

Challenging road awaits Pinole recall effort

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By Tom Lochner

PINOLE — The authors of a drive to recall three Pinole City Council members face tough odds to get it on the ballot, if history is a guide.

But then, the process is not designed to be easy, election officials say.

On June 5, former Mayor Betty Boyle launched the process by serving a “Notice of Intention to Circulate Recall Petition” on Mayor Maria Alegria and Councilmen David Cole and Stephen Tilton.

In addition to other allegations, the notices accuse the three of arrogance in voting not to renew the contract of the former city manager; and of a “suspect” relationship with a restaurateur who owes the city more than \$400,000 in redevelopment loans and has not made payments for 20 months.

Boyle filed the notices with City Clerk Patricia Athenour on June 6 and placed a legal notice in the newspaper.

The three council members had until Tuesday to file responses. Tilton, who filed Friday, called the recall attempt “a smear campaign, filled with lies, mistruths and inaccuracies.”

Cole's response, filed Tuesday, urges residents to “reject this vicious recall effort based on rumors, grudges and lies.”

Alegria, who also filed Tuesday, wrote: “I refuse to be intimidated by personal threats and political attacks intended to silence my voice and stifle productive public debate.”

Boyle's service of the notices was the first among a gauntlet of strict recall requirements.

“This is probably one of the most complicated processes that a citizen can engage in in the electoral business,” Contra Costa County Clerk-Recorder Steve Weir said.

After Tuesday, organizers have 10 days to file two unsigned petitions for each recall target with the city clerk, who has another 10 days to review the petitions and certify them or send them back to be reworked.

If the city clerk approves the petitions, recall proponents have 90 days to gather signatures of 25 percent of the city's almost 9,000 registered voters, or about 2,250 signatures, on each of the three petitions.

The city clerk has 30 days to verify the signatures. If enough are valid, the petition goes to the City Council for certification at its next regular meeting. Within 14 days of certification, the council should call for a recall election to take place in 88 to 125 days. If the council does not, the county elections officer has five days to call for an election.

Nomination papers for replacement candidates must be filed no less than 75 days prior to the election, unless the recall coincides with a general municipal election, in which case the filing period is different. Pinole's next municipal election would be in November 2008.

Recalls of city council members are infrequent.

In 1983, four of five Pittsburg council members were ousted in a recall triggered by allegations of misconduct in the police department and over at least one council member's purchase of a new home with the help of city bond money.

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More recently, two Antioch City Council members faced recall in 1996 over their support of a utility tax. Voters replaced one; the other, who recanted his support of the tax, narrowly survived recall with just over 52 percent of voters opting to keep him in office.

Pinole was also the site of a 1991 recall drama. A drive to recall then-Mayor Ann Williams fizzled when sponsors fell 107 signatures short of the 2,219 they needed to make the ballot.

The sponsors cited her support of a utility tax and the council's replacement of the previous mayor over allegations he had used racial slurs. Pinole's council chooses one of its members as mayor.

Recalls are not cheap. The county, which conducts elections for Pinole under contract, gave the city an estimate of up to \$7.70 per registered voter for a stand-alone election and about \$2.75 if a recall election were to coincide with the February presidential primary election, Athenour said.

With 8,976 registered voters at last count, Pinole could face a tab of about \$69,000 in a stand-alone election or \$25,000 in February. The estimates likely are on the high side, Athenour said, but they do not include costs of verifying signatures.

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