

# Court snubs Watsonville on elections

## 'Bloodless revolution' succeeded

By JAMIE MARKS  
Sentinel staff writer

WATSONVILLE — Whether it's viewed as a "bloodless revolution" or a "new beginning for Watsonville," one thing is certain — the U.S. Supreme Court's decision not to block district elections heralds major change in Watsonville's political makeup.

While some city officials bitterly swallowed the court's decision, those who've been pressing for change celebrated at a party at the Mansion House restaurant.

"Today we get a piece of the pie," said Celia Organista, past president of the League of United Latin-American Citizens, to about 50 supporters.

Joaquin Avila, the attorney for the Mexican American Legal Defense and Education Fund, said the landmark case will provide Latinos with the "incentive and wherewithal ... to develop the foundation for politically integrating our communities."

Earlier in the day, City Attorney Don Haile called it a "bloodless revolution."

Cruz Gomez, one of three plaintiffs in the case brought by the Mexican-American Legal Defense and Education Fund. "Today is the day we will be able to start over."

Five of the current City Council members live within a few blocks of each other, and no matter which district plan is adopted, some of them will face each other in an election.



Dan Coyro/Sentinel

Supporters applaud Fremont attorney Joaquin Avila, who sued Watsonville on behalf of three Latinos seeking district elections.

Two incumbents who would have been up for re-election in May already had decided not to run. They are Rex Clark and Joe Marsano.

Of the seven candidates who had planned to run in the May 9 council election — which most likely will

be postponed to develop a district plan — four said they would run under a district system.

They are attorney Todd McFarren, businessman Luis De La Cruz, educator Rebecca Garcia and community activist Gomez.

Dr. Jeffrey Solinas said there was

a strong probability he would run, but it would depend on where the district lines would be drawn and who would be running. Solinas lives within two blocks of councilmembers Dennis Osmer and Vido Deretich, both of whom support district elections.

Councilwoman Gwen Carroll and hopeful Floyd Pereira, a custodian, couldn't be reached for comment.

Several people said they think Watsonville is on the brink of major change, moving from a con-

Please see **REVOLUTION** — A2

## Council must draft plan for district vote

By JAMIE MARKS  
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WATSONVILLE — Acting swiftly and without comment, the U.S. Supreme Court announced Monday it had rejected the city's attempt to prevent voting by district in Watsonville municipal elections.

City elections, scheduled for May 9, will likely be canceled. Mayor Betty Murphy called a special City Council meeting for 4 p.m. today to act on several issues, among them canceling the May 9 election to give the city time to work on a district plan and to decide on extending terms of members whose seats expire in May.

"I'm disappointed more than surprised," Murphy said. "I was optimistic they (the court) would hear the case on appeal."

Meanwhile, supporters of district elections were elated.

"It reinforces our contention all along that (the situation in) Watsonville presented a very strong case. We're naturally very ecstatic," said Joaquin Avila, the Fremont attorney for the Mexican-American Legal Defense and Education Fund, which filed the suit in 1985 on behalf of three Latinos.

MALDEF alleged that the current at-large system discriminated against Latinos by denying them equal representation on the City Council. Although Latinos number more than half of the residents, only one, Tony Campos, has succeeded in winning election in nine attempts by a Latino.

Please see **ELECTION** — A2

REFERENCE

SANTA CRUZ SENTINEL  
March 21, 1989



Dan Coyro/Sentinel

Former LULAC President Celia Organista speaks to celebrants after high-court decision.

## Election/ District vote prevails

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The case began four years ago when Cruz Gomez, Waldo Rodriguez and Maria Bautista asked MALDEF to bring the suit, alleging a violation of Section 2 of the 1965 Voting Rights Act.

The city won in the district court, but was overruled in the Ninth Circuit U.S. Court of Appeals in San Francisco last summer. The Appeals Court reaffirmed its decision in December.

While the Supreme Court's decision is hailed as a victory for Latinos, many people think district elections will be a boon for other groups in the city, including seniors, low-income neighborhoods and liberals.

"I think people will like having someone from their neighborhood on the council," said Councilman Dennis Osmer, a proponent of district elections. "Some people see the council members as unapproachable and this will make them more accessible."

"For me, it's never been a color issue," said Celia Organista, past president of the League of United Latin-American Citizens. "Definitely we want some representation. But more, we want commitment and sensitivity on the issues."

There is some dispute among attorneys over what the next step will be, but eventually a district plan will be presented to U.S. District Court Judge William Ingram in San Jose, who will decide which plan to adopt.

A majority of city officials would like to have six council members elected by district and the mayor elected by all the citizens. But MALDEF wants all seven council members elected by district, with the mayor selected by the council. The Santa Cruz mayor is chosen that way, although the council is not selected by district vote.

"We need seven single-member districts in order to get the representation we've been seeking," Gomez said.

Osmer, who called on Murphy to

convene a special meeting of the council, said, "I would like to start immediately on a plan with a process by which we can reach a community consensus. What we've had in the past can't be any longer."

Vincent Fontana, the city's New York attorney, said the city has seven days to go back to the district court to begin the road toward district elections.

"There don't necessarily have to be any negotiations (with MALDEF). The city has the option to submit a plan with or without input from anybody else," Fontana said.

"We can get into negotiations with Avila to see what plan is acceptable or we could submit a plan to public hearings, get input from the general public and reflect that input in the plan which is submitted to the court. Of course, if any part of the Hispanic community objected, they could go to the court and appeal the plan as being unconstitutional..."

"My only concern is that the plan be constitutional," he said.

City Attorney Don Haile, who is retiring as soon as a new attorney is picked, said he will recommend the council "take the initiative and cancel the May 9 City Council election, and call off the bond issues and the charter amendments."

"We don't need another court to tell us where we are in this case," he said.

People on both sides of the issue said they thought a plan could be hammered out by November. It's still unclear whether all City Council members would have to run for election for staggered terms.

"District plans have been implemented under phases," Fontana said. If it's staggered, that would mean council members elected in 1987 would serve until 1991, while those elected this year would serve until 1993.

But Todd McFarren, an attorney and candidate in the next election, said, "It would seem to me that if the at-large system is unconstitu-

tional, then every seat is up for grabs."

Murphy said the city's Planning Department had begun work on a district plan and she didn't know whether the city would hire an expert to help it draw the district boundary lines on a map.

Rebecca Garcia, president LULAC, said a lot of what happens next depends on the City Council's willingness to cooperate.

"The community has been working on a plan. In order to get the best representation and real equity in the districts, we'll want seven single-member districts; three where the majority of people are Hispanic or at least two where the majority is Hispanic and a third which would be sensitive to our needs."

Avila said that if the City Council refuses to cancel the May 9 election, he will file a brief with the court to stop it on the grounds the at-large election system is unconstitutional.

He said the district plan will be based on 1980 census data, augmented by "block statistics" from the state Department of Finance.

A dilemma facing everyone as they go to the maps to draw district boundaries is that the 1990 census will reflect major demographic changes in the city. The population is currently estimated at 29,500, but it could well be over 30,000 by the next census.

Avila said he suspects the landmark Watsonville case will have major ramifications throughout the nine states covered by the Ninth Circuit Court of Appeals.

While some cities and school districts will voluntarily comply — as Salinas did when faced with a similar suit — "Others will need to be sued. I think there will be five to 10 more lawsuits," Avila said.

"Now it's the law of the land. Those are the standards," Avila said.