

City celebrates court ruling

Officials say the decision 'lifts a cloud' from East Palo Alto

By Katherine Seligman
OF THE EXAMINER STAFF

EAST PALO ALTO — The recent state Supreme Court decision upholding this city's incorporation created the final chapter for the book Carmeleit Oakes spent 10 years planning.

Oakes, who at 80 sits on boards of the Community Development Institute and the Peninsula Girls Club and is a member of the city Personnel Commission, headed a community group whose members raised more than \$100,000 in grants and donations to fight for incorporation.

The struggle for cityhood ended in last week's unanimous decision

finding no fraud in the 1983 election.

Yesterday, as city officials began to plan a citywide celebration for some time in the next week, no one was more elated than Oakes.

"I'm going to put all of this together and then we'll get someone to edit it," said Oakes, looking through a box of photos and newspaper clippings from the last 10 years.

"I came out here just to retire and take advantage of the sunshine, but that was before I heard about the word 'incorporation,'" he said.

Oakes, a retired elementary-school teacher who got involved in the campaign shortly after moving here from St. Louis in 1975, walked precincts in the campaign for incor-

poration three years ago. When she got tired of walking, she organized meetings in homes to help senior citizens figure out how to use absentee ballots.

That action by Oakes and other volunteers was part of what fueled the lawsuit to invalidate the election. Incorporation opponents contended that the election, won by only 15 votes, should be invalidated because volunteers helped absentee voters fill out ballots and then delivered them for counting. Without the absentee ballots, incorporation would have lost by 79 votes.

But Oakes today denies there was tampering as vehemently as she told a Superior Court judge when she was put on the stand.

"There were seniors who didn't understand how the ballots worked and as a senior I could see that," she said. "They didn't know how to punch the ballot, but they certainly knew what they wanted. No one told them that."

Incorporation opponents, represented by lawyer Pete McCloskey, haven't decided whether to appeal to the U.S. Supreme Court. McCloskey said the ruling, which affirmed an earlier Superior Court decision, could have lasting implications for election rules concerning absentee ballots.

"That (an appeal) would be almost vindictive considering it was a unanimous decision," said James White, assistant city manager. "Even the most sophisticated person would say, 'Why are you continuing to do this?'"



Examiner/Photo

CARMELEIT OAKES, 80, SPEARHEAD OF INCORPORATION EFFORT Her voter work with seniors was crucial to the victory

Opponents say the decision won't change East Palo Alto's financial problems. The city — with a population of about 18,000 that is more than 70 percent minority — doesn't have the financial resources to support a healthy economy, they say.

City officials said the decision "lifts a cloud" from the city, which has had a hard time attracting new business partly because of its uncertain status. White said East Palo Alto had trouble getting approval for a \$75 million bond package because of delays caused by the city's legal status.

The bonds would have paid for the renovation of the vacant Nairobi Shopping Center across from the municipal complex, development of a marina and road resurfacing.

"The decision will take the legal weight off our backs," White said.

Vice Mayor James Blakey, who still hasn't taken off his "A City is Born" button, said East Palo Alto can now acquire its own water,

power and sanitary districts. Blakey said he was "relieved that the city can now become economically viable."

"People come up to me at work and tell me how pleased they are," said Blakey, owner of East Bay Shore Barber Shop, where he has posted newspaper stories about the victory.

The decision has brought national attention to the city. People have phoned from around the country including Roxbury, a part of Boston considering a similar move for incorporation, Washington, D.C., and Arizona.

Mayor Barbara Mouton said officials now will concentrate on solving the city's economic and other problems. East Palo Alto's year-old police force already has made progress in getting drug dealers off the streets, she said.

"Our feeling is that David will beat Goliath," White said. "Now we can begin to operate like a normal city."