

# Redding charter city campaign is dead; activists plan ballot measure

By Scott Mobley

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The divisive campaign for a city charter to bring “home rule” to Redding is officially dead.

The Tea Party activists driving the charter bid have abandoned it, at least for now.

Instead, they will gather signatures for a ballot measure to keep up pressure on local officials.

Activists are not yet ready to release details of the measure, dubbed “The Government Transparency and Accountability Act of 2011.”

Gary Cadd, a fiscally conservative Redding City Council candidate and Tea Party activist, has seen multiple versions of the proposed measure.

“I think it (the ballot measure) is well worth doing,” Cadd said. “I think it takes care of some of the city code that probably needs to be looked at from a citizen’s standpoint.”

## “City has enough problems”

The council narrowly voted to abandon the charter effort June 7 after an appointed committee could not reach consensus on a recommendation to press on.

A day before the council voted, the Sacramento-based California Alliance for Jobs released a poll showing 58 percent of Redding residents against a charter and 23 percent in favor. Nineteen percent of those polled had no opinion. The poll's error margin was 5.3 percent.

Residents ranked jobs and the economy, housing foreclosures, local government budget deficits and police protection as more immediate concerns than a city charter, according to the poll, commissioned by a heavy construction industry lobbying organization.

Cadd, one of the earliest charter city supporters, has come to agree the issue is not that important in the larger scheme. He has put the charter movement behind him.

“A charter city is not on my horizon, it's not something I am looking at,” said Cadd. “The city has enough problems right now. With the unions statewide and here in Shasta County it's just going to cause a big conflict in the community. We need to be finding ways of solving problems together.”

One hundred twenty of California's 493 cities have adopted charters granting them limited independence from the state government code, which sets the framework for municipal affairs in general law cities like Redding.

Charter cities may write their own rules on purely local matters such as setting salaries for elected officials, handling elections and deciding what form municipal government should take.

The California Supreme Court is reviewing the charter city exemption from prevailing wage laws for locally-funded public works.

Charter supporters in Redding — including Cadd — backed a

prevailing wage exemption locally, believing it would save the city \$500,000 to \$1 million a year.

Construction industry representatives strongly opposed the charter mainly for the prevailing wage exemption.

This charter opposition did not come from the Shasta Builders' Exchange, the mainstream construction industry lobby.

Instead, ad hoc groups like Redding Taxpayers Against the Charter sprang up to protest charter committee meetings and Redding Charter Watch to print arguments online against home rule.

Neither charter opposition group identified with public or private sector unions. Both instead said they represented concerned taxpayers.

A city charter would expose Redding to increased litigation costs, bring on more corporate and union lobbying and invites government waste, fraud and abuse in contracting, according to Redding Charter Watch.

Redding Taxpayers Against the Charter and Redding Charter Watch both argued home rule would increase local government power and aggrandize local officials at the expense of residents.

### **Local government limits**

Fiscally conservative charter supporters said their aim was the exact opposite of expanding government. They wanted a charter to put limits on local officials beyond those found under general law provisions in the state Constitution.

Elizabeth Woodward, who organizes a group of Redding Tea Party Patriot volunteers and activists to learn about local government, said

the prevailing wage issue overshadowed many other important elements in the push for a charter.

One of these is local independence from state mandates, Woodward said.

“We need to get out from the stranglehold the state has on us,” Woodward said. “I don’t think that’s something everyone understood.”

Woodward saw the charter movement as an opportunity to involve all residents in local government. A charter commission would be equivalent to a constitutional convention for the city.

Woodward hopes activists will bring the charter issue back for consideration some day and residents will have more time to learn about it and get involved.

“It’s not just about prevailing wage and who is running the city,” Woodward said. “It can be anything anyone wants it to be.”

### **Charter roots**

The campaign for a charter in Redding goes back at least to January 2010, when the council decided to seek voter approval for changing the city clerk from elected to appointed. Currently, voters elect the city clerk and the city manager appoints the elected person to an administrative position.

Administrators and council members supporting the change said the clerk is a professional, technical position requiring expertise far beyond the qualifications for election.

Cadd, then gearing up for his second shot at a council seat, led a group of Redding Tea Party Patriots who vociferously opposed any move to bring the clerk under full control of the city manager, an

appointed official.

Opponents also called the proposed election a waste of money, saying no one would vote to give up their right to elect an official.

The city later called off the election after council member Rick Bosetti told Tea Party members he would reverse an earlier decision supporting it.

With the hybrid city clerk election/appointment system safe, Tea Party activists vowed to seek a ballot measure making the clerk a purely elected position to guard against further attempts to erode the position's political independence.

That effort quickly evolved into a larger charter city campaign after Tea Party activists began criticizing local officials on other issues.

One group was frustrated by the city's reluctance to intervene in a controversy surrounding use of Redding Cable Access Channel (RCAC) studio equipment.

RCAC is reserved for public, education or governmental use under federal law. The nonprofit's board chair was using the studio to promote his own organization, critics said.

The city hired an attorney specializing in cable franchise issues to investigate RCAC. That attorney found no conflicts of interest.

Critics called Redding's response to RCAC ineffectual, faulting the city attorney and city manager. Both are council appointees. Under a charter, voters could elect the city manager and city attorney, making them directly accountable to the people, home rule supporters said.

Another Tea Party group was alarmed by city efforts to regulate pamphleteering in front of the Redding Library.

Tim Pappas, the Shasta County assistant public defender who works for the North State Tea Party Alliance on his own time, joined the American Civil Liberties Union of Northern California to persuade a Shasta County judge last month the library leafleting rules are unconstitutional free speech infringements.

Still another Tea Party-based group has long opposed the city's policy of transferring Redding Electric Utility money to the general fund in the form of payment in-lieu of taxes and late fees.

Walt McNeill, a Redding attorney who sometimes represents the Record Searchlight on legal matters, sued the city in February over the payment-in-lieu of taxes.

McNeill claims no Tea Party or other political affiliation. But Shirlyn Pappas — one of the plaintiffs in the suit — is a Tea Party activist.

### **Charter commission too expensive**

Charter supporters were ready to ask voters to appoint a commission to draft a home rule document as long ago as January. They had drawn up a ballot measure.

But supporters decided to see if the council would take up the issue first, Pappas said.

The council in late January appointed a 10-member committee to weigh the pros and cons of adopting a charter.

Pappas served on the committee, which ultimately deadlocked in its recommendation to council on whether to go ahead.

Despite a council invitation to do so, charter supporters will not attempt the next steps in the adoption process. That would be getting a 15-member commission elected to draft a local home rule

document and putting in before voters for final approval.

A charter commission could work up to two years and cost Redding taxpayers hundreds of thousands of dollars, said Pappas.

The Tea Party groups, all strong fiscal conservatives, could never promote such an expensive undertaking, Pappas said.

“In good conscience, no matter how important the issue, and unlike the unions, the groups could not expose the city to such devastating costs of an elected charter commission,” said Pappas.

Instead, activists will seek voter approval for the accountability and transparency initiative. That measure addresses many of the concerns about government expense and responsiveness they raised during the charter city campaign.

Pappas has drafted the transparency and accountability initiative. Two of the three sponsoring groups are still reviewing the initiative’s language, Pappas said. The groups will unveil the ballot measure when they submit it to the city for inclusion on a special election ballot, he said.

The transparency and accountability measure would become city law if a simple majority of voters approve.