

# DA Asked to Investigate East Palo Alto Council Seating

Citizens of East Palo Alto, in a letter dated December 21, requested San Mateo County District Attorney Jim Fox to investigate the legality of the process through which newly-elected councilmembers Nevada Butler and Sharifa Wilson were installed in their offices.

"According to Elections Code Section 22932:

"The governing body of the city shall meet at their usual place of meeting on the first Tuesday after the election to canvass the returns and to install the newly-elected officers. The body shall declare elected the persons having the highest number of votes given for each office. Upon the completion of the canvass and before installing the new officers, the body shall pass a resolution reciting the fact of the election and such other matters as are enumerated in Section 22933."

"The code cited above was not followed.

"1. The East Palo Alto City Council meeting scheduled for the first Tuesday after the election, was actually scheduled for Monday, November 19 and it

was cancelled by posted notice on the previous Friday.

"2. The East Palo Alto City Council never has declared the persons having the highest number of votes for the offices.

"3. There was no canvass of votes and therefore no resolution was passed certifying the election results.

"At the time of the cancelled meeting on November 19, 1990, only two council members, Patricia Johnson and Warnell Coats, appeared. There was, therefore, no quorum! However on the advise of the city attorney, it was publicly announced that the election code did not specifically require that new council members must be sworn in at a City Council meeting. It was also stated that new officers could have been sworn in at a house, etc.

"Then the city staff was directed by the city manager to swear in Nevada Butler and Sharifa Wilson. This was done and subsequently the meeting was opened for business. We believe that this was not a regular meeting because it in fact had been cancelled and no notice had been

posted saying that it was to be held. The city clerk never did certify the results of the election to the governing body as required by election Code §22832.5, nor was a resolution passed with

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## East Palo Alto 6 Years F

**Redwood City (BCN)**

A San Mateo County Superior Court judge last week sentenced a 22-year-old East Palo Alto man to six years in prison for vehicular manslaughter with gross negligence and felony hit and run.

The victim, 51-year-old Bruce Jawson of Mountain View, was killed at about 2 p.m. on Sept. 20, 1989, as he was driving on the Bayfront Expressway near the Dumbarton Bridge. A tractor trailer traveling in the opposite direction jumped the concrete divider and landed on his sedan.

# Council Seating

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regard to those who had been elected.

“We are therefore asking that you investigate to see if those who are serving have been legally seated since the legal process was ignored on the recommendation of the city attorney. Please let us know as soon as possible what your office will do to insure that our City Council has been legally constituted.

Thank you for a timely reply,”

the letter read. It was signed by Keisha Williams and Sandra Webster, with copies going to City Council of East Palo Alto, Attorney General State of California, San Mateo County Supervisor Tom Nolan, Cal. Fair Political Practices Commission.

In talking with some of the prominent citizens of East Palo Alto, it was their conclusion that Fox “would do as he has done before with reference to East Palo Alto matters — nothing at all.”