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Charter City & Transfer Tax - Tabled Indefinitely

By Cathy Tyson

The third time was definitely not the charm for the City Council and the Real Estate Transfer Tax and Charter City measures. Two prior meetings were distinctly negative and the third meeting followed suit. At issue was putting the measures on the ballot for voters to decide upon: a \$5/\$1,000 of value real estate transfer tax on the sale of a home along with Charter City status that is required to pass a real estate transfer tax.

Citing fundamental unfairness to residents living on failed roads, the City Council reluctantly decided to table the idea indefinitely, after hearing almost three hours of blistering comments.

Following City Manager Steven Falk's outline of the pros and cons of putting the measures on the ballot, a parade of mostly negative public speakers came to the podium to offer their comments. By a roughly three to one margin, most residents were vehemently opposed, although it was clear not everyone had a firm grasp of the specifics.

"What poisons the system is when people are given misinformation," said Council Member Carl Anduri. "We have an obligation to fix the roads and that can't be done with current resources." Council Member Carol Federighi agreed, "When you cause confusion it's very difficult to pass anything."

"Distrust at government is laid at our feet with the same concern and anger. I don't think that's deserved," said Mike Anderson.

Lost among the drama, it seemed, were the issues - \$16M road repair backlog and the lowest per capita police staffing in Contra Costa County - tied with Moraga and Danville. "The need will not dissolve - the roads are not going to suddenly fix themselves. This is not forward-thinking good government," said Mayor Brandt Andersson.

Arguments against the measure included a general preference not to be taxed, the poor economy, that Orinda and Moraga aren't Charter cities, government malfeasance and more.

A number of residents brought up topics that had nothing to do with the transfer tax - berms on Carol Lane, the salaries of city staff, the country going in the wrong direction, and Council Members pulling a fast one doing an end run around existing 2/3 majority votes. For the record - the threshold to pass a Charter City is a simple majority per the California Government Code, section 34452.

There was some confusion about the measure itself. David Bruzzone, in a heated exchange said, "A Charter City will fundamentally change government." Council Member Carl Anduri rebutted that was "just wrong," explaining nothing else will change aside from the Real Estate Transfer Tax - all other existing laws would be the same.

"We respond to residents' requests for service - to fix roads, build ball fields - all we can do is give voters a choice. The best thing to do is to postpone this effort," said Council Member Don Tatzin.

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