The Moraga Historical Society

2024 SECOND QUARTER MORAGA MEMORIES-YESTERDAY, TODAY, TOMORROW

The Struggle for Cityhood

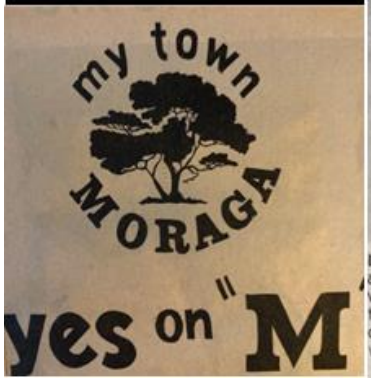
Adapted by Susan and Sam Sperry from an unpublished article written by Sandy Kimball

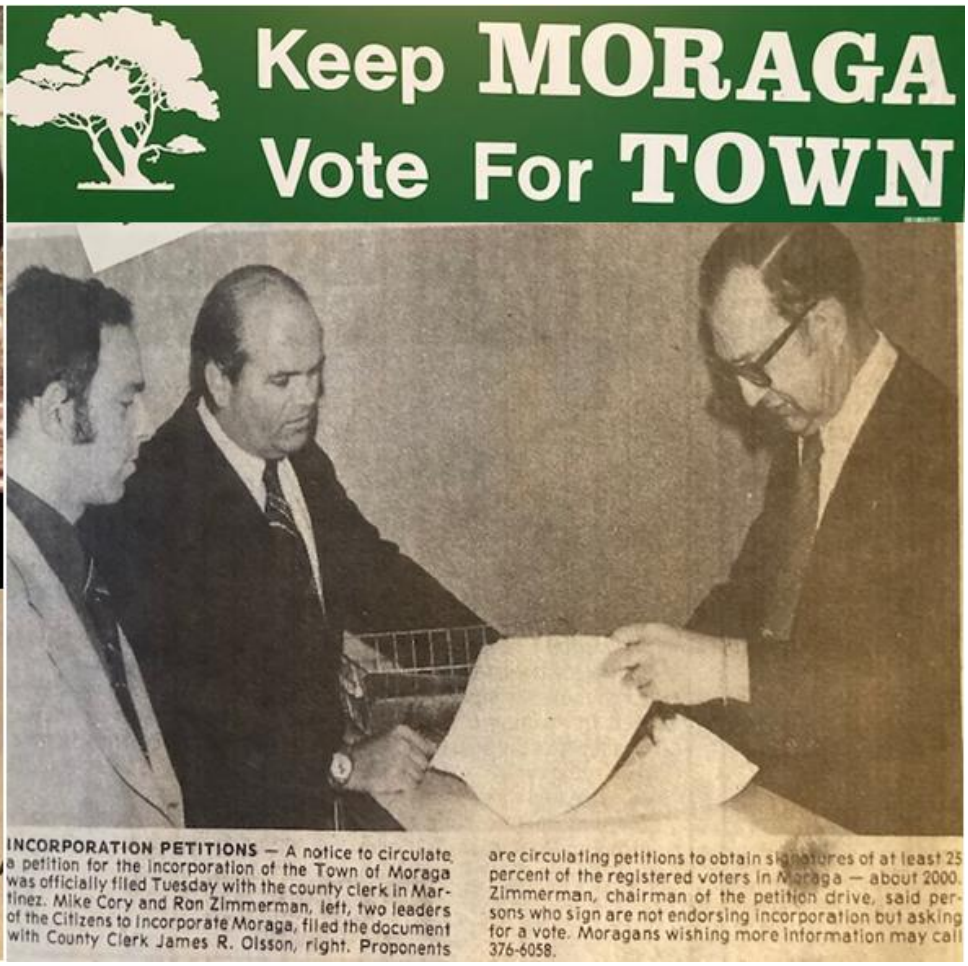
The impetus for cityhood was grounded in distress with the development decisions being made by the County of Contra Costa, whose decisions often seemed to be more in keeping with the interests of land developers than with the wishes of local area residents. Finding themselves powerless to shape their community to their own liking, residents of the Moraga area began to think about establishing their own local government.

The sleepy village of Moraga, once the home of Spanish dons and the scene of early California pastoral life, experienced its first taste of "planning" in the 1950s when Contra Costa County adopted a County general plan which, if implemented, would change the character of the area. There were few area residents to complain. There were relatively few homes, a single grocery store, a bar, a cluster of company houses and structures serving the large-scale agricultural enterprise, and St. Mary's College.

With urbanites hungry for homes in the country, developers began acquiring land, and large-scale housing tracts began working their way from the drawing board to the hills and valleys. A shopping complex was established at an important intersection in the community.

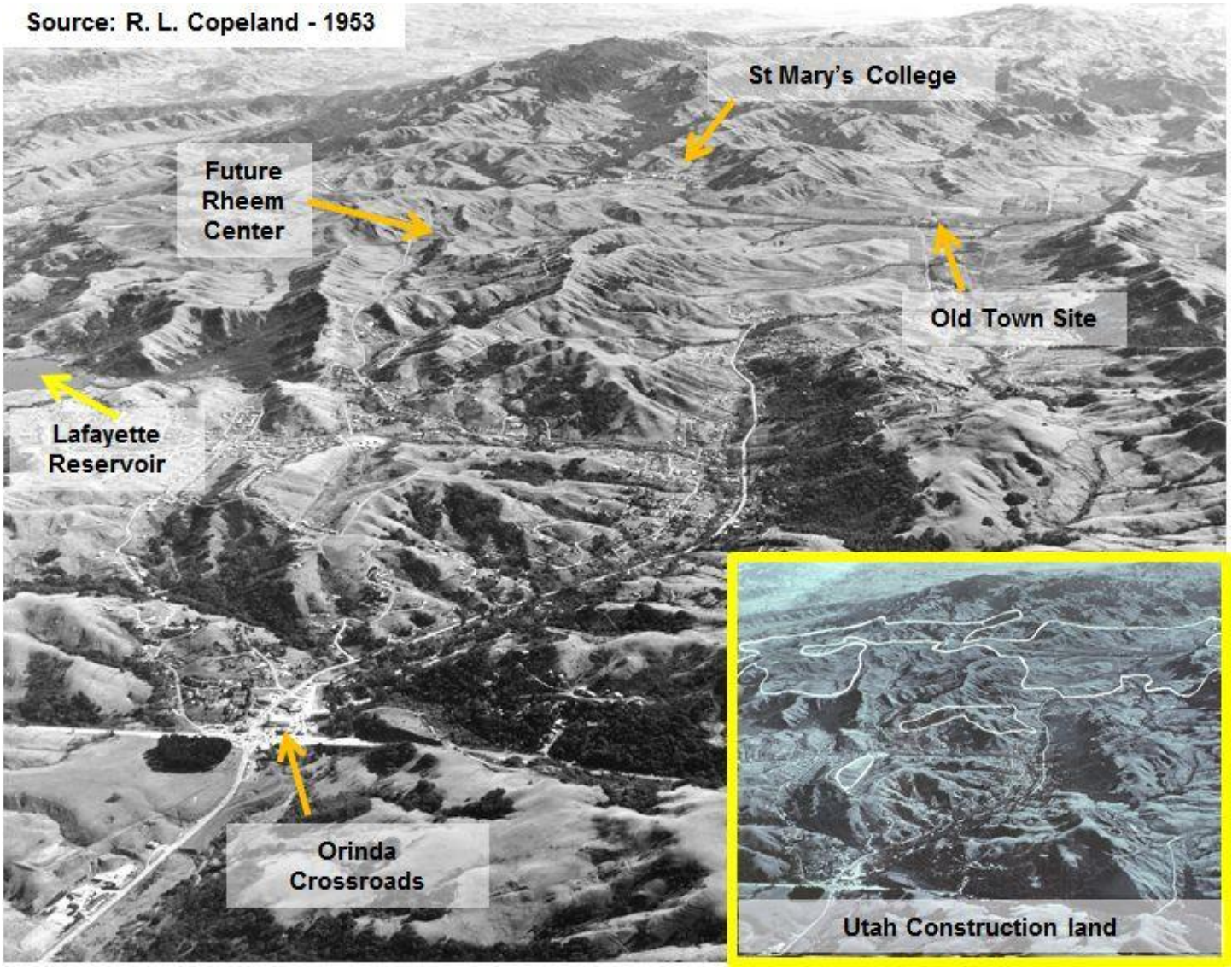
Bob Merritt
Mike Cory





INCORPORATION PETITIONS — A notice to circulate a petition for the incorporation of the Town of Moraga was officially filed Tuesday with the county clerk in Martinez. Mike Cory and Ron Zimmerman, left, two leaders of the Citizens to Incorporate Moraga, filed the document with County Clerk James R. Olsson, right. Proponents are circulating petitions to obtain signatures of at least 25 percent of the registered voters in Moraga — about 2000. Zimmerman, chairman of the petition drive, said persons who sign are not endorsing incorporation but asking for a vote. Moragans wishing more information may call 376-6058.

Occupants of the new homes watched in distress as the character of the "country" into which they had settled was changing. Predictably, this led to some initial conversations in the early sixties about how best to bring development controls to the local residents. One group decided that the way to address the emerging problem of over-development was to get politically involved. They managed to replace the local County Supervisor with a man of their own choosing, but his vote against the other four Supervisors helped but little.



Soon thereafter, the Moraga Community Association (MCA) was organized to discuss options and to advocate for the local residents, and as a result, an incorporation study was undertaken in 1966 and then updated and expanded in 1972. Furthermore, members of MCA reached out to members and staff of the powerful Local Agency Formation Commission (LAFCO), an agency set up in each county, under State law, with the responsibility, among others, to review and oversee proposals for incorporation of new cities in furtherance of the orderly formation of such new governmental units. However, says Mike Cory, who became MCA's President, "With no industry to count on and only dollars from homeowners to support a city, we couldn't muster too much enthusiasm for incorporation."

In the meantime, residential development progressed, and in the process, orchards and long-standing native trees were removed, and the rural landscape was being altered to create building sites and streets. But the growing number of complaints of local residents to County representatives and officials were largely ignored.

About the same time, the MCA became angered by County Planning Commission approval of a highly-controversial multiunit development project over their strenuous objections, and the resulting controversy came to be known as the "Martinez Mentality.” In the months to come, the incorporation proponents were to use the "Martinez Mentality" phrase as a rallying cry for their cause.

As a result, "an up-date of the ‘72 incorporation study was ordered by the MCA,” reports Cory. A number of possibilities were reviewed, including a city which would combine Moraga and Orinda with Lafayette, which had incorporated in 1968, and a city combining Moraga and Orinda. Neither seemed politically feasible, although LAFCO was known to prefer the three-community concept. A final alternative was the incorporation of the Town of Moraga alone - an idea that was to prove concerning for a lot of people who feared that the bedroom community couldn't remain viable in the face of the costs that cityhood could entail.

When the '73 update was presented to the MCA, it declined to identify a preference among the options studied, and, instead, it recommended that an outside citizens group be established to further consider the incorporation proposal. lt was at this point that the proponents of incorporation formed the **Citizens to Incorporate Moraga** (CIM). That’s when Bob Merritt, a local resident and perceptive lawyer with boundless energy, got into the fray. He was impressed by the financial study done in the ’73 update and believed that it demonstrated that cityhood for Moraga was economically feasible.

To get LAFCO's approval, which was the required first step towards incorporation, CIM spent six weeks preparing an in-depth report covering every aspect of cityhood. Merritt reported, “We had people determining what it would cost to run a city and how much revenue we could count on. We discovered that with revenue collected by the State for gasoline, motor vehicle in lieu fees and cigarettes, which at that point was going to the County but which would come to us when we incorporated, we should be able to make the grade with a local property tax no higher than 26¢ per $100 of assessed valuation.”

Then a problem arose. It was learned that, in January of the previous year, the formula for calculating the amount of revenue which the Town would receive from the State had been changed from three times the number of registered voters to only two times that number. As Merritt observed, "With this new formula, our State revenue estimate suddenly dropped by a third.”

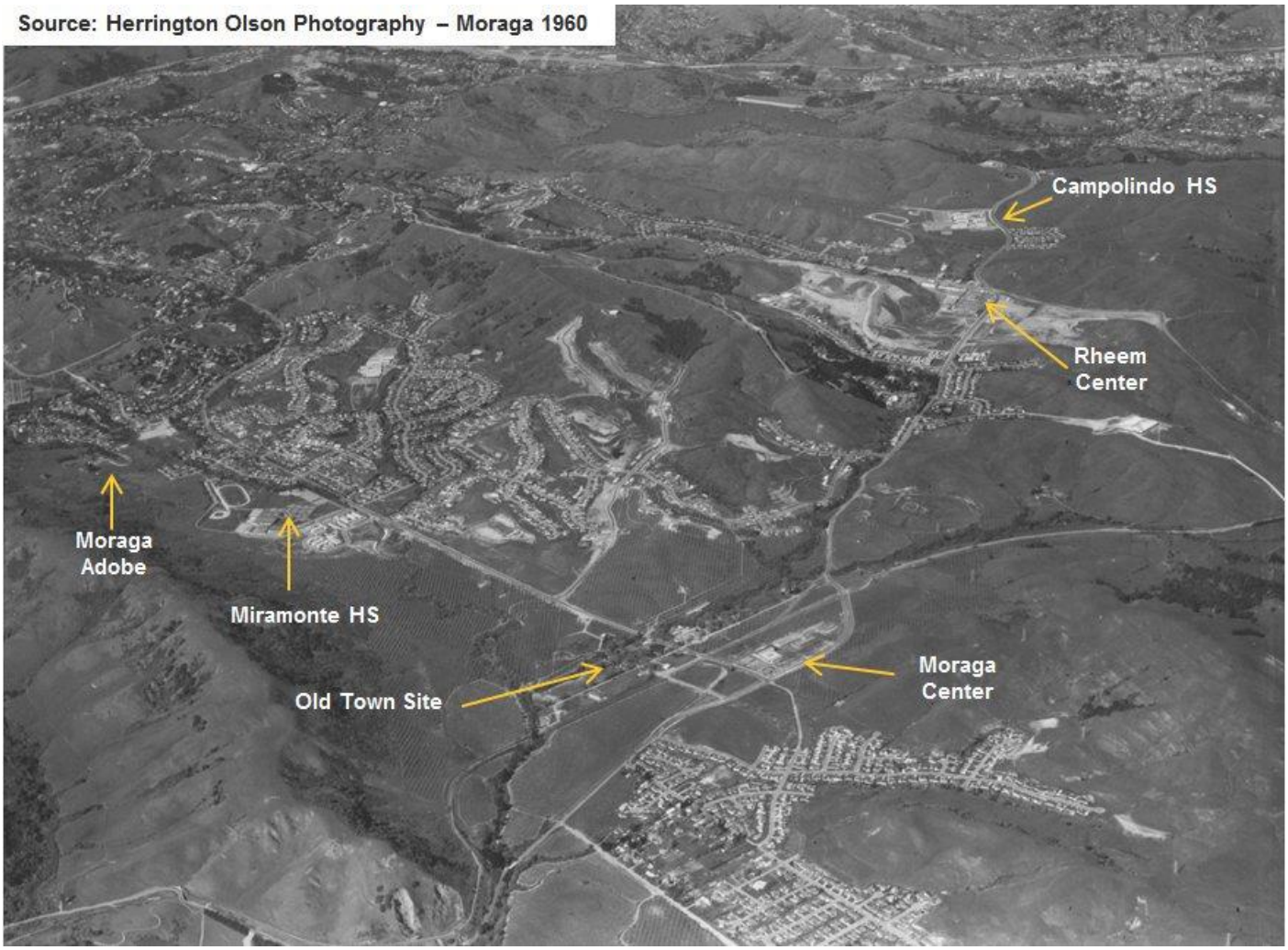
Offsetting this bad news, CIM was tipped off that Moraga was due for a re-assessment of property values within the next few months. Adds Merritt, "The guess was that the reassessment would probably increase assessed values by an average of 40-50%.” The normally bleak news that property taxes would jump by 40-50% became a boon to the incorporation proponents, for it meant the Town could count on adequate funds despite the cut in revenues from the State.

Meanwhile, the opponents of incorporation, led by large landowners, developers and shopping center managers and merchants, were getting ready to address LAFCO. They preferred being annexed to no-tax Lafayette, and their common theme was that, if incorporation went through, they would want out. One local newswoman went so far as to write that, if the Lafayette annexation proposal was implemented, the remaining tax base for Moraga “would hardly be enough to support a dog catcher.”

The boundary question almost precipitated a "border war” with nearby Lafayette, which was already incorporated and made it known that a big portion of the land Moraga sought to include in their town was clearly in Lafayette’s "sphere of influence." Remarks Cory, "If Lafayette had been able to extend their boundaries according to their plans, they'd have taken in one of Moraga’s two shopping centers, our high school, the site of our library and even St. Mary's College." Lafayette eventually agreed to withdraw their claim

to this vast area and support the proposed Moraga boundary at the upcoming LAFCO hearing, but made it abundantly clear that if the incorporation effort failed, Lafayette would take steps to annex the disputed area.

The final written incorporation presentation was dated February 4, 1974, and the CIM bombarded LAFCO with the facts and figures they'd so energetically developed. The CIM theme was clear: unhampered development could not continue without plans for additional public services and facilities, particularly roads and transportation alternatives. The report was capped with a finely-tuned financial report showing how the infant city could manage its fiscal affairs and business.



The opponents nipped at the arguments, particularly harping on the dollars and cents aspect of a no-industry city facing the financial realities of governance. Upon completion of their proceedings, LAFCO gave its seal of approval, and the Board of Supervisors approved the application on March 6, clearing the way to put an incorporation measure on the ballot.

With that, CIM turned its attention to the campaign to convince its residents that local autonomy was in their best interest. A campaign fundraising dinner-dance kicked things off, and a large number of neighborhood coffees were organized to promote the measure. Next came the job of securing the signatures of 25% of the registered voters on the petition to put the measure on the November ballot. The signature gatherers actually secured 40% of the electorate's signatures, and the petitions were filed with the County in June. The measure became **Measure M**.

By August the search for candidates who would enthusiastically support Measure M was under way. Of the 13 who eventually decided to run, 11 were in support of Measure M.

The opponents of Measure M, organized as Keep Moraga Unincorporated (KMU), insisted that the amount earmarked for public works was woefully inadequate. They insisted that the 1975 County census would drastically reduce Moraga's revenues from the State, and further stated, "we'll lose the umbrella of the County's heavy industrial and commercial tax base, $3 million worth." CIM answered each of KMU's arguments, pointing out that more than sufficient funds had been planned for public works, that a County census couldn't affect the State revenues and that in the long run, the cost of expanding public services and schools necessitated by new development would exceed what Moragans would pay in a modest city property tax.

In the middle of the campaign battle, a bit of luck fell into the laps of incorporation advocates. The change in the State subvention formula led to a drastic cut in revenue received by cities whose residents were predominately low income and, predictably, had low registered voter counts. A highly-publicized example was the City of East Los Angeles, which could ill afford the funding cut. As a result, the State Legislature passed and Governor Reagan signed a bill to reinstate the three-times base. Voila – Moraga's State revenues were back up by a third, and the local property tax rate was promptly trimmed from 26¢ to 16¢ per $100 of assessed valuation. Although CIM continued their efforts by emphasizing the reduced tax rate, the opposition still cried, "another layer of government, with a duplication of County services. The County government is taking care of your interests. 16¢ is only a foot in the door. Look for $1.00 in the second year." For each KMU assertion, CIM had a logical, thought out and financially sound response. Among others, they reassured residents that they'd have more police protection, not less.

CIM flooded residents with photos depicting commuter traffic jams on the only two access roads, pictures of construction planted in rows across the ridge lines above the valley, and pictorial reminders of the growing proliferation of condominiums. While KMU was still hammering away on the insufficient funds fear, the property tax bills, reflecting the recent reassessment of Moraga properties, were mailed out. Despite an average increase of $400 a year in property taxes, the addition of 16¢ per $100 of assessed valuation was hailed by CIM as a small price to pay for local control.

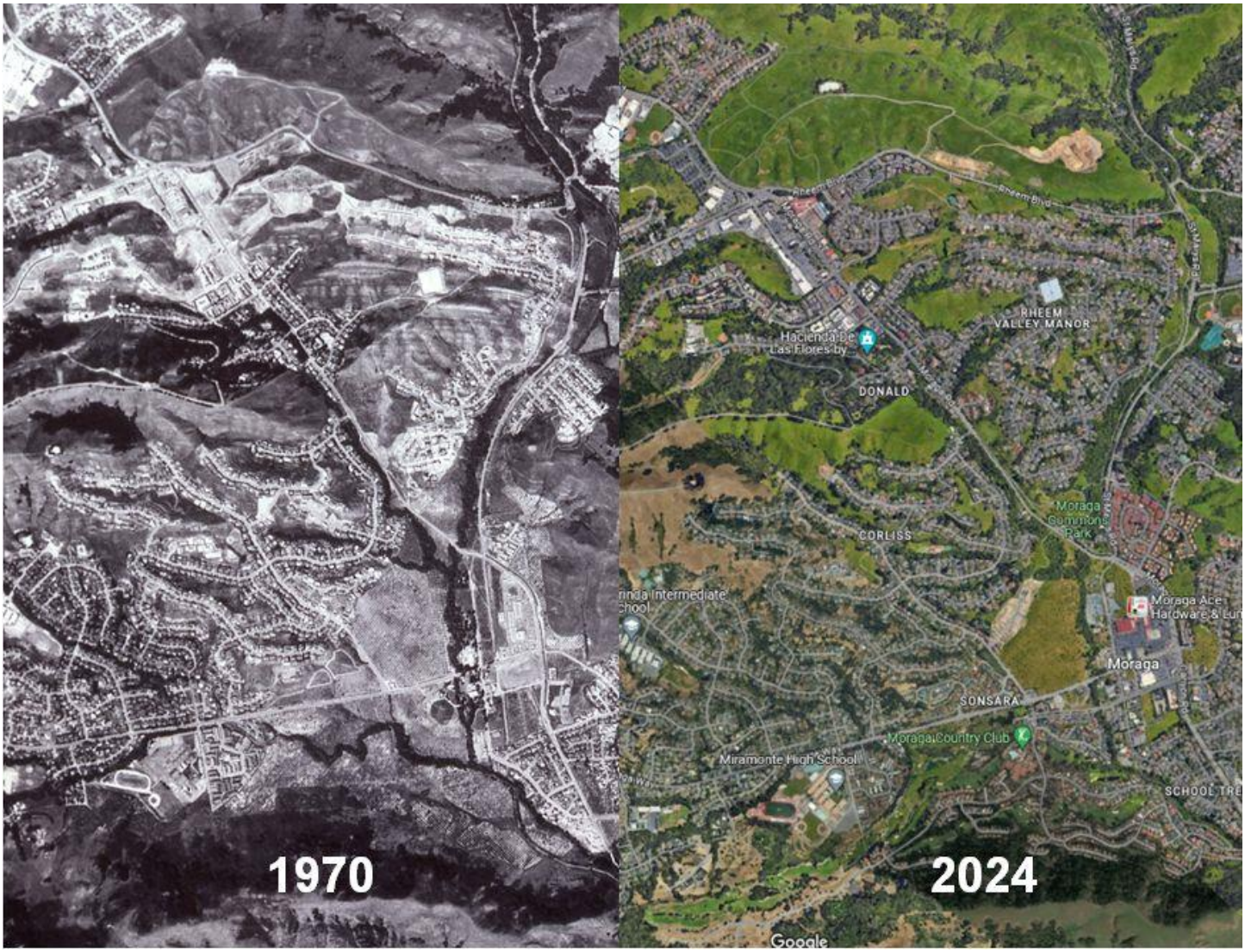
Meanwhile, candidates supporting Measure M were busy pushing both the idea of incorporation and themselves as potential council members. Cory framed the issue as, "Will there be control in Martinez or Moraga?" Another plus in the pro camp was the feeling created by Watergate that government at a distance was not to be trusted. The home rule idea was looking better all the time.

When campaign financial statements were filed, it was readily apparent that the campaign contributions to the opponents of incorporation had come from large landowners and commercial interests. Merritt observed, "People began to see incorporation as a battle to protect the area from over-development."

On November 5, over 6,000 voters went to the polls. With a vote of 3,679 in favor and 2,537 opposing, the measure passed, creating the Town of Moraga. The 15th city in Contra Costa County, the infant community boasted 9.53 square miles, $63 million in assessed valuation, and a population of 16,000.

It also had five new Council members, no instantly available money, no place to meet, and no local ordinances or policies to direct the newly-elected Council and staff on how to run Town business. Having received the largest number of votes, Mike Cory was selected without controversy to serve as the first Mayor. He swung into action, calling on Lafayette's City Attorney for guidance on organizing the new city government.

The swearing-in a week later was something of a community party. Three hundred residents, many of them youngsters, attended the gathering. It was largely a ceremonial event, and then began the hard work of keeping Moraga "the way it is."



Interested in Moraga's Future?

Part of protecting Moraga's past requires planning for its future. The Town is currently updating its General Plan, the State-mandated document that guides how and where the town will grow over the next 20 years. The Plan addresses quality of life issues that impact all of us, such as traffic, community design, sustainability, resilience, and historic preservation. The Town has completed the portion of the plan addressing housing, and is now focusing on these other important topics.

A community workshop and open house on the General Plan is planned for late April. Check the project website at www.makemoragahome.org for details.

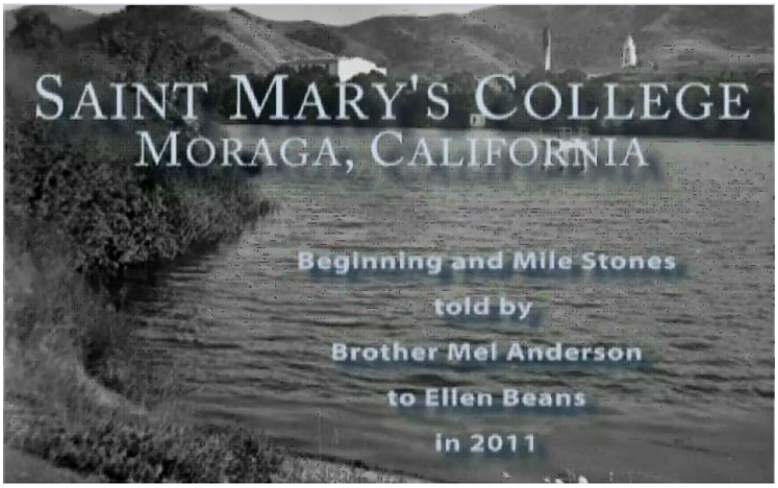
Interested in Moraga General Plan 2040? **Get involved at makemoragahome.org**

Obituary – Rosemary Coburn

Rosemary Coburn passed away January 3, 2024. She was 94 years old. Her devotion to the Moraga Historical Society will be greatly missed. For many years Rosemary served on the Board of Directors of MHS and was an active docent in the yearly 3rd grade program at the History Center. She will be remembered by many for her bright smile, colorful attire, and positive attitude.

Voices of the Past: Brother Mel Anderson

The MHS web site has a new section called **Voices of the Past** where we feature video and audio recordings that have been uploaded to our YouTube Channel. The latest addition is **Saint Mary's College: Beginning & Milestones as told by Brother Mel Anderson** to Ellen Beans in 2011.



PRESIDENT'S MESSAGE

I am very excited about the future of the Moraga Historical Society! We are becoming more visible in our community through our **Speaker Series** as witnessed by the overflow crowds at the past three events. Sam Sperry's train presentation filled the Casita at the Hacienda with 60+ enthusiastic train buffs!

Thanks go to John Kaiser and Susan Skilton for our growing website with otherwise hidden information from our abundant archives. Our new treasurer, Chris McGuffin, has connected us to 21st century banking and accounting systems, and recent photographs and print material donated by Donald Rheem II has broadened our resources concerning the life of Donald Rheem and the formation of the Rheem Center and environs.

This second edition of the newsletter gives you valuable information regarding the thinking and reasoning leading up to the incorporation of our Town. The July edition will contain interviews with the last two/five living members of the first Town Council. Don't miss it!

If you have not paid your 2024 dues or know of someone interested in participating in MHS events, please check out our website at moragahistory.org to join on-line.

We are also happy to be holding the Third Grade Tour on April 19, 26 and May 3 at the History Center. Check out our web site's **Third Grade Tour section**.

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