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Published May 13th, 2009

To Be Or Not To Be A Charter City

By Cathy Tyson

Alameda is one, so is Oakland, Solvang and Palm Desert, in fact over 100 of California's 478 cities are. Lafayette is weighing the pros and cons and considering it.

That is, becoming a charter city. The California Constitution allows a city to either use statewide general laws to govern, or adopt their own municipal constitution as a charter city. This gives a charter city the power to legislate and regulate in response to the needs of the community: for example, Berkeley passed an amendment making it a Nuclear Free Zone and San Francisco approved the "Plastic Bag Reduction Ordinance."

Charters can be as short as San Ramon's one page, or 3,000 plus pages for Oakland. In the case of a shorter charter, many items not specifically spelled out default to California general law.

A varied group of volunteers from the community have stepped in to investigate, compare apples to apples and see if this is something the city might be interested in. Mayor Don Tatzin was at a recent meeting and summed it up with two questions, "Do we want to become a charter city? If so, what do we want that charter to look like?"

What got the charter city ball rolling was the recommendation of the Finance Review Task Force. After months of going through the city budget, they suggested a number of revenue enhancement options to deal with an \$18M unfunded road repair backlog among other things.

One of the recommendations of the Task Force was to look at more cost effective police services - a report on alternatives is expected to be complete in July. They also recommended investigating the possibility of raising the property transfer tax which could raise a significant amount of revenue. Becoming a charter city allows for municipal control over this tax and potentially other areas that include zoning, contracts, and local elections.

Currently the City of Lafayette splits the \$1.10 per \$1,000 of assessed value transfer tax of a home that is sold; half (\$.55) goes to Lafayette and half goes to the County. For a million dollar home, that means that only \$550 of the transfer tax stays in Lafayette. Other nearby charter cities are reaping the rewards of a higher property transfer tax, Alameda charges \$12.00 per \$1,000 of assessed value, Piedmont charges \$13.00, Palo Alto charges \$3.30.

Administrative Services Director Tracy Robinson speculates that, hypothetically, if the Property Transfer tax was \$5 per \$1,000 of assessed value, the sale of a \$1,000,000 home would bring in \$5,000 directly to the city's bottom line. That's just shy of ten times as much per sale than the city is now getting,

which translates to more police on the beat, filled potholes, money for senior services and twinkle lights at Christmas.

The current assignment for our erstwhile charter city volunteers is to investigate two charter cities each. Currently they are working on a thorough list of questions ranging from, "What were some of the unintended consequences of becoming a charter city?" to "What events prompted your city to adopt a charter?" for city officials.

The information gathering phase of this process is expected to take a fair amount of time, but when complete, the task force will present their recommendation to the City Council. A majority vote of residents is required to adopt a city charter.

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