnight. "We were able to really put some financial muscle into the city of Brisbane," says Len Brady. "I'm not ashamed to say that I tried to be not only active but aggressive in getting as much of the unincorporated land

as I could for Brisbane. If we didn't get it, Daly City was going to. The city manager of Daly City was Ed Frank at that time. He and I were good friends, but on that matter, we were friendly enemies. I fought for what I felt we deserved, and afterward he told me, 'You beat us, Brady. Little old Brisbane, you beat us.'

Jess Salmon recalls that other Daly City officials reacted in a considerably less charitable way. "Daly City hit the ceiling," says Salmon, "because they had aspirations of annexing everything from the ocean to the Bay. But we got all that land out from under them and they didn't realize it. We did it quietly, and they didn't know until it was too late."

Daly City and Bayshore Sanitary District were not about to give up without a fight. In 1963, the sanitary district would take Brisbane to Superior Court to contest the annexation, but Brisbane's position would be upheld by Judge Louis Dematteis. Although the district would continue the legal battle in a higher court, the ultimate outcome would be a Circuit Court of Appeals ruling in 1965 upholding the lower court opinion and allowing the annexation to stand.

**Brisbane's city limits after the annexation of the Southern Pacific and PG&E properties in 1962. At that time, the garbage dumping that eventually created the Sierra Point landfill had not started.**





### The Start of the Garbage Wars

With the annexation of the Southern Pacific and PG&E properties, the city's financial future seemed secure. But 1962, Brisbane's first full year as an incorporated city, also brought an ominous development. In August, Sanitary Fill Company, operator of the Brisbane garbage dump, announced that it was purchasing 250 acres of tidelands at Sierra Point from Crocker Land Company for a fill-and-cover dump operation. San Francisco, which had been looking for additional sites for garbage disposal, had threatened condemnation proceedings against Crocker to gain access to the Sierra Point property. Crocker had decided to sell for \$1 million rather than risk legal action.

Located on the east side of the Bayshore Freeway at the edge of the Bay, the Sierra Point property was acquired to replace the almost-filled site on the Brisbane Lagoon. Like the previous Brisbane dump, the site would be operated by Sanitary Fill, which was jointly owned by the two companies which had held the franchise for San Francisco's garbage collection since the 1930s. These companies were Sunset Scavenger Corporation, which collected all of the city's residential garbage, and Golden Gate Disposal Company, which collected the commercial refuse. Joe D. Molinari, the president of Sunset Scavenger, estimated that the new site could handle disposal of San Francisco's garbage for the next 40 years.

In the fall of 1962, Sanitary Fill began building roads and dikes at Sierra Point without formal permission from Brisbane. Suddenly, Brisbane found itself looking at the possibility of another dump site in its city limits — this time one located right on the edge of the Bay. The sale of Sierra Point to Sanitary Fill would have an extraordinary impact on the history of Brisbane. "One of the things I always liked about Brisbane was that we had issues," says Frank Walch. "We had to establish ourselves, draw our lines, so to speak." With this development in 1962, the major political issue of the decade had arrived, and in Brisbane the battle lines were already being drawn up.

San Francisco had been dumping garbage in Brisbane since after the 1906 earthquake. Depending on how you viewed the issue, the garbage was either a curse or a blessing in disguise. On the one hand, the refuse sites had given Brisbane the nickname of the San Francisco city dump. On the other, the fees charged for dumping were a much-needed source of income.

Opinion about garbage dumping was evenly divided and had been for a long time. "I remember in 1932, when I came to Brisbane, garbage was already an issue," says Dorothy Radoff, whose columns on Brisbane's past for the *Brisbane Bee* have earned her the title of the city's resident historian. "When we became a city in 1961, the garbage issue was a hot potato right from the beginning. You had two forces in town, and they were almost equal in number, one pro-garbage, the other anti-garbage."

The Sierra Point dump site put a new twist on the old issue. Not only would the city receive a yearly fee from Sanitary Fill, but the dump would also eventually create 250 acres of waterfront real estate. This property could conceivably be developed and thus provide a lucrative source of funds in the future.

Controversy about Sierra Point did not take long to develop. In January 1963, Sanitary Fill applied for a use permit from the city allowing the site to be used as a dump. In February 1963, the City Council voted 3-2 to approve the

permit and signed a contract that allowed garbage to be dumped at Sierra Point for \$30,000 a year. With fees scheduled to rise over time, the contract would give the city about \$1.5 million over the proposed 30-year life of the dump. John Turner, Jim Williams, and Jess Salmon were the three councilmen who voted for the contract. Ernie Conway and Ed Schwenderlauf were the two opposed.

The council members in favor of dumping at Sierra Point felt that they were looking out for the best interests of the city. "I was just trying to get the best deal for the town," says Jim Williams. "I felt I was looking for the future. We had all sorts of plans for the landfill. We had a beautiful place for a restaurant and parks. We were even talking about a little airport." Jess Salmon echoes Williams' sentiments. "The dumpers were paying us \$30,000 a year willingly," he says. "They were filling the land and making very valuable real estate at the same time."

But there was also strong opposition to the dump in Brisbane. "It's true that garbage dumping in the Bay offered the community a lot of money," says Fred Schmidt, then on the city's Planning Commission. "Plus, once the dump was filled in, there would be more usable land to convert into some kind of industrial base, and that meant a bigger tax base. But some of us weren't thinking that way. We were thinking of the environment. We felt we had something more to offer the future than the people with the business aspect did."

The more environmentalist members of the Planning Commission also had another reason to resent the contract with Sanitary Fill. The City Council had approved and signed the contract without consulting the commission, as required by city ordinance. The planning commissioners demanded to be allowed to review the decision. "The contract had already been written and signed, and we hadn't been advised of it," says Fred Schmidt. "But the city legal staff advised the council that they should have had the proper hearings before the commission. So then we were called in to read some of this information on the agreement they had with Sunset Scavenger to fill the Bay with garbage. We had serious hearings for about a year. Some of those meetings got so fiery that there were threats and the whole works thrown out there."

As Schmidt indicates, those hearings are remembered to this day for their bitterness. "People who live in Brisbane take their local politics very seriously," says John Gomez, a resident since 1933. "People who had been friends for many, many years became enemies over the garbage issue."

Jay Fichera, who moved to Brisbane right after World War II, was one person who felt Brisbane's old image had to go. "Because of the dump site, the bus drivers would drive through here and turn around and say, 'Brisbane, the City Dump,'" says Fichera. "Now, something like that would be fighting words, as far as I'm concerned." Those were most definitely fighting words for planning commissioners Richard Burr and Fred Schmidt, both of whom became outspoken critics of the contract with Sanitary Fill.

Another opponent of the proposed dump was Paul Goercke, a music teacher for the South San Francisco Unified School District. Goercke had moved to Brisbane in 1962, and one of his neighbors, Richard Burr, had quickly introduced him to the town's biggest political battle. "Richard Burr was bringing around this material," says Goercke. "I remember he had a little cartoon from

the *San Francisco Chronicle* showing slop in the Bay here, San Francisco's garbage, and making it look as awful as it really was."

Goercke was also finding out first-hand about Brisbane's image. He recalls that when he would introduce himself to people and tell them where he had he moved, the inevitable comment was, "Oh, you're from Brisbane, the garbage dump." Goercke began attending the hearings and soon became one of the most outspoken members of the community on the garbage issue.

Opposition to the dump was also strongly supported by the Save the Bay Committee, a regional environmentalist group working to stop indiscriminate landfill in San Francisco Bay. In December 1963, the garbage controversy in Brisbane came to a head when the Planning Commission voted to reject the contract with Sanitary Fill by a 3-2 margin. Richard Burr, Fred Schmidt, and William Frank voted against the contract, while Julius Stern and Ora Wolfe voted for it. The issue, which was now headed back to the City Council, was hardly decided at this point, however.

### **The Goal of Becoming a Full-Service City**

While the signing of the contract with Sanitary Fill was the single most important event of 1963, the year was filled with other developments. Brisbane continued to work toward achieving its goal of becoming a full-service city. Early in 1963, Brisbane set up its own municipal water department, establishing a degree of independence from the Crocker Land Company and the Guadalupe Valley Municipal Improvement District. "We had a sewer system, but the treatment plant had been put in by the Crocker Land Company," explains Fred Schmidt. "We had been paying to use it, but we didn't have control of that plant at all."

In the fall of 1963, the city also added two key staff members. Carl Kirker was named city engineer, replacing Don Wilson, the county's engineer. Emil Echeberry became the public works department's first employee. In November, the city got its first local bus and taxi service.

The Brisbane Elementary School District also figured in the year's events. In February, the district received permission from the state to build Panorama Elementary School. Panorama had been an extremely controversial issue. The problem here was that the Brisbane Elementary School District extends far beyond the Brisbane city limits, taking in all of San Bruno Mountain and a portion of Daly City. The Panorama School was to be built on Bellevue Avenue in Daly City and would be attended by Daly City students.

Robert Lloyd, who became the district's superintendent in 1960, was given the unenviable task of trying to explain this situation to the voters. "The first order of business when I came to town," he says, "was to try to muster support for a \$1,375,000 bond issue to build a school in Daly City, which was not very realistic to the people in Brisbane." The bond issue finally passed after three elections. Construction on Panorama got underway in the spring of 1963, and the school was completed in time to open in the fall for classes.

In January 1964, the city of Brisbane established a municipal fire department and absorbed the Brisbane Fire District, which had been in existence since 1933. Dick Seiss, who had been the fire district's chief since 1953, became Brisbane's first fire chief. Bringing the fire department into the city was an important step for two main reasons. The first was a practical consideration.

## *Serving the Community*

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While Brisbane is famous for its fiery city politics, many long-time residents will tell you that the real heart and soul of the community can be found in the city's clubs and other civic organizations. The city has had a full range of organizations, which include the Chamber of Commerce, the Lions, the Eagles, the Brisbane Garden Club, the Brisbane Community Association, the PTA and Parent's Club, the Federated Women's Club, and Friends of the Library. Diverse as these groups are, they all have two things in common: a commitment to community service and an equally strong commitment to having a good time!

Over the years, Brisbane's clubs and civic organizations have played a key role in the development of the community. Since Brisbane often had little cash in city coffers to pay for improvements during its early years, Brisbane civic organizations would get together and make improvements themselves. A new playground, new curtains for a school, a stage for the community center, park improvements, the bicentennial walkway, neighborhood cleanups – these are just a few of the things Brisbane's clubs have helped provide.

Brisbane's Lions and Eagles clubs have been key movers, and the community always counted on the two clubs to help out people in need. The Lions sponsored health fairs, senior citizens dinners at Christmas, dinners delivered to house-bound seniors once a month, leukemia fund drives, and other activities. The Eagles often served as the city's emergency relief agency. "The Eagles were very good when people were burned out of their homes by fire or something like that," says Anna Lou Martin, who has lived in Brisbane since the 1940s. "They would immediately have a large benefit dinner. We always had big turnouts and collected quite a bit of money to help people."

Over the years, Brisbane's clubs and service organizations have helped pull people together during hard times while raising money for projects to improve the community's quality of life. "Just about all the activities have been for something for the community, something that there wasn't enough money for in the budget," says Helen Sullivan, who has been active in the Brisbane Community Association, the Friends of the Library, and other groups. "I remember when the Fire Department needed a 'jaws of life,' and all the clubs had activities to raise money for that. Then, when Proposition 13 hit, our recreation department here about totally dried up. That created a real need for the community clubs, and they sponsored things for the children like magic shows. The library was also having activities for the kids, and still does."

It made sense for the city to administer fire department affairs directly, since fire protection was the responsibility of the city. The department's responsibilities had also greatly expanded because of the Southern Pacific and PG&E annexation. In 1963, the city had obtained a contract to provide fire protection service to the PG&E substation.

The second reason for creating a city fire department was an emotional one. Brisbane's firemen had played a key role in the development of the community. An all-volunteer outfit until 1949, the fire department had helped draw people in Brisbane together. Before incorporation, the fire district's three-member commission had been the town's unofficial governing body, and the department itself had provided a focal point for community activities. One example of this was the construction of Brisbane's firehouse in 1936. This was a true community effort, with all labor supplied free of charge by the people in the town.

The fire department had also helped promote community spirit in other special ways. On Christmas Day, for instance, the firemen would get in one of their trucks and drive around Brisbane to hand out bags of goodies to children. This tradition, which is still carried on, was started by the department and the Lions Club way back in 1933.



**Brisbane Cub Scouts and Boy Scouts helping to make 1,150 packages of apples, oranges, and candy for the Lions Club's 1966 Operation Santa Claus**

**Santa on the fire truck, delivering the presents**

### **The Anti-Garbage Faction Organizes**

The new year, 1964, opened with the garbage war continuing to grow more heated. Some of the town's most respected citizens began to speak out against the contract with Sanitary Fill. One of these was Dr. Salvatore J. Guardino, who had moved to Brisbane in 1936 and was the town's first resident doctor. Dr. Guardino felt it was time the community tried to create a new image. "Brisbane is being thought of as being poor and needing the money from the dump," he stated at a City Council meeting in February. "You want to get away from this psychology of poverty."

Dr. Guardino was well-qualified to speak on the subject of poverty. Over the years, he had often picked up the bill at the local pharmacy for patients he knew were short of money, and there were times when he had delivered babies for free. "Dr. Guardino did a lot of work for nothing for people who couldn't afford to pay," says Jay Fichera. "He wouldn't even charge them and would treat them just as nice as if they were his best customers." The

doctor was also as feisty as he was good-hearted. A professional boxer in his younger days, he was not the sort of man who backed away from an argument.

As the April 1964 city elections neared, the controversy over garbage dumping at Sierra Point intensified. The contract with Sanitary Fill became the main campaign issue. John Turner and Jess Salmon, whose terms were up, were reelected to the City Council. Since both Turner and Salmon had voted with Mayor Williams to approve the contract with Sanitary Fill, their reelection to the council was a clear indication that a good number of Brisbane residents were pro-garbage. The stage was set for another showdown.

On August 4, 1964, in a session filled with violent arguments, the City Council overruled the Planning Commission, voting 3-2 to approve a 25-year contract with Sanitary Fill. Again, Williams, Turner, and Salmon were the three council members for the garbage, Schwenderlauf and Conway, the two against. Opposition to the contract was not silenced, however. In August, after the council refused to recognize an informal petition against dumping, a group calling itself the Brisbane Citizens for Civic Progress was formed to promote the anti-garbage cause. Louis Walker, who would later serve on the city's Planning Commission, was named the group's first chairman.

The Brisbane Citizens for Civic Progress was the first in a series of citizen advocacy groups that would figure prominently in Brisbane's turbulent political history. Little more than a loose association of concerned neighbors, this group must have seemed frail indeed compared to the powerful interests that were intent on seeing the Sierra Point contract honored. But the tiny organization set out to learn the rules of the political game fast. "The outside forces were setting dates and signing contracts," says Paul Goercke, one of the leaders of the group. "We either had to do something or just quietly shut up."

Although the anti-garbage people in Brisbane were not about to shut up, some of the initiatives taken over the next few months were fairly quiet. An art festival was organized by photographer Frank King to help offset the garbage image. Held in July 1963, this all-day festival featured work by over 300 artists and drew a crowd of more than 1,000 people. Around the same time, the Brisbane Garden Club was formed. Another example of concern about the city's quality of life was the formation of the Brisbane Parks and Recreation Commission. Created in August, not long after the vote on the garbage dumping contract, the commission was headed by Dick Firth.

But people in Brisbane opposed to the dump at Sierra Point did not restrict themselves to quiet displays of civic pride. The Brisbane Citizens for Civic Progress and others opposed to garbage had realized that the most effective method to mount opposition was through the political process. The weapons they chose were the recall and the initiative. These were potent devices that could be easily brought to bear in a town with less than 1,500 registered voters. Either measure required a petition signed by one-quarter of the city's registered voters. A handful of people going door to door could quickly gather the 400-or-so signatures needed to set either one of these electoral procedures in motion.

### **The 1964 School Board Recall Election**

Brisbane's first use of the recall came in November 1964 over an issue totally unrelated to the garbage war. This was an attempt to recall all five

members of the Brisbane Elementary School District Board. One reason for the recall was that the board had recommended that the city should take over the municipal recreation program. The school district had been handling this program because of an arrangement made with the county in the preincorporation days. The school board felt it was time for the city to take over the program since recreation was not an educational function.

The second source of controversy was the school district's plans to expand the Brisbane Elementary School. The district had commissioned an engineering study which found that the school building itself was sound but that the grounds needed major improvements. "The school was on 1.4 acres of land, which was completely inadequate for a school site," explains Robert Lloyd, the district's superintendent. "Besides that, the playground was sloping. If you dropped a ball there, it ended up in downtown Brisbane."

While nearly everyone agreed that the property needed to be expanded, the additional land could only be obtained by condemnation of property. This was a problem. "Of course, there were some homes there," says Lloyd, "and we had to get appraisals and negotiate acquisitions for 32 different parcels of land, some of which were occupied. I had the job of doing that personally, and that's something you would not want to repeat in your lifetime. There was some real acrimony that developed out of that."

The recall, organized by David With and John Pryshepa, was soundly defeated by a two-to-one margin in the November 10, 1964 election. As the school board recall vote showed, people in Brisbane continued to take their responsibility for education seriously. The election also provided the community with a first-hand education in how the recall process worked.



**The Brisbane Elementary School, built in 1936 with help from the WPA**

### A Sign of the Times

By incorporating, the people of Brisbane had accepted responsibility for making a wide range of decisions. Some of these decisions had consequences that extended far beyond the city limits. The controversy over Sierra Point, in particular, demonstrated how strongly outside influences could affect city politics. While the people of Brisbane had incorporated in order to ensure that they could have home rule, home rule did not mean that city decisions would be made in a political vacuum.

Brisbane's connection with the world outside its city limits was also evident in other ways. During the early 1960s, the entire nation was headed into a period of political and cultural upheaval. The Cuban missile crisis had shown how precariously U.S.-Soviet relations were balanced. The assassination of President John F. Kennedy demonstrated the undercurrent of violence in American culture. In the South, sit-ins at lunch counters developed into full-blown civil rights demonstrations and riots. In Berkeley, the Free Speech demonstration, which ended with the largest mass arrest in California history, marked the beginning of a period of intense student activism on college campuses across the nation. Meanwhile, in 1964, Congress passed the Tonkin Gulf Resolution, the first step on the road to full-scale U.S. military involvement in Vietnam.

In many ways, life in Brisbane seemed far removed from these disturbing events. But public sentiment develops first at the grassroots level, and the troubled spirit of the nation as a whole would be reflected in Brisbane's political battles during the late 1960s. Just as the entire nation would be divided on matters of national policy, the city of Brisbane would find itself bitterly split over local issues.

**Jim Williams (left) and Emil Echeberry, fixing up Brisbane's first City Hall, which was located at 31 Visitation Avenue. The building rented for just \$100 a month.**





## *Chapter Three*

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### **THE BAY AND THE MOUNTAIN: 1965-1969**

For Brisbane, surrounded as it was by vast areas of undeveloped property, the major issue in the late 1960s would be city land use policies. This issue was rapidly becoming one of the biggest problems faced by local governments in the Bay Area. In 1962, California had passed New York as the most populous state in the Union, and its population was continuing to increase by about one-half million annually. This growth would be a major factor in sending Bay Area real estate values soaring over the next two decades.

All land use issues in Brisbane have been, and continue to be, shaped by the city's dramatic geography, which is dominated by San Francisco Bay to the east and San Bruno Mountain to the west. In 1965, developments involving both the Bay and the mountain would be brought before the Brisbane City Council. Brisbane's decisions on these land use questions would draw the attention of the entire Bay Area.

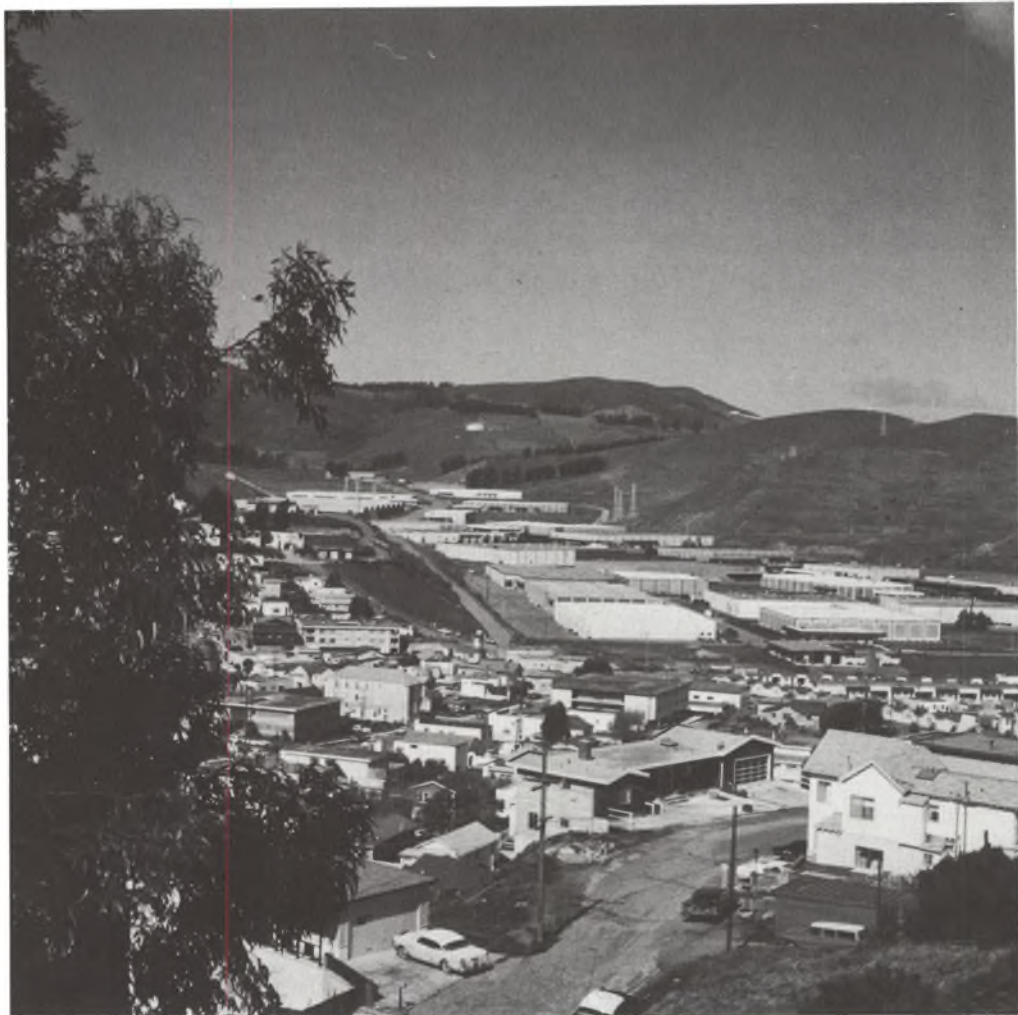
#### **Confronting the San Francisco Scavenger Companies**

Through early 1965, the business of running the city seemed to move along quietly. In February came the news that Bayshore Sanitary District's challenge to the Southern Pacific annexation had been rejected in the Circuit Court of Appeals, putting an end to that issue. In March, Clem Jones, the Lord Mayor of Brisbane, Australia, came to visit his new sister city.

But during those months, talk about the Sanitary Fill contract was a constant undercurrent. The Brisbane Citizens for Civic Progress continued to press for a recall of the City Council members who had voted for the dump. In April 1965, the group took on a decidedly more militant look when Paul Goercke was elected its president. The anti-garbage people in Brisbane were also taking a strongly environmentalist position, which they presented to the City Council at a meeting in April.

Louis Walker eloquently summed up the garbage issue and its importance, both to Brisbane and the entire Bay Area. "The citizen's committee wishes there were some way to be polite, rational, and long range about all this," Walker said at the meeting. "But the Bay at our door is filling up rapidly and will soon be out of sight. It is high time we all woke up to the fact that the Bay Area has a natural heritage worth saving. Brisbane, with its mountains

A view of Brisbane, looking toward Crocker Industrial Park. In the background to the right is San Bruno Mountain's Northeast Ridge; to the far left, a small part of the mountain's Saddle area can be seen.



and its water meadows, happens to be smack in the middle of it. Unless we acquire some political sophistication fast, it will all be taken away forever."

People in Brisbane were beginning to realize that the environmental aspect of the Sierra Point controversy was becoming a major concern to the entire Bay Area. Ecology, a once-obscure scientific discipline first developed in the 1930s, had turned into a subject that was capturing the imaginations of Americans everywhere. Environmentalists in the Bay Area were starting to organize to mobilize public support for the protection of the fragile ecosystems of one of the most beautiful bodies of water in the world.

In June 1965, songwriter Malvina Reynolds, whose hit song, "Little Boxes," ridiculed the "ticky-tacky" tract houses of Daly City's Serramonte development, wrote an anti-garbage song that began getting airplay. Environmentalists in California were doing much more than singing protest songs, however. In the early 1960s, the Save the Bay Committee and other conservationist groups had spearheaded the fight that led to the formation of the San Francisco Bay Conservation and Development Commission (BCDC) in 1965. Created by an act of the state legislature, the BCDC was given authority to control development on the Bay to prevent harmful environmental impacts.

The BCDC was specifically created to regulate indiscriminate landfill operations, which were then filling in the Bay at an average rate of 2,400 acres

a year. Over the previous 100 years, landfilling had shrunk the size of San Francisco Bay by an astounding 40 percent. In 1850, Bay waters covered a total area of 680 square miles. By 1960, when the Save the Bay Committee was formed, that figured had been reduced to less than 430 square miles. A study made by the U.S. Army Corps of Engineers in 1959 had shown that if landfilling continued at the rate it had during the 1950s, the Bay would be reduced to a narrow channel in another 100 years.

The extensive reclamation of tidelands in the Brisbane vicinity provided a good example of why public opposition to landfill was growing. Around the turn of the century, the site of present-day Brisbane was waterfront property, located on the south shore of a large inlet. If no landfilling had ever taken place, Bay waters would reach almost to the foot of Visitacion Avenue, and San Francisco Drive would be right on the shoreline. Much of the lower portion of Crocker Industrial Park and nearly all of Bayshore Boulevard between Guadalupe Canyon Parkway and Sierra Point would be under water. To the north, the shoreline would follow the edge of Bayshore Boulevard and then veer to the west, forming a large inlet in the area where the PG&E substation now stands. Residents of Daly City's Bayshore district would look out on water and marsh-covered tidelands to both the south and the east.

With public sentiment against indiscriminate landfill on the rise, the Brisbane Citizens for Civic Progress filed an initiative petition with Len Brady, the city manager, on June 28, 1965. This petition called for an election on a city ordinance banning garbage dumping east of the Bayshore Freeway and south of Guadalupe Canal. This law would have prevented the landfilling that later created Sierra Point. According to Conrad Reisch, the city attorney, the proposed ordinance would be both illegal and unenforceable. On his advice, the Brisbane City Council voted to reject the petition on July 12. The vote was split 3-2 as in previous votes on the garbage issue.

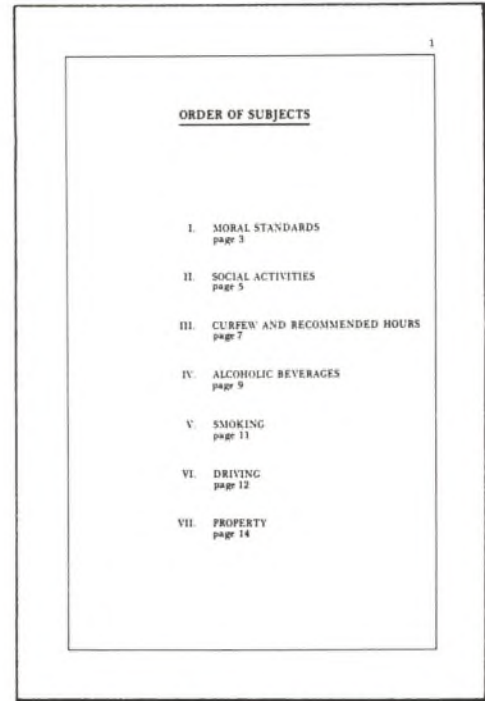
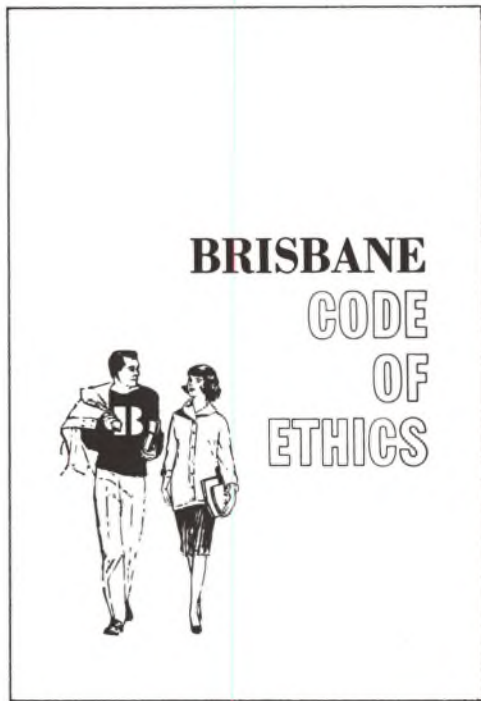
The anti-garbage faction responded by organizing a recall that targeted the council majority of Salmon, Turner, and Williams. Shortly after threats of the recall were published in the papers, the City Council reversed its position on the proposed initiative, voting unanimously on July 26, 1965, to put the anti-dumping ordinance on a special ballot in September.

Sanitary Fill decided that it was not going to wait until September to see how strong anti-garbage sentiment in Brisbane was. The company began closing the dikes that had already been built around the dump site, ignoring cease-and-desist orders from the city. On August 26, 1965, less than a month before the election, the dikes were finally completed, and the dump was ready for operation. Significantly, this action also occurred less than a month before the passage of the state legislation which created the Bay Conservation and Development Commission.

While Sanitary Fill felt it had a valid contract with the city, Brisbane voters voiced a dissenting opinion on the matter. On September 21, 1965, the vote on the ordinance banning dumping resulted in a stunning victory for the anti-garbage faction. The vote was a close one, with 406 votes for the ban on dumping and 323 against. Immediately after this victory, the recall against the three council members who had voted for garbage dumping was dropped.

The anti-garbage people in Brisbane were ecstatic. Their victory represented a true grassroots effort, an extraordinary example of how small-town

Pages from Brisbane's  
Code of Ethics booklet,  
published in 1964

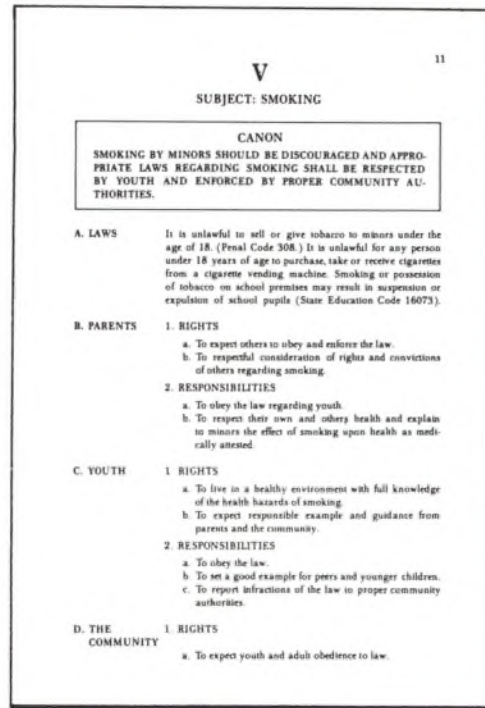
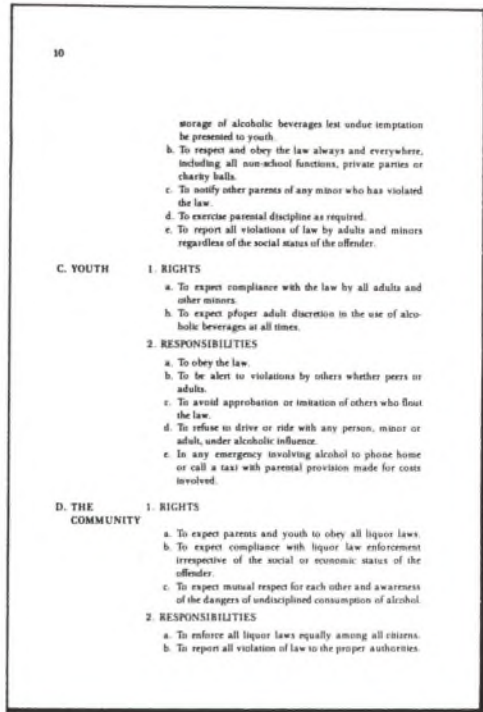


participatory democracy could stand up to big financial interests. The Brisbane Citizens for Civic Progress had spent about \$500 campaigning for the initiative. The main fund-raising event had been a "Garbage a Go Go" dance. Since this event had brought in only \$70, the rest of the money for the campaign had come out of its members' pockets. But while the anti-garbage force had good cause to celebrate its victory, only about half of Brisbane's registered voters had turned out for the election. That fact indicated that the garbage issue was far from being settled.

Although Conrad Reisch, the city attorney, had termed the anti-dumping ordinance unenforceable, the City Council now had no choice but to attempt to stop dumping in Brisbane. Sanitary Fill, however, was not about to tear up the contract negotiated with the city just a year earlier. On December 3, 1965, the company filed suit against the city of Brisbane, seeking a declaration of rights and an injunction against the city ordinance banning garbage dumping.

It was now clear that the \$500 initiative campaign had steered Brisbane into a battle with extremely high stakes. If the courts denied the injunction, San Francisco had to immediately find another place to dump its garbage or else face the prospect of having thousands of tons of refuse rotting in its streets. The San Francisco scavenger companies had not, however, been looking for other potential dump sites, since they had been assured by the Brisbane City Council that the Sierra Point contract would go through.

The anti-dumping ordinance thus threw an entirely unexpected monkey wrench into what at first had seemed to be a sure deal. If officials in San Francisco's City Hall were upset by this turn of events, so were the heads of Sunset Scavenger and Golden Gate Disposal. These two companies were not to be taken lightly. Not only were they big financially, they were well-connected politically. The garbage companies' political clout could even be seen in the Bay Conservation and Development Commission legislation, which contained a



grandfather clause intended to protect the right of scavenger companies to dump on tidelands. This clause had been added at the last minute through the efforts of San Francisco lobbyists.

Although the Brisbane City Council had been split over the garbage issue, its five members decided that, in light of the results of the initiative, they would present a united front. The council quickly sought out a lawyer capable of handling the complex litigation the lawsuit was certain to bring. The person they selected was Caspar Weinberger. A graduate of Harvard Law School, Weinberger was then vice president of Heller, Ehrman, White & McAuliffe, a high-powered San Francisco law firm.

In addition to impeccable legal credentials, Weinberger offered a considerable amount of political savvy. He had been a state assemblyman from 1950 to 1958 and had then run unsuccessfully for state attorney general in 1958. Weinberger's political fortunes would rise considerably in the years to come. In the late 1960s, Weinberger would serve as California's finance director under Governor Ronald Reagan. In the 1970s, he would move into the national political arena, serving as director of the Office of Management and Budget and then as Secretary of Health, Education and Welfare under President Richard Nixon. In 1981, after Ronald Reagan was elected president, Weinberger would become the nation's Secretary of Defense.

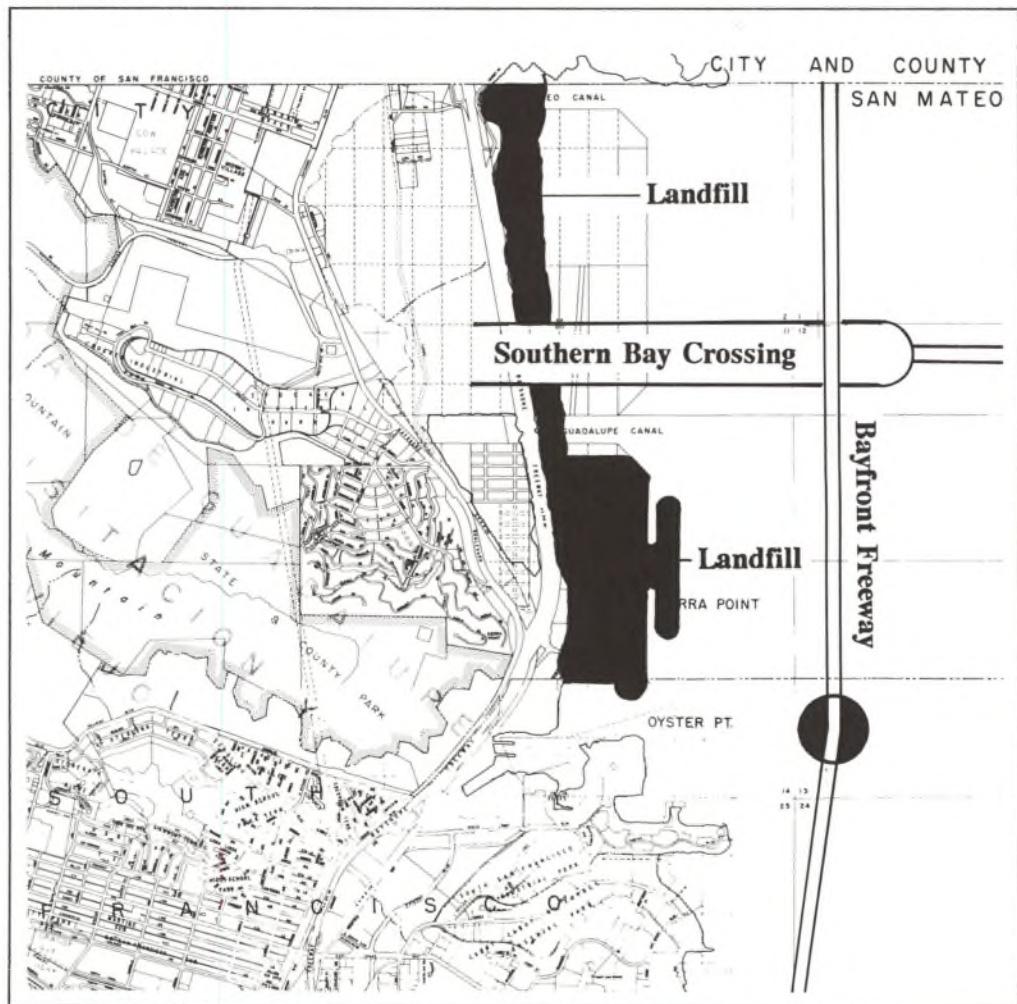
On December 28, 1965, Caspar Weinberger came to Brisbane and was introduced by Ernie Conway at a special City Council meeting. After an hour interview, the council voted unanimously to retain him as the city's special attorney for the upcoming litigation. Weinberger agreed to handle the case for a flat fee of \$35 per hour for both research and court room time. He assured the council that he himself would appear personally in court on behalf of the city. With Weinberger's hiring, Brisbane was set for the first phase of its showdown with Sanitary Fill.

**A Battle on the Mountain Materializes**

Although the most dramatic happenings in Brisbane in 1965 were those connected with the garbage dumping issue, the year ended with a turn of events that promised to be even more politically explosive. In November, after several years of rumors, the press began to report plans for a major development that would affect both the Bay and San Bruno Mountain. Initial articles indicated that the developers planned to cut off the eastern peak of San Bruno Mountain and transport the material down to the Bay to make an enormous shoreline development built on landfill. The leveled-off portion of the mountain would become the site of a huge housing development, with a projected population of 60,000 to 70,000 people.

The origins of this plan, which one reporter labeled "a destruction conspiracy," can be traced back to the late 1950s. Around the time that San Mateo County was making urban renewal plans for the Brisbane area, county planners were also working on master plans for the entire county. Along the shores of the Bay, the county envisioned a landfill development of unprecedented proportions. This plan took its inspiration from the need for a second north-south freeway on the Peninsula to handle traffic to and from San Francisco. San Mateo County planners proposed that this second freeway be built parallel to the Bayshore Freeway, but two to three miles out in the Bay. The

The proposed locations of the Bayfront Freeway and the western end of the Southern Bay Crossing, which was to be another Bay bridge. In Brisbane's 1965 General Plan, the landfill to the south of the bridge was to be the site of a large commercial development, with a marina at its north end.



tidelands between the two highways would then be filled and developed. Altogether, this development would cover about 23 square miles, which meant that an area of the Bay equivalent to half the area of San Francisco would be filled in.

This extraordinary master plan obviously required enormous quantities of earth. The obvious question was where this landfill would come from. Here, Crocker Land Company entered the picture. In 1962, Crocker formed Westbay Community Associates, a joint venture with Ideal Cement Company of Denver and David Rockefeller, president of Chase Manhattan Bank in New York. The plans Westbay announced in 1965 were consistent with San Mateo County's master plan for developing the shoreline of the Bay south of San Francisco International Airport.

Each of the three Westbay participants supplied a key ingredient in this development scheme. Crocker owned essentially all of San Bruno Mountain, which would be the source of the fill. Ideal Cement owned 10,000 acres of tidelands between San Francisco International Airport and the San Mateo-Hayward Bridge. David Rockefeller, and several other Rockefeller family members with minor interests in the venture, provided the financial backing.

Westbay's plans horrified people in Brisbane, who were suddenly faced with the prospect of losing the top of the ridge directly behind their city. This would not only destroy Brisbane's chief scenic feature, it would also allow the coastal fog to spill over the city, spoiling its warm, sunny weather. Brisbane residents were also far from happy about the idea of having a huge city built literally over their heads.

Rising more than 1,300 feet above the waters of San Francisco Bay, San Bruno Mountain provides both an exquisite background to Brisbane and more than 3,000 acres of natural beauty. Named for an 11th-century German saint by Father Francisco Palóu, the Spanish priest who first explored it in 1774, the mountain has always evoked powerful feelings in Brisbane people. Says Frank Walch, "When they started talking about cutting the top of the mountain off, that was like cutting the right arm off of all of us."

People in Brisbane were not the only ones to protest the Westbay plans. Early reports about the proposed development had, in fact, been one of the main factors behind the push for the legislation that led to the creation of the Bay Conservation and Development Commission in 1965. Led by the Save the Bay Committee, Bay Area conservationists and other concerned citizens were already organizing to stop the Westbay project.

By this time, Crocker Land Company had gained a certain notoriety as a developer. Although the company had won design awards in 1959 for Crocker Industrial Park, its Serramonte development in Daly City had received national attention of the most unflattering sort. First came Malvina Reynolds' hit song, "Little Boxes." Then in December 1965, *Life* magazine published an article on poorly planned urban development entitled "The Villains Are Greed, Indifference — and You." A large photograph accompanying the article showed homes in Daly City on the northern slope of San Bruno Mountain. The photo's caption read: "Marching in Indian file on the flanks of the San Bruno Mountains in California, tract houses reveal the dreary tastelessness that despoils more and more of America's natural beauty." The reports about the Westbay project did little to enhance Crocker's reputation as an urban developer.

### **The First Round of the Court Case Against Sanitary Fill**

The new year, 1966, opened with Brisbane embattled in San Mateo Superior Court on the Sierra Point litigation. Caspar Weinberger proved to be a tough advocate of the anti-garbage initiative. On February 1, 1966, he filed the city's response to Sanitary Fill's suit. Weinberger's defense was three-pronged. His main line of attack pointed out that both the initiative and the subsequently passed city ordinance banning dumping were legally valid, and both prevented Sanitary Fill from dumping at Sierra Point. The city had the right to pass legislation designed to protect the welfare of its citizens. "The law says that you can get out of contracts if there is a health and safety issue involved," says Paul Goercke, explaining Weinberger's main line of defense.

Weinberger's other two arguments centered on environmental issues. As a tideland area, Sierra Point was protected by public trust for fisheries and other public uses by the State of California. Because these tidelands were granted to the cities by the state, the dumping of garbage at Sierra Point was in violation of state provisions for conservation of tidelands. Weinberger further argued that dumping of garbage at Sierra Point was in direct violation of the recently enacted BCDC legislation.

While the court room battle was being waged, the Brisbane City Council was undergoing changes. John Turner had fallen ill late in 1965 and had to be hospitalized in December. He resigned from the council in January. To finish Turner's term, which was to end in 1968, the City Council voted 4-0 to appoint Dale With to the council. Then, in the April 1966 city elections, John Bell and Robert McLennan won election to the council, sending incumbents Ernie Conway and Jim Williams down to defeat. Ed Schwenderlauf was selected as the new mayor.

Although there had been a big turnover on the council, it was apparent that the city's governing body would still be split 3-2 on the garbage issue. Salmon, With, and McLennan shared the same point of view on garbage. In the months to come, they would also tend to agree on most other issues. Bell and Schwenderlauf would make up the dissenting minority.

### **The Showdown at Sierra Point**

In May 1966, Caspar Weinberger filed papers moving for a summary judgment in favor of the city of Brisbane and a preliminary injunction to stop Sanitary Fill from dumping at Sierra Point until the lawsuit was settled. Sanitary Fill responded by again requesting a summary judgment in its favor. On September 20, 1966, Superior Court Judge Joseph Huberty denied both motions for summary judgment and also denied the preliminary injunction on dumping. The judge stated that in a hearing of that nature, he was unable to rule on whether the dumping could be considered a public nuisance or not.

While the case was still basically a standoff, Sanitary Fill felt that the judge, by denying the injunction requested by Brisbane, had granted them permission to begin dumping. Weinberger asserted that the judge had not granted anything of the sort. He advised Mayor Schwenderlauf to take any steps he deemed necessary to stop the San Francisco garbage companies, should they try to start dumping at Sierra Point. Schwenderlauf then instructed Police Chief Lillard "Tex" Dyer, who had replaced Calvin Smith in 1964, to enforce the anti-dumping law.



The showdown was not long in coming. In the early morning hours of Friday, November 3, 1966, Sunset Scavenger began sending trucks from San Francisco to dump garbage at Sierra Point. Before Brisbane police knew what was happening, the Scavengers had dumped 75 truckloads. When Police Chief Dyer and his men arrived on the scene, they immediately cited 20 trucks for violating the anti-dumping law and then set up roadblocks.

Within two hours, a line of 38 garbage trucks had formed, with more on the way from San Francisco each minute. Sanitary Fill lawyer Angelo Scampini then pulled up in a car and demanded to be let through. When Dyer refused, Scampini insisted that Dyer arrest him. Dyer replied, "There will be no arrest until you have broken the law, and we will stay here to make sure you don't!"

Scampini got back in his car and headed off to the Superior Court in Redwood City and obtained a temporary restraining order preventing Brisbane police from interfering with dumping at Sierra Point. Once again, the matter was back in the hands of the court. Meanwhile, the San Francisco garbage companies continued to dump at Sierra Point.

In January 1967, after two delays, Sanitary Fill's suit against Brisbane finally got underway in Superior Court. That spring, Weinberger secured a tremendous legal victory for Brisbane. In April, Judge Harold Underwood ruled in the city's favor, stating that Brisbane's anti-dumping ordinance was a valid and perfectly legal legislative act. "A city has the power to pass police regulations on the subject of rubbish in order to guard the public health," he wrote. The anti-dumping ordinance stood.



Even at the height of the garbage controversy, Brisbane's community spirit remained strong: the Lions Club Easter Egg Hunt in 1967

Sunset Scavenger immediately announced that it intended to appeal the decision. Leonard Stefanelli, who had replaced Joe Molinari as the Scavengers' president in 1965, also indicated that his company would continue to send its trucks to Sierra Point, even if Brisbane should order another police blockade. "This is not a threat, nor are we trying to scare anyone," Stefanelli said. "But if they set up another set of roadblocks like they did last November, then the trucks will line up the same as last time. When there are no more empty trucks available, then garbage collection will cease in San Francisco."

While the San Francisco garbage companies appeared ready to apply as much pressure as they could, Brisbane was beginning to show signs that no pressure would be needed at all. In December 1966, the anti-garbage people had launched a recall against Jess Salmon because he had sought to make an out-of-court settlement with Sanitary Fill. On May 2, 1967, less than a month after Weinberger's court room victory, Brisbane went to the polls to decide Salmon's fate. The recall failed by a wide margin, with 585 people in favor of Salmon retaining his seat and 335 against. The vote may, or may not, have indicated how the citizens felt about the garbage issue, but it did encourage the City Council majority to seek a settlement with Sanitary Fill without proceeding with the lawsuit.

#### **The Defeat of the Westbay Plan**

May 1967 brought another dramatic development. That month, Crocker Land Company formally announced plans for the Westbay project. Westbay envisioned an extensive bay-front development that would include marinas, beaches, and other public recreation areas, interspersed with clusters of hotels, restaurants, and office and other commercial buildings, occupying some 9,380 acres of Ideal Cement's tidelands. Most of the fill for the bayshore portion of the development would come from the eastern ridge of San Bruno Mountain, directly above Brisbane. The elevation of this 546-acre parcel of land would be reduced from about 900 feet above sea level to 700 feet.

Westbay planned to remove a total of about 250 million cubic yards of earth from the ridge, using a conveyor belt system to transport the fill across Bayshore Boulevard and Bayshore Freeway to offshore barges, which would then deposit the material along the shores of the Bay. The resulting plateau on the mountain would be the site of a large residential development. Bechtel, the big San Francisco engineering-construction firm, was working on plans for the mountain-top community. The proposed development had been scaled down in size, to a projected population of 20,000, rather than the 50,000 to 70,000 called for earlier.

To proceed with this development, Westbay needed to obtain approval from the Bay Conservation and Development Commission to dump this enormous tonnage of landfill into the Bay. Equally important, the developers had to receive permission to build the conveyor belt across Bayshore Boulevard, the Southern Pacific railroad lines, and Bayshore Freeway. With the details of the Westbay project now fully spelled out, people in Brisbane had not the slightest bit of doubt how they felt about the conveyor belt. In June 1967, the Brisbane City Council voted 5-0 to pass an ordinance prohibiting earthmoving by a conveyor belt crossing Bayshore Boulevard. At this same meeting, the council authorized City Manager Len Brady to meet with officials from the

## *The Brisbane Garden Club*

Amidst all the heated debates about garbage dumping at Sierra Point, the Brisbane Garden Club held its first Fall Flower Festival in September 1966. Barbara Kerling, Miss Brisbane for that year, cut the ribbon at the door of the auditorium of Lipman School, officially opening the festival to the public.

Harry Nelson, professor of horticulture at San Francisco City College, was one of the judges in 1966 and thereafter. In 1974, he sent a letter to the Garden Club, praising the annual display. "Having become a judge in the annual show, I have had the rare opportunity to see these people work together for a common purpose," Nelson wrote. "There never has appeared any sign of jealousy, but rather a just pride of accomplishment." Professor Nelson concluded that he had never seen "such a complete community harmony, the getting together with such a sense of, 'This is our community and we are proud of it.'"

The Garden Club was actually formed back in 1948 by a group of parents in the PTA, who loved flowers. "We made corsages and boutonnieres for the eighth grade graduates every year from 1948 to 1983, when they started wearing robes and didn't need corsages," says Martha Adkisson, one of the club's founders. "I don't know how many thousands of corsages we made over the years, and floral arrangements for the graduation." The Garden Club still continues to make corsages, however. "For about 25 years now we've been making 180 to 200 corsages for the Lions Club Christmas dinner for the senior citizens," says Mrs. Adkisson. The club also continues to make flower arrangements for civic events. In 1986, the club provided the flowers for Brisbane's 25th anniversary champagne reception at the Community Center.



Brisbane Garden Club members before the 1966 Garden Show

county, the cities surrounding San Bruno Mountain, and Crocker management to discuss the idea of creating a regional park to protect the mountain.

Brisbane was joined in its opposition to Westbay by the Save the Bay Committee, the Sierra Club, and other conservationist organizations. The strong display of public sentiment against the massive project was a major factor in the Bay Conservation and Development Commission's decision to refuse to sanction Westbay's plans. "That project was shot down because of the BCDC," says Sherman Eubanks of Crocker Land Company. "Neither the Rockefellers nor the Crockers wanted to do anything the general public opposed." Brisbane's anti-conveyor belt ordinance, however, was an equally important reason why the developers shelved the Westbay plan and eventually dissolved the partnership.

### **Brisbane Makes an About-face on Garbage Dumping**

Although Brisbane was united in its opposition to Westbay, it was obvious that there was no such consensus of opinion on the garbage issue. After the failure of the Jess Salmon recall, the San Francisco garbage companies decided to change their strategy. Having been embarrassed at the roadblock and defeated in court, the Scavengers decided to use a different form of persuasion to get Brisbane to accept the dump at Sierra Point. This time, they decided that they would make an appeal to the city's pocketbook.

The garbage companies knew that Brisbane was not doing well financially. In 1966, the City Council had been forced to more than double the city tax rate, raising it from \$0.50 to \$1.24 per \$100 of assessed valuation. One reason for this boost was that Brisbane was in the midst of making a number of capital improvements. Major expenditures planned for fiscal year 1966-1967 included a new fire truck and a second fire station for the PG&E substation, water system improvements, and the city's first park. The new budget also gave raises to city workers, whose salaries during the first years of incorporation had been kept much lower than the county average for municipal employees.

These expenditures were only part of the reason for the tax increase, however. Brisbane taxpayers were asked to shoulder a bigger share of the city expenses because the industrial tax base had stopped growing. Although the \$1.24 rate was still not high compared with the tax rates of other cities in the county or the preincorporation rate of \$1.40, people in Brisbane were not exactly thrilled by the tax hike. The San Francisco garbage companies were perfectly aware of this, of course.

In August 1967, Sanitary Fill Company, working through former mayor Jim Williams, offered Brisbane \$100,000 a year to continue dumping at Sierra Point and to create an additional 105 acres of landfill in the Bay. Williams urged the City Council to accept the offer, noting that the city was facing a budgetary crisis, which was made worse by the legal fees being paid for the Sierra Point litigation. Williams argued that if Brisbane did not take this higher-paying contract, it would either have to raise taxes again or drastically cut back its police and fire services.

The new offer from Sanitary Fill produced another incredibly tempestuous meeting, which ended with the City Council voting 3-2 to put the matter up for a vote in October. Salmon, McLennan, and With voted for, Bell and Schwenderlauf against. Former council member Ernie Conway was physically

ejected from the meeting because of the vehemence with which he protested the decision to put the garbage issue back on the ballot.

Having gained a second vote on the dump at Sierra Point, the garbage companies decided to be as diplomatic as possible and immediately launched a public relations campaign. They opened an information office on Visitacion Avenue, began to hand out campaign literature, and even offered guided tours of the Sierra Point dump. Leonard Stefanelli, president of Sunset Scavenger, began coming to Brisbane himself to promote his cause.

While people in the anti-garbage faction, like Paul Goercke, considered Stefanelli to be the enemy, others in Brisbane saw him as congenial and well-meaning. Stefanelli and his people went out of their way to buy drinks in the bars and to take older residents out on free pleasure trips. "They were giving plane rides on the partially finished fill out at Sierra Point," says Goercke. "Stefanelli called it 'Brisbane International.' He had one of their airplanes landing there, and they took old people in limousines down to the dump and up in the air for a little flight." As far as Goercke was concerned, Stefanelli was simply trying to buy the town.

Goercke was not the only person in Brisbane who held this opinion. The Brisbane Citizens for Civic Progress was soon joined by other city residents in the campaign to stop Sanitary Fill. Lucy Conway, wife of the former council member, organized a boycott of Brisbane merchants to protest the dump and took her placard to the Scavengers' office on Visitacion Avenue and began picketing there. Dr. Guardino formed his own anti-garbage organization called Action for Better Government in Brisbane.

As the day of the special election neared, the debate over Sierra Point grew hotter and hotter. Even Brisbane's beloved housetop Christmas stars were drawn into the fray. "There were lighted things all over the place," says Paul Goercke. "They used Christmas star lights. People lit 'No' all over the place, and there was one 'Yes' on the hill up there somewhere in lights."

On October 17, 1967, the campaigns for and against garbage brought out a record 85 percent of Brisbane's voters. By the slenderest of margins, the pro-garbage faction came out victorious, completely reversing the results of the previous vote on Sierra Point. Brisbane voters approved the new contract with Sanitary Fill by a 591 to 535 vote.

### **A New City Administration**

The vote on Sierra Point left the city bitterly divided. One positive event in the fall of 1967, however, was the completion of Firth Park. The little park, Brisbane's first, was dedicated in September with a simple ceremony honoring Richard Firth, the city's first parks and recreation supervisor, who had died the previous year. But even this gesture of community spirit seemed destined to pass hardly noticed in the midst of the political tumult that rocked the city that fall.

As if the garbage controversy had not been enough for the community to deal with, Brisbane was jolted by a police department scandal. In November, Police Chief Tex Dyer, who had so stoutly defended the barricades at Sierra Point, was charged with embezzling city funds and fired. The San Mateo County Sheriff was asked to take over Brisbane's police department until another chief could be found.

Firth Park



City political affairs continued to upset many residents of Brisbane in 1968. The year began with two bitter City Council meetings. The main item of business in the first was to name a replacement for Conrad Reisch, who was resigning as city attorney. Reisch had been appointed to the county Superior Court by Governor Ronald Reagan. The council voted 3-2 to appoint John Sherman, Reisch's partner-in-law, as the new city attorney. Schwenderlauf and Bell, the two no votes, felt that Reisch had helped sell out Brisbane to Sanitary Fill and thought Sherman could be expected to do more of the same. Both Schwenderlauf and Bell walked out of the meeting in protest. At the second meeting, later in January, the City Council voted 3-2 to accept Sanitary Fill's latest offer on Sierra Point. The council then signed a contract allowing dumping until 1972 for a fee of \$125,000 a year. Schwenderlauf and Bell again cast the dissenting votes.

The political battles being fought on the City Council carried over into the April 1968 elections. Those who were dissatisfied with the direction Brisbane had taken in the past year came out to vote in a major change on the council. Jess Salmon and Dale With were up for reelection. Both ran again, but they were joined by a newcomer to city politics. This was Dr. Guardino, who had fiercely opposed the contract with Sanitary Fill. Salmon won reelection, coming in first with the highest number of votes. But Dr. Guardino finished second, knocking With off the council. Suddenly, the anti-garbage group had gained control of the council. Dr. Guardino, Ed Schwenderlauf, and John Bell now made up the majority. Jess Salmon and Bob McLennan found themselves in the minority.

A big shakeup in city government was not long in coming. In May, the city administration moved into the new City Hall at 44 Visitacion Avenue, a building owned by the De Marco family and leased to the city. Formerly the Brisbane Theater, the structure had been severely damaged by fire in 1959 but had been completely remodeled and renovated. Not long after the move to the new City Hall, the City Council requested the resignations of the entire city administration. In the meeting in which this happened, Dr. Guardino, the latest addition to the council, took the leading role. Calling himself "a new broom," he announced, "We're going to do a cleaning job here tonight." No resignations were submitted, however, so in June the City Council fired Len Brady, the city manager, John Sherman, the city attorney, and Carl Kirker, the city engineer.



The new City Hall at  
44 Visitacion Avenue

In July 1968, Bruce Altman was hired to replace Len Brady. Altman had been the city manager of Newark, in the East Bay, for four years, and before that the assistant city manager of Claremont, in Southern California. By the end of 1968, the city also had hired a new city attorney, David Friedenberg, and appointed a new city treasurer, Clarence "Nick" Cook. Cook replaced Frank Walch, the city's first treasurer, who had resigned during the summer.

More changes in the city administration came in 1969. Early in the year, Milton Hetzel was hired as city engineer and took charge of the public works department. Then, in April, Dick Seiss resigned as fire chief. Clarence "Dutch" Moritz, a long-time Brisbane resident and a member of the fire department since 1964, took his place.

### **A Tale of Financial Woe**

With an entirely new supporting cast to work with, the City Council began to reassess Brisbane's affairs. Bruce Altman, the recently hired city manager, helped develop a new set of priorities. On taking over the job in 1968, he quickly realized that the city's single biggest problem was its finances.

The city's budget for 1967-1968 was \$647,000, and when Altman took over, he inherited a \$166,000 deficit. Altman felt that the previous city councils had consistently overestimated city revenues and had always been spending money faster than they could take it in. Altman's first step was to drastically slash the budget for 1968-1969, which he reduced to \$503,000. He also began developing a more accurate method for predicting revenues.

In April 1969, Altman announced that the city's budget was going to be balanced for the first time since its first year as a municipality. In July, at the end of his first year as the city's chief administrator, he made good on this prediction. Altman had projected the year's revenues to within 1 percent and reduced expenditures accordingly. Brisbane ended the year \$17,000 in the black. The budget Altman proposed for the following year allowed for few capital improvements and only modest increases in city salaries.

While Altman succeeded in balancing Brisbane's budget, he still felt that Brisbane was in serious financial difficulty. In August 1969, his assessment of Brisbane's fiscal problems was confirmed by Stone & Youngberg, a San Francisco consulting firm. The consultants presented a report on proposed projects to improve water and sewage service, streets, storm drainage, and parks and recreation. This report stated that the needed capital improvements would cost \$4.4 million, with \$1.8 million of this amount needed just for streets. It also concluded that Brisbane did not have the funds to undertake any major projects.

The Stone & Youngberg report painted a gloomy picture of Brisbane's fiscal condition. Even with the new revenues from the Sierra Point dump, the city was extremely weak financially. "Clearly, the city of Brisbane is not in a position to support any significant portion of the proposed capital improvements program from currently available sources," the report stated. The consultants suggested that money for future projects would probably have to come through an increase in tax base by annexation of unincorporated properties.

Bruce Altman brought a higher level of financial sophistication to city management, but he did not stay long. In December 1969, he resigned to take the job of city manager at Simi Valley, in Southern California. Eugene Aiello, formerly city manager of South San Francisco, was hired to replace him. Aiello had been one of the government officials present at Brisbane's incorporation ceremony and was a long-time friend of the city. Aiello took the job on temporary part-time basis, however.

### **The Quarry Becomes a Political Issue**

In 1969, Brisbane had to wrestle with another problem as dismaying as its budgetary woes. This was truck traffic through the city from the Guadalupe Valley Quarry, a source of aggravation to many Brisbane residents for years. Located to the west of the city, the quarry had been in operation since 1896, producing rock and gravel for construction throughout the Bay Area. After the 1906 earthquake, the quarry had supplied the materials needed to rebuild the devastated portions of San Francisco. In later years, the quarry's rock and gravel had been used for big projects all over the Peninsula, including San Francisco General Hospital and the Bayshore Freeway.

The quarry property was owned by Crocker Land Company, which had leased it to various operators over the years. In the 1950s, Pacific Cement and



Aggregates (PCA) had taken over quarry operations. Brisbane residents had complained about quarry truck traffic through the community for years. The dust and noise were the main source of irritation. The big trucks, some of them hauling as much as 78,000 pounds of rock, were also wearing out the city streets.

People in Brisbane wanted PCA to find an alternate route to Bayshore Boulevard, which the trucks took to get to the Bayshore Freeway. But the only other possible route was through Crocker Industrial Park, and Crocker would not allow the trucks on its privately owned streets. In fact, Crocker was the reason why the trucks were passing through the city in the first place. In the 1950s, the quarry trucks followed a route that led straight to Bayshore Boulevard via Old County Road. When Crocker built the industrial park in the late 1950s, they changed the routing of Old County Road, putting the sharp crook into it where it turns into Visitacion Avenue. This eliminated the old route from the quarry to Bayshore Boulevard, which would have run through the center of the industrial park. Since then, the quarry trucks had traveled through Brisbane, with San Francisco Avenue, Visitacion Avenue, and Old County Road serving as the link between the quarry road and Bayshore Boulevard.

Many people in Brisbane felt that a short connecting road between the quarry road and South Hill Drive was the solution to this problem. But Crocker continued to insist that the big trucks could not use the roads in the industrial park. Finally, the City Council decided to take action to stop the truck traffic. On February 25, 1969, the council passed an ordinance designating Guadalupe Canyon Parkway and Bayshore Boulevard as the only roads within the city limits that trucks weighing over 6,000 pounds could use. This meant that the quarry trucks would no longer be able to go through the city. The ordinance passed 4-1, with Jess Salmon the only vote against. Salmon felt that the city should impose a fee based on tonnage for each mile traveled on city streets to boost city revenues.

On March 5, 1969, PCA and Crocker Land Company succeeded in obtaining an injunction in Superior Court against the ordinance. The city filed a cross-complaint, which stated that the truck traffic constituted a health and safety hazard. The trial was set for September 29 and 30. But about a week before the first hearing was to take place, the Brisbane City Council decided to push back the date of the trial. On September 23, 1969, the city requested the first of what turned out to be a series of 30-day continuances in the court action on the quarry trucks. The City Council decided to postpone the start of litigation because it now hoped to negotiate an agreement with PCA and Crocker on the quarry truck issue, without going to court.

In November, when talks with Crocker and PCA bogged down, Brisbane appealed to the county for help. Since the quarry was outside the city limits, PCA's use permit was issued by the county, and the permit was up for renewal in December. Brisbane asked the county to include a provision in the permit that stipulated the use of an alternate route for hauling.

The county's response was to extend the permit for six months on the condition that PCA seek an alternate route. PCA continued to insist that there was only one route to Bayshore Boulevard, and that was the one they had been using. Crocker, which was then receiving about \$150,000 a year from PCA for the use of the quarry, was equally insistent that PCA could not use the roads

in the industrial park because they were private. The issue seemed to have reached an impasse. Meanwhile, the quarry trucks continued to travel through the city as before.

### **A Tumultuous Decade**

As the 1960s came to an end, Brisbane looked back on a decade of strife and political conflict that mirrored the turmoil in the nation as a whole. The United States had become the first country in the world to put a man on the moon. But it was also involved in one of the ugliest wars in its history, and the nation's domestic affairs were scarcely more pleasant. Student demonstrations and race riots, high inflation because of the massive military buildup in Vietnam, the social costs of President Lyndon Johnson's Great Society, an astronomical rise in government spending – these were just a few of the most visible internal woes that America had attempted to deal with.

Throughout the nation, there was tremendous polarization on the major political issues. Opinion was deeply divided and passionately, sometimes violently, expressed. As the decade came to a close, Brisbane found itself facing a future as unsettled and as uncertain as that of the entire country. The only thing that could be said for sure was that Brisbane was very clearly a city in transition. And only time would tell what direction the city would turn next.

## *Chapter Four*

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### **A CITY IN TRANSITION: 1970-1974**

The new decade opened with public opposition to the war in Vietnam growing stronger. In 1970, Congress repealed the Tonkin Gulf Resolution, which forced the president to obtain congressional approval for military action in Southeast Asia. This was a clear indication that Congress, as the representatives of the people of the United States, was asserting its power in the realm of shaping foreign policy. The people also exerted political power in other areas, and several of the most important causes for which political activists had demonstrated in the 1960s became codified as law.

One of the most important areas of concern was the environment. During the 1960s, the Sierra Club had increased its membership from 7,000 to 77,000, which was just one small indication of how quickly environmental awareness had grown throughout the nation. In 1970, Congress created the Environmental Protection Agency and passed the Clean Air Act.

As the energy of the protest movements of the 1960s was channeled into more conventional political channels, the country also began to scrutinize the affairs of its leaders, and this extended to the highest reaches of the federal government. The forced resignation of Vice President Spiro Agnew and the Watergate Scandal thoroughly discredited the Nixon administration.

In the 1970s, people in Brisbane would be affected by the growing concern over environmental issues. They would also become even more politicized than they had been in the past. In the first years of the new decade, citizens of Brisbane would assert their right to be heard, mounting two recall attempts on the City Council. Once again, the single most important issue would be land use, but the new decade brought with it a new field of battle. During the 1960s, Brisbane's biggest political struggles had centered on the Bay. In the 1970s, the battle would move to higher ground, to the slopes of San Bruno Mountain.

#### **A Reversal on the Quarry Trucks Issue**

In January 1970, Pacific Cement and Aggregates' use permit for the Guadalupe Valley Quarry was up for renewal before the San Mateo County Planning Commission. The commission recommended that the permit be limited to a six-month period and instructed PCA to begin looking for an alternate route to Bayshore Boulevard, one that did not take the big quarry trucks

through residential Brisbane. In February, the county Board of Supervisors reviewed the Planning Commission's recommendation and passed a resolution containing much tougher wording. PCA was told that if it did not find an alternate route, its use permit for the quarry would be revoked when it came up for renewal again.

David Friedenberg, Brisbane's city attorney, termed the supervisors' decision "a major victory for the city and its residents, and just what the city was looking for." Since Brisbane found itself in a much more powerful bargaining position in its negotiations with the quarry operators, the city decided to drop the court case against PCA, which had been postponed since September 1969. Brisbane now seemed to be presented with a perfect opportunity to get the quarry trucks off its city streets once and for all. The final result of the negotiations, however, would turn out to be strikingly similar to Brisbane's flip-flop on garbage dumping at Sierra Point.

The first indication that Brisbane might back down from the hard line it had previously taken with the quarry operators came in the April 1970 elections. Brisbane voters installed a new City Council majority, choosing three new councilmen, Nick Cook, Julius Stern, and Bill Lawrence, to join Jess Salmon and Dr. Guardino. Cook, who had resigned as city treasurer to take the council seat, worked for Safeway as a data processing manager. Stern, a welfare officer involved in work for the longshoremen's union, had voted for the contract with Sanitary Fill during his term on the city Planning Commission. Lawrence, who was a good friend of Jess Salmon, had also been in favor of the garbage contract. A post office supervisor, Lawrence was active in the Lions Club and was well-known in the community.

With the election of these three, the City Council was once again solidly oriented toward the business aspects of running the city. Dr. Guardino found himself the odd man out. But this did not faze him in the least, as he made clear in the first meeting of the new City Council. After the council passed a resolution calling for rotating the mayorship on the basis of experience, the doctor moved that he be named mayor. He told the others that he regretted having to nominate himself, but he knew no one else would, since he was now in the minority. After a moment of stunned silence, the other council members realized that it was indeed Guardino's turn to be mayor, according to the resolution just passed. He was second to Salmon in seniority, but Salmon had already been mayor. The other members of the council then voted him in unanimously.

Negotiations with PCA and Crocker continued through the summer and concluded that fall with an agreement that shocked many residents of Brisbane. On October 24, 1970, the City Council signed a contract with PCA and Crocker allowing quarry trucks to use the city streets for a fee of \$130,000 for six years, with \$30,000 to be paid the first year and \$20,000 for each of the next five years. The City Council said that the money would be used for street repairs. This agreement was approved by a 4-0 vote. Nick Cook, who had steadfastly opposed truck traffic through the city, refused to attend the council meeting at which the contract was approved and signed.

The biggest surprise of this vote was that Dr. Guardino, who just a year before had been militantly opposed to the trucks, reversed his position on the issue. Guardino defended his vote by saying that without the contract with

PCA, the city would never be able to fix its streets. "We're practically broke," Guardino said at the meeting. "If we don't get money this way, we'll need a bond issue. We'll not only have to get out of this contract, we'll have to get the hell out of a lot of other things, too."

People attending the meeting were not sympathetic to this explanation. Some felt that the City Council had settled too cheaply with Sanitary Fill, and now the city was making the same mistake all over again with PCA. Others angrily protested that the council was blatantly ignoring the wishes of the community, which had expressed its opinion when it voted to ban the trucks from the city streets altogether.

As the year came to an end, certain people in Brisbane were complaining that the City Council was owned by Crocker and the quarry operators. There was talk of mounting another recall.



Julie Allemand, winner of Brisbane's Citizen of the Year award in 1971

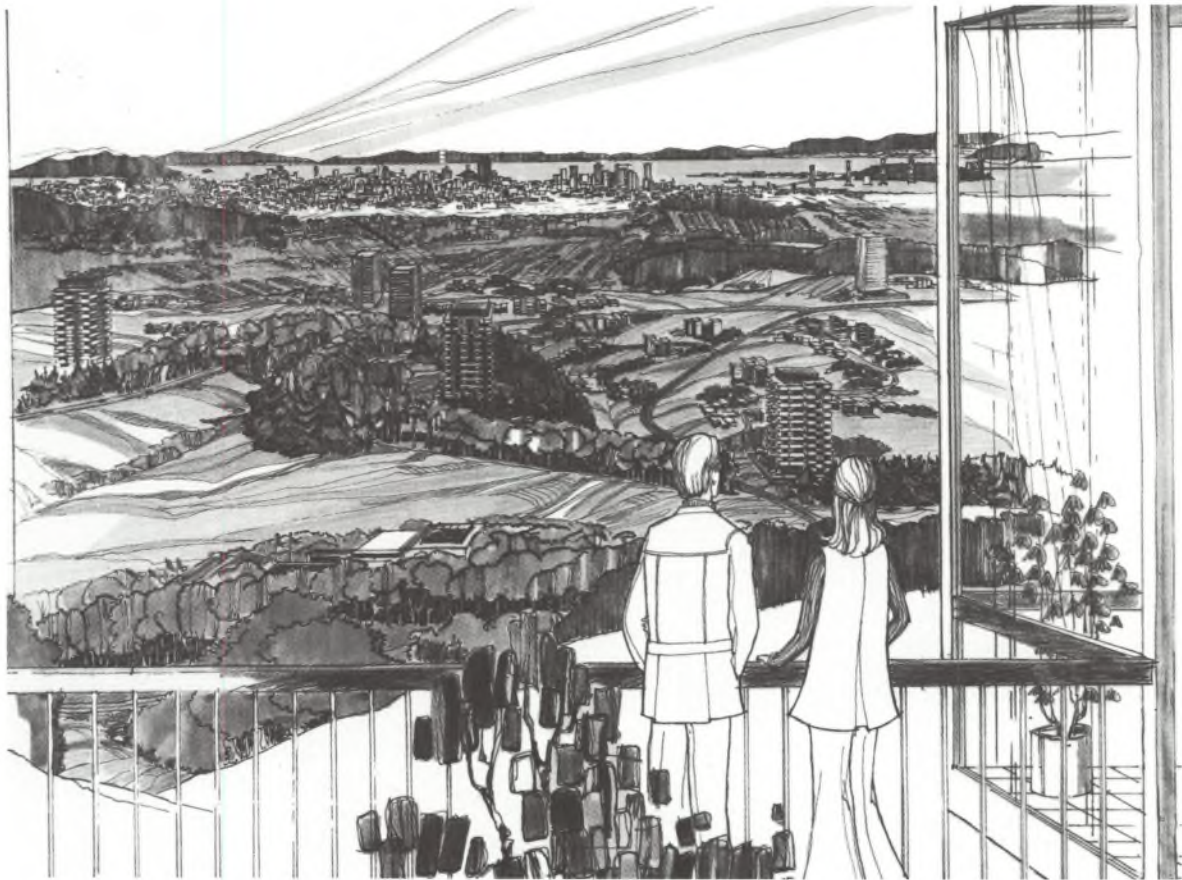
Mrs. Allemand and her husband, Emile, in 1929, in front of the Brisbane Hotel at the corner of Mariposa and San Bruno

### The Visitation Rancho Development

As the argument over the quarry trucks heated up, an even bigger controversy was brewing. Once again, the issue was land use, and Crocker-owned lands were at the heart of the conflict. In 1970, Crocker Land Company had been acquired by Foremost-McKesson. Based in San Francisco, Foremost-McKesson had been formed in 1967 when Foremost, the well-known food and dairy products firm, had merged with McKesson, the equally well-known pharmaceuticals manufacturer. A Fortune 500 company, Foremost-McKesson had annual sales in the billions.

Following the takeover of Crocker Land Company in 1970, Foremost-McKesson immediately put money into several major projects through its newly acquired real estate subsidiary. One of the most visible of these was the construction of the Foremost-McKesson corporate headquarters at One Post Street in San Francisco. A second equally high-profile project was a new development plan for Crocker's San Bruno Mountain property. Sherman Eubanks, who was then vice president and general manager of Crocker Land Company, was in charge of both projects.

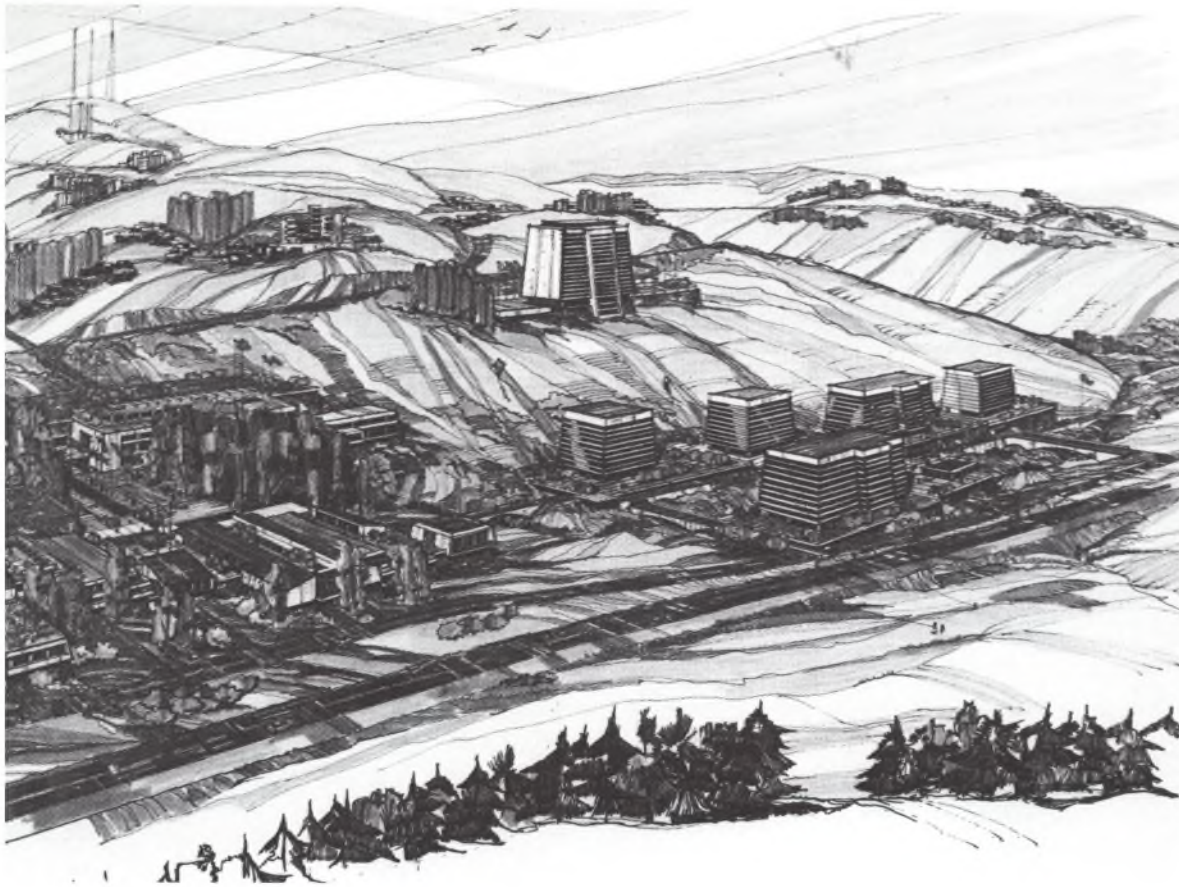
Sketches from Crocker's plans for the Visitacion Rancho development on San Bruno Mountain. This is the view to the north from a high-rise overlooking the Saddle, with San Francisco in the distance.



Early in 1971, Crocker unveiled its new plans for developing San Bruno Mountain. Crocker envisioned a high-density, urbanized development, housing 49,420 people in 14,120 units, centered on the so-called Saddle area of the mountain. The project would include apartment complexes, townhouses, and commercial development, with a number of the buildings to be 14- to 20-story high-rises. This project was initially named Visitacion Rancho, although in 1974 it would be renamed Crocker Hills.

Crocker emphasized that Visitacion Rancho would be a high-quality development. The new community's recreation facilities would feature a world-class golf course. Sam Morse, a Crocker Land Company director who was one of the project's main backers, had previously been connected with the development of the nationally famous Pebble Beach golf course and the 17-Mile Drive on the Monterey Peninsula. Crocker estimated that Visitacion Rancho would cost \$500 million and would take 15 to 25 years to complete.

Crocker's announcement of its Visitacion Rancho plans set in motion a complex chain of events. The ensuing controversy would not only affect Brisbane but would eventually have repercussions at the county, state, and even national levels. This controversy began quietly enough, however. Initially, the main opposition to Crocker's plans came from a small group of environmentalists and concerned citizens in Brisbane and South San Francisco. Their objective was to preserve the vast open spaces of San Bruno Mountain as a county park.



A view looking south at the proposed first phase of construction: a town center with housing, an office campus, and a shopping center, all south of Guadalupe Canyon Parkway (the highway in the foreground). The largest residential areas were to be built later — to the north of the parkway in the Saddle and on the Northeast Ridge, near Brisbane.

### The Start of the Battle for the Park

Talk about turning San Bruno Mountain into a county park had initially developed in the late 1960s, partly in reaction to the various Westbay development schemes. The plans Crocker had presented at that time had drawn the attention of concerned residents of northern San Mateo County and the Sierra Club and other environmentalist groups. Brisbane and other cities in the north county had also expressed concerns about preserving a large portion of the mountain in open space.

The controversy over Westbay had led various county planning bodies to reexamine the portion of the county's General Plan which dealt with the north county. Since Crocker's 3,600-acre property on San Bruno Mountain was unincorporated and lay near the boundaries of several cities, the question about how the mountain should be zoned was initially assigned for study to the San Mateo County Regional Planning Committee. This committee had been established in 1964 specifically to handle planning problems of this nature.

In June 1968, the county's Regional Planning Committee and Parks and Recreation Department had produced a new Parks and Open Space Element for the county General Plan. One section of this document dealt with San Bruno Mountain. The planners noted that Crocker intended to develop its mountain property, and that the county should adopt a new master plan for the area to ensure that any future development would be beneficial to the landowners, the neighboring cities, and the general public.

The new Parks and Open Space Element suggested that the county establish a regional park on the mountain and specified the area where the park should be located: "It is recommended that San Mateo County acquire a 300-acre site located on the level northwestern side of the mountain, known as the 'saddle area,' and that this site be developed as a regional park with day camping, picnicking, play fields and other needed facilities." On March 25, 1969, the county Board of Supervisors voted to adopt the new Parks and Open Space Element as part of the county's General Plan.

When Crocker announced Visitacion Rancho in early 1971, it was obvious that its plans were in conflict with the Parks and Open Space Element adopted just two years earlier. The Saddle area was to be the heart of the Visitacion Rancho project, with high-density housing and commercial development occupying nearly all the acreage the county had set aside as park lands. To proceed with Visitacion Rancho, Crocker would have to convince the county to amend its General Plan to rezone the Saddle.

What followed was a series of compromises between county planners and Crocker officials. Initially, Crocker offered to create three small parks south of Guadalupe Canyon Parkway, totaling 130 acres, and to leave another 1,350 acres of the steep ridges of the mountain in open space. In October 1971, Crocker offered to increase the size of the three small parks south of the Saddle to 179 acres and also to reduce the density of the residential development, which would now house 37,000 people rather than the 50,000 planned for earlier.

At first, the county Parks and Recreation Department refused to modify its original idea of a single large park in the Saddle, with no development in the area. In December 1971, the department proposed a slightly larger version of this park, totaling 384 acres. Nearly all of the park would lie to the north of Guadalupe Canyon Parkway, with a greenbelt to the south of the road. Crocker immediately countered this proposal by dropping the three-park plan and offering the county a single 1,040-acre regional park, to be located entirely on the south side of Guadalupe Canyon Parkway.

Although the county initially seemed determined to maintain its commitment to the park in the Saddle, its opposition to the developers disappeared almost overnight. Early in 1972, both the county Regional Planning Committee and the Parks and Recreation Department recommended that the county accept Crocker's proposal for the 1,040-acre regional park and amend the General Plan to move the park location out of the Saddle.

Jack Brooks, the county's director of parks and recreation, cited several reasons for this decision. First, Crocker's plan ensured the preservation of a large portion of the mountain, which was the primary natural resource. Second, county planners feared that a smaller park in the Saddle would end up being surrounded by development. Third, and most important, the county did not have adequate funds to purchase the Saddle, which county planners then estimated would cost \$8.7 million. Crocker proposed to sell the county 520 acres of the land for the regional park and to deed the remaining 520 acres as a gift. Crocker's asking price for this package of land was \$6 million.

While the recommendation to move the park site was a victory for the developers, Crocker Land Company still had a long way to go before Visitacion Rancho could proceed. To clear the way for the development, three things had



to happen. First, the developers would have to seek an amendment to the Parks and Open Space Element of the county's General Plan. This amendment, which would have to be approved by both the county Planning Commission and the Board of Supervisors, would move the location of the regional park from the Saddle to the area south of Guadalupe Canyon Parkway.

Crocker would then have to apply for a second General Plan amendment, this time one which would rezone all the portions of the mountain the company hoped to develop. This amendment would also have to be approved by the county Planning Commission and the Board of Supervisors. Finally, the county would have to decide which of the cities surrounding San Bruno Mountain should be allowed to annex the Visitacion Rancho development. This decision would be made by the county's Local Agency Formation Commission.

### **The Opposition to Visitacion Rancho Organizes**

As public sentiment against Visitacion Rancho grew, people with environmentalist leanings throughout northern San Mateo County began to discuss collective action to oppose the developers. Bette Higgins from South San Francisco, Mimi Whitney from Brisbane, and Sylvia Gregory from San Bruno spearheaded the efforts that led to the formation of the Committee to Save San Bruno Mountain in September 1971. The committee's principal goal was to ensure that the Saddle remain in open space, as previously stipulated in the county's General Plan.

With the battle cry of "Parks! Not ticky-tacky apartments!" the committee organized its first demonstration of public opposition to Visitacion Rancho. This was a mountain walk held in October 1971. The walk drew 400 people, who hiked the two-and-one-half miles from John F. Kennedy School in Colma to the top of the mountain. Frank Calton, the Visitacion Rancho project manager, and state senator Arlen Gregorio were also there.

The Committee to Save San Bruno Mountain succeeded in mobilizing the opposition to the Visitacion Rancho development in an astonishingly short period of time. One of its first major accomplishments was to circulate a petition requesting that the county supervisors not make any zoning decisions for the mountain until money was available to purchase the park land in the Saddle, as the county had previously pledged to do. The question that committee spokeswoman Bette Higgins posed was this: "The people saved the Bay – can the people now save San Bruno Mountain?" By January 1972, the committee had obtained 12,000 signatures of San Mateo County residents who believed the answer to this question was yes.

By this time, however, it was beginning to appear that the park in the Saddle was doomed. Early in 1972, both the county Regional Planning Committee and the Parks and Recreation Department agreed in principle to Crocker's plan for the 1,040-acre regional park south of Guadalupe Canyon Parkway. In June, the county Planning Commission also approved the concept and drafted a General Plan amendment which eliminated the park in the Saddle and replaced it with the proposed regional park. This amendment was passed on to the Board of Supervisors for final approval.

In July 1972, Crocker released a new set of plans for Visitacion Rancho, incorporating the new regional park and further reducing the size of the development. The project now anticipated a total population of about 28,000

people in 12,662 units, with 622 acres of land for residential use and 477 acres for industrial and commercial use. Including the regional park, 1,465 acres of Crocker's land would be committed to parks and open space.

Shortly after Crocker published these new plans, the county Board of Supervisors approved the new regional park idea. On August 15, 1972, the board voted to adopt the General Plan amendment that placed the proposed regional park to the south of Guadalupe Canyon Parkway, thus freeing the Saddle for development.

### **The Sphere of Influence Question**

Meanwhile, county officials were studying the question of which of the cities surrounding the mountain should eventually annex the unincorporated Visitacion Rancho development. This task fell to the county's Local Agency Formation Commission (LAFCO). The annexation question was extremely complicated because Visitacion Rancho was a huge project, and there were four cities around the edges of San Bruno Mountain that would be affected by the development. These cities were Brisbane, Daly City, South San Francisco, and Colma.

The first step in making this annexation decision was for LAFCO to assign the proposed development to the "sphere of influence" of one of the surrounding cities. A sphere of influence can be visualized as a provisional extension of a city's boundaries into the surrounding unincorporated territory. The purpose of this extension is to allow the affected city to have some say in the planning for the development of these lands. By placing a new development within a city's sphere of influence, the county gives that city a share of its power to control the planning process.

To make a sphere of influence decision, LAFCO has to decide which of the surrounding cities will be most affected by the proposed development, which is the best equipped to provide the necessary municipal services, and which would benefit most from the additional tax revenues. In the case of extremely large developments like Visitacion Rancho, LAFCO must also decide whether the sphere of influence should be split up between the surrounding cities.

In the fall of 1971, LAFCO began holding hearings to determine which of the nearby cities should be assigned the tentative sphere of influence over Visitacion Rancho. At this point, Crocker was favoring Brisbane. The developers presented an economic feasibility study done by Wainwright & Ramsey, a municipal finance consulting firm. The study, which did not recommend splitting the sphere of influence, found that Brisbane could provide services most economically and effectively to Visitacion Rancho. Brisbane was also favored because it was geographically closest to the development.

The study raised several big questions, however. The most obvious of these was whether Brisbane's city government would be able to handle such a huge increase in population. The consultants estimated that the cost for basic municipal services for Visitacion Rancho would be about \$15 million a year. For most of Brisbane's 10 years as a city, its annual budget had been well under \$1 million.

Brisbane city administration also had little experience in managing public works projects and no planning staff. Since incorporation, Brisbane had made



An aerial view of  
Brisbane in the 1970s

only a minimal amount of capital improvements. Its streets still looked much as they did in 1961. To many people both inside and outside Brisbane, it was obvious that the Wainwright & Ramsey study raised as many questions as it supposedly answered.

Crocker Land Company had already made up its mind that it preferred Brisbane, however. On January 26, 1972, Sherman Eubanks of Crocker formally asked LAFCO to assign Visitacion Rancho to Brisbane's sphere of influence. This request should have come as no surprise to anyone. Since incorporation, the Brisbane City Council had tended to be strongly in favor of some form of development on the mountain. Brisbane's 1965 General Plan allowed for development in all the areas Crocker planned to use in Visitacion Rancho. In fact, the portion of Brisbane's General Plan map which showed how San Bruno Mountain would look in 1990 could easily be regarded as an early version of Crocker's Visitacion Rancho plans.

On this map, the Saddle was the site of a large residential and commercial development having a population of 12,670 people. The Northeast Ridge, the hilly area to the north of the industrial park, was the site of a medium-density residential development housing 3,760 people. Brisbane's 1965 General Plan anticipated that, with new development, the city's population would reach 26,305 by 1990.

The Brisbane City Council regarded Eubanks' announcement as a triumph. The council remained as staunchly pro-development as it had been in the 1960s. Jess Salmon, Bill Lawrence, and Julius Stern all hoped for annexation because that meant the city would acquire Crocker Industrial Park and its substantial industrial tax base. Salmon spoke for the majority when he said that the city had been on a shoestring budget for years and it was time to change that.

Nick Cook also wanted the industrial park revenues for the city, but for a slightly different reason. A development the size of Visitacion Rancho obviously required a large number of new schools. Cook noted that Brisbane

residents would pay for all the new elementary and middle schools through their Brisbane Elementary School District taxes. He felt the city should annex Visitacion Rancho in order to get its commercial tax revenues as compensation.

Dr. Guardino was the only council member opposed to annexation. Guardino's position, however, had nothing to do with the environmentalist concerns that powered the Committee to Save San Bruno Mountain. He was not so much for saving the mountain as he was for preserving Brisbane's small-town character, and here he spoke for many of his fellow citizens. Guardino warned that annexation would mean the end of the Brisbane that long-time residents knew and loved. "When the new part of the city reaches a population of 20,000 to 30,000," he said in a council meeting, "the City Council will be elected by the new Brisbane, leaving the old Brisbane without a voice."

In January 1972, the City Council voted 4-1 to seek annexation of Visitacion Rancho and Crocker Industrial Park. Dr. Guardino, who felt that Brisbane could not possibly govern a development of such size, was utterly contemptuous of the council majority. He was even more disgusted by what he viewed as a tradition of inept city management. "Brisbane is a third-rate city that has always gloried in being third-rate," he snorted. "We have trouble deciding how to place a one-way sign on a street that is only two blocks long. Giving us the mountain would be a criminal thing."

Dr. Guardino's objections did little to change the opinion of the other council members. The majority had spoken, and in February 1972, the City Council formally asked LAFCO to grant it the sphere of influence over the Visitacion Rancho development. The annexation issue was far from being settled at this point, however. LAFCO would continue to hold hearings on the sphere of influence question for another year before making a decision.

The Visitacion Rancho development raised a thicket of thorny questions. The location of the county park was, of course, one of the main sources of controversy. Although Crocker officials were quick to point out that the development's open-space acreage was twice the area of San Francisco's Golden Gate Park, the environmentalists were not impressed. Much of the land proposed to be left in open space was so steep it could never be built on. The Saddle was not only the most developable area, it was also the most suitable area for park land.

But opposition to Visitacion Rancho was not entirely based on the location of the regional park and environmentalist considerations. Many of the people who supported the Committee to Save San Bruno Mountain simply did not want the problems that would come with the huge influx of population Visitacion Rancho would bring. Throughout the Bay Area, anti-growth sentiment was on the rise. In 1972, Marin County adopted tough restrictions designed to preserve open space and to put strict limits on new development. There was also a strong no-growth element in San Mateo County.

### **The Quarry Truck Ordinance and the 1972 Elections**

From 1972 through 1974, the nation was glued to its television sets, watching one of the biggest political scandals in U.S. history unfold. During those same three years, Brisbane endured a period of political turmoil that was unmatched in its history as a city. Whether this was a reaction to Watergate

or simply a sign of a times, it is difficult to say. But the end result was that the "old guard" politicians who had guided Brisbane through most of its first decade as a city were dumped, and the city's political slate was wiped clean.

The first signs that Brisbane was headed for a big political shakeup came early in 1972, the year the *Washington Post* began running stories about the burglary at the Democratic campaign headquarters in the Watergate complex. A citizens' action group, led by Virgil Karns, Richard Burr, and Charles Kemp, began to collect signatures for a ballot initiative to establish an ordinance preventing quarry trucks from passing through the city. Proponents of the ordinance felt that the City Council had made no real effort to find an alternate route for the trucks and then had sold the city out to Pacific Cement and Aggregates. They also accused Julius Stern and Bill Lawrence of being bought off by the quarry operators. It was a matter of public record that both men had received campaign monies from PCA.

In February, the same citizens' group started circulating petitions aimed at recalling Stern, Lawrence, and Cook. Why Cook was included in this action was difficult to fathom, since he had been the one member of the council who had opposed the contract with the quarry operators. Many other aspects of the recall campaign also did not make sense to most people, and the effort fizzled out for lack of signatures.

The initiative to ban quarry trucks did make it onto the April 1972 ballot, but it was defeated decisively, 519 to 368. While the truck ordinance was the big issue that spring, the election was also a critical one because two council seats, those of Dr. Guardino and Jess Salmon, were open. Despite heavy rains, 70 percent of Brisbane's registered voters came to the polls. Although both incumbents won reelection, the election results clearly showed that the balance of power in Brisbane was shifting. Dr. Guardino finished first with 384 votes, Salmon second with 340. Salmon regained his seat by the slimmest of margins, however. Paul Goercke, former leader of the anti-garbage Brisbane Citizens for Civic Progress, finished third with 332 votes, just eight votes behind Salmon. Like Guardino, Goercke opposed the Visitacion Rancho development and had also been highly critical of Jess Salmon since the garbage war days.

### **Prelude to the Recall**

Although the 1972 election left the council unchanged, the close vote set the stage for what was about to become the biggest political battle in Brisbane's history since incorporation. The controversy started in the last weeks of July, when Nick Cook resigned from the City Council. The reason for Cook's resignation was that he was moving away. Unfortunately, he failed to notify anyone at City Hall of his intentions until after he had left town. Cook's departure was discovered by Dutch Moritz, who served as the assistant city manager as well as being the fire chief. After Cook was absent from several council meetings in July, Moritz called Cook's home to see if anything was wrong. He discovered that the phone had been disconnected.

At that point, no one had the faintest idea where Cook was. Then the City Council received a letter, postmarked August 2, 1972, from Cook, who was in Santa Barbara. Cook stated that he was resigning, effective August 7. He explained that his mother-in-law had been stricken with cancer, and he had moved his family to Santa Barbara to be with her.



### *On San Bruno Mountain*

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Like an enormous island rising above a sea of urbanization, San Bruno Mountain dominates the landscape of northern San Mateo County. Despite its urban setting, the mountain remains surprisingly untamed, providing a good indication of what the Peninsula must have looked like to the first Spanish explorers. On the mountain, you still find many of the native plants that first began to grow there centuries ago. The mountain has two dominant plant communities, brushlands and grasslands. The northeastern portion of the mountain contains dense areas of chaparral, oak, and coastal sage. On the sheltered eastern side of the mountain, which is predominantly grasslands, a much greater variety of plant life flourishes. Here, there are several large wooded areas. Two of the largest woodland communities are found near Brisbane, in Owl Canyon and Buck Eye Canyon.

Because San Bruno Mountain is completely surrounded by urbanization, there is not a wide variety of animal life on it. But the mountain's coastal scrub, chaparral, and grassland areas are habitats for a number of small mammals. Among these are the deer mouse, California meadow mouse, the ground squirrel, and several kinds of moles. The Audubon cottontail and the brush rabbit, the long-tailed weasel, opossums, gray foxes, and raccoons are other small mammals frequently observed. The mountain's brush and grasslands are also home to a variety of small lizards and snakes. Amphibians such as the coast range newt and several rare species of frogs can be found in the wetlands and ravines during rainier years.

San Bruno Mountain is also an important stopover point for migrating birds, as well as being home to many small birds that frequent brush and grassland environments. Permanent residents include towhees, warblers, hummingbirds, and finches. Also frequently seen are several varieties of hawk, who hunt the mice and other small mammals found on the mountain. The great horned owl and several other smaller species of owl are less often glimpsed, but their calls can be heard at night.



If San Bruno Mountain is visually like an island, it can also be described as an island in ecological terms. Since the Peninsula is surrounded by water on three sides and is further isolated by the Santa Cruz Mountains to the south, the mountain contains many species of plant and animal life that are unique to the area. Since the mountain has remained relatively untouched by development, it also harbors certain species that were once widespread but have been wiped out elsewhere by urbanization.

San Bruno Mountain is the habitat for a large number of rare and endangered species of plant, many of which occur nowhere else in the world. These include several varieties of manzanita, the coast rock cress, the Diablo rock-rose, San Francisco owl's clover, the Franciscan wallflower, and the dune tansy. The mountain's grasslands are home to several rare or endangered insects. Best known of these are the Mission Blue and Callippe Silverspot butterflies, whose presence led to the creation of the historic San Bruno Mountain Habitat Conservation Plan in 1982. Other rare or endangered species include the San Bruno Elfin and Bay Checkerspot butterflies, the San Francisco tree lupine moth, and the San Bruno Mountain solitary bee.

Some 2,300 acres of the mountain have been protected by the creation of the San Bruno Mountain State and County Park. Anyone wanting to experience the mountain up close can walk the park's 10 miles of hiking trails. Along these trails, visitors will enjoy spectacular views of the Bay Area and will also get a dramatic reminder of how the upper Peninsula must have appeared when the first Europeans visited the area in the late 1700s.

In his letter, Cook suggested that his replacement be selected by a special vote, which could be added to the November general election ballot. Dr. Guardino was the only member of the City Council who favored this idea, however. Salmon, Lawrence, and Stern felt that the election costs, which would be somewhere between \$600 to \$1,100, were an added expense the city could do without. The issue was decided at a City Council meeting on August 7. After Dr. Guardino's motion to hold a special election failed for lack of a second, the council passed a motion to appoint Cook's successor. Former mayor Jim Williams was then nominated and appointed to the council by a 3-1 vote. Dr. Guardino cast the dissenting vote.

The City Council's decision to appoint Williams to take Cook's spot did not sit well with many people in Brisbane. There was considerable support for a special election, and people felt that the council majority was ignoring the wishes of the community. Others criticized the selection of Williams, whose last two attempts to get elected to the council had failed. Another group of people felt that Paul Goercke should have been appointed to the council, since he had come in third behind Jess Salmon in the 1972 election by only a small margin.

Goercke himself felt that the council majority was simply making a power play. "You would have thought that since I came in eight votes from Salmon, the obvious thing would have been to put me in there," Goercke says. "But Salmon said, 'No, we're going to put in a family man,' and he put on his old friend Williams from the first council. He was trying to bring back the old bunch."

This view was shared by Dr. Guardino. As far as he was concerned, neither the fact that Goercke was single nor the cost of the election had anything to do with the selection of Williams. "This will put another yes-man on the council," Guardino said at the August 7 meeting. "The other members of the council apparently are not satisfied with a 3-1 majority. They want a 4-1 majority." Ultimately, this was the main complaint people had with the council's actions. They felt Salmon, Lawrence, and Stern seemed to be less interested in doing what was right than in strengthening the majority's position.

Brisbane passed through the rest of 1972 in a state of uneasy truce. The City Council, now 4-1 in favor of Visitacion Rancho, lobbied vigorously at the LAFCO hearings for annexation of all of San Bruno Mountain. Meanwhile, disgruntled citizens continued to criticize the decision not to hold a special election and complained that the council majority was out of touch with the people.

The year ended with a couple of positive events, however. In December, Jim Carroll, the owner of a Burlingame engineering firm, was hired to be the new city engineer, replacing Milt Hetzel, who had been asked to resign earlier in the year. Carroll would turn out to be a major asset to the city administration in the years to come. Also in December, the last load of San Francisco garbage was dumped at Sierra Point, and Sanitary Fill began closing the site.

Because of all the troubles Sanitary Fill had experienced with Brisbane over Sierra Point, the San Francisco garbage companies had made no attempt to get an extension on their contract. Instead, they had gone to the city of Mountain View, whose officials had turned out to be tough negotiators. The *Brisbane Bee* reported that Mountain View would be paid \$1 million a year for



taking San Francisco's garbage and would also be given ownership of the landfill created by the dump (now the site of the Shoreline Amphitheatre). This news angered all those Brisbane people who felt the city had settled for a mere pittance in the deal that allowed dumping at Sierra Point.

#### **LAFCO's Tentative Sphere of Influence Decision**

Late in 1972, LAFCO released a sphere of influence study on Visitacion Rancho, which had been prepared by Development Research Associates, a San Francisco consulting firm. This study recommended that the major portion of Visitacion Rancho, plus the city of Brisbane, be assigned to Daly City's sphere of influence. The consultants felt that the county should encourage Brisbane to merge with Daly City. The consolidated city would then annex Visitacion Rancho. The report suggested that under this plan, Brisbane could choose either to become part of Daly City or to remain independent. But the consultants noted that the cost of independence for Brisbane would be a city "with horrendous financial difficulties and no potential for solving them." An independent Brisbane would lose its contract for services with Crocker Industrial Park and would be left with no room for any further residential expansion.

Development Research Associates rated assigning Visitacion Rancho to Daly City alone second and to Brisbane alone third. But the consultants concluded that none of the three possible alternatives studied seemed satisfactory. The reason was that none of the cities surrounding San Bruno Mountain had shown a high degree of planning ability. "The major fear of many citizens of San Mateo County and of responsible public agencies," the report stated, "is that Visitacion Rancho will be placed into a city which cannot or will not show the desired concern for creating a quality development. This fear is well founded."

The consultants went on to note that Daly City, which had a planning staff with just one full-time person, had a notoriously poor reputation for handling development. "Daly City is the site of the 'string of pearls,' the rows of houses built along the northern slope of San Bruno Mountain with no regard for topography or the view of nearby residents," the report stated. "The song about 'ticky-tacky houses' refers to Daly City. The subdivisions allowed in Westlake and Serramonte are among the worst laid-out in the Bay Area, again with no regard for topography."

The study concluded that South San Francisco's reputation was little better. Brisbane got higher marks for having developed a city with "a quaint character," but the consultants felt that this would have little effect on the Visitacion Rancho development. A more important fact was Brisbane's lack of a "track record" in handling a big development. The city had no planning staff, and there were no guarantees that the City Council would be committed to good planning in the future.

Since all of the alternatives studied had glaring weaknesses, LAFCO was left with a tough decision. Both Crocker Land Company and the Brisbane City Council, however, pushed strongly for assigning the tentative sphere of influence to Brisbane. In February 1973, this was the option that LAFCO finally selected, by a 3-2 vote. The county would retain control of the area for planning purposes, and all park lands would remain in the county. Brisbane would be allowed to annex only the developed areas and Crocker Industrial Park. The actual annexation would come later, at some unspecified date.

Bill Lawrence, who was Brisbane's mayor at the time, viewed LAFCO's decision as a personal triumph. "I'm proud to say that it was my efforts and my presentation before LAFCO that got Brisbane the tentative sphere of influence on San Bruno Mountain," says Lawrence. Crocker Land Company was also pleased with the decision and began to step up its planning activity.

Early in 1973, Crocker announced the formation of Visitacion Associates, a joint venture which would handle the Visitacion Rancho development. Visitacion Associates was a fifty-fifty partnership between Crocker Land Company, a Foremost-McKesson subsidiary, and Amfac Communities, Inc., a real estate development subsidiary of Amfac, Inc. Amfac, a huge corporation based in Honolulu, was perhaps best known for being the producer of a substantial percentage of the Hawaiian sugar sent to C&H Sugar for refining. But the real source of the company's wealth was its extensive real estate holdings in Hawaii and the western United States. Amfac developments included numerous hotels and motels, several of the largest resorts in Hawaii, the Grand Canyon National Park Lodges, and the Silverado Country Club in Napa, California.

Later in 1973, Crocker Land Company transferred title to its acreage in the Saddle area, the Northeast Ridge, and the South Slope of San Bruno Mountain to Visitacion Associates. At that point, Visitacion Rancho seemed well on its way to becoming a reality.

### **The 1973 Recall**

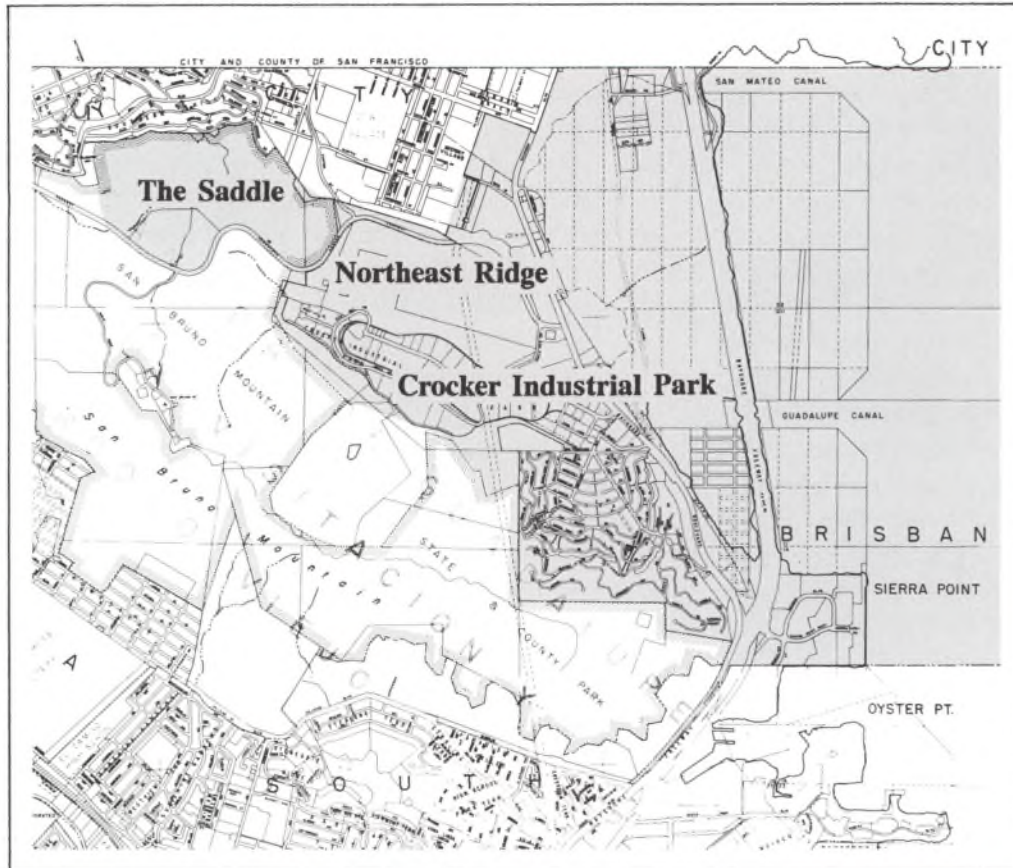
Early in 1973, Brisbane citizens who were upset with the policies of the City Council majority decided to take political action. On January 22, a notice to circulate recall petitions against Jess Salmon, Bill Lawrence, and Julius Stern was filed at City Hall. The leader of the recall movement was Ronald Colonna, a 30-year-old electronics technician, who had been living in Brisbane for less than a year.

Jess Salmon, for one, believed that the recall was really being engineered by Dr. Guardino. "It happens every year," Salmon said at the council meeting held the evening of January 22. "He wants a little one-man Mussolini government." Dr. Guardino laughed and said he would rather have a little Mafia-type government. But he would not comment on the recall petition.

In February 1973, after LAFCO assigned the tentative sphere of influence over Visitacion Rancho to Brisbane, San Bruno Mountain also became an issue in the recall campaign. While one group of Brisbane residents supported the council majority's views on the big development, another group had an entirely different opinion of the affair. This group, which strongly opposed Visitacion Rancho, was made up of the city's environmentalist and anti-growth people and those who supported the Committee to Save San Bruno Mountain and its position on the regional park.

In May, with the likelihood of a recall growing by the day, Eugene Aiello, the part-time city manager, informed the City Council that it should start looking for someone to replace him. After four years in a job he had taken on a temporary basis, he felt it was time to move on. Aiello told the council that he would stay until they found another city manager, however.

By June, the recall group had collected the necessary 338 signatures for each of its three recall petitions. With the special election scheduled for September 4, support for the recall quickly expanded, and two citizens' groups



The boundaries of Brisbane's tentative sphere of influence after the LAFCO decision of 1973. Included in this area were Crocker Industrial Park and the two largest sections of the proposed Visitacion Rancho development: the Saddle and the Northeast Ridge.

organized to promote the cause. One of these was the Brisbane Youth for Responsible Government, led by Art Montenegro, Jr., a young IBM employee. The other, and by far the more important, was the Brisbane Citizens for New Management, which was headed by Charles Stanyan, a young film producer. Like Colonna, Stanyan was a newcomer to Brisbane, who had been living in the city for less than a year. The real driving force behind Stanyan's organization, however, was Dr. Guardino, who by this time was openly working for the recall.

The Brisbane Citizens for New Management's main complaint against Salmon, Lawrence, and Stern was their refusal to hold a special election to replace Nick Cook. But this group also focused its campaign for the recall on what Dr. Guardino termed "bad government." Guardino was especially critical of the council majority's policies on the police department, which he felt was overstaffed and costing the city a fortune. Another complaint was the condition of the city streets, which still had not been properly fixed after 11 years of cityhood. "Did you know," a Brisbane Citizens for New Management leaflet asked, "that if these three men had managed the city wisely in the past, we would have had new streets by now?"

While Guardino felt that poor city management should be the main issue in the recall, the Brisbane Citizens for New Management did not stop there. A whole host of other issues were brought up. Development on San Bruno Mountain was the biggest of these. The recall group complained that Salmon, Lawrence, and Stern were working too closely with the developers of Visitacion Rancho and were not responsive to the concerns of the citizenry. The Brisbane Citizens for New Management targeted Jess Salmon in particular and began

passing out leaflets attacking him for having initially opposed the anti-conveyor belt ordinance that had helped stop the Westbay development in 1967.

Garbage was another issue drawn into the fray. Salmon was criticized because about half his funds for the 1968 city elections had come from Sanitary Fill, the single largest campaign contributor that year. Dr. Guardino accused Salmon of always taking the corporate side in any negotiations between big financial interests and the city. Both Lawrence and Stern were also known to have been supporters of the contract for garbage dumping at Sierra Point.

In the middle of August, more fuel was thrown on the recall fire when the City Council met to discuss the annual increase for the city's \$100,000-a-year contract for police and fire services to Crocker Industrial Park. Eugene Aiello dropped a bombshell when he announced that the city could not ask for the \$20,000 raise he had suggested at a previous meeting. In reading through the contract, Aiello had discovered it was for a two-year period.

Dr. Guardino immediately accused Salmon, Lawrence, and Stern of trying to dupe both him and the city. Although none of these three could recall whether they knew the contract was for two years when it had been signed in 1972, Guardino claimed they had known all along. He also accused the three of rushing the contract through to sneak this fact past him. "I didn't get to read more than a page," Guardino said angrily. "I asked for further study of the contract and I was turned down."

Coming only weeks before the recall vote, this development was probably the final straw for many people in Brisbane. Although there was no evidence of intentional wrong-doing, the contract fiasco certainly did little to improve the council majority's standing with the voters. At the same time, it helped to substantiate the charges of bad government that Dr. Guardino had been flinging around.

On September 4, 1973, nearly 900 people, about 70 percent of the city's registered voters, came to the polls and ousted Salmon, Lawrence, and Stern by substantial margins. Salmon was recalled by a 558 to 339 vote, Lawrence, 525 to 373, and Stern, 535 to 362. Brisbane also voted overwhelmingly in favor of a special election to select the replacements for the three recalled council members. The special election was approved by a 664 to 94 vote.

Charles Stanyan noted that there were many new faces at the polls and that these younger voters and new residents had tipped the scales toward recall. "We feel the people of Brisbane have won a victory — not any committee or group of people," Stanyan told the *Brisbane Bee*. "I hope that this will bury the old issues, like garbage, and that this town will never need a recall again." Stanyan had not been living in Brisbane during the previous recall attempts, and his hope that the city would never see another recall must have seemed naive to long-time residents familiar with the city's politics.

There were others, however, who felt that Brisbane voters were developing a deplorable tendency to misuse recalls. The original purpose of the recall was to provide voters with a means of removing politicians who were guilty of malfeasance in office, elected officials who had obviously betrayed the public trust. While certain actions of the recalled council members were open to criticism, none could be considered guilty of malfeasance.

At least a few observers of the city's political scene felt that Brisbane residents were simply employing the recall as a political tool. One of these was

Robert Lloyd, who since 1960 had been superintendent of the Brisbane Elementary School District. Although Lloyd did not live in Brisbane, he was thoroughly familiar with the city, its residents, and its politics. "For a goodly number of years, it seemed that they had a recall vote almost every other year," Lloyd says. "It was like people would say, 'I don't agree with this guy, so let's get rid of him.' But the actual recall of somebody from a public office is a bitter blow and ought not to be done unless there is actual malfeasance — not just because you don't happen to agree with them in a particular action. I think the recall has been used rather indiscriminately around here for a long time."

While those who supported the 1973 recall felt they were burying old issues, one of the main effects of the recall was to open up old wounds and generate hard feelings on both sides. As Lloyd says, being recalled is a bitter blow. A strong indication of just how bitter came at the City Council meeting held a week after the vote. Immediately after the results of the recall were officially confirmed, Julius Stern informed the council that he was resigning. As dead silence fell over the room, Stern got up, and without another word, walked out.

For a short while, there was apprehension that Salmon and Lawrence might also quit before the special election to elect their replacements could be held. This would mean that the City Council would be reduced to two members, one person short of the quorum required to carry out city business. In that case, the county would have to step in to take over Brisbane's government. At the end of the meeting, Salmon announced that he would not quit, although earlier in the day he had made up his mind to resign. Lawrence refused to make a statement that evening, but later in the week he announced that he, too, had no intention of leaving the city in the lurch.

### **A Community Tradition and a World Record**

If people in Brisbane took their politics seriously, they also knew when to stop fighting and get together to have a good time. On September 16, less than two weeks after the recall vote, John De Marco held his annual barbecue, and thousands of people from the little city and the surrounding area showed up. De Marco, who had moved to Brisbane in 1941, owned and operated the 23 Club and Cafe. Since the 1950s, when singers like Johnny Cash, Ernest Tubbs, and Marty Robbins began to appear at the club, the little nightspot at 23 Visitacion Avenue had been a mecca for Bay Area country western fans.

Around the time Brisbane became a city, De Marco began putting on his annual September barbecues. These started out as simple affairs, featuring chili and beans and barbecued chicken. But over the years, De Marco put on increasingly fancier spreads. For his barbecue in 1973, he roasted four whole buffalo, each weighing about 580 pounds. Cooked over an enormous oak fire for a little over 24 hours, the buffalo fed about 4,500 people. De Marco accomplished this feat by using what *The Guinness Book of World Records* decided was the world's largest rotisserie.

Although De Marco's barbecues showed the positive side of Brisbane's strong sense of community spirit, the problems Brisbane faced were not destined to have any magical, instant solutions. The spirit of congeniality that radiated from De Marco's big smile showed one essential quality that had been lacking

John De Marco (on the far right) oversees preparations for his world-record barbecue in 1973



De Marco's 1968 barbecue: Derrick Boyer, John De Marco, and Walt Johnson about to sample the chicken; Julie Allemand going through the serving line



The world's largest rotisserie barbecuing 500 chickens in 1979



in the city's bitterest political battles. On the other hand, goodwill alone was obviously not going solve Brisbane's problems.

### **The Battle Over the Regional Park Heats Up**

Although internal political battles occupied much of 1973, the year also ended with signs that the battle over the San Bruno Mountain county park was far from over. Although the way seemed to be cleared for Visitacion Rancho to proceed, the Committee to Save San Bruno Mountain, various environmentalist groups, and disgruntled north county citizens continued to protest the development. The opposition was squarely focused on the county's decision to move the regional park out of the Saddle.

At this point, however, there seemed to be little that could be done to change the situation. The county General Plan had already been amended to place the regional park south of Guadalupe Canyon Parkway. In November 1972, San Mateo County voters had passed Proposition A, a charter amendment setting up a special fund for acquiring and developing county park lands. Included in this amendment was a \$6 million appropriation to be used to purchase the land for the 1,040-acre regional park. In 1973, the county Parks and Recreation Department began work on a conceptual plan for this park.

Nevertheless, the Committee to Save San Bruno Mountain continued to work hard to promote its cause, and its membership was growing. Late in 1973, the county Parks and Recreation Commission held public hearings to present the conceptual plan for the regional park south of Guadalupe Canyon Parkway. Through the efforts of the Committee to Save San Bruno Mountain and other environmentalist groups, a large number of north county residents came to these hearings to protest the location of the proposed park. Despite this opposition, the Parks and Recreation Commission approved the conceptual plan in December 1973. Although the plan called for the regional park to be expanded to 1,250 acres, the location remained unchanged. Early the next year, the county Board of Supervisors also approved the conceptual plan.

### **The Stormy Aftermath of the Recall**

In Brisbane, the biggest political issue at the end of 1973 was not San Bruno Mountain, however, but the election to replace the recalled members of the City Council. Both sides of the recall campaign had found that people in Brisbane wanted an end to the political turmoil the city had endured almost since the day it was incorporated. Despite hopes for peace, the months ahead would turn out to be far from calm.

The special election to choose replacements for the three recalled council members was scheduled for November 27, 1973, Brisbane's twelfth anniversary. The campaign for the special election got underway, and 13 candidates began going out to talk to their neighbors about what they felt they could do for the city. The campaigning climaxed with a candidates' night that was broadcast on cable television, a first in Brisbane's history.

In the November 27, 1973 special election, Anja Miller, with 436 votes, and Art Montenegro, with 302, took the two-year seats, which would be up for reelection the following spring. Paul Goercke, with 306 votes, topped the voting for the four-year seat, the term for which expired in 1976. While Goercke had been a familiar figure in Brisbane politics since the garbage wars of the 1960s,

both Anja Miller and Art Montenegro were newcomers to the city's political scene. Miller, who was born and educated in Finland, had been a resident of Brisbane since 1966. A housewife, she had made the central issue in her campaign "the survival of Brisbane as a small, family town with special charm." Montenegro had first gained attention as the leader of the Brisbane Youth for Responsible Government, a pro-recall group. For the special election, he had campaigned with Charles Stanyan, an unsuccessful candidate for a two-year seat, and Paul Goercke. These three had formed a coalition calling itself Good Sound Management, which pledged to preserve Brisbane's village atmosphere and to maintain local control.

Although Miller and Montenegro would have to face reelection in four months, the new City Council represented what could well be termed a virtual revolution in Brisbane politics. Goercke was the most environmentally oriented person ever to be elected, while Montenegro was the council's first Hispanic and Miller, who had received the most votes overall, was the first woman. The women's liberation movement had touched Brisbane, and many of the city's female voters viewed Miller's election as a triumph for women. Suddenly, the group that Goercke called "the old bunch" was reduced to Jim Williams, a minority of one.

The new council members were sworn in December 1973, a year which would end with no Christmas stars lighting up the rooftops of Brisbane because of the Energy Crisis. The council's first act was to vote in Dr. Guardino as mayor. Later in the month, they hired a new city manager, Walter Bednar. Bednar, a retired Internal Revenue Service executive, had no previous experience in city government.

In January 1974, the new council turned its attention to the budget for fiscal year 1973-1974, which the previous council had not dealt with at all because of the recall. Improvements to the city's streets and storm drainage system were the major items called for in the new budget. The council majority also decided to reduce expenditures by cutting the police department staff. Dr. Guardino, who had been arguing since 1972 that the department was costing the city too much money, finally found support for his position. The council voted 3-2 to reduce the police force from ten to seven officers. Dr. Guardino, Paul Goercke, and Jim Williams were in favor of the cut. Anja Miller and Art Montenegro voted against.

This decision drew an angry response from Police Chief Bill Beard, who had headed the department since 1969. Beard was already upset because the council had refused to approve a 17.5 percent salary increase for his department. He threatened to resign within 72 hours if the council did not reverse its decision on the layoffs. He also said that he could get the rest of the department to quit with him. Two days later, City Manager Walt Bednar fired Beard, stating that the citizens of Brisbane had lost confidence in Beard's ability to run the department. Beard responded by filing a lawsuit against the city, which claimed that Dr. Guardino had engineered the firing for political reasons. Guardino and Beard had been feuding for several years, and Beard felt that he had been terminated because of personal differences rather than any shortcomings in his job performance.

The next week, at a stormy meeting held at Lipman School and attended by more than 400 Brisbane residents, the City Council reversed its position on



the personnel cuts and voted to maintain the police department at ten officers. Jim Williams was the council member who changed his mind on this second vote. The City Council did not reinstate Bill Beard as police chief, however. Within a week, the situation grew more complicated when the Mozzetti family launched a \$1.5 million libel suit against Beard. The suit claimed that Beard had made public statements insinuating that the Mozzetti's motel and trailer court was the site of illegal activities.

### **A Spirit of Conciliation**

The Bill Beard affair, which dragged on into 1974, supplied a disturbing undercurrent to the campaigns for the spring City Council elections. The controversy did not, however, tarnish the reputations of Anja Miller and Art Montenegro, the two new council members who were up for reelection. Both were returned to the council, Miller topping all candidates with 397 votes, Montenegro finishing second with 312. Joe Thompson, a crane operator at Hunter's Point shipyard and a long-time Brisbane resident, took the other open council seat, receiving 308 votes. About 55 percent of the city's registered voters went to the polls, the highest turnout in the county that spring.

Thompson's election was the source of yet another controversy, however. Jeannine Hodge, a Jefferson High School social studies teacher who had moved to Brisbane in 1969, finished just one vote behind Thompson. Hodge demanded a recount, which the City Council refused to approve. She then sued the council but lost the case in court.

Anja Miller, because she had received the largest number of votes, was selected to be Brisbane's first woman mayor. Miller's platform in the 1973 special election had focused on what she called the "housekeeping" part of the City Council's duties. One of the main things she felt needed to be accomplished before Brisbane's political house could be put in order was to foster a spirit of cooperation rather than conflict. "My modus operandi was to try to work with people," she says, "to get things done in a positive way, not negative. Don't tear anyone down. Let's do something we all need."

The new City Council proved to be successful at promoting a more conciliatory approach to city politics. One example of this was the council's efforts to establish a city bus service in 1974. To study the issue, Mayor Miller appointed a citizens' committee, whose members included Bill Lawrence, one of the men recalled from the City Council in 1973, and Bernice Delbon, the retired librarian. Within a few months, the Brisbane Transit System was created. Bill Lawrence helped plan the route and schedule, Fire Chief Dutch Moritz went shopping for the bus, and City Manager Walt Bednar succeeded in getting monies from the Metropolitan Transportation Commission to fund the company. Bus service started in the fall of 1974.

Another example of this conciliatory attitude was the council's decision to seek an out-of-court settlement to resolve the Bill Beard affair. "We decided to settle and not go to court," says Anja Miller. "For the suit to proceed, we would have been forced to hold administrative hearings, which would have washed all the dirty linen on both sides in public. I wanted to avoid that because I felt it would have been highly disruptive. We had just had the recall, and there were enough hard feelings in this town. It was time to heal, time to settle things and make compromises."

By November 1974, the compromise had been worked out. Beard was formally reinstated so that he could be allowed to resign. He was also given back pay and a severance package. As far as Miller was concerned, the settlement was a case where both sides won. Beard was let go but not fired, and Brisbane avoided a costly lawsuit. "The city had to pay a little bit, but it was nothing compared with what we would have had to pay for all those hearings and for lawyers," Miller says. "I'd rather pay the money to the man. After all, he had served the city. Brisbane saved money too, so the settlement was good for the city."

During the summer of 1974, the City Council also had its hands full with other business. In May, in the wake of the Bill Beard controversy, City Manager Walt Bednar created a major problem for the city when he resigned without giving notice. At a City Council personnel session, Bednar got angry, threw his keys down, and walked out. Left with no city manager and with no replacement in sight, the council spent most of June searching for and interviewing candidates for the job.

In July, the City Council hired Clark Smithson to be Brisbane's fifth city manager. Smithson came to Brisbane from Lafayette, California, where he had been assistant city manager and planning director. Smithson had extensive experience both in community relations and in city planning. The council also made another important personnel decision that summer. Roger Kalil, who had been the city's accounting clerk since 1971, was named finance director.

#### **Dr. Guardino Bows Out**

No sooner had these positions been filled than the city government had yet another resignation to deal with. In July, Dr. Guardino bowed out of city government. As was the case with the resignation of Nick Cook in 1972, the circumstances surrounding Guardino's departure were a bit odd. In June, he had taken an unexplained leave of absence from the City Council. On his return on July 22, he told the council that he had just needed a little vacation after six years in city government. However, he also mentioned that in June he had moved his family into a new home in Belmont. This immediately caused David Friedenber, the city attorney, to bring up the issue of residency. The doctor could not be on the council if he was living in another city.

Dr. Guardino protested that he was still paying utility bills in Brisbane and had not yet moved all of his belongings out of his old house. But he also admitted that he was staying with his family in Belmont six nights a week. Friedenber stated that, in his legal opinion, Dr. Guardino was no longer a resident of Brisbane. Cantankerous to the end, the good doctor demanded that the city attorney provide him legal proof for his opinion. "Until you bring me precedents," said the man who had once named himself mayor, "I am a resident of Brisbane because I say I am."

When the rest of the council refused to accept this, Dr. Guardino said that he was resigning, effective June 15. The council then voted to reject this date because it would have forced a special election. They accepted Guardino's resignation as of July 22. But a motion to appoint Jeannine Hodge to take Guardino's spot failed, and the council was not able to agree on another selection for an appointment. So the special election was scheduled after all.

In November 1974, Jeannine Hodge won the election to fill the spot on the City Council vacated by Dr. Guardino. Hodge's victory reaffirmed the great change in direction city politics had taken since the 1973 recall. A strong supporter of the Committee to Save San Bruno Mountain, Hodge gave the council another member who was strongly attuned to environmental issues. Like Anja Miller and Paul Goercke, she had moved to Brisbane after incorporation.

## *Brisbane's Sister City*



**Mayor Anja Miller,  
Brisbane, California,  
and Lord Mayor  
Clem Jones, Brisbane,  
Australia, in 1974**

Brisbane's sister city in Australia is a booming, highly industrialized metropolis, built around one of the country's largest seaports. A center for engineering, oil refining, ship building, and food processing, Brisbane has a population of more than 1,000,000, making it the third largest city in Australia.

The story of how this big city became sister cities with little Brisbane, California begins in 1963 with a history-making event. In the spring of that year, Betty Miller, a pilot from Santa Monica, flew from California to Australia, becoming the first woman to fly solo across the Pacific Ocean. In her plane, Mrs. Miller was carrying a silver plate, a gift from the city of Brisbane to its Australian namesake. One of her first official acts after landing in Australia was to present this gift to Clem Jones, Lord Mayor of Brisbane, Australia.

In August 1963, the Brisbane City Council invited Betty Miller to a banquet held in her honor at the 23 Club. One of the highlights of the festivities was a trans-Pacific radio-telephone conversation between Jim Williams, mayor of Brisbane, California, and Clem Jones. Jones used the opportunity to personally thank Williams and the city for the silver plate Betty Miller had delivered.

That phone call marked the start of an on-going sister city relationship. Since 1963, Brisbane has on a number of occasions entertained guests from its Australian sister city, including Clem Jones, who came to visit in 1965. In 1967, Jones returned the favor by inviting Brisbane Mayor Dale With and his wife Daisy to Australia to be the honored guests at Brisbane's Warana Spring Festival.

Over the following years, informal visits by city officials, beauty queens, and ordinary citizens have continued. In 1974, Mayor Anja Miller and her husband Ray were invited by Clem Jones to be guests at the Warana Spring Festival. The Millers' 10-day visit turned into a whirlwind of activities. The schedule included 10 speeches, two appearances on television talk shows, three formal balls, an art show opening, several concerts, and a visit to a wildlife preserve to see koalas and kangaroos.

### **Financial Developments in 1974**

During the summer and fall of 1974, Brisbane's financial situation went through several important changes. In July, the contract to provide police and fire protection services to the Crocker Industrial Park came up for renewal. Since the city had not been able to negotiate an annual increase in 1973 because of the two-year contract, the council asked that the \$100,000 yearly fee be raised to \$150,000. Crocker felt that this 50 percent increase was an outrage and refused to go along with it. The negotiations ended with the city settling for a five-month contract, good through January 1975, when the contract would again be renegotiated. Crocker threatened to take the contract to Daly City if Brisbane did not lower its demands.

While the potential loss of this contract would be a blow to the city's fiscal health, Brisbane received some financial news worth celebrating in August. That month, Bank of America opened a branch office in Brisbane, giving the city its very first bank. Getting a local bank had been one of the community's goals for decades. Since the 1930s, Brisbane had been redlined by area banks. "Years ago, you couldn't borrow 10 cents from a bank if you lived in Brisbane," explains Frank Walch. "That was the case for a long, long time, until later on when we were incorporated. Then institutions like Industrial Savings & Loan of South San Francisco started giving us loans for building."

One of the directors of Industrial Savings & Loan, which was eventually acquired by Glendale Federal, was Dick Schroeder, and he was the main reason why this South San Francisco institution was one of the first to stop redlining Brisbane. Bank of America's decision to establish its branch office on Old County Road represented a major victory for the community.

In the fall of 1974, Brisbane began working out the initial details for a project that would also have a great effect on the city's future financial condition: a marina to be built on the landfill at Sierra Point. This idea was strongly backed by Clark Smithson, the city manager, who felt that a marina and other development on Sierra Point could be a major step toward solving the city's financial difficulties.

On a Sunday morning, early in November 1974, Smithson and members of the City Council and Planning Commission took a stroll along Sierra Point with none other than Leonard Stefanelli of Sunset Scavenger to discuss plans for the site. "To me, that was one of the signal events, a turning point," says Anja Miller. "I told Stefanelli, 'We are now making peace. This thing is behind us. Let's do something with this land. That's what we'd like to do, and how would you like to participate on a business-like basis?'" Stefanelli said that his company had no interest in taking part in the actual development, but they would be willing to sell the land.

### **Visitacion Rancho Becomes Crocker Hills**

While Brisbane was writing the final chapter to the garbage wars of the 1960s, the ongoing saga of San Bruno Mountain seemed to be turning into a novel that grew more complicated by the day and apparently had no end. The new Brisbane City Council was as opposed to development on the mountain as the previous council had been for development. The council now favored a plan that preserved most of the mountain as park lands and open space. In

February 1974, the council passed a resolution asking that a congressional committee study the idea of including San Bruno Mountain in the Golden Gate National Recreational Area.

Meanwhile, Visitacion Associates continued to move forward in its planning for the big project. In June 1974, the developers filed a revised version of the amendment to the county General Plan they had proposed in December 1973. This revision called for more residential units in the Saddle. In August, the developers announced that Visitacion Rancho was being renamed Crocker Hills. This was the name most residents in the area had always used for the northwestern portion of the mountain, where most of the housing was to be built. Visitacion Associates' plans continued to evolve through the fall, and in November the developers issued an update to the revised General Plan amendment they had proposed in June.

Meanwhile, opposition to Crocker Hills continued to mount. The Committee to Save San Bruno Mountain was attracting more and more people in the north county to join forces in the fight over the location of the regional park. In November 1974, the county Parks and Recreation Commission began holding a series of public hearings on the master plan for the park.

These hearings drew a large and raucous turnout of people who felt that the county's plan to put the park on the steep ridges of the mountain was utterly ridiculous. Those who favored the park in the Saddle pointed out that about one-half the area presently set aside for parks and open space was on ground having well over a 30 percent grade. With slopes nearly twice as steep as the steepest parts of the San Francisco cable car routes, much of this land could not be developed in the first place, they said. In the second place, this land was obviously not usable as a recreation area, except perhaps by goats.

The image of goats frolicking on the ridges stuck, and the proposed park on the steep slopes was soon christened "Goat Park." At the hearing held in December, the conservationists staged a demonstration that included a goat plus a contingent of people outfitted with skis, hiking gear, and mountain climbing equipment. The hearings were also attended by people from the building and construction trade unions, who announced that they were organizing to oppose the conservationists. The Crocker Hills project would provide a substantial number of new jobs for these trade union workers, about 20 percent of whom were then unemployed.

Already, the opposing forces were positioning themselves for what was about to become a huge battle.

### **A Watershed Year**

In 1974, the year Richard Nixon became the first U.S. president to resign from office, Brisbane had arrived at a major political crossroads. During the preceding years, the city had witnessed many disturbing political events — the recall battles, the resignations of Nick Cook and Dr. Guardino, and the Bill Beard affair. In one sense, this turmoil was a sign of the times, but it was also a reflection of Brisbane's past history as a town where there always seemed to be a controversy stirring. "We've had Watergates here for a long time," John De Marco told a *San Francisco Chronicle* reporter at his barbecue in 1974. "Nobody lasts."

On the other hand, the year 1974 also brought with it many positive developments. One of the most important of these was the emergence of a City Council that appeared to be willing to try to work out differences, to seek new solutions to the old problems, to be more responsive to the changing nature of its constituency. John De Marco spoke for many people in Brisbane when he said he felt that incorporation had been good for Brisbane. Despite all the political battles, Brisbane had managed to retain its small-town virtues. "We've never had a major crime here," De Marco said. "This is the only town around where women can get off a bus at three or four in the morning and walk down the streets."

Whether Brisbane would be able to maintain that small-town atmosphere seemed questionable, however. As the planning for Crocker Hills moved ahead, it appeared that rural Brisbane was about to become part of one of the largest new developments in the Bay Area. But Brisbane's heritage was the spirit of independence of its people, and Brisbane residents did not like the idea of letting powerful outside interests determine their fate. For years, Brisbane had fought fiercely to assert its right to home rule. As 1974 came to an end, the city was about to enter the biggest battle over this issue in its entire history.

## Chapter Five

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### THE END OF AN ERA: 1975-1979

In 1975, with the signing of the Paris Peace Accords, American troops were finally pulled out of Southeast Asia, and the longest war in American history came to an end. With Watergate and Vietnam behind it, the nation entered a period marked by a strong sense of disillusionment with government. Dissatisfied with old-style power politics, people embraced a spirit of reform. The nation looked inward, showing a greater concern for environmental and domestic social issues.

In California, voters demonstrated that they were ready for a drastic change from politics as usual. In 1975, ultra-liberal Jerry Brown replaced ultra-conservative Ronald Reagan as governor. An ex-Jesuit priest and a student of Zen Buddhism, Brown was one of the most unusual politicians in the state's history. Although he was the governor of the most populous state in the nation, Brown was fond of quoting Ernst Schumacher, the author of *Small Is Beautiful: Economics As If People Mattered*. This book, whose title became an instant slogan, helped foster public awareness of the negative social consequences of an economic system geared for constant, uncontrolled growth.

While people in Brisbane had always believed that small was indeed beautiful, the council elected in 1974 would give this idea powerful political expression. Led by Anja Miller, Paul Goercke, Art Montenegro, Joe Thompson, and Jeannine Hodge, Brisbane was about to take center stage in the biggest political battle of the decade in San Mateo County.

#### **The First Public Hearings on Crocker Hills**

With the first county hearings on Crocker Hills scheduled for February 1975, the two opposing sides began making last-minute moves to improve their political positions. In January, Anja Miller, who was in the last months of her term as mayor, appeared before the North San Mateo County Council of Cities to argue for a position statement against Crocker Hills. The council voted 19 to 3 to ask the county supervisors to include more land in the proposed San Bruno Mountain regional park. That same month, the pro-park forces gained support from the San Francisco Board of Supervisors. The board passed a resolution, co-authored by Dianne Feinstein and Quentin Kopp, that called for restricting development on the mountain and preserving its open spaces as park lands.

In January 1975, the developers also issued a position statement of sorts. That month, Crocker Land Company terminated its contract with Brisbane for police and fire services to Crocker Industrial Park, a move which cut city revenues by 13 percent. This happened after the Brisbane City Council had again requested a \$50,000 increase to the contract. Crocker had responded by offering the contract to Daly City, which agreed to provide the same services for the \$100,000 Brisbane had previously received.

Many people in Brisbane felt that Crocker had taken away the contract to gain leverage in the struggle over the Crocker Hills development. After the 1973 recall, the Brisbane City Council had shifted from a position that largely supported the developers' plans for the mountain to a position strongly in favor of preserving the Saddle area as park land. To some observers, it appeared that Crocker, holder of a 50 percent interest in Visitacion Associates, was trying to force the Brisbane City Council to support its development plans for the mountain. "This contract became a pawn in the mountain battle when we asked for more money," says Anja Miller. "Sherman Eubanks of Crocker was hard-nosed and punished us by taking the contract and giving it to Daly City."

In May 1975, the Brisbane City Council commissioned a survey of the city's residents to determine people's opinions about the fate of the mountain. The survey was conducted by Richard DeLeon and David Tabb, political science professors at San Francisco State University, who sent their students door-to-door to over 400 homes in the city.

The poll revealed that 66.2 percent of Brisbane residents were opposed to the Crocker Hills development. The survey also showed that most people in Brisbane wanted to keep their city small, with 78.5 percent indicating that they were against growth. Even those in favor of growth wanted it strictly controlled, with 63 percent saying that they would not like to see Brisbane's population increase by more than 5,000. Opinion was evenly split on the annexation question, with just 56 percent in favor of Brisbane annexing Crocker Hills, if the county approved the annexation. However, 84 percent of the people polled did not want to see Daly City annex the development.

The City Council viewed the results of the poll as a mandate indicating support for their stand against the Crocker Hills development. "It was the first serious attitude survey in Brisbane on a major political issue," says Anja Miller. "We didn't have to have a vote in the city about that issue, because we had the survey." The survey did not, however, shed much light on what residents of Brisbane would be willing to accept, given the options realistically obtainable. It was highly unlikely that Visitacion Associates would just give up and allow the entire mountain to be turned into a park. This tract of land was extremely valuable, and the owners had the same rights that any property owner had. The obvious conclusion was that some form of development was likely.

The Brisbane City Council interpreted the results of the survey as a vote of confidence and continued to seek other possible ways for keeping the Saddle in open space. The same month the survey came out, representatives from the city of Brisbane and from several environmental groups met with Claire Detrick, secretary of the state Resources Agency, and Herbert Rhodes, director of the state Parks and Recreation Department. Both Detrick and Rhodes said that their agencies would help the county purchase the Saddle for a park if the county ultimately decided to preserve the area as open space.



In June, the county Board of Supervisors asked the Brisbane City Council whether the city would contribute funds toward the purchase of San Bruno Mountain park lands. The council unanimously passed a resolution which stated that the city would be willing to contribute up to \$5 million to assist the county and state to buy the Saddle. The resolution stipulated, however, that these funds could only be made available if Brisbane were allowed to annex Crocker Industrial Park. The additional tax revenues obtained from the industrial park would enable the city to float a general obligation bond issue.

#### **The County Planning Commission Hearings on Crocker Hills**

In June 1975, another round of hearings got underway before the San Mateo County Planning Commission on Visitacion Associates' proposed Crocker Hills General Plan amendment. By this time, Visitacion Associates had reduced the size of the project to 7,655 homes and apartments, housing 18,500 people. The total cost for the development had risen to \$850 million.

The Planning Commission hearings, eight in all, proved to be high drama, drawing hundreds from both sides of the issue. "There would be 500 environmentalists and 300 construction workers in hard hats, representatives from each faction going up and making speeches before the commission," says Fred Smith, who had moved to Brisbane in 1975 and immediately started working for the Committee to Save San Bruno Mountain. "When someone from your side spoke, a mass of cheers went up from your section. You had tiers of seating up the side, seats on the floor, TV cameras, lights, and right in the center of the hall was the Planning Commission. It was just an enormous event, with people holding signs and placards, including a big banner saying, 'Support the Brisbane City Council.' I think this was the biggest public outpouring for any issue in the county's history."

At the heart of this issue was the application for the General Plan amendment which outlined Visitacion Associates' plans for the massive Crocker Hills development. The San Mateo County Planning Department had already evaluated these plans and presented an analysis of the proposed amendment to the Planning Commission. This report, which was completed in June 1975, outlined and ranked several alternatives to the development scheme preferred by Visitacion Associates.

Significantly, the county Planning Department came to the conclusion that it could not recommend that development be allowed in the Saddle. "It must be noted that in amending the General Plan, the burden of proof rests with the applicant," the report stated. "Staff is of the opinion that the applicant has not demonstrated conclusively that the economic and social benefits outweigh the public costs and adverse environmental impact of this proposed development."

The county Planning Department stated that it preferred an alternative General Plan amendment, one which would allow development on the Northeast Ridge and South Slope of the mountain but leave the Saddle in open space. But the department stopped short of actually recommending this alternative. The reason for this was the great cost of acquiring and maintaining the Saddle as a park area. That same month, Visitacion Associates announced that if the county chose to keep the mountain in open space, the asking price for the entire property would be \$30 million. The developers did not want to sell,

## *Dr. Guardino*

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When Dr. S. J. "Harry" Guardino died at age 68 on August 6, 1975, Brisbane lost one of its most colorful and controversial leaders. A native of San Jose, Guardino received his medical training at Creighton University in Omaha. He paid for his education by boxing professionally. He came to Brisbane and opened his medical practice at 360 Mendocino Avenue in 1936. The town's first resident physician, the good doctor provided health care to an entire generation of Brisbane residents. "I would say that Dr. Guardino probably cared for all of us when we were children," says Fred Schmidt. "He was probably responsible for all of us growing up."

Dr. Guardino was one of those old-fashioned doctors who felt it was his duty to make house calls at any time of the day or night. Martha Adkisson recalls several times when she had to call Dr. Guardino at two or three in the morning after her little boy woke up with a terrible earache. "He would come right out, and he always charged us the same as for an office visit," says Mrs. Adkisson. "He would say to me, 'You don't have to bring a sick child down here. I'll come to the house.' He was one wonderful, wonderful doctor, and a wonderful, caring person." Dr. Guardino was also a local legend for his generosity. Over the years, he had provided free medical service and prescriptions to Brisbane people who could not afford to pay him.

After his entry into city politics, Dr. Guardino displayed a different side of his temperament. As befits a man who had been a boxer in his youth, he proved to have a fighter's heart when the time came to discuss the city's most controversial issues. He was a fiery, volatile leader. "He was very affable in many ways," says Paul Goercke, "but he also had a temper, and he could really lay it on the line, as they say."

In July 1974, Dr. Guardino resigned from the City Council and moved his family to Belmont. "Thirty-eight years in town is long enough," he quipped at the time. A year later he was struck down by a heart attack. Although Dr. Guardino was highly controversial as a political figure, there are those who remember him most for his good works as the small-town doctor with the heart of gold. Jay Fichera speaks for many long-time Brisbane residents when he says, "Someday, we really should put up a statue around here for that man."

however. They continued to insist that the Saddle was the heart of the project. Unless development was allowed in this area, they said, Crocker Hills was dead.

The staff of the county Planning Department were not the only people who had doubts about Visitacion Associates' proposed General Plan amendment. The Committee to Save San Bruno Mountain had also produced a study, entitled *Citizens' Impact Report on San Bruno Mountain*. This report, which was highly critical of Crocker Hills, was written in response to the Draft Environmental Impact Report (DEIR) Visitacion Associates had presented.

Like the county planners, the Committee to Save San Bruno Mountain found that the developers had not proved that the benefits of Crocker Hills outweighed the adverse impacts. In fact, exactly the opposite seemed to be true. The citizens' report found that the public costs for Crocker Hills would be astronomical. One of the areas of greatest concern was the development's impact on area traffic. Crocker Hills' residents would add 117,000 trips per day to the traffic on the already heavily traveled streets and highways in the north county. County planners estimated that widening and improving existing streets would cost the county at least \$22 million, and it remained to be seen where these funds would come from.

The citizens' report found that Crocker Hills would not generate enough tax revenues to begin to cover these public costs. Since there was a glut of office space in San Francisco and San Mateo County, it was unlikely that the developers would be able to fill up their proposed office park as quickly as they predicted. Projections about the shopping center in the Saddle, which would have to compete with the nearby Serramonte and Tanforan centers, also appeared totally unrealistic.

The DEIR's figures on new jobs created appeared equally far-fetched to the authors of the citizens' report. The developers had predicted that Crocker Hills would create 10,000 new permanent jobs and 15,000 construction jobs. The citizens' report found that the actual figures would be closer to 1,940 permanent positions and a mere 810 construction jobs a year.

The citizens' report was particularly critical of the plans to develop the Saddle. One section dryly noted that the developer had failed to explain how a regional park could be created right across the street from a large shopping center at the edge of a high-density urban area. The report also felt that Visitacion Associates had attempted to minimize the dangers of building as many as 15 twelve-story and 9 twenty-story high-rises on an area that was largely fresh-water marshlands.

The main problem here was the potential for a condition known as liquefaction, a phenomenon in which an earth tremor causes soil to behave like a liquid. Much of the Saddle area was underlain with sand deposits, capable of holding large amounts of water after a rain, so liquefaction was obviously a danger. Although the developers admitted that liquefaction could be a problem, they felt that the underlying bedrock would supply adequate support for large buildings. They failed, however, to provide any analysis of what might happen to high-rise structures standing on this kind of earth, should an earthquake cause the soil to liquefy.

In short, the citizens' report disputed nearly every aspect of Visitacion Associates' analysis of the environmental impacts of the proposed Crocker Hills development. The report also found the DEIR to be poorly organized, missing

essential data, and filled with unstated or erroneous assumptions. "Experts who worked with us complained that the DEIR lacked sufficient clarity and detail to permit serious evaluation of the proposed project," the citizens' report stated.

The report concluded that the DEIR's most serious deficiency was that it simply glossed over the issue of the irreversible environmental impacts of Crocker Hills. "The assumption behind this refusal to discuss [these] impacts is that the whole project is just a lot of cement which everybody knows is irreversible once it is poured," the report's authors stated. "However, the irreversible impacts of this project are complex and varied, and should be fully discussed."

### **Visitacion Associates Win the First Round**

The county Planning Commission hearings on Crocker Hills provided an extended forum for this discussion. By this time, opposition to Crocker Hills was focused on three main issues: schools, traffic, and the regional park. Robert Lloyd, superintendent of the Brisbane Elementary School District, was a key speaker on the schools issue. Lloyd was asked to provide facts and figures on how the huge development would affect his tiny district. This was a subject he was well qualified to discuss. In the 1960s, when the various Westbay schemes were being proposed, Lloyd had been forced to find school sites and develop school district master plans to handle the proposed development. Lloyd's forecasts, of course, had to be changed every time the developers modified their plans. With Visitacion Rancho and Crocker Hills, he had been forced to go through the same exercise all over again.

When Visitacion Rancho had first been proposed in 1971, its plans had called for eleven elementary schools, two junior highs, two private schools, and a high school. The number of schools had been scaled down from 16 to 5 as the proposed community's population had dropped from 50,000 to 18,500. But the price tag was still incredibly high for Lloyd's district, which then had about 700 pupils at its one intermediate and two elementary schools. Lloyd did not see how the Brisbane Elementary School District could possibly fund the required expansion.

"I was testifying that it would cost about \$14 million to provide the necessary schools, and our district didn't have the wherewithal to get that kind of money," Lloyd says. "I identified that as a significant adverse impact, which had to be mitigated by the developer contributing to the needs of the schools. Of course, this sent the developers into orbit! At that point, I was roundly booed by the developers and all the construction people and cheered by the environmentalists."

The traffic problems Crocker Hills would create were a much greater source of concern. Milton Feldstein, Bay Area Air Pollution Control Officer, believed that the congestion caused by increased traffic from the development would hopelessly snarl Interstate 280 and the Bayshore Freeway by 1990. "These traffic conditions would cause a complete breakdown of the adjacent traffic ways during the evening peak hour," Feldstein wrote in his report to the San Mateo County Planning Director.

The big rallying point for the opposition to Crocker Hills remained the park in the Saddle, however. The pro-park people were not at all impressed



A view of the Saddle

by Visitation Associates' commitment of land for parks and open space. Opponents of the developers' plan continued to point out that about one-half this area was far too steep to be developed. The developers were only giving up property they could not use.

Those who supported the park also protested that the Saddle was the only possible location for a park that people could use because this area contained 41 percent of the total mountain acreage with less than a 30 percent grade. Conservationists also pointed out that the Saddle contained one of the last remaining freshwater wetlands in the Bay Area and was home to several endangered species. The developers were not about to relinquish the Saddle without a fight, however. Into this 300-acre area they planned to put 71 percent of Crocker Hills' residential units, 48 percent of its retail, 45 percent of its office space, and 100 percent of its commercial recreation development.

As the hearings continued through the summer, opposition to Crocker Hills continued to mount throughout the Bay Area. In July, San Francisco Supervisor John L. Molinari joined Dianne Feinstein and Quentin Kopp and went on record as opposing the development. Molinari's primary concern was the traffic problem. He predicted that the development would cause a huge increase in cars using the Mission Street corridor. The developers claimed that 19 percent of Crocker Hills residents would use public transportation to go into San Francisco, reducing the impact on the city's traffic. Molinari felt the number of people using public transportation would be lower, closer to the 9 percent predicted by the San Mateo County Planning Commission. Molinari also objected that, whatever the percentage, any people commuting into San Francisco on MUNI or BART would be getting a free ride. Neither MUNI nor BART received funds from San Mateo County.

By August 1975, the battle over development in the Saddle had reached the state legislature. That month, Edwin Z'berg amended Assembly Bill 2329 to include a \$4 million allocation of state monies to be used to help San Mateo

County purchase park lands on San Bruno Mountain. Z'Berg, author of this bill, added this provision at the request of Herbert Rhodes, state parks and recreation director, and Claire Dedrick, state resources secretary.

Supporters of the park in the Saddle viewed this new development as a victory. But on November 26, 1975, this triumph was completely obscured when the San Mateo County Planning Commission voted 3-2 to approve the Crocker Hills General Plan amendment as presented by the developers. This was a great victory for Visitacion Associates, but the battle over Crocker Hills was far from over. The stage was now set for the next round, the hearings before the county Board of Supervisors.

### **Other Developments in 1975**

While the controversy over San Bruno Mountain dominated events in 1975, the Brisbane City Council did not neglect the housekeeping chores that Anja Miller had made a top priority during her term as mayor. In January, the upheaval in the police department was finally settled when Elmer "Bud" Martini, who had been with the department since 1971, took over as chief of police. The City Council and the Planning Commission also began formulating more precise plans for the 120 acres of landfill at Sierra Point. Here, Clark Smithson, the new city manager, proved to be a catalyst.

One of the first tasks Smithson undertook after he came to Brisbane was to prepare a report on the city's financial condition. He and Roger Kalil, the city's finance director, produced a study which came to the conclusion that the city was on the verge of bankruptcy. Since 1972, when the city had stopped receiving fees from Sanitary Fill for garbage dumping, Brisbane had been running a deficit. To meet its obligations, the city had been forced to dip into its reserves, which by 1975 were down to a dangerously low level.

Smithson concluded that unless the city found new sources of revenue, it would quite likely be out of business within a few years. "Clark compiled a report for the council stating that we had about \$63,000 in reserve," says Jeannine Hodge. "That's all we had between us and whatever." Smithson also delivered this message directly to the citizens. "Smithson called some of us one night," explains Anna Lou Martin, a long-time attender of City Council meetings. "This was on a night when they weren't having a regular meeting. When we walked in, he said, 'I want to show all of you something.' He had a chart clear across the wall, and it showed that we were going broke, that we actually did not have any money."

Smithson also suggested a possible source of new monies. The city could build a marina at Sierra Point. In March, Steve Siskind, a planning consultant hired by the city the previous year, presented the council with a feasibility study on the marina. Siskind noted that marinas, by themselves, were usually only marginally profitable. For Sierra Point to generate the amount of revenues Brisbane needed, the marina would have to be combined with commercial and residential development. Siskind proposed a complex having a hotel, several restaurants, a movie theater, and 300 residential units.

To build all this, Brisbane needed to find a developer. Fortunately, the City Council did not have to look far. In the audience at the meeting that evening was Byron Lasky, a real estate developer from Los Angeles. Lasky had built residential and commercial projects across the country, including a marina

at Huntington Beach in Southern California. Lasky told the council that he was interested in handling the Sierra Point development.

In June, Lasky obtained an option to purchase the Sierra Point property, which was owned by Sunset Properties, Inc. and Macor, Inc., holding companies for Sunset Scavenger and Golden Gate Disposal, respectively. "The Scavengers did not want to be developers," says Anja Miller. "They had the land, and they just wanted the money." In return for the right to develop the property, Lasky agreed to give the city 20 acres for the marina.

The planning process moved quickly through the summer and fall. Lasky impressed both the City Council and the Planning Commission with his willingness to work together with the city to develop plans for Sierra Point. In November, the city Planning Commission approved 300 units of housing on Sierra Point. For Lasky, this was a crucial point. Housing could be sold quickly, ensuring that the development would generate revenues immediately. Lasky said that without an assured cash flow, he would not be able to obtain loans needed for the construction of the marina and the commercial buildings.

While the Planning Commission's decision on housing for Sierra Point seemed to indicate that the marina would be built, it also created problems. Those problems would become apparent in 1976.

### **The Historic Saddle in Open Space Amendment**

While Lasky was highly regarded in Brisbane for his cooperative spirit, Bob Follett, Visitacion Associates' general manager for the Crocker Hills development, produced exactly the opposite impression. Follett had by then completely alienated the City Council, who found his confrontational method of negotiating intolerable.

Follett's attitude was guaranteed to produce the maximum amount of resistance from Brisbane in the fight against Crocker Hills. On January 12, 1976, the Brisbane City Council approved a policy statement that called for preservation of the Saddle area in open space, reassessment of the Northeast Ridge development plans, and annexation of Crocker Industrial Park. The City Council also renewed its pledge to put to a vote the \$5 million bond issue which would be used to help purchase the Saddle for a regional park.

On January 15, 1976, the San Mateo County Board of Supervisors held its first hearings on Crocker Hills at the Daly City War Memorial Community Center. Again, the hearings drew large numbers of people from both sides of the issue, and once again, the Brisbane City Council was in the thick of the action. The first hearing quickly turned into a raucous affair. Bill Royer, chairman of the Board of Supervisors, threatened to call in Daly City police to throw out noisy demonstrators.

Mimi Whitney of the Committee to Save San Bruno Mountain drew the largest response of the evening, a thunderous chorus of cheers mixed with catcalls, when she presented the supervisors with petitions containing the signatures of 22,000 people who opposed Crocker Hills. The Committee to Save San Bruno Mountain had a membership of around 8,000 by this time. Whitney, a former construction company employee, wore a yellow hardhat to show that the committee's opposition to Crocker Hills did not mean that it was against the building trades.

On March 2, 1976, Brisbane voters backed up the City Council by reelecting Jeannine Hodge and Paul Goercke, both of whom had spoken out strongly against Crocker Hills. Hodge topped the polling with 446 votes, with Goercke finishing slightly back with 391. With the council remaining unchanged, Hodge, Goercke, Miller, Montenegro, and Thompson would continue to present a united front in the fight against Crocker Hills. Although Hodge, Miller, and Thompson regarded the vote as a clear mandate, Montenegro and Goercke were more cautious. Both pointed out that there had been only a 45 percent turnout. While this was a good percentage compared with other San Mateo County cities, it was fairly light for Brisbane.

As the hearings on Crocker Hills progressed through February, it became clear that the battle for the mountain would have to involve some form of compromise. Both the leadership of the Committee to Save San Bruno Mountain and the Brisbane City Council were increasingly aware that trying to stop all development on the mountain was not a realistic alternative. First of all, it was obvious that the county did not have the funds to buy the entire mountain. Thus far, the county had set aside \$6 million for acquiring park land on the mountain, and another \$4 million might be available from the state. The combined amount was not even close to the \$30 million the developers were asking for the entire mountain property.

Furthermore, the hard-line no-development position was not likely to be approved by the county Board of Supervisors. "The feeling of the policymakers was that there needed to be some balance between development interests and conservation interests," explains Fred Smith. The Board of Supervisors was split, with two members strongly for Crocker Hills, two strongly against, and one undecided. Bill Royer and Jim Fitzgerald were the pro-development votes, while Jean Fassler and John Ward wanted limited development. The swing vote rested with Ed Bacciocco. Bacciocco was generally regarded as a moderate whose views were somewhere in between the two extremes, but no one was sure how he would ultimately vote.

By this time, two alternative General Plan amendments were being considered. The first, "the Lower Density in Saddle" amendment, permitted development on the Saddle but reduced the number of units allowed from 5,420 to 2,091. The second, "the Saddle in Open Space" amendment, called for the Saddle to be preserved as part of the regional park, but allowed development on the South Slope near South San Francisco, the Western Ridges near Daly City, and the Northeast Ridge near Brisbane.

The reason why the Committee to Save San Bruno Mountain was favoring some form of compromise was partly a political one. In the past, the board had been much more pro-development, but the balance of power had shifted with the election of Ed Bacciocco and John Ward in 1975. The present board appeared to be more receptive to the idea of a compromise that balanced development and environmental issues. "These new people on the board rode in on the same reformist wave that Jerry Brown came in on," Fred Smith explains. "Right after Watergate, the entrenched power politics came under a lot of public discussion, and people like Bacciocco and Ward were able to exploit that. They were brand-new, idealistic young people who had come on the board for the first time and had swept the old guard out."



## John De Marco

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To many Brisbane residents, John De Marco was quite simply "Mr. Brisbane." Born in Louisiana, De Marco came to Brisbane in 1941 and took over the operation of the 23 Club. De Marco loved country western music, and he soon began bringing big-name Nashville stars to Brisbane. It wasn't long before country fans from all over the Bay Area knew about the little club at 23 Visitacion Avenue.

As much as De Marco loved country music, there was one thing that was even dearer to his heart, and that was the little town of Brisbane. "There was nothing John wouldn't have done for this community," says Lorene Harris, a long-time friend. "What he wanted was everybody working together. That was his main thing. If any club had a problem about something, and they didn't have the money to solve it, he would see that the money was raised."

The method De Marco hit on for raising this money was holding barbecues. These community feeds, which started in the late 1950s, soon turned into elaborate events, eventually drawing thousands of people from Brisbane and the surrounding communities. "The barbecues were just really fun, because they were so big," says Jeanne Bermen-Hosking. "John gave all the clubs tickets, and all the clubs were involved in the barbecues. For years, the Women's Club has been the serving line. Then the Lions Club got into the cooking part of it, and the Eagles would do the set up, and the Boy Scouts would come in to bus the tables. So it was a community thing, and the whole town was involved." De Marco's exploits as a master of massive barbecues landed him in *The Guinness Book of World Records* for creating the world's biggest portable rotisserie in 1973. That year, he used it to roast four buffalo, weighing more than 2,000 pounds, to feed over 4,000 people.

Through his barbecues, De Marco raised thousands of dollars for charity and for local clubs. But he also helped his friends in Brisbane in a multitude of ways that were not so visible. "There were many things that came up in the community that he did," says Lorene Harris. "Just like when my brother had cancer and was passing away. John delivered milk and orange juice to that house every day. Now, when the newspapers say, 'John was Mr. Brisbane,' well, he was."

Brisbane went into shock when De Marco died of leukemia in July 1975. At first, there was talk about putting up a monument for this man who had done so much for the city. But then the Eagles decided that the most fitting tribute would be to continue holding the big barbecues that De Marco had enjoyed so much. "So we organized and had regular meetings and planned it," says Lorene Harris. "The first barbecue was just beautiful." Since then, the John De Marco Memorial Barbecue has taken its place as a regular feature of Brisbane's life, a fitting tribute to a man they called "Mr. Brisbane."

The Committee to Save San Bruno Mountain, the leaders of the opposition to Crocker Hills, felt that it was important to get a decision through quickly to take advantage of this political shift. Tom Adams, the committee's spokesman and legal counsel, approached Ed Bacciocco, the crucial swing vote, with a plan to work out a compromise settlement. Adams said that the committee now favored the Saddle in Open Space amendment and was trying to convince the opposition to Crocker Hills to back this plan. The committee felt that keeping the Saddle in open space but allowing development on the South Slope and Northeast Ridge was a fair compromise that balanced both conservationist and development interests.

Ray Miller, who would later serve on Brisbane's Planning Commission and City Council, notes that there was intense lobbying from both sides in an effort to win Bacciocco's vote. Bacciocco, however, remained his own man. "There were a lot of negotiations out of the public view," Miller says, "a lot of efforts to lobby Bacciocco. He talked to both sides, and he did his homework very thoroughly. He was a former professor at Stanford, very academic, a very intelligent guy. So he knew how to do his homework and make his own decisions, and he did just that."

Bacciocco indeed proved to be skillful at working out the details of the compromise. On March 18, 1976, the Board of Supervisors voted 3-2 to adopt the Saddle in Open Space amendment, with Bacciocco voting last and deciding the issue. The Saddle would become part of the regional park, but Visitation Associates would be allowed to proceed with developments on the South Slope, the Western Ridges, and the Northeast Ridge.

While the developers claimed the board's decision effectively killed the Crocker Hills project, the Committee to Save San Bruno Mountain applauded the decision as a fair one. "We're delighted," Mimi Whitney told a *San Mateo Times* reporter. "We feel a reasonable compromise was made by the board today. We have high praise for the careful deliberation."

This was a great turning point in the history of the struggle over San Bruno Mountain, and the people who had joined together to preserve the mountain's natural environment were euphoric. "It was a wonderful time," Jeannine Hodge recalls. "Ecology was popular, the environmental movement was popular. People felt powerful. They felt that if they protested, if they went to meetings, if they signed petitions, that would mean something and something would happen. And it did!"

For Anja Miller, the victory was even sweeter because the Brisbane City Council had played a key role in the effort to save the mountain. "The Committee to Save San Bruno Mountain was very powerful and worked hard, but they needed the city of Brisbane to be strong," she says. "They needed the city behind them, and the Brisbane council spoke as with one voice, all five of us — including Joe Thompson, who was a member of the Operating Engineers Union and was personally penalized by not getting jobs because he was speaking out against the massive development. For all five of us to be together on that issue, with the citizens behind us, was a really big achievement."

Although the county had now decided to preserve the Saddle in open space, the status of the proposed regional park still remained in doubt. Earlier in the year, Louis Papan, a pro-development assemblyman from Daly City, had tried to block the Saddle in Open Space plan by amending Assembly Bill 2329.

This was the legislation that allocated \$4 million of state funds for the purchase of park lands on San Bruno Mountain. Although the San Mateo County Council of Mayors had recently endorsed this bill, Papan's proposed amendment specified that the \$4 million could not be used to purchase the Saddle. State Senator Arlen Gregorio, a friend of the conservationists, had countered this move by introducing a senate bill that allocated \$4 million specifically for the purchase of the Saddle as state park land.

The conflict in Sacramento over state funds for purchasing the Saddle appeared to be deadlocked. But after the county supervisors passed the Saddle in Open Space amendment, Assembly Speaker Leo McCarthy worked out a compromise between the two factions in the legislature. This involved changing the language of Assembly Bill 2329 so that it provided \$4 million for the purchase of park lands on the mountain but did not specify the areas to be acquired. Whether or not the monies would be used to buy the Saddle area would be left to the discretion of the state Parks and Recreation Commission. Papan subsequently withdrew his amendment to the assembly bill, while Gregorio dropped his proposed senate bill.

The Board of Supervisors' decision in March 1976 ultimately settled the fate of the Saddle. Although the developers immediately filed a lawsuit against the county in an attempt to have the decision overturned, the case would be defeated in court in 1977. That same year, the state Parks and Recreation Commission would approve the use of state funds to acquire the Saddle. The developers would then appeal the lower court ruling on their lawsuit against the county, but the refiled plea would be rejected in 1978.

The adoption of the Saddle in Open Space amendment did not, however, mean that the war over development on San Bruno Mountain had come to a peaceful conclusion. The situation would grow still more complicated. In a few years, another huge battle would develop, this time over the development plans for the Northeast Ridge.

### **Fixing the Streets**

The battle to preserve San Bruno Mountain had occupied the City Council's energies for most of 1975 and the first months of 1976. But after the adoption of the Saddle in Open Space amendment, the council was able to concentrate more on affairs within the city limits. One of the items to receive first attention was the condition of the city streets.

In the 1973 recall, unfulfilled promises about repairing the streets had been one of the main issues. In 1974, Anja Miller had declared that, as mayor, she was going to make the streets one of her top priorities. During that year, the Streets Citizens' Advisory Committee had been formed, with Frank Walch as chairman. The program had not progressed very quickly, however. Aside from the sort of patchwork repairs the city had always done in the past, the committee's most tangible results were a set of plans, drawn up with the aid of Jim Carroll, the city engineer.

Those plans turned out to be extremely important, however. In 1976, the federal government, under President Gerald Ford, instituted a major public works grant program, intended to inject money into the economy as a sort of quick fix to stave off recession. To qualify for these grants, a city had to meet three criteria. The community had to have plans already drawn up, there had

**The Streets Advisory Committee with the plans that brought in a \$3.4 million federal grant for street improvements**



to be citizens' involvement in the planning, and the proposed project had to be ready to start within a 90-day time period. "The fortunate thing was that we had these tentative plans that Jim Carroll had put together," says Frank Walch. "Jim had also taken some aerial surveys of the community, which was something not done very often in those days. So we had enough preliminary engineering to get started within 90 days."

Clark Smithson was the person who brought up the idea of applying for the grant and saw the application off to Washington. In December 1976, word came through that the grant had been approved. Walch was one of the first to get the good news. "Smithson called me at my shop," Walch recalls, "and he said, 'Guess what? We got the best Christmas present. We got a grant for \$3.4 million for street work.' So we were very fortunate. Nobody else in the county got anything like that."

During the next few years, Brisbane residents would finally have their streets completely repaved. Although Anja Miller played a key role in bringing this about, she feels most of the credit should go to Carroll, Smithson, and the members of the Streets Advisory Committee. "To me, Jim Carroll was one of the most valuable civil servants we ever had," Miller says. "Jim was a true professional. He always had alternatives to present, and he worked very well with the citizens' committees. We also had a good, gung-ho city manager in Clark Smithson, who was able to deal with a thousand things. He was just a wonderful guy to be there, to get the grant with Jim and all the committee people."

#### **The Sierra Point Redevelopment Agency**

Early in 1976, Smithson also proposed an idea that he felt would both simplify the financing of the Sierra Point development and ease the financial

## *Celebrating the Bicentennial*

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The Brisbane Federated Women's Club took on the nation's 1976 bicentennial celebration with particular zest. The club held a successful Bicentennial Ball and sold thousands of silver and gold bicentennial necklaces to help fund the Independence Walkway down a path from Klamath Street to Solano Street.

But the greatest of the Federated Women's Club bicentennial projects was painting the city's fire plugs. Vicki Hobson came up with the idea and wrote to a lady in the Midwest who provided the color schemes and designs. "So then we asked Dutch Moritz, who was the fire chief at that time, if we could go ahead," says Jeanne Bermen-Hosking, a long-time member of the club. "This was in the Brisbane Inn, after a Women's Club meeting, and Dutch was coming down from another meeting they had upstairs. We saw him and said, 'Let's do this project.' And Dutch just said, 'No!' We said, 'But Dutch,' and we argued back and forth for a while. Finally Dutch said, 'Okay, do the ones on Main Street.'"

Painting the fire plugs turned into a community project. Working with Dutch Moritz, the Fire Department, and Howard Reents of Fuller Paint, the Federated Women's Club provided painting kits to anyone who wanted to help. "We had all these little shoe boxes and baby food jars of paint," Mrs. Bermen-Hosking laughs. "We had all the tricks, even little drop cloths so we wouldn't get the streets painted. We also had a roving crew that went around and brought everybody soft drinks, and we had a little lunch wagon going around."

Brisbane people loved the new statuary in town, and the fire plugs have been maintained ever since, with new ones painted regularly. "The people are very protective of them," Mrs. Bermen-Hosking says. She goes on to note that the new paint jobs were not quite so enthusiastically received by the city's dogs, however. "There's one picture that was in the *Brisbane Bee* of this dog just looking totally perplexed. I don't know how they captured it, but it's wonderful. He's just a very confused dog. That's the greatest picture of the fire plugs there ever was."



**A Brisbane fire hydrant; Miss Brisbane in the Bicentennial parade**

Champagne reception to celebrate the successful completion of Brisbane's streets improvement project



burden on the city. Smithson suggested that Brisbane create a redevelopment agency to finance the construction of the marina and all the roads, utilities, and other infrastructure necessary for the development to proceed.

Since the word "redevelopment" conjured up images of urban renewal, Smithson was quick to point out the differences. First, the redevelopment agency would only have jurisdiction over the area of Brisbane on the east side of the Bayshore Freeway. Second, no federal funding would be involved, so the project did not have to be approved by federal agencies. Third, and most important, the redevelopment agency would enable Brisbane to take advantage of tax increment financing.

The purpose of this form of financing was to channel increases in tax monies normally paid to the county, school districts, and other local agencies into the redevelopment agency. The way this worked was that before any development got underway, the property value of Sierra Point would be frozen for tax purposes. As construction progressed, the value of the property would rise, but the county and special districts would continue to receive taxes based on the property's undeveloped value. The developer, however, would have to pay taxes based on the developed value of the property. The difference between the "undeveloped" tax base and the "developed" tax base was what constituted "the tax increment." That entire amount would be available to the redevelopment agency to finance improvements.

Tax increment financing offered a way of keeping the increased tax revenues from Sierra Point in Brisbane. The agency could then use this money to finance the marina and all other parts of the development for which the city was responsible. The City Council approved Smithson's plan and voted to create the Brisbane Redevelopment Agency in August 1976. The agency was to be run by the council.

In August, Sierra Point gained an important ally when Mimi Whitney was hired by Byron Lasky as assistant project planner for the development. Whitney, a leader of the Committee to Save San Bruno Mountain, said that she was impressed with Lasky's willingness to work with the city to plan the development. Unlike a Bob Follett, Lasky did not come in with plans already drawn up and then try to shove things through. Whitney also pointed out that Lasky's project did not involve the destruction of a beautiful natural environment. The Sierra Point development would turn the former dump site into something attractive and valuable to the city.

By the fall of 1976, plans for Sierra Point included a 600-berth marina, a convention center, two hotels, office space, and housing. But the project had run into strong opposition because of the plans for housing. Although this had been reduced to 250 units, many people in Brisbane did not like the idea of another community springing up overnight on the other side of the freeway. There was fear that the political balance of power could shift to the new residents, with adverse results for the older part of the city.

On September 6, 1976, the council voted 3-2 not to allow any housing on Sierra Point. The council was strongly split on this issue, with Jeannine Hodge and Paul Goercke opposed to housing, and Art Montenegro and Joe Thompson, for. Anja Miller was the person with the swing vote. "I personally felt that with housing, Sierra Point would have been a complete, well-balanced development," she says. "But I voted against housing because I felt people didn't want it."

Although Byron Lasky had said that without housing, building the marina and the commercial developments would be extremely difficult, he decided to continue as the project's developer. In December 1976, the City Council passed an ordinance creating the Brisbane Redevelopment Agency and filed plans for Sierra Point with the county, in time to gain the advantages of tax increment financing for fiscal year 1977-1978.

### A New City Manager

In January 1977, City Manager Clark Smithson resigned to become city manager of La Canada Flintridge, a newly incorporated city in southern California. Smithson was highly regarded by the City Council and the people of Brisbane, and his departure was a big disappointment. In the meeting when Smithson's resignation was announced, all the members of the council praised him for the job he had done in his three years with the city.

Anja Miller commended Smithson for finding grants and alternate sources of revenue for the city after the loss of the police and fire services contract for Crocker Industrial Park. "He was also Brisbane's first planning professional and has given us all an education as to what planning is all about," she added. Joe Thompson said he thought Smithson's biggest contribution was recognizing that the city needed a new General Plan, one drawn up with extensive public input. Like Miller, Thompson also praised Smithson for his professionalism. "Clark put us on a better working plane than ever before," he said. "I hope we can replace him with the same type of person, just as effective and good."

In March, the City Council found another city manager with the same sort of professional background Smithson had. This was Richard "Brad" Kerwin.



The groundbreaking ceremony for the Sierra Point Marina

Kerwin held a master's degree in public administration from the prestigious Wharton Graduate Division of the University of Pennsylvania. After serving an internship as a planner for the city of Menlo Park, Kerwin went into the Air Force and became a fighter pilot, eventually flying 100 combat missions over North Vietnam. After his discharge from the service in 1970, he returned to Menlo Park, where he served as assistant city manager for seven years.

Kerwin was impressed with what Smithson had accomplished during his tenure as city manager. "Clark Smithson did the city a world of good, frankly," says Kerwin. "Prior to him, they had tried to get by with a part-time city manager, and basically the city wasn't managed during that period. Clark tried to set some priorities for the city's long-term future and was successful, I think, in getting the council to buy into that."

In addition to hiring Kerwin in March, the city also held a special election to replace Art Montenegro, who had resigned from the council in October the previous year. An IBM financial analyst, Montenegro had temporarily moved to Nevada for a special training program. The voters selected Don Bradshaw, the owner of a cable television installation service, to finish Montenegro's term, which would end in 1978.

During 1977, planning for the regional park on San Bruno Mountain continued to progress. In April, Visitacion Associates' lawsuit seeking to overturn the Saddle in Open Space amendment was dismissed. This cleared the way for the state Parks and Recreation Commission to decide on how the \$4 million allocated for park lands on San Bruno Mountain should be spent. In July, the commission voted 7-0 to use the money to purchase the Saddle as part of the state park system.

Lobbyists from Brisbane played a key role in helping to get this decision pushed through. One of the city representatives who went to Sacramento was Anja Miller. "I had fairly good communication with the Brown administration," Miller says, "possibly because I had been the only mayor in San Mateo County who supported Jerry Brown for governor the first time he ran. Claire Dedrick was then resources secretary, and she helped too."

During 1977, a potential obstacle to the Sierra Point development was avoided when the city won a lawsuit brought against it by a citizens' group which challenged the establishment of the redevelopment agency. With this matter settled, the redevelopment agency moved forward on its plans for Sierra Point, the final chapter of the garbage war of the 1960s. While the victory over Crocker Hills and the development of Sierra Point were happy endings for Brisbane, the city also experienced an ending that was not so happy.

### **The Last Western Days**

Since the 1950s, when John De Marco began booking big-name country music stars into his 23 Club, Brisbane had been known as the little Nashville of the Bay Area. "A lot of people who settled here were from Oklahoma and that area, and they liked that country music," says Jeanne Bermen-Hosking, who moved to Brisbane in the early 1960s. "That's the heritage of a lot of people here. They had their music and nobody else did. If you wanted it, you came here, and people came in droves. Friday and Saturday nights used to be jumping, just jumping."



Starting in the 1950s, country western fans also began making a special trip to Brisbane in June for Western Days, a weekend filled with a parade, staged shootouts, square dancing, and other western-style goings-on. The three-day festival had died out in the 1960s, but in 1971 it was revived. In addition to the parade, the city planned barbecues, games such as dunking tanks and donkey baseball, and special staged events. "They had some deals that were like the old OK Corral," says Frank Walch. "Tombstone was revived in front of the barber shop. There were shootouts two or three times a day, and the bad guys were falling left and right!"

Western Days was sponsored by the Chamber of Commerce, and Vince Marsili, a former chamber president, recalls how much energy Brisbane people put in towards having a good time and helping out charity, even holding a rodeo one year. "The biggest thing we put on was that rodeo," says Marsili. "I don't know how we did it. I went to the Cow Palace and borrowed bleachers and brought them over here and set them up. We built an arena out of old ties. It was just people working night and day."

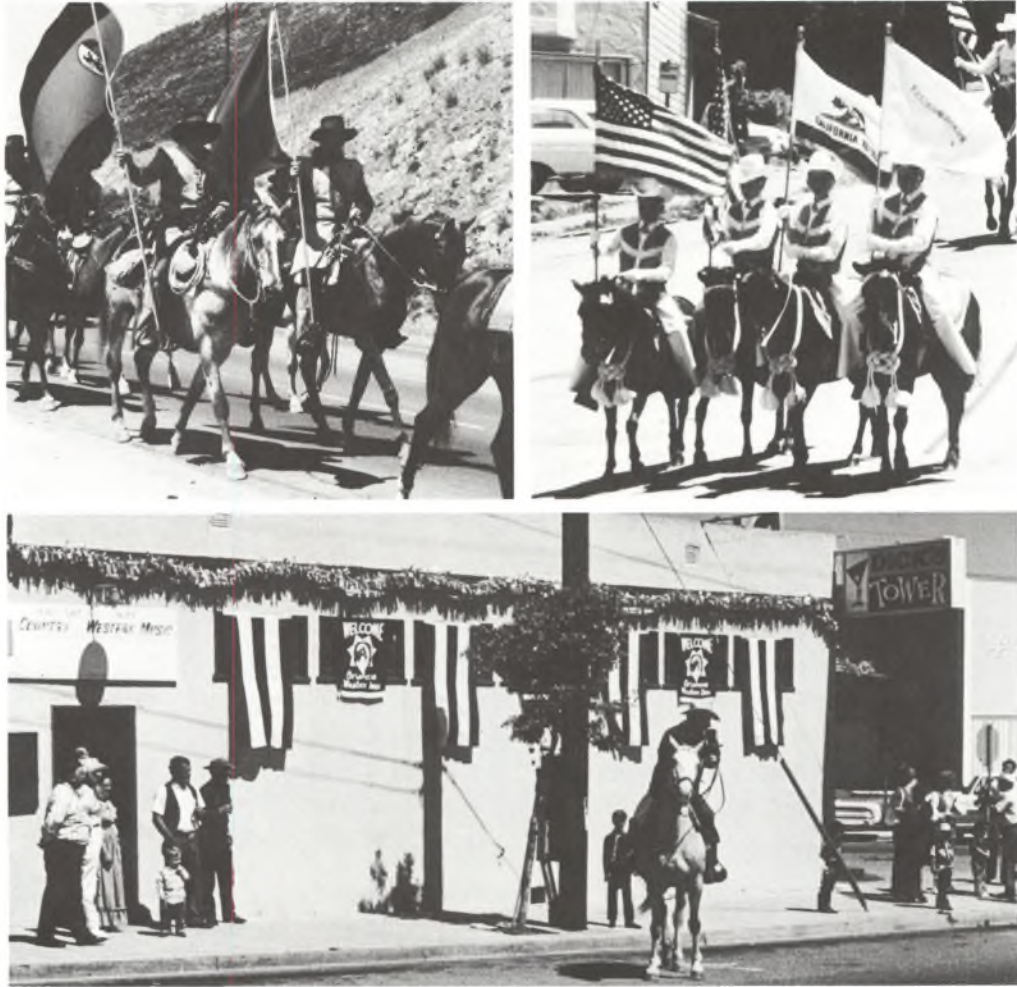
Word of the fun spread throughout the Bay Area, and soon Western Days was attracting crowds of thousands. But with the big crowds came big problems. "Come Sunday, at the end of it, there were always problems," Marsili explains. "Nobody wanted to give up the party. It's hard to visualize these functions when you have a small police department here for crowd control. You're bringing 5,000 to 6,000 people here and squeezing them into a two-block area. When you have people drinking and they get out of hand, you can't sit there and say, 'Everybody just be nice now.' That's just not possible in this day and age."

During the 1975 celebration, Brisbane police issued drunk driving tickets to people on horseback who tried to stampede through crowds and into the bars. A reckless auto driver tore down Visitation Avenue at 50 miles per hour.



The Brisbane City Council at the 1976 Western Days: Art Montenegro, Joe Thompson, Jeannine Hodge, Anja Miller, and Paul Goercke (from left to right)

## Western Days festivities



And when motorcycle gangs started coming into town for Western Days, the original small-town, family atmosphere completely vanished, and Brisbane residents began to complain.

"The fun disappeared," says Dolores Gomez, a long-time resident of Brisbane and city librarian since 1972. "The parade became commercial. Out-of-town people whose main goal was to win trophies and ribbons at parades came to make a clean sweep. The home-made floats, dressed animals, and children looking as if they were out of 'Little House on the Prairie' didn't have a chance. People became more rowdy, and the police worked overtime. I remember walking across the street to go to the store, and there were broken bottles and drunk people lying on the sidewalk. I thought, 'We don't need this in our town.'"

The 1977 Western Days turned out to be the last. Local police had to call in outside help to disperse a large crowd of bikers who were throwing rocks and bottles, injuring one officer. This violent incident symbolized the worst aspects of the changes that had come to Brisbane in the 1970s. It showed in a dramatic way how the surrounding world could disrupt the little city.

With the death of John De Marco in 1975 and the last Western Days in 1977, an era in the city's history had come to an end. The euphoria generated by the victory for the park on San Bruno Mountain began to dissipate, and a much different mood settled over the city.

### Proposition 13

Early in 1978, it became apparent what direction the city would be moving in next. Not long after Brad Kerwin became city manager in 1977, he had discovered that Brisbane was only a step away from financial disaster. One of the first documents that Kerwin studied was the five-year financial projection Clark Smithson and Roger Kalil had put together. After examining the city's books, Kerwin realized that this projection was accurate. Unlike the majority of the cities in the county, Brisbane was a full-service city. The problem was that it did not have the tax base to support these services, and the loss of the contract to provide police and fire services to Crocker Industrial Park had worsened the situation considerably. While Sierra Point represented a step in the right direction, the city would not see any revenues from the development for a number of years.

Kerwin had one other very good reason for being concerned about the state of Brisbane's finances. This was the Jarvis-Gann Property Tax Limitation Initiative, which was scheduled to be voted on in the June 1978 state elections. Better known as Proposition 13, this initiative aimed to produce big cuts in local government spending by slashing local property taxes. Tax rates had been climbing at an alarming rate due to large increases in assessed valuations. Although many Californians felt that local property taxes had reached exorbitant levels, Brisbane's city administration felt that the proposed tax cuts could spell financial disaster for the city. If Proposition 13 passed, Brisbane stood to lose a substantial portion of its already meager revenues.

The March 1978 city elections showed that Brisbane was continuing to move in the direction established in 1974. Three council members, Anja Miller, Joe Thompson, and Don Bradshaw were up for reelection. Of these three, only Bradshaw decided to run again and won reelection. To replace Miller and Thompson, Brisbane voters selected Art Montenegro, who had returned from Nevada, and Fred Smith. Smith, a leader of the Committee to Save San Bruno Mountain and a city planning commissioner since 1976, was a staunch environmentalist. Smith, Montenegro, and Bradshaw joined Jeannine Hodge and Paul Goercke on the council. Hodge was selected to be mayor.

Armed with the Smithson-Kalil five-year forecast, Brad Kerwin set to work to convince the new City Council that Brisbane was going broke quickly and the only way to save it was to begin making personnel cuts. What Kerwin specifically proposed was to merge the police and fire departments into a single public safety department. Kerwin argued that most of the city's employees belonged to the police and fire departments, so the personnel cuts had to come from there.

Kerwin felt that the city's only option was to cut the fire department staff and cross-train policemen and other city employees to fight fires. He believed that reducing the size of the police department was dangerous. "We had at best two cops on the street at any one time, anywhere in the city," Kerwin explains. "Sometimes it got down to one for a few hours a day. That individual had absolutely no backup if he got in any kind of trouble." The public safety idea was extremely unpopular with the city's firemen, however. Many Brisbane residents, who had a strong sentimental attachment to the fire department, also objected to the proposal.

The talk about Proposition 13 and the public safety department, combined with the general anti-government mood of the time, produced an extraordinarily negative atmosphere. "The whole political climate at the time turned kind of sour or ugly," says Fred Smith. "Jarvis-Gann capitalized on our growing resentment of government, especially local government, which was blamed for high property taxes. Real estate values were escalating so fast that people were just reeling under the reassessments. The tax bills were doubling and re-doubling, and people were blaming local government and starting to develop a real hostility toward it."

No decisions were made on the public safety department, however, until June, when voters in Brisbane and throughout California passed Proposition 13 by a big margin. Suddenly, it became absolutely clear that Brisbane was indeed in serious financial trouble. The tax cuts cost the city about \$200,000 in tax revenues, or about one-fifth of its budget, which was then slightly more than \$1 million. Brisbane's reserves would be entirely wiped out, and the city would not even be able to pay its bills by the end of the year. Brad Kerwin projected a \$300,000 shortfall.

Kerwin announced that unless Brisbane cut its expenditures drastically, the city would be forced to disincorporate in 1979. "The city was flat broke, and it would have been a great time for me to exit," says Kerwin. "Probably the only reason I hung around was because I didn't know how to disincorporate a city, and I didn't want to do that because it seemed counterproductive to everybody's interest. So I hung around to see if we could make the city work."

### **The Furor over the Public Safety Merger**

The City Council realized that the time had come to act, and the public safety plan was the only way to save the city. On June 15, 1978, a week after Proposition 13 passed, the council announced that it would be laying off 17 of its 37 employees, with 12 of the 17 being firemen. The first workers to go would be five public works and administrative personnel and two firemen.

On June 26, the City Council voted unanimously to merge the police and fire departments into a single Public Safety Department, which would be headed by Police Chief Bud Martini. The number of firemen to be laid off was changed to 10 instead of 12, with the lay-offs to take place gradually, starting in the fall. To replace these firemen, the police force would be cross-trained in firefighting techniques. By the end of 1978, the Public Safety Department would have a combined force of 10 police officers and 4 firemen. This was a considerable reduction from the 11 police officers and 14 firemen that the city had employed at the beginning of the year.

These decisions were not easily arrived at, and the City Council knew that the public safety merger would meet with strong opposition. The council's decision to make these drastic cuts in the city's expenses was an act of true political courage, in Brad Kerwin's opinion. "I was proud of them," Kerwin says. "They knew what was at stake, and they knew they were politically at risk. But they hung in there."

The degree of political risk became obvious immediately, as the general feeling of resentment toward government exploded into outright hostility. Fred Smith, for one, was amazed at how vehemently people protested the public safety merger. "I was really surprised that people I liked or had been friends

with were spouting hostile, anti-city hall rhetoric," Smith says. For Mayor Jeannine Hodge, the expressions of anger were not limited to City Council meetings. "After the public safety merger, people used to stop their cars in the street and scream at me," she says. "This was because I had said I was against Proposition 13 because of what it would do to this community financially."

Immediately after the City Council approved the public safety plan, Kerwin met with Fire Chief Dutch Moritz to discuss how the police and fire departments would be merged. As might be expected from an ex-military man, Kerwin's approach was completely no-nonsense. He wasted no time in getting to the point. "I'll never forget that first meeting," Moritz says. "Brad told me, 'You've been here a long time, and I know you could cause a heck of a battle, but you're going to lose. If you want your job, you cooperate.' Those were the grounds I went in on. Then we started working it out."

The layoffs of the 10 firemen were scheduled to start in September, and Moritz knew that the merger was going to cause union problems. "Right after I became fire chief in 1969, the San Mateo County Firefighters Local 2400 was formed," Moritz says. "Three of the people in our department were officers. One was president, one was vice president, and one was secretary. We'd had problems with the union before."

Local 2400 was considered an extremely militant union, primarily because of a violence-filled strike in the city of San Mateo in the early 1970s. This strike had come to an end only after Governor Ronald Reagan sent in firefighters from the California Division of Forestry (CDF) to man the city's fire stations. Brad Kerwin was quite familiar with the outcome of that action and anticipated the worst. "I did some consulting for the CDF back then, and they told me the worst stories about that strike," he says. "And having laid off the president and secretary of that same union, I knew I wasn't number-one on their popularity poll."

Almost immediately, the city was informed that a certain group of firefighters from outside Brisbane had been talking about setting fires near the homes of Kerwin and several City Council members around the Fourth of July. While no acts of arson were ever committed, the rumors contributed to the ugly atmosphere that was rapidly developing.

The threat of arson was particularly frightening since July was the worst time of the year for fires in Brisbane. "The city is surrounded by grasslands, and the Fourth of July weekend has always been a terrible period," Kerwin explains. "They used to have fireworks displays at Candlestick Park, and people would drive out here to watch it. They'd park along the side of the road and bring their own little sparklers and fireworks. We'd have fires starting along the sides of the roads all night long."

Because of the danger of fires in the hot, dry summer months, the City Council decided to wait until the fall to make the biggest layoffs from the fire department. This would give the firemen time to help teach firefighting methods to the police officers and other Public Safety personnel. Kerwin also looked for a formal training program for the city's new firefighters. "Of course, we knew we wouldn't get any cooperation from any fire department," says Kerwin. "We had attacked their brethren. So we sent all the cops, the public works guys, the finance director, and myself to the Navy Fire Fighting School

over on Treasure Island." Even Mayor Jeannine Hodge went to the school for three days and learned how to put out diesel, gas, and chemical fires.

For the City Council, fighting the political firestorm that resulted from the layoffs proved to be as big a challenge as training the new public safety department. In August, an initiative calling for separating the police and fire departments was launched. A little later, a recall of all five members of the City Council — Jeannine Hodge, Don Bradshaw, Paul Goercke, Art Montenegro, and Fred Smith — was set in motion. Both efforts were sponsored by a group called the Concerned Citizens Advisory Committee, which was led by Jim Baker, a volunteer fireman and the photographer for Local 2400. Because of Baker's involvement with the union, more than a few people in Brisbane suspected that both the initiative and the recall were the work of Local 2400.

As the election date approached, people in Brisbane were becoming convinced that the Public Safety Department was the only reasonable solution


Flyers like this failed to convince Brisbane voters to pass Proposition F

# YOU CAN'T PUT OUT A FIRE WITH A GUN

The complicated professional skills of a fire fighter are completely different from those of police. Yet the City Administration wants to gamble with your safety by having the same people do both jobs.  
Your fire protection requires full-time fire fighters on the job and ready to go when the alarm sounds.  
Your fire protection requires skilled teams working together.

**Make Sure You Have Fire Protection**

Your professional fire fighters are proud of their job of protecting you from disaster by fire. They train long and hard to do that job. They lay their lives on the line to protect yours. They ask, in return, a chance to do the job properly.



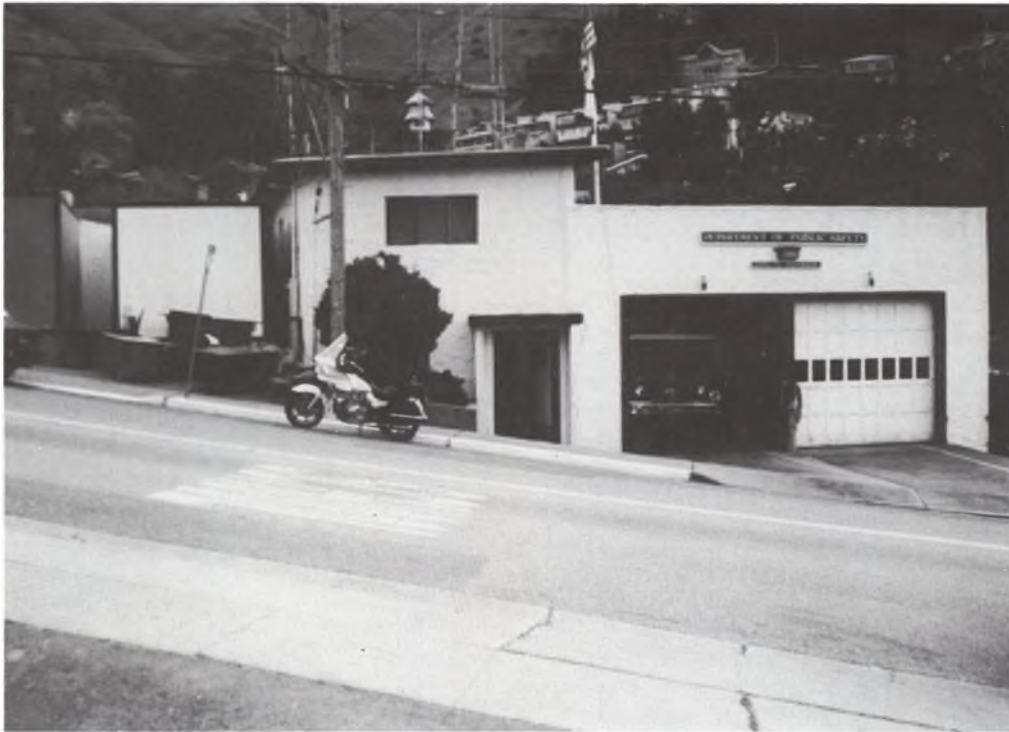
**For Your Safety's Sake, Support Your Professional Fire Fighters**  
Tell the city administration not to gamble with our community's safety. Insist on separate full-time professional fire and police forces.

# YES on F

© 1978 THE CONCERNED CITIZENS ADVISORY COMMITTEE

to the city's financial problems. "Jim Baker claimed we were hiding money," says Jeannine Hodge. "So we opened the books to him. The city manager and finance director spent hours with him, giving him whatever kind of information he wanted. He still kept claiming there was money, so finally I wrote a flyer that said, 'Open letter to Jim Baker. Put the money where your mouth is.' He obviously couldn't do that."

On November 7, 1978, Proposition F failed by a 567 to 417 vote. While the main reason the initiative was voted down was recognition of the city's poor financial shape, the hint of union involvement was also a factor. "The voters rejected Proposition F," says Fred Smith, "because it was perceived — and I think rightly so — as an effort by an outside union to perpetuate the jobs of its members, regardless of what the effect on the community was."



The Public Safety  
Department building

The vote on Proposition F indicated strong community support for the City Council's action, and it was obvious that there was insufficient support for the recall. Nevertheless, Baker's group continued to campaign for the recall and succeeded in getting enough signatures to put the issue on the April 1979 ballot.

### **The Bright Side of 1978**

Brisbane made it safely through 1978. There were no big fires or other public safety problems, but the city narrowly averted financial disaster. "Fifty percent of the city's employees were let go, and the city still only finished the fiscal year with \$43,000 in the bank, which was then only enough to make our payments for about 10 days," says Brad Kerwin. While most of the year's developments were bleak, there were a few bright spots.

The best news was that the Sierra Point Marina had finally started to move ahead. Getting this project underway was a difficult process, which meant cutting through mountains of red tape. "I think there were 23 different permits that were required," Jeannine Hodge recalls. "It seemed like we were going to a meeting somewhere and doing our presentation weekly, trying to get the financing and all the approvals."

Several of these agencies made things difficult on purpose, according to Brad Kerwin. "The requirements they levied on Brisbane were more than they had ever required of any other applicant," Kerwin says. "Usually they at least fund study money early on, without having to have all your permits, your environmental approvals, and so forth. But we had to have all that. They really didn't believe, I think, that a tiny little city could pull off a project like that."

Kerwin goes on to explain that the California Department of Naval and Ocean Development (DNOD) and the Bay Conservation and Development Commission (BCDC) had put Brisbane into a Catch-22 position. Brisbane had

applied for a \$200,000 grant from DNOD for funds to complete environmental studies for the marina. DNOD said that it would release the money as soon as the BCDC approved a permit for the marina. But the BCDC said that they would only grant the permit after Brisbane had completed the environmental studies.

Fortunately, at this point, the *San Francisco Chronicle* published an article on Brisbane's plans for the marina. This was good news for Bay Area boat owners, who were faced with a tremendous shortage of docking space. Some people had been on waiting lists to get into marinas for as long as seven years. The 600-berth Brisbane marina would be only a 30-minute sail from the Golden Gate Bridge. The marina would also supply the first public access to the Bay in the upper part of northern San Mateo County.

Kerwin was able to use this publicity as a bargaining tool with the BCDC, whose responsibilities included both conserving the Bay and promoting its recreational use. "I told them, 'Look, you have a choice,'" says Kerwin. "You can either give us a permit, subject to further approvals of design, or you can turn us down. If you give us the permit, we can get the \$200,000 to do the studies you're talking about. But if you turn us down, I'm going to let the world know that it wasn't the city of Brisbane that thwarted the objective of public access to the Bay. It was the BCDC.' I did it a little more diplomatically than that, but the message was not unheard."

In December, the BCDC agreed to grant the permit for the Brisbane marina, and shortly afterward DNOD gave Brisbane the \$200,000 for environmental studies. The Sierra Point development had passed its first big hurdle.

### **The LAFCO Hearings on the Northeast Ridge**

During 1978, there were two important developments in the ongoing saga of San Bruno Mountain. In March, Visitacion Associates lost its appeal of the previous court ruling that had dismissed their suit against the county. The developers realized that this meant there was no hope of overturning the Saddle in Open Space amendment by legal action. The following month, Crocker Land Company announced that it would sell 1,165 acres of the mountain to the county for \$6.2 million and also donate another 546 acres. This land, which was to become the county regional park, was the property south of Guadalupe Canyon Parkway that Crocker had once hoped to exchange in return for the rights to develop the Saddle.

In 1979, the mountain once again became the focus of attention in Brisbane when the San Mateo County LAFCO began holding hearings on which city or cities should annex Crocker Industrial Park and the proposed Northeast Ridge and South Slope developments. In 1973, Brisbane had been granted the tentative sphere of influence over most of the area of the mountain slated to be developed. This decision had been strongly supported by both the city and Crocker Land Company. In 1979, the situation was entirely different.

Visitacion Associates now wanted the Northeast Ridge development and Crocker Industrial Park to be assigned to Daly City's sphere of influence. The developers indicated that the reason for their change of heart was that they had already established a good working relationship with Daly City through the Serramonte development. Visitacion Associates also said that they considered Daly City's government to be stable and well-staffed.



The developers now said that they felt that annexation to Brisbane offered no advantages. "In contrast to Daly City, Brisbane, since its incorporation in 1961, had gone through a number of periods of political instability," explains Sherman Eubanks, who by this time was president of Crocker Land Company. "These included periodic recalls of its council persons, reversing previous policies, lack of continuity of city policy, and no permanent planning staff. Besides all that, Brisbane was always close to financial oblivion."

But it was obvious that Visitacion Associates no longer wanted to work with the Brisbane City Council, which had helped lead the fight for the Saddle in Open Space amendment. "The developer wanted the sphere of influence assigned to Daly City because they wanted to deal with a community they felt was friendly to development rather than one that was hostile to development," says Fred Smith.

Brisbane's council had good reason for wanting the Northeast Ridge and Crocker Industrial Park assigned to its sphere of influence, however. The industrial park began right on the northern edge of Brisbane proper, about a 10-minute walk from City Hall. The Northeast Ridge acreage lay just north of the park, a few minutes' drive down Bayshore Boulevard.

Many people in Brisbane felt that giving Daly City the industrial park and the Northeast Ridge would produce a totally absurd situation. This would mean that Daly City, which lay mostly on the other side of the mountain, would govern an area that extended to within a few blocks of the center of Brisbane. Furthermore, the people who would eventually move into the Northeast Ridge housing would have little effect on Daly City, which was cut off from the area geographically. The new population would, however, have a tremendous impact on Brisbane.

The Brisbane City Council argued that Brisbane should be allowed to govern the Northeast Ridge because the area was so close to the city. The council also felt that Brisbane should be allowed to annex Crocker Industrial Park, since the tax revenues from the park would help pay for the greatly increased services the city would have to provide after the Northeast Ridge development was completed.

Brisbane's argument for annexation was highly logical and difficult to refute. In October 1979, Sherman Coffman, the executive director of the San Mateo County LAFCO, announced that he was recommending that Brisbane be permitted to annex the Northeast Ridge development and Crocker Industrial Park. Coffman's recommendation dealt a severe blow to Visitacion Associates' hopes for annexation by Daly City.

While the LAFCO hearings were underway, Visitacion Associates and the California State Parks Foundation were in negotiations to determine the selling price of the Saddle. These talks had hit a snag when Visitacion Associates announced that they wanted more than the \$4 million the state had previously set aside to purchase the property. Leo McCarthy, who in 1976 had been instrumental in clearing the way for the \$4 million state allocation, went to work with park supporters to find additional funds. He was successful in obtaining another \$1.2 million from the state Public Works Board to be used to purchase park lands on the mountain.

This proved to be enough to complete the deal. In November 1979, Visitacion Associates announced that they had agreed to transfer, by gift and

sale, the 297-acre Saddle area to the state Parks Foundation. The state had agreed to purchase the central 42 acres of this property for \$5.2 million. The surrounding 255 acres, which Visitacion Associates valued at \$26.2 million for tax purposes, would be deeded to the state as a charitable contribution.

This was the final step in acquiring the property that now makes up San Bruno Mountain State and County Regional Park. The combined state and county park area, which would be run by the county Parks and Recreation Department, was slightly more than 2,000 acres. The total cost for the acquisition came to \$11.4 million. At this point, one major provision of the Saddle in Open Space amendment had been carried out. The park lands had been transferred into the public domain. But the details of how the remaining sections of the mountain would be developed were still unclear. The Saddle in Open Space amendment allowed 1,250 units on the Northeast Ridge and 985 units on the South Slope. For Brisbane, the number of units on the Northeast Ridge would be a source of terrific controversy in the years to come.

### **Some Major Improvements**

While the opening chapter in the Northeast Ridge story was being written, many people in Brisbane were distracted by internal political problems. In the early months of 1979, the recall campaign against Hodge, Bradshaw, Goercke, Montenegro, and Smith climaxed in vandalism and threats. Mayor Jeannine Hodge received telephoned threats and was under police protection.

On April 3, 1979, Brisbane voters overwhelmingly rejected the recall, and all five council members kept their seats. Brisbane voted to retain Paul Goercke by a 417 to 275 margin, Jeannine Hodge, 397 to 293, Fred Smith, 400 to 289, Don Bradshaw, 410 to 284, and Art Montenegro, 411 to 282. With the failure of the recall, the furor over the Public Safety Department gradually started to die down. By the end of 1979, the Public Safety Department was also starting to prove its worth. Perhaps the biggest surprise was that the Public Safety Department not only worked, but that at first it worked better than anyone ever thought it would.

The rest of 1979 passed by in relative tranquility, and the City Council was able to concentrate on less controversial business, which included a number of projects that enhanced the community. One of the most welcome developments in 1979 was the successful completion of the \$3.4 million streets improvement project. Started in 1976, the project resulted in the resurfacing of nearly all the streets in Brisbane's residential area. Early in February, the city held a dedication ceremony to celebrate the conclusion of this big job. Plaques were presented to the members of the citizens' advisory committee for the project, and a champagne reception was held in City Hall.

The year also saw the start of several other important projects. In May, the city held a groundbreaking ceremony for the Brisbane Village Shopping Center, which would be built near the entrance to the city. In August, the City Council began reviewing the city's General Plan, which was completely revised by December. That fall, the council also finished reviewing plans for a new community center and library to be built on Visitacion Avenue. In November, the city held a groundbreaking ceremony for the center, which was a joint city/county project.

## *Chapter Six*

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### **NEW DIRECTIONS: 1980-1984**

The new decade found the nation in the mood for drastic change. During the last five years of the 1970s, the nation's economy had performed sluggishly. With unemployment approaching record highs, demand for consumer goods stagnated. At the same time, the country was locked into an inflationary spiral of rising wages and prices, coupled with soaring interest rates, which further dampened the economy. Economists dubbed this combination of factors "stagflation."

While the American economy languished, American dominance in world affairs also seemed to fade. For many Americans, the country's inability to free the American hostages in Iran was a national disgrace, symbolizing the country's weakness. Jimmy Carter, widely perceived as an ineffectual president, took the brunt of the criticism. The botched attempt to rescue the hostages late in 1980 seemed to distill into a single event the essence of the Carter administration, which many felt was most notable for its air of futility.

The national sense of helplessness and dissatisfaction helped fuel the campaign of Ronald Reagan, the Republican candidate in the 1980 presidential race. Dubbed "the great communicator," the former actor and governor of California proved to be a master of using the media, displaying tremendous personal charm and charisma. Reagan helped lead what some analysts termed a conservative counterrevolution. His hard-line position on dealings with the Soviet Union and the importance of a strong national defense proved to be popular with many Americans who felt the nation had grown weak. His philosophy that less government was better government also drew a strong popular response. Reagan advocated federal budget cuts in social programs, increases in defense spending, and massive federal income tax cuts. The vast majority of Americans applauded this message. In the November 1980 elections, Reagan defeated Carter by a substantial margin.

When Reagan assumed office in 1981, the conservative counterrevolution began in earnest. After his administration installed a \$37 billion tax cut in 1981, major deficits began to pile up, despite Reagan's avowed commitment to a balanced budget. Although the U.S. economy suffered through a sharp recession in 1981 and 1982, popular support for Reagan remained high. Reagan made old-fashioned patriotism popular again, and the nation generally seemed

more optimistic about the future. In the space of a few years, the country underwent a tremendous change in atmosphere.

In California, the location of the "second White House," Reagan's ranch near Santa Barbara, the conservative trend was also strongly evident. In the 1982 elections, Republican George Deukmejian defeated Democrat Tom Bradley for governor. Deukmejian, who called for "a return to a common-sense society," was as conservative as Jerry Brown, the previous governor, had been liberal. Like Reagan, Deukmejian favored business growth over consumer and environmentalist interests. Brown, who had been nicknamed "Governor Moonbeam" for his more bizarre notions, lost his bid to become a U.S. Senator to Republican Pete Wilson and disappeared from the state's political scene. San Mateo County politics also reflected this shift in the conservative direction in the early 1980s. The Board of Supervisors, apparently in reaction to the liberal reformist atmosphere of the late 1970s, would gradually shift to a more conservative, pro-business stance. This would have a great effect on politics in Brisbane, which itself seemed to be becoming more conservative.

### A Changing City

Brisbane entered the new decade a greatly changed community from the one that had voted for incorporation in 1961. The rural town with its distinctly "western" atmosphere and population of blue-collar workers was vanishing into the past. Families had moved to other cities, children had grown up and left home, and older folks had passed away. As these natural changes had taken place, a new group of people had moved into the city. The newcomers had not caused an increase in the city's population, which had actually declined slightly, from 3,071 in 1964 to 3,030 in 1980. But they did change the makeup of the community.

The 1980 census presented a clear picture of the new Brisbane. The city had more single people and fewer families. In 1980, only 40 percent of Brisbane's households were married couples with children at home, a decline of 20 percent from 1970. With fewer families in town, the number of children under 18 had dropped from 30 percent to 20 percent of the population. The average age of the population had gone up accordingly, a trend which was occurring throughout San Mateo County.

Brisbane had also changed greatly in terms of occupations. While the population had declined, the number of employed people among Brisbane's residents had increased from 1,356 to 1,712. This increase could be attributed to an influx of white-collar workers, who now made up 62 percent of the city's residents in the labor force. At the same time, the number of blue-collar workers in Brisbane had dropped to 27 percent of all workers, a decline of 10 percent. The number of working women had also increased significantly. In 1970, less than half of all females over age 16 in Brisbane had jobs. In 1980, nearly two-thirds of the city's women were employed.

Because of these changes in occupation, Brisbane had become a much more affluent community. The median income had risen from \$10,768 in 1970 to \$25,000 in 1980. The shift from working class to white-collar had also given the city a much more highly educated populace. In 1970, slightly more than half of Brisbane's residents 25 years or older had not finished high school. Only 6 percent were college graduates. In 1980, the number of adults without high

school diplomas had dropped to 27 percent. One-fifth of Brisbane's residents had attended one to three years college, and 16 percent had four years or more of college.

The 1980 census revealed what most Brisbane residents already knew: the small city was rapidly changing. Brisbane had become a wealthier community, with more professionals and more working women, and a much higher general level of education. Brisbane still retained a solid core of long-time residents, however. In 1980, 16 percent of the city's residents had lived in Brisbane for 20 years or more. But the influx of new people had changed the face of the community.

Like the community itself, the city of Brisbane, as a governmental entity, had also grown considerably more affluent. After years of barely being able to make ends meet, Brisbane found itself on the verge of acquiring a solid tax base. But as the city looked ahead to a more financially secure future, it also continued to look back to the troubles of the past. The two biggest political issues in the 1980s would be the big ones fought over in the previous two decades: development on San Bruno Mountain and garbage.

The results of the spring 1980 elections showed in a dramatic way how much Brisbane continued to look both to the past and to the future. Paul Goercke and Jeannine Hodge were the two council members whose seats were up for reelection. Hodge, an avowed environmentalist, ran a strong campaign and was reelected, coming in first with the largest vote total. Goercke decided not to run again, and Bill Lawrence, who had been recalled in 1973, topped the voting for this seat. Lawrence's return to the City Council represented a surprising reversal in political fortunes. Goercke had been one of the new council members elected after the 1973 recall. Now his council seat was being taken by Lawrence, one of the men Goercke had replaced. Lawrence's election showed there was still strong support in Brisbane for the old-guard politics.

Following the 1980 election, the City Council would once again find itself in the familiar 3-2 split on major political issues. A new majority consisting of Bill Lawrence, Don Bradshaw, and Art Montenegro would find itself opposing Jeannine Hodge and Fred Smith. This split, which developed gradually, would not be clear at first. But as the major developments of the 1980s began to unfold, the political differences between the council members would become painfully obvious.

### **The Northeast Ridge and the Habitat Conservation Plan**

The first steps on the road to this political upheaval were several events connected with the proposed Northeast Ridge development. On April 3, 1980, the San Mateo County LAFCO rejected Daly City's bid to annex the Northeast Ridge and Crocker Industrial Park. LAFCO voted 4-1 to assign the area to Brisbane's sphere of influence. As was the case with the Saddle in Open Space amendment, Brisbane was able to get this decision because county politics still remained fairly responsive to environmentalist concerns.

"This thing came up right at the time when we had a majority on the board at LAFCO that was sympathetic to Brisbane," says Fred Smith. "They felt that because of environmental concerns, the Northeast Ridge should not go to Daly City. One speaker at the LAFCO hearings said it would be a crime to

**Aerial view of Brisbane,  
from above Sierra Point**





allocate the Northeast Ridge to a city that was world-famous for environmentally insensitive development."

The development on San Bruno Mountain finally seemed about to go ahead, but just five days after the LAFCO decision, all planning for the Northeast Ridge slammed to a halt. The obstacle was a notification from Washington, D.C., about butterflies. On April 8, 1980, the U.S. Fish and Wildlife Service announced that the Callippe Silverspot butterfly was being proposed for listing as an endangered species. The butterfly's critical habitat area was designated as the South Slope, the Northeast Ridge, and the eastern ridge line of San Bruno Mountain.

For Visitacion Associates, who had been notified about a week before the public announcement appeared, this news seemed to signal the end of their development plans. "On March 28, 1980, we received notice that U.S. Fish and Wildlife intended to list the Callippe Silverspot as endangered," explains Sherman Eubanks of Visitacion Associates. "The habitat area was to include the 1,250-unit Northeast Ridge area and the 985-unit South Slope parcel, thus killing both of those projects. To our dismay, we also found — and this we should have known — that several other endangered species of butterflies had been established on our property in 1976."

Now, the curious thing is that the news about endangered species of butterflies on the mountain seemed to come as a great surprise to nearly everyone concerned — the developers, the county and city governments, and even the environmentalist-oriented Committee to Save San Bruno Mountain. But as Eubanks indicates, San Bruno Mountain had, in fact, been listed as a critical habitat for two endangered species of butterflies, the Mission Blue and the San Bruno Elfin, since 1976. This had been announced in June of that year, just months after the approval of the Saddle in Open Space amendment.

The listing of these two species of butterfly as endangered was an absolutely crucial event in the history of San Bruno Mountain. Section 9 of the Endangered Species Act of 1973 prohibits the "taking" of any endangered species, which means that it is prohibited either to kill any creature protected under the act or destroy its habitat. Any development on San Bruno Mountain would mean grading, and thus destroying, a portion of the area where the protected butterflies lived. Construction would also inevitably kill some of the butterflies or their larvae. So it would seem that since June 1976, any development on San Bruno Mountain would almost certainly be in conflict with federal law.

Since the Endangered Species Act was obviously so critical to any development plans for the mountain, the natural question is why no one seems to have even considered this issue until 1980. Part of the problem here, undoubtedly, was the procedure for announcing new additions to the endangered species list. Until 1978, this consisted solely of an announcement in the *Federal Register*, with accompanying maps of the new endangered species' critical habitats. U.S. Fish and Wildlife made no attempt to contact public agencies, the general public, or any private landowners who might possibly be affected by the decision. The 1978 amendments to the Endangered Species Act included much improved notification procedures.

It appears, however, that the landowners should have been aware of the presence of endangered species on their property before 1980, even if they had



never seen the 1976 *Federal Register* announcement. In 1977, Richard Arnold, a graduate entomology student at the University of California, Berkeley, had begun a study of the Mission Blue, San Bruno Elfin, Callippe Silverspot, and three other threatened or endangered species of butterfly. This study, which was partially sponsored by the California Department of Fish and Game, was part of Arnold's research for his doctoral dissertation.

One of the principal areas Arnold needed to work in was the Northeast Ridge. Since this was private property, Arnold had written to Visitacion Associates asking for permission to enter their lands. Arnold explained that the butterflies he was studying were on the federal endangered species list and that the Northeast Ridge was one of their primary critical habitat areas. Visitacion Associates had replied in writing to Arnold, granting him access to their property. Arnold spent the next two years completing his work, and his study was published by the state Department of Fish and Game in 1979.

Although the developers may have simply dismissed Arnold's work as inconsequential, they now quite clearly realized that the butterflies were far from being unimportant. The presence of endangered species on the mountain had turned into a high-profile issue, one that had caught everyone's attention. According to Fred Smith, the developers at first appeared to think that the Committee to Save San Bruno Mountain had been planning all along to use the butterflies to stop development on the mountain.

"The landowners had sold the Saddle, which was the major card they held," Smith explains. "Then the sphere of influence over the Northeast Ridge was given to Brisbane, and within a month, the federal government announces that the Northeast Ridge and the South Slope are being considered as critical habitat for the Callippe Silverspot butterfly. Those two areas were all of the mountain the developers had left. I think they thought they had been set up, that the committee was laying down its trump card after several rounds of the game. They thought we had influenced the people at U.S. Fish and Wildlife as a way of killing the remaining portion of the development."

This was not the case, however. "The proposed listing of the butterfly as endangered really took us by surprise, as much as them," Smith says. "And it also put the committee in a tough spot. We were concerned about the perception of using an endangered insect to stop a large development. The committee had agreed to accept development of the Northeast Ridge and the South Slope as part of the Saddle in Open Space amendment. We also felt that the purpose of the Endangered Species Act was not to prevent private development on private property."

Smith's last comment points to the main problem the butterflies introduced into the Northeast Ridge situation. The Endangered Species Act did not provide specific guidelines about what should be done to protect endangered species found on private land. The leadership of the Committee to Save San Bruno Mountain felt that the Endangered Species Act was not intended to block development on privately owned land, and they believed that it would be a mistake to interpret the law in that way.

"You can't simply tell a person that his land has to be dedicated to habitat," Smith explains. "That's a taking of private property for public purposes. The public agency may, or may not, have the money or the resources to pay this person for the use of his land for habitat. Even if the agency did

have the money, should that money be spent for that purpose, or should it be used for other public goals? Those are the kind of questions that have to be balanced in the equation."

The Committee to Save San Bruno Mountain was also concerned because support for conservationist causes in the U.S. appeared to be fading. The 1978 amendments to the Endangered Species Act included provisions that permitted exemptions to the act in cases of "irreconcilable conflict." In 1979, Congress had passed special legislation that allowed the construction of the Tellico Dam in Tennessee to proceed, even though this meant the total destruction of the only known habitat of the snail darter, a small perch-like fish on the endangered species list.

With anti-environmentalist sentiment on the rise, the Committee to Save San Bruno Mountain felt that a battle over the application of the Endangered Species Act to private property could result in legislation that would gut the act. "I don't think Congress was willing to say that, as national policy, the presence of an endangered species will prevent any development on private land," Smith says. "If you're going to set up a conflict between private property rights and endangered insects, I think the species will lose."

Over the next few months, the Committee to Save San Bruno Mountain and Visitacion Associates reached a surprising agreement. Tom Adams, the attorney and spokesman for the committee, and Sherman Eubanks, president of Visitacion Associates, agreed to work together to develop a plan that would allow development but at the same time preserve and enhance the butterflies' habitat.

The San Bruno Mountain Habitat Conservation Plan (HCP), as the plan was officially named, was a concept that would have national implications. The HCP would be a kind of test case, proposing something that had never been tried before anywhere in the country. Because the Endangered Species Act contained no provisions for an idea like this, the parties working on the HCP would also have to go to Washington, D.C., to seek an amendment to the act. Thomas Reid Associates was the consulting firm hired to make a biological study of the butterflies and to develop the HCP, whose scope would include both the Northeast Ridge and the South Slope developments.

### **The Northeast Ridge Planning Task Force**

In keeping with the spirit of compromise, Crocker Land Company also began making peace with the city of Brisbane. In May 1980, Brisbane regained the contract to provide services to Crocker Industrial Park. That same month, the Brisbane City Council and the San Mateo County Board of Supervisors both unanimously approved a letter of understanding which stated that the city and the county would cooperatively oversee the planning of the Northeast Ridge development.

To accomplish this, the agreement called for the creation of a four-member task force, consisting of one representative each from the Brisbane Planning Commission and City Council, and from the county Planning Commission and Board of Supervisors. Appointed to the joint task force were Ray Miller of the Brisbane Planning Commission, Fred Smith of the Brisbane City Council, Lore Radisch of the county Planning Commission, and Ed Bacciocco of the county Board of Supervisors.

This was another precedent-setting idea. "The joint city/county task force was, to my knowledge, a first for the county," says Ray Miller. "This was the first time that the county and one of its cities cooperatively planned a development that was still in the county but was due to come into the city upon annexation."

The procedure to be followed in the planning was extremely complex. Not only did the plans have to be approved at both the city and county level, they also had to be tailored so that they did not conflict with the Endangered Species Act. At the city/county level, the planning process involved three main steps. First, the task force would work with the developers to create a concept plan for the Northeast Ridge. This document would outline the broad development criteria to be followed and also suggest a tentative work program and schedule.

Second, the planners would create a specific plan and environmental impact report for the Northeast Ridge. As defined in state law, a specific plan would include more detailed development criteria, a zoning amendment, a tentative subdivision map, and possibly a development agreement. The specific plan and environmental impact report would be subject to approval by both the city and the county. After approval, the city of Brisbane would pre-zone the area to be developed in accordance with the specific plan. At that point, the developer and the city of Brisbane could enter into a development agreement, which would more specifically state the obligations of each party. The county would also be party to any such development agreement up until the time Brisbane annexed the Northeast Ridge.

The third step in the planning process was for the developers to initiate the proceedings leading to annexation of the Northeast Ridge by Brisbane. After annexation, all plans for the development would be processed through the city's Planning Department. Here, it should be noted that a specific plan, despite its name, is still very much a preliminary planning document. A specific plan includes no detailed plans for the individual units to be built, nor does it show how a subdivision will finally be laid out. Such detailed plans would have to be submitted for each proposed subdivision of the Northeast Ridge, and the developer's construction contractors would have to apply to the city for building permits.

Now, while the concept plan and specific plan for the Northeast Ridge were being developed, the Habitat Conservation Plan would also be under preparation. The concept plan and specific plan would have to be modified as the details of the Habitat Conservation Plan were worked out. "Thomas Reid Associates had to define the so-called 'bubbles,' the protected areas for the butterflies," explains Ray Miller. "They had to learn all about the reproductive cycle of the butterflies because if you interfered with that, you'd interfere with their continuity. You had to know that in order to know where to place the housing."

So the city/county task force would have to coordinate activity on two fronts. To further complicate the picture, the developers and city/county officials would also be working out the details of the proposed amendment to the Endangered Species Act that would allow development in conjunction with a Habitat Conservation Plan.

As can be seen, the planning procedure for the Northeast Ridge was enormously complicated. Nevertheless, the massive undertaking got underway quickly. Later in 1980, Visitacion Associates found a developer to handle the Northeast Ridge project: Cadillac Fairview Homes West, an American subsidiary of Toronto-based Cadillac Fairview Corporation Ltd. Like the other big developers who had come to Brisbane over the years, this was a company with enormous financial clout. Cadillac Fairview Corporation was the largest publicly traded real estate company in North America. Its stock was controlled by members of the Bronfman family, whose financial empire included the Seagram Company, the world's largest distillery business, and several of the biggest oil and gas companies in Canada.

Cadillac Fairview Homes West acquired an option on the Northeast Ridge property from Visitacion Associates and began working with the city/county task force to prepare the concept plan, specific plan, and environmental impact report for the Northeast Ridge. By the end of the year, Cadillac Fairview made the first in a series of presentations to the city and county legislative bodies with jurisdiction over the development.

### **A High-Tech Plan to Dispose of Garbage in Brisbane**

In 1980, Brisbane found itself considering another environmental question, this time one related to the old, familiar issue of garbage disposal. In January, Sanitary Fill announced plans for a Resource Conversion Center (RCC), a \$175 million waste-to-energy cogeneration facility. In plain language, the RCC was a high-technology garbage incinerator. The facility would burn garbage in two huge furnaces, whose heat would be used to produce steam to drive turbines to generate electricity.

According to Sanitary Fill, the RCC was an ideal solution to the problem of how to dispose of San Francisco's garbage. The plant would burn about 520,000 tons of the city's garbage each year, reducing by 70 percent the amount of waste that would otherwise have to be dumped in landfill sites. Through its cogeneration facilities, the RCC would produce electricity for its own operations plus an additional 34 megawatts of power. This surplus electricity, enough to meet the needs of 40,000 homes, would be sold to PG&E.

The RCC would be built on a 34-acre parcel of land owned by Sanitary Fill and Southern Pacific. The site was right next to Sanitary Fill's transfer station, where the San Francisco garbage companies shredded paper and took metal and glass out of garbage before loading it into semi-trailers for transportation to the dump site at Mountain View. The RCC would be located right on the northern boundary of Brisbane, near the intersection of Tunnel Road and Beatty Avenue.

Sanitary Fill had first brought up the garbage incinerator idea in 1968 and again in 1977. Neither time did the proposal generate any real controversy in Brisbane because the San Francisco garbage companies had quickly dropped the idea. Few people in Brisbane paid much attention when Sanitary Fill again brought up the subject in 1980. This time, however, the company was not simply toying with the idea. Its contract for dumping at Mountain View would expire in 1983, and it was doubtful the city would renew it. Once again, Sanitary Fill found itself looking for a place to dispose of San Francisco's garbage.

At first, the reappearance of Sanitary Fill in Brisbane was greeted quietly. In August 1980, the Brisbane Planning Commission held the first of a series of public hearings to review Sanitary Fill's application to construct the incinerator and to assess the adequacy of the accompanying environmental impact report (EIR). This first hearing drew only a handful of Brisbane residents who opposed the incinerator idea. Most of those in attendance who spoke out against the RCC came from the San Francisco neighborhoods to the north of the proposed site. This situation quickly changed, however, as the hearings progressed.

Initially, an organization called Citizens for a Better Environment provided the most vocal opposition to the environmental impact report for the proposed RCC. Jeff Gabe, spokesman for this group, criticized Sanitary Fill's environmental impact report, stating that it lacked information on such pollutants as dioxin, hydrocarbons, and lead. "The document emphasizes the information which supports the project and deemphasizes or completely ignores the information which calls the project in question," Gabe said. John Barry, a member of San Francisco's Solid Waste Advisory Committee, gave the Brisbane Planning Commission much the same message. "Take this EIR for what it is, a sales tool," Barry said.

As the Planning Commission hearings progressed into the fall of 1980, it became apparent that many Brisbane residents were already preparing themselves for another garbage war. As in the past, there were people on both sides of the issue, and the prominent names were familiar ones. Jess Salmon, an old friend of Sanitary Fill, spoke in favor of the incinerator at one hearing. Paul Goercke, a leader of the anti-garbage faction in the 1960s, was starting to organize the opposition.

Despite the highly technical nature of the issues discussed, the Planning Commission hearings on the EIR for the garbage incinerator attracted an ever-increasing number of Brisbane residents. Eventually, the hearings had to be moved from City Hall to Lipman School to accommodate the crowds. Because of the strong show of community concern, the City Council decided early on that it would ultimately leave the final decision on the garbage incinerator to the voters, as had been done in the 1960s with the dump site at Sierra Point.

The City Council also moved ahead with the preliminary negotiations needed to give the incinerator proposal more concrete shape. The most important of these was determining how much money San Francisco would pay Brisbane in return for allowing the incinerator to be built. City Manager Brad Kerwin was given the task of meeting with Roger Boas, San Francisco's chief administrative officer, to settle this matter. Kerwin emerged with a deal which would give Brisbane a one-time \$4 million payment and an annual fee based on a charge per ton of garbage. According to Kerwin, the annual fee and property taxes would generate revenues of about \$1 million a year for Brisbane.

### **Brisbane's Twentieth Anniversary Year**

Brisbane's twentieth anniversary year, 1981, was a quiet one. Even fewer people attended council meetings than had the previous year. With Thomas Reid Associates still working on the Habitat Conservation Plan, there were no major developments on the Northeast Ridge. The garbage incinerator proposal

The Brisbane City Council hosting the city's 20th anniversary reception, November 27, 1981: Art Montenegro, Bill Lawrence, Don Bradshaw, Jeannine Hodge, and Fred Smith (from left to right)



was also placed on hold when Sanitary Fill could not find a contractor and operator willing to provide the financial guarantees that San Francisco wanted.

While there were few political developments during the year, several major projects were successfully concluded. The most important of these was the new \$600,000 Community Center and Library, which had been started in 1979. On April 13, 1981, the new building was dedicated. For the first time, Brisbane residents had a large meeting room especially for community events and a fine library facility.

For Dolores Gomez, the library manager, the new library was the culmination of a long-held dream. Mrs. Gomez had moved to Brisbane as a young girl in 1941. In those days, Brisbane's library was a small collection of books without a permanent home. The library had started in 1932 as a room in librarian Lorene Gledhill's house. After a period in a vacant barber shop, the books had been moved into the local drug store, where they shared shelf space with medicines, toiletries, and cosmetics. When the drug store started selling liquor, the library was moved again, this time to the old county-operated recreation center, in the area right next to the ping-pong table. In 1954, the library found a quieter spot, a building that Dick Schroeder had bought and remodeled and then rented to the county.

In 1966, when the Brisbane post office was moved to its present location, the library took over the store-front building where the old post office had been. That same year, Mrs. Gomez started working part-time for Brisbane's library, which has always been part of the county library system. In 1972, she took over management of the library after Bernice Delbon, the city's librarian since 1944, retired. For Mrs. Gomez, supervising the move into the new facilities was exciting. "It was a tremendous change, a beautiful change," she says. "The old building was so cold you could hang a side of beef in the back room.

The lighting was harsh, and the children's and the adults' areas were together. The floor was cement. When we moved across the street, it was much more pleasant. We had carpeting, and the heating was adequate. The kids had their section, and the adults had theirs."

The Sierra Point development also continued to move ahead in 1981. The previous year, Byron Lasky had formed Sierra Point Development Company with two other partners, and work on the marina had started. By the summer of 1981, the marina had been dredged and access roads had been completed. In August, construction began on the first office building at Sierra Point, a six-story black glass and steel structure, which would later be nicknamed the "Darth Vader" building.

In December, Brisbane unveiled a new city emblem that reflected both its past and its future. The emblem depicted stars set on San Bruno Mountain with a sailboat in the foreground on the waters of the Bay.

### **The Big Storm of 1982**

If 1981 was a quiet year, it was the calm before the storm, both literally and figuratively. The new year, 1982, opened with stormy weather, an ominous portent of things to come. On Monday, January 4, the biggest storm of the winter hit the California coast. The downpour continued into the night without letup. By late evening, whole sections of Brisbane were flooded. The Cozy Cove Motel and Trailer Court was under seven feet of water.

Along with the flooding, the storm sent huge mudslides down Brisbane's steep hills. The slides damaged several houses, completely blocked off Glen Park Road, and caused the water tank on Margaret Avenue to collapse, cutting off water to several hundred homes. At the height of the storm, Brisbane was almost completely isolated. Old County Road, the main route into Brisbane, was completely flooded out. Lanes of Bayshore Boulevard and Industrial Way were also under water.



**The Cozy Cove Motel, at Old County Road and Visitacion Avenue, after the big storm, the morning of January 5, 1982**

Many residents of the Cozy Cove Trailer Court had to be evacuated by rowboat during the storm



Around midnight that evening, Frank Walch, the local chairman of the Red Cross, was awakened by a phone call from the Public Safety Department. Walch was asked to set up an emergency shelter for people who had been forced out of their homes by the flooding and mudslides. Walch headed out into the deluge and drove to the Brisbane Elementary School. There, the Public Safety officers had brought about 80 people, many of whom had been rescued from their homes by boat. "We had people who were 85 years old, and there were also children," Walch says. "Lots of people came up wet and bedraggled. Some had no shoes on."

At two o'clock in the morning, after setting up cots and bedding for the evacuees, Walch put in an emergency call to Nugget De Marco, who had been running the 23 Club's restaurant since her father's death in 1975. Walch explained that he needed hot drinks and food for the evacuees and for the public safety officers who had been working non-stop through the night. Nugget hurried down to the club, and within half an hour, she had hot coffee, soup, and sandwiches ready to be picked up, free of charge.

By eight the next morning, 5.6 inches of rain had fallen in the previous 24 hours, an all-time record for the San Francisco area. Frank Walch continued to make phone calls to line up more help. Within hours, operation of the shelter turned into a community-wide effort. Midtown Market supplied much of the food and other items needed. Volunteers donated food, clothing, and tools to those who had been forced out of their homes. "People started coming in from all areas of Brisbane to help us out," Walch marvels. "The women were really angels of mercy."

When the storm ended, a total of 150 homes and 31 businesses had been damaged by mud and water. Old County Road remained closed to traffic



for three days. As the cleanup effort continued through the rest of the week, the emergency shelter at Brisbane Elementary stayed open for the 40 or so people who had not been able to return to their homes.

The Brisbane School District also helped out by adjusting its programs to accommodate the evacuees. Superintendent Bob Lloyd arranged to have hot lunches brought in from South San Francisco schools to ease the load on Brisbane Elementary's small kitchen. Several firms in Crocker Industrial Park, including Hewlett-Packard and Monarch Food, also lent a hand by donating food to the shelter.

After five days, the Red Cross found places for all the people who were still unable to return to their homes. To celebrate the shelter's last day, the volunteers and public safety people had a feast, a big turkey dinner donated and cooked by several Brisbane women. "All in all, that was a community effort I'll never forget," Walch says proudly. "It really showed our self-help, our small-town character. We did not differentiate who we were, or what our differences otherwise might have been. We just got out there. I cannot praise all the women and men and the police and fire departments highly enough."

#### **Approval of the HCP and Northeast Ridge Specific Plan**

By the spring of 1982, interest in city politics in Brisbane was approaching an all-time low. In the April elections, less than 20 percent of the city's 1,394 registered voters turned out to reelect Fred Smith, Don Bradshaw, and Art Montenegro to the City Council. This was the lowest election turnout in Brisbane's history. After the furor over the Public Safety merger and Proposition F, people in Brisbane seemed to have grown weary of city politics.

"The intensity of that period of time caused a lot of people to disinvolve themselves from city government," says Fred Smith. "It brought back some of the negative feelings from eight or ten years before, with the old councils, and the fighting and bickering. People stopped coming to council meetings. It was a real apathetic time in the community, even though important things were happening."

One of the most important of these was the planning for the Northeast Ridge. After nearly two years of work, the city/county planning task force was heading down the homestretch in its work on the development. On April 19, 1982, the Northeast Ridge plan passed the first major hurdle in the complex approval process. At a joint city and county hearing, the Brisbane City Council and the San Mateo County Board of Supervisors both voted to approve the concept plan for the 1,250-unit development. The Brisbane council voted unanimously for the plan, the county supervisors, 4-1. Arlen Gregorio, the lone no vote, wanted greater density because he felt the development did not provide enough housing for low- and moderate-income families.

With the approval of the concept plan for the Northeast Ridge, the planners turned their attention to the preparation of the specific plan, environmental impact report, and the Habitat Conservation Plan. Work on these documents moved ahead rapidly during 1982. That fall, Thomas Reid Associates completed the San Bruno Mountain HCP. This document, which cost Visitacion Associates more than \$1 million, reached the startling conclusion that the greatest danger to the mountain's butterflies was not development. The study showed that the mountain's lupine plants, the butterflies' primary food source,

were being displaced by plants not native to the area, such as gorse and Scotch broom. Even if no development ever took place on the mountain, the butterflies faced extinction in as little as 50 years.

Reid proposed a scheme that mixed carefully phased construction on the Northeast Ridge with a plan to restore the butterflies' natural habitat. Although the construction would initially kill some of the butterflies and destroy part of their habitat, the developer would at the same time revegetate the ridge's undeveloped areas with the lupine plants the butterflies needed to survive.

The final result would be a kind of preserve for the butterflies, one which provided them with an adequate food source. The HCP also proposed a method for financing this conservation scheme, which would cost about \$60,000 a year. These expenses would be paid through a trust fund supported by monies from the developer and a perpetual tax on the homes and commercial space in the development. In other words, the development would provide funds, which would otherwise have to come from a public source, to preserve the butterflies' habitat.

On September 14, 1982, the county Board of Supervisors voted unanimously to approve the HCP. Shortly afterward, the plan was also approved by the city councils of Brisbane, Daly City, and South San Francisco. Both the conservationists and the developers hailed the HCP as a breakthrough. "It is the most far-reaching plan for the protection of endangered species on private property that has ever been developed," said Tom Adams, spokesman for the Committee to Save San Bruno Mountain. Sherman Eubanks of Visitacion Associates also praised the HCP and added a note of humor to the proceedings. "I guess this proves that butterflies are not free," he said wryly. "But I think these butterflies have one of the best pension plans for insects in the world."

Meanwhile, the developers and city and county officials had succeeded in gaining congressional support for the legislation that would turn the Habitat Conservation Plan concept into national law. On October 13, 1982, the U.S. Congress passed an amendment to the Endangered Species Act which included provisions dealing specifically with the issue of endangered species on privately owned land. Section 10 of the act was revised to include a new Section 10(a) that allowed for limited "taking" of an endangered species so long as this was done with the intent of enhancing the survival of the affected species. An application for a Section 10(a) permit had to be accompanied by a biological study, a habitat conservation plan, and a proposal for funding the conservation plan.

The San Bruno Mountain HCP was the first such plan to be developed under this new law, and it would become the model for all future applications for Section 10(a) permits. "This was national news," says Ray Miller, who was on the city/county planning task force for the Northeast Ridge. "It was even on the CBS evening news, because this amendment to the Endangered Species Act essentially changed the whole way in which development and environmental interests would relate to each other in areas where there was a conflict involving an endangered species. So there was a lot of national politicking, and this little case happened to be the center of it. Although this was a local case, it had important national implications."

The San Bruno Mountain HCP, which has been praised by Congress as a landmark agreement, established several important precedents. It was the first

environmental protection plan in U.S. history to be financed through perpetual funding. It was also the first time that conservationists and developers had worked together on a plan intended not only to preserve but to make significant improvements to a natural habitat. Ed Bacciocco, who had once again played a key role in bringing development and conservationist interests together, summed up the historic significance of the HCP in this way: "It is totally novel, unprecedented, and revolutionary, and that's not an exaggeration," Bacciocco said.

Late in the year, the specific plan and the environmental impact report for the Northeast Ridge were completed. In December 1982, the planning commissions of Brisbane and San Mateo County approved both documents. The next major step would be for the Brisbane City Council and the county Board of Supervisors to approve the documents and for the U.S. Department of the Interior to approve the San Bruno Mountain HCP and issue a Section 10(a) permit.

### **The Public Safety Department After Four Years**

In the fall of 1982, Brisbane also received recognition for having helped create another historic first. In October, the city was notified that it was in the finals for the first annual Award of Excellence from the League of California Cities. Brisbane was cited for exemplary fiscal management demonstrated by the success of its Public Safety Department.

After Proposition 13, many cities in California, including Los Angeles, had tried combining police and fire departments. In most of these cities, the idea had failed miserably. After four years of operation, Brisbane's department had proven to be the exception to the general rule. Despite several years of soaring inflation which had greatly increased costs, the Public Safety Department had managed to keep its costs down, saving the city about \$250,000 a year.

The budget cuts had not resulted in a cut in services, however. Under Bud Martini, the combined department had actually increased its police and fire protection services. Staff had initially been cut from 11 policemen and 14 firemen in 1977 to 14 public safety officers at the end of 1978. But by 1982, the staff had been built up to 20 officers, cross-trained to handle both police and firefighting work. The department could also call on reserves and trained volunteers in extreme emergencies.

Brisbane's success with the public safety concept was even more remarkable because the department did considerably more than watch over the 3,000 people living in Brisbane proper. After the city regained the contract with the Crocker Industrial Park contract in 1980, the department had to be prepared to handle emergencies at any of the more than 100 businesses in the park. The oil tank farm on the Southern Pacific property and the Van Waters & Rogers chemicals plant were two other major responsibilities. The department also had to handle accidents on the Bayshore Freeway and on the freight and passenger railroad lines passing through the city.

"Our daytime population more than quadruples our nighttime population," explains Dutch Moritz, who was then fire chief. "They have wrecks, they have heart attacks, they have problems in the daytime the same as at nighttime. Plus we have 35,000 vehicles in an eight-hour period traversing the Bayshore Freeway. We've also answered first aid calls on the trains and had to take care

of a naphtha car and numerous gasoline tankers that got ruptured. So we might have a little population, but we've got more workload than a lot of your cities on the Peninsula, in terms of your headaches, your problems, and your potential disasters."

Many people throughout the state felt that Brisbane had shown how a public safety department could be made to work. The city did not receive the Award of Excellence for 1982, however.

### The Big Political Storm of 1982: Proposition H

In the summer of 1982, the garbage wars of the 1960s returned with a vengeance. Sanitary Fill had filed plans and an environmental impact report for its proposed resource conversion center earlier in the year. In July, both the Brisbane Planning Commission and City Council approved the environmental impact report and granted use permits for the facility, contingent on voter approval of rezoning of the site. The City Council announced that the incinerator issue would be placed on the November ballot.

In the space of a few weeks, Brisbane awoke from the period of political apathy that had characterized most of the first two years of the decade. As with Sierra Point in the 1960s, the issue was increased municipal revenues versus environmental concerns and the city image. Campaigns for and against the incinerator were launched. Technically, the issue before the voters would be a zoning change of the proposed 34-acre site from manufacturing to heavy industrial. Unless the voters approved this change, the incinerator could not be built.

Those opposed to the incinerator formed a group called the No on H Committee, which was chaired by Paul Goercke, leader of the opposition to Sanitary Fill during the 1960s garbage wars. Like the old Brisbane Citizens for Civic Progress, the No on H Committee was a small grassroots operation. Since the committee had little money, its headquarters were set up in a room in the home of Marian Vickery. By the middle of September, No on H had only succeeded in raising \$814 for its campaign, with \$525 of that amount coming from Goercke in the form of a loan for telephone service. A fund-raising dinner at the 23 Club the first week in October brought in about \$500 from 75 people.

Sanitary Fill, on the other hand, mounted a sophisticated, well-financed campaign. The garbage company hired Whitaker & Baxter, one of the largest public relations firms in the state, well-known for its work in political campaigns. Whitaker & Baxter helped orchestrate several big Yes on H events, including a barbecue and concert by country singer Johnny Paycheck, which drew more than 1,000 people. By the end of October, Sanitary Fill had contributed more than \$40,000 to the campaign for Proposition H.

For Paul Goercke, the battle over Proposition H was like living through the garbage wars of the 1960s all over again. "We saw all the shadows of the previous history repeated — the drinks in the bars and the lavish entertainment at the Cow Palace, where the Scavengers have a series of boxes," Goercke says. "You'd see old citizens of Brisbane invited there, to the horse show, to the rodeo, and to the ice show. They were constantly trying to buy the town."

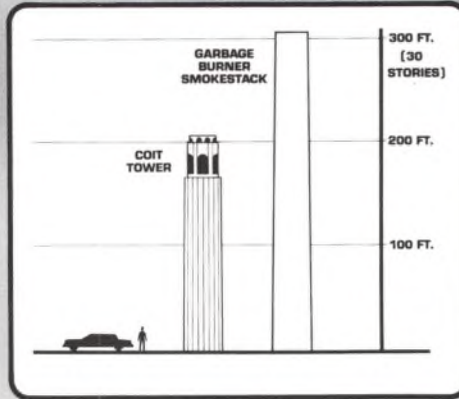
The incinerator was also publicly supported by council members Bill Lawrence, Don Bradshaw, and Art Montenegro. Mayor Lawrence distributed a letter saying he would vote for the measure, pledging to spend the windfall



No on Proposition H  
door hanger

# THE BRISBANE GARBAGE BURNER

Proposition H campaign literature, for and against



## The San Francisco garbage

They want to burn San Francisco's garbage in Brisbane. The garbage companies want to build a 34.2 acre site with a 300 foot smokestack, the tallest structure in Brisbane. It will be taller than Coit Tower.

Seven sites for the garbage burner in San Francisco. Why?

Because the garbage companies know they can't burn it in San Francisco.

So they came here to Brisbane and hoped we'd let them.

They even called their garbage burner a "Resource Recovery Facility".

The garbage burner's smokestack will emit such

# Vote

## Facts

ON RESOURCE RECOVERY

## YES ON PROPOSITION H

**Here's What Resource Recovery Means To Us... A BONANZA FOR BRISBANE**

- Youth programs
- Recreation facilities
- Lower utility rates
- Swimming pools
- Cleaner streets
- A new source of energy
- Save 500,000 barrels of oil a year
- Reduce need for garbage trucks
- Electricity for 40,000 homes
- Reduce truck traffic

## Here's Why YES On H Is So Important To Us

**THESE BENEFITS TO BRISBANE CAN BE OURS... IF WE VOTE YES**

The benefits listed above can be Brisbane's Bonanza if we vote YES on Proposition H on November 2. The benefits are real but they depend upon our approval of the zoning change that will make possible the construction of the proposed Resource Recovery Facility on the northern edge of Brisbane's industrial area, two miles from our home community. That community we all agree is a nice place to live. An ideal location close to jobs... a few minutes from one of America's great cities... a quiet relaxing place to come home to. We want to keep it that way. But it will cost money.

Discussing Brisbane's beautiful Serra Point Marina, City Manager Brad Kenen recently recalled an example of the community's problems, not only in financing new, needed projects, but in just keeping even with day-to-day present needs.

"In 1979," he said, "we were very close to being bankrupt... after Proposition 13 was passed. We only had \$43,000 in the bank, which is 10 days' operating expense."

Proposition H is sound insurance against that happening again.

## Brisbane's Tomorrow

For a community of 3,500 people Brisbane has made remarkable progress. Our city government has been working closely with developers on sound, well thought out projects to increase the money input for continuous improvement of schools and recreational facilities... new programs for youth... protection and safety. An example:

For 10 years now, Brisbane has been involved with San Francisco's solid waste. We have always worked together to solve any problems, and we always will. The system has continually been improved, and now better scientific

understanding of solid waste is changing attitudes. Garbage is being considered a valuable resource... and it can be even more so in Brisbane, too.

In fact, for the past few years, Brisbane's experience with waste disposal has moved dramatically to the plus side of the budget.

Promises made to us long ago are now being fulfilled, creating new opportunities for Brisbane. The Serra Point Office Center is a promise that was kept. It sits on a landfill which was completed more than 10 years ago. In the same landfill, some day soon

another promise will be fulfilled: the Brisbane Marina, which is being built to provide a scenic recreation area and fishing pier.

These are projects that also will provide new jobs and services and a broader tax base. They are things we want and need.

But they take time to develop and their benefits lie in the future.

Now we have another well thought out project with almost instant benefits. It involves utilization of the half million tons a year of solid waste collected in San Francisco.

That's like finding a half-million barrels of oil a year in Brisbane.

from the incinerator on a new civic center, possibly a swimming pool, and an annual \$210 credit toward the water bill of each resident. "I was for it, because everything that was presented to us proved that there would be no harmful gases," says Lawrence. "We'd even sent Fred Smith back East in 1980 to inspect a plant that had been built by the same people who were going to build the one here. He came back with good statements, and we had no fears about the thing."

Fred Smith, however, eventually decided that the incinerator was not in the community's best interest. "The council had said that they would stay out of it and essentially let the voters decide," says Smith. "Jeannine Hodge remained neutral, but Don Bradshaw, Art Montenegro, and Bill Lawrence sent out flyers urging the voters to approve the garbage burner. I decided to get involved after the other three did, and I took a position against it."

While the No on H Committee had little financial muscle, it quickly found a powerful corporate ally. This was the Campeau Corporation, a big Canadian real estate company that was developing the San Francisco Executive Office Park next to Candlestick Park. This development was on the other side of the freeway from where the proposed incinerator would be built. Campeau feared that pollution from the incinerator would drift over its project. To help generate publicity about the dangers of the incinerator, Campeau retained John Thiella, a law school student who worked for California Political Consultants. Campeau also provided a share of Thiella's services to the No on H Committee, free of charge. Thiella helped design and produce several No on H mailers, which were sent to about 900 Brisbane households. The printing and mailing costs, which Campeau paid for, came to about \$17,000.

Although Campeau's assistance was invaluable to the anti-incinerator effort, the No on H committee operated as Brisbane citizens' groups usually have. Fiercely independent, the committee insisted on doing the brunt of the campaign work itself, and in the usual small-town fashion. "Campeau wanted to bring in all these people and canvass Brisbane," says Anna Lou Martin, one of the committee members. "But you can't bring outsiders in here and tell people what to do. You have to do it yourself. Where we had the outside help was on the slick brochures and things like that. But our people did the main work. They walked door-to-door. Brisbane is that kind of town."

The No on H committee disputed nearly every argument that had previously been raised in favor of the incinerator. The committee's campaign literature stated that the promises of big revenues for the city were grossly exaggerated. While Brad Kerwin, the city manager, had predicted annual fees of \$1 million a year, the committee's analysis showed that when inflation was factored in, the actual payments would average a mere \$238,500 a year. Since this was not enough money to cover the costs the city would incur, the committee felt the incinerator would actually end up costing the city money.

The committee further pointed out that the \$4 million one-time payment from San Francisco could only be used for expenses the city incurred as a result of accepting the garbage burner. The money could not be used for general municipal improvements or for such extras as a swimming pool, as some members of the City Council had been promising. The committee also noted that there was still no written agreement with San Francisco on this fee, so the figure could quite likely change.

The No on H Committee believed that not only would the incinerator be a financial disaster, it would be an even greater environmental disaster. The environmental impact report showed that the garbage burner would release thousands of pounds of pollutants into the air each day. The amount of just one serious pollutant, nitrogen oxide, could be as much as 5,623 pounds a day. This was roughly equivalent to the amount of the substance released if 27,000 automobiles were parked in the area and left running all day.

As the November vote approached, more doubts were raised about the safety of the plant. A survey of other cities where such refuse-to-energy plants had been built showed that they had been plagued with problems, including explosions, equipment failures, and obnoxious odors. "Putting in these plants can be as complicated as building a nuclear power plant," said John Rowden, a state policy analyst for waste-to-energy projects. Brisbane residents were also not pleased when they learned the incinerator would be the first of its kind in the state. No one liked the idea of their city being the site of an experiment.

For most Brisbane residents, the biggest worries remained the potential damage to the environment and to the city's image. The No on H Committee's campaign effectively articulated these concerns. On November 2, 1982, 70 percent of Brisbane's registered voters turned out to defeat Proposition H, 907 to 330. By a nearly three-to-one margin, the voters decided that Brisbane would dump, once and for all, the old garbage-town image.

#### **Annexation of the Northeast Ridge and Crocker Industrial Park**

Early in 1983, the Northeast Ridge development moved one step closer to becoming a reality. The Brisbane City Council began negotiating with the county supervisors for final approval of the specific plan for the Northeast Ridge and the annexation of the Northeast Ridge and Crocker Industrial Park. A major stumbling block to the negotiations, however, was the Guadalupe Valley Quarry. LAFCO had assigned the quarry to Brisbane's sphere of influence in 1979. But by 1983, relations between the city and Quarry Products, Inc. (QPI), the quarry operators since 1975, had deteriorated badly.

The problem, as before, was the truck traffic through the city streets and the dust and pollution from the mining operations. In 1980, the city had succeeded in getting the county Planning Commission to review the quarry's use permit every 90 days, but this had produced no improvement in the situation. Despite ongoing complaints from Brisbane residents and the businesses in Crocker Industrial Park, the quarry continued to function and the trucks continued to travel through town.

In 1982, the county had given QPI another use permit, allowing it to strip mine for another five years and to continue moving rock from the site for another five years after that. QPI appealed the decision, requesting the county to allow it to operate for another 32 years. Brisbane also appealed, asking the county to revoke the quarry's use permit in five years.

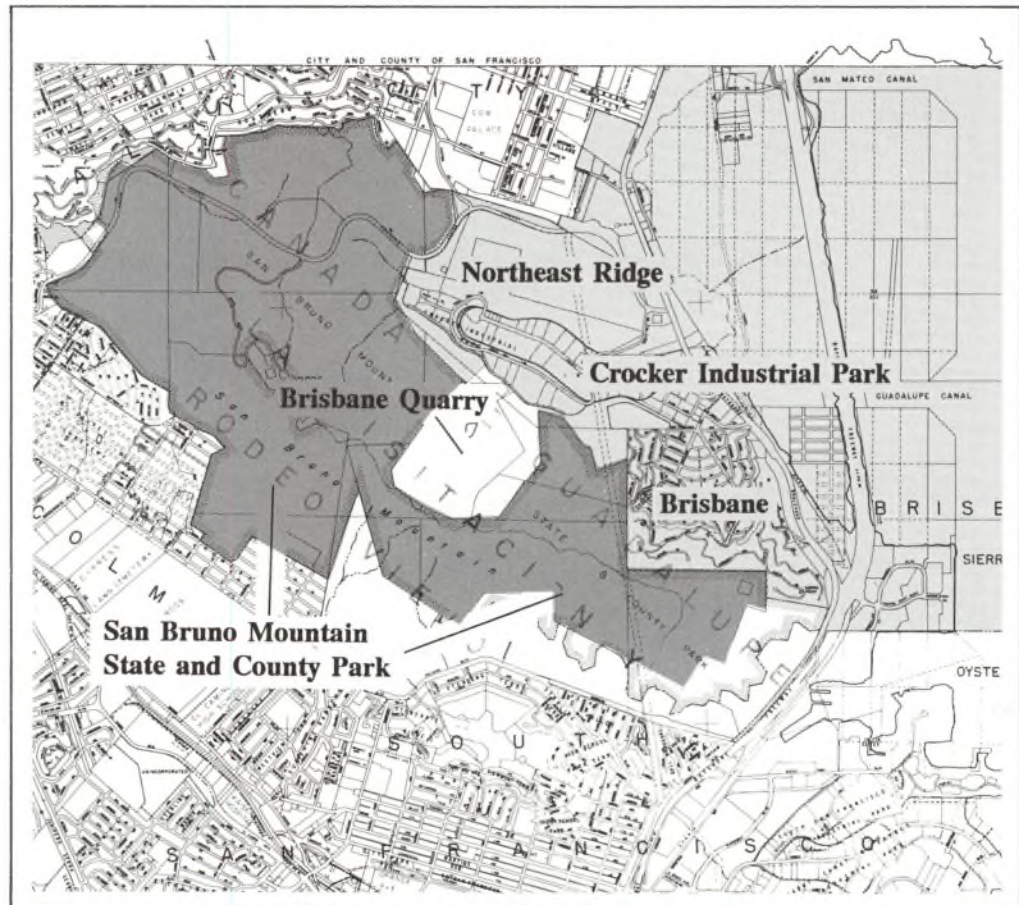
The result of all this was that QPI wanted to have nothing to do with annexation to Brisbane, since this would have given the city the authority to control their operations. The quarry operator's refusal to consent to annexation threatened to undermine the entire negotiations over the annexation of the Northeast Ridge and Crocker Industrial Park.

Finally, on February 15, 1983, Brisbane, San Mateo County, and the quarry operators reached a compromise settlement. QPI would be allowed to operate the quarry for another 10 years, or until it had removed 10.6 million tons of gravel and rock, whichever came first. The county Planning Commission noted that the tonnage limit would probably be reached in less than 10 years. QPI also agreed to be annexed by Brisbane once a reclamation plan and a development agreement for the site were approved. No definite date for annexation was set, however.

This cleared the way for the annexation of the Northeast Ridge and Crocker Industrial Park. That same day, the Brisbane council and the county supervisors approved the specific plan and environmental impact report for the Northeast Ridge. Brisbane voted 4-1, with Jeannine Hodge voting no. The county also voted 4-1 in favor, with Arlen Gregorio voting no. Hodge felt that the development was too dense, while Gregorio maintained his earlier position that the housing was not dense enough.

The planning process now called for Cadillac Fairview and the city of Brisbane to enter into a development agreement, which would set forth more concretely the obligations of each party in relation to the specific plan. Although the city of Brisbane was willing to sign such an agreement, the developers indicated that they would prefer to operate on a good-faith basis and declined to sign a development agreement. The reasons why Cadillac Fairview executives chose this course are unclear. But their decision would have an enormous impact on future events in the Northeast Ridge story.

**Map showing Brisbane's boundaries after the annexation of Crocker Industrial Park and the Northeast Ridge in 1983. The map also outlines the Brisbane Quarry and San Bruno Mountain State and County Park.**





Just weeks later, on March 4, 1983, the U.S. Department of the Interior approved the HCP and issued the Section 10(a) permit for San Bruno Mountain. The Northeast Ridge development now appeared about to get underway. On June 15, 1983, LAFCO voted 4-1 to allow Brisbane to annex the Northeast Ridge and Crocker Industrial Park. In July, Brisbane officially annexed the Northeast Ridge and Crocker Industrial Park. Through a joint city/county agreement signed in September 1982, the county agreed that sales taxes from the 100 businesses in the industrial park would be gradually shifted to Brisbane over a three-year period.

The county would receive \$450,000 in fiscal year 1983-1984, \$300,000 the second year, and \$150,000 the third year, with any surplus going to Brisbane in each of those years. At the end of this phase-out period, Brisbane would receive all the sales taxes from the industrial park, an amount which was then estimated to be around \$800,000 a year. The county also agreed to transfer to Brisbane an additional \$800,000 in one-time payments. These monies were to be used for road improvements. As part of the tax transfer agreement, the city of Brisbane agreed to provide police service to San Bruno Mountain State and County Park.

Since Brisbane's budget for 1982-1983 was around \$2.6 million, the additional tax revenues from Crocker Industrial Park represented a huge boost in income. "We are now safe for the first time since 1978 from the winds of a fragile economy," Brad Kerwin said at the meeting called to announce the annexation of the industrial park and the Northeast Ridge.

### **Cadillac Fairview Drops Out**

With the signing of the HCP and the unconditional approval of the annexation of the Northeast Ridge, the Northeast Ridge development appeared to be ready to move ahead. But still another roadblock appeared almost immediately. This came about because of a power struggle within the Committee to Save San Bruno Mountain. The adoption of the Habitat Conservation Plan had precipitated a split in the group. Although Tom Adams and most of the other members of the committee had favored the HCP, a small faction, led by David Schooley, were strongly opposed to the historic compromise.

Schooley, a Brisbane resident who had been a member of the Committee to Save San Bruno Mountain since 1971, felt that Adams and his followers had sold out to the developers. Schooley believed that the committee should be working to halt all development on the mountain. Eventually, Schooley and his followers split off and formed a new group called Friends of Endangered Species (FOES). FOES first action was to announce that it intended to take legal action against the signers of the HCP, which Schooley believed violated the Endangered Species Act.

Both the developers and the Committee to Save San Bruno Mountain felt that Schooley and FOES were hopelessly out of touch with political reality. "David Schooley is a purist and really only cares about preserving endangered species," says Fred Smith. "He feels that to consider any other goals is to sell out." The leadership of the Committee to Save San Bruno Mountain felt that the FOES suit threatened the very legislation Schooley claimed to be trying to protect. National politics had taken an anti-environmentalist bent after Ronald Reagan became president. The Committee to Save San Bruno Mountain felt

that the FOES suit represented the sort of radical environmental position for which conservatives and moderates throughout the country now had little patience.

Nevertheless, FOES scraped together enough money to hire one lawyer to argue its case. In August 1983, FOES filed suit against all the signers of the HCP, claiming that the plan was in violation of the Endangered Species Act. FOES also sought a preliminary injunction and two restraining orders against any work on the mountain. In November 1983, District Court Judge Spencer Williams ruled against the motion for the injunction and restraining orders, handing FOES a major setback. The trial was set for early 1984.

Although neither the developers nor the Committee to Save San Bruno Mountain felt that the FOES lawsuit was likely to stand up in court, the mere threat of litigation drastically altered the Northeast Ridge situation. In December 1983, Cadillac Fairview Homes West announced that it was dropping its option to develop the Northeast Ridge property. A final payment on the option of \$9.5 million was due Visitacion Associates in December. Cadillac Fairview, which had already sunk \$3 million into the project, had asked Visitacion Associates to defer payment until the FOES suit was resolved. When this request was turned down, Cadillac Fairview decided to drop the option.

There were two reasons for Cadillac Fairview's decision to withdraw from the Northeast Ridge project. One was that the company had been involved in an environmental lawsuit over a development project several years earlier and had lost its entire investment in the property. According to Martin Seton, Cadillac Fairview's president, his firm had purchased this land while the litigation was pending. The lawsuit had been defeated in a lower court but then upheld on appeal, leaving the company with property which was absolutely valueless from a development standpoint. Seton said that his company did not care to take a similar gamble on the Northeast Ridge.

The primary reason why Cadillac Fairview dropped the option, however, was that in 1981 it had decided to stop building residential housing in the U.S. By 1983, the company had abandoned all its new housing projects in the preliminary planning stages except for the one on the Northeast Ridge. After Cadillac Fairview announced that it would not continue with this development, it shut down its last U.S. home-building division.

### **Completing the Sierra Point Marina**

While the Northeast Ridge development was stalled, the work on the Sierra Point Marina was rapidly being completed. In June 1983, the marina was opened. Dutch Moritz, who was already holding down two positions as the city's director of public works and fire chief, was named harbormaster. Moritz points out that the reductions in city staff following Proposition 13 actually helped Brisbane to complete the marina on schedule. "The development of the marina happened even faster with our little staff," he says. "Another reason it was finished so fast was because the fight over the residences on the mountain was going on, and we got the marina project slipped through while they were worrying about the mountain."

The marina project included a 573-boat enclosed berthing area, a fishing pier, and the harbormaster building, which would also serve as a Public Safety Department substation. Sierra Point infrastructure improvements included



**The Sierra Point  
Marina**

roadways, four freeway ramps, and hiking and bike trails. "All this work was done by the city, not by the developer," says Brad Kerwin. "The city designed and built the marina and the freeway ramps. Those were the first freeway ramps in the state of California that were locally designed and paid for." Construction costs for the marina itself were about \$16 million, while the other publicly financed portions of the project were an additional \$16 million. There were also extensive plans for privately financed construction at Sierra Point, including hotels and office buildings, which were scheduled to be completed over the next several years.

In October, Brisbane was in the finals for the annual Award of Excellence from the League of California Cities for the second year in a row. This time the award was to be given to the city best demonstrating projects involving a partnership between a municipal government and the private sector. Brisbane submitted an application describing the Sierra Point development and marina, which was a joint effort involving the city of Brisbane and the Brisbane Redevelopment Agency, Sierra Point Development Company, and Caltrans. This time Brisbane won. The award cited the marina project as a model example of cooperation between the public and private sectors. The planning effort was praised for the great care taken to assure the success of the development from all aspects, economic as well as environmental.

While the completion of the Sierra Point Marina was a major accomplishment, city officials were worried about the slow rate at which the rest of the development was proceeding. The end of the year, however, brought a change in players. In December 1983, Sierra Point Development Company announced that it would sell its 132-acre office park property to the Koll Company and New England Mutual Life Insurance Company for \$38 million. The deal would be closed early the following year.

The City Council felt that the change in developers promised to be a good one. Koll was considered an aggressive company, and constructing developments like the office park at Sierra Point was its main line of business. In its 20-year history, Koll had built 60 office and light industrial parks, mostly in California. "This holds the potential for a lot of positive change," said Mayor Jeannine Hodge of the sale of Sierra Point to Koll. "These guys have a reputation as go-getters and as quality developers."

#### **Another Change of Administration at City Hall**

Although the 1980s had started out as one of the quietest periods in Brisbane's political history, the vote on the garbage incinerator had ignited voter concerns about what was happening at city hall. "Proposition H gave a real jolt to the community in terms of people feeling powerful," says Fred Smith. "They felt in control, and they felt they needed to stay involved so that something else just as bad wouldn't happen in the future."

The spring election in 1984 focused public attention on the issues that had largely escaped notice during the preceding period of political apathy. The terms of two council members, Jeannine Hodge and Bill Lawrence, were up. Both ran for reelection and were joined by a third candidate, Ray Miller. Miller, whose wife Anja had served on the City Council in the 1970s, had been a city planning commissioner since 1980 and a member of the the city/county planning task force for the Northeast Ridge.

Statements made during this campaign were destined to have a great effect on future negotiations over the Northeast Ridge. Both Hodge and Miller ran campaigns that attacked the positions of Bill Lawrence, Don Bradshaw, and Art Montenegro, whom they felt sided with the developers on land use issues against the best interests of the city. "I think the people of Brisbane are strongly oriented to and concerned about the environment and about keeping our small-town atmosphere," Hodge told the *Brisbane Bee*. "Yet the current council majority is growth-oriented and pro-development." Hodge felt that the clearest example of this was that Lawrence, Bradshaw, and Montenegro had supported the garbage incinerator, a clear indication of how out of touch they were with community concerns.

Hodge was equally critical about the outcome of previous dealings on the Northeast Ridge. She felt that the council majority had refused to try to negotiate with the developers to get a reduction in the number of units planned for the development. "Part of my platform was that the deal had been made with Cadillac Fairview, and that deal did not apply to a new developer," Hodge says. "If a new developer came in, there had to be a new deal and a new plan. At that time, the proposal was for 1,250 units, which I said was too much. Not only was that too much for that piece of space on the mountain, I also thought it was too much for this community to absorb."

Like Hodge, Miller aimed his campaign at Brisbane residents who wanted the city to retain its small-town atmosphere. One of the main focuses of Miller's campaign was that the present City Council majority had produced a city government which had a record of poor financial planning and was overly reliant on the city manager for setting policy decisions. Miller was particularly critical of the Sierra Point Marina financial plan, which he termed "a losing proposition so far." Miller pointed out that the city's marina corporation had

been on the verge of defaulting on its loans when it had been bailed out by a long-term loan from the Koll Company. If Koll had not entered the picture, the city could have lost the marina to the mortgage holders.

Bill Lawrence denied that there was a well-defined majority on the council on most issues but noted that he tended to vote with Bradshaw and Montenegro on land use issues, and here the three were usually opposed by Hodge and Smith. Lawrence criticized Hodge and Smith for their involvement in the Committee to Save San Bruno Mountain. He felt that the approval of the specific plan calling for 1,250 units on the Northeast Ridge should apply to the next developer. He also praised the Sierra Point Marina, which had received two awards, one from the League of California Cities in 1983 and another from the County Supervisors Association of California early in 1984.

The April 1984 elections drew more than half of Brisbane's registered voters to the polls. Hodge and Miller came in one-two in the voting, with only a handful of votes separating them. Lawrence finished a distant third and was once again out of city politics. The election gave the Brisbane City Council a new majority made up of Hodge, Smith, and Miller. The new council immediately set out to make personnel changes in the city administration and to put into place a new set of policies.

At the end of May, the council voted 3-1 not to renew the contract of George Silvestri, the city attorney since 1976. The next month, Brad Kerwin, the city manager, tendered his resignation. Kerwin was highly critical of the new council majority and disagreed with their positions on many key issues. The new majority, however, felt that Kerwin had tried to dictate policy to the City Council on many occasions in the past.

While Brad Kerwin had his admirers and detractors in the community, his strong administrative skills had helped the city weather some of its worst financial storms. When Kerwin came to Brisbane, the city was on the verge of bankruptcy. When he resigned as city manager, it had ample reserves and a tax base that gave it a secure financial future.

### **A New Developer for the Northeast Ridge**

Meanwhile, events involving the Northeast Ridge development continued to unfold. In March 1984, Judge Spencer Williams dismissed the FOES suit, stating that the group's argument was not strong enough to merit a trial. In his summary judgment, Williams ruled that the HCP and the existing plans for the Northeast Ridge met environmental law criteria. In July 1984, Visitacion Associates found a developer to replace Cadillac Fairview. This was Southwest Diversified, Inc., a company which had been formed in 1983 when Cadillac Fairview was about to close down the last of its residential home-building operations in the U.S. Southwest Diversified had been organized to take over various development projects in California that Cadillac Fairview wished to abandon. The new company's founders included William Foote and Richard Garlinghouse, both former Cadillac Fairview executives.

On taking over the option for the Northeast Ridge, Southwest Diversified announced that it remained committed to improvements previously negotiated between Brisbane and Cadillac Fairview. These included contributing funds to help the city build a new public safety complex, providing 15 acres for public parks and a school, and rebuilding the entrance to Brisbane on Visitacion

Avenue. Southwest Diversified also assumed that they would be allowed to build 1,250 units on the Northeast Ridge.

By the end of 1984, the change of staff at City Hall which had started that spring was well underway. Bob Henn, who had formerly been special counsel to the city during the county hearings on the Saddle in Open Space amendment, was hired as city attorney. Henn, a specialist in environmental law, had also served as city attorney for several months in 1976, during the period between the resignation of Dave Friedenbergh and the hiring of George Silvestri. Henn's fee of \$145 an hour showed how much legal costs had soared since the 1960s, when Caspar Weinberger had worked for the city for \$35 an hour.

While the search for a new city manager continued, the council also revamped the Planning Commission by appointing three new commissioners who shared the new majority's environmentalist orientation. The Planning Commission also began work on a new Housing Element for the city's General Plan. With these last two developments, the stage was set for another big battle over development on San Bruno Mountain.

## *Chapter Seven*

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### **MARKING THE FIRST 25 YEARS: 1985-1986**

In 1985, just a year away from its 25th anniversary of cityhood, Brisbane found itself enmeshed, once again, in a major conflict. The battle over the Northeast Ridge, like the big political battles the city had waged in the past, centered on the one issue that had been fought over since the day Brisbane was incorporated. That issue was the right of home rule. Brisbane was incorporated because its citizens felt that the community should be able to shape its own future.

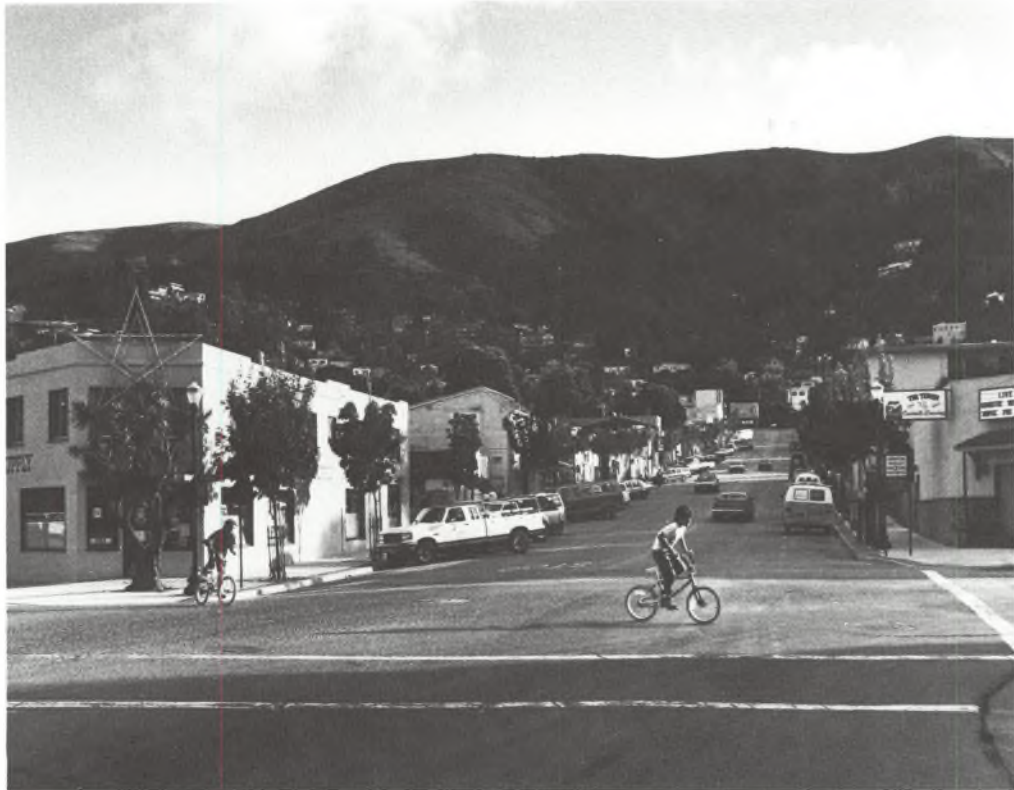
As a small city, Brisbane's fight for self-determination had pitted it against a host of much larger and more powerful political and financial interests. The city had shown a remarkable ability to prevail in the face of overwhelming odds. At the same time, Brisbane had also demonstrated an equally remarkable ability to totally reverse its position on major issues.

The best example of this occurred during the garbage wars of the 1960s. In 1963, the City Council signed a contract with Sanitary Fill allowing garbage dumping at Sierra Point for a fee of \$30,000 a year. In 1965, Brisbane voters passed an initiative banning dumping within the city limits and hired Caspar Weinberger to defend this ordinance in court. In 1967, Brisbane residents went back to the polls and approved a \$100,000-a-year contract allowing dumping at Sierra Point. Brisbane had gone back and forth on the quarry trucks issue in similar fashion in the 1970s. One other notable example of this sort of thing was Brisbane voters' decision to recall Bill Lawrence in 1973 and then to return him to the City Council in 1980.

The Northeast Ridge controversy involved a sharp reversal of position that was reminiscent of these earlier ones. Through the 1970s, the city had battled to stop development on the Saddle area of San Bruno Mountain. In 1976, this battle came to an end when San Mateo County adopted the General Plan amendment that left the Saddle in open space but allowed development on the Northeast Ridge and the South Slope. Development on San Bruno Mountain was then further conditioned by the precedent-setting Habitat Conservation Plan, adopted in 1982.

In 1982 and 1983, the Brisbane City Council approved both the concept and specific plans for the Northeast Ridge and was also one of the signers of the Habitat Conservation Plan. All these plans allowed 1,250 housing units to be built on the Northeast Ridge, a figure which had been taken from the 1976

Brisbane's main street:  
 Visitacion Avenue,  
 looking south toward  
 the mountain



Saddle in Open Space amendment. In the summer of 1983, LAFCO permitted Brisbane to annex Crocker Industrial Park and the area to be developed on the Northeast Ridge. The tax transfer agreement that went into effect at that time assigned considerable new tax revenues to the city, in anticipation of the costs that would be incurred by the city when the Northeast Ridge development got underway.

The already complex Northeast Ridge situation was then further complicated when the Friends of Endangered Species brought suit against all the signers of the San Bruno Mountain HCP in 1983. Cadillac Fairview then dropped its option to develop the Northeast Ridge, and in 1984, Southwest Diversified announced that it would become the developer of the property. The new developers assumed that they would be allowed to build 1,250 units on the Northeast Ridge.

That same year, however, a new City Council majority came into power in Brisbane and took the position that the Northeast Ridge development should be subject to further planning and possible modification. Fred Smith, Jeannine Hodge, and Ray Miller felt that the previous City Council's views did not reflect the true feelings of the community on this issue. They interpreted the results of the 1984 city elections as a vote for rethinking the earlier plans.

The Northeast Ridge specific plan and the HCP had been worked out through a complex series of compromises between the developers, conservationist interests, San Mateo County, and the city of Brisbane. The big question, of course, was whether or not the 1,250-unit figure could be changed at this late stage in a game which had been in progress for a decade. Having annexed the Northeast Ridge and the tax-rich Crocker Industrial Park, did the city of Brisbane now have the right to ask the developers to scale down their plans?



The new Brisbane City Council felt that the answer to this question was an unequivocal yes. There were several reasons for this. First of all, the specific plan for the Northeast Ridge was by no means a detailed, final plan of the development. The Brisbane City Council felt that it had been understood all along that as this plan became more detailed, the city would be able to request modifications or seek additional mitigations if called for. This is what generally happens with any large project. Planning for a new housing development is a complex process involving many changes. Problems not foreseen in the specific-plan stage often arise, and aspects of the original plan may turn out to be unworkable.

From the point of view of the new Brisbane City Council, the most unsatisfactory aspect of the specific plan for the Northeast Ridge was its extremely high density. In 1976, when the Saddle in Open Space amendment had been adopted, no one realized that the Northeast Ridge would turn out to be a critical habitat for several endangered species. The 1,250 units approved at that time seemed a reasonable amount of housing for the area, both to development and conservationist interests. But the subsequent adoption of the Habitat Conservation Plan had reduced the developable area on the Northeast Ridge to about one-third of what it had been before.

During the work on the specific plan, the developers had actually tried to increase the number of units on the Northeast Ridge by several hundred units. Brisbane's planners, on the other hand, felt that the 1,250 units was too high because of the decrease in developable acreage. The county, which was then the lead agency in the planning, had insisted that the 1,250-unit figure was firm, however. There would be no negotiating on this point.

Although the county had settled this disagreement at that point, the new Brisbane City Council felt that the 1,250 units should never have been approved because of the greatly increased density. More important, the council majority believed that Brisbane's approval of the specific plan did not mean that the city had given up its right to seek further changes.

Cadillac Fairview also seems to have been operating under the assumption that plans for the development would change as the project evolved. This appears to be the case since the developer had declined to enter into a development agreement, as had originally been contemplated in the planning procedure. Perhaps one of the reasons why Cadillac Fairview had chosen not to sign a development agreement was that they had hoped for an eventual increase in the number of units on the Northeast Ridge.

When Southwest Diversified acquired the option on the Northeast Ridge property, it also inherited the position that Cadillac Fairview had taken. Southwest Diversified, however, felt that Brisbane's approval of the specific plan committed the city to 1,250 units, and there could be no negotiating on this point. The new developers took the position that the specific plan, the HCP, and the annexation agreement, together, were practically the same thing as a development agreement. From a legal standpoint, however, all these things quite clearly were not a development agreement. This was a crucial point.

Brisbane's new City Council felt that it had the right to review and approve plans, and to seek any modifications it felt to be necessary. In 1985, the council would take preliminary steps designed to facilitate rethinking the

Northeast Ridge development plans. These actions immediately ignited a tremendous battle, and the shock waves would carry all the way to the state legislature in Sacramento.

### **The Northeast Ridge Lawsuit**

In April 1985, Robin Leiter was hired to become Brisbane's seventh city manager. Leiter had worked for the city of Orange in Southern California for seven years in various capacities. During her last two years there, she had been assistant city manager and director of the city's redevelopment agency. Leiter was also an attorney, who had worked both in private practice and as the assistant city attorney for the city of Orange. Leiter's combination of experience made her ideally qualified to be Brisbane's top administrative officer as the city headed into the battle over the Northeast Ridge development, which was certain to involve complex legal issues.

Almost immediately after Leiter was hired, the nature of those legal issues came into focus. In April, the City Council dramatically clarified its position on the Northeast Ridge when it introduced a newly written Housing Element, which was to be added to the city's General Plan. The most controversial aspect of the Housing Element was a provision that appeared to some people to put a definite, and quite low, ceiling on new development in the city in any given year.

The source of the trouble was one particular sentence, which read: "In order to balance both its fiscal and social capacity for absorbing new residential growth, the City of Brisbane should establish a growth-staging mechanism that sets a base annual growth rate of 2 percent, or approximately 32 new housing units per year." The Housing Element then went on to state that the purpose of establishing this base rate was not to eliminate the possibility of a faster rate of growth. It simply specified a rate that appeared reasonable under "existing fiscal, social, and environmental conditions." The Housing Element further stated that a faster rate of development would be acceptable, provided that any adverse impacts were appropriately mitigated and the new development did not "inhibit the achievement of other city goals, policies, and objectives."

At public hearings on the proposed Housing Element, Southwest Diversified objected that if the document were adopted, it would effectively kill the proposed 1,250-unit development on the Northeast Ridge. In the developers' opinion, the city of Brisbane had, in effect, entered into an agreement that gave it the tax revenues from Crocker Industrial Park in exchange for allowing the 1,250-unit development on the Northeast Ridge. Having annexed the park, the city was now trying to stop the development. The county Board of Supervisors also shared this view, as did Bradshaw and Montenegro, the two minority Brisbane council members. Bradshaw, in particular, was vehemently opposed to the Housing Element, feeling that what the majority of the council was proposing was entirely unethical.

Smith, Hodge, and Miller, on the other hand, felt that the Housing Element reflected the community's desire to maintain Brisbane's small-town atmosphere, and that the document's provisions simply spelled out a policy for managing growth. The 32-units-per-year base rate was what they termed an ordinary growth rate, which meant one that would not unduly stretch the city's existing budget and its ability to provide municipal services. Any development

causing the city to grow at a faster rate could adversely affect the city's ability to function as a municipality and would thus require special mitigations from the developer. Smith, Hodge, and Miller believed that this need had been recognized by Cadillac Fairview in the tentative subdivision map of the specific plan and also by the developers' decision not to sign a development agreement.

In May 1985, the elements of a showdown began to fall into place. That month, the suit brought by the Friends of Endangered Species, which had been thrown out of the Federal District Court and then appealed, lost for the second time. A three-panel judge in the U.S. Ninth Circuit Court of Appeals in San Francisco upheld the lower court decision dismissing the suit. With the threat of this legal action eliminated, Southwest Diversified acquired the option to develop the Northeast Ridge property from Visitacion Associates.

Meanwhile, on May 13, 1985, the City Council voted 3-2 to adopt the new Housing Element as part of Brisbane's General Plan, prompting an immediate response by the developers. The following day, Southwest Diversified filed suit against the city of Brisbane, claiming breach of contract. The developers hoped to force the city to rescind the Housing Element. Failing that, they wanted deannexation of both the Northeast Ridge and Crocker Industrial Park from Brisbane. Southwest Diversified also took the extraordinary step of filing suits against Smith, Hodge, and Miller, the three council members who had voted for the Housing Element. The developers sought \$100,000 in punitive damages from each. On June 21, 1985, Visitacion Associates filed suit against the city of Brisbane as co-plaintiff with Southwest Diversified.

It is not difficult to understand why the developers were highly suspicious of the motives behind the Housing Element. The political changes that had occurred in Brisbane since the 1984 election had dramatically shifted the orientation of the City Council. Both Hodge and Miller had campaigned on



Homes on Brisbane's upper streets look out on views of the Bay like this

The view from upper  
Brisbane, looking north  
toward San Francisco



platforms that stressed the need to limit growth in Brisbane. Both had also indicated that they felt the number of units allowed in the Northeast Ridge specific plan should be renegotiated. The events immediately following the election were another source of consternation to the developers, particularly the City Council's decision not to renew City Attorney George Silvestri's contract and the resignation of City Manager Brad Kerwin.

Because of these events, the developers had concluded that the Housing Element was a tool which was designed to block the Northeast Ridge development altogether. Southwest Diversified and Visitacion Associates were convinced that the new council intended to stick to the 32-units-per-year ceiling, no matter what else the Housing Element said. If the city were allowed to impose this limitation, the Northeast Ridge development was, for all practical purposes, dead.

The developers made the decision to file suit because the only other way to deannex the industrial park and the Northeast Ridge from Brisbane would have been through a vote, and it was almost certain that the city's residents would never approve that. The personal suits were filed against Smith, Hodge, and Miller as a punitive action because the developers felt that these three had engaged in "bait-and-switch" tactics.

Hodge, Smith, and Miller had an entirely different view of the situation, however. The principals of Southwest Diversified had indicated to them before they took the option on the Northeast Ridge that they believed the 1,250-unit figure was not subject to negotiation. But they had also gone much further than to simply state their case, according to Ray Miller. "Way before the Housing Element was written, Bill Foote of Southwest Diversified talked to me at a luncheon," Miller explains. "He said, 'We've come up here to take the option, and we consider the preliminary plan absolute.' About a month later,



Many of Brisbane's secluded neighborhoods appear to be hidden away somewhere out in the country

Paul Hamilton, Southwest Diversified's lawyer, told me, 'We have a God-given right to those 1,250 units, and you have no right to take them away from us. And not only will we sue the city to insist that we get our absolute right, but we will go after you personally.' What that means to me is that when Bill Foote took the option, he'd already decided he was going to go for everything, he was not going to compromise, and if we didn't give him everything he wanted, he was going to follow a legal strategy."

Miller feels that the clearest indication that Southwest Diversified had settled on this plan early on was the speed with which the highly complex lawsuits were filed. The lawsuit against the city was filed in federal court the day after the City Council approved the Housing Element. That same day, Hodge, Miller, and Smith were served with their personal copies of the suit, which were over 100 pages long each.

"Southwest Diversified's legal strategy involved going to a federal court in order to be able to sue us personally," Miller explains. "Under California law, you can't sue council members personally when they're acting in a legislative capacity. Paul Hamilton, the attorney for Bill Foote, thought that they could sue us personally under federal civil rights law. The particular law they used was originally put into place to give blacks an opportunity to file suit against the Ku Klux Klan in the South. Southwest Diversified figured that they could use this old law to file in federal court on the grounds that we had violated their civil rights. They argued that one of their civil rights was their property rights. They also thought they could file in federal court because the HCP was a federal agreement, and that federal law supercedes California land use laws."

While the developers claimed that the Brisbane City Council had engaged in bait-and-switch tactics, the Brisbane council majority believed that the developers' strategy was intimidation through legal action.

### A Public Opinion Poll on the Northeast Ridge

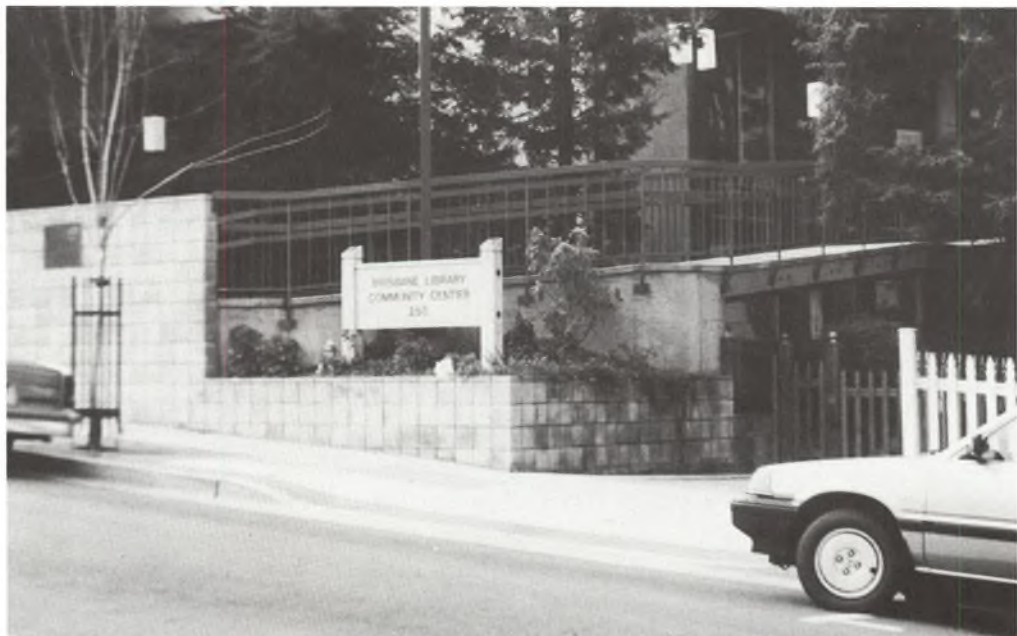
Seeking evidence of support for its position on the Northeast Ridge, the City Council commissioned Richard DeLeon of the Public Research Institute of San Francisco State University to conduct a poll on the issue in the summer of 1985. DeLeon had conducted a similar poll 10 years earlier to determine Brisbane attitudes about development on San Bruno Mountain. This time the survey, which was requested and paid for by the city, questioned 288 residents of Brisbane, or about 20 percent of its registered voters. Once again, the poll showed a strong no-growth sentiment in the community. "I picked this up 10 years ago," DeLeon told the *Peninsula Progress*. "There's a general, ingrained attitude against development in town, and this survey once again elicited that negative stance toward growth."

The poll indicated that 83 percent of Brisbane voters supported changing the original plans for the Northeast Ridge, desiring fewer people and a mix of different types of housing. Although this indicated strong support for the new council majority, a majority of those polled did not want to see the city take too hard a line and lose Crocker Industrial Park. Only 20 percent agreed that the City Council should continue to seek changes to the plans for the development if that meant losing the industrial park and the Northeast Ridge to Daly City or the county.

The poll also revealed a certain amount of voter apathy. Nearly half of those interviewed either could not locate the Northeast Ridge on a map or admitted they did not know where it was. "These findings suggest that policy-makers should not assume a well-informed citizenry as they debate the issues," DeLeon told the *San Mateo Times*. "Although most Brisbane voters appear to know the basic facts, many do not."

Although the opinion poll showed strong support for the new council majority's position on the Northeast Ridge, it also sounded a warning. The people of Brisbane wanted to keep their community small, but not if that meant an impoverished city government.

**The Brisbane Library  
and Community Center**



### **The Battle Moves into the Courts**

Later in the summer, the Northeast Ridge situation grew still more complicated when San Mateo County decided to join the developers in their legal action against the city of Brisbane in U.S. District Court. On August 9, 1985, the county Board of Supervisors voted unanimously to file a brief as an "intervenor" in Southwest Diversified's suit against Brisbane. The county supervisors accused the Brisbane City Council of approving the specific plan for the Northeast Ridge project in order to obtain the tax revenues from Crocker Industrial Park, while planning all along to block the housing development. The county had transferred the taxes from the industrial park to Brisbane with the understanding that city would use the additional monies to pay for the services it would have to provide to the Northeast Ridge. The county's brief asked the court to return the industrial park to the county if the Northeast Ridge development did not proceed.

Like the developers, the county supervisors were angry because they felt that Brisbane had not acted in good faith. But the supervisors were also upset because the revenues from Crocker Industrial Park had turned out to be much higher than anyone had ever imagined they would be. By June 1985, Brisbane, with an annual budget of about \$3 million, had accumulated a \$4.8 million reserve in the city treasury. This was a fair amount for a city which just seven years earlier had been within \$43,000 of bankruptcy. This reserve had received a hefty boost from the tax revenues from the industrial park, which had been running between \$1.2 million and \$1.5 million per year instead of the \$800,000 projected in 1983 when the annexation agreement had been announced.

These sales tax monies were projected to reach as much as \$3 million per year. Thanks to the industrial park, Brisbane's per capita sales tax revenue was more than 15 times higher than the state average. These high revenues were dependent on just a few big businesses, however. If any of these larger firms were to leave the industrial park, Brisbane would be faced with a significant reduction in its tax revenue.

While the county's suit against the city strengthened the developers' position, the main focus continued to remain on Southwest Diversified's suit. On September 4, 1985, U.S. District Court Judge Thelton Henderson heard arguments from both sides on whether to allow Southwest Diversified to begin taking depositions and issuing subpoenas. It was immediately apparent, however, that there were several big problems with this lawsuit. The legal strategy the developers had adopted took the dispute into murky areas of the law.

Judge Henderson immediately began to zero in on the thorny legal issues the case brought up. Perhaps the most controversial of these was the personal suits against the three council members. If successful, these suits could establish a dubious precedent, which could result in businesses suing legislative bodies to force changes in laws. Henderson noted that there was what he termed a "blackmail aspect" to suits of this nature.

Another major problem was that Southwest Diversified claimed that Smith, Hodge, and Miller were engaged in a conspiracy aimed at blocking the Northeast Ridge for political reasons. Paul Hamilton, attorney for Southwest Diversified, argued that the present council regarded the Northeast Ridge as a threat to its political power base, since the new development would double the city's population. "One of the reasons for adopting the Housing Element is to

perpetuate themselves in office," Hamilton told the judge. Henderson's response to this was succinct and to the point. "How could you ever prove that?" he asked. "We think we can get evidence of what they really have in mind," Hamilton replied.

Hamilton also accused Robert Henn, the city attorney, and Gary Pivo, the recently hired city planning director, of constructing "an obstacle course intended to remain unseen and unknown" in order to block the development. The biggest obstacle was the new Housing Element, of course. But Hamilton also pointed out that the city had created a reimbursement agreement that had to be signed before any application for building permits were made. This agreement required Southwest Diversified to pay all legal and planning expenses the city might incur in connection with processing permit applications for the Northeast Ridge development. Under this agreement, the developers would also have to reimburse the city for the money spent on recruiting the new planning director and preparing the new Housing Element.

Hamilton's description of the alleged obstacle course as "unseen and unknown" inadvertently pointed to what were probably the most glaring weaknesses in Southwest Diversified's suit. First of all, the litigation centered on the Housing Element, a policy document which had been adopted by the City Council but had yet to be followed up with any implementing ordinance. As controversial as it was, the Housing Element was not, in fact, city law.

Second, and considerably more important, Southwest Diversified did not have a development agreement with the city, nor had it yet applied for a single building permit, let alone a planned development permit, which was required by law before any building permits could be issued. Without a development agreement or a building permit, Southwest Diversified did not have a legal contract to be broken. Yet the developers were, in essence, attempting to show that the Brisbane City Council was guilty of breach of contract.

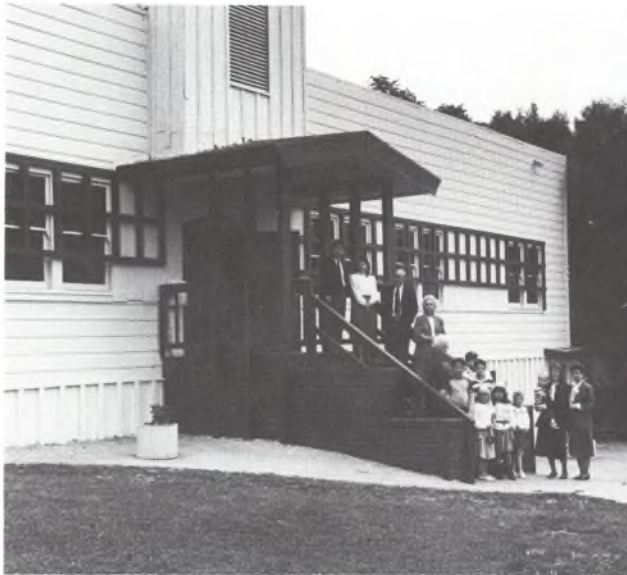
The lack of a building permit application was the basis for Brisbane's defense, which was being handled by Ann Broadwell, the law partner and wife of Tom Adams, the former lawyer for the Committee to Save San Bruno Mountain. Broadwell argued that without a permit application, there could be no breach of contract. While the developers may, or may not, have had grounds for believing that Brisbane intended to block the Northeast Ridge development, the city had not actually used the Housing Element in an attempt to derail the project.

Broadwell moved that the case be thrown out of court on these grounds. Judge Henderson, however, declined to make a ruling on any motions made by attorneys from either side. In October, he disqualified himself from hearing the case, with the result that the suit was scheduled to be heard under a new judge in 1986.

### **Dominic Cortese Enters the Picture**

Late in 1985, the Northeast Ridge controversy grew still more complicated when a new player took the stage. This was state Assemblyman Dominic Cortese, chairman of the Assembly's Local Government Committee and one of the authors of the original LAFCO legislation. Representatives from Brisbane had first talked to Cortese that summer. Because Southwest Diversified appeared to be seeking state legislation that could lead to deannexation of the





The Community Church of Brisbane. The building formerly housed the First Baptist Church, which merged with the Evangelical Free Church in 1971 to form the Community Church.

In 1982, the City Council commended Reverend Rodger Henderson, the church's first pastor, for faithfully attending council meetings to offer the invocation. Art Montenegro (left) presents the plaque.



The Indonesian Baptist Church. Formerly the Bethel Baptist Church, this church was built by its members in 1949. The lumber came from a Hunter's Point military housing complex that had been torn down after the war. The Indonesian Baptist Church, which moved here in 1985, draws its congregation from all over the Bay Area. Services are conducted in Indonesian.



The Brisbane Catholic Church. This building, which was built by Brisbane's volunteer Fire Department in the 1930s, once served as the town's Recreation Center. In 1937, the Church of the Visitation in San Francisco bought the building to establish a mission church in Brisbane. Services are held on Sundays and holy days. The church is also open for rosary on Wednesday evenings.



Ray Miller

Northeast Ridge and Crocker Industrial Park from Brisbane, city officials had decided to go to Sacramento to explain their position. Tom Adams, who had been hired by the city as a special attorney, had suggested this course of action.

Ray Miller, Robin Leiter, and Tom Adams made the first of these trips to the state capital. "We saw several members of the Senate committee," says Miller. "Milton Marks actually came out of a committee meeting to talk with us briefly. So we went to see all those legislators, and I remember the meeting with Assemblyman Cortese very well. That was the first time he'd found out about all this from our point of view, and he was very sympathetic. We also went to see the League of California Cities, and they were very sympathetic, of course. They've always been on our side. The idea that a developer could get a LAFCO decision overturned was threatening to the whole process around the state. So we really had the support of the League of California Cities, the California Association of LAFCOs, and almost everybody on the public side. The idea that a developer could try to intimidate a little city in this way — the precedent was just incredible."

Brisbane also hired a lobbyist to help present its position. The city felt this was necessary because the developers had already retained the services of a professional lobbyist, John Knox, a former state assemblyman. In addition, Southwest Diversified continued to be represented by Bay Relations, a Daly City public relations firm headed by former Daly City mayor Frank Pacelli. Pacelli had started working for the developers during the period when Cadillac Fairview still held the option on the Northeast Ridge.

"Frank Pacelli is part of the political establishment which in many respects still runs Daly City," explains Ray Miller. "He has his own public relations firm, and he specializes in lobbying for legislation affecting business interests at the county level. Pacelli was very much on the side of several Daly City council members. He knew the county supervisors well, since he had been very involved in their campaigns and getting them elected, particularly Bill Schumacher, who was on the Daly City council before he became a county supervisor. Pacelli was also in close touch with Assemblyman Lou Papan, another Daly City politician, who was chairman of the Assembly Rules Committee at the time. They were really going after legislation against us, and we had no choice but to respond to that. That's the way it happens in Sacramento. If you're not there to watch it, they can slip things through virtually overnight."

Although Assemblyman Cortese initially seemed sympathetic to Brisbane's cause, he gradually began to change his position. In November 1985, Sherman Eubanks of Visitacion Associates appeared before the annual meeting of the California Association of Local Agency Formation Commissions. Eubanks delivered a speech describing the Northeast Ridge situation from his point of view and asked for support for legislation that would allow a county LAFCO to reverse previous annexation decisions.

A few days after that talk, Eubanks received a call from Cortese. "Dominic Cortese called and asked me if I would like him to become involved, and I said I certainly would," Eubanks explains. "We had several meetings with Cortese and Assemblyman Lou Papan. We were seeking amendments to the LAFCO legislation that would enable a LAFCO to reverse its decision if a city had not lived up to its commitments."

From Brisbane's point of view, Papan's involvement was a critical factor in Cortese's gradual change of heart. In 1976, Papan had tried to block the Saddle in Open Space amendment by introducing legislation that would have prevented the use of state funds to acquire the Saddle. Over the years, he had been strongly in favor of development on the mountain. Papan had also fought to have the sphere of influence over the mountain assigned to Daly City.

"I think what happened was that Assemblyman Papan got in the act," Ray Miller explains. "Papan is very much tied up with Daly City politics, with people like Pacelli and Schumacher. Papan has always been pro-developer and pro-Daly City and therefore anti-Brisbane in all the struggles we've had over the mountain. Since Papan was also the right-hand man of Willie Brown, the Speaker of the Assembly, he was in a very influential position, and he started using it. He started putting pressure on Cortese from the other side. We heard about that from a variety of sources."

Cortese suggested that he could perhaps find a solution to the impasse between Brisbane and Southwest Diversified by serving as an informal mediator. Cortese arranged for representatives from the city to meet with state legislators and officials from Southwest Diversified and Visitacion Associates. "There were several meetings in Sacramento, in which Cortese called all the parties together," says Ray Miller. "They had a whole array of people, who just filled the room. They made lots of heated accusations. I, fortunately, didn't have to endure it, but Fred Smith, Tom Adams, and Robin Leiter had to endure some pretty nasty treatment by the developers, the landowners, and Lou Papan. But we wanted to demonstrate that we really did want to talk, we really did want to work it out, and we maintained that position throughout."

### **A Controlled-Growth Council**

The Northeast Ridge became the main political issue in the city elections in 1985, which were held in the fall for the first time in Brisbane's history. This was done in accordance with a 1982 ordinance which had moved city council elections to November of odd-numbered years, to coincide with the school district elections. That fall, three council members' terms were up: those of Don Bradshaw, Art Montenegro, and Fred Smith. The campaign centered on a single issue, the Northeast Ridge development. Bradshaw decided not to run again, because of the demands of his business. Montenegro ran on a pro-development platform, maintaining as he had before that the city was obligated to honor the Northeast Ridge specific plan. Fred Smith's campaign stressed the need to control growth in the city. His concerns were strongly echoed by two other candidates, Tony Attard and Lewis Graham. Attard and Graham were both city planning commissioners, Attard since 1980 and Graham since 1984. Attard had also been connected with the Committee to Save San Bruno Mountain since 1971.

The November 1985 election ended with a solid vote for the controlled-growth forces in the city. Smith came in first with 618 votes, followed closely by Graham, with 584, and Attard, with 575. Montenegro finished a distant fourth, with 347 votes. The election brought a 54 percent turnout of Brisbane's voters to the polls, which was the heaviest turnout in San Mateo County that fall, twice the county average.

Since the campaign had centered on the Northeast Ridge, the results of the election provided a clear indication of how the community felt about the proposed development. Many people in Brisbane also felt that the developers' efforts to deannex Crocker Industrial Park and the Northeast Ridge from the city were reprehensible. Smith, Graham, and Attard interpreted the results of the election as a clear call from the voters of Brisbane for a scaled-down development on the Northeast Ridge.

#### **From Cozy Cove to Civic Center**

On December 31, 1985, the Brisbane Redevelopment Agency purchased the Cozy Cove Motel and Trailer Park for \$1.7 million. The site was to be leased to the city for a civic center, housing administrative offices and the Public Safety Department. Sprawled over 2.9 acres at 1 Old County Road, Cozy Cove was built in 1930 by Joseph and Charles Mozzetti and was originally called the South San Francisco Auto Court. Over the years, the auto court was expanded until it included a 28-room motel, 11 cabins, 28 spaces for recreational vehicles, and a gas station. The Mozzettis, who were among Brisbane's earliest civic organizers, had eventually sold the property to Brisbane Cove Associates, a real estate syndicate.

Few people in Brisbane objected when they learned that the motel and trailer court were to be razed. Over the years, the complex had been allowed to run down, to the point that it looked like some dreary scene out of the Depression era. "When the Mozzettis owned it, they kept that motel spotless," says Frank Davis, who moved to Brisbane in 1946 and operated the Brisbane Coffee Shop and several other restaurants. "The motel wasn't the eyesore back then that it turned out to be those last few years. It was a good idea to get it out of there." Despite some fond memories of the historic site in its earlier days, most other Brisbane residents agreed.

An aerial photo of the entrance to Brisbane, taken in 1975. The Cozy Cove Motel and Trailer Park is in the center foreground, in the triangular lot where Old County Road makes the sharp turn into Visitacion Avenue.



The city had discussed acquiring the site for nearly a decade, but serious discussions had not gotten underway until 1984. Negotiations with the property owners and planning the relocation of the people who had permanent residences in Cozy Cove occupied all of 1985. The site was scheduled to be razed late in 1986.

In July 1986, the City Council selected an architect to prepare conceptual designs for the new civic center. This was Michael Graves, a world-famous architect whose impressive list of accomplishments included the prestigious Prix de Rome, five American Institute of Architects awards, and eight exhibitions at the Museum of Modern Art in New York. Graves' work was as controversial as it was well-known, however, and there were people in Brisbane who were not happy that he was chosen. Others were critical of the way the City Council had handled the selection process. The plans for the new civic center would become a major source of controversy in the years to come.



**Nina Mozzetti, one of the original owners of Cozy Cove**



**In the days when the Mozzettis owned Cozy Cove, this building was the site of the Cabin Club, a popular nightspot**



**The wrecking crew razed all the buildings in one morning**

### **Another Battle Over the Guadalupe Valley Quarry**

In May 1986, relations between Brisbane and Quarry Products, Inc., which had been strained for years, deteriorated further, when quarry trucks began carrying loads of gravel through the city from dusk until the early morning hours. QPI had a contract with Caltrans to supply gravel for repaving portions of the Bayshore Freeway. This work could only be done at night.

Brisbane responded in typical style: through direct citizen's action. In just a few days' time, a protest was organized at Visitacion Avenue and San Francisco Drive. Carrying placards, the demonstrators marched back and forth across the street from dusk until eleven, in an attempt to slow the trucks down and dramatize their cause. Susan Nielsen, a city planning commissioner and one of the organizers of the protest, alerted local television stations about the demonstration. Cameramen were not long in arriving at the scene.

Anna Lou Martin, who was one of the demonstrators, chuckles at the memory of the protests. "My son called around eleven o'clock one night and said, 'Mother, quick, turn on Channel 5. It shows people picketing the trucks in Brisbane,'" Martin explains. "I said, 'Did you see me?' 'What do you mean, Mother?' he said. I said, 'I was down there carrying a sign.' We can band together that quickly. And you do it, because it's important to you and it works. You need to be down there."

Public Safety Director Jim Cost, who had joined the city staff in 1986 after Bud Martini had resigned, took steps to cut down the noise. Brisbane police were instructed to enforce codes on substandard trucks, and a flagman was stationed at the entrance of the quarry to hold trucks at one minute intervals, slowing the flow of the truck traffic.

The City Council also decided to take legal action, and this is what eventually turned the tide of the battle. "On behalf of the City Council, Bob Henn, the city attorney, sued the quarry operators because there are laws prohibiting them from doing what they were doing," says Ray Miller. "We got a lot of TV coverage again, and the county supervisors were embarrassed into realizing that the use permit they had given the quarry operators says they're not supposed to work at night. But the quarry operators were just doing it anyway, sending these trucks through town at three in the morning. So we went to court, and we had a really good case."

The court hearing did not conclude with a legal decision, but it did bring about something that residents in Brisbane had been seeking since 1959, when Crocker Land Company had changed the routing of Old County Road, forcing the quarry trucks to travel through Brisbane. The combination of media pressure, the citizens' protest, and the prospect of litigation led the quarry operators to seek a settlement with the city of Brisbane. Judge Harlan Veal, who was to hear the case, also urged that the issue be resolved without court intervention. QPI finally agreed to build an alternate road, which would take the trucks through the Crocker Industrial Park at night.

This was something that many Brisbane residents had been seeking, without success, for years. The connecting road was completed in July 1986. "It took practically nothing," says Ray Miller. "It's just a little, teeny connection, between the quarry road and South Hill Drive in Crocker Industrial Park. So we finally got that connection built between the quarry road and the industrial park, and we got the trucks off our streets at night."

## *The Federated Women's Club*

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"Have a good time and help people along the way, that's what we're for." That's how Jeanne Bermen-Hosking, one of Brisbane's civic dynamos, describes the Brisbane Federated Women's Club. Founded in the early 1970s with just 10 members, the club now has a membership of over 50. It has also developed a highly distinctive style.

A typical project was organizing a community get-together to build a playground at the Recreation Center in 1974. "People from every community organization were involved in that project," Mrs. Bermen-Hosking says. "We had the backhoe operators up there, we had groups feeding us, and we planted a tree for another group. It was total community involvement." The Federated Women's Club members did more than just organize, however. The playground project had them hammering and sawing away with gusto.

As a part of the sister city exchange program, the Federated Women's Club sent photos of the club members building the playground to the Ladies Club in their sister city, Brisbane, Australia. The pictures were quite a revelation to the Australian women. "The women in the Ladies Club there were shocked that we were actually pounding nails," Mrs. Bermen-Hosking says. "They're very, very proper, very English. That was kind of fun for them, to find out that we were different."

As Mrs. Bermen-Hosking explains, people in Brisbane enjoy that feeling of being "different." "When our club started we had all ages," she says. "That was very different from women's clubs in general, because they usually split them into junior and senior clubs. But we kept all ages together, and that worked fine. It was Brisbane, and we did it different."



The Federated Women's Club at the Bicentennial parade

### **The Northeast Ridge Goes to Mediation**

Meanwhile, Brisbane was in the midst of a much more complicated legal affair: the lawsuit brought against it by the developers of the Northeast Ridge. In April 1986, Judge Eugene Lynch began hearing arguments presented by the lawyers for Southwest Diversified and the city. The main issue was whether or not the case should be tried in federal court. In February, Judge Lynch had said that if the main issue in the litigation was breach of contract, then he believed the case should be heard in state court, since the suit involved state land use laws. Southwest Diversified's position was that the Habitat Conservation Plan was based on federal law. The developers also argued that Brisbane's reimbursement agreement was extortionate and constituted a violation of their civil rights. Brisbane's position was that the main issue in the lawsuit was state land use laws and that under these laws there had been no breach of contract. Brisbane requested that the suit be thrown out of court.

The litigation dragged on through the spring and summer. Meanwhile, Brisbane found itself confronted with another threat, this time from Sacramento. Dominic Cortese, who had initially indicated he was sympathetic to Brisbane and then had appeared to take a neutral position as an informal mediator, now seemed to have joined the developers' camp. On August 11, 1986, he pulled Assembly Bill 3398, the Cortese-Knox Act, off the Assembly consent calendar and added an amendment to it. This amendment would allow a county LAFCO to reconsider and reverse previous annexation decisions on a four-fifths vote.

This piece of legislation quickly became known as the Brisbane amendment, since it was obviously intended to allow the San Mateo County LAFCO to deannex Crocker Industrial Park and the Northeast Ridge from Brisbane. Under this amendment, deannexation proceedings could occur if the request for the reversal was brought by a county Board of Supervisors, no signed agreements between city and developer existed, and enough time has passed for a county LAFCO to feel that its original intent in granting annexation had not been satisfied. The city losing the territory would not be allowed to veto the county LAFCO's decision.

The so-called Brisbane amendment was immediately denounced by the Brisbane City Council, the League of California Cities, the state association of LAFCOs, and various environmental groups. "It's unprecedented and could cause all kinds of political problems between cities and counties," said Constance Baker of the California League of Cities. "There's never been an ability to detach territory from a city without the city's consent." Robin Leiter, Brisbane's city manager, condemned the amendment as an intimidation tactic. "We need a developer who knows that Sacramento is not the place to process his plans," Leiter said. "Coming to the state legislature is a further attempt to leverage a small community."

The Brisbane amendment was also heavily criticized in editorials in the Sacramento and San Francisco newspapers and on Bay Area television news programs. "If a private developer can persuade the legislature to detach a piece of land from one community and hand it over to another that may be friendlier to the development in question," wrote the *San Francisco Examiner*, "then something is seriously awry. We hope the legislature declines this opportunity to overstep its proper bounds."



The resulting uproar forced Cortese to withdraw the proposed amendment. The attempt to coerce Brisbane through legislative action was the subject of a scathing editorial published by the *San Francisco Chronicle* on August 21, 1986. "A very bad idea was killed in Sacramento on Tuesday," the editorial began. "If the rights of citizens to control the development of their own cities are to be upheld, it is important that the idea stay dead. The bad idea was the brainstorm of Assemblyman Dominic Cortese, a San Jose Democrat."

After describing the intent of the withdrawn amendment, the editorial concluded with these comments, which once again raised the issue of blackmail: "Quite rightly, this unjustified state intrusion into a local zoning issue drew cries of outrage from cities throughout California. The heat got too intense for Assemblyman Cortese, who made a strategic withdrawal. But he left behind a warning that unless Brisbane reaches an agreement with the developer, he may again ask the legislature to impose its heavy hand on the little town. This kind of political blackmail is unacceptable. Brisbane's land use policies should be determined in Brisbane, not in Sacramento."

A few days after Cortese was forced to withdraw the Brisbane amendment, Southwest Diversified lost the first stage of its court case against the city. On August 25, 1986, Judge Eugene Lynch threw Southwest Diversified's suit out of federal court, ruling that the dispute was primarily a state matter. "The presence of an endangered species on the property to be developed has etched a federal filigree on the case," Lynch wrote, "but the dispute remains primarily a conflict between a developer and a local government over the application of California land use law."

This was another tremendous victory for Brisbane, one which vindicated the city's position and also demonstrated the weakness of Southwest Diversified's strategy. In attempting to influence Brisbane's policy on the Northeast Ridge in Sacramento and through the federal courts, the developers had, in effect, admitted that they had no legal case under state law. Paul Hamilton, Southwest Diversified's lawyer, was widely acknowledged as an expert on state land use laws. If the developers really did have a clear legal right to the 1,250 units on the ridge, Hamilton would undoubtedly have taken action against Brisbane in state court.

The most obvious weakness of the developers' position was the absence of a development agreement. The city/county planning task force for the Northeast Ridge had expected that the developers would sign a development agreement with Brisbane after the completion of the specific plan for the Northeast Ridge. The Habitat Conservation Plan also contained a section stating that the developers and the city would sign a development agreement after approval of the HCP and the specific plan. But the developers had decided to operate without a development agreement, even though Brisbane had been willing to sign one at the time.

Under state law, neither the specific plan for the Northeast Ridge nor the Habitat Conservation Plan could be considered a legal commitment for the 1,250 units. In fact, the HCP, which primarily involved federal law, explicitly stated that its provisions did not constitute a development agreement, as defined in state law. It was also clear that the annexation agreements between the city of Brisbane and the county were not a legal commitment to any specific number

of units. Under state law, annexations are made unconditionally. Brisbane was allowed to annex the Northeast Ridge and Crocker Industrial Park with the understanding that it would allow a development mutually acceptable to both the city and the developers. The annexation was not dependent on the city permitting the developers to build 1,250 units, as such a provision would have been illegal.

"The developers' lawyers knew very well that we hadn't done anything to violate the law," says Ray Miller. "That's why they didn't file in state court in the first place. Under California law, it was very clear that they didn't have anything until they had either a development agreement or a building permit. And they were a long way away in their planning before anyone would even consider giving them a building permit. So they had nothing in the way of any kind of vested right for the 1,250 units. They knew very well that they didn't have a chance in hell in state court."

Miller also feels that the general public and the press saw through the motives underlying the attempt to change LAFCO legislation. "We got very good public support, good editorials," Miller says. "There was a whole series of editorials, and all of them were on our side. They all said that this legislation was ridiculous, that putting in a bill like that was clearly intended to threaten cities. What the bill said, in effect, was that if a city doesn't do what a developer wants, then the developer can get the land deannexed. That would just totally undermine the public process and give the power to one special interest group, and that's not the way it should be. As a result, not only was Cortese a bit embarrassed, but the rest of his committee was very embarrassed. The last thing they wanted was to get caught up in something that seemed like a really sleazy deal. And that's exactly how it came out in the press."

"I think that whole strategy the developers followed was just unconscionable," Miller concludes. "I just don't think they had any right subjecting public officials to the kind of threatening and intimidating process they did. All we were talking about was having some say in the planning, and that's it. But they had all these paranoid fantasies about something else going on behind the scenes. When they filed suit, they thought they'd get all this information, get all our private notes, and then find all this evidence of a conspiracy. Of course, they never found a damn thing. They didn't find it because it was never there, it was only in their minds."

Having been defeated both in court and in the state legislature, Southwest Diversified decided it was time to adopt a different strategy. Brisbane and the developers agreed to seek mediation. On the same day the court decision was announced, the Brisbane City Council met with Southwest Diversified officials to discuss possible mediators. That evening, the City Council voted to approve mediation.

The agreement to seek mediation made 1986 a watershed year in the history of the battle over the Northeast Ridge. The year was also notable because of significant changes in the ownership of Visitacion Associates. In 1986, Amfac sold its 50 percent interest in Visitacion Associates to a group known as San Bruno Mountain Limited Partnership. Holder of the principal interest in this limited partnership was Southwest Diversified, which acquired an ownership position in the Northeast Ridge, distinct from its position as the developer of the property.

The remaining 50 percent interest in Visitacion Associates was still held by Crocker Land Company, but by this time Crocker had ceased to be an operating real estate development company. In the early 1980s, Foremost-McKesson, Crocker's parent company, had undergone a major reorganization. The big corporation had decided to concentrate on the pharmaceuticals side of its business. Foremost Dairies and all other food and beverage divisions were sold off, and the company was renamed McKesson Corporation. McKesson management also decided to get out of the land development business and began selling the properties held by Crocker, their real estate subsidiary. By 1986, Crocker had been reduced to a shell company, with its only major asset being the 50 percent interest in Visitacion Associates. The once-powerful land company had vanished into the past.

In November 1986, Richard Livermore of Menlo Park was selected as the mediator for the Northeast Ridge dispute. Both the developers and the city of Brisbane were hopeful that the long-standing war over development on San Bruno Mountain would finally be brought to a peaceful resolution. With the holidays approaching, Christmas stars were beginning to sparkle on the rooftops of Brisbane. The message they carried seemed to reflect a spirit of conciliation that seemed especially appropriate that holiday season.



### Celebrating 25 Years

Brisbane's 25th anniversary year was filled with a number of special celebrations. One of the most touching of these events came in June 1986, when over 200 people gathered at the Brisbane Elementary School to commemorate the school's 50th anniversary. After Helen Sullivan rang the old school bell, 11 members of the class of 1936 were introduced. The time capsule the class had placed 50 years ago behind the cornerstone of the school was opened. On top of the box were nickels, dimes, a quarter, and an Indian head penny, all dated 1936, and inside were newspapers and other memorabilia.

Lorna Groundwater of the Brisbane Parks, Beaches and Recreation Commission then delivered a brief speech. Her concluding comment, which paraphrased a famous line from a speech made by Teddy Roosevelt, nicely summed up the spirit of the people who helped found Brisbane: "Brisbane pioneers kept their feet firmly on the ground and looked to the stars."

In the fall of 1986, the city began celebrating its anniversary in old-fashioned Brisbane style. On September 21, a western roundup was held in conjunction with the fourth annual John De Marco Memorial Barbecue. Lorene Harris, the chief organizer of the roundup, held western attire and

whiskers contests, while the Brisbane Post Office, commemorating its own 20th anniversary, delivered mail by way of a postal worker riding Pony Express. There was square dancing by the Brisbane 49ers, western line and two-step dancing by the Stompers, and a special appearance by the Strutters.

On October 4, a parade moved up Visitacion Avenue to San Bruno Avenue and then to the Brisbane Elementary School, with Lee Panza, one of the parade's organizers, driving an antique fire engine with Mayor Fred Smith and former mayors Anja Miller and John Bell alongside. A community picnic was held at the school, featuring a children's tug-of-war, relay races and pie-eating contests, along with hot dogs, hamburgers, and other picnic fare. Then, on November 22, 1986, Mayor Ray Miller, council members Lewis Graham, Fred Smith, Tony Attard, and Jeannine Hodge, and 300 other Brisbane residents lifted their glasses in a champagne toast to the city at a reception hosted by the City Council at the Community Center.

On November 27, 1986, the actual day Brisbane turned 25, the city did not hold any special events to celebrate the silver anniversary. But throughout Brisbane, people did gather together in their homes with their families and friends for the traditional meal that for over two centuries has symbolized both a sense of community and gratitude for the blessings life bestows. It was Thanksgiving, and perhaps the quiet get-togethers of that day were the most fitting way for people in Brisbane to commemorate the 25th anniversary of their city.

## *Chapter Eight*

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### CONTINUING TO LOOK TO THE STARS

Any first-time visitor to Brisbane will immediately discover why the people who live here have fought as hard as they have to protect their town. The initial visual impression Brisbane makes is extraordinary. Whether you approach the city from the north or the south, you will find nothing along the way to prepare you for the scene that awaits you when you turn onto Visitacion Avenue and drive into the heart of town.

San Bruno Mountain, which is so desolate and barren-looking on its South San Francisco side, suddenly becomes a forested wall, lush and green, that seems to soar straight up into the sky. High up on the slopes above the town are large and attractive homes, tucked away in the trees. The mountain ascends so precipitously that some of these houses almost seem to be directly overhead.

As your eye returns to ground level, you find yourself on a little street that seems the perfect picture of a small-town main street. Along Visitacion Avenue, with its gaily painted fire hydrants, you find a handful of stores and small restaurants, the famous 23 Club and other bars, the little City Hall, and the Community Center and Library. Clustered along the narrow side streets off Visitacion Avenue are the town's older homes, immaculately kept and still looking much like they must have when they were built in the 1940s and 1950s.

Brisbane's visual impact is unlike anything to be found anywhere else in the Bay Area, and it cannot be fully conveyed by any photograph. Nestled safely against the flanks of the mountain, the little city seems hidden away, and its atmosphere is as peaceful as a trip into the country. In the sunny afternoon hours of a typical Brisbane summer day, the first-time visitor might feel as if he or she had stepped out of time, into a vision of a small-town America of long ago.

This is a vision that many of us feel nostalgia for, even if we have never lived it. But Brisbane's modern-day version of the American small town is not some idealized picture from a past that may have only existed on Norman Rockwell magazine covers. People in Brisbane know that the things in life worth having are also worth fighting for. To preserve the city's uniquely rural atmosphere in the midst of one of the most congested urban areas in the country has been a constant struggle.

"It's something of a miracle that the city has survived and prospered," says Fred Smith. "If you had asked me 20 years ago if this little community

**The City of Stars**





could accomplish all the things it has, against all the odds that were lined up against it every step of the way, I'd say, 'Not in a million years.' I don't think anyone really would have ever thought we could succeed in remaining independent from Daly City, influence the course of history by helping to preserve San Bruno Mountain, and transform our waterfront from a garbage dump into a boat harbor."

The battles with outside interests have been fiercely fought, and the issues have been as complicated as they have been controversial. Brisbane's City Council meetings have become legend. "They are like the old town-hall meetings of early America," says Dorothy Radoff. "Such a town-hall style of American democracy means real participation, even if that includes some hollering and giving people a piece of your mind. Even more remarkable, Brisbane's history reveals that you can actually fight city hall — and win!"

Unlike a fairy tale, Brisbane's story has not had any clear-cut heroes and villains. People on either side of every big political issue in the city's history can claim that their positions made sense. No one can unequivocally state that one side was right and the other wrong, for no issue was ever that simple. Furthermore, the makeup of Brisbane's population has changed greatly over the years, and many positions the city has taken in the past have ended up being rejected by the city's newer residents.

All these factors add up to a stormy political history, but the end result can be clearly seen in the Brisbane that exists today. The city's peaceful, rural atmosphere has been preserved because people in Brisbane were willing to get involved in city politics. Dutch Moritz speaks for most residents of Brisbane when he describes the quality of the community that people have fought so hard to preserve. "I, and probably a good many of the people living here, are just not cut out to be big city dwellers," he says. "Living here is like living in a little rural town, way out from nowhere. Yet you're 15 minutes to San Francisco, you're 15 minutes to the airport, and you've got shopping all around you. But when you go home at night, you're in a little village. It's just a peaceful way of living."

While some of the Bay Area's most unique places have been transformed into picture-perfect tourist attractions, Brisbane continues to display the sort of authenticity found only in communities that exist solely for the ordinary folks who live there. And the city's history, with its seemingly endless series of controversies, reflects a similarly down-to-earth realism. At the same time, Brisbane is a community with a unique vision, a peaceful way of living that is perhaps best expressed by its Christmas stars.

These two aspects of Brisbane — its willingness to fight and its strongly held vision — are what make the city a special place. After 25 years of cityhood, Brisbane looks toward a future that undoubtedly holds more controversies and great change. But if the past is any indication of what is to come, the people of Brisbane will continue to face the future with their feet firmly on the ground and their eyes to the stars.



