

# Grand Jury wants election overturned

By BUD O'BRIEN

Even as a trial is under way to decide the matter, the Santa Cruz County Grand Jury is urging that all "improper votes" cast at four UC-Santa Cruz precincts in last November's City Council election be tossed out.

By "improper votes," the Grand Jury is referring to the nearly 500 votes cast by people — predominantly students — who were registered on campus, and voted there, while they were living elsewhere. A lawsuit is now being tried before Superior Court Judge Harry F. Brauer to determine the validity of those challenged votes. The Grand Jury, in effect, is asking the judge to find them invalid. If Judge Brauer were to do so, it could lead to one of the apparent victors in the council race — "progressive" Jane Weed — being unseated and replaced by "conservative" Bill Feiberling, thus wresting control of the council from the progressives, who hold a 4-3 majority at present.

The Grand Jury made its views known in an "interim report" that was released today. In that report the jury also calls for the hiring of an additional public-health sanitarian to assist in inspecting farm-labor housing in the county, and concludes that complaints about the county's operation of its garbage collection and solid waste programs are without substantial merit.

In the matter of voter irregularities, the Grand Jury report says that they occurred to one degree or another throughout the county, although the irregularities on the UCSC campus appear to be the most widespread. Says the jury report:

"Based upon the investigation to date, it is the opinion of the Grand Jury that the law, as it pertains to (certain election code sections), has clearly been broken by a sufficient number of persons to warrant legal action with regard to the election held Nov. 8, 1983. Further, it is the opinion of the Grand Jury that

the vote count in each of the four (campus) precincts should be reduced by the percentage of the number of improper votes cast in each precinct."

In the matter of farm-labor camps, the Grand Jury report says "many problems" were found in the investigations of two South County camps. Murphy Camp off Riverside Road and San Andreas Camp on San Andreas Road were the two camps checked.

"The camps were found to have many problems in common," the report says. "Most prominent were structural deficiencies and health or safety hazards ..."

The Grand Jury recommended not only that an additional sanitarian be hired, but that "the Board of Supervisors consider the adoption of a resolution that would prohibit payment of rent or occupancy of a building determined to be dangerous in accordance with county building codes and/or state housing law."

In investigating complaints from Midcounty citizen groups that the county had acted improperly in failing to follow its own solid waste disposal plan, the Grand Jury found there was no legal mandate on the Board of Supervisors to follow the plan.

The Grand Jury said it had interviewed both Auditor-Controller Art Merrill and County Administrative Officer George Newell. Merrill told the jury that "it was the prerogative of the Board of Supervisors to use the plan as a guide to any extent desired" and that "it is also up to the discretion of the board to allocate the funds through the general fund."

Newell told the jury that the plan was not followed because, with the passage of Prop. 13, changes in sources of funding became necessary.

The Grand Jury, while agreeing that the county had acted properly, did recommend that "the Board of Supervisors, having (adopted) a plan, make public the reasons why that plan was not implemented."