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Storm drain fee vote: the business of ballots

By *Sophie Braccini*



Marty McInturf places ballots in the red locked box. Photo Sophie Braccini

All Moraga property owners by now should have received the ballots to vote for or against the storm water fee. The fee includes the 12 parcels owned by the town, which are assessed approximately \$14,500 a year for the runoff from its properties into the storm drain system. The council decided to vote yes and Mayor Dave Trotter will sign the 12-vote ballot.

Town Clerk Marty McInturf, who receives the ballots, explained that up to 14 parcels can be listed on one ballot. As of April 12 she said she had received about 1,500 ballots. When they arrive, either given to her by hand in her office by a voter, or bulk delivered by mail, the ballots are put in the wired and padlocked red metal box that sits in her office. At night the ballots are taken to a safe location: the police department evidence room, which can only be accessed by the chief of police or his second in command.

McInturf warned that the deadline to physically receive the ballots is May 15 at 5 p.m. Since the ballots are handled by the post office as bulk mail, it goes through Oakland and can take several days to reach Moraga's

town offices. McInturf therefore recommends mailing the ballots back ASAP, or hand delivering them at 329 Rheem Blvd. as the deadline nears.

The clerk explained that she gets two or three phone calls every day with questions about the ballots: property owners who can't find their ballots, people who say that only their spouse has received a ballot and not them. McInturf said that the fee is assessed per property and that each parcel gets one vote. If multiple people own one lot, they have to decide together what the vote will be; there is no splitting the vote.

If people cannot locate their ballot, McInturf will have SCI Consulting reissue a ballot to them. She added that the computer system that will read the votes has a registration of all the ballots that have been printed and will only count one vote per parcel. She expects that the vote count will take one or two days and the public is welcome to witness it.

There was discussion at the dais at the April 11 council meeting to decide whether or not the council should take a position and vote. It was noted at the meeting that some residents wrote letters to staff objecting to the town vote because of the weight carried by 12 votes. Town attorney Michelle Canyon indicated that the council should not campaign for or against the fee, but could vote. Council Member Jeanette Fritzky voted with her colleagues to endorse the fee, but decided against having the town vote for its parcels. She explained that when property owners vote it is with the authority derived from owning one or more parcels, but that the town owns property by virtue of residents paying taxes, and that this was a very different paradigm. She added that if she knew what the majority would choose, then that would be what the council should do, but it is not the case and the town should abstain from voting.

The other council members unanimously decided that since they were elected officials, it was their responsibility to vote and they did.

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[back](#)

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