



CITY OF  
**PALO  
ALTO**

## Historic Resources Board Staff Report

**From: Jonathan Lait, Planning and Development Services Director**  
**Lead Department: Planning and Development Services**

**Meeting Date: April 13, 2023**  
Report #: 2304-1240

### TITLE

Study Session Regarding Flagpole and Monument at Hostess House/Veterans Memorial Building/MacArthur Park (27 University Avenue)

### RECOMMENDATION

Staff recommends the HRB receive presentations from William von Kaenel, Commander from American Legion Palo Alto Post 375, and from Laura Jones, Stanford University Archaeologist and Executive Director, Heritage Services.

### PROJECT DESCRIPTION

There is no project application filed. No recommendation is requested or required. Staff was approached by Stanford University staff to hold a study session with the HRB, and the HRB and staff received communication from an American Legion representative requesting to also present to the HRB.

### BACKGROUND

Staff received a request from both parties to present to the Historic Resources Board regarding the status of the flagpole and monument on the historic property. Mr. Von Kaenel previously addressed the HRB in 2022<sup>1</sup>.

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<sup>1</sup> HRB March 24, 2022 meeting minutes link: <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/historic-resources-board/2022/march-24-2022-minutes.pdf>



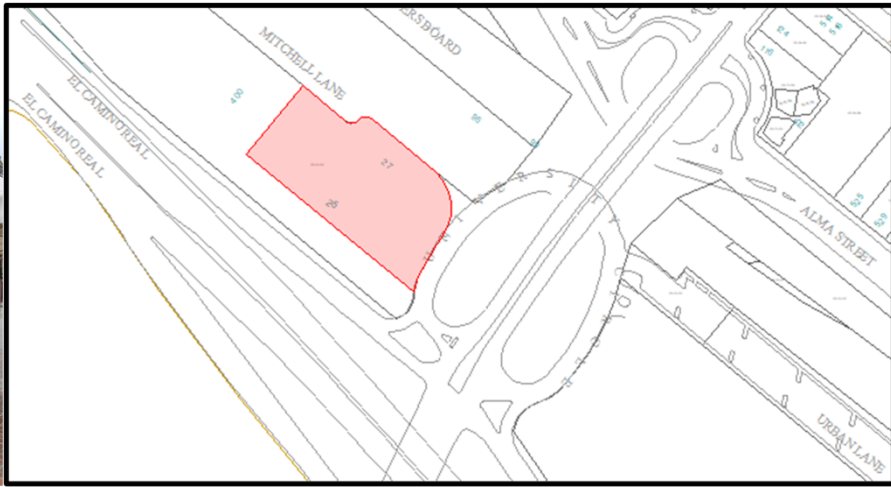
Flagpole Today



Flagpole Dedication Day 10/26/1908



Flagpole pedestal



27 University Avenue Property

**ENVIRONMENTAL REVIEW**

Study sessions are not subject to environmental review.

**ATTACHMENTS**

Attachment A - C: Documents submitted by William von Kaenel of American Legion

Attachments D – H: Documents submitted by Laura Jones of Stanford University

**AUTHOR/TITLE:**

Amy French, Chief Planning Official



March 20, 2023

Amy French  
Chief Planning Official  
Planning and Development Services  
City of Palo Alto

Dear Ms. French:

Thanks for the notice of the April 13th Study Session on the Memorial Flagpole.

Your letter indicates that details of the meeting's format will be included in the HRB packet. It states, however, that Stanford's representative "will provide a presentation" and that other parties "will be able to present".

It would appear that the property owner's role is primary, and that of all other parties, including Post 375, is secondary and accessory.

Post 375 maintains that any HRB study session must address both the property owner's enjoyment of its rights, and the property's historical integrity, a public good. This balance ought to be reflected in the presentation format, such that both the property owner and advocates for the public good enjoy equal standing.

To Post 375 it seems self-evident that a study session should include full presentations from both sides of an issue, but lest there be any doubt, we will expand upon the rationale in particular detail.

- The HRB's purpose is to promote the public good of historical integrity that dwells in private property.
- [27 University Avenue](#) features two separate historic structures, the Veterans Memorial Building and the [Memorial Flagpole](#). As both are [included on the VMB's](#)

[Historical Inventory Detail](#), both are afforded the HRB's Category 1, and [National Register of Historic Places](#)'s protections.

- The Memorial Flagpole was damaged around September 2020; the Study Session is its belated introduction to HRB proceedings.
- Stanford's office in both the Palo Alto [Historic Preservation Code](#) and the National Register is *Property Owner*.
  - The Palo Alto Historic Preservation Code makes no distinctions among classes of property owners.
    - E.g., The Code is blind to academic titles.
- The property owner's role in the session is to present the facts of the Memorial Flagpole's damage, and explain its subsequent treatment.
- What HRB must *study* is whether this treatment was in accordance with the Historic Preservation Code, and thus served the public good.
  - The property owner cannot evaluate its own Code accordance.
- The Study Session's presentations must therefore include advocates for the both the private property and the public good.
- Post 375 is supremely qualified to advocate for the Memorial Flagpole's historic integrity and public good.
  - [American Legion Palo Alto Post 375](#) is the sole surviving organization fulfilling the City of Palo Alto's to 1919 Community House dedication to public use. As such Post 375 is intrinsic to the property's historical integrity, as ours is its original, dedicatory and historic public use.
  - As the Memorial Flagpole commemorates Veterans, American Legion Post 375 regards its protection as central to its purpose.
- It was Post 375 who introduced the Memorial Flagpole issue to the HRB, and strongly advised Stanford to seek HRB oversight. Without Post 375's exertions, the Memorial Flagpole's dubitable treatment would remain the property owner's private affair.
  - The Study Session [was announced at the March 9th HRB](#), paraphrased as follows: "we have some interest from Stanford to come and talk about the flagpole and plaque at the Veterans building".
  - Post 375 first [inquired](#) to the HRB about the Memorial Flagpole's irregular treatment on March 18th, 2022. *A year ago*.
    - [Chair Willis replied](#) that the Memorial Flagpole's treatment was not in HRB's purview. Post 375 was undaunted.
  - The report we provided compiles Post 375's repeated communications with Stanford advising the Memorial Flagpole's treatment be brought to the HRB.
    - Stanford only contacted the HRB after Post 375 advised it would itself re-introduce the issue to the HRB.

If the upcoming HRB event is indeed a *study* session, it will review not only the bare facts of the Memorial Flagpole's damage and treatment, but assess these in relation to its historical integrity and public good. The property owner cannot address the public good, whereas Post 375 can. Moreover, that there is a Study Session at all owes entirely to Post 375's initiative. If this Study Session is to accomplish its objective of publicly settling this matter, Post 375's and the property owner's standing must be equal.

Sincerely,

William von Kaenel  
Commander  
American Legion Palo Alto Post 375

**From:** [William von Kaenel](#)  
**To:** [French, Amy](#)  
**Cc:** [Lait, Jonathan](#)  
**Subject:** Fwd: HRB presentation in April  
**Date:** Sunday, March 26, 2023 3:08:15 PM  
**Attachments:** [image009.png](#)  
[image012.png](#)  
[image002.png](#)  
[image004.png](#)  
[image008.png](#)  
[image011.png](#)  
[Reply Format.pdf](#)  
[HRB MFP Study Session.pdf](#)

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**CAUTION: This email originated from outside of the organization. Be cautious of opening attachments and clicking on links.**

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Dear Ms. French,

I'm writing to follow up on a letter Post 375 sent on Monday March 20 which is attached below. The letter seeks to clarify the presentation format and standing of the Post at the HRB study session on April 13 regarding the National Register designated Memorial Flagpole at the Julia Morgan Veterans Memorial Building (VMB).

We haven't yet received acknowledgement that Planning and Development Services has received our letter, and await guidance and an understanding on how to prepare for the April 13 meeting in order to properly present our defense of the Memorial Flagpole that we hold dear.

In our letter, Post 375 took pains to fully elaborate on our rationale for equal standing with the property owner in presenting to the HRB. This request for equal standing was necessitated by the specification of other designations to: "Interested parties, stakeholders, and other members of the public". These each suggest a minor format role incongruous with Post 375's foundational VMB heritage, instrumental role in these proceedings' initiation, and provision of a compendious report [attached], whose presentation entails commensurate time.



## The Memorial Flagpole's Damage and Treatment

### Background

In 2020 American Legion Palo Alto Post 375 noted that the Veteran Memorial Building's (aka Hostess House, Community House, and Julia Morgan Building) Memorial Flagpole was abruptly encased in a plywood enclosure. As this box persisted into 2022, Post 375 sought explanation, and finding the box was the erection of property owner Stanford University, we recommended to Stanford officials that the damage and treatment be submitted to the Historic Resources Board (HRB) for review.

This matter is now scheduled at the April 13th HRB meeting as a study session.

We seek here to brief the HRB on the Memorial Flagpole issue. Post 375 believes that the study session should result in a report on the Memorial Flagpole's damage and treatment, containing specific findings as to its conformance with Palo Alto Historic Preservation Code. These findings can be adapted as Motions at subsequent meetings.

### Palo Alto Post 375 and the Veterans Memorial Building (VMB)

Post 375's first task on this HRB matter is to establish its standing in relation to the property's historical integrity.

[American Legion Palo Alto Post 375](#) is the sole surviving organization fulfilling the City of Palo Alto's to 1919 Community House dedication to public use.



Community House Dedication Plaque, 1919.

- The City of Palo Alto dedicated the Community House on Armistice Day, 1919 as a [World War One Memorial](#) whose public use will “[perpetuate these ideals of fellowship and service](#)”.
- The American Legion was integral to the Community House’s [inception](#), 1919 dedication and initial public use.
  - [Post 52 held meetings at the Community House in November 1919.](#)
  - In 1920, [Post 52 erected the VMB flagpole.](#)
- Founded in 1930, Post 375 was a 1937 organizer of the [United Veterans Council of Palo Alto](#) (UVCOPA).
- [In 1938 Palo Alto provided UVCOPA the Community House lease](#), and [renamed it the Veterans’ Building.](#)
- In 1953, UVCOPA and Palo Alto [dedicated](#) the [Servicemen and Servicewomen Memorial](#) on the Memorial Flagpole platform.
- At its 1976 dedication as [California Historical Landmark No. 895](#), the property was renamed the [Veterans Memorial Building](#), which remains its [official name](#).
- [In 1981, Palo Alto provided UVCOPA](#) the use of the 2,500 square foot [Veterans Area](#).
- In 1999, [Stanford assumed the VMB lease from Palo Alto](#), with “all of its obligations”, and continued provision of the Veterans Area.

- Post 375 has enjoyed the use of the Veterans Area for our monthly meetings to the present day, thereby fulfilling 104 continuous years of the building's dedicatory public use.
- Whether or not the City of Palo Alto still proudly upholds the Community House's 1919 Dedication, or has revoked it by neglect, the founding dedication is integral to the property's history, to which Post 375's continued use is living testament.

Post 375's use of the VMB in its Veterans Area is intrinsic to the VMB's historical integrity, as ours is the property's original, dedicatory and historic public use, fulfilling both Palo Alto and national historic property criteria.

- [Palo Alto's Criteria for Designation in the Historical Inventory.](#)
  - The structure or site is particularly representative of... a way of life important to the city, state or nation.
  - The structure or site is connected with a business or use which was once common, but is now rare.
- [The Secretary of the Interior's Standards for the Treatment of Historic Properties: Standards for Preservation.](#)
  - "A property will be used as it was historically".

Without the Veterans Area and Post 375's use, the VMB becomes merely a commercial property with an assortment of plaques.

As the sole public civic organization invested in the Veterans Memorial Building (VMB), Post 375's considers the VMB's preservation and protection to be its special mission.

So too, as a patriotic Veterans association, Post 375 has a particular interest in the sanctity of VMB's many monuments and memorials.

Post 375 demonstrated this interest by [researching the VMB's memorial dedications](#), and at its [March 2022 HRB Oral Communication](#) inquiring if the HRB considered the VMB's memorial dedications to constitute Criteria for Historical Inventory designation. Post 375 [eagerly anticipates HRB's](#) looking into it and trying to get to us with what they know.

## History of the Memorial Flagpole

[27 University Avenue](#) boasts two separate historic structures, the VMB and the [Memorial Flagpole](#). Both are [included on the VMB's Historical Inventory Detail](#).



Veterans Memorial Building



Memorial Flagpole

The Memorial Flagpole was originally located on “The Circle”, representing Palo Alto to all that passed through or exited from Palo Alto Station.

The exact origins of the large bronze base have remained obscure.

The earliest definite photograph we’ve found is from the visit of [President Theodore Roosevelt in 1903](#).



President Theodore Roosevelt speech at Palo Alto Depot, May 12, 1903. Note Memorial Flagpole on the right.



University Circle with Memorial Flagpole; undated but early.

[Another photograph is undated](#), but car free, and thus early. Seen here also in [1905](#) and [1906](#).



University Circle 1905

From Palo Alto's 1894 founding, [it had a tall flagpole](#). The Town Flag of Palo Alto is often referenced in 1890's newspapers, e.g., the 1898 [The Palo Alto Times reported](#) that "the ... the beautiful flag that is the Pride of Palo Alto, floated to the breeze on Admission Day".

A frustratingly low resolution [1898 photograph](#) appears to show the Memorial Flagpole base behind a carriage.





Outline of Memorial Flagpole?



Outline appears to match

Ultimately, I failed to find the founding origins of the Memorial Flagpole's bronze base. That's left as a prize for later researchers.

Palo Alto had a [Memorial Flagpole dedication ceremony](#) in 1906.

In [1908, the Native Sons of the Golden West funded](#) and [erected](#) an [enormous 205 foot redwood flagpole](#), which the City of Palo Alto [dedicated](#) (thus the "Memorial Flagpole, 1908").



[Native Sons of the Golden West at the dedication of the flag pole, 1908.](#)



[Flag Pole Dedication at the Circle, 1908](#)

The Memorial Flagpole can be seen at The Circle [here in 1918](#), [1930](#), [1938](#), [1939](#) and [1940](#).



The Circle, featuring Memorial Flagpole, 1930s.

With the 1939-41 construction of the University Avenue Underpass, the Memorial Flagpole was moved [in 1941](#), as [seen here](#), to the VMB grounds. Palo Alto's massive 1941 parade for the Underpass opening culminated in front of the [Memorial Flagpole](#) on the VMB grounds.



University Ave Underpass Opening Celebration, 1941

There it supplanted the VMB's original flagpole, [erected in 1920 by the American Legion](#).



Caretaker Charles Olaine poses in front of Community House, 1920s. Flagpole erected by American Legion Post 52.

The Memorial Flagpole at the Veterans Building, [seen here in 1941](#), was monumental in height, and has been shortened several times, [such as in 1957](#).



Monumental Memorial Flagpole, 1941.

It contributed to [Palo Alto's civic life](#).



Flag Raising at the Veterans Building

With its former lease holders, the City of Palo Alto and UVCOPA, the Memorial Flagpole [was professionally maintained](#).



VMB Custodian and Palo Alto Public Works employee performing work on the Memorial Flagpole (1978)

Prior to conducting this research, we did not know the Memorial Flagpole's proud Palo Alto history as a civic shrine and landmark, its historical towering height a similitude of El Palo Alto. There's no explanatory placards onsite, and it's barely mentioned on [local history websites](#). To the many who pass it while hurrying to transit it's merely a hunk of

bronze. Properly treated, the Memorial Flagpole has great potential to again adorn and edify.

It's important to note that one of the base's four plaques commemorates [Grand Army of the Republic Veterans of the Civil War](#).

**1861 – 1865**

**McKinley Post**

Number 187

**Dept. of Calif. And Nev. Grand Army of the Republic Veterans of the Civil War**

Organized in Palo Alto

January 21st 1905

There are at this date fourteen living members whose average age is seventy-five years.

This plaque was dedicated and placed

in position on Decoration Day

May 30th 1918



GAR plaque, dismounted

**Damage to the Memorial Flagpole, mid-2020.**

Post 375 maintains the Memorial Flagpole's flag display, [as seen here](#) on Google Street view, January 2020, prior to its damage.



Google Street View prior to damage

Post 375 noted that at some point in mid-2020 the Memorial Flagpole developed a plywood enclosure. There was neither public or private notice, and the signage was anonymous.



Note commercial signage on a Veterans Memorial



Plywood box enclosing Memorial Flagpole

Post 375 [inquired](#) with public officials, including the HRB, as to the unlabeled box's provenance.

[Chair Willis replied](#) that it is not the kind of thing the HRB was used to dealing with.

Palo Alto Historian Steve Staiger directed us to Director of Stanford Heritage Services, [Professor Laura Jones](#), who we [wrote](#). She [replied](#):

Laura Jones <[ljones@stanford.edu](mailto:ljones@stanford.edu)>

**Date:** Saturday, March 19, 2022 at 7:58 PM

**To:** Ray Powell <[rayrich90@yahoo.com](mailto:rayrich90@yahoo.com)>, Ramsey F. Shuayto <[rshuayto@stanford.edu](mailto:rshuayto@stanford.edu)>, [Steve.Staiger@cityofpaloalto.org](mailto:Steve.Staiger@cityofpaloalto.org) <[Steve.Staiger@cityofpaloalto.org](mailto:Steve.Staiger@cityofpaloalto.org)>

**Subject:** Re: The Hostess House War and Veterans Memorial

Good evening

The base of the flagpole was repeatedly damaged by copper thieves and the plaques were in danger of loss as well. We had the plaques carefully dismounted, and the base secured, and I have the plaques secured at my archaeology lab on campus. Stanford's Real Estate office manages the property now, having recently received it back from the City of Palo Alto. I've copied Ramsey Shuayto here - he is the real estate manager.

Ramsey and I understand and respect the significance of the flagpole and the memorial plaques. It is very helpful to have a connection to the Veterans Council to consult with regarding repairs. I'm sure Ramsey will follow up about this — in the meantime my staff and I would be happy to show you the plaques if you'd like to see them.

Laura

Post 375 was relieved to find the Memorial Flagpole was receiving professional treatment, and [took Stanford up](#) on a chance to inspect the plaques. [We assured HRB Chair Willis](#) that Post 375 was engaged with Stanford on this issue.

Stanford provided Post 375 with photographs of the damaged flagpole prior to its enclosure. Unfortunately, the date and time are removed from the EXIF files. It shows the strip around the plaque perimeter has been pried(?) off. Damage is on the side of the Daughters of the Golden West plaque, away from the street, facing the VMB.



Undated crime scene photograph, prior to construction of enclosure. Damage on side facing VMB.



Detail of damage to copper trim



Damaged Sheet in the Stanford Archeology Lab

### Post 375 Engagement with Stanford and Palo Alto.

Subsequently, Post 375 [engaged with the HRB on VMB memorials](#), with both [Stanford and Palo Alto officials](#) on the successful [Palo Alto-Stanford Veterans Recognition Event](#) at the Veterans Memorial Building, where we read a [VMB Preservation Resolution](#).



Veterans Day Recognition Event flyer



Veterans Day Recognition Event at the VMB



#### National coverage from the American Legion

Post 375 strove to prove the VMB's value to Stanford, with various initiatives:

- Researching the Community House's origins, to [find that Stanford played a predominant role](#).
- Pitched a VMB restoration as a project attractive for [Stanford Development](#).
- Engaged with Stanford [student](#) Veteran and [alumni](#) groups, offering the Veterans Area as a Stanford resource.
- Touted the VMB as a common interest and nexus between Palo Alto and Stanford (see Veterans Day Recognition Event above).
- Post 375 participated in [Stanford Veterans commemorations](#).

Our efforts to generate any VMB preservation interest among Stanford officials fell flat. We were advised not to bother, Stanford had no development interest, and was instead waiting for the VMB's fate to be determined by regional land use initiatives.

#### Post 375's Concerns

As Post 375 became more deeply involved with the Memorial Flagpole damage and treatment, our concern for its historical integrity mounted.

We will seek here to provide the basis for this view.

Stanford officials have never provided evidence, forensics, rationale or expert opinion to attribute the flagpole's damage to "copper thieves". These officials' professional

expertise is in anthropology and property management, not forensics or law enforcement. The credibility of their assertions rests entirely on institutional authority.

Common sense calls the copper theft explanation into question.

- The copper theft explanation was never offered publicly at the time, but only when asked, privately, two years later.
- The Memorial Flagpole had perdured outside for 117 years without copper theft.
- Bronze/copper [abounds nearby unmolested](#), as well as about Palo Alto and Stanford.
- Web searches reveal few nationwide incidences of memorial copper theft.
- Scrap copper isn't lucrative. Even a heavy bronze plaque would return less than \$30. The copper trim section that's missing would yield much less.
- The [price of copper in mid-2020](#) was at four-year lows.
- The photographs of the damage hardly prove the criminal intent was extraction.
- Laws protecting public monuments are severe, exactly to fend against such petty larceny.

In the context of what we found to be an unconvincing copper theft explanation, Post 375 had growing concerns that the vaguely described undocumented damage incident was not reported to the Santa Clara County Sheriff's Office.

We asked on different occasions about the failure to report the Memorial Flagpole's costly physical damage, but no official even attempted to explain to us why this was not done. It seemed circular: Since officials deemed the damage was due to petty larceny copper theft, law enforcement involvement wasn't warranted. But it's law enforcement that determines the crime, not the property owner. And the ramifications were hardly petty.

Here's the basis for Post 375's concern.

- Although the Memorial Flagpole was "repeatedly" damaged, sufficient for repair estimates of \$60,000, Stanford's [property managers](#) never *once* reported the crime.
- Stanford officials, whose expertise isn't crime, volunteered it was pointless to even investigate, citing that "the flagpole has no cameras".
  - Cameras [can be seen trained on the flagpole atop the VMB](#), the damage was on the side facing the VMB, and all three cameras have a clear view.



Cameras atop VMB



Cameras with clear view of Memorial Flagpole

- Responses to Post 375 requests for basic information such as the crime dates(s) have been unforthcoming.
  - EXIF Date and Time stripped from the crime scene photograph files.
- Stanford officials' inexpert assertions that copper theft is unsolvable, unpreventable and rampant are used as justification for the proposal (to Post 375, not the HRB) of a lower standard repair treatment using ersatz material. This seemed to apply a property owner's private interest to a public matter.
- Stanford officials reportedly recommended to Palo Alto officials that the Memorial Flagpole's repair treatment should include the removal of its four (undamaged) plaques from their historic public display, and their relegation to a museum.
  - To Post 375, it appeared inconsistent with historical preservation standards to treat the copper trim damage on *one* side with *four* undamaged plaques' removal.

- Nowhere in historic preservation codes are such historic integrity determinations left to the judgment of the land title holder.
- Stanford officials suggested to Post 375 that the Memorial Flagpole's repair treatment was conditional on the outcome of regional land usage initiatives.
  - [Palo Alto Historic Preservation Code](#) does not cite regional land usage initiatives.

To Post 375, it does not make sense for a property owner to minimize its legal remedies for criminal property damage. Asserting that the Memorial Flagpole's damage was copper theft brings it below the level of prosecution. By simply reporting to law enforcement, the property owner avails itself of protection and possible compensation.

The damage appears to meet the standard for [California Penal Code § 594: Vandalism](#), punishable by a one year imprisonment, and, as the damage is estimated at \$60,000, compensable by a \$50,000 fine.

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**PENAL CODE - PEN**  
**PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4]** ( Part 1 enacted 1872. )  
**TITLE 14. MALICIOUS MISCHIEF [594 - 625c]** ( Title 14 enacted 1872. )

**594.** (a) Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism:

- (1) Defaces with graffiti or other inscribed material.
- (2) Damages.
- (3) Destroys.

Whenever a person violates this subdivision with respect to real property, vehicles, signs, fixtures, furnishings, or property belonging to any public entity, as defined by Section 811.2 of the Government Code, or the federal government, it shall be a permissive inference that the person neither owned the property nor had the permission of the owner to deface, damage, or destroy the property.

(b) (1) If the amount of defacement, damage, or destruction is four hundred dollars (\$400) or more, vandalism is punishable by imprisonment pursuant to subdivision (h) of Section 1170 or in a county jail not exceeding one year, or by a fine of not more than ten thousand dollars (\$10,000), or if the amount of defacement, damage, or destruction is ten thousand dollars (\$10,000) or more, by a fine of not more than fifty thousand dollars (\$50,000), or by both that fine and imprisonment.

To Post 375, a public report of the crime would seem indispensable for a property owner's insurance, tax, and public reporting purposes. It made no sense that [professional property managers](#) would fail to report the Memorial Flagpole's serious damage to law enforcement.

Even more troubling to Post 375 has been its impression that the VMB's listing in the [National Register of Historic Places](#) subjects the property owner and the local historic

agency to [Federal Historic Preservation Laws](#) and U.S. Criminal Code protecting veterans memorials.

Perhaps our American Legion perspective lends us greater cognizance of the Federal interest in providing legal protections for National Register of Historic Places properties, as these are the public good not just of the municipality, but the nation. Similarly, veterans memorials are protected by severe U.S. Criminal Law penalties because honoring veterans' service is inherently a national interest.

The Federal Government stands ready to potentially provide justice for the injury the Memorial Flagpole's damage did to the national public good, but that justice was denied by the crime's failure to be reported.

That said, Post 375 is no Federal law expert, except to know that compliance is the determination of public authorities and not the property owner.

The Federal laws of concern here are:

- The failure to report the Memorial Flagpole's willful defacement to any public agency denied the VMB the justice of [18 U.S. Code § 1865 - National Park Service](#).

**"§ 1865. National Park Service**

"(a) VIOLATION OF REGULATIONS RELATING TO USE AND MANAGEMENT OF NATIONAL PARK SYSTEM UNITS.—A person that violates any regulation authorized by section 100751(a) of title 54 shall be imprisoned not more than 6 months, fined under this title, or both, and be adjudged to pay all cost of the proceedings.

"(b) FINANCIAL DISCLOSURE BY OFFICERS OR EMPLOYEES PERFORMING FUNCTIONS OR DUTIES UNDER SUBCHAPTER III OF CHAPTER 1007 OF TITLE 54.—An officer or employee of the Department of the Interior who is subject to, and knowingly violates, section 100737 of title 54 or any regulation prescribed under that section shall be imprisoned not more than one year, fined under this title, or both.

"(c) OFFENSES RELATING TO STRUCTURES AND VEGETATION.—A person that willfully destroys, mutilates, defaces, injures, or removes any monument, statue, marker, guidepost, or other structure, or that willfully destroys, cuts, breaks, injures, or removes any tree, shrub, or plant within a national military park shall be imprisoned not less than 15 days nor more than one year, fined under this title but not less than \$10 for each monument,

statue, marker, guidepost, or other structure, tree, shrub, or plant that is destroyed, defaced, injured, cut, or removed, or both.

- Failure to report the Monument's original criminal injury, delaying repairs, and constructing an unauthorized structure removing the monument from public

display for three years might be viewed as compounding the monument's injury without obtaining permission from any government agency, and a possible violation of [18 U.S. Code § 1866 - Historic, archeologic, or prehistoric items and antiquities](#).

**§ 1866. Historic, archeologic, or prehistoric items and antiquities**

(a) VIOLATION OF REGULATIONS AUTHORIZED BY CHAPTER 3201 OF TITLE 54.—A person that violates any of the regulations authorized by chapter 3201 of title 54 shall be fined under this title and be adjudged to pay all cost of the proceedings.

(b) APPROPRIATION OF, INJURY TO, OR DESTRUCTION OF HISTORIC OR PREHISTORIC RUIN OR MONUMENT OR OBJECT OF ANTIQUITY.—A person that appropriates, excavates, injures, or destroys any historic or prehistoric ruin or monument or any other object of antiquity that is situated on land owned or controlled by the Federal Government without the permission of the head of the Federal agency having jurisdiction over the land on which the object is situated, shall be imprisoned not more than 90 days, fined under this title, or both.

(Added Pub. L. 113-287, §4(a)(1), Dec. 19, 2014, 128 Stat. 3261.)

- Failing to report to any public agency the willful injury of the Memorial Flagpole which commemorates the service of persons in the U.S. armed forces potentially denies veterans the rigorous justice of [18 U.S. Code § 1369 - Destruction of Veterans' Memorials](#).

**§ 1369. Destruction of veterans' memorials**

(a) Whoever, in a circumstance described in subsection (b), willfully injures or destroys, or attempts to injure or destroy, any structure, plaque, statue, or other monument on public property commemorating the service of any person or persons in the armed forces of the United States shall be fined under this title, imprisoned not more than 10 years, or both.

(b) A circumstance described in this subsection is that—

(1) in committing the offense described in subsection (a), the defendant travels or causes another to travel in interstate or foreign commerce, or uses the mail or an instrumentality of interstate or foreign commerce; or

(2) the structure, plaque, statue, or other monument described in subsection (a) is located on property owned by, or under the jurisdiction of, the Federal Government.

(Added Pub. L. 108-29, §2(a), May 29, 2003, 117 Stat. 772.)

The difference with 18 U.S. Code § 1369 is that it's a Federal felony, which under [§ 4. Misprision of felony](#) obligates those aware of its commission to report to law enforcement.

**§ 4. Misprision of felony**

Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 684; Pub. L. 103-322, title XXXIII, §330016(1)(G), Sept. 13, 1994, 108 Stat. 2147.)

While Misprision of felony [is rarely prosecuted](#), and only under very specific conditions, its existence as a law is enough to inform any discussion of whether the damage to the Memorial Flagpole veteran's monument should have been reported.

Post 375 has no legal expertise, we can only research the laws and see what might apply. Maybe we are way off base. To us, however, it seems that the injury to the Memorial Flagpole ought to definitely have been reported. The easy and only way to

ally legitimate concerns is to publicly report the 2020 injury and unauthorized treatment is for the HRB to retrospectively review the Memorial Flagpole's damage and treatment.

This is necessary now, because it never was submitted to the HRB.

### **Conformance with Palo Alto Historic Preservation Code**

The original damage to the Memorial Flagpole was not reported to law enforcement. In lieu of repairs, the subsequent treatment consisted of erection of an expedient plywood enclosure, which has persisted for at least 2-1/2 years. During this time, Post 375 was privately advised of repair plans, which to our knowledge consisted only of obtaining repair estimates to Department of Interior standards that were deemed too costly. No repair work has been performed, and no application made for Historic Project Review.

The [Historic Preservation Code](#) intends to thwart [demolition by neglect](#), and for this reason requires property owners to keep exterior features free of structural defects through *prompt corrections*. *Prompt* isn't specified, but 2-1/2 years likely isn't.

#### **16.49.080 Maintenance of historic structures in the downtown area.**

The owner, lessee or other person legally in possession of a historic structure ... shall comply with all applicable codes, laws and regulations governing the maintenance of property. Additionally, it is the intent of this section to **preserve from deliberate or inadvertent neglect the exterior features of buildings designated as significant**. All such buildings shall be preserved against such decay and deterioration, and **shall remain free from structural defects through prompt corrections...**

Regulatory delay cannot be the reason for dilatory repairs. The treatment was not submitted for Historic Project Review, as the Preservation Code would seem to require.

#### **16.49.050 Exterior alteration of historic structures.**

(a) Review Process. All applications for a building permit for exterior alteration to any... significant building...shall be reviewed as follows:

(2) ... the proposed alterations should not adversely affect:

(A) The exterior architectural characteristics nor the historical, architectural or aesthetic value of the building and its site...

To Post 375 it appears that the lack of prompt repairs and failure to obtain Historic Project Review is askance the Palo Alto Historical Preservation Code. If Post 375 thinks this, others might too, and if this impression is mistaken it would be unfair to the parties involved. It is imperative that HRB make a retrospective determination as to

whether the Memorial Flagpole's treatment was in accordance with the Palo Alto Historic Preservation Code.

### **Post 375 urges the Memorial Flagpole repair to undergo Historic Project Review.**

The more deeply Post 375 engaged with Memorial Flagpole issues, the more convinced we became of the need for public HRB oversight.

Accordingly, Post 375 [urged Stanford officials to report](#) the Memorial Flagpole's damage and Stanford's repair plan to the Palo Alto Historical Resources Board (HRB), as per requirements of the [Palo Alto Historic Preservation Code](#). [In reply](#), mention is made of Secretary of the Interior standards, but of not the Palo Alto HRB.

[We replied, returning to the HRB issue](#), and relating that the VMB had been discussed at the HRB as being in Palo Alto's jurisdiction.

A further reminder in January elicited [a brief reply not mentioning the HRB](#), however, soon a Zoom meeting with Post 375 and Stanford's VMB property manager was arranged.

In advance of the Zoom meeting, [Post 375 offered to inform the HRB](#) of the Memorial Flagpole issue, inviting Stanford's participation.

At our friendly, cordial and candid Zoom meeting Post 375 discussed many of the issues in this paper.

Happily, [Stanford responded](#), informing us that they'll bring the Memorial Flagpole issue to the HRB, which is now scheduled for April 13 as a study session, which this paper addresses.

### **Post 375 ponders Stanford's VMB strategy.**

Post 375 started its engagement of the Memorial Flagpole issue optimistic that it would be resolved in a manner consistent with an august institution's ownership of a National Register of Historic Places property.

This optimism faded, however, and Post 375 officers, some of whom are Stanford alumni, were perplexed as to Stanford's seeming indifference to its own property's condition and historical integrity.

What first necessitated Post 375's plumbing of Stanford's VMB motivations was the existential threat posed by Stanford's peremptory 2021 action of [awarding the Veterans' Area lease to the restaurant](#). This resulted in the stripping of Post 375's and East Palo Alto Post 472's [decorations from the Veterans Area](#), limiting its use to the pleasure of the restaurant, and essentially ending the VMB's 102-year history of dedicatory public use. All this to the unequivocal detriment of the public good, the VMB's historical integrity, and to Post 375

The VMB's preservation may be a priority for many in the community, but for Post 375 it is a matter of survival. We *had* to gain a clear-eyed understanding our landlord's motivation, and fight to protect every element of the VMB's historical integrity, which includes our VMB heritage.



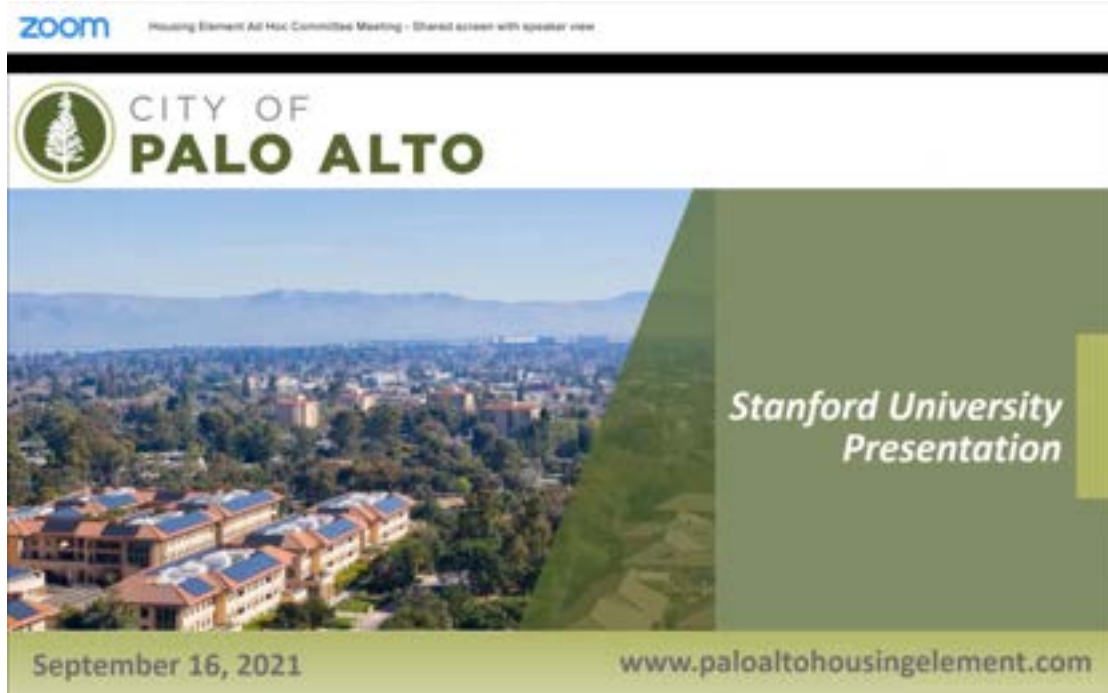
Post 375 dedicating the Serviceman and Servicewomen Memorial, 1953.

### The Palo Alto Transit Center pitch to relocate the VMB.

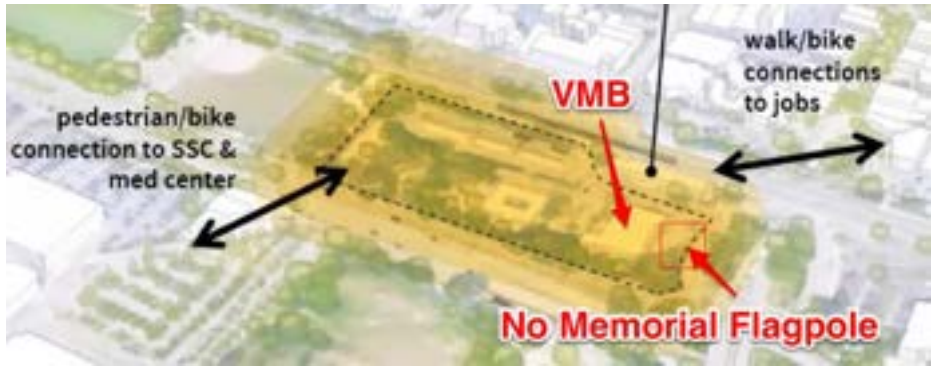
In Post 375's struggle to preserve veterans' VMB access, we noticed Stanford's repeated and determined attempts to densely develop the entire 4.5 acre [Palo Alto Transit Center](#) (PATC) parcel (requiring the [VMB's relocation](#)) with high-rise buildings.

- In 2012, Stanford obtained preliminary approval for a [high-rise project](#), but it was [defeated](#), assisted by [objections from the Historical Resources Board](#).
- In 2014, Stanford proposed a [research park](#).
- In 2021 Stanford [offered regional](#) and [municipal agencies](#) the [4.5 acre parcel](#) to accommodate a [137-foot, 530-unit block tower apartment](#).

Post 375 began to suspect that Stanford's VMB historical integrity indifference served a larger strategic design. These suspicions found further support in our viewing a [Zoom video](#) of Stanford's September 16, 2021 presentation to the Palo Alto Housing Element ad hoc Committee.



Stanford [Lands, Buildings & Real Estate](#) (LBRE) officials waxed enthusiastic over the development potential of the 4.5 acre Palo Alto Transit Center (PATC), 1.08 acres of which is the VMB parcel.



LBRE officials limited mention of PATC harboring an *Historic building (MacArthur Park)* to a bullet point, and thus left implicit that this option requires relocation of a National Register of Historic Places building.

## Palo Alto Transit Center: Overview

**SOUND & SUSTAINABLE PLANNING**

- ~4.5 acres
- Critical multi-modal transit center use (many transit agency stakeholders)
- Historic building (MacArthur Park)
- No existing long-term leases
- Includes small area of underutilized, underimproved park area

LBRE presenters lauded PATC as the ideal location for a parking-deprived, height-restriction-shattering 137 foot, 530 unit [tower block apartment](#).

## Palo Alto Transit Center: Capacity Analysis

### Capacity Ranges

Options	Unit Count
Minimum 5-story over 2-story at-grade parking (75-85')	180 - 270
At height of Hoover Pavilion (105')	360 - 425
At height of Alma Tower (137')	465 - 530

### Key Considerations

- ✓ Minimum 5 stories of housing over 2-story at-grade parking
- ✓ "Transit first" perspective
  - **Historic Preservation, zero**
- ✓ Investment in transit resources and mobility enabled by addition of other uses, including some new commercial and office
- ✓ Optimal location for height and density
- ✓ Reduction in parking requirements could enable higher unit count (appropriate location for lower parking ratios due to transit location and walkability to jobs, retail and services)
- ✓ Opportunity to create a vibrant mix of uses and grander public connection through site between Downtown Palo Alto and Stanford Shopping and Medical Center
- ⊘ **Requires relocation of National Register of Historic Places building.**

Stanford University

LBRE officials touted Stanford's *Four Foundational Pillars*, which support 17 *Guiding Principles*. Historical Preservation not included.

zoom Housing Element Ad Hoc Committee Meeting - Shared screen with speaker view

**Stanford University**

**Overview**  
8.5.21 Working Group  
Stanford Presentation

- **Overview of Stanford endowed land**
  - 8,180 acres located across 7 jurisdictions.
- **Stanford's perspective about housing on its Palo Alto lands**
  - Anchored by Comprehensive Plan policies
  - Guided by Stanford's four key "foundational pillars"
- **Ground lease complexity**
  - 93% of Palo Alto lands ground leased
  - HCD compliance requirements
- **Mayfield Development Agreement Case Study**
  - Past success

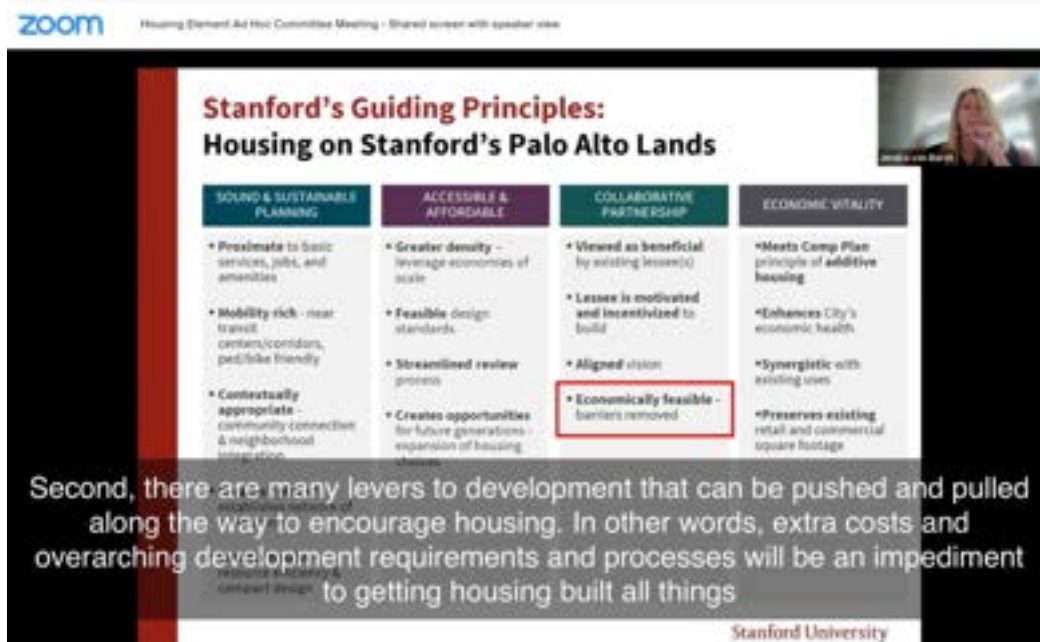
**Stanford's Guiding Principles:  
Housing on Stanford's Palo Alto Lands**

SOUND & SUSTAINABLE PLANNING	ACCESSIBLE & AFFORDABLE	COLLABORATIVE PARTNERSHIP	ECONOMIC VITALITY
<ul style="list-style-type: none"> <li>• Proximate to basic services, jobs, and amenities</li> <li>• Mobility rich - near transit centers/corridors, ped/bike friendly</li> <li>• Contextually appropriate - community connection &amp; neighborhood integration</li> <li>• Creates "place" - establishes network of experiences</li> <li>• Greater height - resource efficiency &amp; compact design</li> </ul>	<ul style="list-style-type: none"> <li>• Greater density - leverage economies of scale</li> <li>• Feasible design standards</li> <li>• Streamlined review process</li> <li>• Creates opportunities for future generations - expansion of housing choices</li> </ul>	<ul style="list-style-type: none"> <li>• Viewed as beneficial by existing lessee(s)</li> <li>• Lessee is motivated and incentivized to build</li> <li>• Aligned vision</li> <li>• Economically feasible - barriers removed</li> </ul>	<ul style="list-style-type: none"> <li>• Meets Comp Plan principle of additive housing</li> <li>• Enhances City's economic health</li> <li>• Synergistic with existing uses</li> <li>• Preserves existing retail and commercial square footage</li> </ul>

**Historic Preservation**

Stanford University

LBRE presenters averred that *there are many levers to development that can be pushed or pulled along the way to encourage housing. ...Overarching development requirements and processes will be an impediment to getting housing built.*



Post 375's interpretation is that:

- The Stanford Board of Trustees has decided that development of the PATC takes priority over preservation of the National Register of Historic Places VMB.
  - LBRE officials dutifully implement Trustees' policy.
- PATC development requires vigorous Stanford initiatives (*levers to development that can be pushed and pulled*).
- Historic Preservation is an *overarching development requirement and process* that exemplifies an *impediment to getting housing built*.
- The Palo Alto Historic Preservation Code and National Register of Historic Places regulations that protect the VMB impede the PATC development's *economic feasibility*, and are thus *barriers to be removed*.

In Post 375's view, the reduction of Historic Preservation to a *barrier and impediment* to the State-prioritized good of *housing* is an invitation for officials to extend the *push and pull of development levers* past conventional boundaries.

In other words, historic preservation is a speed bump on the road to *housing* to either drive *over* or *around*.

With the Memorial Flagpole's unexpected 2020 damage, LBRE officials were abruptly confronted with an imposing HRB oversight speed bump, forcing a decision to either report damage to the Sheriff's, and drive *over* the speed bump, or not report, and drive *around* it. Fatefully, the latter was chosen.

## HRB and the National Register of Historic Places.

The Veterans Memorial Building is listed in the National Register of Historic Places.

Stanford's holds the fee simple title to 27 University Avenue, and its role is the [Owner](#), to which I will often refer to it here.

(k) **Owner or owners.** The term owner or owners means those individuals, partnerships, corporations or public agencies holding fee simple title to property. Owner or owners does not include individuals, partnerships, corporations or public agencies holding easements or less than fee interests (including leaseholds) of any nature.

Properties shall not be included in the National Register over the objection of the property owner.

### [§302105. Owner participation in nomination process](#)

**b) When Property Shall Not Be Included on National Register or Designated as National Historic Landmark.**—*If the owner of any privately owned property... object to inclusion or designation, the property shall not be included on the National Register or designated as a National Historic Landmark until the objection is withdrawn.*

#### **§302105. Owner participation in nomination process**

(a) **Regulations.**—The Secretary shall promulgate regulations requiring that before any property may be included on the National Register or designated as a National Historic Landmark, the owner of the property or a majority of the owners of the individual properties within a district in the case of a historic district, shall be given the opportunity (including a reasonable period of time) to concur in, or object to, the nomination of the property for inclusion or designation. The regulations shall include provisions to carry out this section in the case of multiple ownership of a single property.

(b) **When Property Shall Not Be Included on National Register or Designated as National Historic Landmark.**—*If the owner of any privately owned property, or a majority of the owners of privately owned properties within the district in the case of a historic district, object to inclusion or designation, the property shall not be included on the National Register or designated as a National Historic Landmark until the objection is withdrawn.*

(c) **Review by Secretary.**—The Secretary shall review the nomination of the property when an objection has been made and shall determine whether or not the property is eligible for inclusion or designation. If the Secretary determines that the property is eligible for inclusion or designation, the Secretary shall inform the Advisory Council on Historic Preservation, the appropriate State Historic Preservation Officer, the appropriate chief elected local official, and the owner or owners of the property of the Secretary's determination.

(Pub. L. 113-267, §3, Dec. 19, 2014, 128 Stat. 3193.)

In 1976 [when the VMB was listed](#), the owner Stanford lodged no objection. In 1999 Stanford freely obtained [the VMB Lease from Palo Alto](#), with “all of its obligations”.

If 47 years later, the Owner now finds being a National Register property owner inconvenient, that's a problem entirely of its own making. In 1976 Stanford committed itself as a National Register Owner; changed circumstances now are no license to use its institutional power as a lever to spoil the building's historical integrity while lobbying for its relocation and National Register deletion.

The VMB's Owner explicitly seeks its property's relocation, which is antithetical to the National Register's purpose.

(b) *Relocating properties listed in the National Register.*

- (1) Properties listed in the National Register should be moved only when there is no feasible alternative for preservation. When a property is moved, every effort should be made to reestablish its historic orientation, immediate setting, and general environment.

There's no strong rationale for relocation. There are a multitude of *feasible alternatives* to the VMB's relocation; for example, develop 3.5 acres of the PATC, and leave the VMB's one acre alone.

Without successful application to the National Park Service (NPS) *prior* to the move, relocation of the VMB would result in its automatic deletion from the National Register.

- (4) In the event that a property is moved, deletion from the National Register will be automatic unless the above procedures are followed prior to the move. If the property has

The pre-approval process for National Register retention upon relocation is arduous, and in the VMB's case the prospects are poor. It's probable that the VMB would lose its National Register listing, an outcome authored entirely by the Owner.

(2) If it is proposed that a property listed in the National Register be moved and the State Historic Preservation Officer, Federal agency for a property under Federal ownership or control, or person or local government where there is no approved State Historic Preservation Program, wishes the property to remain in the National Register during and after the move, the State Historic Preservation Officer or Federal Preservation Officer having ownership or control or person or local government where there is no approved State Historic Preservation Program, shall submit documentation to NPS prior to the move. The documentation shall discuss:

- (i) The reasons for the move;
- (ii) The effect on the property's historical integrity;
- (iii) The new setting and general environment of the proposed site, including evidence that the proposed site does not possess historical or archeological significance that would be adversely affected by the intrusion of the property; and
- (iv) Photographs showing the proposed location.

Stanford's leveraging of its owner role to achieve Register deletion isn't limited to lobbying for Relocation; it at best expends no effort to preserve the VMB's historical integrity, instead acting at every opportunity as if seeking to achieve the Grounds for National Register removal.

**§ 60.15 Removing properties from the National Register.**

- (a) Grounds for removing properties from the National Register are as follows:
  - (1) The property has ceased to meet the criteria for listing in the National Register because the qualities which caused it to be originally listed have been lost or destroyed, or such qualities were lost subsequent to nomination and prior to listing;

The Owner's diffidence to the VMB's historical integrity is seen in the Memorial Flagpole damage incident, which is the Owner's manifest (and perhaps legal) duty, first to report to law enforcement, and then submit for HRB review.

The Provisions of the National Historic Preservation Act (NHPA) are carried out not by the NPS, but by the State Historic Preservation Program, delegated by California to the Palo Alto Historic Resources Board.

(n) **State Historic Preservation Program.** The State Historic Preservation Program is the program established by each State and approved by the Secretary of Interior for the purpose of carrying out the provisions of the National Historic Preservation Act of 1966, as amended, and related laws and regulations. Such program shall be approved by the Secretary before the State may nominate properties to the National Register. Any State Historic Preservation Program in effect under prior authority of law before December 12, 1980, shall be treated as an approved program until the Secretary approves a program submitted by the State for purposes of the Amendments or December 12, 1983, unless the Secretary chooses to rescind such approval because of program deficiencies.

It's the HRB's duty to determine if its National Register property owners are acting within the NHPA's provisions. Failure to report to local authorities thereby also eludes National Register review.

Should the potentially flaunted Federal laws cited above ever draw NPS's scrutiny to the Memorial Flagpole matter, the HRB's proceedings will figure in the probe. It would seem prudent for the HRB's proceedings to document that for three years the Owner's Flagpole treatment was unreported and unauthorized, lest the HRB share in adverse Federal findings.

### **The April 13<sup>th</sup> Study Session.**

The 2020 damage to the Memorial Flagpole will first enter HRB proceedings April 13<sup>th</sup> as a Study Session, which presumably may lead to becoming a regular agenda item with motions.

This is a complex case, with much to consider. The important aspects for HRB's consideration, however, are simple:

- Post 375 has strong standing in matters of the VMB's historical integrity.
  - Unique among the involved parties, to Post 375 the VMB's preservation is existential.
- The Memorial Flagpole has its own historic significance, is included on the VMB's Historical Inventory Detail, and enjoys the property's historic protections.
- In 2020 the Memorial Flagpole sustained criminal damage estimated to exceed \$10,000, that the Owner did not report to the Santa Clara County Sheriff's Department.
  - While not a legal duty, the reporting of serious vandalism of a National Register listed property to law enforcement is strongly advisable.

- If [18 U.S. Code § 1369 - Destruction of Veterans' Memorials](#) applies, reporting may have been a legal duty.
- Neither the Memorial Flagpole's damage nor its irregular treatment was submitted to the HRB.
  - Palo Alto Historic Preservation Code requires that owners submit treatment plans for Historical Project Review.
- The Memorial Flagpole did not receive prompt correction of structural defects the Palo Alto Historic Preservation Code requires of Category One owners.
- The VMB's listing in the National Register of Historic Places renders the Memorial Flagpole's damage a Federal matter, which introduces the HRB, and the City of Palo Alto, to Federal liability.
- Active lobbying for VMB relocation (triggering National Register deletion), calls into question the Owner's commitment to fulfillment of the National Register duties that it freely undertook.

The VMB and Stanford are the Historic Inventory's most prominent property and property owner, respectively. Stakeholders will note well and long remember what the HRB does here. Closure of the Flagpole issue with an off-record study session will constitute the HRB's retrospective endorsement of the Memorial Flagpole's damage having been kept a private matter. The dubitable aspects of its treatment detailed above will be established as new HRB standards, and pose Federal oversight liabilities.

Post 375 recommends that the Study Session include a report that retrospectively reviews the conformance of the Memorial Flagpole's damage, reporting and treatment to the Palo Alto Historic Preservation Code. At a subsequent HRB meeting, the report's findings can be adapted as motions, so that the HRB proceedings will not be silent on such a momentous issue.



# The Palo Alto Flagpole: From the Circle to the Hostess House

# TIMELINE: 1908 NSGW Flagpole at University Circle



Palo Alto Trustee William Dean asked the local chapter of the fraternal organization Native Sons of the Golden West (NSGW) to raise funds to buy a town flagpole in 1907.

Raising of the 206-foot flagpole at the Circle in 1908 before the plinth was placed around the base. Note the standing platform on the lower section of the pole.



## TIMELINE: 1908 NSGW Flagpole at University Circle

Item 2

Attachment D Flagpole Timeline and  
Historic Resource Status

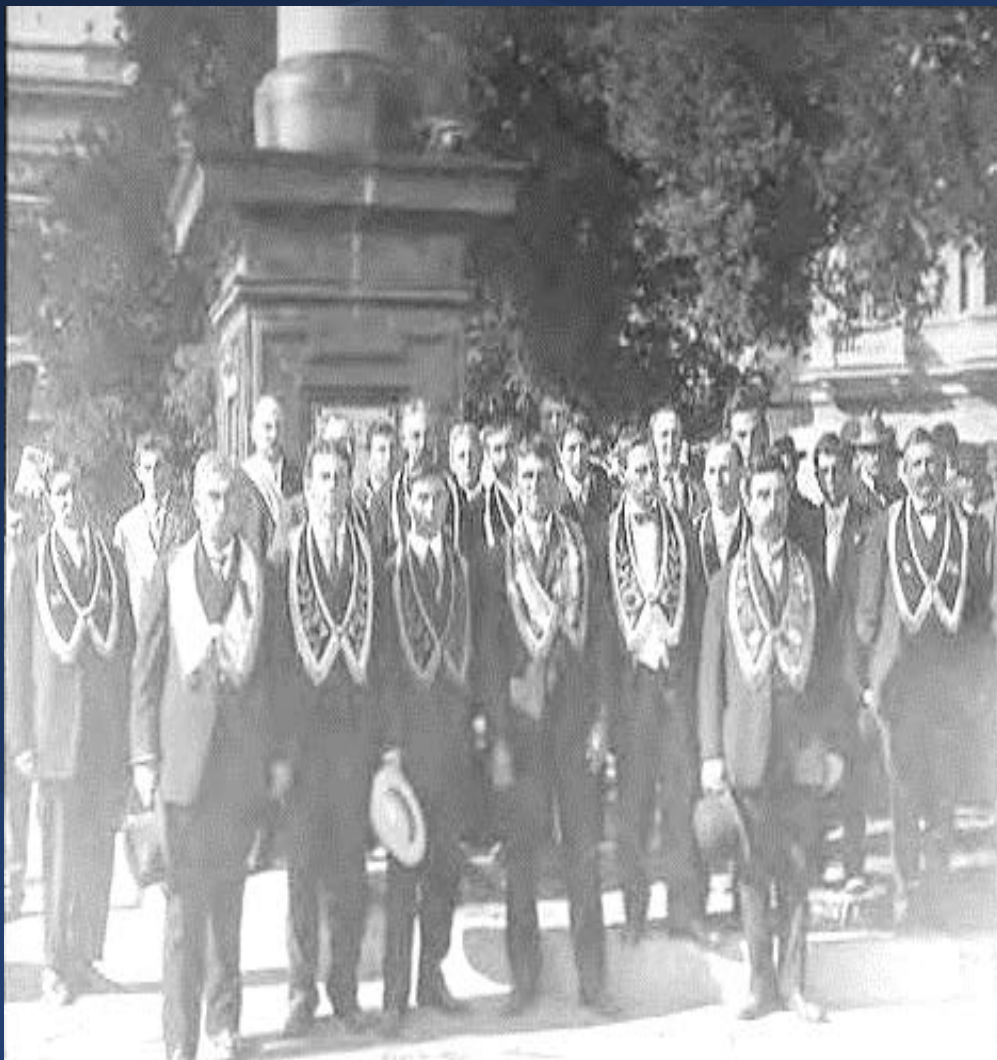


Dedication Day of the  
Palo Alto flagpole at the  
Circle: October 26, 1908.  
No plaques had been  
made for the plinth yet.

## TIMELINE: 1908 NSGW Flagpole at University Circle

Item 2

Attachment D Flagpole Timeline and  
Historic Resource Status



In addition to the NSGW, the Native Daughters of the Golden West, the Grand Army of the Republic and the California Pioneers of Santa Clara County agreed to each provide a plaque for the plinth.

The Native Sons of the Golden West at the flagpole dedication, wearing their ceremonial sashes.

## TIMELINE: Circa 1918 NSGW Flagpole at University Circle

Item 2

Attachment D Flagpole Timeline and  
Historic Resource Status



The Palo Alto Flagpole held pride of place at the Circle, standing on a corner of University Avenue.

Cadets marched past the pole in 1918, after America joined in fighting WWI.





The YWCA Hostess House at Camp Fremont in Menlo Park was designed by master architect Julia Morgan in the Bay Tradition style. It was used between 1918 and 1919 to provide entertainment to the soldiers but, more importantly, provided aid to both soldiers and their families in numerous ways.

## TIMELINE: 1919 Hostess House moved to El Camino Park, Palo Alto\*

Item 2

Attachment D Flagpole Timeline and  
Historic Resource Status



The new Community Center  
opened on Armistice Day,  
November 11, 1919.

The town of Palo Alto paid \$1 to own the Hostess House, valued at \$20,000 at the time. Moved in pieces to its current site in Palo Alto in mid-1919, it was used as a municipal community center from 1919 until 1935 or 1936.

\*Stanford University is the landowner; Stanford leased El Camino Park to the City of Palo Alto in 1915



## TIMELINE: 1920 Hostess House receives flagpole from American Legion Post 52

Item 2

Attachment D Flagpole Timeline and  
Historic Resource Status



Mr. Archibald, who moved the structure, bought the new flagpole. Members of the new veterans group, Palo Alto-Stanford Fremont Post 52 of the American Legion, paid for the flag and volunteered their time and labor in raising the pole sometime between June 10, 1920 and July 16, 1920. New landscaping surrounded the flagpole.

# TIMELINE: 1920 – 1941 Multiple flagpoles



Between 1920 and 1941 there were multiple flagpoles: the NSGW pole at the Circle and the American Legion pole at the Hostess House (Community Center). Two additional flagpoles were mounted on the front of the Hostess House.

## TIMELINE: 1932 – 1941 American Legion Flagpole at Hostess House

Item 2

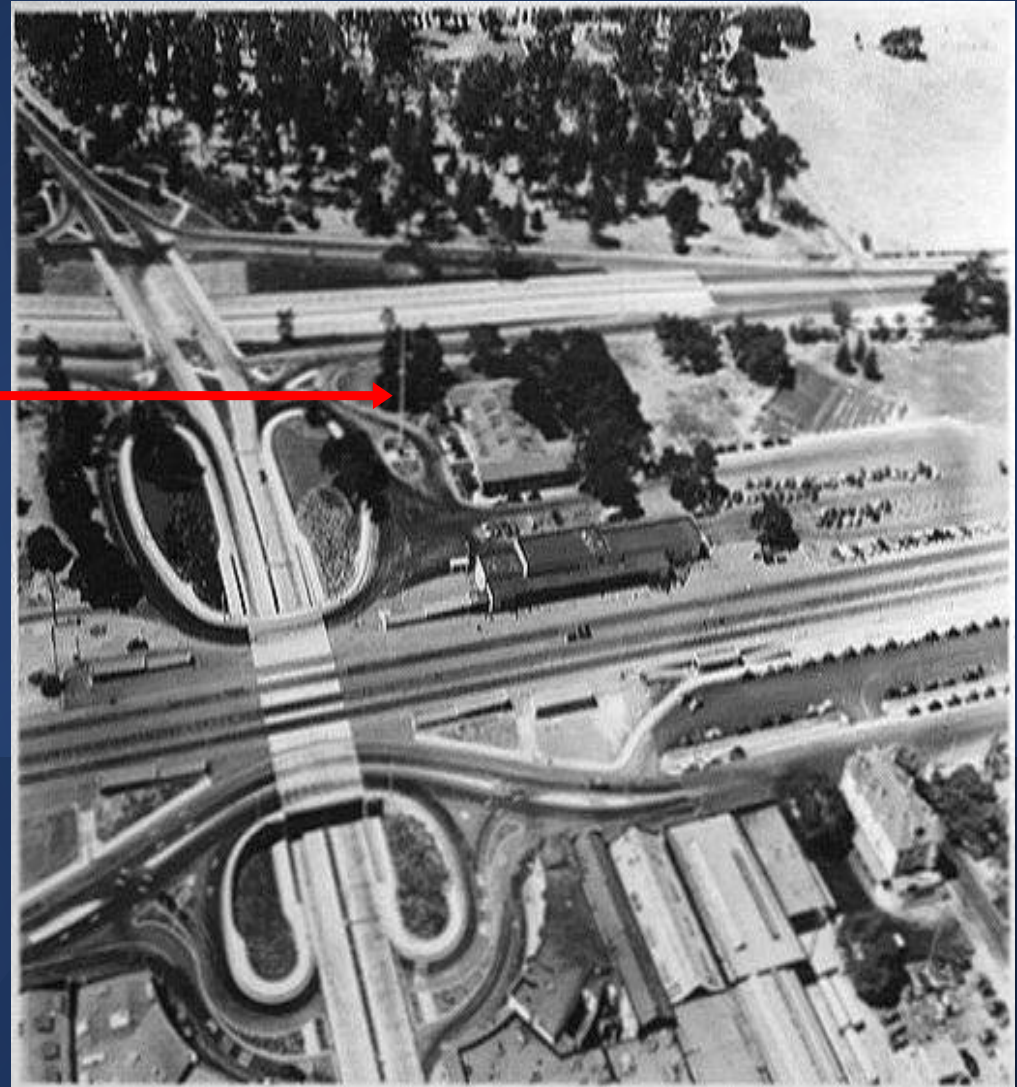
Attachment D Flagpole Timeline and  
Historic Resource Status



The Hostess House flagpole ca. 1932-1941. The Community Center program moved to the Lucie Stern Theater and Community Center on Middlefield and a local veterans' group leased the building from 1937-1976.

# TIMELINE: 1941 NSGW flagpole relocated from University Circle to Hostess House

Construction of the new underpass began in 1940 (*below*). The Palo Alto flagpole moved from the Circle to the Hostess House (Veterans Building) in 1941 (*right*).



## TIMELINE: 1941 NSGW flagpole dedicated at Hostess House

**Item 2**  
Attachment D Flagpole Timeline and  
Historic Resource Status

The 206-foot Palo Alto flagpole and plinth in front of the Hostess House (Veterans Building) and across from the new train depot.

Dedication Day: March 8, 1941. Although it was reported in the newspaper the flagpole suffered from dry rot, it was still moved from its original site to the Hostess House in 1941.



## TIMELINE: 1957 NSGW flagpole shortened

Item 2

Attachment D Flagpole Timeline and  
Historic Resource Status

The Palo Alto Fire Department  
shortened the flagpole in 1957.



# TIMELINE: After 1966 NSGW flagpole replaced



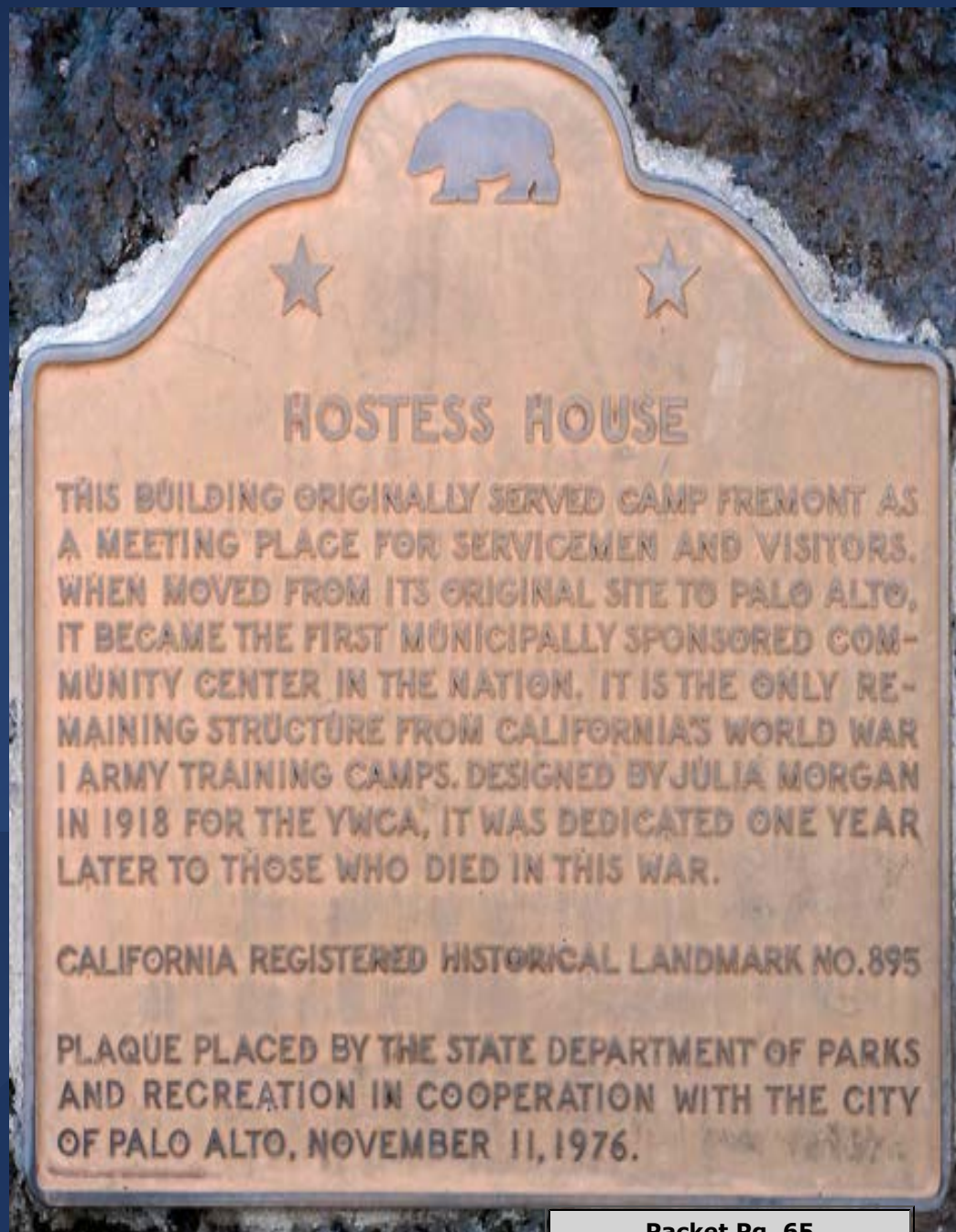
A veteran gazes upward at the NSGW flagpole in 1966.



This undated photo of the empty plinth suggests a new flagpole, different from the original NSGW flagpole, was purchased at some point after 1966. The existing flagpole is metal (the NSGW flagpole was constructed of wood) and has no standing platform.

**TIMELINE: 1974-76** Demolition proposal by City leads to listing as a landmark and on National Reg

In 1974 the Palo Alto City Manager announced the building would be razed once the Veterans' lease expired in 1976. Interest rose in saving the building. PAHA volunteers organized to nominate the property and the former Hostess House became a California Registered Historical Landmark in 1976.



## TIMELINE: 1976 Hostess House listed on National Register of Historic Places

Item 2

Attachment D Flagpole Timeline and  
Historic Resource Status



The YWCA Hostess House was nominated for the National Register of Historic Places in 1975. It was found significant for being the only surviving WWI training camp structure in California, a distinguished example of the Bay Region architectural style by Julia Morgan, and the first community center building in the US established by a municipality in 1976.

## TIMELINE: 1979-81 Hostess House rehabilitated and leased to MacArthur Park restaurant

Item 2

Attachment D Flagpole Timeline and  
Historic Resource Status

In 1979 a contractor optioned a lease for the Hostess House from the City of Palo Alto, renovated it, and sold the lease to the owner of a restaurant named MacArthur Park in 1981. Veterans' groups continue to use meeting room.

The City of Palo Alto ended its management of Hostess House in 1999. The restaurant lease is now managed by Stanford University.



The flagpole and plinth in 2007.

TIMELINE: 2021 NSGW Flagpole base vandalized by copper thieves,  
Stanford boxed the base to prevent further damage

**Item 2**  
Attachment D Flagpole Timeline and  
Historic Resource Status



# TIMELINE: 2021 NSGW Flagpole plaques removed for storage

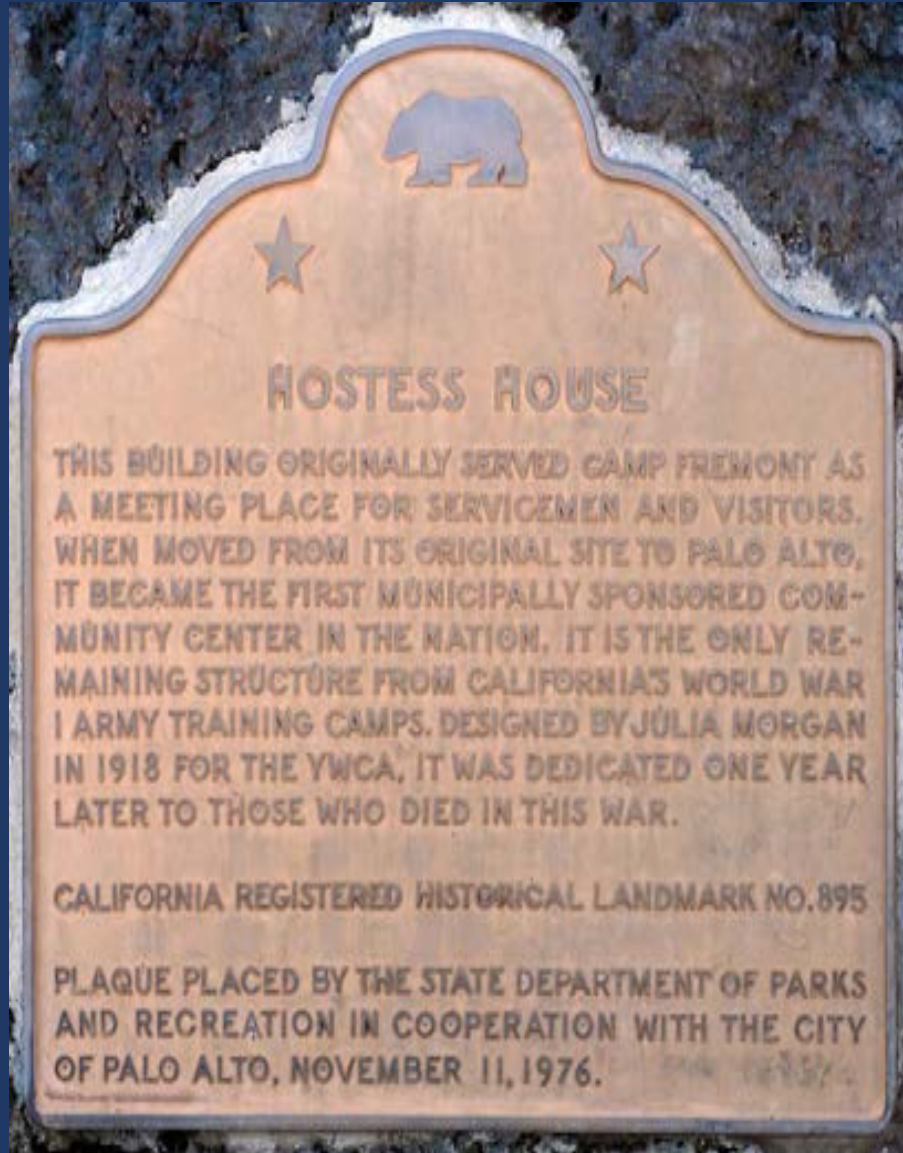
Item 2  
Attachment D Flagpole Timeline and  
Historic Resource Status





# Historical Resource Status: Hostess House is significant at national and state level

## California Historical Landmark: Hostess House



California Historical Landmarks (Landmarks) are buildings, sites, features, or events that are of statewide significance.

# Historical Resource Status: NSGW Flagpole is significant at local level

## California Point of Historical Interest: First Community Center and Palo Alto's City Flagpole

FORM IS ON NCR (NO CARBON REQUIRED) PAPER. PLEASE USE TYPEWRITER. SIGN ALL 3 COPIES; REMOVE AND RETAIN PINK COPY. TRANSMIT ORIGINAL AND TRIFLICATION TO: DEPARTMENT OF PARKS AND RECREATION, P. O. BOX 2370, SACRAMENTO, CALIFORNIA 95811. DO NOT FOLD.

STATE OF CALIFORNIA—RESOURCES AGENCY  
DEPARTMENT OF PARKS AND RECREATION  
**POINT OF HISTORICAL INTEREST**

DO NOT WRITE IN THIS BLOCK  
Reg. No. \_\_\_\_\_  
Date \_\_\_\_\_  
By \_\_\_\_\_

County Santa Clara Name First Community Center and Palo Alto City's Flag Pole

Location Palo Alto - West of University Avenue underpass and S.P. R.R. Station

Historical Significance: The First Palo Alto Community House, west of the underpass near the S.P.R.R. Station, is now the Veteran's building. The First Community House (1919-1933) dates back to World War I days when it was the Hostess House operated at Camp Fremont, Menlo Park by the National War Work Council of Y.W.C.A. When crews were razing Camp Fremont the building was transferred to the City of Palo Alto for one dollar. In 1933 the present Luc's Stern Community Center in Rinconada Park with its many cultural and recreational activities continued the work and activities started in 1919 in the First Community House. Palo Alto City's Flag Pole - On October 21, 1908 the N.S.G.W. dedication of the new two-unit flagpole, originally 205 feet tall, on the Circle took place. The building of the University Avenue underpass under the S.P. tracks required the pole's removal to its present site beside the Veteran's Building (First Community House). This nine-ton stick succeeded two previous Palo Alto flagpoles, the first of which was placed in front of the first elementary school in 1894.

THIS POINT OF HISTORICAL INTEREST IS NOT A STATE REGISTERED HISTORICAL LANDMARK. DPR/INE/107

RECOMMENDED: *[Signature]*  
Signature—Chairman, County Board of Supervisors

APPROVED: \_\_\_\_\_  
Signature—Chairman, Historical Landmarks Advisory Committee

Date 10/21/69

DPR-147 (4-65) 8935-700 4-65 EN TRIP © DSP

California Points of Historical Interest (Points) are buildings, sites, features, or events that are of local (city or county) significance.

# Historical Resource Status: NSGW Flagpole is significant at local level

## Palo Alto Historical Resources Inventory: Hostess House, Memorial Flag Pole as "Related Feature"

STATE OF CALIFORNIA - THE HISTORICAL SOCIETY  
DEPARTMENT OF PARKS AND RECREATION  
**HISTORIC RESOURCES INVENTORY**

UTP: \_\_\_\_\_ G \_\_\_\_\_ AR \_\_\_\_\_ SH \_\_\_\_\_  
LH \_\_\_\_\_ LH \_\_\_\_\_ En \_\_\_\_\_ Sg \_\_\_\_\_  
RM \_\_\_\_\_ T2 \_\_\_\_\_ T3 \_\_\_\_\_ CR \_\_\_\_\_ HARB \_\_\_\_\_ HAER \_\_\_\_\_ Fd \_\_\_\_\_

**IDENTIFICATION Cat. I**

1. Common name: Veterans Memorial Building

2. Historic name, if known: Hostess House

3. Street or road address: 27 University Avenue  
City: Palo Alto ZIP: \_\_\_\_\_ County: Santa Clara

4. Present owner, if known: City of Palo Alto Address: 250 Hamilton Avenue  
City: Palo Alto ZIP: \_\_\_\_\_ Ownership: Public  Private

5. Present Use: Restaurant & Veterans Center Original Use: Hostess House, Camp Fremont  
Other past uses: Veterans Memorial Building; first Palo Alto Community Center (1919-1919)

**DESCRIPTION**

6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition:

This straight-forward, U-shaped, single-wall board and batten building was originally (1918) the Hostess House at Camp Fremont, in Menlo Park. Its function, thus, made its roomy reception hall its main attraction, with hospitable brick fireplaces under overhanging balconies at each end. Verandas across both front and back, and ample fenestration, invited outdoor as well as indoor activities. The legs of the "U" provided various-sized interior spaces for multiple uses. Some expansion and closure of rear spaces has occurred, although the structure, in the main, retains its original form.

7. Locational sketch map (show and label site and surrounding streets, roads, and prominent landmarks):

8. Approximate property size:  
Lot size (in feet) Frontage: \_\_\_\_\_  
Depth: \_\_\_\_\_  
or approx. acreage 10.69 (portion of El Camino Park)

9. Condition (check one):  
a. Excellent  b. Good  c. Fair   
d. Deteriorated  e. No longer in existence

10. Is the feature: a. Altered?  b. Unaltered?

11. Surroundings: (Check more than one if necessary)  
a. Open land  b. Scattered buildings   
c. Densely built up  d. Residential   
e. Commercial  f. Industrial   
g. Other  near railroad right-of-way

12. Threats to site:  
a. None known  b. Private development   
c. Zoning  d. Public Works project   
e. Vandalism  f. Other

13. Date(s) of enclosed photograph(s): 1978

8 523 (Rev. 3/78)

NOTE: The following (Items 14-19) are for structures only.

14. Primary exterior building material: a. Stone  b. Brick  c. Stucco  d. Adobe  e. Wood   
f. Other

15. Is the structure: a. On its original site?  b. Moved?  c. Unknown?

16. Year of initial construction 1918 This date is: a. Factual  b. Estimated

17. Architect (if known): Julia Morgan

18. Builder (if known): \_\_\_\_\_

19. Related features: a. Barn  b. Carriage house  c. Outhouse  d. Shed(s)  e. Formal garden(s)   
f. Windmill  g. Water tower/tankhouse  h. Other  Memorial Flag Pole. i. None   
Native Sons of the Golden West #216, 1928

**SIGNIFICANCE**

20. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site when known):

This notable example of traditional Craftsman design by a distinguished architect is important to the local social history (it is California Historical Landmark #895). Said to be the only remaining structure from Camp Fremont, California's World War I military training camp at Menlo Park, it was moved to its present site in 1919, and deeded to the City. It became the first municipally-sponsored community center in the U.S. During the 1920s, it was the home of the local "little theatre" organizations as well as the site for a variety of public activities, programs and meetings. As its community functions shifted to the Lucie Stern Center in the 1930s and, long after World War II, its use as a Veterans Center declined, it deteriorated physically and became a candidate for demolition. In 1980, however, the City invited proposals for rehabilitation and new uses by private developers, the result of which was the approval of plans to convert the building—with minor exterior changes and an intent to restore its original appearance—to a restaurant.

21. Main theme of the historic resource: (Check only one): a. Architecture  b. Arts & Leisure   
c. Economic/Industrial  d. Exploration/Settlement  e. Government  f. Military   
g. Religion  h. Social  ~~Architecture~~

22. Sources: List books, documents, surveys, personal interviews, and their dates:  
Nomination Form, National Register of Historic Places; Palo Alto Historical Association files.

23. Date form prepared: 1981 By (name): Historic Resources Board  
Address: 250 Hamilton Avenue City: Palo Alto, Ca 94301 ZIP: \_\_\_\_\_  
Phone: \_\_\_\_\_ Organization: \_\_\_\_\_  
(State Use Only)

# Copper Thefts | Federal Bureau of Investigation

## Copper Thefts

Intelligence Assessment (Unclassified)

Prepared by the  
FBI Criminal Intelligence Section  
September 15, 2008

### Scope Note


The assessment highlights copper theft and its impact on US critical infrastructure. Copper thefts are occurring throughout the United States and are perpetrated by individuals and organized groups motivated by quick profits and a variety of vulnerable targets. Information for the assessment was developed through May 2008 from the following sources:

- FBI
- Open sources

### Source and Confidence Statement

Reporting relative to the impact of copper thefts on US critical infrastructure was derived from the FBI and open sources. The FBI has high confidence that the FBI source reporting used to prepare the assessment is reliable. The FBI also has high confidence in the reliability of information derived from open-source reporting.

### Key Judgments

<b>Transformer</b>

Transformers contain approximately 50 lbs. of copper with the potential

to yield \$200 for copper thieves and if stolen, result in thousands of dollars in damages, replacement costs, and environmental clean-up.

Copper thieves are threatening US critical infrastructure by targeting electrical sub-stations, cellular towers, telephone land lines, railroads, water wells, construction sites, and vacant homes for lucrative profits. The theft of copper from these targets disrupts the flow of electricity, telecommunications, transportation, water supply, heating, and security and emergency services and presents a risk to both public safety and national security.<sup>1</sup>

Copper thieves are typically individuals or organized groups who operate independently or in loose association with each other and commit thefts in conjunction with fencing activities and the sale of contraband. Organized groups of drug addicts, gang members, and metal thieves are conducting large scale thefts from electric utilities, warehouses, foreclosed or vacant properties, and oil well sites for tens of thousands of dollars in illicit proceeds per month.<sup>2</sup>

The demand for copper from developing nations such as China and India is creating a robust international copper trade. Copper thieves are exploiting this demand and the resulting price surge by stealing and selling the metal for high profits to recyclers across the United States. As the global supply of copper continues to tighten, the market for illicit copper will likely increase.<sup>3</sup>

**Copper Thefts Threaten US Critical Infrastructure**

Copper thieves are threatening US critical infrastructure by targeting electrical substations, cellular towers, telephone land lines, railroads, water wells, construction sites, and vacant homes for lucrative profits. Copper thefts from these targets have increased since 2006; and they are currently disrupting the flow of electricity, telecommunications, transportation, water supply, heating, and security and emergency services, and present a risk to both public safety and national security.


According to open-source reporting, on 4 April 2008, five tornado warning sirens in the Jackson, Mississippi, area did not warn residents of an approaching tornado because copper thieves had stripped the sirens of copper wiring, thus rendering them inoperable.

According to open-source reporting, on 20 March 2008, nearly 4,000 residents in Polk County, Florida, were left without power after copper wire was stripped from an active transformer at a Tampa Electric Company (TECO) power facility. Monetary losses to TECO were approximately \$500,000.

According to agricultural industry reporting, as of March 2007, farmers in Pinal County, Arizona, were experiencing a copper theft epidemic as perpetrators stripped copper from their water irrigation wells and pumps resulting in the loss of crops and high replacement costs. Pinal County’s

infrastructure loss due to copper theft was \$10 million.

**Criminal Groups Involved in Copper Thefts**

	<b>Sawzall</b>
	
	Sawzalls, bolt cutters, wire cutters, and various hand tools are used in the commission of copper theft.

Copper thieves are typically individuals or organized groups who operate independently or in loose association with each other and commit thefts in conjunction with fencing activities and the sale of contraband. Organized groups of drug addicts, gang members, and metal thieves are conducting large scale thefts from electric utilities, warehouses, foreclosed and vacant properties, and oil well sites for tens of thousands of dollars in illicit proceeds per month.

According to open sources, as recently as April 2008, highly organized theft rings specializing in copper theft from houses and warehouses were operating in Minneapolis, Minnesota. These rings or gangs hit several houses per day, yielding more than \$20,000 in profits per month. The targets were most often foreclosed homes.<sup>4</sup>

Open-source reporting from March 2008 indicates that an organized copper theft ring used the Cuyahoga County Sheriff’s foreclosure lists to pinpoint targets in Cleveland, Ohio. Perpetrators had 200 pounds of stolen copper in their van, road maps, and tools. Three additional perpetrators were found to be using the US Department of Housing and Urban Development’s list of mortgage and bank foreclosures to target residences in Cleveland, South Euclid, Cleveland Heights, and other cities in Ohio.<sup>5</sup>

**Global Demand Increasing**

China , India, and other developing nations are driving the demand for raw materials such as copper and creating a robust international trade. Copper thieves are receiving cash from recyclers who often fill orders for commercial scrap dealers. Recycled copper flows from these dealers to smelters, mills, foundries, ingot makers, powder plants, and other industries to be re-used in the United States or for supplying the international raw materials demand. As the global supply of copper continues to tighten, the market for illicit copper will likely increase.

	<b>Copper Wire</b>
--	--------------------



Copper wire containing insulation is often transported to burn sites where the insulation is burned off in a steel drum leaving behind just the copper wire.

Open-source reporting from February 2007 indicates that the global copper supply tightened due to a landslide at the Freeport-McMoran Copper and Gold mine in Grasberg, Indonesia in October 2003 and a worker's strike at the El Abra copper mine in Clama, Chile in November 2004. These events contributed to copper production shortfalls and led to an increase in recycling, which in turn created a market for copper.<sup>6</sup>

Open-source reporting from October 2006 indicated that the demand for copper from China increased substantially due to the construction of facilities for the 2008 Olympics.<sup>7</sup>

Open-source reporting indicated that from January 2001 to March 2008, the price of copper increased more than 500 percent.<sup>8</sup> This has prompted unscrupulous and sometimes unwitting independent and commercial scrap metal dealers to pay record prices for copper, regardless of its origin, making the material a more attractive target for theft.

## Outlook

The global demand for copper, combined with the economic and home foreclosure crisis, is creating numerous opportunities for copper-theft perpetrators to exploit copper-rich targets. Organized copper theft rings may increasingly target vacant or foreclosed homes as they are a lucrative source of unattended copper inventory. Current economic conditions, such as the rising cost of gasoline, food, and consumer goods, the declining housing market, the ease through which copper is exchanged for cash, and the lack of a significant deterrent effect, make it likely that copper thefts will remain a lucrative financial resource for criminals.

Industry officials have taken some countermeasures to address the copper theft problem. These include the installment of physical and technological security measures, increased collaboration among the various industry sectors, and the development of law enforcement partnerships.<sup>9</sup> Many states are also taking countermeasures by enacting or enhancing legislation regulating the scrap industry—to include increased recordkeeping and penalties for copper theft and noncompliant scrap

dealers. However, there are limited resources available to enforce these laws, and a very small percentage of perpetrators are arrested and convicted. Additionally, as copper thefts are typically addressed as misdemeanors, those individuals convicted pay relatively low fines and serve short prison terms.

This intelligence assessment was prepared by the Criminal Investigative Division of the FBI.

<sup>1</sup> WAPT.com, “Copper Thieves Silence Tornado Siren,” 8 April 2008, available at [www.wapt.com](http://www.wapt.com).

<sup>2</sup> The Orlando Sentinel, “Theft Causes Power Outage,” 21 March 2008, available at [www.orlandosentinel.com](http://www.orlandosentinel.com).

<sup>3</sup> Murphree, Julie. “Copper Theft in Arizona at Epidemic Levels,” *Arizona Farm Bureau: Arizona Agriculture*, March 2007, Vol. 60, No. 3, available at [www.azfb.org](http://www.azfb.org).

<sup>4</sup> Tevlin, Jon. “The New Underground Currency,” *StarTribune.com*, 12 April 2008, available at [www.msnbc.msn.com](http://www.msnbc.msn.com).

<sup>5</sup> The Plain Dealer, “Copper Theft Ring Worked From Foreclosure Lists, Cleveland Heights Police Say,” 28 March 2008, available at [www.cleveland.com](http://www.cleveland.com).

<sup>6</sup> According to an extensive study sponsored by the Chief Security Officer web site ([www.csoonline.org](http://www.csoonline.org)) – Scott Berinato, “Copper Theft: The Metal Theft Epidemic,” 1 February 2007, [http://www.csoonline.com/read/020107/fea\\_metal.html](http://www.csoonline.com/read/020107/fea_metal.html).

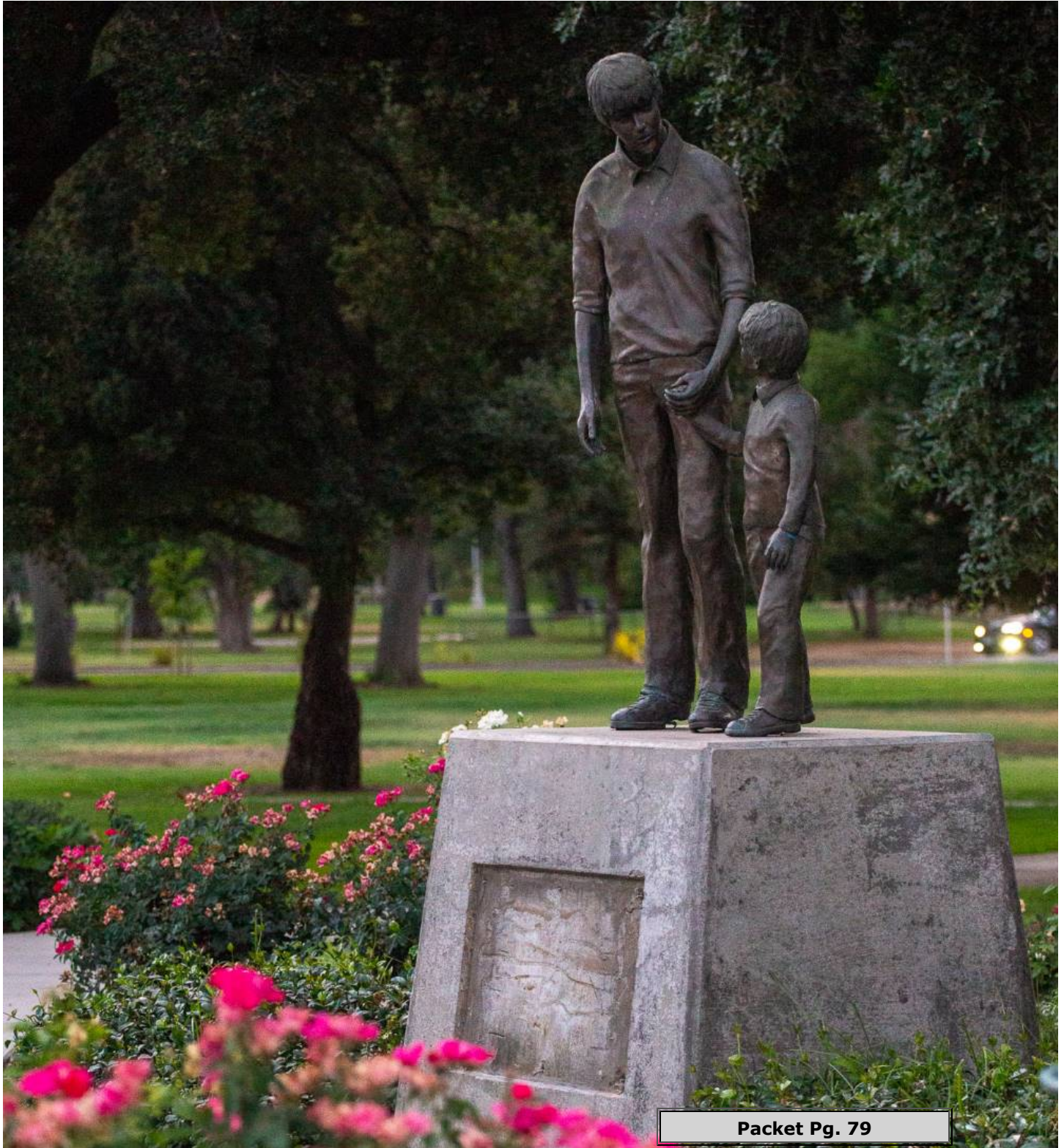
<sup>7</sup> Xinhau News Agency. “Beijing to Spend More on Infrastructure for Olympics,” *CHINA.ORG.CN*, 9, October, 2006, available at [www.china.org.cn](http://www.china.org.cn).

<sup>8</sup> NYMEX Daily Spot Settlement Price, <http://www.nymex.com> (accessed on 9 March 2008).

<sup>9</sup> US Attorney Anti-Terrorism Advisory Council Meetings with industry and law enforcement 25 April 2008 and 29 July 2008; LexisNexis; (U) Hassan, Anita. “Jackson Lee Says She Will Introduce Legislation That Enlists Help of FBI,” *The Houston Chronicle*, 6 September 2008.

# Vandals, thieves hit new low by targeting monuments — Merced County Times

*The Merced County Times*





By YANIRA LEDEZMA & JONATHAN WHITAKER

Suspected vandals and/or thieves have stolen several bronze and brass plaques and signage from monuments on city property in Merced over the past three months — and restoring the damage is proving to be costly.

Apart from causing frustration among those community leaders who are making weekly cleanup efforts to beautify the city — such as Mayor Matthew Serratto and his team of volunteers — city officials estimate the cost to replace the plaques and signage will be more than \$40,000.

To make matters worse, some of the materials are on back order, and there’s no clear timeline on when the monuments will be restored.

In late April, the plaque at the base of the Steven Stayner monument at Applegate Park was stolen. It told the story of Stayner’s 1972 abduction in Merced and his heroic act of saving 5-year-old Timmy White and himself from captivity with a child molester.

Also at Applegate Park, a Blue Star tribute to the U.S. Armed Forces was taken from the U.S. flag pole area. This theft was quite a feat considering the location is protected by a tall metal fence with spikes at the top that would be difficult to climb and cross over.

“What’s next?” one Times reader commented. “The names on the war memorial at Courthouse Park?”

Meanwhile, near the G Street Underpass, most of the golden letters that spell “Merced” were taken along with a city seal embedded in a monument that sits above the sidewalk along the northbound lanes.

On the railroad bridge of the underpass itself, a 2011 dedication plaque with the names of local leaders who worked on the \$18 million underpass project was also stolen, along with a few other ornamental markers on the structure. The dedication plaque was a sign that

reads: “Warning: Under Video Surveillance”.

Nevertheless, the Merced Police Department has not made any arrests in the thefts and no suspects have been named, according to city officials.

Some suspect the theft and damage were caused by lawbreakers looking for copper-laced metals that can be exchanged for cash at scrapyards and recycling centers. The Stayner plaque theft also occurred after the worldwide release of the Hulu documentary TV series about the Stayner family story, raising speculation that it might have been stolen to be sold on the black market.



Established in 1964, Mid-Valley Publications (MVP) is an employee-owned group of five weekly community newspapers in Merced and Stanislaus counties. With the Merced County Times, Atwater-Winton Times, Hilmar Times, Waterford News, Hughson Chronicle—Denair Dispatch, we are one of the longest-standing publishers of local newspapers within these two counties.

Mid-Valley Publications offers a variety of important services including providing relevant and positive news, community announcements, local and national display advertisement creation and publication, classified advertisements, legal notice publications, obituaries, and other important event announcements.

Mid-Valley Publications was founded by John Derby, who retired in 2004 as Publisher, though he continues to provide a guiding hand in daily operations of the company.

We’d love to hear from you! Please contact us at 209.358.5311 or email our staff for more information or to obtain a subscription for our newspapers.

Comments

# Historic wrongs on a pedestal: Ugly past doesn't vanish when the artwork does

*Charles Desmarais*

## Most Popular

[Photo of Charles Desmarais](#)

Feb. 27, 2018 Updated: Feb. 27, 2018 12:40 p.m.



1 of 2 Pioneer Monument on Fulton St on Monday, August 21, 2017 in San Francisco, Calif. Amy Osborne / Special to The Chronicle 2017

Memorial sculpture is not like other art. It is a constrained category, conservative by its nature. The very name carries with it the idea of memory; its purpose is to anchor us to the past.

The San Francisco Historic Preservation Commission voted last week to approve the removal of a Civic Center sculpture that has held a prominent position in the city for well more than a century. In the coming months, the San Francisco Arts Commission is expected to finalize the decision, spending \$160,000 to \$200,000 to hoist from its pedestal a work called “Early Days,” which depicts the subjugation of a stripped-bare American Indian by heavily clad military and religious pioneers.

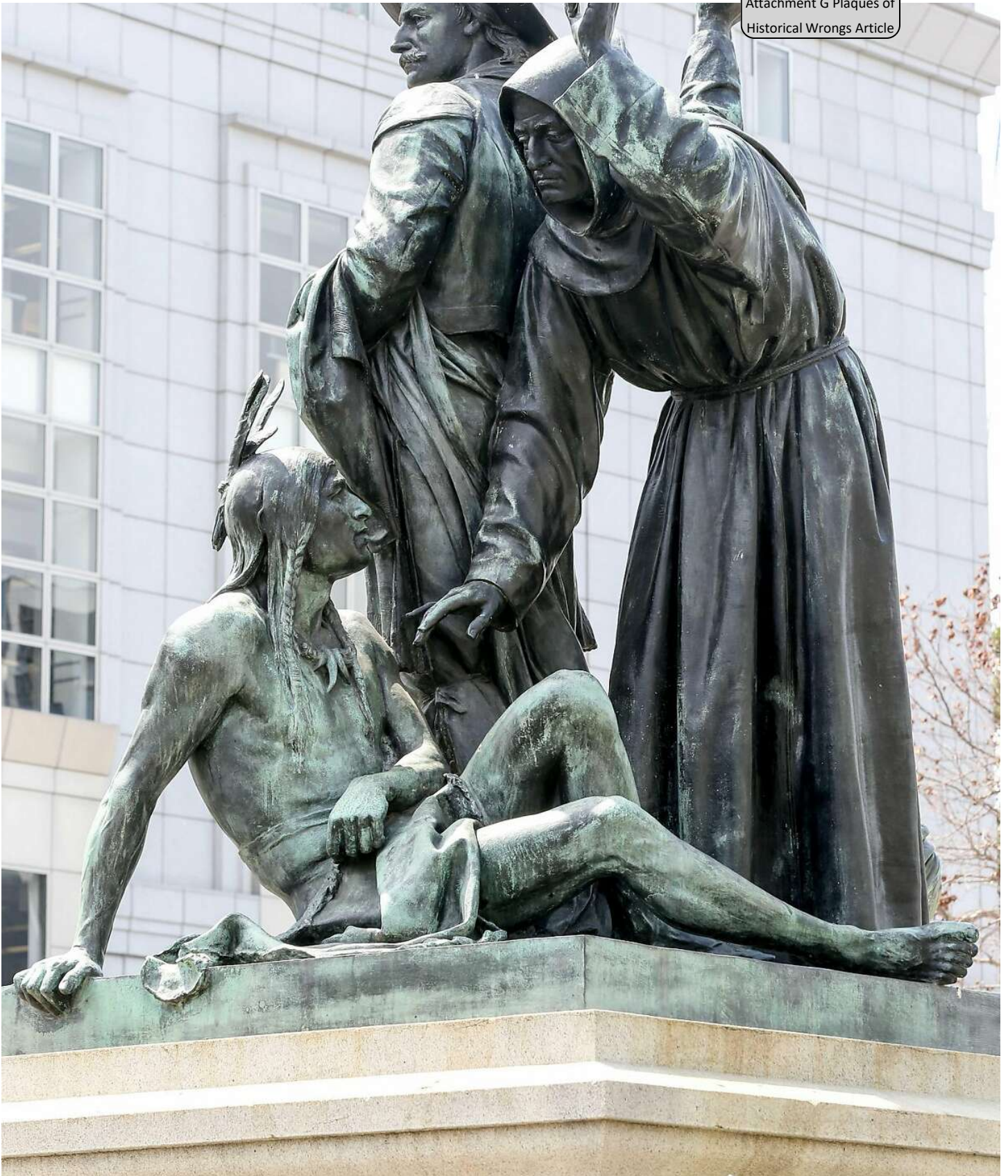
The move is a response to complaints about what all agree is a racist image, and I get it: Who wants to confront every day a reminder of the horrid things that were done to win for us our privileged lives?

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From [The Chronicle's report](#), it is clear that last week's decision was not taken lightly. As one official said, “We're a historical preservation commission ... not a historical revision commission.”





*Pioneer Monument on Fulton St on Monday, August 21, 2017 in San Francisco, Calif. Amy Osborne/Special To The Chronicle*

In the end, however, the vote was unanimous, as it had to be in this moment of frustration and impotence in arenas that matter essentially to living human beings. If our elected leaders won't make

our world safe and they refuse to ensure that it is sane, our appointed local commissioners can at least make a symbolic gesture to represent San Francisco residents' better nature.

One striking feature of the argument to remove “Early Days” — and, by extension, other monuments across the U.S. that embody evils once assumed to be divinely granted rights — is its recognition of the tremendous power of art. Most of us ignore public sculpture, especially of the bronze, memorial sort. It’s like the hallway chair that once belonged to Grandmother but is never sat upon, or the picture of the founder as you enter headquarters: Its utility is in its mere presence, in the fact that exists. We trust in its inherent authority; we take note of it only in its absence.

There is no rationale for spending hundreds of thousands of dollars to haul away a bit of useless furniture from a public square unless you grant its unseen power as a talisman. Desperate, we erase “Early Days,” the cold, hard object, hoping to squelch a moral fire so fierce we cannot stand its proximity.





*The donor panel of the Haus der Kunst, torn from the wall by American soldiers after World War II, now prominently displayed. Wilfried Petzi/Haus der Kunst*

Others have found ways to come to terms with pasts they despise. Some years ago I came across a twisted bronze plaque, casually leaning against the wall of a corridor in the Haus der Kunst, a distinguished contemporary art museum in Munich. It was torn at the corners, looking something like a tacked-up poster roughly pulled from the wall.

The director told me that he had found the item gathering dust in basement storage. The museum had been built in the Nazi era to glorify German art; its site and its architect were personally selected by Adolf Hitler. After World War II, the American military used the building as an officers' club, at which time the tablet had been pried from its anchor bolts.

The plaque honored project donors, most of them prominent Nazis. Now that the building had returned to a public function, the director had ordered it brought up into public view so that visitors would keep in mind the dark history of the institution, even as they reveled in the current prosperity of their country and their museum.

There are other examples of attempts to preserve what a culture might wish to forget. Moscow and some other cities in the former Soviet Union [created sculpture gardens](#) — effectively graveyards — to which they have relegated Soviet-era monuments.

In a park in Budapest, Hungary, a grand stairway leads up to a kind of altar, atop which is a brick plinth. There, disembodied, stands “Stalin’s Boots,” all that remains of a statue dismantled by what is said to have been an army of 200,000 citizens in revolt.



*Stalin's boots by Akos Eleod* Premium UIG/Getty Images/Universal Images Group

These are ways that other societies seek to move from guilt and grief to self-knowledge and a kind of social-psychological health. To leave the past behind, not by forgetting but by accepting responsibility for it.

To delve into the history of the “Early Days” sculpture, and of the cultural milieu from which it was born, is to dive into the cesspool that is the worst of San Francisco’s past. In 1894, when the sculpture was dedicated as part of a larger “Pioneer Monument,” public art was a big deal. A photograph in the Preservation Commission staff report shows hundreds gathered for the unveiling, with elaborate bunting and perhaps two dozen American flags hung about.

“This monument shall lend luster to the memories of the founders of this commonwealth, and give lasting renown to the name of the Native Son who designed it,” a speaker at the unveiling said. The Native Sons of the Golden West, founded in 1875, erected monuments throughout California in the 19th century, and “Pioneer Monument” patron James Lick and sculptor Frank Happersberger embraced the movement.

Native Sons activities were driven by civic pride and a love of history, but there was also a darker aspect. The organization comprised “only the sons of those sturdy pioneers who arrived on this coast prior to the admission of California as a state.” One early leader was the man who delivered that laudatory dedication speech, a journalist-turned-politician named Willard B. Farwell. The same Farwell published in 1885 a patently racist book detailing what, in a cruelly parallel choice of

adjectives, he called the “native vices” of Chinese immigrants.

A later Native Sons president once explained, “California was given by God to a white people, and with God’s strength we want to keep it as He gave it to us.” The monuments were a part of that plan.

The Arts Commission did try valiantly in the mid-1990s to provide some context for “Pioneer Monument.” It called together an exhaustively diverse advisory panel to compose a plaque describing the travails of American Indians in California, once Europeans began to settle here. The 150-word marker still stands at the site. Unsurprisingly, the text’s brittle, didactic tone is no match for the lurid drama of the “Early Days” sculpture.

Nor could it be. The effort pitched bureaucratic prose against art. Both preach, but only one stirs passion.

Which brings us back to the futile action taken by the Preservation Commission last week. The effort 20 years ago to somehow explain the inexcusable was doomed from the start. And today, we will not cure a malignancy that still infects us by the simple act of erasure.

No wound heals without leaving a scar; no crime is solved without examining the evidence. The reason those displacements of German and Soviet monuments so powerfully rebuke the beliefs of their original builders is that they commemorate an ultimate victory in a war of ideals. The disgraced sculptures remain as the proof of that.

We, on the other hand, are still in the thick of the battle.

Charles Desmarais is The San Francisco Chronicle’s art critic. Email: [cdesmarais@sfchronicle.com](mailto:cdesmarais@sfchronicle.com)

Twitter: [@Artguy1](https://twitter.com/Artguy1)

# An Overview of the Plaques Donated by the Native Sons of the Golden West ; What they represent, why they should be removed, and how they hurt our community

KatieAnn Nguyen

West County World, March 14, 2022 (West County High School, Sonoma)



To be able to go to school and to have it as a safe space for you, it is a privilege that most overlook. We take for granted the little things that we have, but sometimes those little things are so much bigger for another. Sometimes the things we take for granted are the same things that others are trying so hard to attain.

It has recently been brought to the attention of many at this campus that the plaques in the front entrance of West County High School and the entrance of the big gym were donated by a white supremacist and nationalist group. The Native Sons of the Golden West (NSGW), the group that had donated the plaques to the school, is a group that works towards preserving the history of California. They are quoted to have said that “California was given by God to a white people, and with God’s strength we want to keep it as He gave it to us.” What this means is that during their history, the group perceived preserving the history of California as keeping it as a state for “a white people,” excluding all ethnic minorities, most evidently Japanese Americans.

The Native Sons of the Golden West did an excellent job of preserving the state for “a white people” by playing a leading role in California’s anti-Japanese activism during the prewar decades. They were a group that approved a resolution to exclude all “orientals” from California. For them, they were simply taking on the white man’s burden, the idea that white men were the ones responsible for “liberating, educating, and civilizing” indigenous people. For Japanese Americans and other ethnic minorities, it was outright hate and discrimination.

Even when the Immigration Act of 1924 was enacted, an act that prohibited emigration from Asia and set a limit to the number of Asian immigrants in the United States, NSGW continued their anti-Japanese activism. During WWII, Japanese Americans faced an onslaught of inaccurate information being spread about them from NSGW to further push them into isolation and exclusion. The information spread had the intent of inciting more fear from Americans and continuing to stigmatize Japanese Americans even more. In addition, NSGW led efforts during the 1940s to remove Japanese Americans’ citizenship statuses, though these efforts were unsuccessful. They continued in their efforts to limit Japanese Americans’ role in society and community rights as a whole.

Both of the plaques at the school read:

THIS BUILDING DEDICATED TO  
TRUTH~LIBERTY  
~TOLERATION~  
BY THE  
NATIVE SONS OF THE GOLDEN WEST

The plaque at the front entrance of the school was donated on December 5th, 1935 and the plaque at the entrance of the big gym was donated on December 12th, 1954. At first glance, it may seem that the plaques promote ideals that are beneficial for the campus, however taking into account their history at the time of the plaques’ installation, are these ideals truly the ones that we honor today? What truth did they want us to honor? And was it one that aligned with the group’s goal of preserving the history of California for “a white people”? When they say toleration, what exactly did they mean? Toleration of a specific ethnic group? As in tolerating that ethnic group as they worked towards removing their citizenship status? If these were truly the ideals that went into the installation of these plaques, how can we ignore them when it directly rejects and discriminates against students and staff at this campus?

While people hold the argument that the group has changed from their racist past and that we can’t place 21st century ideals on things from the past, that doesn’t mean that these plaques stop hurting people. Yes, groups can change. We have seen that with highly honorable groups today such as the

American Red Cross who in the 1970s had prohibited men who had sex with men from donating blood, Margaret Sanger who created Planned Parenthood on the basis of eugenics, or Henry Ford and his anti-Semitic views. We know that groups can change their ideals and beliefs, we have seen that happen. However, the Native Sons of the Golden West have never specifically apologized for their racist actions, neither have they offered reparations. In addition, when viewing photos of their group membership, there is a majority of white members. If they had truly apologized for their actions, why is there a lack of diversity within their members? Has the group truly moved on from their racist past?

The plaques given by the Native Sons of the Golden West that are cemented in the front of this school and big gym serve as a form of reminder of these actions and it hurts being reminded everyday of that discrimination. I will not lie, it's hard being an Asian American on this campus. As a group, we're such a small minority; there's a lack of resources, a lack of opportunities, a lack of connections, and like all minorities, we're simply trapped. These plaques, seeing them and knowing their history, it feels oppressive seeing them every morning as I enter the main building. If the group that donated these very plaques were openly racist towards Asian Americans, then, as an Asian American, how can I begin to feel welcome at this school?

How can I feel welcome walking the hallways of a building that honors a white supremacist group that specifically targeted my ethnicity? How can I feel welcome going to school and knowing that the plaques, with their history, remain? How can I feel welcome when there is a permanent, cemented plaque that represents outright discrimination? How can I feel welcome on this campus as an ethnic minority?

To simply say to ignore them, to remain ignorant of their history, to say that there are bigger issues on campus than getting rid of the plaques, to say that it doesn't matter, that hurts. At the very least, the plaques and their racist history should be addressed. At the very least, ethnic minorities on campus should be respected. At the very least, people should know and be aware. Maybe removing the plaques is not enough to change the racism on this campus or change the school culture. However, it is a step, and we should at least try. Because the racism on this campus cannot continue to be ignored, it cannot continue to be brushed aside as it has been, it cannot continue.

The racism on this campus has affected all ethnic minorities. For me personally, at the very beginning of this school year, I met a student who was talking about getting haircuts from a Chinese hairdresser. They decided it'd be funny to talk in a fake Chinese accent, to fully detail their story about the hairdresser who messed up their haircut. What I remember is the sound of their fake broken English, high pitched voice, their jeering tone, their mockery. Stories like these, they remain ignored. How can you tell me to ignore it and that it'll simply go away? How can you tell me to ignore it when I can still remember the way they sounded with their fake Chinese accent? How can you tell me to ignore the

plaques when the discrimination by the Native Sons of the Golden West still haunts this campus?

We like to think that our community is not built on these foundations, and we like to choose to be ignorant of uncomfortable issues. However, we cannot continue to remain blind to these injustices or this outright discrimination. For many, there is no option of simply remaining blind, there is no option of just ignoring it. Even right here in Sebastopol, we have seen anti-Japanese sentiments with the attempted burning of the Enmanji Buddhist Temple. We have seen the discrimination right here in our very own community. You cannot bury the past and you cannot simply ignore it. It is through acknowledging our history, our flawed beginnings, our foundations of discrimination, that we'll be able to move forward. Only by learning about our history and interacting with it will we be able to take the next step towards a brighter future for everyone.

I implore you, not as a writer to their audience, but as an Asian American on this campus, to please acknowledge the history of these plaques, to acknowledge their racist past. I implore you to take a look at the racist actions in our community and our campus, and make an effort to put a stop to them. I implore you to push for the removal of these plaques. I implore you to respect the ethnic minorities on this campus. Most of all, I implore you to help make West County High School a safe space for all.