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# High court upholds cityhood

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The U.S. Supreme Court today let stand a ruling upholding East Palo Alto's incorporation as a city, ending a bitter battle dating back to a controversial 1983 election.

The high court denied review of the case, issuing its decision without comment.

"This is it," said Ann Broadwell, attorney for the pro-incorporation side. "Nothing more can be done."

Briefs filed with the Supreme Court were directed just at whether or not the court would hear the case, Broadwell explained.

"The court isn't even taking the first step," she said. "It is just telling the incorporation opponents it is not even going to listen to their case."

City officials were cheered by word of the court's ruling.

"We are a city forever," said East Palo Alto Mayor Barbara Mouton.

While thrilled by the news, Mouton said she was unhappy about "the fact we had to spend all those hundreds of thousands of dollars and long, long hours of anxiety to try to disprove a scurrilous issue."

"I think about the homeless, the people in need, and the kinds of things we could have done with that money," she said.

"It's a relief," said Patricia Perkins, di-

rector of community relations. "Everybody expected it but not so soon. It's nice to be able to carry on."

Opponents of incorporation were shaken by the news.

Former Councilwoman Gertrude Wilks, whose name headed the list of opponents to incorporation on the petition filed with the Supreme Court, was saddened by the news.

"We're just over here, behind the iron curtain," she said in a low voice. "I guess the criminals can continue to control us."

Wilks doesn't believe the fact East Palo Altans will have to live with incorporation will bring residents to work together.

"We (the people against incorporation)

haven't been allowed to participate," she said. "There has been no attempt on the part of the City Council to unify the city."

Mouton declared the city would not begin an effort at unification, emphasizing, "We've been doing that for quite a while."

"We understood from the beginning there were different opinions and we have bent over backwards to bring in people with diverse thinking," she said.

The high court ruling was the last stop in a long court fight by opponents to the city's incorporation. The issue in the court battles was whether voter fraud was committed in the 1983 incorporation election.

The vote at the polls was 1,678 opposed to incorporation and 1,599 in favor. Absentee ballots included 183 for incorporation and 89 against. The 15-vote difference won the election for the pro-incorporation suit.

The California Supreme Court on Aug. 21 upheld the election results.

A brief filed with the U.S. Supreme Court by attorney Paul N. "Pete" McCloskey Jr., charged campaign workers for the pro-incorporation side influenced and coerced people who voted by absentee ballot.

The specter that a court might overturn the incorporation election had cast a shadow of uncertainty over East Palo Alto since the city came into being in 1983.

