

Judge seeks compromise in fray over veterans hall

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SANTA CRUZ — A Superior Court judge climbed into the ring Wednesday to try to stop a fight between the county and the United Veterans Council before someone gets knocked out of the Veterans Memorial Building.

Judge Tom Black tried to work out an agreement whereby the Veterans Council and the county can once again come up with an orderly plan for the operation of the building on Front Street.

There has been no plan since 1981. The building is operated by the county Parks and Recreation Office and is used for more than just veterans' functions.

The immediate problem is that the Bill Motto post of the Veterans of Foreign Wars has been occupying the second floor of the building for

more than a year — with the permission of the Veterans Council but without a permit from parks and recreation.

Black ordered that Post 5888 apply for a long-term use permit by Dec. 1. He said the post could remain in the building if that condition is met.

The Board of Supervisors ultimately will decide on the permit, but Black retained court jurisdiction. He ordered the county and the Veterans Council back Dec. 18 to see how things are progressing.

He said he hoped his ruling would encourage the county and the Veterans Council to negotiate in good faith a mutually acceptable plan for the operation of the building.

The courtroom was packed with veterans, who had hoped to tell the judge what a poor job the county is doing of running the building. But Black issued his ruling after meeting

in chambers with attorneys for the council and the county. Veterans did not have a chance to speak.

"We've been sold down the river," said one angry veteran after Black announced his decision.

Attorney Ray Scott, representing the council, and Assistant County Counsel Samuel Torres made public arguments to the judge before going into the chambers.

Torres urged the judge to focus on the narrow question of control and not the bigger question of public use and maintenance that the veterans have been raising.

Scott said there is no question that control rests with the county. But the spirit of that control, he contended, rests with a county ordinance passed in 1930 that paved the way for a tax that raised \$92,000 to build veterans'

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halls in Santa Cruz and Watsonville.

The ordinance, Scott said, gave preferential use to veterans groups. "That distinguishes it from other county buildings," Scott said. "It was not built nor intended for public use."

He argued that parks and recreation is the wrong agency to operate the building. "They cannot accept that it is something different than Highlands Park or Loudon Nelson Center," Scott said.

Long-running plays and African dance classes have been allowed in the building and have interfered with the activities of the 16 veterans organizations that meet there, Scott said.

The county, he charged, has "failed miserably" to maintain the building to the point, he said, "some veterans believe they've allowed conditions to get so miserable the veterans organizations would move out." Scott said the Retired Officers Association already has left.

Maintenance is a bigger issue and is the subject of another lawsuit.

After court, Parks and Recreation Director Ben Angove said he "can't imagine" why the Bill Motto post should have problems staying in the building. "They're a bona-fide veterans organization," he said.

Just where they will be in the building will depend on review by parks and recreation staff and a decision by the Board of Supervisors. Just what space the group needs can't be determined without the application, he said.