

**FINAL**

**CONTRA COSTA LAFCO: WEST COUNTY  
SUB-REGIONAL MUNICIPAL SERVICES REVIEW**

*Prepared for:*

**Contra Costa Local Agency Formation Commission**  
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## ACRONYM LIST

ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act
BART	Bay Area Rapid Transit
CalPERS	California Public Employees' Retirement System
CCCSD	Central Contra Costa Sanitary District
CEQA	California Environmental Quality Act
CIP	Capital Improvement Program
EBMUD	East Bay Municipal Utilities District
EDAC	Economic Development Advisory Committee
EIR	Environmental Impact Report
HOA	Home Owners Associations
ISO	Insurance Services Office
LOS	level of service
MOFPD	Moraga-Orinda Fire Protection District
NFPA	National Fire Protection Association
OES	Office of Emergency Services
PCI	Pavement Condition Index
sf	square feet
SOI	Sphere of Influence
SRVFPD	San Ramon Valley Fire Protection District
ULL	Urban Limit Line

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# I. EXECUTIVE SUMMARY

## WEST COUNTY SUB-REGIONAL MUNICIPAL SERVICE REVIEW

The Municipal Service Review (MSR) process was created as a tool to allow analysis of local government agencies that fall under the purview of a Local Agency Formation Commission (LAFCO) (i.e., cities, special districts, and county-dependent agencies) as to their ability to effectively and efficiently provide services. The form and content that MSRs are to take is provided for in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000<sup>1</sup> and the State of California MSR Guidelines published by the Office of Planning and Research in 2003.<sup>2</sup>

The purpose of the MSR is to provide current and accurate data about each agency for LAFCO to use in reviewing and updating Spheres of Influence (SOIs) for the agencies. This also shows a change in emphasis with regard to SOIs, from a more general review, as contained within the Cortese-Knox Local Government Reorganization Act of 1985, to the more detailed review of an agency's ability to serve and the area's probable need for services as contained in the current act. LAFCOs are not required to initiate boundary or SOI changes as part of the service review process; however, LAFCO, local agencies, or the public may use the MSR, together with additional studies if necessary, to pursue amendments to an agency's SOI or boundaries. LAFCO may also utilize information contained within the MSR in reviewing future proposals for SOI amendments or boundary changes.

California Government Code, section 56375(a), gives LAFCOs the authority to initiate certain types of boundary changes consistent with the service review and SOI studies. These organizational changes include:

- Consolidation of districts (joining two or more districts into a single successor district)
- Dissolution (termination of a district and its corporate powers)
- Merger (termination of a district by merging that district and its powers with a city)
- Establishment of a subsidiary district (a district that is subsidiary to the city, and where the city council sits as the district's board)
- Formation of a new district or districts
- A reorganization that includes any of the above.

LAFCOs may also utilize the information presented in the MSR to review future proposals for extension of services beyond an agency's jurisdictional boundaries, or for other boundary changes.

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<sup>1</sup> California Government Code, section 56000 et seq.

<sup>2</sup> State of California 2003.

## Municipal Service Review (MSR) Requirements

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000<sup>3</sup> requires LAFCOs to review and update the SOIs for each local agency every five years as necessary. The act also requires that an MSR be conducted prior to or in conjunction with an agency's SOI update.

California Government Code, section 56430, requires that MSRs include an analysis and written statement of determinations for various factors. Initially, the government codes contained nine determinations to be considered. Subsequently, the statute has been revised, and MSRs initiated after January 1, 2008, make six determinations rather than the earlier nine. As the West County Sub-Regional MSR was initiated prior to January 2008, nine factors have been addressed within this document. Contra Costa LAFCO relies on the following descriptions for each of the determinations.

### Determination 1: Infrastructure Needs and Deficiencies

The term "infrastructure needs and deficiencies" refers to the status of existing and planned infrastructure and its relationship to the quality of service levels that can be or need to be provided by the agency. In making a determination on infrastructure needs and deficiencies, LAFCO may consider ways in which the agency has the ability and capacity to provide services.

### Determination 2: Growth and Population Projections for the Affected Area

The efficient provision of public services is linked to an agency's ability to plan for future needs. Such factors as projected population growth in and around the agency's service area and the impact of land use plans and growth patterns on service demands may be reviewed. In making a determination on growth and population projections, LAFCO may consider an agency's ability to plan for future need.

### Determination 3: Financing Constraints and Opportunities

LAFCOs must weigh a community's public service needs against the resources available to fund those services. In making a determination on financing constraints and opportunities, LAFCO may review such factors as an agency's potential for shared financing and/or joint funding applications.

### Determination 4: Cost Avoidance Opportunities

The term "cost avoidance" means such actions as eliminating unnecessary costs derived from, but not limited to, duplication of services, higher than necessary administration/operation cost ratios, use of outdated or deteriorating infrastructure and equipment, and inefficient service boundaries. In making a determination on cost avoidance opportunities, LAFCO may consider an agency's ability to identify practices or opportunities that may eliminate unnecessary costs.

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<sup>3</sup> California Government Code, section 56000 et seq.

#### Determination 5: Opportunities for Rate Restructuring

The objective for this determination is to identify opportunities to positively impact rates without adversely affecting service quality or other factors to be considered. Rate restructuring does not refer to the setting or development of specific rates or rate structures. In making a determination on opportunities for rate restructuring, LAFCO may consider an agency's ability to identify opportunities to positively impact rates without decreasing service levels.

#### Determination 6: Opportunities for Shared Facilities

If service providers develop strategies for sharing resources, public service costs may be reduced and service efficiencies increased. In making a determination on opportunities for shared facilities, LAFCO may consider if an agency's facilities are currently being utilized to capacity and whether efficiencies can be achieved by accommodating the facility needs of adjacent agencies.

#### Determination 7: Government Structure Options

The MSR may include options to provide more logical service boundaries to the benefit of customers and regional planning goals and objectives. In making a determination on government structure, LAFCO may consider possible consolidations, mergers, and/or reorganizations.

#### Determination 8: Evaluation of Management Efficiencies

The term "management efficiency" refers to the organized provision of the highest quality of public services with the lowest necessary expenditure of public funds. In making a determination on evaluation of management efficiencies, LAFCO may evaluate and analyze an agency's functions, operations, and practices, as well as an agency's ability to meet current and future service demands.

#### Determination 9: Local Accountability and Governance

The term "local accountability and governance" refers to public agency decision making, operational, and management styles that include an accessible staff, elected or appointed decision-making body, and decision-making process. In making a determination of local accountability and governance, LAFCO will consider the degree to which the agency fosters local accountability.

### **Sphere of Influence (SOI) Determinations**

In determining the SOI of local agencies, California Government Code, section 56425, requires LAFCO to prepare a written statement of determinations with respect to each of the following factors:

1. The present and planned land uses in the area, including agricultural and open space land.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

4. The existence of any social or economic communities of interest in the area, if LAFCO determines that they are relevant to the agency.

In addition, State of California Law requires that special districts provide written statements specifying the functions and classes of services provided and establish the nature, location, and extent of any function or classes of services provided.

Aside from these factors, State of California law allows each LAFCO to determine local policies to be utilized in determining and updating SOIs. The Contra Costa LAFCO's SOI policies are included in section 2.1 of the Commissioner Handbook.

### **Municipal Service Review (MSR) Approach and Methodology**

The Contra Costa LAFCO began the process of preparing MSRs and SOI updates in late 2003. The approach was to prepare MSRs for specific special districts, including County Service Areas (CSAs), cemetery, reclamation, parks and recreation, and some fire districts. At that time, the Contra Costa LAFCO conducted the MSRs utilizing LAFCO subcommittees and completed reviews for approximately 50 of the 80 special districts.

Subsequently, the Contra Costa LAFCO developed a new MSR/SOI update work plan, which provides for a multidimensional approach involving Countywide MSRs for water, wastewater, and health care services; sub-regional reviews (East County, Central County, and West County) for general government services; some individual agency reviews; and a Countywide review for fire provision/emergency medical services.

### **Overview**

This MSR for west Contra Costa County focuses on the cities and special districts providing these services within the west portion of the County (Exhibit I-A). The agencies included in this review are shown in Table I-1, and their current boundaries are depicted in overview maps at the end of each section.

**Table I-1**

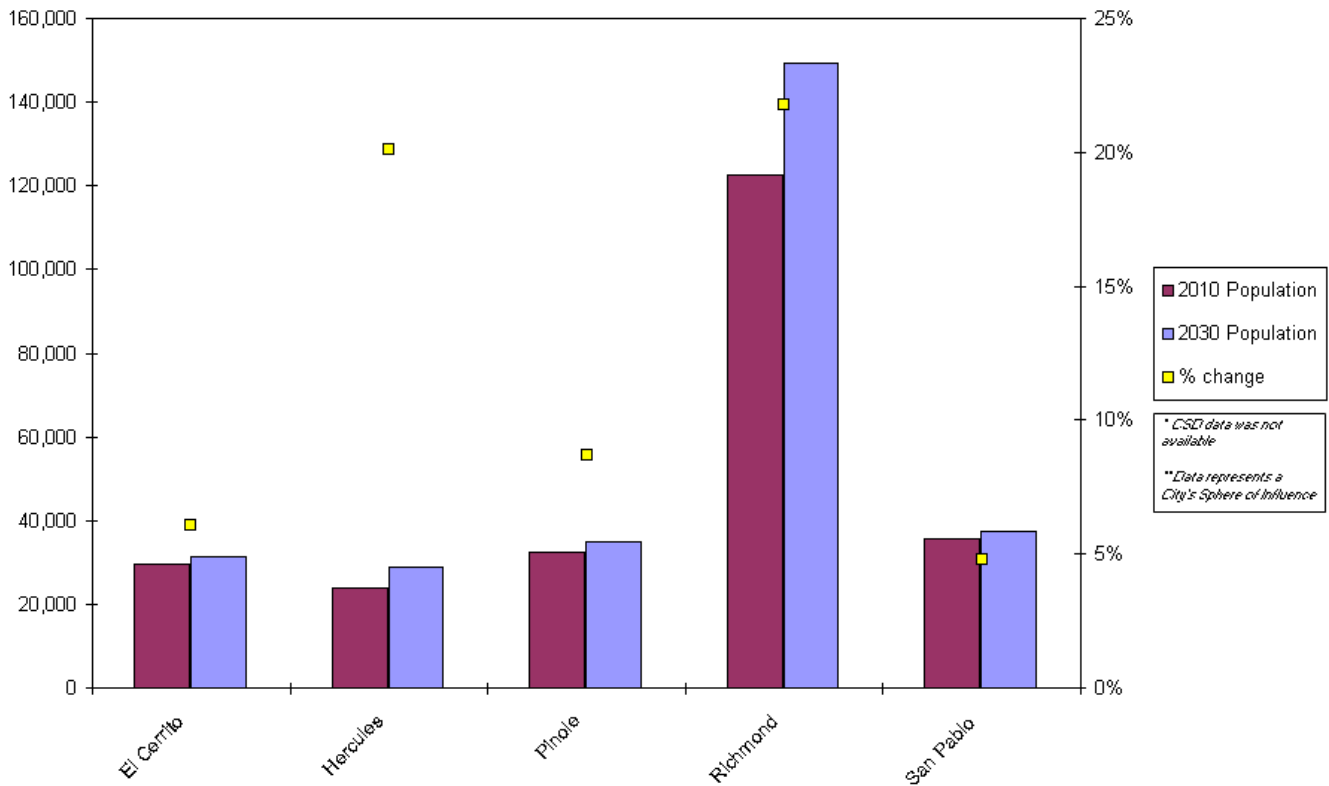
**Agencies Included in the West County Sub-Regional MSR**

<b>Agency</b>	<b>City Limits (sq. miles)</b>	<b>SOI Size (sq. miles)</b>
City of El Cerrito	3.9	4.8
City of Hercules	20	21.3
City of Pinole	12	13.3
City of Richmond	53	58
City of San Pablo	2.6	2.9
Crockett CSD	1.07	1.07
Kensington Police Protection and CSD	1	1

## Growth and Infrastructure Needs

Moderate growth is expected in west Contra Costa County through 2030. Population within the seven west County agencies is expected to be modest, with Richmond and Hercules experiencing the greatest increase in population. Chart I-1 depicts the growth projections for the five agencies.

Chart I-1  
ABAG Population Projections<sup>4</sup>



<sup>4</sup> ABAG 2006.

## Police Services

Police services are provided by the cities and the Kensington Police Protection and Community Services District (KPPCSD). Costs per capita are shown in Table I-2 below.

**Table I-2**

### Police Service Costs Per Capita West Contra Costa County Jurisdictions

	Current Population*	Police Budget (2008/09)	Police Service Cost per Capita
El Cerrito	23,320	\$8,636,600	\$370
Hercules	24,324	\$6,151,906	\$253
Pinole	19,193	\$6,270,732	\$327
Richmond	103,577	\$56,217,931	\$543
San Pablo	31,190	\$13,102,250	\$420
Crockett CSD	<i>No Police Services</i>		
Kensington	5,009	\$1,956,544	\$391

\*Source: California Department of Finance 2008 (El Cerrito, Hercules, San Pablo); U.S. Census Bureau 2000 (Pinole, Richmond); Contra Costa LAFCO 2009 (Kensington).

## Growth Management

A series of ballot measures has been passed in Contra Costa County to address growth management and transportation improvements, as shown in Table I-3.

**Table I-3**

### Ballot Measures Proposed to Address Growth Management and Transportation Improvements

Measure	Description
Measure C: 1988	Voter-approved in 1988 Imposed a sales tax for local transportation purposes
Measure C: 1990 (65/35 ordinance)	Limited urban development to no more than 35% of the land in the County (65% to be preserved for non-urban uses) Established the urban limit line (ULL) beyond which no urban land can be developed Set an expiration date of 2010
Measure J	Voter-approved in 2004, superseded Measure C:1988 Extended the sales tax 25 years Required a ULL to receive tax proceeds

Table I-3 (Continued)

Measure	Description
Measure L	Necessary to extend the ULL beyond 2010 Extended the 65/35 ordinance to 2026 Set forth requirements for expansion Provided for periodic reviews (Mandatory 2016) Designated new ULL map Retained 65/35 land preservation standard

SUMMARY OF DETERMINATIONS AND KEY ISSUES

The following summarizes the determinations included in the chapters on municipal services.

**Infrastructure Needs and Deficiencies**

As shown in Table I-4, most infrastructure is in “good” condition, although some agencies have roads that are in fair to poor condition.

Table I-4

**Condition of Infrastructure**

Agency	Roads	Facilities
City of El Cerrito	At Risk	Poor to Very Good
City of Hercules	Good	Good
City of Pinole	Good	Good
City of Richmond	At Risk <sup>5</sup>	Poor
City of San Pablo	Good	Good
Crockett CSD	N/A	Good
KPPCSD	N/A	Good

**Growth and Population**

In general, growth rates are consistent with each other and have been historically low in west Costa Contra County. Most jurisdictions are nearing buildout and have relatively little vacant land to develop. It is anticipated that the City of Richmond will experience the highest growth rate in west Costa Contra County.

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<sup>5</sup> In 2008, the City conducted a pavement survey that showed an overall PCI of “fair.”

## **Financing Constraints and Opportunities**

Most of the agencies are experiencing a decline in revenues and an increase in costs. In the City of Pinole and the KPPCSD, expenditures exceed revenues, and reserves are being utilized. The Crockett CSD is anticipating rate increases for sewer service.

## **Cost Avoidance Opportunities**

There are limited opportunities for cost avoidance. The City of El Cerrito has an agreement with the Kensington Fire Protection District (KFPD) and automatic aid agreements and shares support services. Fire protection for Hercules is provided by an independent special district. The City of Pinole shares ownership of the Hercules Wastewater Treatment Plant and has instituted a Sewer System Management Plan for operational efficiency and to reduce unplanned maintenance. The City of Richmond has automatic aid agreements in place and provides dispatch services for surrounding jurisdictions, which consolidates costs and improves efficiencies. The City of San Pablo utilizes the Contra Costa Fire Protection District for fire prevention and emergency services and the City of Richmond for dispatch services. They also share facilities with the school district. The Crockett CSD has limited staff and contracts with other agencies. The elected board members receive no stipend. The KPPCSD leases space from the KFPD.

## **Opportunities for Rate Restructuring**

All of the agencies review and update fees, charges, and fines on a regular basis, usually as part of the annual budget process. In the City of Hercules, revenues from the wastewater utility do not meet the cost of service provision. The City should consider revising rates. The City of Pinole reviews and adjusts the fee structure. The wastewater utility used to operate at a deficit, and they increased rates. They now operate at a surplus. The City of San Pablo last updated its master fee schedule in 2004. It should consider reviewing and updating the schedule. The Crockett CSD has established an equitable process for evaluating fees for each wastewater service area.

## **Opportunities for Shared Facilities**

The City of El Cerrito shares programs and facilities related to emergency services, public safety, animal control, waste management, recreation, and library services. Hercules owns a 50% share of the wastewater treatment plant located and operated by the City of Pinole. The City built and maintains the Hercules branch library, which is operated by the Contra Costa Countywide Library system. The City of Hercules also maintains a joint-use agreement with the school district for use of school grounds when not in use by the schools. The City of Pinole shares ownership of the wastewater treatment plant with the City of Hercules and shares ownership of the deep water outfall structure associated with the WWTP with the City of Hercules and the Rodeo Sanitary District. The City's fire department operates jointly with the Contra Costa County Fire Protection District and the Rodeo-Hercules Fire Protection District in the operation of a joint fire Battalion 7. The City of Richmond shares programs and facilities related to emergency services, public animal control, and waste management. The City of San Pablo



shares programs and facilities related to emergency services, public safety, animal control, waste management, recreation, and library services. The Crockett CSD shares services related to wastewater facility maintenance and treatment with C & H Sugar. The KPPCSD leases space from the KFPD and allows the Kensington Community Council to run recreation programs from its facility.

## Government Structure Options

For all of the cities and towns, the Council-Manager form of government is appropriate, and services are generally efficient; however, some boundary issues should be addressed in order to improve the efficiency of services. The Vista Heights Road area within El Cerrito's SOI is located between the northeastern boundary for El Cerrito and Wildcat Canyon Regional Park. This area is within the boundaries of the City of Richmond. Detaching this area from Richmond and annexing it into El Cerrito would establish boundaries that are consistent with the efficient provision of services; however, this boundary change would remove the area from Richmond's wastewater service area and require that it be annexed to either the Stege Sanitary District or the West County Wastewater District to ensure adequate service continues. Additional study is needed to determine whether future improvements to Richmond's wastewater collection system could provide adequate cost-effective service to this area and the potential liability to Stege or West County if it were annexed into either district. The cities of El Cerrito and Richmond have major boundary problems along San Pablo Avenue. There are numerous split parcels that split retail and other commercial businesses. This results in confusion and service inefficiencies. In the City of Hercules, future annexations of areas within the SOI would result in government structure changes for those residents, from County governance to governance by the City of Hercules. For the City of Pinole, studies have been conducted on consolidation of wastewater operations, and discussions are ongoing to determine if any of the proposed consolidations are in the best interest of the city. The City of Pinole and the City of Richmond should review potential service delivery to the unincorporated area of El Sobrante. The Crockett CSD was formed in 2006 through the reorganization of three special districts: Crockett Sanitary District, County Sanitation District No. 5 (Port Costa), and County Service Area P-1. This area was also served by the Crockett Recreation Association. The CCSD replaced all of these agencies as a public entity capable of providing local services and accountability to the voters in Crockett and Port Costa, two separate and distinct communities. The reorganization was developed through extensive public agency and community involvement, and the change in government structure was affirmed by the voters. The KPPCSD might be able to maintain its current level of service if it were to be annexed into the City of El Cerrito. Consolidation of KFPD with the KPPCSD is an option identified in the Fire and Emergency Medical Service Providers MSR.<sup>6</sup> KPPCSD's boundary area includes all of the KFPD boundary area, as well as the EBMUD reservoir, which is outside of the KFPD boundary, but inside the KPPCSD boundary. KPPCSD could exercise its latent power to provide fire protection services.

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<sup>6</sup> Burr Consulting 2009.

## Evaluation of Management Efficiencies

All of the cities are operating efficiently, and most have a low employee-to-resident ratio. The City of San Pablo should consider including service metrics within its annual budget to demonstrate performance levels. The Crockett CSD is constantly evaluating its facility and service delivery needs and financial capacity for providing service, including maintenance and capital improvements. The KPPCSD is considering service alternatives, including contracting for law enforcement services to the City of El Cerrito, which could provide greater efficiencies in delivery of law enforcement services to the community.

## Local Accountability and Governance

The cities maintain easy-to-navigate websites that are kept current with meeting notices, minutes of meetings, and commonly requested documents. The agencies provide numerous opportunities for public participation and input. Many are broadcasting public hearings on cable television. Oversight is generally provided by the City Clerk and Treasurer. The Crockett CSD posts notices and agendas at least 72 hours in advance and provides some public information through its website. The KPPCSD provides opportunities for citizens to attend meetings and access to information via the District's website.

## SPHERE OF INFLUENCE (SOI) RECOMMENDATIONS

Based on the analysis completed for the nine determinations discussed above, recommendations are provided for updating the SOIs for each service provider:

**City of El Cerrito:** It is recommended that the existing SOI for the City of El Cerrito be retained. The intent of an SOI is to identify the most appropriate areas for an agency's extension of services in the foreseeable future. Contra Costa LAFCO policies discourage inclusion of land in an agency's SOI if a need for services provided by the agency within a 5- to 10-year period cannot be demonstrated. Territory included in an agency's SOI is an indication that the probable need for service has been established, and that LAFCO has determined that the subject agency is the most logical service provider for the area.

With respect to the unincorporated community of Kensington, the El Cerrito Fire Department is serving the community by agreement with the KFPD. It is appropriate that this area remain in the City's SOI for long-term planning and other municipal service issues.

The southern portion of East Richmond Heights is within El Cerrito's SOI while the northern portion is within the SOI for the City of Richmond. The boundary between the SOIs follows a logical course based on public streets. El Cerrito would be the logical service provider for any future annexations within its SOI.

The area along Vista Heights Road adjacent to El Cerrito's northeastern boundary should remain within El Cerrito's SOI. Although it is within the boundaries of the City of Richmond, it is not within Richmond's SOI. This area is only accessible through El Cerrito, as Wildcat Canyon Regional Park lies immediately east. This area is partly served by El Cerrito and special district

service providers. El Cerrito could provide the most efficient services; additional study would be needed to evaluate any changes to wastewater service.

The cities of El Cerrito and Richmond should evaluate their boundary along San Pablo Avenue to determine if changes to that boundary would result in more efficient service provision.

**City of Hercules:** It is recommended that the existing SOI for the City of Hercules be retained, with no amendments to the existing SOI. This MSR has found that territory currently within the SOI would be provided municipal levels of service most efficiently by the City of Hercules. The land within the SOI is most easily accessed through the City of Hercules. The information within this MSR indicates that the City of Hercules is not yet at its ultimate boundary configuration and that retention of the approximately 850 acres of territory within the SOI and currently outside of the City limits is appropriate. Land use studies show that the areas within the SOI are prime for commercial development with access to both State Highway 4 and Interstate 80. As development takes place, future annexations to the City are anticipated. The unincorporated community of Rodeo, located west of the existing SOI and north of the City of Hercules, shares fire service with Hercules through the Rodeo–Hercules Fire Protection District, an independent special district. While both Rodeo and Hercules share many common ties, there appears no interest in Rodeo becoming part of Hercules by either party; Rodeo appears to be content remaining an independent unincorporated community.

**City of Pinole:** It is recommended that the current SOI for the City of Pinole be retained, but that the areas within the SOI be carefully looked at by the City and other affected local agencies to determine if there is interest within those areas of annexing into Pinole, and what effect the annexation would have on the City's services and ability to provide services. Also, the current 8% Utility Users Tax is set to sunset in 2012, and, if it is extended by the voters, it should be reviewed to see what effect this might have in offsetting some of the service costs. If it is determined that there is no interest by the residents within the SOI or within the City for future annexation, then with the next MSR and SOI update, consideration should be given to reduction of the SOI or even creation of an SOI which is coterminous with the City corporate boundaries.

**City of Richmond:** It is recommended that the current SOI for the City of Richmond be retained with the exception of the area east of Bonita Road, which would be removed from Richmond's SOI. Please refer to the San Pablo chapter for additional discussion regarding this area. The intent of an SOI is to identify the most appropriate areas for an agency's extension of services in the foreseeable future. Contra Costa LAFCO policies discourage inclusion of land in an agency's SOI if a need for services provided by the agency within a 5- to 10-year period cannot be demonstrated. Territory included in an agency's SOI is an indication that the probable need for service has been established, and that LAFCO has determined that the subject agency is the most logical service provider for the area.

The northern portion of East Richmond Heights is within the SOI for the City of Richmond, while the southern portion is within El Cerrito's SOI. The boundary between the SOIs follows a logical course based on public streets. Richmond would be the logical service provider for any future annexations within its SOI.

As noted in the MSR for El Cerrito, the area along Vista Heights Road adjacent to El Cerrito's northeastern boundary should remain within El Cerrito's SOI. Although it is within the boundaries of the City of Richmond, it is not within Richmond's SOI. This area is only accessible through El Cerrito, as Wildcat Canyon Regional Park lies immediately east. This area is served by El Cerrito and special district service providers. El Cerrito can continue to provide the most efficient services; additional study would be needed to evaluate any changes to wastewater service.

The cities of El Cerrito and Richmond should evaluate their boundary along San Pablo Avenue to determine if changes to that boundary would result in more efficient service provision.

**City of San Pablo:** It is recommended that the SOI for the City of San Pablo be retained for the Rollingwood community, and be adjusted as follows in North Arlington: 1) expanded to include all of the developed area of North Arlington, and 2) reduced to remove area outside the County-adopted Urban Limit Line. This would require that Richmond's SOI be adjusted accordingly. The intent of an SOI is to identify the most appropriate areas for an agency's extension of services in the foreseeable future. Contra Costa LAFCO policies discourage inclusion of land in an agency's SOI if a need for services provided by the agency within a 5- to 10-year period cannot be demonstrated. Territory included in an agency's SOI is an indication that the probable need for service has been established, and that LAFCO has determined that the subject agency is the most logical service provider for the area.

With respect to the unincorporated community of Rollingwood, the area is receiving services through the County, with some service providers serving both the community and the City of San Pablo. It is appropriate that this area remain in the City's SOI for long-term planning and other municipal service issues.

For North Arlington, San Pablo would be the logical service provider for any future annexations within this SOI area. With the exception of the small portion of area within the boundaries of Richmond, the North Arlington area is surrounded by San Pablo to the east and north, and open space to the west and south. The area outside the Urban Limit Line is expected to remain undeveloped, and City services would not be needed. The eastern portion of this community abuts open space and is removed from other developed areas within the corporate boundaries of the City of Richmond. The neighborhood is not directly accessible through the City of Richmond. Services such as police and fire protection would be more efficiently provided by the agencies serving the community west of Bonita Road.

**Crockett Community Services District:** The SOI is contiguous with the boundaries of the CCSD. There is one residential property served by the District in Port Costa that will be required to annex to the District. It is located on the southwest boundary of the Port Costa area. Retaining the current coterminous SOI with the inclusion of the one residential property in Port Costa would be appropriate at this time.

**Kensington Police Protection and Community Services District:** The SOI is contiguous with the boundaries of the District. Retaining the current coterminous SOI would be appropriate at this time.

The Fire and Emergency Medical Service Providers MSR<sup>7</sup> identified consolidation of KFPD with the KPPCSD as an option. KPPCSD is organized under a principal act that would enable LAFCO to authorize the CSD to provide fire protection services. Consolidation could offer opportunities to the community in exercising greater control over the share of local property tax dollars spent on fire, emergency medical services, law enforcement, and other services. Consolidation of KFPD with KPPCSD could streamline local government, and possibly offer more options on allocating public safety funds within the community.

The KFPD is opposed to consolidation with the KPPCSD.<sup>8</sup>

In the April 22, 2009, hearing regarding the KFPD (and in a memo dated April 21, 2009, from Silvano Marchesi to the Commission<sup>9</sup>), LAFCO Legal Counsel provided a preliminary conclusion that it is likely that the property tax collected by the KFPD would be transferred to the KPPCSD, should those districts be combined. Furthermore, that if the KPPCSD were to begin providing fire protection services after such a combination, its KPPCSD Board of Directors probably would have the authority to allocate those transferred revenues in its sole discretion. Restriction of the use of such revenues exclusively for fire protection purposes might be accomplished by the formation of a zone within the CSD or by special legislation.

It would also be an appropriate recommendation, given the available information on the District, for the District to explore future contracts for service provision by other agencies; for instance, contracting police services to the City of El Cerrito.

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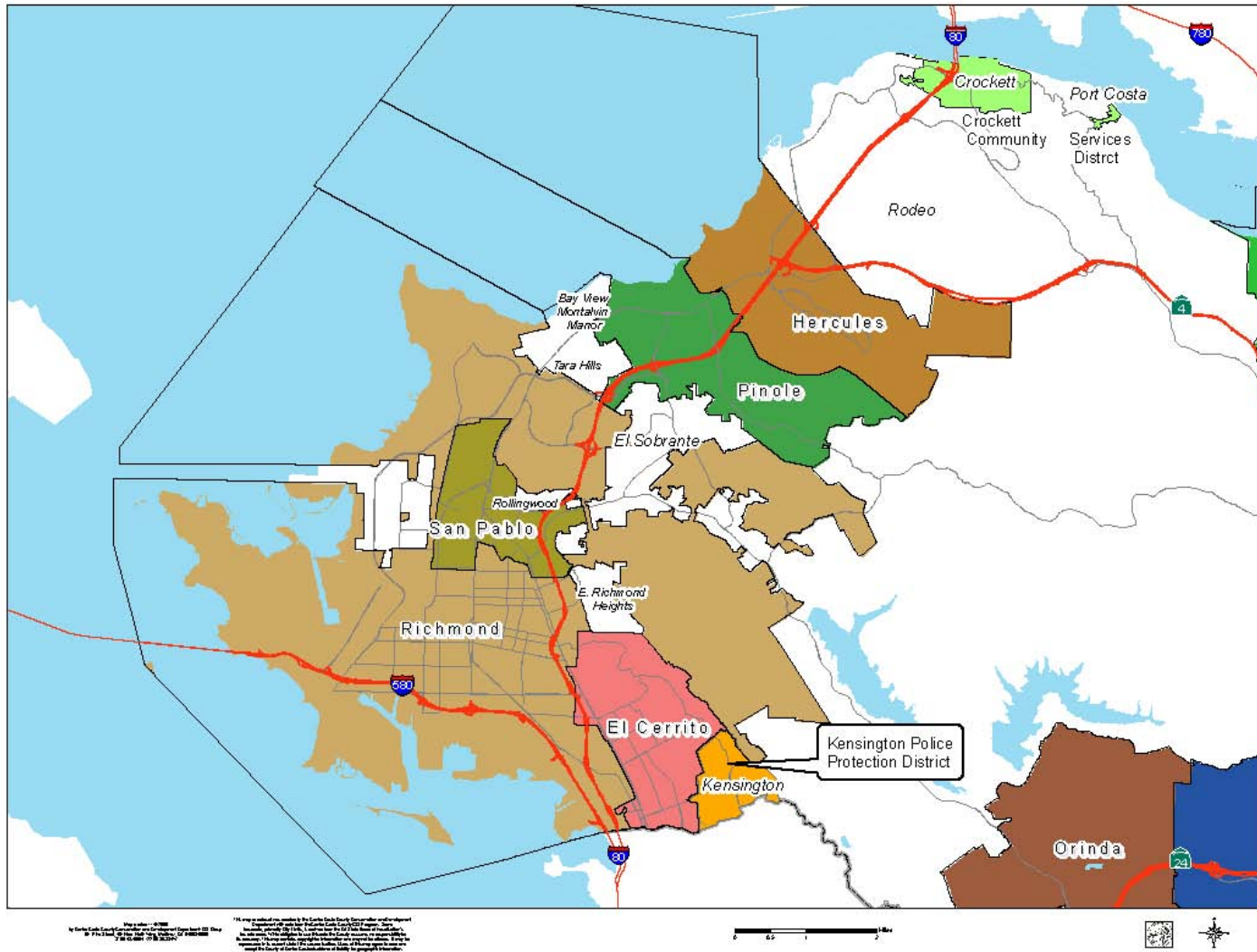
<sup>7</sup> Burr Consulting 2009.

<sup>8</sup> Bakker 2009.

<sup>9</sup> Marchesi 2009.

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# Exhibit I-A: West County Cities, Kensington Police Protection District, and Crockett Community Services District



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## II. CITY OF EL CERRITO

### LOCATION, ADMINISTRATION, AND OPERATIONS

Incorporated in 1917, the City of El Cerrito encompasses an area of approximately 3.9 square miles. The City is bounded on the west and east by the City of Richmond, on the north by the unincorporated community of East Richmond Heights, on the southeast by the unincorporated community of Kensington, and on the south by the Contra Costa–Alameda County boundary and the City of Albany. El Cerrito’s Sphere of Influence (SOI) is approximately 4.8 square miles and includes Kensington, the southern portion of East Richmond Heights, and the community along Vista Heights Road that is within the boundaries of the City of Richmond (see Exhibit II-A, City of El Cerrito Sphere of Influence and Voter-Approved Urban Limit Line). The Planning Area is coterminous with the SOI. The City’s current population is approximately 23,320.<sup>1</sup>

The crest of the Berkeley Hills and Wildcat Canyon Regional Park, owned by the East Bay Regional Park District, lie along the City’s eastern boundary. The hillsides and canyons transition to low-lying flatlands in the western portion of the City. There are eight major watersheds within El Cerrito that ultimately drain through Richmond and other jurisdictions to San Francisco Bay.

Historically, El Cerrito has been considered a bedroom community with residential the predominant land use. The primary commercial area is located along the San Pablo Avenue corridor, a designated Redevelopment Project area. The City is considered built-out, and future growth will occur through in-fill development and re-use of existing sites. The City is served by Interstate 80 and the Bay Area Rapid Transit (BART) system; there are two BART stations in El Cerrito. Bus transit service is provided by AC Transit and the West Contra Costa Transit Authority; seniors that are residents of El Cerrito may use East Bay Paratransit, a City-subsidized service.

### **City Governance**

El Cerrito is a general law city,<sup>2</sup> operating as a municipal corporation pursuant to the laws of the State of California.<sup>3</sup> The City has a Council-Manager form of government<sup>4</sup> where the City Council provides overall policy direction, with the City Manager responsible for implementing adopted City policies.

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<sup>1</sup> State of California, Department of Finance 2008.

<sup>2</sup> Under the California State Constitution, Article 11, Section 2, and California Government Code, section 34102, cities organized under the general law of the State are “general law cities” as opposed to “charter cities,” which operate under an individual city charter.

<sup>3</sup> California Government Code, section 34000 et seq.

<sup>4</sup> The Council-Manager form is the system of local government that combines an elected legislative body (City Council) with the management experience of an appointed local government manager (City Manager).

### City Council

The City is governed by a publicly elected, five-member City Council, which consists of a Mayor, Mayor Pro Tem, and three Council members. Council Members are elected “at large” in even-numbered calendar years for staggered four-year terms. The Mayor is selected annually by the five Council members for a one-year term.

The Council identifies the range and level of municipal services that will be provided to the community based upon established priorities and fiscal capabilities. The City Council passes ordinances, sets policies, and adopts plans that preserve and enhance the quality of El Cerrito. The City Council also serves as the governing board for the Redevelopment Agency. Council meetings are held the first and third Monday of each month at 7:30 PM. Meetings are held in the Council Chambers at City Hall, 10890 San Pablo Avenue, El Cerrito. Council agendas and public hearing items are posted at City Hall, located at 10890 San Pablo Avenue, and on the City’s website<sup>5</sup> at least 72 hours in advance of the meeting. Council meetings are broadcast live on cable television and repeated twice the following week. Videos are also available for viewing from the City’s website. City Council members receive a salary of \$441 per month.

### City and Regional Commissions and Committees

El Cerrito has established numerous advisory boards to provide guidance and input to the City Council and to implement programs and activities consistent with City priorities. These include the following: Arts and Culture Commission, Citizens Street Oversight Committee, Civil Service Commission, Committee on Aging, Crime Prevention Committee, Design Review Board, Economic Development Board, Environmental Quality Committee, Financial Advisory Board, Human Relations Commission, Park and Recreation Commission, Planning Commission, Recycling Task Force and Tree Committee. Details on these commissions and committees are available on the City website. Meetings are noticed and open to the public.

In addition, the City Council appoints representatives to regional agencies and boards to represent the City’s interests, including the following: Association of Bay Area Governments (ABAG), Contra Costa Mosquito and Vector Control District, West Contra Costa Transportation Advisory Committee, Contra Costa County Library Commission, West County Integrated Waste Management Authority, East Bay Delta Housing and Finance Agency, and the Tom Bates Regional Sports Complex Joint Powers Authority.

### City Information

The City maintains a comprehensive website to communicate City business, news, programs, and events. The website includes public documents related to the City’s finances, ordinances, General Plan, environmental documents, and agendas and minutes for City Council and commission meetings. It also includes information on each of the City departments, as well as information related to living in and doing business with the City. Public documents are also available at City Hall.

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<sup>5</sup> <http://www.el-cerrito.org>

## City Operations

City government is divided into six departments, including: 1) City Management, 2) Administrative Services, 3) Fire, 4) Police, 5) Public Works, and 6) Recreation. An overview of each department is provided below; more detailed discussion is included in the Municipal Services section of this chapter.

- City Management

The City Management Department provides central support to other City departments and is the primary liaison to the public. The department includes the City Council, City Manager, City Attorney, Information Systems Division, and City Clerk. It also includes the Redevelopment Agency, which is responsible for redevelopment and affordable housing, and the Environmental Services Division, which is responsible for the Community Development Department and building a community that has a high-quality, balanced mix of land uses and amenities and that supports business growth. This department includes three divisions: Economic Development, Planning, and Building Services.

- Administrative Services

The Administrative Services Department is responsible for managing and safeguarding the City's financial and human resources. In the Finance Division, this includes preparing and monitoring the budget, financial reporting, accounts payable, payroll, and cash-receipting operations and coordinating related audits. Employee Services performs position recruitment, employee training, and benefit and risk management.

- Fire

The El Cerrito Fire Department provides a full range of fire prevention, fire suppression, and emergency services within a service area that includes the incorporated area of El Cerrito, adjacent portions of the City of Richmond, and the unincorporated communities of East Richmond Heights and Kensington. The areas outside of the City boundaries are served by automatic response agreements with the Richmond Fire Department and Contra Costa County Fire Protection District. The City also has a full fire service agreement with the Kensington Fire Protection District, with El Cerrito providing all labor, supervision, training, communication services, equipment, and supplies necessary to provide the same level of service in Kensington as in El Cerrito. The Department has four divisions: Fire Prevention, Training/EMS, Operations, and Support Services.<sup>6</sup>

- Police

The El Cerrito Police Department provides a full range of police protection services within the corporate boundaries of the City. The Department has three divisions: Field

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<sup>6</sup> The El Cerrito Fire Department is reviewed in Contra Costa LAFCO's *Municipal Service Review: Fire and Emergency Medical Service Providers* (Burr Consulting 2009).

Operations, Administrative and Support Services, and Investigations. The Department contracts with State and other local agencies for support services, such as radio communications and dispatching, criminalistic services, animal control, and record management. The City participates with other agencies in regional public safety initiatives, such as West Contra Costa County Narcotics Task Force as well as the Vehicle Theft Suppression Enforcement Team, and the Sexual Predator Apprehension Compliance Enforcement Team.

- Public Works

The Public Works Department is responsible for the public infrastructure that serves the City's business and residential communities, including structural facilities, roadways, parks, landscaping, and drainage systems. The department has four divisions: Administration, Engineering, Maintenance, and the Capital Improvement Program.

- Recreation

The Recreation Department provides a full range of recreational and cultural programs for youth, adults, and seniors. The department also schedules activities and facility rentals for buildings, picnic areas, sports fields, and tennis courts. Youth programs include childcare, after-school programming, enrichment classes, sports, and summer camps. A variety of classes, programs, and excursions are offered for seniors. The department is organized into five divisions: Administration; Youth Services, Childcare and Day Camp Administration; Aquatic; Senior Services; and Adult and Community Services.

Other services within El Cerrito are provided by Contra Costa County, special districts, and private companies through franchise agreement:

- Water

The East Bay Municipal Utilities District (EBMUD), an independent special district, provides water services within El Cerrito and surrounding areas.<sup>7</sup>

- Wastewater Collection and Treatment

The Stege Sanitary District, an independent special district, provides wastewater collection services and EBMUD provides wastewater treatment.<sup>8</sup>

- Solid Waste and Recycling

East Bay Sanitary Company provides solid waste and curbside recycling services within the City. The City operates a Recycling Center where residents can drop off all types of recyclables, and the West Contra Costa Integrated Waste Management Authority operates a household hazardous waste facility in Richmond for west county residents.

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<sup>7</sup> Water and wastewater services are reviewed in Contra Costa LAFCO's *Water and Wastewater Services Municipal Services Review for West Contra Costa County* (Dudek 2008).

<sup>8</sup> Ibid.

- Library Services

Library services are provided through the Contra Costa County Library system. There is one public library in El Cerrito and another in Kensington.

- Flood Control and Drainage

The Contra Costa County Flood Control and Water Conservation District, a dependent special district, coordinates regional drainage master planning, financing and implementation, reviews land development plans and studies, provides flood risk reduction, and oversees the Contra Costa Clean Water Program.

- Mosquito and Vector Control

The Contra Costa Mosquito and Vector Control District, an independent special district, provides mosquito and vector control services.

- Other Services

Contra Costa County provides a number of other services including jail facilities and child protective services.

#### City Infrastructure

El Cerrito's public infrastructure includes the following facilities: City Hall, library, community center, one stand-alone fire station, public safety building, which houses Fire Station 71 and the Police Department, recycling center, corporation yard, 11 park facilities, and five childcare centers. The infrastructure also includes 68 miles of streets, sidewalks, 3.5 miles of trails, streetlights, storm drains and channels, traffic signals and signing, landscaping, and irrigation.

The City's infrastructure and facilities range from poor to very good condition, with the City Hall a notable major new facility. Economic uncertainty in the early 1990s led the City to reduce or eliminate programs, and when conditions improved there was hesitancy to commit funds to ongoing programs. The City is working to address the backlog of deferred maintenance and capital improvement needs that resulted. Since 2003, the City has completed several studies to identify, evaluate, and prioritize infrastructure needs. These needs are addressed through CIP planning and the budgeting process in order to complete projects as cost effectively as possible within budget constraints.

The City plans for the maintenance and refurbishment of infrastructure through a maintenance program carried out by the Public Works Department Maintenance Division, the Capital Improvement Program implemented by the Public Works CIP Division, and the El Cerrito Street Paving Program. The 2008/18 CIP identifies approximately \$108 million in projects, with the major near-term projects being a new recycling center and corporate yard administration building, street resurfacing, and the San Pablo Avenue streetscape to support redevelopment activity.

In 2004, the City prepared the Structural Facilities Management Plan that included an evaluation of its structural facilities. The Plan notes that the majority of facilities are in good to fair condition while a few facilities are at the end of their service life or require major structural improvements. Per the analysis, a minimum of \$260,000 would be needed annually to

maintain the facilities at their current condition.<sup>9</sup> This estimate will increase if maintenance is deferred or capital improvements are delayed.

The new City Hall was completed in October 2008, and is pending U.S. Green Building Council LEED<sup>10</sup> certified building status. The 16,000-square-foot building houses City Hall, the City Council Chambers, and the City's Emergency Operations Center.

The City is constructing a new recycling center to replace the existing dilapidated facility. The Recycling Center houses the Environmental Services Division, which oversees and implements the City's environmental policies, and provides a source of revenue through the sale of recyclables. The community center is being renovated; however, the largest component, a new HVAC system, has been postponed due to changes in the City's financial condition as a result of the economic downturn. The City is planning for a new library and senior center, although these projects have also been delayed due to economic conditions. The current library was built in 1948 and remodeled and expanded in 1960. According to the CIP, the 6,400-square-foot building is in need of extensive repairs and is inadequate to meet the needs of the City. The senior center, built in 1980, has reached its maximum potential for programming. With an aging population, the City is anticipating the need for a larger center in order to maintain service levels. Needs assessments for both of these facilities were completed in 2006.

The El Cerrito Public Safety Building located at 10900 San Pablo Avenue houses Fire Station 71 and the City's only police station. The facility needs to be replaced due to seismic issues, lack of space, and outdated features. Sources of funding for the \$25 million project have not been identified and a timeframe for design and construction has not been set.

The El Cerrito Fire Department has identified the need to upgrade the existing water supply system to improve fire flow in the area east of Arlington Boulevard to the City limits so that it meets the City's goal of 3,000 gallons per minute. The \$3.04 million project would be completed through an agreement with EBMUD and will include 10,440 feet of new and upgraded pipe with 11 new hydrants. Funding sources have not been identified and a timeframe for design and construction has not been set.

El Cerrito voters have supported increased taxes and assessments to improve infrastructure, approving several ballot initiatives that provide designated funding sources for capital improvement programs. In February 2008, El Cerrito voters approved Measure A, a half-cent sales tax increase to fund a comprehensive street pavement repair and maintenance program. The City is implementing a four-year, intensive pothole and street repair program. In 2008, the City installed over 300 curb ramps, and repair work was completed on 35 miles of streets. The City plans to begin resurfacing projects in 2009 with a goal of achieving an

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<sup>9</sup> MACTEC Engineering and Consulting, Inc. 2004.

<sup>10</sup> U.S. Green Building Council, Leadership in Energy and Environmental Design (LEED).

average Pavement Condition Index (PCI) rating near 70 by 2012.<sup>11</sup> For 2007, the Metropolitan Transportation Commission gave El Cerrito an average PCI rating of 50.<sup>12</sup> The Citizens Street Oversight Committee ensures that program implementation fulfills the commitments of Measure A.

In November 2008, voters in Alameda and Contra Costa counties approved Measure WW, a \$500 million bond measure to provide funding for acquisition and development of neighborhood, community, and regional parks and recreation lands and facilities. Of the available funding, 75% will be used to fund regional park acquisitions and capital projects, with the remainder going to cities, special park and recreation districts, and county service areas for park and recreation services. El Cerrito will receive \$1,065,840; the City is evaluating public input on a number of proposed projects that include replacement and rehabilitation of existing facilities as well as new amenities or facilities. The measure has a 10-year life, and the City is planning to move forward as quickly as possible once the priorities have been established.

Other assessments that fund infrastructure improvements include the following: a Landscape and Lighting Assessment approved by El Cerrito voters in 1996; a National Pollutant Discharge Elimination System (NPDES) assessment collected by the County Flood Control District and disbursed to the City; Gas Tax revenues allocated by the State; Measure C funds, a countywide 0.5% sales tax increase for transportation and growth management programs approved in 1988; Measure J storm drain assessments approved by El Cerrito voters in 1993; and the Measure A swim center parcel tax approved by El Cerrito voters in 1999. The City has also sold bonds and entered into lease agreements with the El Cerrito Municipal Services Corporation to fund infrastructure projects. The Redevelopment Agency receives a tax increment from activity within the Redevelopment Project Area along San Pablo Avenue, which supports capital improvements in that area as well as affordable housing.

## City Budget

The City Council adopted a Comprehensive Financial Policy in June 2009. Components of the policy related to Fund Balance are as follows:

- Undesignated General Fund Reserves are to be 10% of the General Fund Budget.
- One-time revenues from the sale of City assets will be used only for one-time expenditures for the acquisition or improvement of other capital assets.

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<sup>11</sup> The Pavement Condition Index (PCI) was developed by the U.S. Army Corps of Engineers and is based on a visual survey of the pavement. Scores are based on average condition and range from 0 to 100, classified as follows: 25-49 poor, 50-59 at risk, 60-69 fair, 70-79 good, 80-89 very good, 90-100 excellent.

<sup>12</sup> MTC 2007a.

- Indebtedness should only be used for capital improvements; total debt will not exceed 2% of the total assessed value of property in the City.
- The City will maintain the current level of public safety services through support from the General Fund; Proposition 172 funds will be used to supplement General Fund support.

El Cerrito uses a one-year budget process with a mid-year review and adjustment. This is coupled with a Ten-year Plan updated annually to ensure that the City has a long-term perspective on the potential impact of financial decisions and the requirements of the financial responsibility policy can continue to be met. The 2008/09 budget<sup>13</sup> reflects the City Council's stated priorities for fiscal responsibility, maintaining a high level of City services, investing in the City's infrastructure, and environmental leadership. The overall budget, including the General Fund and all special funds, has total revenues of \$55.5 million and expenditures of \$60.1 million. The excess expenditures are due to projected spending on the Street Improvement Program following an \$11.75 million bond issue in 2007/08.

As part of the annual budgeting process, El Cerrito establishes staffing levels, identifies prior year accomplishments, details performance on key service indicators, and sets objectives and goals for the upcoming year.

#### General Fund

The General Fund is the primary financing mechanism for City operations with unrestricted revenues from a variety of sources. The 2008/09 General Fund budget is balanced with adjusted revenues of \$26.1 million and expenditures of \$26.0 million. The City is projecting that designated and undesignated General Fund reserves will be \$4.0 million at June 30, 2009, exceeding the 10% requirement set by policy. Projected General Fund Revenues and Expenditures for the 2008/09 fiscal year follow:

<i>Revenues</i>		
Property Taxes	\$6,029,000	23%
Sales Taxes	\$4,301,000	16%
Utility User Tax	\$3,250,000	12%
Franchise Tax	\$935,000	4%
Business License Tax	\$702,000	3%
Other Taxes	\$245,000	1%
Licenses and Permits	\$730,000	3%
Fines and Forfeitures	\$446,000	2%
Use of Money and Property	\$331,500	1%
Intergovernmental Revenues	\$4,684,073	18%
Charges for Services	\$3,419,832	13%
Other Revenues	\$96,000	0%

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<sup>13</sup> City of El Cerrito 2008a.



Interfund Transfers	\$1,864,546	7%
Mid-year Adjustment <sup>14</sup>	<u>(\$932,000)</u>	<u>(4%)</u>
Total General Fund Revenue	\$26,101,951	100%

***Expenditures***

Administration	\$2,861,264	11%
Finance	\$745,591	3%
Police	\$8,636,600	33%
Fire	\$7,247,096	28%
Public Works	\$1,081,764	4%
Community Development	\$1,708,075	7%
Recreation	\$3,788,902	15%
Transfers	\$905,100	3%
Mid-year Adjustment	<u>(\$932,000)</u>	<u>(4%)</u>
Total General Fund Expenditures	\$26,042,392	100%

The City's economic outlook included in the 2008/09 budget notes that foreclosure rates are among the lowest in the county, and home prices have remained relatively stable. The City projected a property tax increase of 4% consistent with July 2008 projections from the County Assessor. This is down from 9% in 2007/08. Sales tax was the largest adjustment at mid-year to account for a 2007/08 shortfall and general decline in sales tax generating revenues. The largest contributing factor to the decline in sales tax revenue is the closure of a Target store that relocated to a neighboring city and a Mitsubishi dealership.

Personnel costs have increased from 72% to 78% of the General Fund budget since 2003/04. The City Council maintains a compensation policy for City employees to receive compensation at or near the median of a large group of cities in the area. As part of total compensation, El Cerrito's employees are eligible to participate in the California Public Employees' Retirement System (CalPERS). El Cerrito does not provide retirement healthcare, which has shielded the City somewhat from the impacts of rising retirement costs. A large portion of the increase in personnel costs is attributable to the City's participation in CalPERS where annual pension costs have increased from \$1.3 million in 2003/04 to \$4.1 million in 2008/09.

El Cerrito also maintains a pension trust fund for former City employees who elected not to be covered by CalPERS as of February 1959. At July 1, 2007, the Plan had an actuarial accrued liability of \$1.3 million with four retired employees enrolled. The Plan's assets were exhausted in 2005 and the City will make future payments from the General Fund as needed.

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<sup>14</sup> The mid-year adjustment, approved March 2, 2009, included a reduction in several revenue categories, including \$765,000 in sales tax revenue, \$292,000 in building fees, and \$136,000 in reimbursements from the State.

### Other Funds

Other funds are used to account for non-discretionary monies that are to be used by the City for specific purposes. These funds derive their monies from specific sources, such as assessments, parcel taxes, grants, and developer fees. These funds are established for special revenue, capital projects, debt service, internal service, enterprise funds, and fiduciary purposes. The City's only enterprise fund is for integrated waste management. For 2008/09, these funds are projected to have revenue of \$28.5 million with expenditures of \$33.1 million. The largest funds are for integrated waste management, street improvements, Redevelopment Agency capital, low and moderate income housing, and capital improvements.

### Reserves

As noted above, the City's goal is to maintain undesignated General Fund reserves of 10% of the General Fund budget. The unrestricted fund balance for 2008/09 is estimated to be \$3.9 million at June 30, 2009, with a designated and reserved fund balance of \$118,417. This is approximately 15% of the General Fund budget.

The City also maintains reserves within the other funds in accordance with legal requirements for debt service, encumbrances, and operation of the City's Low Income Housing Program.

### Debt Service

At June 30, 2008, secured property within the City had an assessed value of \$2.84 billion, giving the City a bonded debt limit of \$425 million. The City had long-term debt of \$51.5 million, including \$9.6 million in lease revenue bonds issued in 2006 for the construction of the new City Hall. Other significant debts include \$16.1 million for bonds issued by the Redevelopment Agency in 2004 and \$11.75 million in sales tax revenue bonds issued in 2008 for the street maintenance and improvement program. The City received an AA- rating on the bond for Measure A street improvements. The annual debt service requirement over the next five years for governmental activities ranges from \$4.4 million in 2008/09 to \$4.6 million in 2012/13.

### Capital Improvement Program

El Cerrito's Capital Improvement Program (CIP) is a multi-year planning program for the construction of new facilities and infrastructure, and for the expansion, rehabilitation, or replacement of City-owned assets. The Plan covers a ten-year period and is updated by City staff and approved by the City Council each year. For the ten-year period of 2008/09 through 2017/18, the CIP includes 37 projects with a total estimated cost of \$108 million. The 2008/09 budget includes approximately \$17.9 million in funding for 11 projects. Major projects for 2008/09 are noted above in the discussion on City Infrastructure.

## CITY PLANNING BOUNDARIES AND GROWTH

### **City Boundaries**

#### Incorporated Area

El Cerrito's corporate boundaries encompass approximately 3.9 square miles. The City is bounded by the City of Richmond to the west and east, and the Contra Costa-Alameda County boundary and the City of Albany to the south. The unincorporated community of East Richmond Heights lies to the north and the unincorporated community of Kensington lies to the southeast.

#### Sphere of Influence

El Cerrito's SOI encompasses approximately 4.8 square miles and includes all of the area within its corporate boundaries as well as the community of Kensington (1.2 square miles) and the southern portion of East Richmond Heights (0.6 square miles). It also includes the area along Vista Heights Road adjacent to El Cerrito's northeast boundary. This area is within the boundaries of the City of Richmond adjacent to Wildcat Canyon Regional Park.

#### Planning Area

The El Cerrito Planning Area is coterminous with the City's SOI.

#### Urban Limit Line

Contra Costa voters approved Measure L, which established the current countywide Urban Limit Lines (ULLs) in 2006. In October 2006, the City of El Cerrito adopted Resolution 2006-87 adopting the County's ULL. For El Cerrito, the ULL is contiguous with the City's southern boundary. There are no areas within El Cerrito's corporate boundary or SOI that are outside the ULL.

### **General Plan**

The El Cerrito General Plan was originally adopted in 1975. The most recent comprehensive update uses a 20-year planning horizon and was adopted in August 1999. The El Cerrito Housing Element Update was adopted in January 2003 and certified by the State Department of Housing and Community Development in February 2003. The City is planning to update the Housing Element in 2008/09, with the General Plan update following in late 2010/2011.

The General Plan provides a policy framework for development and service level decisions. The 1999 update identified two major strategic issues that need to be addressed:

- Residential Quality: the City must maintain its high-quality single-family areas and improve multi-family areas; and
- Paying for Services: the City must increase its tax base in order to maintain public services and facilities.

The General Plan includes Primary Action Strategies that are considered important steps to accomplishing the vision for El Cerrito. These strategies are in various stages of development or are complete. Their current status is shown in Table II-1:

**Table II-1 – City of El Cerrito**  
**Primary Action Strategies**

Strategy – 1999 General Plan Update	Status
Adopt a Del Norte Area Transportation Access/Land Use Strategy	Draft San Pablo Avenue Specific Plan, July 2009
Adopt a Midtown Area Revitalization Strategy	Draft San Pablo Avenue Specific Plan, July 2009
Adopt the El Cerrito Plaza Revitalization Strategy	Draft San Pablo Avenue Specific Plan, July 2009
Create an Economic Development Strategy	Completed 2008
Adopt the San Pablo Avenue Corridor Design Guidelines	Draft San Pablo Avenue Specific Plan, July 2009
Create a Green Infrastructure Initiative	A number of specific items included in initiative have been completed—initiative is ongoing.
Create a Community Collaboration Initiative	A number of specific items included in initiative have been completed—initiative is ongoing.

### Population Growth

El Cerrito’s population is relatively stable. Per the 1980 census, the City had a population of 22,731; this has increased by only 3% to 23,320 in 2008.<sup>15</sup> Population is expected to increase 11% by 2035, growing at a modest annual rate of approximately 0.4% to approximately 25,900.<sup>16</sup>

El Cerrito’s SOI includes the southern portion of the unincorporated community of East Richmond Heights and the unincorporated community of Kensington. Both of these areas are developed, and future growth rates are expected to be consistent with the surrounding area.

### Jobs-Housing Balance

Within El Cerrito’s SOI, there were 6,650 jobs in 2005 and 14,660 employed residents, resulting in a jobs-to-employee ratio of 0.45.<sup>17</sup> A ratio of 1.0 indicates a balance between the number of jobs and employed residents within a community. A ratio of less than 1.0 indicates that a community is “job poor” and residents commute to jobs in other areas. The Association of Bay

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<sup>15</sup> State of California, Department of Finance 2008.

<sup>16</sup> ABAG 2006.

<sup>17</sup> Ibid.

Area Governments' San Francisco Bay Area Housing Needs Plan 2007-2014 allocates an additional 431 housing units to El Cerrito to meet regional housing needs.

As noted earlier, El Cerrito has historically been a bedroom community with the predominant land use being residential. The primary commercial area is located along San Pablo Avenue, a designated Redevelopment Project Area. Job growth by 2035 within the City's SOI is expected to be modest, increasing to 10,160 total jobs.<sup>18</sup> The City is working to develop commercial opportunities through redevelopment in order to expand its revenue base as well as provide local jobs. The largest employers within the City are in the retail sector; the City is not anticipating a significant change in the type of commercial activity that will create jobs.

### **Vacant Land**

The City of El Cerrito completed a survey of vacant and under-utilized parcels for the 2002 Housing Element (adopted January 2003). At that time there were 128 parcels in the City that could accommodate new residential development. The parcels identified in the survey could potentially support the construction of approximately 838 to 1,112 additional dwelling units in the City. Many of these sites consist of residential infill sites in areas zoned for low and very low density and some are not developable due to steep hillsides or minimum lot size requirements. In 2007, the City completed a survey of vacant and under-utilized parcels that could accommodate potential commercial, mixed use, or residential development. The total acreage identified was approximately 60 acres. Most of that land is under-utilized, as vacant land is scarce. A portion of the land is in the City of Richmond, but was included because it is contiguous to El Cerrito, and considered logical as part of a larger potential reuse since the boundary between the two cities is irregularly shaped and cuts through parcels and existing buildings in some cases.

### Development Projects

In order to meet housing requirements and fulfill other environmental and economic initiatives, the City has identified key catalyst sites along the San Pablo Avenue corridor: the Del Norte BART area, the Eastshore Triangle, and the Midtown/Civic Center area. Three projects along the corridor have completed the entitlement process but are being delayed due to economic conditions: Creekside with 128 condominiums at El Cerrito Plaza; Mayfair site with 58 condominiums near the del Norte BART station; and the Vitale mixed-use project with 31 condominiums near Moeser Lane and San Pablo Avenue. In the current economic climate, the Redevelopment Agency is focusing its efforts to foster public/private partnerships and encourage private investment in development that will add economic value to the City through increased tax increment and sales tax.

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<sup>18</sup> Ibid.

## Growth Management

Growth Management is addressed as a separate Element in the El Cerrito General Plan,<sup>19</sup> pursuant to Measure C that provides funding for transportation and growth management programs. The Growth Management Element establishes policies and standards for traffic levels of service, and performance standards for fire, police, parks, sanitary facilities, water supplies, and flood control. The policies contained in the Growth Management Element are intended to ensure that new development impacts that could degrade established traffic performance or public service thresholds are mitigated through project modification, capital improvement programming, or contributions to improvements. The performance standards are noted below in the discussion on Municipal Services.

## Annexations

The most recent annexation to the City of El Cerrito was in 1978. No annexations are anticipated at this time; however, the City will consider future annexations upon request of affected property owners.

The Vista Heights Road area, within El Cerrito's SOI, is located between the northeastern boundary for El Cerrito and Wildcat Canyon Regional Park. This area is within the boundaries of the City of Richmond. The community has approximately 97 homes and is only accessible through El Cerrito. El Cerrito provides fire protection services, Richmond provides police services, EBMUD provides water service and wastewater treatment, and the Stege Sanitary District provides wastewater collection by agreement with the City of Richmond. In the West County Water and Wastewater Municipal Services Review,<sup>20</sup> it was noted that Richmond had constructed sanitary sewer infrastructure to serve this area, but a landslide destroyed the major sewer lines. The Stege Sanitary District began serving this area in 1982 by agreement with Richmond.

Detaching this area from Richmond and annexing it into El Cerrito would establish boundaries that are consistent with the efficient provision of services. However, this boundary change would remove the area from Richmond's wastewater service area and could require that it be annexed to either the Stege Sanitary District or the West County Wastewater District that serves area to the north. Given the history of the wastewater system, this could pose a significant risk for either of the two districts. It is possible that Richmond could continue to provide sewer through out-of-agency service if all parties agree. Additional study is needed to determine whether future improvements to Richmond's wastewater collection system could provide adequate cost-effective service to this area and the potential liability to Stege or West County if it were annexed into either district.

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<sup>19</sup> City of El Cerrito 1999.

<sup>20</sup> Dudek 2008.

## Sphere of Influence Reductions and Expansions

The most recent change to the City's SOI was in 1981.

### MUNICIPAL SERVICES

#### **Public Safety Services**

##### Police

El Cerrito has a full-service police department with three divisions: Field Operations, Administrative and Support Services, and Investigations. The Department operates from one police station located at 10900 San Pablo Avenue. The Department is authorized to have 45 sworn officers; as of 2007, in addition to the sworn officers, the Police Department employed 10.5 civilian employees. The primary source of funding for the department is the General Fund, with 33% of the 2008/09 budget allocated for police services; revenues generated by police activities and grants cover only a small portion of overall expenditures.

The City contracts with the State and other local agencies for certain support services. Police dispatching and radio communications are contracted with the Richmond Police Department. Contra Costa County provides criminalistic services and animal control. El Cerrito is in a consortium with other west county police agencies for a joint Record Management System. The City participates in the West Contra Costa County Narcotics Task Force and is actively involved in the development of the East Bay Regional Communications system. The City provides two School Resource Officers at El Cerrito High School through agreement with the West Contra Costa Unified School District.

The adopted service standard in the General Plan is to maintain a level of personnel and capital equipment for first unit response in three minutes to requests for emergency service. For budgeting purposes, the City uses a performance benchmark of an average response time of five minutes for Priority 1 and 2 calls. In 2007, the average response time was 5.49 minutes on 195 Priority 1 calls and 8.04 minutes on 4,239 Priority 2 calls. The response time increased over the previous two years for Priority 1 calls and decreased for Priority 2 calls. The total number of calls for service in 2007 was 15,018. Using a population figure of 23,000 and full staffing of the 45 sworn positions would provide a ratio of 1.95 officers per 1,000 residents. On August 31, 2005, the City Council approved a General Plan Text Amendment Regarding Level of Service Requirements for the Police Department. The amendment stated "there should be a staffing level of 1.8 officers per 1,000 population, provided that adequate financial resources are available." Not included in the ratio were the School Resource Officers and the four sworn officers (1 Sergeant and 3 Officers assigned to the Traffic Unit).

For 2007, El Cerrito had 177 violent crimes and 1,145 property crimes, with a rate of 5,872 crimes per 100,000 in population.<sup>21</sup> Crime rates are affected by a number of factors and reflect a city's population, concentration of youth, degree of urbanization, cultural and

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<sup>21</sup> Federal Bureau of Investigation 2007.

educational characteristics, geographic location and modes of transportation, among others. In October 2007 the City adopted a Video Surveillance Ordinance requiring certain types of businesses to install and operate a continuous digital surveillance system by October 31, 2008. This is expected to deter crime as well as assist the Department in criminal investigations.

As noted in the discussion on City Infrastructure, El Cerrito's public safety building where the Police Department is located has seismic issues, is outdated, and needs to be replaced.

### Fire

The El Cerrito Fire Department provides fire protection and emergency medical services within the City, adjacent portions of the City of Richmond, and the unincorporated community of East Richmond Heights.<sup>22</sup> The City also provides services within Kensington by contract with the Kensington Fire Protection District, an independent special district. The City participates in an automatic response agreement with Richmond, Kensington, and the Contra Costa County Fire Protection District to provide fire protection and emergency response needs across jurisdictional boundaries. The departments share the cost of dispatch and training, and have adopted common standards for staffing, apparatus and equipment.

The Department operates with three fire stations, including two in the City and one in Kensington. As noted in the discussion on City Infrastructure, Fire Station 71 located within the public safety building at 10900 San Pablo Avenue is outdated and needs to be replaced. Fire Station 72, located at 1520 Arlington, was constructed in 1996 and is in excellent condition. The Kensington Fire Protection District owns the Kensington station and is responsible for its maintenance.

In 2001, the Fire Department prepared an Emergency Operations Plan that provides guidance for City response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations. This Plan supports the operation of the Emergency Response Center located at City Hall.

The adopted service standard in El Cerrito's General Plan is consistent with the interagency agreement for response protocol:

- Maximum response time for first engine arrival of six minutes including one minute dispatch time and three minute travel time from responding station
- Minimum response of three person engine company
- Responders have a minimum training level of Firefighter 1 and Emergency Medical Technician 1.

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<sup>22</sup> The El Cerrito Fire Department is reviewed in Contra Costa LAFCO's *Municipal Services Review: Fire and Emergency Medical Service Providers*. (Burr Consulting 2009).



## Community Development Services

El Cerrito's Community Development services consist of Planning, Building, and Economic Development and Redevelopment.

### Planning

The Planning Division is responsible for implementation of the City's planning and review processes for both current and advance planning. This includes assisting applicants; evaluating applications; monitoring, updating, implementing, and ensuring consistency with the General Plan and Zoning Ordinance; and undertaking focused planning activities such as the preparation of specific plans, design guidelines and special studies. In 2007, the City updated its Zoning Ordinance with the new ordinance effective March 1, 2008.

The number of applications requiring Planning Commission and/or Design Review Board approval has decreased over the past few years. For 2007/08, the City estimated that the number of building plan checks would be 136, a decrease of 37% from the prior year. The City has set a goal of completing plan checks in 14 days or less. In 2007/08 plan check time was 1.28 days, down from the 11-day average in 2005/06.

For the mid-year budget review, the City noted that planning permits are trending toward predominantly single family and minor commercial applications that have lower permit fees. Based on activity projections, there will be a 50-60% decrease in average use permit and design review permit fees between 2007/08 and 2008/09.

### Building

The Building Division assists with the implementation of approved projects to ensure that construction adheres to applicable building codes. The Division provides code interpretation, reviews plans, issues building permits, inspects construction, and enforces codes. In 2007/08 the Building Division issued 1,288 permits, performed 660 plan checks, completed approximately 606 inspections, and performed 1,150 code enforcement inspections. The average turn-around time for plan check approval has been reduced to less than 30 days.

For the mid-year budget review, the City noted that the number of building permits has decreased from 1,287 in 2007/08 to an estimated 1,139 in 2008/09. The size has also decreased, with an average fee of \$731 in 2007/08 decreasing to \$699 in 2008/09.

### Redevelopment, Economic Development and Housing

The Redevelopment Division is responsible for economic development, redevelopment and affordable housing. The Division's activities are funded entirely through the Redevelopment Agency. The Agency has significant resources that will be used to meet objectives outlined in the 2007/08 to 2011/12 Five-Year Implementation Plan, including tax increment revenue from private investment in the redevelopment area as well as funding from tax allocation bonds. At June 30, 2008 the Agency had \$33.4 million remaining in debt service on three bonds that will be repaid through future tax increment revenues. For the tax increment, 80% is required to be used to fund capital improvements in the Redevelopment Project Area and 20% is restricted to the production of affordable housing. Due to economic conditions, the Agency is anticipating

slower growth in tax increment revenues, projecting 4.7% annual growth in 2009/10 with a slight decrease to 4.5% by 2017/18.

El Cerrito is collaborating with the City of Richmond on the San Pablo Avenue Specific Plan.<sup>23</sup> The Plan, which will result in common development standards and design guidelines for both cities along San Pablo Avenue, is expected to encourage private investment in the Redevelopment Area. The Draft San Pablo Avenue Specific Plan was released on July 9, 2009. Other economic initiatives include programs for business recruitment, business retention, graffiti abatement, and video surveillance loans to assist businesses in complying with the City's new Video Surveillance Ordinance.

For the period of 1977 through 2007, 773 housing units have been constructed in the Redevelopment Area with 18.4% affordable to very low, low, and moderate-income households. This exceeds the requirement of 15% under California Redevelopment Law. The Agency is in the process of developing an affordable housing strategy and anticipates a new focus on affordable housing programs due to an increase in the Low and Moderate Housing Set-Aside Fund balance.

### **Transportation and Road Services**

The Public Works Department is responsible for transportation, roads, and drainage services. The Engineering Division is responsible for the City's infrastructure, including the following: review and inspection of infrastructure for new private development projects; encroachment permits; transportation planning and engineering; storm drainage; managing the Bicycle, Pedestrian and ADA program; managing the Clean Water Program and activities related to the City's NPDES permit; and managing the Pavement Management Program. The Capital Improvement Division is responsible for managing the CIP and related projects. The Maintenance Division is responsible for maintaining streets and storm drains as well as parks, landscaping, facilities, and clean up of trash, debris and graffiti.

Per the requirements of Measure C, the designated regional routes within El Cerrito include Interstate 80, San Pablo Avenue, and Cutting Boulevard. The El Cerrito General Plan Transportation and Circulation Element<sup>24</sup> notes that San Pablo Avenue serves as the major corridor in the City with average daily traffic counts at approximately 24,500.<sup>25</sup> Traffic from three interchanges on Interstate 80 has a major influence on local streets. San Pablo Avenue is an alternate route for regional traffic as it parallels the interstate. Most intersections in El Cerrito operate at a level of service (LOS) of C or better, and all City operated intersections except those along San Pablo Avenue operate at LOS A. The City's policy is for roadways and intersections to operate at LOS D or better. .

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<sup>23</sup> City of El Cerrito and City of Richmond 2009.

<sup>24</sup> City of El Cerrito 1999.

<sup>25</sup> TJKM Transportation Consultants 2005.

The City is developing a Neighborhood Traffic Management Program to respond to traffic issues on local residential streets. It also plans to develop a Traffic Safety Improvement Program that will review traffic collision data to identify locations and corridors needing improvement. Based on a 2006 Traffic Safety Audit, the City has identified the need for short-term improvements on several street segments that had significantly higher collision rates than other similar streets within the City.

El Cerrito has 68 miles of public streets with related storm drain facilities. The majority of the streets are residential. The Metropolitan Transportation Commission<sup>26</sup> rated the City's streets with an average pavement condition index of 50 (at risk).<sup>27</sup> This is consistent with the analysis completed by the City for the 2006 update of its Pavement Management Program that found an average PCI rating of 53.<sup>28</sup>

The City is in the process of updating its 1993 Americans with Disabilities Act (ADA) Transition Plan to improve accessibility and remove impediments for safe travel. The City has inventoried sidewalks and other infrastructure and identified deficiencies that will be addressed.

As described above in the discussion on City Infrastructure, El Cerrito has four dedicated funding sources for transportation related projects: the state Gas Tax, Measure C funds, a countywide sales-tax measure that provides funding for transportation improvements and growth management programs; Measure J storm drain assessments approved by El Cerrito voters in 1993; and Measure A, a half-cent sales tax increase approved by El Cerrito voters in 2008 to fund a comprehensive street pavement repair and maintenance program. For 2008/09, the City has budgeted revenues of \$630,000 from the Gas Tax, \$465,000 from Measure C, \$680,000 from Measure J; and \$1.37 million in revenues for Measure A (an \$11.75 million bond was issued in 2007/08). The Measure A Street Improvement Program will provide for pothole repair and local street improvement and maintenance. The goal is to increase the average PCI rating to near 70 by 2012.

Providing sustained, adequate funding for street repair and maintenance is a challenge to municipalities throughout the state. Measure A, approved by 71% of the El Cerrito voters in February 2008, is a significant accomplishment as many cities are unable to achieve the necessary two-thirds voter approval for similar bond measures to fund infrastructure programs and ongoing maintenance. The Street Improvement Program will allow the City to address a serious infrastructure deficiency that would have affected the quality of life and future economic development.

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<sup>26</sup> MTC 2007a.

<sup>27</sup> A pavement index is a statistical measurement of a roadways' condition, taking into account pavement condition, base, pavement thickness, age and utilization. The measurement gives a rating on a scale of 0 to 100 with 100 being perfect condition.

<sup>28</sup> Nichols Consulting Engineers, CHTD 2006.

## Water and Sewer Services

El Cerrito receives water and wastewater services through two independent special districts. EBMUD provides water service and regional wastewater treatment service. The Stege Sanitary District provides wastewater collection services. Water and wastewater services for El Cerrito are reviewed in Contra Costa LAFCO's Water and Wastewater Services Municipal Services Review for West Contra Costa County.<sup>29</sup>

As noted in the discussion on City Infrastructure, fire flow improvements are needed in the area east of Arlington Boulevard to City limits in order to meet the City's goal of 3,000 gallons per minute.

Per the Growth Management Element in the El Cerrito General Plan,<sup>30</sup> the performance standards for water and wastewater services are as follows:

- Domestic Water Services: 250 gallons per day for each residential household up to 4 (four) persons plus 62 gallons for each additional person in the household. 90% of 1986 use for commercial connections and 95% of 1986 use for institutional uses, to be reevaluated upon improvement in prevailing drought conditions.
- Sanitary Sewer and Treatment Services: Service capacity planning is based on a 130-gallon daily increment per person.

It should be noted that water supply conditions throughout the state are changing due to drought and regulatory impacts. Performance standards for domestic water service should be consistent with regulatory requirements for water conservation, applicable local and regional water resource management plans, and the water service provider's service standards.

## Park, Recreation, Cultural and Library Services

### Facilities

The Public Works Department Maintenance Division is responsible for maintaining the City's recreational facilities, including 11 parks, 7 playgrounds, and 3.5 miles of trails. The Division is also responsible for maintaining structural facilities such as the Community Center, Senior Center, Performing Arts Center, and Aquatic Center. The El Cerrito General Plan Public Services and Facilities Element sets a level of service standard of five acres of publicly owned parkland for each 1,000 residents. The General Plan identifies approximately 182 acres of public land used for recreation; the City is exceeding this service standard.

As noted in the discussion on City Infrastructure above, the City completed an analysis of its structural facilities in 2004 that has enabled City staff to identify, evaluate, and prioritize projects. The Community Center is currently undergoing a major renovation. The Senior Center

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<sup>29</sup> Dudek 2008.

<sup>30</sup> City of El Cerrito 1999.

has reached its maximum potential for programming and a new center is planned based on the analysis completed in the 2006 Senior Center Needs Assessment. In 1999 El Cerrito voters approved Measure A, a parcel tax to fund improvements to the swim center. At June 30, 2008, the Measure A fund had a balance of \$652,888 reserved for future capital improvements.

The City has also completed a Landscape Management Plan<sup>31</sup> and an Urban Forest Management Plan<sup>32</sup> to provide guidance and support the City's landscape maintenance programs.

The City will receive \$1,065,840 through Measure WW, a countywide bond measure to provide funding for acquisition and development of neighborhood, community and regional parks and recreation lands and facilities. The City is evaluating public input on a number of proposed projects that include replacement and rehabilitation of existing facilities as well as new amenities or facilities.

In November 2003, El Cerrito entered into a joint powers authority with the East Bay Regional Park District and the cities of Albany, Berkeley, Emeryville and Richmond for the development of the Tom Bates Regional Sports Complex, a 16-acre facility in Berkeley. This sports facility expands the recreational opportunities available to residents of these cities.

#### Programs

The City's Recreation Department is responsible for recreation and cultural programs within the City offering a wide variety of programs, activities and special events for youth, adults and seniors. The Department is organized into five divisions: Administration; Youth Services, Childcare and Day Camp Administration; Aquatic; Senior Services; and Adult/Community services. El Cerrito's recreation programs are funded through program, rental and other user fees as well as grants. Non-resident fees are 25% higher.

The Youth Services Division provides preschool programs and school age childcare. The City partners with the West Contra Costa Unified School District to deliver after school programs at four schools. Most of the youth programs are at or near full enrollment. The City also offers day camps, a residential summer camp, and youth sports. The Aquatic Center is open year round and has a competition pool and a recreation pool. Services for adults and seniors include classes and programs, sports leagues, special events, and excursions.

#### Library

El Cerrito receives library services through the countywide Contra Costa Library system. The El Cerrito branch is located at 6510 Stockton Avenue and has a collection of 36,426 books and nine computers. The library is open 35 hours per week and closed on Wednesdays and Sundays. The 6,400 square foot library building is owned by the City and was constructed in

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<sup>31</sup> Vallier Design Associates, Inc. and MacNair & Associates 2003.

<sup>32</sup> Vallier Design Associates, Inc. and MacNair & Associates 2007.

1948. The City completed a community needs assessment in 2006<sup>33</sup>; based on El Cerrito's population, current library standards call for a facility between 14,000 and 23,000 square feet with a collection of at least 52,000 books and at least 38 computers. Sources of funding have not been fully identified, and design and construction of a new library has been delayed due to economic conditions.

### **Solid Waste Collection and Disposal Services**

The City's solid waste disposal is handled by franchise agreement with the East Bay Sanitary Company. The City provides curbside recycling services and runs the City's drop-off Recycling Center. The City plans to construct a new Recycling Center to replace the existing dilapidated facility. In 2007, the City collected approximately 4,700 tons of recyclable materials, including used motor oil, scrap metal, cardboard, paper, and beverage containers. In 2007/08, sales of this material brought in approximately \$500,000 in revenue.

El Cerrito is a member of the West Contra Costa Integrated Waste Management Authority, along with Richmond, San Pablo, Pinole, and Hercules, to collaborate on solid waste issues. As part of that effort, the Authority operates a household hazardous waste facility in Richmond for west county residents. The California Integrated Waste Management Board reports a diversion rate of 53% in 2006 for the Authority.

The City collects an Integrated Waste Management Fee from residents and businesses through the garbage bill. This is a primary source of funding for the City's Environmental Services Division, which was reorganized in 2007/08 from the former Integrated Waste Services Division. The Environmental Services Division oversees the City's recycling program, including the Recycling Center and curbside recycling services; serves as primary point of contact for environmental concerns; coordinates environmental programs; and works to reduce the environmental impact of residential, business, and City activities.

### SERVICE REVIEW DETERMINATIONS

In anticipation of reviewing and updating the City of El Cerrito SOI, and based on the information provided above, the following written Determinations are intended to fulfill the requirements of California Government Code, section 56430(a).<sup>34</sup>

#### **General Statements**

- A. El Cerrito is proactive in addressing community needs, public services and infrastructure improvements.

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<sup>33</sup> Page + Moris 2006.

<sup>34</sup> This report addresses the nine determinations previously required under California Government Code, section 56430. Changes to the code that became effective on January 1, 2008, now require analysis of six determinations.

- B. Determinations relating to El Cerrito are presented in the Final 2009 Municipal Service Review: Fire and Emergency Medical Service Providers.<sup>35</sup>

### **Infrastructure Needs and Deficiencies**

1. The City is working to address infrastructure needs and deficiencies through its ten-year Capital Improvement Program, Pavement Management Program, Structural Facilities Management Plan, Storm Drain Master Plan, and other implementation plans. The City has completed several needs assessments to identify infrastructure needs and prioritize projects.
2. The City has adopted performance standards for several municipal services, including traffic services, park and recreation facilities, fire suppression and related emergency services, police emergency services, sanitary sewer and treatment services, domestic water services, and flood control. With respect to the services reviewed in this study, the City is meeting or exceeding the standards for traffic service and park and recreation facilities. The City has filled sworn officer vacancies and this is expected to reduce response time in keeping with the performance standard. The City is implementing programs and prioritizing projects in order to maintain these service standards.
3. The City uses a ten-year Capital Improvement Program that is updated annually. The 2008/18 CIP identifies 37 projects at a total cost of \$108 million. The City's adopted budget includes \$17.9 million for capital projects in 2008/09. The City finances major capital improvements through bonds and leases.
4. The City recently completed construction of a new City Hall that houses City Hall, City Council Chambers, and the Emergency Operations Center. The City is also constructing a new recycling center.
5. In 2004, the City conducted an evaluation of its structural facilities as part of the Structural Facilities Management plan. The study noted that the majority of facilities are in good to fair condition and a few facilities are at the end of their service life or require major structural improvements.
6. The City has identified the need for several new facilities to replace outdated facilities, including a new public safety building to house the police department and one fire station, library, and senior center. The funding sources for these projects have not been identified.
7. The condition of the City's roadway infrastructure was rated at a Pavement Condition Index of 50 (at risk) in 2007. The City is implementing an aggressive Street Improvement Program intended to increase the PCI rating to near 70 by 2012. This program is funded through a half-cent sales tax measure approved by El Cerrito voters in February 2008.
8. The El Cerrito Fire Department has identified the need to upgrade the existing water supply system to improve fire flow in the area east of Arlington Boulevard to the City limits so that it

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<sup>35</sup> Burr Consulting 2009.

meets the City's goal of 3,000 gallons per minute. Funding sources have not been identified.

### **Growth and Population Projections for the Affected Area**

9. El Cerrito is considered built-out and future growth will occur through infill development and reuse of existing sites. The City is projected to have an overall growth rate of 11% by 2035 with a nominal average rate of 0.4%.
10. The most significant future development is targeted for the San Pablo Avenue Corridor, a designated Redevelopment Project area.
11. El Cerrito's SOI includes the southern portion of the unincorporated area of East Richmond Heights and the unincorporated community of Kensington. Both of these areas are developed and future growth rates are expected to be consistent with the surrounding area.

### **Financing Constraints and Opportunities**

12. El Cerrito has adopted a financial policy that requires a balanced budget and places constraints on reserve levels. The City has an annual budget cycle that includes a ten-year financial plan that is updated annually. This allows the City to consider the effect of financial decisions on future budgets.
13. The City is anticipating decreased revenues from sales and property taxes, as well as planning and building fees due to economic conditions. The City revised its projections based on these conditions and factored them into its mid-year budget update for 2008/09 and development of the 2009/10 budget. The Redevelopment Agency is focused on developing economic opportunities within the San Pablo Avenue corridor.
14. The City benefits from several voter-approved initiatives that provide designated funding sources for capital improvements and City services, including the following: Measure A (2008) that funds the City's comprehensive street pavement repair and maintenance program; Measure WW (2008) that will fund acquisition and development of neighborhood, community and regional parks and recreation lands and facilities; assessments for a Landscape and Lighting Assessment District (1996); Measure C (1988) that funds transportation and growth management projects; Measure J (1993) that funds storm drain improvements; and Measure A (1999) that funds improvements at the swim center.

### **Cost Avoidance Opportunities**

15. El Cerrito is providing comprehensive fire prevention and emergency services within Kensington by agreement with the Kensington Fire Protection District. The City also has automatic aid agreements with other fire protection agencies and shares support services. For police dispatch the City contracts with the City of Richmond and collaborates with other agencies on regional programs. This improves the cost-effectiveness of providing full service fire and police departments.



16. The City is collaborating with other agencies in several areas, including the San Pablo Avenue Specific Plan, waste management programs, and sports facilities. This enables the City to provide a higher level of service while controlling costs.

### **Opportunities for Rate Restructuring**

17. The City regularly reviews its Master Fee Schedule to ensure fees are adequate to cover the related cost. The schedule is posted on the City's website.

18. The City provides integrated waste management services as an enterprise activity, such that revenues are sufficient to cover expenses. The City adjusted its integrated waste management fee in 2007/08.

19. El Cerrito's recreation programs are funded through program, rental and other user fees as well as grants. Non-resident fees are 25% higher. The fee structure for programs and facility rentals is reviewed regularly.

### **Opportunities for Shared Facilities**

20. El Cerrito shares programs and facilities related to emergency services, public safety, animal control, waste management, recreation, and library services. This allows the City to provide a higher level of service to its residents and business communities.

21. The City has restructured some internal departments, forming a Capital Improvements Division within Public Works and an Environmental Services Division within Administration. This improves inter-departmental coordination and enhances the operational performance of the City.

### **Government Structure Options**

22. El Cerrito operates as a general law city with a council/manager form of governance. There are limited opportunities for changes to the existing government structure.

23. The City's SOI includes the southern portion of the unincorporated area of East Richmond Heights and the unincorporated community of Kensington. The City is not anticipating any annexations in these areas and will consider future annexations upon property owner request.

24. The Vista Heights Road area, within El Cerrito's SOI, is located between the northeastern boundary for El Cerrito and Wildcat Canyon Regional Park. This area is within the boundaries of the City of Richmond. The community has approximately 97 homes and is only accessible through El Cerrito. EBMUD provides water service and wastewater treatment, and the Stege Sanitary District provides wastewater collection by agreement with the City of Richmond due to a landslide that damaged Richmond's sanitary sewer infrastructure. Detaching this area from Richmond and annexing it into El Cerrito would establish boundaries that are consistent with the efficient provision of services. However, this boundary change would remove the area from Richmond's wastewater service area and require that it be annexed to either the Stege Sanitary District or the West County Wastewater District to ensure adequate service continues. Given the history of the

wastewater system, this could pose a significant risk for either of the two districts. Additional study is needed to determine whether future improvements to Richmond's wastewater collection system could provide adequate cost-effective service to this area and the potential liability to Stege or West County if it were annexed into either district.

25. The cities of El Cerrito and Richmond have major boundary problems along San Pablo Avenue. There are numerous split parcels that split retail and other commercial businesses. This results in confusion and service inefficiencies.

### **Evaluation of Management Efficiencies**

26. As part of the annual budgeting process, El Cerrito sets staffing levels, identifies prior year accomplishments, details performance on key service indicators, and sets objectives and goals for the upcoming year. These criteria provide an objective means to evaluate performance.
27. The City's adopted policies and goals are stated in public documents and provide a framework for management decisions.

### **Local Accountability and Governance**

28. El Cerrito's City Council meetings are noticed and accessible to the public through in-person attendance, live online webstreaming via the City's website, or by video broadcasted through the cable system. The City maintains a comprehensive website that includes City documents, codes, ordinances, and other relevant information.
29. The City has established numerous advisory boards to provide guidance and input to the City Council and to implement programs and activities consistent with City priorities. Commission and committee meetings are noticed and open to the public.

### SPHERE OF INFLUENCE RECOMMENDATIONS AND DETERMINATIONS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000<sup>36</sup> requires that LAFCO review and update the SOI for each city and special district within the county not less than once every five years.

El Cerrito's SOI includes the unincorporated community of Kensington, the southern portion of unincorporated East Richmond Heights, and the community along Vista Heights Road that is within the boundaries of the City of Richmond. Current service providers for these areas are shown below in Table II-2:

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<sup>36</sup> California Government Code, section 56000 et seq.

Table II-2

Current Service Providers for City of El Cerrito's Sphere of Influence

Service	Kensington	East Richmond Heights	Vista Heights Road (Richmond)
Governing Body	Contra Costa County – Kensington Municipal Advisory Committee	Contra Costa County – East Richmond Heights Neighborhood Council	City of Richmond
Water	EBMUD	EBMUD	EBMUD
Wastewater Collection / Treatment	Stege Sanitary District/ EBMUD	West County Wastewater District	Stege Sanitary District (contract w/ City of Richmond)/EBMUD
Fire	El Cerrito (contract with Kensington FPD)	El Cerrito (automatic response agreement with Contra Costa County FPD)	El Cerrito (automatic response agreement with City of Richmond)
Police	Kensington Police Protection and Community Services District	Contra Costa County Sheriff	City of Richmond
Planning / Engineering	Contra Costa County	Contra Costa County	City of Richmond
Recreation Programs	Kensington Police Protection and Community Services District	City of Richmond or El Cerrito (non-resident fees)	City of Richmond or El Cerrito (non-resident fees)

In November 2008, voters within the unincorporated areas of East Richmond Heights and North Arlington had the opportunity to vote on Measure F, which would establish a parcel tax to provide funding for a Resident Deputy Sheriff to serve the two communities. Currently the two communities share a 24-hour a day/7-days a week patrol with the communities of Rollingwood and North Richmond. The tax was estimated at \$108 per parcel per year on single family residential properties. The measure failed, only receiving 60.22% of the vote and a two-thirds approval was required.

Given the considerations addressed in this Municipal Service Review, three options are identified for the City of El Cerrito SOI:

- **Retain the Existing SOI**

If LAFCO determines that the current government structure and El Cerrito planning area is appropriate, then the existing SOI should be retained. This option would enable the City to continue to include areas within its SOI in its long-term planning.

- **Reduce the SOI**

If LAFCO determines that an area or community should be served by an agency other than the City of El Cerrito, or if the City has no plans to annex all or a portion of that

area within the foreseeable future (10-20 years), then reducing the City's SOI would be appropriate. Given the economic outlook within the state and changing regulations that will affect municipal service providers such as water quality, climate change, affordable housing and others, the most beneficial and cost-effective means for providing services could change significantly. Removal of any one of these areas from the City's SOI could impact current and future services along with capital improvements and long-term planning for these areas.

- **Expand the SOI**

If LAFCO determines that a larger area within East Richmond Heights should be served by the City of El Cerrito rather than the City of Richmond, then expanding El Cerrito's SOI while reducing Richmond's SOI would be appropriate.

It should be noted that any proposals for changes to the boundaries or SOIs of special districts that provide service within El Cerrito or its SOI, or that receive service from the El Cerrito Fire Department, should consider related changes for the City's boundary or SOI. This includes the Stege Sanitary District, West County Wastewater District, EBMUD, Kensington Fire Protection District, Kensington Police Protection District and Community Services District, and the Contra Costa County Fire Protection District.

## **Recommendation**

It is recommended that the existing SOI for the City of El Cerrito be retained. The intent of an SOI is to identify the most appropriate areas for an agency's extension of services in the foreseeable future. Contra Costa LAFCO policies discourage inclusion of land in an agency's SOI if a need for services provided by the agency within a 5-10 year period cannot be demonstrated. Territory included in an agency's SOI is an indication that the probable need for service has been established, and that LAFCO has determined that the subject agency is the most logical service provider for the area.

With respect to the unincorporated community of Kensington, the El Cerrito Fire Department is serving the community by agreement with the Kensington Fire Protection District. It is appropriate that this area remain in the City's SOI for long term planning and other municipal service issues.

The southern portion of East Richmond Heights is within El Cerrito's SOI while the northern portion is within the SOI for the City of Richmond. The boundary between the SOIs follows a logical course based on public streets. El Cerrito would be the logical service provider for any future annexations within its SOI.

The area along Vista Heights Road adjacent to El Cerrito's northeastern boundary should remain within El Cerrito's SOI. Although it is within the boundaries of the City of Richmond it is not within Richmond's SOI. This area is only accessible through El Cerrito as Wildcat Canyon Regional Park lies immediately east. This area is partly served by El Cerrito and special district service providers. El Cerrito could provide the most efficient services; additional study would be needed to evaluate any changes to wastewater service.

The cities of El Cerrito and Richmond should evaluate their boundary along San Pablo Avenue to determine if changes to that boundary would result in more efficient service provision.

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Table II-3 – City of El Cerrito

SOI Issue Analysis

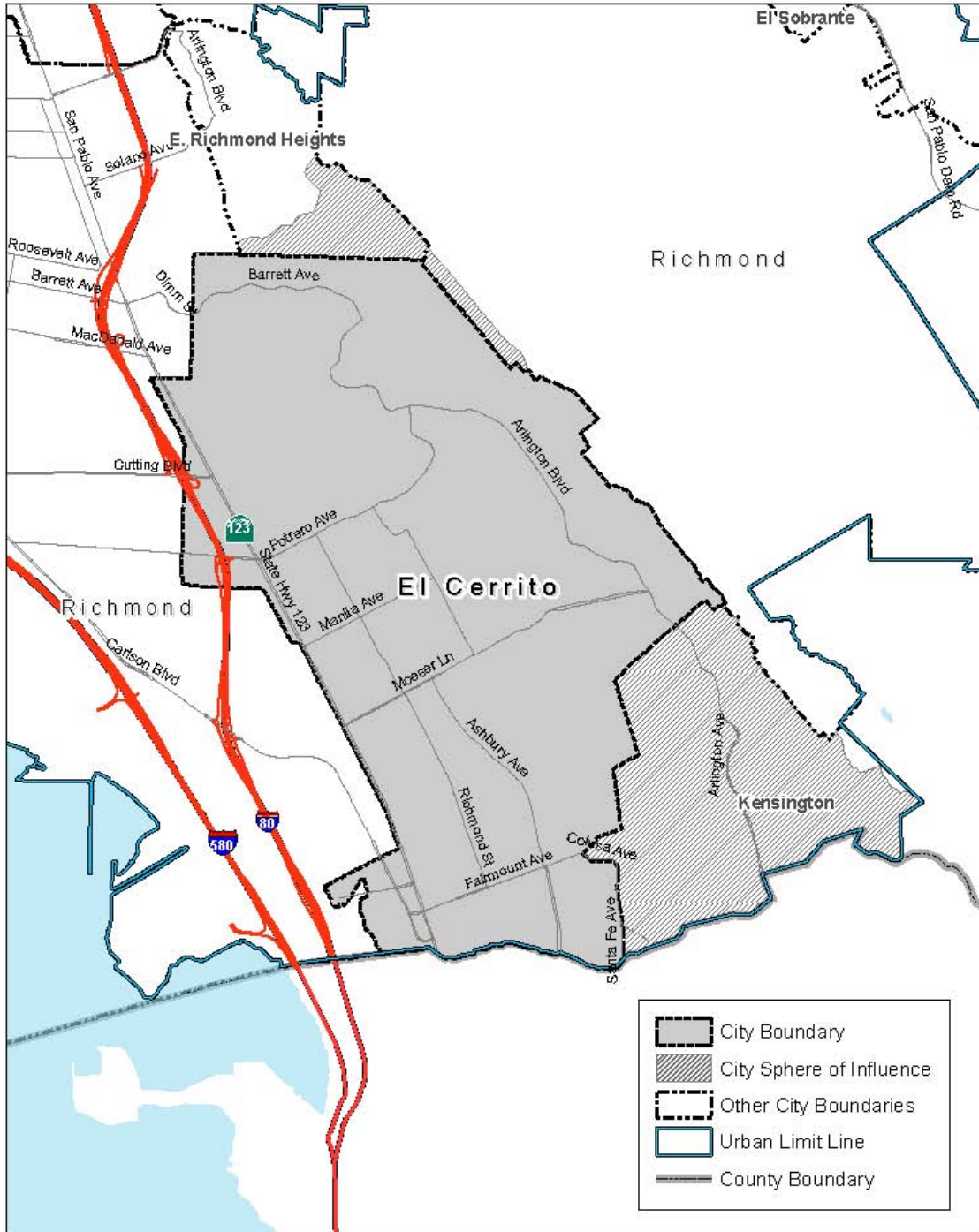
Issue	Comments
SOI Update Recommendation	Retain the existing SOI
Services provided	<p>The City provides a full range of municipal services including police, fire, planning, engineering, parks, recreation, and maintenance. The City contracts with Contra Costa County for other public safety related services and animal control. Water and wastewater treatment service is provided by EBMUD and wastewater collection is provided by Stege Sanitary District. Library services are provided through the Contra Costa County Library system.</p> <p>As noted in the SOI service analysis table above, various agencies provide services unincorporated areas within El Cerrito's SOI (Kensington and southern portion of East Richmond Heights) as well as the Vista Heights Road area within the boundaries of the City of Richmond.</p>
Present and planned land uses in the area	Land uses within the City and its SOI are consistent with urban development, and are primarily residential with some commercial uses. The City updated its zoning ordinance in 2007 and land uses are not anticipated to change significantly.
Potential effects on agricultural and open space lands	There are no agricultural uses within the El Cerrito's SOI. The City has policies within its General Plan that seek to preserve and maintain open space.
Projected population growth in the City	Projected population growth within the City is approximately 0.4% annually. By the 2035 time horizon, El Cerrito is projected to have a population of 25,900, a net increase of 11%.
Present and probable need for public facilities and services in the area	All areas within the El Cerrito's SOI are developed and currently receive municipal services.
Opportunity for infill development rather than SOI expansion	The area within El Cerrito's SOI is considered built-out and future growth will result from infill development and reuse of existing sites. With Wildcat Canyon Regional Park directly east, there are limited opportunities for SOI expansion to accommodate new development.
Service capacity and adequacy	El Cerrito is meeting its performance standards for traffic service and parks and recreation. The Police Department has increased the number of sworn officers, which is expected to improve the response time on emergency calls. The City has a ten-year CIP, ten-year financial plan, several management plans, and needs assessments that guide City services and budgeting and scheduling of capital improvements. The Fire Department provides services within Kensington by agreement with the Kensington Fire Protection District. Voters have approved several ballot measures that provide dedicated funding for capital projects and City services. El Cerrito has the capacity to continue to serve within its corporate boundaries

Table II-3 (Continued)

Issue	Comments
	and should incorporate surrounding areas within its SOI into its long-term planning.
The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency	El Cerrito's SOI includes the southern portion of the unincorporated community of East Richmond Heights and the unincorporated community of Kensington. Kensington has a formal Municipal Advisory Committee established by Contra Costa County. East Richmond Heights has a neighborhood council.
Effects on other agencies	Maintaining the current SOI will have no effect on any other service providers or agencies.
Potential for consolidations or other reorganizations when boundaries divide communities	<p>The community along Vista Heights Road on the northeastern boundary of El Cerrito is located within the boundaries of the City of Richmond. This area is only accessible through El Cerrito and is served by Richmond, El Cerrito, and related service providers. El Cerrito and Richmond should consider detaching this area from Richmond and annexing it into El Cerrito. The analysis should evaluate potential impacts to wastewater service providers, including the Stege Sanitary District and the West County Wastewater District.</p> <p>The unincorporated community of East Richmond Heights is divided with the northern area in Richmond's SOI and the southern area in El Cerrito's SOI. Future annexations should consider any impacts to the two cities and any remaining unincorporated area.</p>
Location of facilities, infrastructure and natural features	City facilities and infrastructure are located throughout the community. City Hall, the emergency operations center, and the police and fire station are located mid-city on San Pablo Avenue. The crest of the Berkeley Hills and Wildcat Canyon Regional Park lie along the eastern boundary of the City.
Willingness to serve	The City is willing to provide service to all areas within the City and considers potential service to unincorporated areas within its SOI in its long-range planning.
Potential environmental impacts	Maintaining the existing SOI would have no environmental impact.



# Exhibit II-A: City of El Cerrito Sphere of Influence and Voter-Approved Urban Limit Line



Map Scale: 1:100,000  
 Contra Costa County Geomatics Development Group  
 651 Pine Street, 23 Floor North Wing, Martinez, CA 94501-4000  
 707.241.4200 Fax: 707.241.3234

This map was created by the Contra Costa County Geomatics Development Group. It is a derivative work of the Contra Costa County GIS Data. Some data was provided by the County of Contra Costa. The County of Contra Costa is not responsible for the accuracy of the data. The map creator's copyright is hereby acknowledged. It may be reproduced by the Contra Costa County Geomatics Development Group.



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### III. CITY OF HERCULES

#### LOCATION, ADMINISTRATION, AND OPERATIONS

Hercules was incorporated on December 15, 1900. The City is located in the western portion of Contra Costa County, and is bounded by San Pablo Bay and the City of Pinole to the south and the unincorporated community of Rodeo to the north. The City encompasses approximately 20 square miles, approximately 12.5 of which are the waters of San Pablo Bay. The land portion of the City covers approximately 7.6 square miles (4,864 acres) and has approximately 850 acres of land outside of the City Limits within its Sphere of Influence (SOI). (Refer to Exhibit III-A, City of Hercules Sphere of Influence and Voter-Approved Urban Limit Line.) The current City population is approximately 24,324.<sup>1</sup>

Hercules is located on San Pablo Bay, with topography adjacent to the bay that is relatively flat, but gains elevation to the southeast from the bay into rolling hills with elevations up to 800 feet above mean sea level.

Land uses in the City range from industrial and research and development uses along the bay, to primarily residential uses southeast of Interstate 80, with commercial uses located primarily along Interstate 80 and State Highway 4. Substantial areas of public open space separate residential communities southeast of Interstate 80.

The City is served regionally by Interstate 80, State Highway 4, Western Contra Costa Transit Authority (WestCAT) and the Bay Area Rapid Transit (BART) system. There is a BART station in Richmond, located nine miles south of Hercules, which provides mass transit service to the cities of Fremont and San Francisco.

#### **City Governance**

Hercules is a “general law city,”<sup>2</sup> and operates as a municipal corporation pursuant to the laws of the State of California.<sup>3</sup> Hercules uses a “Council-Manager” form of government.<sup>4</sup> The City Manager is appointed by the City Council and is the Chief Executive Officer of the municipal corporation. The Council acts as the board of directors of the municipal corporation and meets in a public forum where citizens may participate in the governmental process.

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<sup>1</sup> State of California Department of Finance 2008.

<sup>2</sup> Under the California State Constitution, Article 11, Section 2, and California Government Code, section 34102, cities organized under the general law of the State are “general law cities” as opposed to “charter cities,” which operate under an individual city charter.

<sup>3</sup> California Government Code, section 34000 et seq.

<sup>4</sup> The Council-Manager form is the system of local government that combines an elected legislative body (City Council) with the management experience of an appointed local government manager (City Manager).

### City Council

The City is governed by a publicly elected, five-member City Council, which consists of a Mayor and Vice Mayor and three Council members. Council members are elected “at large” in even-numbered calendar years for staggered four-year terms. The Mayor and Vice Mayor are selected by the Council for one-year terms.

The City Council meets regularly on the second and fourth Tuesday of each month. Meetings are held in the City’s Council Chamber at City Hall, 111 Civic Drive, Hercules. As a courtesy, agendas are posted on the City’s website.<sup>5</sup>

The City Council also serves as the Hercules Redevelopment Agency Board. The Mayor serves as the Chair, the City Manager as the Executive Director, and the City Clerk as the Secretary of the Agency. It is the Redevelopment Agency’s responsibility to adopt policies for various redevelopment activities. The meetings of the Redevelopment Agency are also held on the second and fourth Tuesday of each month, immediately following the regular Council meeting.

City Council members are compensated \$792.00 per month for their service.

### City and Regional Commissions and Committees

The City has two commissions: Community and Library Services, and Planning. Details on these Commissions are available on the City website.

In addition to the Commissions appointed by the City Council, there are a number of ad hoc committees composed of Council Members, City staff, and citizen volunteers. The members of these ad hoc committees are charged with working on issues specific in nature. Unlike Commissions, which are created by an ordinance and have regularly scheduled meetings, ad hoc committees generally meet on an as-needed basis. However, all ad hoc committees are required to post agendas in advance of the meeting in accordance with the Brown Act.<sup>6</sup>

Annually, the Mayor appoints Council Members to serve on various Regional and City Committees. Appointments to Regional Committees provide for City participation in matters related to transportation, parks, wastewater, and other issues specific to West Contra Costa County.

### City Information

The City maintains an extensive website that is updated regularly. The City publishes *The Herculean*, offering current information on City projects and programs, a Parks & Recreation Activity Guide, and a Redevelopment newsletter, all of which are distributed three times a year.

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<sup>5</sup> <http://www.ci.hercules.ca.us> (City of Hercules 2009a)

<sup>6</sup> California Government Code, sections 54950–54963.

## City Operations

City government operates with five City Departments. City Departments include 1) City Manager, 2) Engineering and Public Works, 3) Community Development, 4) Finance, and 5) Police. The number of full-time equivalent positions for each department is allocated as a component of the adopted City budget.

- City Manager

The City Manager's Department is the executive office for the City of Hercules. The City Manager's Office is responsible for overseeing all departments and the daily management of municipal governance. The City Manager oversees the administrative services functions, including the City Clerk.

- Engineering and Public Works

Public Works includes the Engineering, Maintenance, and Parks and Recreation divisions. The Engineering Division provides professional engineering review and inspections for all new development projects; develops, manages, and delivers the Capital Improvement Program for the City and the Redevelopment Agency; and provides day-to-day division operations, including responses to public inquiries, issuance of encroachment permits, and grading permits.

The Public Works Maintenance Division maintains all the City's parks, landscape medians, streets, sidewalks, infrastructure, and public facilities. This division makes certain that the stormwater and wastewater discharged into San Pablo Bay is clean through the City's Creek Maintenance Program, Storm Drain Maintenance Program, Street Sweeping Program, and Sanitary Sewer Program. In addition, the Maintenance Division eliminates safety hazards with the City's Fire Break Program in open spaces and Tree Trimming Program in parks and streets, and maintains an ongoing hazard abatement program.

The Parks and Recreation Division coordinates recreation and cultural programs, including seniors programs, aquatics, sports, youth/teen programs, and special activity programs, as well as community programs, such as a holiday tree lighting and community cleanup program.

- Community Development

The Community Development Department includes Building Inspection, Code Enforcement, and Planning. The Building Division enforces state and local codes, standards, and regulations by ensuring that all new construction meets the standard of construction required by the codes, and that all existing structures are maintained in a safe condition.

The Planning Division processes current and long-range development applications in accordance with the City's adopted General Plan and zoning ordinance and provides staff support to the City Council, Planning Commission, and Design Review Subcommittee. In addition, the Planning Division responds to public inquiries regarding zoning, land use, use permits, and development standards. The Planning Division is also responsible for coordinating historic preservation within the City.

- Finance

The Finance Department is responsible for providing the City and its agencies (including the Redevelopment Agency, Hercules Municipal Utility, and the Public Financing Authority) with the fiscal oversight and controls necessary to ensure sound financial management. The Finance Department oversees budgeting, accounting, revenue collection, and protection of City-wide assets. The Finance Department is responsible for managing the City's fiscal resources in a prudent and effective manner and undergoes an external audit every year. The Finance Department also provides internal support for all City departments and reporting services to enhance accountability and to assist with strategic planning and decision-making.

- Police

The Police Department provides law enforcement services in the City, including crime prevention programs, parking and traffic control, and crime investigations. The Department includes a Special Response Team to handle situations within the City that require equipment, techniques, and training that are beyond the typical training of most police officers.

Services provided by special districts and contracted services include fire, water, wastewater collection and treatment, library services, solid waste services, recycling, and electricity.

- Fire Services

Rodeo-Hercules Fire Protection District provides fire services to the City and the unincorporated area of Rodeo.

- Water Services

East Bay Municipal Utilities District provides water services to the City.

- Wastewater Collection and Treatment Services

Wastewater is treated at the Pinole-Hercules Wastewater Treatment Plant, which is operated by the Pinole-Hercules Wastewater Joint Powers Authority.

- Library Services

The Hercules Public Library, located at 109 Civic Drive, Hercules, is the largest library of the Contra Costa County Library System.

- Solid Waste Services

Richmond Sanitary Services provides solid waste services to the City.

- Recycling

Richmond Sanitary Services and West County Integrated Waste Management Authority provide recycling services to the City.

- Electricity

Electricity is provided and distributed in Hercules by Pacific Gas and Electric (PG&E) and by the Hercules Municipal Utility (HMU).

### City Infrastructure

The City of Hercules owns an extensive inventory of public land, buildings, and other facilities. Major City-owned facilities include:

- **Administrative Facilities**—The City's administrative facilities are located at 111 Civic Drive, Hercules. This building houses the City's administrative operations and departments, the Police Headquarters, and the Senior Center.
- **Public Works Facilities**—The City's Corporation Yard is located on a 12-acre site adjacent to Sycamore Avenue and Willet Street, and provides City vehicle storage, and maintenance and equipment storage.
- **Park and Community Facilities**—The City has one community park (55-acre Refugio Valley Park), four smaller neighborhood parks totaling approximately 31 acres, and two mini-parks totaling 2.5 acres. The City also has five community facilities, including the Community/Swim Center, Hanna Ranch, Ohlone, Lupine, and Senior Center.

### **Budget**

Hercules uses a one-year budget process. The City also approves a new five-year Capital Improvement Plan during the budget process, the first year of which is approved with the adoption of the operating budget. Council and staff go through a number of proposed budget review sessions prior to the budget's adoption in June. After adoption, there are periodic reviews that occur, with a mid-year review to determine if any adjustments are necessary.

Hercules' budget is segregated into four basic units: General Fund, Special Revenue Funds, Capital Improvement Funds, and Debt Service. An expanded review of these budget units follows:

#### General Fund

The City's adopted budget for 2009/10 anticipates General Fund revenues of \$19.9 million and expenditures of \$19.8 million.

The General Fund is the primary financing mechanism for City operations with "unrestricted" revenues from a variety of sources. Projected General Fund revenues and expenditures for the 2009/10 fiscal year follow:

#### *Revenues*

Property Taxes	\$1,545,065
Sales Taxes	\$1,976,207
Other Taxes	\$2,740,267
Licenses, Permits, and Fees	\$2,124,623
Intergovernmental	\$2,032,100
Change for Services	\$1,702,400
Money and Property	\$5,036,710
Other Revenue	\$1,927,168
Transfers In	<u>\$773,500</u>
Total General Fund Revenue	\$19,858,040

### *Expenditures*

Administration	\$1,887,289
City Council	\$344,009
City Manager	\$2,260,051
Community Development	\$1,768,139
Finance	\$2,269,376
Library	\$143,526
Parks and Recreation	\$3,323,031
Police	\$7,074,808
Public Works	\$479,140
<u>Transfers Out</u>	<u>\$268,000</u>
Total General Fund Expenditures	\$19,817,369

In fiscal year 2009/10, the City's primary General Fund revenues include money and property (24%) and other revenue (10%). Property tax revenues have steadily increased over the past several years, with a slight decrease in the 2007/08 fiscal year.<sup>7</sup>

With regard to expenditures, the primary General Fund expense is Police (36%), followed by Parks and Recreation (17%), and Finance (11%).

### Special Revenue Funds

Special Revenue Funds account for non-discretionary monies that are restricted to expenditures for specific purposes. Hercules has established 20 special revenue funds, most of which derive their monies from specific sources, such as grants, assessments, special taxes, and developer fees. In fiscal year 2010, Hercules expects to accrue \$11,424,985 and expend \$12,365,939 for its 20 Special Revenue Funds. Major expenditures include City Capital Projects Fund (\$8.4 million), Gas Tax Fund (\$981,416), and the Citywide Lighting and Landscaping Fund (\$974,091). All of the Special Revenue Funds had positive balances at the end of the fiscal year 2007/08.

### Capital Improvement Funds

The Engineering Division develops, manages, and implements the Capital Improvement Program for the City and Redevelopment Agency. Capital Improvement Projects include: sewer system repairs, storm drain system repairs, pavement maintenance, new road construction, traffic improvements, park improvements, and other City construction projects. The post-2008 construction year Capital Improvement Program (CIP) projects adopted by the City Council that were not completed in the last fiscal year include the following:

- Construct Capitol Corridor Rail Station
- Reengineer freeway ramps
- Evaluate concept for BART
- Relocate corporation yard

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<sup>7</sup> City of Hercules 2008.



- Restore Chelsea wetlands and reconstruct access
- Expand City Hall (Police Wing)
- Repair slide at Lupine
- Construct Sycamore Main Street buildings
- Acquire street light assets
- Utility capital projects
- Improve central Hercules arterials
- Construct transit parking at waterfront
- Construct John Muir Parkway and Bayfront Bridge, Phase 2
- Expand Wastewater Treatment Plant
- Paint mural at Interstate 80 abutment, Phase 2
- Develop Forest Run Park
- Develop Waterfront Duck Pond Park
- Develop Waterfront Point Park
- Develop WCCUSD Joint Use Park
- Renovate Ohlone Park
- Develop Refugio Valley driving range
- Future park development
- Construct new Ohlone child care center
- Waterfront police substation
- New City Hall.

Revenue sources for these capital programs include funds allocated from RDA Fund, Sewer Fund, HMU Fund, Library Construction Fund, IT Fund, Vehicle Replacement Fund, Facilities Maintenance Fund, Grants Fund, State Gas Tax Fund, Measure "C" Fund, Stormwater Fund, and Facilities Maintenance Fund (\$215.9 million).

#### Debt Service

The City maintains Debt Service Funds to account for debt obligations of the general government. The Redevelopment Agency Debt Service Fund is used to account for the accumulation of resources used for the payment of principal and interest on the Redevelopment Agency tax allocation bonds and notes payable. The Hercules Public Financing Authority Debt Service Fund is used to account for the accumulation of resources for, and the payment of, principal and interest on the Lease Revenue Bonds, Series 2003A, issued to cover capital costs for the Hercules Municipal Utility and principal and interest on the Lease Revenue Bonds, Series 2003B, issued to cover the refinancing of the original City Hall debt issue and to generate additional resources to assist in the construction of the new library building. A summary of long-term debt is provided as follows:

On August 5, 2005, the Redevelopment Agency issued Hercules Merged Project Area Tax Allocation Bonds, Series 2005, in the amount of \$56,260,000. The bonds are payable exclusively from pledged tax revenues to be derived from the project area and from the amounts on deposit in certain funds and accounts, including the reserve account and the revenue account. The balance at June 30, 2008, was \$53,640,000.

On July 26, 2007, the Redevelopment Agency issued Hercules Merged Project Area Housing Tax Allocation Bonds, 2007 Series A, in the amount of \$13,130,000, and 2007 Series B, in the amount of 12,760,000. The bonds are payable exclusively from pledged tax revenues to be derived from the project area and from the amounts on deposit in certain funds and accounts, including the reserve account and the revenue account. The balances at June 30, 2008, for 2007 Series A and Series B were \$13,130,000 and \$12,760,000, respectively.

The Public Financing Authority issued lease revenue bonds, series 2003A, dated June 4, 2003, totaling \$7,000,000. The bonds mature on December 1, 2033. The balance at June 30, 2008, was \$6,760,000.

The Public Financing Authority issued lease revenue bonds, series 2003B, dated October 15, 2003, totaling \$9,150,000. The bonds mature on December 1, 2033. The balance at June 30, 2008, was \$8,440,000.

In April 2005, the City of Hercules entered into an agreement with the California Housing Finance Agency (Agency), a public instrumentality and political subdivision of the State of California, to develop a 50-unit multifamily rental project that is a component of a mixed-used development, also consisting of 26,825 square feet of ground-floor commercial space. The Agency has authorized the making of a loan in the amount of \$1,600,000 known as the Housing Enabled by Local Partnerships (HELP) to the City of Hercules for the purpose of assisting in operating a local housing program. Under the terms of this agreement, the City of Hercules agrees to reimburse the Agency \$1,600,000, 10 years from April 11, 2005, at a 3% simple per annum interest. Interest is to be charged only on funds disbursed. As of June 30, 2008, only \$1,146,707 has been provided to the City.

In 1987, the Redevelopment Agency entered into Owner Participation Agreements with certain property owners in the Redevelopment Area. Under the terms of these agreements, the Agency signed notes under which it promised to reimburse the owners by the year 2016 for incremental assessments levied on their properties, up to the cost of constructing public improvements. Payment on these notes is contingent on the property taxes and special assessments levied on these owners.

On September 27, 2007, the City entered into master lease agreements with SunTrust Leasing Corporation in order to provide funds for the financing of the EMS Project preformed by Siemens Building Technologies in the amount of \$2,185,538. The Master Lease Agreement matures on September 27, 2017. As of June 30, 2008, the outstanding balance of the master lease agreement was \$2,134,677.

The Redevelopment Agency issued 2005 Tax Allocation Bonds to refund the 2001 Tax Allocation Bonds. The Agency issued subordinate tax allocation bonds, series 2001, dated

September 4, 2001, totaling \$6,500,000. The outstanding balance as of June 30, 2008, was \$5,340,000. The liability for these bonds has been removed from the City's books and records, as they are considered defeased.

## CITY PLANNING BOUNDARIES AND GROWTH

### **City Boundaries**

#### City Limits

Within the existing corporate boundary (City limits) are approximately 20 square miles (12,800 acres). The City is located in the western portion of Contra Costa County, and is bounded by the City of Pinole to the south and the unincorporated community of Rodeo to the north.

#### Sphere of Influence

The currently adopted SOI for the City comprises the City Limits and an additional approximately 13 separate parcels, which total approximately 850 acres. Neighboring jurisdictions adjacent to the SOI include the unincorporated community of Rodeo west of the SOI, Contra Costa County to the north and east of the SOI, and City of Hercules to south of the SOI.<sup>8</sup>

#### Planning Area

The existing General Plan Planning Area is coterminous with the City limits.

#### Urban Limit Line

Contra Costa voters approved the current countywide urban limit line (ULL) in 2006 (refer to Exhibit III-A.). On January 13, 2009, the City of Hercules adopted Resolution 09-007, which adopted the countywide ULL.<sup>9</sup> The City's boundaries are within the adopted ULL.

### **General Plan**

Hercules General Plan was adopted in 1998. The Housing Element,<sup>10</sup> 1999–2006, was approved in February 2003 and has been certified by the State of California.

The General Plan establishes goals, policies, and programs to guide the community's development. It is organized into nine chapters covering all of the elements required by State law. These elements include: land use, circulation, housing, open space/conservation, safety, noise, hazardous waste management plan, economic development, and growth.

Guiding principles identified in the General Plan are centered around a balanced community with a sound complement of residential and commercial uses and services. The General Plan

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<sup>8</sup> City of Hercules 1998 (Land Use Element).

<sup>9</sup> City of Hercules 2009b.

<sup>10</sup> City of Hercules 2003.

places a limit on the ultimate size, growth, and building on vacant parcels within the City, and encourages development of a city center, and preserving a family-oriented lifestyle.

Other goals include reinforcing the downtown as the City's center for business, civic, and historical preservation, as well as providing a network of trails and pedestrian paths, and balancing future growth with infrastructure.

### **Population Growth**

The City of Hercules was incorporated in 1900. The City's population has increased steadily since the 1900s, with the greatest increase occurring in the decade between 1980 and 1990. The 1975 population of about 150 rose to approximately 15,000 in mid-1989. This was largely due to two major annexations (Marsten and Hanna Ranches), and was fueled in part by rapid employment growth in San Francisco, Oakland, and Central Contra Costa County.<sup>11</sup> According to the 2005–2007 American Community Survey data,<sup>12</sup> the population of the City of Hercules totaled 24,156 persons in 2007, an increase of 19.3% over the population in 2000. The California Department of Finance<sup>13</sup> estimates the current population in Hercules in 2008 to be 24,324. ABAG projects the City's population will be 29,800 in the year 2035, which would be an 18.4% increase over the City's current population, or approximately 5,746 additional residents.<sup>14</sup>

### **Jobs-Housing Balance**

Hercules historically had been a California Powder Works producer and transitioned from the production of black powder to fertilizer in the 1960s. Hercules has some light manufacturing and high-tech industry (most notably Bio-Rad Laboratories, a Fortune 500 company) as well as various commercial and retail activities. Most of the housing and other building stock is of recent construction. New commercial and residential development is ongoing, including the redevelopment of the City's waterfront near several historic buildings that remain from the original town.

Job growth in Hercules has roughly paralleled the increase in population and employed residents. In 2010, ABAG estimates that there will be 6,890 jobs within the City and 12,230 employed residents. This results in a jobs-to-employee ratio of 0.56. A ratio of 1.00 indicates that there is a numeric balance between the number of jobs and the number of employed residents in a community. A ratio of less than 1.00 typically indicates that a community is "job poor" and that its residents commute to jobs in other areas, and the community's economic development has not kept pace with its housing growth.

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<sup>11</sup> City of Hercules 1998 (Economic Development Element).

<sup>12</sup> U.S. Census Bureau 2009a.

<sup>13</sup> State of California, Department of Finance 2008.

<sup>14</sup> ABAG 2006.

While Hercules has relatively little area designated for commercial activities, much of it is subject to renewal, with more intensive uses that will create more jobs. Furthermore, the City's proximity to both the San Francisco and Richmond employment and population centers, coupled with its access to BART, enable businesses to attract employees commensurate with the anticipated increase in population.

While the City remains a "bedroom community," in which most people live in the City and work elsewhere, job growth has created new opportunities for more people to live and work in the community.

## **Vacant Land**

The City is largely built out, with only a few areas remaining with significant development potential. The Housing Element identifies approximately 420 acres of vacant land available for residential development, which represents all of the remaining significant development sites in the City of Hercules.<sup>15</sup>

## **Development Projects**

Current development projects include commercial, residential, parks and recreation, and infrastructure-related projects. The commercial and residential projects include a new town center, redevelopment of the waterfront area, and tentative tract maps. Infrastructure-related projects include a recently completed Hercules Transit Center for BART, an intermodal transit station, and Wastewater Treatment Facility. Parks and Recreation projects include a Dog Park, Sycamore Park, and Duck Pond Park. The majority of new residential development is expected to occur on infill lots scattered throughout the City's existing residential neighborhoods and in redevelopment areas located in the waterfront area.<sup>16</sup>

## **Growth Management**

Growth management is addressed as a separate element in the City's General Plan. The purpose of this element is to establish goals, standards, and policies for traffic services and public facilities and services. Managing growth is integral to preserving all aspects of Hercules' unique character; therefore, policies and programs appear throughout the Plan. All goals, policies, and programs identified in the Growth Management Element of the General Plan are consistent with the requirements of the Contra Costa Transportation Improvement and Growth Management Program (Measure C), approved by Contra Costa County voters in 1988.

## **Annexations**

During the 1980s, annexations at Marsten and Hanna Ranches allowed the City to grow substantially (City of Hercules, General Plan, Land Use Element). Today, annexations can be

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<sup>15</sup> City of Hercules 2003.

<sup>16</sup> City of Hercules 2009a.

approved only after determining that a net benefit to the City and other districts would result. Areas to be annexed must be able to be served by existing City services or by services provided by other districts or agencies, or by environmentally and economically feasible extensions to these services. Several of the property owners, within the SOI area, have expressed a desire to be incorporated into the City of Hercules.<sup>17</sup>

### **Sphere of Influence Reductions and Expansions**

The City has approximately 13 separate parcels, which total approximately 850 acres within the SOI area that is outside of the City Limits. Hercules' SOI does not extend substantially beyond the City limits, and it is not expected that the existing SOI area will be altered to include vacant lands that would yield substantial additional developable land. The SOI contains a valley with rolling, moderately steep hillsides, alluvial plains, hilltops and ridgelines, elevations ranging from 60 to 580 feet above mean sea level, and Rodeo Creek. The SOI's northern limits are defined by the Burlington Northern and Santa Fe railroad tracks, which create a noise and safety hazard.<sup>18</sup>

### MUNICIPAL SERVICES

#### **Public Safety Services**

##### Police

The Hercules Police Department (HPD) is a full-service police department that provides general police protection, law enforcement, traffic enforcement, and all associated duties to the City of Hercules. The HPD currently employs 35 personnel and is recruiting to fill three vacancies. The HPD is authorized for 32 sworn officers for a population of approximately 25,000, along with two part-time parking enforcement officers, one police assistant, two full-time office assistants, one part-time neighborhood watch coordinator, one part-time fleet manager, and one administrative secretary. The ratio of sworn personnel to population is 1.28 per 1,000 residents. Currently, the HPD has 10 patrol cars, six unmarked police vehicles, three motorcycles, and a special response team van.

The average response time to emergency and non-emergency calls in Hercules is five to seven minutes, and is consistent with the department's goals. The Hercules Police Department is located at 111 Civic Drive, Hercules.

#### General Plan Performance Standards: Police

- Office and supporting facilities shall be provided in a central, headquarters facility. Communication equipment (including repeater stations) shall be provided to allow communication between dispatch and police units throughout the service area.

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<sup>17</sup> City of Hercules 1998 (Land Use Element).

<sup>18</sup> Ibid.

## Fire

Fire protection services in Hercules are provided by the Rodeo–Hercules Fire Protection District (RHFD), which provides fire protection and emergency medical services to the City of Hercules and the unincorporated areas of Rodeo. A 24-hour dispatch service is provided to the District under contract with the Contra Costa County Regional Fire District. The District has an automatic response agreement with the City of Pinole Fire Department.

The RHFD is a full-service fire department that employs a total of 21 full-time personnel and up to 20 reserve personnel, covering an area of approximately 25 square miles. The RHFD serves a population of approximately 33,000 and responds to over 2,200 calls per year. The current average response time for emergencies is 6.4 minutes.

The District has two fire stations, a four-bay station at 326 Third Street in Rodeo, and a three-bay station at 1680 Refugio Valley Road in Hercules. District equipment includes: one 1,500-gpm pumper, one 1,250 gpm pumper, two 1,000 gpm-pumpers, two 500-gpm wildland units, two 200-gpm wildland units, one rescue truck, one utility truck, and four staff vehicles.

### General Plan Performance Standards: Fire

- The City should continually evaluate the alternatives for providing adequate fire services to meet the changing needs of the City in the most efficient manner.
- The City shall assist the Rodeo–Hercules Fire Protection District in processing the collection of fire impact fees from all new development within the City.
- The City shall work with the Rodeo–Hercules Fire Protection District to determine specific needs for fire protection when a particular development proposal is reviewed and ensure that these needs are met.
- Fire stations shall be located in the City so that five-minute emergency response times may be achieved by first response units for 90% of all emergency calls. Fire stations shall be sized to accommodate a minimum of two engines/trucks and three-person, 24-hour crews.

## **Community Development Services**

### Planning

The Planning Division processes current and long-range development applications in accordance with the City's adopted General Plan and zoning ordinance and provides staff support to the City Council, Planning Commission, and Design Review Subcommittee. In addition, the Planning Department responds to public inquiries regarding zoning, land use, use permits, and development standards. The Planning Department is also responsible for coordinating historic preservation within the City. Major projects undertaken by the Planning Department within the past year include: New Town Center, Sycamore Downtown, Waterfront,

Hilltown, Hercules Transit Center (BART Replacement Parking Facility), Intermodal Transit Station, and the Updated 2009 Redevelopment Plan Draft EIR.<sup>19</sup>

### Building

The Building Division is part of the Community Development Department and is responsible for enforcing state and local codes, standards, and regulations, and ensuring that all new construction meets the standard of construction required by the codes, and that all existing structures are maintained in a safe condition.

## **Transportation and Road Services**

### Transportation

The Engineering and Public Works Department in collaboration with the Planning Division is responsible for transportation planning and analysis of traffic impacts from new development.

The Circulation Element of the General Plan<sup>20</sup> is based on several underlying themes and findings, as summarized below:

- The City shall maintain traffic operations on streets that are designated as “Basic Routes” at the standards described in the Circulation Element.
- The City shall participate in the West Contra Costa Transportation Advisory Committee regarding traffic operations on Routes of Regional Significance, and shall help meet the goals and service standards for these routes by implementing the Action Plans for those routes, as adopted by the City and Contra Costa Transportation Authority.
- New development shall be required to pay its fair share of the cost of improving existing City streets so that compliance with the designated level of service (LOS) is maintained.
- New development shall be required to pay its fair share of the cost of improving regional routes so that compliance with the service standard specified in the Action Plan is maintained.

Two major highways serve the City of Hercules: Interstate 80 links Hercules with the City of Vallejo and on to Sacramento to the north and east, and with Richmond, Berkeley, and Oakland and on to San Francisco to the south and west. State Highway 4 links Hercules and West Contra Costa County with Central and East Contra Costa and provides an alternate route to central California and Sacramento. State Highway 4 also connects Interstate 80 with Highway 680 in Concord and Martinez, which links north to Fairfield and Vacaville, and south to Livermore and San Jose. According to the General Plan, these highways were experiencing significant congestion and are planned for the addition of lanes by Caltrans.

At the center of the City’s traffic congestion is San Pablo Avenue. The General Plan includes three alternatives to allow the roadway to operate at an acceptable LOS. This includes

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<sup>19</sup> City of Hercules 2009c.

<sup>20</sup> City of Hercules 1998 (Circulation Element).



Interstate 80/State Highway 4 interchange improvements, widening San Pablo Avenue from four lanes to six lanes between John Muir Parkway and the southern Hercules City limit, or grade separations at the intersections of San Pablo Avenue / John Muir Parkway and San Pablo Avenue / Sycamore Avenue. The grade separation would allow through traffic on San Pablo Avenue to not interfere with turning movements at these intersections.

Hercules is served by the Western Contra Costa Transit Authority, WestCAT. This bus system provides connections to the BART system and to the AC Transit system. WestCAT's Lynx service provides direct express service from Hercules to the San Francisco Transbay Terminal. For WestCAT riders, there is a park-and-ride facility in Hercules at 1000 Willow Avenue.

#### General Plan Performance Standards: Transportation

- Establish a long-term program for the construction of streets and preservation of future right-of-way based on traffic projections.
- Coordinate the street system with land use and other elements of the General Plan.
- Unify the City with a functional internal street system of arterials, collectors, and local streets.
- Provide adequate access from freeways to the surface street system.
- Coordinate the City's street system with adjoining city, county, and state facilities.
- Maintain acceptable local circulation operating conditions on arterial street/intersections and on local collector streets.
- Minimize through traffic in residential neighborhoods.
- Promote public transit service within the City and area.
- Provide a comprehensive system of riding and hiking trails.
- Provide for needed transmission facilities in a manner compatible with other elements of the General Plan.

#### Road Services

The Engineering and Public Works Department is responsible for all minor street maintenance services, including potholes, irregularities, sidewalk, curb, and gutter replacement, and roadway shoulder maintenance, within the public right-of-way and on City property. The department is also responsible for traffic maintenance services, including signal maintenance, street and traffic sign installation and maintenance, traffic striping and pavement marking maintenance, and curb painting.

The condition of roads is based on a Pavement Condition Index (PCI). The PCI is a numerical index used to indicate the condition of a roadway, and is based on a visual survey of the pavement and assignment of a numerical value between 0 and 100. A PCI value of 90-100 represents an excellent pavement, 80-89 very good, 70-79 good, 60-69 fair, 50-59 at risk, and 25-49 poor. It is widely used in transportation and civil engineering. The pavement index looks at the overall conditions of the roadways, including engineering design, base and paving thickness, crown and drainage, and wear and aging condition. The pavement index for

existing roadways within the City of Hercules is 74.<sup>21</sup> The 74 pavement index rating shows that the City of Hercules roadways overall are good.

The Engineering and Public Works Department also provides street-sweeping services to catch trash and debris before entering the storm drain systems and creeks. All residential streets are swept on a monthly basis, and all main streets are swept twice a month. The Department also provides inspections for catch basins and storm drain mains before and after the rainy season. A Creek Maintenance Program was also created to remove man-made debris at all choking points and culverts, and to clear excessive vegetation along Refugio Lake, Refugio Creek, and Ohlone Creek.

## **Water and Sewer Services**

### Water

Hercules' water system is maintained and operated by the East Bay Municipal Utilities District (EBMUD), which is the local retail water agency. The EBMUD is a publicly owned utility formed under the Municipal Utility District Act passed by the California Legislature in 1921. EBMUD's water system serves approximately 1.3 million people in a 331-square-mile area extending from Crockett on the north, southward to San Lorenzo (encompassing the major cities of Oakland and Berkeley), eastward from San Francisco Bay to Walnut Creek, and south through the San Ramon Valley.<sup>22</sup>

#### General Plan Performance Standards: Water

- The City shall review all new development plans for conformance with the performance standards in the Growth Management Element. The City will approve a development application only after making findings that one or more of the following conditions are met: (a) Assuming participation in adopted mitigation programs, performance standards will be maintained following the project occupancy; or, because of the characteristic of the development project, project-specific mitigation measures are needed in order to ensure maintenance of standards, and such measures will be required of the project sponsor; or, capital projects in the Capital Improvements Program (or planned by service-providing special districts) will result in maintenance of performance standards.
- The City will establish and implement a development mitigation program to ensure that new growth is paying its share of the cost associated with maintenance of these standards.
- The City shall require all new development to contribute to or participate in the improvement of the above-mentioned facilities and systems in proportion to the demand generated by project occupants or users.

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<sup>21</sup> MTC 2007a.

<sup>22</sup> EBMUD 2009.

- Fees collected pursuant to these policies shall be deposited in special funds, and shall be used to support construction or improvements to the above-mentioned facilities improvements, as programmed through the City's Capital Improvement Program and budget.

### Sewer

Wastewater is collected primarily by sewer lines owned and maintained by the City of Hercules. The collected wastewater is treated at the Pinole/Hercules Wastewater Treatment Plant, which serves the City of Hercules and City of Pinole and is operated by the Pinole-Hercules Wastewater Joint Powers Authority. The Pinole/Hercules Wastewater Treatment Plant has the capacity of treating 4.06 mgd.

Water and wastewater services were evaluated separately as part of LAFCO's Water and Wastewater Municipal Services Review and Sphere of Influence Updates.

### **Parks, Recreation, Library, and Cultural Services**

#### Parks

The City of Hercules Parks and Recreation Division maintains seven parks: Refugio Valley Park, Ohlone Park, Woodfield Park, Foxboro Park, Railroad Park, Frog Pad Park, and Hanna Ranch Park and five community facilities: Community/Swim Center, Hanna Ranch, Ohlone, Lupine, and the Senior Center. The City of Hercules Parks and Recreation Division currently employs 13 full-time staff members and about 80 part-time employees. The division provides a wide variety of recreational, educational, and social activities for all citizens. The division also provides child care services.

Parks maintenance and new improvements are provided to the following recreation areas:

- Refugio Valley Park – Located at Refugio Valley Road and Pheasant Drive. Includes 14 picnic tables, two barbecue pits, 37 parking spaces, jogging trail, lake, restrooms, par course, and multi-use field.
- Ohlone Park – Located at 190 Turquoise Drive. Includes eight picnic tables, 12 barbecue pits, open field, nature trail, restrooms, and amphitheater.
- Woodfield Park and Tennis Courts – Located at 1991 Lupine Road. Includes children's tot lot, two basketball courts, one softball field, multi-use field, restrooms, and two tennis courts.
- Foxboro Park and Tennis Courts – Located at 1025 Canterbury Avenue. Includes recreation building, children's tot lot, two tennis courts, one basketball court, four picnic tables, four barbecue pits, multi-use field, jogging trail, restrooms, drinking fountain, and street parking.
- Frog Pad Park – Located at corner of Sycamore Avenue and Willet Street. Includes playground, children's tot lot, four picnic tables, and drinking fountain.
- Railroad Park – Located at corner of Santa Fe and Railroad Avenue. Includes four barbecue pits, four picnic tables, play area, and street parking.

The City was awarded a State Parks Grant to address the enhancement and rehabilitation of recreational facilities. Major park improvements were completed in the summer of 2008 at Woodfield Park, Refugio Park, Refugio Tennis Facility, Refugio Valley Road Trail, and Foxboro Park. Ohlone Park is scheduled for renovation in fiscal year 2009/10.

The City is in the process of developing four additional parks:

- Dog Park will be located on the corner of Falcon Way and Refugio Valley Road.
- Community Garden located at Ohlone Park.
- Duck Pond Park located on the Sycamore extension.
- Sycamore Park located across from Duck Pond Park.

General Plan Performance Standards: Parks

- Neighborhood Parks: A minimum of 1.75 acres of neighborhood parks shall be provided for each 1,000 residents.
- Community Parks: A minimum of 3.25 acres of community park space shall be provided for each 1,000 residents.
- Open Space. A minimum of 34 acres of open space (public and private combined) shall be provided for each 1,000 residents.

#### Recreation and Cultural Services

The City's Parks and Recreation Division provides special events, sports programs, and recreation programs for all age groups. A recreation class guide is available on the City's website.

As outlined in the City's 2009/10 budget, recreation programs are funded primarily by participation fees and have a revenue estimate of \$1,548,100. Expenditures are estimated to be \$3,133,206.

#### Library

Current library services are provided through one library located at 109 Civic Drive, Hercules. Future library facilities are not proposed at this time.

#### **Solid Waste Collection and Disposal Services**

Richmond Sanitary Services is the solid waste service provider for the City of Hercules.

Hercules is a member of the West County Integrated Waste Management Authority, which sets rates and establishes contracts for disposal and green waste services in the authority's service area. The City has achieved the mandated AB 939<sup>23</sup> diversion rate of 50%.<sup>24</sup> All non-recycled solid waste is hauled to the Potrero Landfill.

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<sup>23</sup> California Public Resources Code, section 40000 et seq.

## General Plan Performance Standards: Solid Waste

- Development applications shall be reviewed to determine if adequate solid waste disposal capacity exists to serve the project and that the project includes adequate recycling facilities.

## Electrical Services

The Hercules Municipal Utility (HMU) was created to provide safe, reliable, and cost-effective electric service to retail customers that are located in and around new development areas in Hercules. The HMU is an enterprise district that was formed in 2001 to provide safe, reliable, and cost-effective electric service to retail consumers in Hercules. Once grown out, the HMU will provide the city and its residents the financial benefits of a healthy and ongoing enterprise operation.

## SERVICE REVIEW DETERMINATIONS

In anticipation of reviewing and updating the City of Hercules' SOI, and based on the information provided above, the following written Determinations are intended to fulfill the requirements of California Government Code section 56430(a).<sup>25</sup>

## General Statements

- A. The City has been proactive in addressing community needs, public services, and infrastructure improvements.
- B. Determinations relating to the City of Hercules as adopted by the Commission in June 2008 as part of the Western County Water and Wastewater Services – Municipal Service Review remain valid and appropriate.

## Infrastructure Needs and Deficiencies

1. In general, existing City-owned infrastructure—streets, buildings, parks, stormwater system, library, and community center—are meeting acceptable standards for functionality and usability. The various City Departments responsible for maintenance of facilities annually audit conditions and schedule maintenance as required. Larger projects are included within the Capital Improvement Plan (CIP).
2. The City as part of its CIP continues to work on pavement repair and roadway improvements. The Pavement Condition Index rates City streets with an index of 74, which is

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<sup>24</sup> City of Hercules 2009c (Section 3.13: Utilities and Service Systems).

<sup>25</sup> This report addresses the nine determinations previously required under Government Code section 56430. Changes to the code that became effective on January 1, 2008, now require analysis of six determinations.

“good.” Pavement condition indexes conducted annually show the condition of roadways have improved from 66 in 2003.

3. The City owns a 50% share of the wastewater treatment plant located in Pinole. The wastewater treatment plant is in need of capacity upgrades. Daily operation of the wastewater treatment plant is handled by the City of Pinole. Pinole is the designated operator of the facility.

### **Growth and Population Projections for the Affected Area**

4. The City population is projected to have an overall growth rate of 18.4% through 2035, with an estimated population of approximately 29,800 in 2035.
5. Growth will take place through annexation of lands within the existing 850-acre SOI and through infill development or redevelopment on parcels within the City.
6. The City has a jobs–housing balance of 0.56, which indicates that there are approximately twice as many people who live in Hercules who work than there are jobs available.

### **Financing Constraints and Opportunities**

7. City General Fund revenues exceed expenditures.
8. Increasing costs of services such as police protection will continue to impact General Fund expenditures.
9. The City carries a high bonded indebtedness of \$94,730,000 for a city of its size, which is more than five times the General Fund revenues.

### **Cost Avoidance Opportunities**

10. Fire services to the City are provided by Rodeo–Hercules Fire Protection District, an independent special district. Fire services are paid through assessments, fees for services, and a portion of the ad-velorum property tax increment. Fire services are not included within City budgets.

### **Opportunities for Rate Restructuring**

11. As part of the City's annual budget process, all City fees, cost for services, and mitigation are reviewed and updated as necessary to keep up with cost.
12. Revenues from the City's wastewater utility do not meet the cost of service provision. The City should address this by revising wastewater rates so that revenues exceed or meet cost of service provision.

### **Opportunities for Shared Facilities**

13. The City owns a 50% share of the Wastewater Treatment Plant, located and operated by the City of Pinole. Hercules pays its share of operational costs and also pays for its share of the cost for maintenance or required upgrades.

14. The City built and maintains the Hercules branch library, which is operated by the Contra Costa Countywide Library system.
15. The City maintains a joint-use agreement with the school district for use of school grounds when not in use by the schools. This increases the amount of recreational areas available for public use.

### **Government Structure Options**

16. There are no recommendations for any changes of government structure resulting from this Municipal Services Review. The City operates as a general law city with a council–manager form of governance.
17. Future annexations of areas within the existing SOI would result in government structure changes for those residents, from County governance to governance by the City of Hercules.

### **Evaluation of Management Efficiencies**

18. This Municipal Services Review identified no deficiencies within City management practices.

### **Local Accountability and Governance**

19. The City provides and maintains an extensive website. This website provides information about the City, meetings, agendas, staff reports, minutes of meetings, budgets, CIP, the general plan, projects within the City, contact information, and general information of interest to the public. Council members' email addresses are provided on the City's website, which provides additional access to the City's elected officials.
20. The City publishes a brochure, *The Herculean*, which provides information about important events, recreation programs, redevelopment projects, and various City news.

### **SPHERE OF INFLUENCE RECOMMENDATIONS AND DETERMINATIONS**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that LAFCOs review and update the SOI for each special district and city within their county not less than once every five years.

An SOI is defined by California Government Code section 56425 as a "Plan for the probable physical boundaries and service area of an agency, as determined by the Commission." SOIs are a planning tool used by an agency to conduct service and facility planning for areas that it intends to annex and serve in the future. The establishment or amendment of an SOI may take several forms. An SOI may be coterminous to an agency's boundaries, indicating that the agency is at its ultimate configuration with no land area growth anticipated in the near future. An SOI may extend beyond the current boundaries of the agency, indicating that future annexations are anticipated and that the agency is the appropriate service provider for that area. An SOI may also be smaller than the existing agency's boundaries, indicating that future

detachments may be appropriate. Lastly, the Commission may adopt a “zero” SOI, which would indicate that a potential dissolution of the agency may be appropriate.

Given the considerations addressed in this Municipal Services Review, three SOI options are identified for the City of Hercules:

- **Retain the Existing SOI**

If the Commission determines that the existing governmental structure is appropriate, and that the territory within the existing SOI would be most efficiently provided municipal services from the City of Hercules, then the existing SOI should be retained. This also indicates that future annexation of territory is anticipated. This option enables the City to continue to include the areas within its SOI within its long-term planning process.

- **Amend the SOI to be Coterminous with the City Limits**

If the Commission determines that the City of Hercules is at its ultimate boundary configuration and that areas currently within the City's SOI would be better served by another agency, then reduction of the SOI to match the City limits would be appropriate.

- **Amend the SOI by Addition of Territory to the SOI**

This would indicate that the Commission finds that the City of Hercules would be the most logical and efficient provider of municipal services for the community of Rodeo, and that Rodeo should be placed within the SOI of Hercules. Inclusion of Rodeo within Hercules's SOI would indicate that the Commission considers this to be the optimum boundary configuration for the City, and that no other municipal service provider would be appropriate for those areas.

## **Recommendations**

It is recommended that the existing SOI for the City of Hercules be retained, with no amendments to the existing SOI. This Municipal Services Review has found that territory currently within the SOI would be provided municipal levels of service most efficiently by the City of Hercules. The land within the SOI is most easily accessed through the City of Hercules. The information within this Municipal Services Review indicates that the City of Hercules is not yet at its ultimate boundary configuration and that retention of the approximately 850 acres of territory within the SOI and currently outside of the City limits is appropriate. Land use studies show that the areas within the SOI are prime for commercial development with access to both State Highway 4 and Interstate 80. As development takes place, future annexations to the City are anticipated. The unincorporated community of Rodeo, located west of the existing SOI and north of the City of Hercules, shares fire service with Hercules through the Rodeo–Hercules Fire Protection District, an independent special district. While both Rodeo and Hercules share many common ties, there appears no interest in Rodeo becoming part of Hercules by either party; Rodeo appears to be content remaining an independent unincorporated community.



Table III-1 – City of Hercules

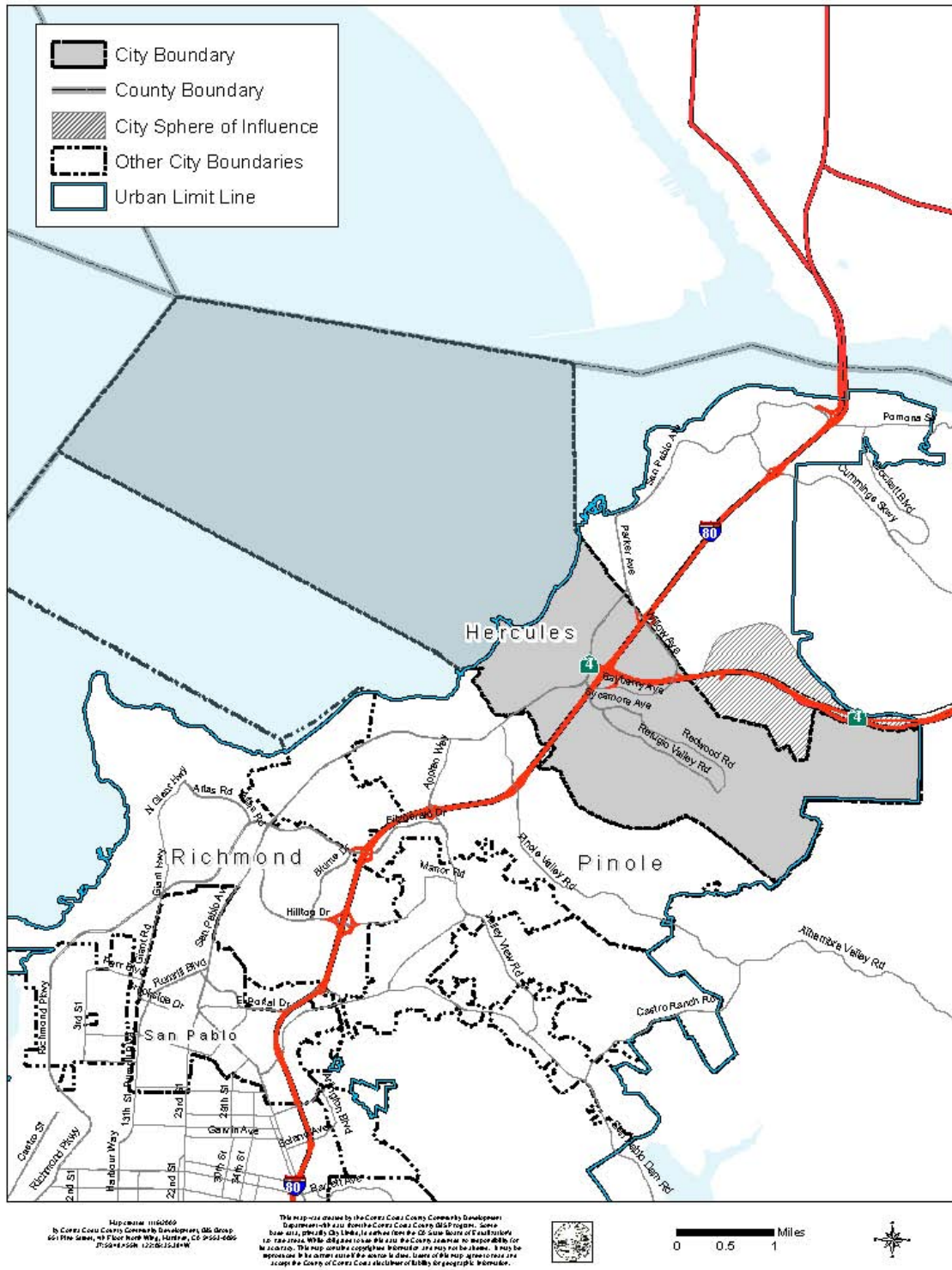
SOI Issue Analysis

Issue	Comments
SOI Update Recommendation	Retain the existing SOI, indicating that the City of Hercules is the appropriate future municipal service provider for the SOI.
Services provided	City services include administration, engineering, planning, code enforcement, parks and recreation, police, wastewater collection, and public works. The Rodeo-Hercules Fire Protection District provides fire protection services. Library services are provided through the Contra Costa Library System. Water service is provided by EBMUD.
Present and planned land uses in the area	The City has applied General Plan and zoning designations for every parcel within its boundaries and planning area. Land uses include low-medium and medium-high density residential uses, open space, commercial and retail, and government uses.
Potential effects on agricultural and open space lands	There are no active Williamson Act contracts within the City or the SOI. The last Williamson Act lands within the SOI were withdrawn from the contract effective in 2001. The City has policies within its General Plan that seek to preserve and maintain open space lands.
Projected population growth	The City of Hercules is not now experiencing the high growth rates found in eastern or southern Contra Costa County cities. The City is projected to show an annual growth rate averaging 0.7% annually through 2035.
Present and probable need for public facilities and services in the area	All areas within the City receive municipal levels of service. All areas within the SOI will have services available as they are needed when development takes place.
Opportunity for infill development rather than SOI expansion	The SOI recommendation is to retain the existing SOI, which includes approximately 850 acres outside of the City limits. The countywide voter-approved ULL follows the City's eastern boundary and SOI. The ULL restricts development to the east, while Pinole shares the southern boundary. Future development within the City will be through annexation of SOI areas or infill development.

Table III-1 (Continued)

Issue	Comments
Service capacity and adequacy	The City provides adequate levels of services. Community centers, parks, library, and roads are in very good shape. The prior water and wastewater municipal services review showed that the wastewater treatment plant, of which the City owns 50%, needs upgrades to capacity.
The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the City	The unincorporated community of Rodeo shares the City's northern boundary, and the incorporated City of Pinole shares the City's southern boundary.
Effects on other agencies	Maintaining the current SOI will not have an effect on any other agency in the area.
Potential for consolidations or other reorganizations when boundaries divide communities	No potential consolidations or reorganizations were identified within this Municipal Services Review for the City of Hercules. The water and wastewater municipal services review discussed several wastewater consolidations, which included the City of Pinole and West County Wastewater District. The SOI does not divide any communities.
Location of facilities, infrastructure, and natural features	The City is fairly compact, with City offices and police facilities located within the downtown area, providing easy access for residents. Parks and other facilities are located throughout the City and are easily accessible. The City is located within an area marked by low rolling coastal hills and valleys, which contain active blueline streams. The City fronts on San Pablo Bay.
Willingness to serve	The City is willing to provide service to all areas of the City and within the existing SOI upon annexation.
Potential environmental impacts	The recommended action to retain the existing SOI will have no environmental impacts.

# Exhibit III-A: City of Hercules Sphere of Influence and Voter-Approved Urban Limit Line



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## IV. CITY OF PINOLE

### LOCATION, ADMINISTRATION, AND OPERATIONS

The City of Pinole was incorporated on June 25, 1903. The City is located in western Contra Costa County and is bounded by the City of Hercules to the north, San Pablo Bay to the west, unincorporated Briones Hills to the east, and the cities of Richmond and San Pablo to the south. The City currently encompasses an area of approximately 12 square miles, of which 60% is water.<sup>1</sup> The City has approximately 13.3 square miles within its Sphere of Influence (SOI) (Refer to Exhibit IV-A: City of Pinole Boundary and Sphere of Influence.) The City currently has a Planning Area boundary that extends beyond the City limits and includes the City's Sphere of Influence. However, the City is in the process of preparing a comprehensive update of the General Plan and may consider establishing a larger Planning Area as part of this effort to reflect service areas currently outside the City limits. For example, additional areas in the Pinole Creek Watershed southeast of the City in the vicinity of the Alhambra Valley could be added to the current Planning Area. The current City population is estimated at 19,193.<sup>2</sup>

Pinole consists primarily of gently rolling hills, with steeper hills on the north and south. Elevation in the City ranges from sea level to 500 feet above mean sea level.

Pinole and the surrounding area grew rapidly during the post-World War II boom. With the coming of Interstate 80 in 1958, the City evolved into a suburban bedroom community within the San Francisco/ Oakland commuter belt. Much of its original industry was displaced during this time, and the City became predominantly residential. Today, the City is locally known for its "big box" shopping store district along Fitzgerald Avenue, and Pinole Vista Shopping Center, which is adjacent to Richmond's Hilltop Area. The downtown area still retains many turn-of-the-century building stock and is being preserved by the City's development agency as a historic area.

Interstate 80, which traverses the City, connects the San Francisco/Oakland metropolitan area with Sacramento and points east. Pinole is linked to central Contra Costa County, including the cities of Martinez, Concord, and Pleasant Hill, by State Route 4, which begins just north of the City and connects with Interstate 680. Bus service in the City of Pinole is provided by WestCAT, which operates local fixed routes, and the Bay Area Rapid Transit (BART) system services the City via the El Cerrito del Norte station.

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<sup>1</sup> U.S. Census Bureau 2000.

<sup>2</sup> State of California, Department of Finance 2008.

## City Governance

Pinole is a “general law city”<sup>3</sup> and operates as a municipal corporation pursuant to the laws of the State of California (Government Code, Section 34000 et seq.). Pinole uses a “Council-Manager” form of government.<sup>4</sup>

### City Council

The City is governed by a publicly elected, five-member City Council, all elected to four-year terms. The Mayor is selected by the council from among the five members each year to serve a one-year term.

The City Council meets regularly at 6:00 PM on the first and third Tuesday of each month. Meetings are held at the City Hall, 2131 Pear Street, Pinole.

Many meetings are available through the Video Archives video library, available on the City's website.<sup>5</sup> The Council encourages expression of views and opinions by citizens on any matter of community interest that is within the Council's authority. Comments during public hearings, written and oral communications, are all appropriate methods of expressing views. Any item to be placed on the Council agenda must be received seven days prior to the meeting.

City Council members receive a monthly salary of \$250, plus \$50 for those on the Redevelopment Agency Board. Benefits include medical, dental, and life insurance.

### City and Regional Commissions and Committees

The City has five active Boards and Commissions: Planning Commission, EDHAC (Economic Development and Housing Advisory Committee), Community Services Commission, Youth Commission, and TAPS (Transportation and Safety Advisory Committee). A Redevelopment Agency was established in 1972 in order to utilize tax increment financing to revitalize the business climate, rehabilitate and add to the housing stock, and encourage participation and private investment by property owners.

In addition, the City Council appoints representatives to the following regional commissions/committees: Contra Costa Library Commission, Contra Costa County Mosquito and Vector Control District Board, West Contra Costa Unified School District Bond Oversight Committee, and the Contra Costa Transportation Citizens Advisory Committee.

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<sup>3</sup> Under the California State Constitution, Article 11, Section 2, and California Government Code, section 34102, cities organized under the general law of the State are “general law cities” as opposed to “charter cities,” which operate under an individual city charter.

<sup>4</sup> The Council-Manager form is the system of local government that combines an elected legislative body (City Council) with the management experience of an appointed local government manager (City Manager).

<sup>5</sup> <http://www.ci.pinole.ca.us>

## City Information

The City maintains an extensive website that is updated regularly.

## **City Operations**

City government operates with six City Departments. City Departments include: 1) Administration, 2) Development Services, 3) Fire, 4) Pinole TV, 5) Police, and 6) Recreation.

- Administration

The City Manager functions as the chief executive officer of the City. Appointed by the entire City Council, the City Manager serves at the will and pleasure of the City Council and takes policy direction from the City Council during regular and special public meetings.

The City Manager is responsible to ensure that all laws and ordinances adopted by the City Council are properly implemented and enforced, and is charged with the preparation of the City's annual budget which must be adopted by the City Council. Each Department Head of the City is hired by and supervised by the City Manager, and together they form the team ultimately accountable for managing the day-to-day operations of the City's services to the community.

The City Attorney provides legal services, advice, and representation to the Mayor, City Council, City Manager, City departments, City boards, and commissions. The City Attorney's Office advocates the City's interest in lawsuits filed against or on behalf of the City, its officers, employees, and agencies.

The City Clerk's Department ensures the timely presentation of formal communications from the public, other agencies, and City staff to the City Council. The City Clerk/Agency Secretary prepares the Council and Redevelopment Agency meeting agendas in coordination with the City Manager/Executive Director. The City Clerk/Agency Secretary also maintains official City and Agency records, which reflect the actions of the Governing Body.

The Human Resources Department is in charge of recruitment and selection, employee and labor relations, performance evaluation, employee training, and the City's workers' compensation and safety programs. The department also works with managers and labor representatives in developing citywide policies and procedures, ensuring uniform interpretation and implementation.

The Finance Department provides financial services to the other departments in the City as well as to the general public in order to further City goals and objectives within general policy guidelines. It is responsible for providing support services to all departments in the City and for financial reporting to other government agencies. It also provides a variety of services, including budget development, financial analysis, bond debt administration, revenue billing and collection, accounts receivable, accounts payable, cash flow management, payroll processing, employee benefit accounting, record keeping, and reporting. These duties are accomplished by using generally accepted accounting practices and procedures.

- Community Development Department

The Community Development Department comprises the following areas: 1) Building Division, 2) Planning Division, 3) Redevelopment Agency – Economic Development, and 4) and Redevelopment Agency – Housing.

Building – The Building Division performs building inspections, housing program inspections, nuisance abatement, permit issuance, monitors for illegal construction, and code enforcement. The division also plan checks small projects in-house.

Planning Division – The mission of this division is to provide guidance for the orderly development of the City and to ensure that new development is attractive and compatible with its surroundings. This division is also responsible for enforcement of the zoning code within the City, as well as preparing and updating the General Plan and specific plans, design guidelines, and environmental documentation for development projects.

Public Works Department – This department maintains parks, cleans and stripes the City streets, coordinates and oversees public construction and paving projects, maintains the City's buildings and fleet of vehicles, replaces street signs, trims trees, and oversees the processing at the Wastewater Treatment Plant.

Redevelopment Agency (Economic Development) – The Redevelopment Agency was established in 1972. The City Council serves as the governing board for the Agency, and the City Manager serves as the Executive Director. The Pinole Redevelopment area includes 1,418 acres. Over this time, the Agency has brought in an additional \$40 million in revenues to Pinole, and evidence of the Agency's work, such as the Fernandez Park renovation, the Pinole Senior Village, and the east entry to Pinole, are found throughout the City.

A list of completed redevelopment projects can be found on the City's website.

Redevelopment Agency (Housing) – The City offers the following housing programs:

- First Time Homebuyer Program – offers up to \$100,000 of down payment assistance to qualified borrowers.
- Affordable Housing – list of Redevelopment Agency assisted affordable housing (AB 987).
- Residential Rehabilitation Program – designed for residents who cannot afford to improve their homes.

Water Pollution Control Plant – The Pinole/Hercules Wastewater Treatment Plant is located at the foot of Tennent Avenue in the City of Pinole. It was originally built in 1955 as a primary treatment facility. Since then, it has had two major expansions and several modifications in order to meet the needs of these cities' growing populations. In 1972, the plant was upgraded from a primary to a secondary treatment facility, with a 2 MGD (million gallons per day) flow capacity. In 1985, the plant was again upgraded to handle a flow of 4.06 MGD. The plant serves a combined population of approximately 40,000, with an average daily flow of 3.5 million gallons. The plant process (activated sludge) removes approximately 97% of the waste from the water. The water is then



disinfected with hypochlorite. Once the disinfection process is complete, the hypochlorite is then removed and the water is pumped into the deep waters of San Pablo Bay. All operators are certified by the state, grade levels vary from 1 through 5. Some plant personnel also hold certificates in maintenance and laboratory analysis.

- Fire Department

The Fire Department shares the Public Safety Building with the Police Department. They respond to calls in both the City of Pinole and the County area of Tara Hills. They also provide backup for the adjacent areas of Hercules, Crockett, Rodeo, San Pablo, and Richmond. The total population served is approximately 27,000. Interaction with surrounding departments is also very high, with a large percentage of calls involving automatic or mutual aid. Pinole Fire handles approximately 2,400 calls per year, and recently placed their second fire station into service this past year.

Coverage responsibilities for the department include the major interstate freeway with nearly a quarter million vehicle trips per day, two major rail lines, underground petroleum pipelines, 11 schools, a hospital, and several large senior housing complexes. Geographically significant features include large wildland interface areas as well as San Pablo Bay bordering the City's north side.

- Pinole TV

Pinole TV is a non-commercial, community access television station. The programming and information offered on this channel is public, educational, and governmental. Programs include Redevelopment and Council meetings.

- Police Department

The Police Department was created to provide services directed toward the enhancement and maintenance of public safety in the community. The mission of the department is implemented through the following goals:

- Prevent and control conduct widely recognized as threatening to life and property
- Aid individuals who are in danger of physical harm
- Protect constitutional guarantees
- Facilitate the movement of people and vehicles
- Assist those who cannot care for themselves
- Resolve conflict, whether among individuals, groups, or individuals and government entities
- Identify problems that have the potential for becoming intrusions in the community
- Create and maintain a feeling of security in the community
- Develop and implement strategies and programs that enhance delivery of police service in the community

- Recreation Department

The Recreation Department is divided into the following areas: 1) Pinole Sports and Fitness Center, 2) Senior Center, 3) Swim Center, 4) Tiny Tots, and 5) Youth Center.

Pinole Sports and Fitness Center – The Pinole Sports and Fitness Center is located at 1575 Mann Drive, on the campus of Pinole Middle School.

Senior Center – The Pinole Senior Center opened its doors on December 9, 1991. The Center's home is a 15,000-square-foot facility, which was awarded the 1995 California Parks & Recreation Society's Facility Design Award.

The Center provides social, educational, recreational, health, nutritional, and consumer services and activities to more than 1,200 yearly participants. The Center is a community focal point for West Contra Costa County area seniors, age 50 and over, and has established itself as one of the County's best Senior Centers.

The center board and volunteers have raised over \$250,000 every year to support the operation of the Center. Additionally, the Center is also supported by the efforts of its non-profit arm, the Pinole Area Senior Foundation.

Swim Center – The Swim Center has programs for both children and adults. Facilities include main pool, wading pool, and snackbar. The program is run by the Hilltop Family YMCA.

Tiny Tots – The City of Pinole Recreation Department offers two preschool programs for children 2 years 9 months to 5 years of age. These programs are designed to offer children both a social and educational experience.

Youth Center – The Youth Center's mission is to provide a safe and supervised after-school program that is youth-led and youth-oriented. The Pinole Youth Commission provides the vision and direction, and the Leadership Club plans activities and projects.

Services provided by special districts and contracted services include solid waste services, library services, water and sewer services, and animal control.

- Solid Waste Services

The City contracts with Richmond Sanitary Service for solid waste services.

- Library Services

Library services are provided by the Contra Costa County Library system, of which the City is a member.

- Water and Sewer Services

Water services are provided by the East Bay Municipal Utilities District, and sewer services are provided by both the City (through its wastewater treatment plant) and the West County Wastewater District.

- Other Services

Contra Costa County provides animal control services to the City.

### City Infrastructure

The City owns 64 miles of streets, 34 miles of storm drains, 50 miles of sewer, 373 street lights, numerous buildings, and a wastewater treatment plant. The general condition of the City's buildings, streets, street lights, and storm drains is good. The general condition of the City's wastewater collection and treatment infrastructure is fair.

### **Budget**

Pinole prepares an annual budget that looks ahead three fiscal years. The budget is prepared by the finance manager in coordination with the City Manager. The 2008/09 budget reflects total revenues in the amount of \$12,179,893 and expenditures of \$12,979,921.

Pinole's budget is separated into the following units: General Fund, Special Revenue Funds, Enterprise Funds, Redevelopment Funds, Capital Project Funds, and Debt Service Funds. An expanded review of these budget units follows.

### General Fund

The City's adopted budget for 2008/09<sup>6</sup> anticipates General Fund revenues of \$12.2 million and expenditures of approximately \$13 million. The General Fund is the primary financing mechanism for City operations with "unrestricted" revenues from a variety of sources. Projected General Fund Revenues and Expenditures for the 2008/09 fiscal year are as follows:

<i>Revenues</i>	
Property Taxes	\$2,201,862
Sales Taxes	\$3,693,277
Utility User Tax	\$2,149,189
Other Taxes	\$906,200
Fines and Permits	\$108,986
Interest and Rentals	\$95,463
State Subventions	\$1,648,417
Service Charges	\$949,490
Other Revenue	\$88,509
Transfers-in <sup>7</sup>	<u>\$338,500</u>
Total General Fund Revenue	\$12,179,893

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<sup>6</sup> City of Pinole 2008.

<sup>7</sup> Transfers are transactions between funds and are normally repaid within the current fiscal year.

### *Expenditures*

General Government	\$1,767,700
Police	\$6,270,732
Fire	\$3,166,020
Public Works	\$921,988
Community Development	\$97,823
Recreation	\$455,658
Pension Obligation Bond	<u>\$300,000</u>
Total General Fund Expenditures	\$12,979,921

In fiscal year 2008/09, the City's primary General Fund revenues include sales tax (30%) and property taxes (18%). Property tax revenue anticipated in the 2008/09 budget is slightly greater than that which was anticipated in the 2007/08 budget – a 2% annual increase is assumed. Sales tax revenue is expected to be slightly greater as well, with an anticipated 3% increase over the 2007/08 fiscal year. With regard to expenditures, the primary General Fund expense is police services (48%), followed by fire services (24%), and general government (14%).

### Special Revenue Funds

Special Revenue Funds are used to account for proceeds of specific revenue sources that are restricted to expenditures for specified purposes. These funds include funds such as Measure S, Gas Tax Fund, Traffic Congestion Relief, Senior Center, Recreation, and Littering Fines.

### Enterprise Funds

The City has established an Enterprise Fund for the specific purpose of accounting for its Wastewater Treatment and Collection activities. The business model used for this type of activity matches the expenses of providing services to the general public with a use fee. The wastewater treatment plant is jointly owned by the cities of Pinole and Hercules.

The 2008/09 sewer budget totals an estimated \$8 million. This provides for continuation of current service levels, as well as funding for additional expenses such as renovations.

### Redevelopment Funds

The Pinole Redevelopment Agency provides essential funding for infrastructure projects, housing projects, planning and development studies, and public/private partnerships, which are focused on the economic development of blighted areas within the City. Capital funding is obtained primarily through the sale of bonds or other loans, and debt service on the bonds is paid for with property tax revenues generated from the growth in property assessment values.

### Capital Project Funds

The Capital Projects Funds are used for the acquisition or construction of major capital facilities including urban development. Funds include 1) Non-Housing RDA, 2) Housing RDA, 3) Storm Drain, 4) Other Projects, 5) Parks/Recreation Facilities, 6) Building/Facilities, 7) Sewer Collection, 8) Streets and Roadways, and 9) Pinole Assisted Living Community (PALC) Rehabilitation. Approximately 84 projects are included in these nine groups. Some of the Major Projects identified in the Capital Improvement Program are upgrades to the Water Pollution Control Plant, a project to enhance Pinole Creek and its surroundings to make the creek more sustainable; construction of affordable housing units at Heritage Park; an annual program to

upgrade the condition of the City's roadways and sewer collection system; and an active program to retain existing business and attract new businesses.

#### Debt Service Funds

The City's debt obligations fall into two categories, short- and long-term debt. In previous budget years, the City had entered into short-term lease capital leases for the financing of projects such as cable television equipment for the new studio facility (2005), replacement of a fire truck (2006), and replacement of police patrol vehicles (2007). Long-term debt has been secured through the issuance of municipal bonds by the City's Redevelopment Agency, the Pinole Joint Power Financing Authority, and the City's General Fund.

The City of Pinole has an unfunded liability for Other Post Employment Benefits, specifically retiree medical, in the amount of \$21,826,000. The Annual Required Contribution to fund this benefit is \$2,595,000, which will begin to appear as a footnote on the City's financial statements in fiscal year 2009/10.

### CITY PLANNING BOUNDARIES AND GROWTH

#### **City Boundaries**

##### City Limits

Within the existing City Limits are approximately 12 square miles. The City is located in western Contra Costa County and is bounded by the City of Hercules to the north, San Pablo Bay to the west, unincorporated Briones Hills to the east, and the cities of Richmond and San Pablo to the south. (Refer to Exhibit IV-A.)

##### Sphere of Influence

The currently adopted SOI for the City encompasses approximately 13.3 square miles and extends south and west of the City limits. (Refer to Exhibit IV-A.)

##### Planning Area

The existing General Plan<sup>8</sup> Planning Area includes the City of Pinole and the unincorporated areas in the county to the east and south stretching to El Sobrante ridgeline, Pinole/Hercules ridgeline, and the City of Richmond limits. The City's Planning Area extends beyond the SOI and is approximately 13.3 square miles.

##### Urban Limit Line

Contra Costa voters approved the current countywide ULLs in 2006. (Refer to Exhibit IV-A.) The Pinole City Council adopted the countywide ULL in February 2007.

#### **General Plan**

Pinole's General Plan was adopted in 1995. The City's General Plan articulates the goals of its citizens and their community, and identifies policies and implementing programs addressing

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<sup>8</sup> City of Pinole 1995.

many specific issues, such as standards for development and redevelopment of land, preservation of open space, provision of affordable housing, and conservation of natural resources. The General Plan includes ten separate but highly interrelated elements. The City initiated a plan update in the fall of 2006. The City is currently holding workshops in order to gain public input into the planning process.

The City's Housing Element was adopted in 2003, and was found to be in compliance with state law. State law requires Bay Area jurisdictions to have an approved Housing Element in July 2009, and the City of Pinole will be out of compliance in July 2009. An update was initiated in June 2009.

A major focus of the General Plan is to preserve the quality of life in the City's residential neighborhoods and to continue to provide quality services and facilities. It discourages street extensions and connections to the City of Hercules or Contra Costa County and limits major through-traffic from neighborhoods.

### **Population Growth**

According to the City's General Plan, there was a 32% increase in population between 1970 and 1990. The City's population has grown slowly but steadily since then, growing to 19,039 (2000), 19,700 (2005), and expected to reach 20,100 in 2010.<sup>9</sup> Pinole is currently ranked as the third-smallest city in Contra Costa County, behind Orinda and Clayton.

In 2005, the total City population was estimated by the State Department of Finance to be 19,469, and the total population along with the areas within the SOI was estimated to be 31,700 in 2005 by ABAG. Unincorporated areas within the City's SOI include developed portions of El Sobrante, Tara Hills, Bayview, and Montalvin Manor south and west of the current City limits.

### **Jobs-Housing Balance**

The analysis of jobs-housing balance is used to measure the degree to which communities and subregions are inducing commuter travel as growth occurs. As indicated in the Housing Element of the General Plan,<sup>10</sup> the jobs-housing balance has been steadily increasing since 1990, when it was at 0.37. In 2010, ABAG estimates that there will be 6,760 jobs within the City and 14,730 employed residents.<sup>11</sup> This results in a jobs-to-employee ratio of 0.46. A ratio of 1.00 indicates that there is a numeric balance between the number of jobs and the number of employed residents in a community. A ratio of less than 1.00 typically indicates that a community is "job poor" and that its residents commute to jobs in other areas, and the community's economic development has not kept pace with its housing growth.

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<sup>9</sup> ABAG 2006.

<sup>10</sup> City of Pinole 2003.

<sup>11</sup> These estimates include the City's SOI (ABAG 2006).

Pinole's jobs-housing ratio is out of balance, and this trend is expected to continue into the foreseeable future. Pinole is primarily a suburban residential community serving major employment centers to the west and south, and the pattern of residents commuting outside the City to work is expected to continue.

### **Vacant Land**

Vacant land within the City of Pinole is limited. Since the demand for housing in the City is very high (vacancy rate at 1.2% as of January 2000), the value of potential residential land is increasing and has become a substantial factor in the cost of providing housing.<sup>12</sup> Currently, there are a total of 165 developable acres with an estimated dwelling unit potential of 448 to 745 units. The majority of vacant or redevelopable sites that are designated in the Land Use Element of the General Plan for single-family or multi-family use within the Pinole Planning Area are infill lots of one acre or less. According to the City's Housing Element, there was a dwelling unit potential of approximately 450 to 750 dwelling units as of May 2003. The amount will change as a result of contemplated land use changes in the General Plan Update and Corridor Specific Plan for San Pablo Avenue, Pinole Valley Road, and Appian Way

### **Development Projects**

The City's Redevelopment Agency has completed a number of projects in the past, and is currently undertaking several projects. Current projects include: Community Garden at Fernandez Park, Commercial Rehabilitation Program, Community Group Funding Program, Gateway East, the Pinole Creek Restoration Project, and the Residential Rehabilitation Program.

### **Growth Management**

Growth Management is addressed as a separate element in the City's General Plan. The City of Pinole adopted its Growth Management Element in 1992.<sup>13</sup> The purpose of the Growth Management Element of the Pinole General Plan is to establish policies and level of service standards for growth management and traffic, and performance standards for fire, police, parks, sanitary facilities, water, and flood control in order to ensure generally that public facilities are provided consistent with adopted standards. The Growth Management Element of the General Plan is consistent with the requirements of the Contra Costa Transportation Improvement and Growth Management Program (Measure C), approved by the Contra Costa County voters in 1988.

### **Annexations**

There have been numerous annexations to the City of Pinole, with the most recent in 2004. No annexations are anticipated in the near future.

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<sup>12</sup> City of Pinole 2003.

<sup>13</sup> City of Pinole 1995.

According to the City's General Plan, unincorporated areas (e.g., El Sobrante, Tara Hills, Montalvin Manor, and Bayview) are primarily residential areas designated mainly Low Density Residential within the City's General Plan. Six schools and two commercial areas are located outside City Limits within the City's SOI and are designated as Neighborhood Commercial and Public Facilities, respectively, in the General Plan. These areas are developed mostly with older single-family residential uses. Key revenues—property and sales tax—are lower on average than within the City. Without the potential for redevelopment or the negotiation of a more favorable property tax split with the County, annexation of these areas would not be cost effective, and it may be challenging for the City to provide adequate levels of services to these areas without impacting services to current residents.<sup>14</sup>

As indicated in the Land Use and Economic Development Element of the General Plan, the annexation of areas outside the current City limits should be dependent on resident interest, the cost/revenue implications of specific annexation proposals, and ability to provide City services to the area.

### **Sphere of Influence Reductions and Expansions**

The City of Pinole's SOI was last reaffirmed in 1993. No SOI reductions or expansions are proposed at this time. Policies regarding SOI expansions and annexations are included in the General Plan to ensure that future development occurs in a fiscally sound manner.

### **Public Safety Services**

#### Police Services

The Police Department has three Divisions: Field Operations, Investigations, and Support Services. The Police Department was created to provide services directed toward the enhancement and maintenance of public safety in the community. The City's 2008/09 budget indicates that the department has 56 personnel, consisting of two administrative secretaries, a deputy chief, a support services manager, a lieutenant, seven sergeants, 25 officers, three community service officers, eight dispatchers, three Records and Property Specialists, and two part-time crossing guards. The primary source of funding for the Police Department is the General Fund. Of the 2008/09 budget, 48% is allocated for police services.

As of July 1, 2009, the Police Department handles code enforcement issues. This division enforces a number of laws pertaining to residential property within the City. Most of these laws have been enacted to protect and preserve the basic character and quality of life in residential neighborhoods. These laws may be enforced by more than one department or division of the City, as well as State or County agencies, where applicable.

The Pinole Police Department is involved in a number of partnerships. The Department funds half a position on the West Contra Costa Narcotics Enforcement Team (WestNET). The

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<sup>14</sup> Ibid (General Plan Summary).



Community Preservation and Safety Unit partners with residential and business community members to develop innovative solutions to quality-of-life issues.

According to the U.S. Federal Bureau of Investigation crime statistics for 2007, Pinole had 112 violent crimes and 792 property crimes, with a rate of 4,797 crimes per 100,000 population. Crime rates are affected by a number of factors and reflect a city's population, concentration of youth, degree of urbanization, cultural and educational characteristics, geographic location, and modes of transportation, among other factors. Therefore, these rates are a good measure of changed conditions within a city over time, but they should not be considered as a direct evaluation of the adequacy of police services between cities.

The Pinole "Police Blotter" contains selected crimes and incidents that occurred in Pinole during the listed week. This service is available on the department's website and can also be viewed daily on Pinole Cable Channel 28.

The department's 2005 Annual Calendar Report tabulates police response to crimes reported or detected within the City of Pinole and compares the 2005 policing effort with the previous years. According to the report, between 2004 and 2005, calls for service dropped 5%, accidents investigated dropped 15%, and felony and misdemeanor arrests dropped by 15% and 17%, respectively. During the same time, citations issued rose by 3%. Also during this time, attendance at neighborhood watch meetings rose 25%.

#### General Plan Performance Standards: Police

- Capital facilities sufficient to maintain the following response time (for first unit):
  - Code One Service Calls: 60 minutes (assignments are not urgent; however, they shall be completed at the earliest opportunity of the individual assigned)
  - Code Two Service Calls: 15 minutes (assignments are urgent; but are not of an emergency nature – response is directly to the assignment)
  - Code Three Service Calls: five minutes (emergency assignments calling for all practical haste – police response will allow use of emergency lights and siren)
  - The Pinole Police Department has 1.83 officers per 1,000 residents.

#### Fire Services

The City's Fire Department shares the Public Safety Building with the Police Department. They respond to calls in both the City of Pinole and the unincorporated area of Tara Hills. They also provide backup for the adjacent areas of Hercules, Crockett, Rodeo, San Pablo, and Richmond. The total population served is approximately 27,000. Interaction with surrounding departments is also very high with a large percentage of calls involving automatic or mutual aid. Pinole Fire handles approximately 2,400 calls per year, and recently placed their second fire station into service.

Coverage responsibilities for the department include the major interstate freeway with nearly a quarter million vehicle trips per day, two major rail lines, underground petroleum pipelines, 11 schools, a hospital, and several large senior housing complexes. Geographically significant

features include large wildland interface areas as well as San Pablo Bay bordering the City's north side.

The City has two fire stations. Station 73 is located at 880 Tennent Avenue, and Station 74 is located at 3700 Pinole Valley Road.

The City's 2008/09 budget indicates that the department has 19 personnel, consisting of one administrative secretary, six captains, four engineers, two engineers/paramedics, and six firefighters/paramedics.

#### General Plan Performance Standards: Fire

- Capital facilities sufficient to maintain the following service level:
  - First Engine Company: five minute response time in 90% of emergency calls
  - Water Requirements: 3,500 gallons per minute minimum on initial response assignment
  - Access widths: Turn-arounds with minimum inside turning radius of 37.5 feet

The City's fire services were recently reviewed by LAFCO as part of the countywide Fire and Emergency Medical Service Providers Municipal Service Review.<sup>15</sup>

### Community Development Services

#### Planning

The mission of this division is to provide guidance for the orderly development of the City and to ensure that new development is attractive and compatible with its surroundings. This division is also responsible for enforcement of the zoning code within the City, as well as preparing and updating the General Plan and specific plans, design guidelines, and environmental documentation for development projects. Current planning project activity has been decreasing since 2006 and continued to decrease between 2008 and 2009.

#### Building

The Building Division consists of one building official and two counter technicians. The division performs building inspections, housing program inspections, nuisance abatement, permit issuance, monitors for illegal construction, and code enforcement. The division also plan checks small projects in-house. Current building activity has been decreasing since 2006 and continued to decrease between 2008 and 2009. For example, 657 building permits were issued for calendar year 2008, and 288 building permits were issued during the first half of 2009. Most of the permits issued are for small home maintenance projects requiring a building permit.

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<sup>15</sup> Burr Consulting 2009.

### Economic Development

The City does not have an Economic Development Department. However, economic development is addressed in the Land Use and Economic Development Element of the City's General Plan. Additionally, the Economic Development and Housing Advisory Committee (EDHAC) is an active City commission. Lastly, the Pinole Redevelopment Agency provides essential funding for planning and development studies and public/private partnerships, which are focused on the economic development of blighted areas within the City.

### Housing

The City offers the following housing programs:

- First Time Homebuyer Program – offers up to \$100,000 of downpayment assistance to qualified borrowers.
- Affordable Housing – list of Redevelopment Agency Assisted Affordable Housing (AB 987).
- Residential Rehabilitation Program – designed for residents who cannot afford to improve their homes.

### Redevelopment

The Pinole Redevelopment Agency provides essential funding for infrastructure projects, housing projects, planning and development studies, and public/private partnerships, which are focused on the economic development of blighted areas within the City. Capital funding is obtained primarily through the sale of bonds or other loans, and debt service on the bonds is paid for with property tax revenues generated from the growth in property assessment values.

Since 1972, the Redevelopment Agency has brought \$40 million in revenues to Pinole. Completed projects include the development of Sunnyview and San Pablo Avenue, Pinole Shores Business Park, Heritage Park, a youth center, Meadow Park Renovation, a soccer field project, and old Town signage. Current projects include a community garden, a commercial rehabilitation program for Old Town and San Pablo Avenue businesses, Gateway East, and the Pinole Creek Demonstration project as well as a residential rehabilitation program.

### **Transportation and Road Services**

#### Transportation

Pinole's Circulation Element addresses such issues as regional traffic congestion, emergency vehicle access, traffic impacts on neighborhoods, public transit, trails, and parking. The costs of maintenance and repair of public streets will be addressed more thoroughly in the Community Services and Facilities Element. Community goals will be achieved through the City's participation in regional transportation activities, as well as local implementation through zoning, other ordinances, and the City's Seven-Year Capital Improvement Program (CIP).

The street system in Pinole is largely complete. In general, street system design and classification has been developed consistent with the General Plan policies that major arterials should not pass through residential neighborhoods but should provide the boundaries, and

interior street patterns should be designed through use of cul-de-sacs, loop streets, and neighborhood collectors to discourage through traffic.

The physical configuration of development along the Interstate 80 corridor as a band of suburban development divided and bounded by ridgelines on the east and the Bay to the west has resulted in a simple transportation network which relies on Interstate 80 to provide regional transportation service to and through the area. When Interstate 80 becomes congested, alternative parallel diversions become congested (San Pablo Avenue, Pinole Valley Road, and Appian Way). The result is that actions affecting other roadways in the west County corridor outside of Pinole have an impact, both positive and negative, on the backup on Interstate 80 and spillover traffic conditions in Pinole. At the time the Circulation Amendment was adopted, the City anticipated a 48% increase in traffic between 1990 and 2010.

The "City of Pinole Adopted Traffic Level of Service Standards," as shown on the Circulation Plan map in the Circulation Element,<sup>16</sup> shows maximum level of service (LOS) standards acceptable for Basic and Regional Routes in Pinole.

#### General Plan Performance Standards: Transportation

- Measure C establishes standards for traffic service through volume/capacity (V/C) ratios. Measure C mandates the following traffic Level of Service (LOS) standards by land use categories:
  - Rural: LOS low-C (70 to 74) V/C
  - Semi-Rural: LOS high-C (75 to 79) V/C
  - Suburban: LOS low-D (80 to 89) V/C
  - Urban: LOS high-D (85 to 89) V/C
  - Central Business District: LOS low-E (90 to 94) V/C.

These standard are currently being met.

#### Road Services

The Public Works Department has eight maintenance employees for the streets/parks division. The department maintains 64 miles of streets and 373 street lights.

The City has conducted a pavement survey to determine expected life remaining in its dedicated roadways. The condition of roads is based on a Pavement Condition Index (PCI). The PCI is a numerical index used to indicate the condition of a roadway. It is widely used in transportation and civil engineering. The pavement index looks at the overall conditions of the roadways, including engineering design, base and paving thickness, crown and drainage, and wear and aging condition. The pavement survey allows the City to plan repairs or perform preventive maintenance to extend the service life of the roadways. The pavement index shows

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<sup>16</sup> City of Pinole 1995.

that, overall, the existing roadways receive an index rating of 71.<sup>17</sup> The 71 pavement index rating shows that the City of Pinole's roadways overall are good.

## **Water and Sewer Services**

### Water

Water service is provided by the East Bay Municipal Utilities District.

### Sewer

Wastewater collection and treatment services are provided by both the City (through its wastewater treatment plant) and the West County Wastewater District. The Pinole/Hercules Wastewater Treatment Plant is located at the foot of Tennent Avenue in the City of Pinole. It was originally built in 1955 as a primary treatment facility. Since then, it has had two major expansions and several modifications in order to meet the needs of these cities' growing populations. In 1972 the plant was upgraded from a primary to a secondary treatment facility, with a 2 MGD (million gallons per day) flow capacity. In 1985, the plant was again upgraded to handle a flow of 4.06 MGD. The plant serves a combined population of approximately 40,000, with an average daily flow of 3.5 million gallons. The plant process (activated sludge) removes approximately 97% of the waste from the water. The water is then disinfected with hypochlorite. Once the disinfection process is complete, the hypochlorite is then removed and the water is pumped into the deep waters of San Pablo Bay. All operators are certified by the state, grade levels vary from 1 through 5. Some plant personnel also hold certificates in maintenance and laboratory analysis.

Water and wastewater services were evaluated separately as part of LAFCO's Water and Wastewater Services Municipal Services Review.<sup>18</sup>

### General Plan Performance Standards: Water and Sewer

- Verification by the Pinole Municipal Sewer District, or other applicable Sanitary District, that adequate collection and treatment to Regional Water Quality Control Board (RWQCB) standards can be provided.
  - System: Class 4 conventional activated sludge and secondary treatment facility.
  - Capacity: Design Row of 4 million gallons per day.
  - Monitoring: As required to comply with discharge standards
- Verification by the East Bay Municipal Utility District (EBMUD) that adequate water supply and quality can be provided shall be required for approval of new development.

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<sup>17</sup> MTC 2007a.

<sup>18</sup> Dudek 2008.

## **Parks, Recreation, Library, and Cultural Services**

### Parks

According to the City's website, Pinole has 14 parks totaling 274.5 acres. The largest of these parks is Pinole Valley Park, which spans 231 acres. Park facilities include baseball and soccer fields, basketball courts, restrooms, play structures, picnic tables, and tennis courts.

General Plan Performance Standards: Parks

- 2.0 acres of parks per 1,000 population.

The City is currently meeting this performance standard, which requires 38.4 acres of parkland based on a population of 19,193.

### Recreation and Cultural Services

The Recreation Department is segregated into the following areas: 1) Pinole Sports and Fitness Center, 2) Senior Center, 3) Swim Center, 4) Tiny Tots, 5) Youth Center, 6) Cable TV, 7) Performing Arts, and 8) Athletic Facilities.

The Community Services Commission is a City Commission that provides ongoing input on the delivery of recreation, parks, and community services.

The Pinole Sports and Fitness Center is located at 1575 Mann Drive, on the campus of Pinole Middle School as a collaboration with the West Contra Costa Unified School District. The Fitness Center provides adult and youth fitness classes, sports clinics and tournaments, summer youth sports camps, drop-in sports for teens, and tiny tots sports classes.

The Pinole Senior Center opened its doors on December 9, 1991. The Center's home is a 15,000-square-foot facility, which was awarded the 1995 California Parks & Recreation Society's Facility Design Award. The Center provides social, educational, recreational, health, nutritional, and consumer services and activities to our more than 1,200 yearly participants. The Center is a community focal point for West Contra Costa County area seniors, age 50 and over, and has a reputation as one of the County's best Senior Centers. The center board and volunteers have raised over \$250,000 every year to support the operation of the Center. Additionally the Center is also supported by the efforts of its non-profit arm, the Pinole Area Senior Foundation.

The Swim Center has programs for both children and adults. Facilities include main pool, wading pool, and snackbar. The program is run by the Hilltop Family YMCA.

As part of its Tiny Tots program, the City of Pinole Recreation Department offers two preschool programs for children 2 years 9 months to 5 years of age. These programs are designed to offer children both a social and educational experience.

The Youth Center's mission is to provide safe and supervised after-school and summer programs that are youth-led and youth-oriented. The Center serves youth ages 5 to 18 in a wide variety of programs, including youth leadership development, intergenerational activities,

homework help, social activities, games, arts, and cooking. The Pinole Youth Commission provides the vision and direction as the youth voice of Pinole. The Pinole Youth Foundation is the nonprofit fundraising arm of the Pinole Youth Center.

#### General Plan Performance Standards: Recreation Facilities

- 1.0 square foot of Community recreation center space per capita.

The City exceeds this standard: Senior Center = 15,000 s.f.; Youth Center/Cable TV = 5,000 s.f.; Playhouse = 2,000 s.f.; Pool = about 5,000 s.f.; and Tiny Tots = about 2,000 s.f.

#### Library

Pinole's library is located at 2935 Pinole Valley Road, and is operated by Contra Costa County Library services. The branch offers young child and adult programs, and is open 42 hours per week over 6 days. The Friends of the Pinole Library is an organization dedicated to improving library services in Pinole. Through membership donations and Book Sale earnings, the Friends provide the library with books, tapes, magazines, compact discs, furniture, and equipment. They also provide children's and cultural programs for the community.

The General Plan does not include library service standards.

#### **Solid Waste Collection and Disposal Services**

Solid waste collection (garbage service) is provided under a contract with Richmond Sanitary Service. The City encourages recycling and has included information on recycling programs throughout the County on its website. The City of Pinole is currently meeting the diversion rate mandated by AB 939.

Household hazardous waste is taken to the West County Drive-Through Household Hazardous Waste Collection Facility, located at 101 Pittsburg Avenue in Richmond at the Richmond Parkway.

#### SERVICE REVIEW DETERMINATIONS

In anticipation of reviewing and updating the City of Pinole's SOI, and based on the information provided above, the following written Determinations are intended to fulfill the requirements of California Government Code section 56430 (a).

#### **General Statements**

- A. The City has been proactive in addressing community needs, public services, and infrastructure improvements.

- B. Determinations relating to the City of Pinole as adopted by the Commission in August 2008 as part of the Water and Wastewater Services Municipal Service Review for West Contra Costa County,<sup>19</sup> remain valid and appropriate.

### **Infrastructure Needs and Deficiencies**

1. In general, existing City owned infrastructure – City Streets, buildings, parks, and senior centers – are meeting acceptable standards for functionally and usability. The various City Departments responsible for maintenance of facilities annually audit conditions and schedule maintenance as required.
2. Pinole’s roadways have a pavement condition index of 71, which is rated as good. The City maintains 64 miles of publicly dedicated streets. The Capital Improvement Program lists 11 current roadway projects for fiscal year 2008/09.
3. The City’s wastewater collection system is old and suffers from Inflow/Infiltration problems. The CIP is including projects to replace sections of sewers within the fiscal year 2008/09 CIP budget.
4. The City owns a 50% share of the wastewater treatment plant located in Pinole. The wastewater treatment plant is in need of upgrades in capacity and technology. The City of Pinole is the designated operator.
5. The Five-Year CIP currently lists 84 projects from nine spending groups. Current fiscal year 2008/09 CIP budget is \$24 million.

### **Growth and Population Projections for the Affected Area**

6. The City is largely built out with growth projections showing low rates of growth through 2030. Annual growth will be less than 0.4% annually.
7. City growth is constrained with the cities of Hercules and Richmond to the north and south, San Pablo Bay to the west, and open space defined by the County-wide voter approved ULL to the east. The City’s SOI is located between Richmond and Pinole and is largely built out with older single-family residences.
8. The City has a jobs–housing balance of 0.43, which indicates that there are more workers available than jobs within Pinole. While the number of jobs has been increasing, the City will continue to be job poor and have workers commuting to other locations for employment into the foreseeable future.

### **Financing Constraints and Opportunities**

9. The City for the last four years has experienced budget deficits, which have been made up with reserve funds. Deficits for the past two years have exceeded \$1 million with current projections for another deficit in excess of \$1 million.

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<sup>19</sup> Dudek 2008.



10. The City's revenues are strongly dependent on sales tax revenues, which make up approximately 30% of the overall general fund revenue. Both property tax revenue and sales tax revenues are anticipated to be slightly greater than what was anticipated in the 2007/08 budget.
11. The City Manger's budget message calls for budget discipline in all departments, reduced spending on services, and not filling vacant staff positions in an effort to reduce the projected deficit and to minimize the impact of reduced spending on services and personnel.
12. The City finance officer will review revenue and spending quarterly and provide the Council and City Manage with updates to monitor budget progress. This allows for budget adjustments to be made in a more timely manner to reduce the deficit.
13. The City currently has a Utility Users Tax of 8%, which generates approximately 17% of City revenues. The UUT is set to sunset in 2012, and, if not extended by the voters, will require the City to make some difficult financial decisions, which may affect fire services, public works, and police services.
14. The current property tax split formula between the County and the City for annexations, coupled with the older housing inventory within the existing SOI, make future annexations unlikely, as the cost of service provision is higher than the property tax revenue the City would receive if the area were to be annexed.

#### **Cost Avoidance Opportunities**

15. The City's wastewater utility shares ownership of the Wastewater Treatment Plant with the City of Hercules wastewater utility. This reduces the need for each agency to provide for its own treatment facilities.
16. The City's wastewater utility has instituted a Sewer System Management Plan (SSMP) in accordance with the requirements of the State Water Quality Regional Control Board. The SSMP outlines maintenance and operation procedures that help to keep the collection and conveyance system operating efficiently and reduce unplanned maintenance.

#### **Opportunities for Rate Restructuring**

17. As part of the City's annual budget review, all fees, charges, fines, and user fees are reviewed and updated as necessary to keep up with costs of service provision.
18. The City's wastewater utility was operating historically at a deficit; review of costs showed a need for increasing rates in 2006. The utility now is operating showing a small surplus in revenue.

#### **Opportunities for Shared Facilities**

19. The City shares ownership of the Waste Water Treatment Plant with the City of Hercules. The facility is located in Pinole with the City of Pinole the designated operator.
20. The City shares ownership of the deep water outfall structure associated with the WWTP with the City of Hercules and the Rodeo Sanitary District.

21. The City's Fire Department operates jointly with Contra Costa County Fire Protection District and the Rodeo Hercules Fire Protection District in the operation of a joint fire Battalion 7. This involves rotating fire chief duties among the agencies involved and pooling fire-fighting resources to provide adequate fire response levels.

### **Evaluation of Management Efficiencies**

22. This Municipal Services Review has identified no deficiencies within City management practices. The City maintains an efficiently sized staff for City operations and to maintain City facilities and infrastructure.

23. The City operates with a Council-Manager form of governance. The City Council is elected, and the City Manager is hired by the Council to manage the day-to-day operations of the City.

### **Government Structure Options**

24. The Water and Wastewater Services Municipal Services Review for West Contra Costa County identified a potential for consolidation of the wastewater operations with the City of Hercules and/or West County Wastewater District as a way to improve efficiency and keep costs down. Studies have been conducted on these alternatives and discussions are ongoing to determine if any of the proposed consolidations are in the best interest of the City.

25. The City's Fire Department operates in cooperation with other fire-fighting jurisdictions, including the Rodeo Hercules Fire Protection District and the Contra Costa County Fire Protection District, in the operation of Battalion 7. The joint operation of various agency assets ensures adequate and comprehensive fire protection coverage that any single agency may not be able to provide on its own.

26. The unincorporated community of El Sobrante is divided by the SOIs of the City of Pinole and the City of Richmond generally along Manor Road. Both cities should review potential service delivery into this area as well as polling the interest of the citizens to determine if future SOI amendments may be appropriate for this area to bring the entire area into a single city SOI.

### **Local Accountability and Governance**

27. The City maintains an easy-to-navigate website that is kept current and includes meeting notices, minutes of meetings, links to important City documents such as the General Plan and the current City Budget, a weekly City Manager's message, and information about local events of interest.

28. The elected City Treasurer provides important oversight functions, which include filings of monthly financial reports, audits, and oversight of travel expenses.

## SPHERE OF INFLUENCE RECOMMENDATIONS AND DETERMINATIONS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000<sup>20</sup> requires that LAFCOs review and update SOIs for each special district and city within the county not less than once every five years.

An SOI is defined by California Government Code, section 56076 as a "Plan for the probable physical boundaries and service area of an agency, as determined by the Commission." An SOI is a planning tool used by an agency to conduct service and facilities planning for areas that it intends to annex and serve in the future. The establishment or amendment of an SOI may take several forms. An SOI may be coterminous to an agency's boundaries, indicating that the agency is at its ultimate configuration with no land area growth anticipated in the near future. An SOI may extend beyond the agency's boundaries, indicating that future annexations are anticipated and that the agency is the appropriate service provider for the area. An SOI may be smaller than the agency's boundaries, indicating that future detachments from the agency may be appropriate. Lastly, the Commission may adopt a 'zero' SOI for the agency, indicating that a potential dissolution of the agency may be appropriate.

Given the considerations addressed in this Municipal Service Review, two SOI options are identified for the City of Pinole.

- **Retain the Existing SOI for the City**

This would indicate that the Commission considers that future annexations are anticipated to the City of Pinole and that the City of Pinole is the most logical future service provider for the areas currently within the SOI. The City has limited infill development potential and areas within the existing SOI, Tara Hills and El Sobrante, are largely built-out with older single-family residential development. The current SOI was established in the mid 1980s and has remained largely intact since its creation. The existing SOI is divided into two areas, one generally southwest of Pinole and west of Interstate 80 and includes the unincorporated communities of Tara Hills, Bay View, and Montalvin Manor. The second area of the SOI is generally south of the City and east of Interstate 80 and includes a portion of the unincorporated community of El Sobrante. The El Sobrante community is divided by the SOI boundaries of the City of Pinole and the City of Richmond. The boundaries established for the existing SOI generally conform to lines of assessment or follow existing roadways and are logical from that perspective. Service provision from the City of Pinole would be logical and cost effective for areas within the existing SOI. While future annexations would be anticipated, under existing financial conditions, annexation is unlikely. The present allocation of property tax revenues may leave the City's share of property tax revenues unable to cover the cost of service provision, making annexation unattractive to the City. Nevertheless, future annexation would be sensible if future tax split formulas change or other revenue enhancements are negotiated. The City already provides fire protection services to

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<sup>20</sup> California Government Code, section 56000 et seq.

areas within its western SOI, which includes Tara Hills, Bay View, and the Montalvin Manor areas.

- **Reduce the Existing SOI for the City**

If the Commission determines that the areas that are currently within the City's SOI would more appropriately be served by another agency or if the City of Pinole has no plans to pursue annexation within the next 10 to 20 years, then reducing the SOI would be appropriate. Of concern are areas like Tara Hills which could become long-term unincorporated islands where services become increasingly more costly to provide and service levels begin to decline because of the isolated nature of the communities.

## **Recommendation**

It is recommended that the current SOI for the City of Pinole be retained, but that the areas within the SOI be carefully looked at by the City and other affected local agencies to determine if there is interest within those areas of annexing into Pinole, and what effect the annexation would have on the City's services and ability to provide services. Also, the current 8% Utility Users Tax is set to sunset in 2012, and, if it is extended by the voters, it should be reviewed to see what effect this might have in offsetting some of the service costs. If it is determined that there is no interest by the residents within the SOI or within the City for future annexation, then with the next MSR and SOI update, consideration should be given to reduction of the SOI or even creation of an SOI which is coterminous with the City corporate boundaries.

It is the intent of an SOI is to identify the most appropriate areas for an agency's future extension of services in the foreseeable future. Contra Costa LAFCO policies and guidelines relating to SOIs discourage inclusion of land in an agency SOI if services would not be required within a 5- to 10-year time frame. Territory already within an agency's SOI would indicate that the need for service has been identified and that the agency is the most logical service provider. The existing SOI was created in the mid 1980s before Municipal Service Reviews and changes in statutes. The SOI is split into two areas, one west of Interstate 80, which includes the Tara Hills, Bay View, and Montalvin Manor communities. The second SOI area is east of Interstate 80 and includes the northern El Sobrante community. El Sobrante is a community which is included within two City SOIs: Pinole and Richmond. This MSR has not determined if the residents who live in the Pinole portion of El Sobrante see themselves as part of El Sobrante or as part of Pinole. The City's fire department currently provides service within the western portion of the SOI, so service extension is already taking place within those areas.

In reviewing and determining the SOI for an agency, LAFCO must consider and prepare written determinations with respect to the four factors contained within California Government Code section 56425(e). These factors include discussion on the planned and present land uses, which includes agricultural and open space land; the need for public services and facilities; the capacity and adequacy of public services; and the existence of any community of interest within the area,

Contra Costa LAFCO generally will act as responsible agency for CEQA purposes; however, should the Commission wish to amend the SOI by addition or in some cases in removal of

territory, LAFCO would become lead agency and be required to review the action in light of CEQA requirements and may require an initial study to determine the appropriate CEQA documentation required by the action.

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Table IV-1 – City of Pinole

SOI Issue Analysis

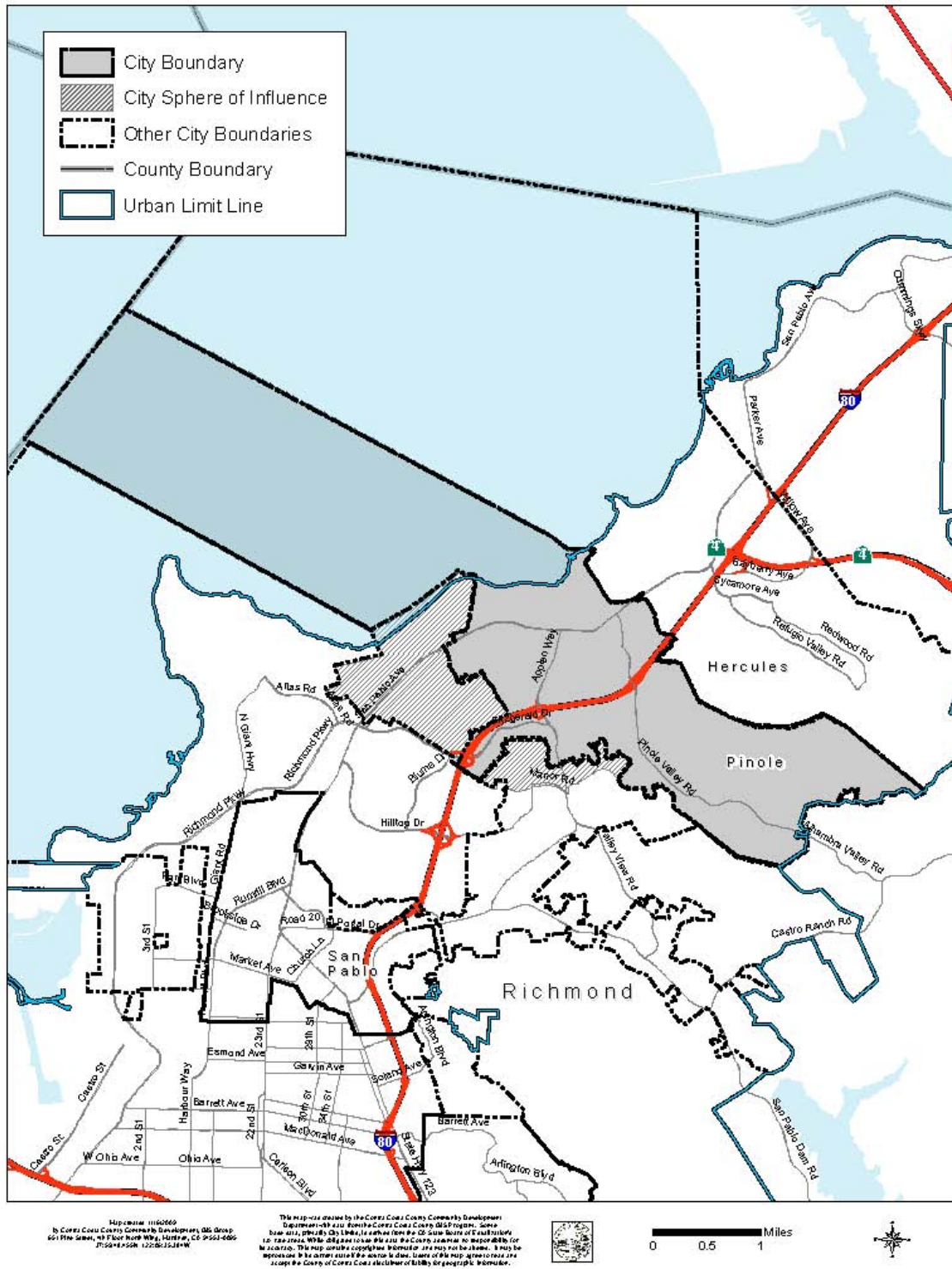
Issue	Comments
SOI Update Recommendation	Recommendation is to retain the current existing SOI for the City.
Services Provided	The City provides Police, Fire, wastewater collection and treatment, Parks and Recreation, Planning, and local governance. Water is provided by EBMUD.
Present and Planned land uses in the area	The City and SOI areas are largely built out with few vacant parcels remaining for residential development. Land uses within the SOI include residential, multi-family residential, commercial, retail, and open space land.
Potential effects on agricultural and open space lands	Retaining the current SOI would have no effect on open space or agricultural land uses currently existing within the City or the SOI.
Projected population growth	The City and the areas within the SOI are largely built-out. Population will show small annual increases, with an average growth rate of approximately 0.4% annually.
Present and probable need for public facilities and services in the area	The areas within the SOI are already receiving service from local agencies, including EBMUD, WCWD, CCCFPD, City of Richmond, and City of Pinole. The areas within the SOI are largely built-out with residential land uses.
Opportunity for infill development rather than SOI expansion	As the City and the SOI are largely built out, all development will be infill. No expansion of the SOI is recommended or anticipated based upon the information contained within this MSR.
Service capacity and adequacy of service	The City of Pinole provides adequate levels of services within the City.
The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency	The unincorporated communities of Bay View and Tara Hills within the SOI of the City could be considered a logical boundary adjustment because these distinct communities abut the western boundary of the City of Pinole and are currently served by the City's Fire Department and frequently by the City's Police Department. The Bayview neighborhood is accessed by San Pablo Avenue and Del Monte Drive, which provide access to portions of the City of Pinole. The Tara Hills community is accessed by San Pablo Avenue and Tara Hills Drive that also serve the City. Furthermore, this boundary change could eliminate the urbanized unincorporated area northwest of Interstate 80 that currently separates the City of Pinole from the City of Richmond. However, these areas have high service demand relative to property and sales taxes generated. Consequently, the City is not currently interested in annexing these areas.
Effects on other agencies	Retaining the existing SOI would have no effect on other agencies providing services within the SOI areas.

Table IV-1 (Continued)

Issue	Comments
Potential for consolidations or other reorganization when boundaries divide communities	The West County Water and Wastewater MSR discussed the potential for consolidation of wastewater services with the City of Hercules and West County Wastewater District. The Fire MSR discusses the potential of fire service consolidation to improve service levels and control costs. The southeastern SOI area divides the community of El Sobrante.
Location of facilities, infrastructure and natural Features	The City public facilities are located to provide service through out the City and be easily accessible for the public. The City is built upon low rolling hills typical of the California central costal regions.
Willingness to serve	The City is willing and committed to providing municipal services. The City is already providing fire protection service within the western portion of its SOI.
Potential environmental impacts	Retaining the existing SOI will have no effect upon the environment and would be exempt from the provisions of the California Environmental Quality Act (CEQA).



# Exhibit IV-A: City of Pinole Sphere of Influence and Voter-Approved Urban Limit Line



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## V. CITY OF RICHMOND

### LOCATION, ADMINISTRATION, AND OPERATIONS

The City of Richmond was incorporated on August 7, 1905. The City is located in western Contra Costa County and is loosely bounded by the City of Pinole and the unincorporated areas of Bayview–Montalvin and Tara Hills to the north; San Pablo Bay to the west; East Richmond Heights, Rollingwood, El Sobrante, and unincorporated Briones Hills to the east; and the City of El Cerrito and San Francisco Bay to the south. The City currently encompasses an area of approximately 53 square miles, of which nearly 57% is water.<sup>1</sup> The City has approximately 58 square miles within its Sphere of Influence (SOI) (Refer to Exhibit V-A: City of Richmond Sphere of Influence and Voter-Approved Urban Limit Line), and approximately 65 square miles within its Planning Area. The current City population is estimated at 103,577.<sup>2</sup>

Richmond is located on 32 miles of waterfront, more than any other city in the Bay Area. A majority of the City lies on a flat coastal plain predominantly consisting of reclaimed tidal marshes and inter-tidal flats. The City is located at an elevation of 187 feet above mean sea level.

Richmond developed rapidly as a heavy industrial town during World War II, chiefly devoted to shipbuilding. Today, the City's economy is undergoing a major transition from its former heavy industrial character toward more high technology and light industrial companies. Biotechnology, in particular, has developed as an important niche in Richmond's growing economy. At the same time, the City's major manufacturers, such as Chevron and Zeneca, have continued to upgrade their facilities.

The City's neighborhoods can roughly be divided into the northern Hilltop/El Sobrante, eastern Central/East Richmond, downtown/Iron Triangle, and southern Point Richmond/Marina Bay areas.

Richmond is a central transportation hub in the Bay Area, with two Interstate freeways (Interstates 80 and 580), two railroads (Santa Fe and Southern Pacific), a deepwater shipping port, several Alameda–Contra Costa Transit District (AC Transit) local bus lines, and Bay Area-wide rapid transit and nationwide passenger rail service from the combined BART and AMTRAK station located in the heart of Richmond's downtown.

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<sup>1</sup> U.S. Census Bureau 2000.

<sup>2</sup> State of California Department of Finance 2008.

## City Governance

Richmond is a “charter city”<sup>3</sup> and operates as a municipal corporation pursuant to the laws of the State of California.<sup>4</sup> Richmond uses a “Council-Manager” form of government.<sup>5</sup>

### City Council

The Richmond City Council consists of six Council members elected at large and a separately elected Mayor, all of whom are elected to alternating four-year terms. Regular City Council meetings are held at 7:00 PM on the first and third Tuesdays of each month. Meetings are held at City Hall, 450 Civic Center Plaza, Richmond. Meeting agendas and minutes from previous City Council meetings are available on the City’s website ([www.ci.richmond.ca.us](http://www.ci.richmond.ca.us)). Additionally, meetings are broadcast live over the City’s website, and archived videos of these meetings can be accessed on the City’s website.

The City of Richmond pays each member of the City Council a total monthly salary of \$1,402.50; the Mayor receives a monthly salary of \$3,875.00. Each Council member, including the Mayor, receives a stipend of \$30.00 per Richmond Redevelopment Agency meeting and Richmond Housing Authority Board meeting attended. All Council members and the Mayor receive \$5,500.00 per fiscal year for travel expenses. The City provides the Mayor and Vice Mayor with a monthly automobile allowance of \$350.00 per month; the remaining Council members receive \$300.00 per month.

Each member of the Council has the option of joining the California Public Employees Retirement System (PERS). The employee portion of the PERS contribution shall be paid by the Council member. If the Council members elect to join PERS, he or she becomes eligible to enroll in the City’s PERS Medical Insurance Plan. The City shall contribute toward the cost of the monthly medical insurance premium in an amount sufficient to cover the Kaiser Plan premium, or any other less-expensive premium, corresponding to the Council member’s coverage status (member only, member plus one dependent, or members plus two or more dependents). Dependents may include the Council member’s eligible domestic partner. Each Council member has the option of enrolling himself or herself, his or her eligible dependents, and his or her spouse or domestic partner in the City’s vision and dental insurance programs. The City will pay the monthly premiums for both the vision and the dental plan.

The City shall provide a term life insurance policy for each member of the City Council in the amount of \$25,000.00. The premium for such policy shall be paid by the City.

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<sup>3</sup> Under the California State Constitution, Article 11, Section 2, and California Government Code, section 34102, “charter cities” operate under an individual city charter, as opposed to “general law cities,” which are cities organized under the general law of the state.

<sup>4</sup> California Government Code, section 34000 et seq.

<sup>5</sup> The Council-Manager form is the system of local government that combines an elected legislative body (City Council) with the management experience of an appointed local government manager (City Manager).

### City and Regional Commissions and Committees

The City has 22 active Boards and Commissions: Arts and Culture, Commission on Aging, Community Development, Design Review Board, Economic Development, General Pension Board, Historic Preservation Committee, Housing Advisory, Human Relations, Library Commission, Personnel Board, Planning Commission, Police Commission, Police and Firemen's Pension Board, Recreation and Parks, Revolving Loan Fund, Richmond-Shimada, Richmond-Zhoushan, Urban Forest Committee, Workforce Investment Board, Youth Baseball Advisory, and the Youth Commission.

The City also has two Standing Committees: the Finance, Administrative Services, and Economic Development Standing Committee, and the Public Safety/Public Services Standing Committee.

### City Information

The City maintains an extensive website that is updated regularly.

### **City Operations**

City government operates with five city operating groupings. These operating groupings include: 1) Administration, 2) Cultural Services, 3) Development Services, 4) Public Safety, and 5) Public Works.

- 1) The Administration grouping consists of the Mayor's Office, City Council, City Clerk, City Attorney, City Manager, Finance, Human Resources, and Information Technology Departments, and the Office of Neighborhood Safety.

The Mayor is a member of the City Council and the chief elected officer and ceremonial head of the City. The Mayor is also responsible for informing City residents of policies and developments, working with the City Manager on the annual budget, and making recommendations to the City Council on policies and programs.

The City Council appoints a City Manager to be responsible for carrying out the policies of the City Council and to manage the City's departments and program activities. The City Manager is responsible for implementing City Council policy, directing departments and the City's administrative functions, and initiating and developing short- and long-term special projects.

The City Clerk is responsible for providing administrative and technical support to the City Council, disseminating information concerning decisions and policy, and administering municipal elections and oaths of office.

The City Attorney serves as the primary legal advisor and legal representative to the City and City Council.

The Finance Department provides fiscal support, oversight, and control to the Mayor and City Council, City Agencies, and City Departments to ensure proper fiscal management, budgeting, and accounting. The Finance Department also maintains financing, auditing, and record-keeping standards to ensure sound fiduciary practices.

The Human Resources Management Department manages personnel issues and coordinates recruitment for all departments.

The Information Technology Department provides employees with technology support and resources.

- 2) The Cultural Services grouping consists of the Recreation (including the Civic Auditorium) and Library and Cultural Services Departments.

The Recreation Department is a full-service department consisting of the Paratransit division and Recreation division. The Recreation Director is the head of the two sections. The Recreation Department provides recreation programs and classes, and coordinates facility rentals. Recreation programs include after-school programs, youth sports, youth activities, adult sports, adult activities, aquatics, senior programs, programs for the disabled population, and special events. The two senior community centers offer a variety of educational, social, recreational, nutritional, and human service programs for adults 55 years and older. The department operates 11 community centers, two aquatic facilities and the Convention Center.

The Library and Cultural Services Department operates a public library consisting of three branches—the Main Library (31,245-square-foot facility); two small branch libraries, the Bayview Branch Library (1,980-square-foot facility) and the West Side Branch Library (1,745-square-foot facility); and one bookmobile. The two branch libraries were re-opened in 2008, following closure in 2004 due to budget constraints. The bookmobile operates four days per week, primarily serving schools, pre-schools, and other organizations serving children and youth. Because of its size, the bookmobile is limited in reaching only facilities that can safely allow it to travel on the local surface streets. The Richmond Main Library was built almost 60 years ago and has significant service limitations because of its age and the increasing needs of a growing population. In 2007, recognizing the significant physical and service limitations of the Main Library, the City engaged in a comprehensive Community Library Needs Assessment (CLNA) to identify current and anticipated library service needs through the year 2030. The Richmond CLNA documents these needs and proposes a new library of approximately 65,300 square feet to replace the current facility. The proposed site for the Main Library is close to its current location, adjacent to the newly renovated City Hall, on a site owned by the City. The CLNA also recognized the community need for an additional branch library in the Hilltop area of the City to serve newer residential development.

- 3) The Development Services grouping consists of Community and Economic Development, Planning and Building Regulations, and the Port Departments.

The Community and Economic Development Agency oversees redevelopment and economic development. The Agencies and Departments that make up Community & Economic Development are the Richmond Community Redevelopment Agency (RCRA), the Richmond Housing Authority (RHA), and the Employment & Training Department (E&T).

The Richmond Housing Authority provides affordable housing for low and very low income residents of Richmond through federally funded housing programs, such as the Public Housing Program and the Housing Choice Voucher Program (Section 8).

The Planning Department and Building Regulations Department provides staff support for the Planning Commission, Design Review Board, and the Historic Preservation Advisory Committee. The Planning Department also reviews new construction and changes in the use of property for conformance to the City's General Plan, Specific Plans, the Zoning and Subdivision Ordinances, and the California Environmental Quality Act.

The Building Regulations Division is responsible for issuing building permits, for providing construction and business license inspections, for performing plan check services, maintaining records related to those services, and providing public information on building regulations and code enforcement provisions.

The Port of Richmond is operated by the City of Richmond. Services administered by the Port of Richmond include marine cargo handling, vessel berthing, and property leasing.

4) The Public Safety grouping consists of the Police and Fire Departments.

The Richmond Police Department provides community-oriented police services within the City Limits. In addition to patrol services, the Department provides investigative services, code enforcement, traffic safety and DUI enforcement, radio communications and dispatching (including Richmond Police and Fire Departments, as well as through contracts with El Cerrito Police and Fire Departments, San Pablo Police, Kensington Police, and the Contra Costa Community College District Police) and six School Resource Officers. The Department contracts with Contra Costa County for animal control services. The City participates with other agencies in regional public safety initiatives, such as the West Contra Costa County Narcotics Enforcement Team. As of September 2009, the Police Department includes 271 total staff, including 86 non-sworn staff and 185 sworn staff (which includes trainees and retired police officers).

The Richmond Fire Department provides fire protection and emergency medical services within the City limits, adjacent portions of the City of El Cerrito, City of San Pablo and portions of the unincorporated Valley View El Sobrante, North Richmond, and East Richmond Heights area through an automatic aid agreement. Additional services are provided outside City bounds through mutual aid. Under the California mutual aid plan, the City of Richmond may provide or receive aid within the state. The City most often provides mutual aid response with the Cities of Albany, Pinole, Rodeo, Hercules and other Contra Costa County or Alameda County areas. The East Bay Regional Park District and CAL FIRE also reciprocate with the City on mutual aid. The Operations Division is composed of three platoons that staff the eight fire companies. There are seven engine companies and one truck company. All eight companies are supervised

by a Battalion Chief, who is responsible for the emergency and administrative activities of all members assigned to those companies.<sup>6</sup>

- 5) The Public Works grouping consists of the Engineering and the Public Works Departments and Sanitary Sewer Services.

The Engineering Department is responsible for the following:

- Participation in the City Capital Improvement Program.
- Studying, planning, and designing City infrastructure.
- Preparing plans, specifications, bids, and contracts and providing inspection services for all City projects.
- Maintenance of Public Works programs, including pavement management, traffic congestion management, hazard elimination, clean water program, storm and sanitary improvements.
- Overseeing sewage collection and treatment improvements, traffic signals, and public utility coordination.
- Mapping of City streets, sewers, and easements.
- Issuing permits for various types of work in the public right-of-way.

The Public Works Department is responsible for City-owned facilities and parks, equipment and vehicle maintenance, minor street repair, street lights and traffic signals, and graffiti and property abatement.

#### Sanitary Sewer Services

Richmond has within its boundaries three sanitary sewer districts: the Richmond Sanitary Sewer District Number One (managed by the City), the West County Wastewater District, and Stege Sanitary District (both managed by a Board of Directors system).<sup>7</sup>

- 6) Services provided by special districts and contracted services include solid waste services, water services, animal control, flood control, and mosquito and vector control.
- Solid Waste Services

The City contracts with Richmond Sanitary Services for solid waste services and residential and commercial recycling services. The West Contra Costa Integrated Waste Management Authority operates a household hazardous waste facility in Richmond for west county residents.

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<sup>6</sup> The Richmond Fire Department is reviewed in the draft *Municipal Services Review: Fire and Emergency Medical Service Providers* (Contra Costa LAFCO 2009).

<sup>7</sup> Water and wastewater services are reviewed in *Water and Wastewater Services Municipal Services Review for West Contra Costa County* (Contra Costa LAFCO 2008).



- Water Services

Water services are provided by the East Bay Municipal Utilities District, an independent special district, which provides water services within El Cerrito and surrounding areas.<sup>8</sup>

- Animal Control

Contra Costa County provides animal control services to the City.

- Flood Control

Flood Control is provided by a dependent district that covers all of Contra Costa County and is governed by the Contra Costa Board of Supervisors.

- Mosquito and Vector Control

Richmond is located in the Contra Costa Mosquito and Vector Control District.

### City Infrastructure

The City has over 280 miles of streets, 130 traffic signals, 3,000 street lights, 230 miles of sanitary sewer main, and over 300 miles of stormdrain pipe. The City also owns and runs a convention center, 1 main library and 2 branch libraries, 12 community centers, 52 parks, 49 playlots, 26 ballfields, a wastewater treatment plant, and 4 civic plazas, in addition to numerous other civic buildings.

The City recently completed a \$100 million remodel of the old City Hall and Hall of Justice Building to house the City Council Chamber, City Councilmember offices, and other City offices. The improvements are constructed as U.S. Green Building Council LEED<sup>9</sup> certified buildings.

In a recent survey rating of City Services, residents expressed safety concerns related to the City's street lighting system being too dark. The City is working with PG&E to design a new lighting system that would improve lighting quality and efficiency.

For 2007, the Metropolitan Transportation Commission gave Richmond an average Pavement Condition Index (PCI) rating of 50, or "at-risk."<sup>10</sup> In recognition of these conditions, the City has increased investments in pavement maintenance. During 2007/08, the City invested over \$13 million in paving maintenance projects. The City's PCI increased from a City-reported rating of 45 in 2007 to 58 in May 2008. The City budget for 2008/09 includes continued investment in street repairs and resurfacing, through both Public Works Department efforts and the annual

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<sup>8</sup> Contra Costa LAFCO 2008.

<sup>9</sup> U.S. Green Building Council, Leadership in Energy and Environmental Design.

<sup>10</sup> The Pavement Condition Index (PCI) was developed by the U.S. Army Corps of Engineers and is based on a visual survey of the pavement. Scores are based on average condition and range from 0 to 100, classified as follows: 25-49 poor, 50-59 at risk, 60-69 fair, 70-79 good, 80-89 very good, 90-100 excellent.

pavement management contracts, with the stated goal being to increase the City's PCI to 65 by 2010.

The 2008/09 budget and Capital Improvement Program also include programs to repair and replace sewer pipes to reduce inflow and infiltration in the City's wastewater system, and to reduce sanitary sewer overflows. The City is developing a Facility Condition Needs Index for City facilities, and plans to establish maintenance standards based on this index.

There are no recent bond measures or special assessments to fund infrastructure improvements.

## **Budget**

Richmond prepares an annual budget, which is prepared by the finance director in coordination with the City Manager. The 2008/09 budget was approved on June 17, 2008. Richmond's budget is separated into the following units: General Fund, Development Services Funds, Special Revenue Funds, Enterprise Funds, Redevelopment Funds, Housing Authority Fund, Internal Service Funds, Capital Improvement Project Funds, and Debt Service Funds. An expanded review of these budget units follows.

The City of Richmond's policy states that a proposed budget is submitted to City Council by the first Tuesday in May and the budget must be adopted by June 30 of each year.

### General Fund

The City's adopted budget for 2008/09 anticipates General Fund revenues of \$134,294,025 and expenditures of \$136,494,025.<sup>11</sup> The General Fund is the primary financing mechanism for City operations with "unrestricted" revenues from a variety of sources. Projected General Fund Revenues and Expenditures for the 2008/09 fiscal year are as follows:

<i>Revenues</i>	
Property Taxes	\$34,797,258
State Taxes	\$10,263,744
Sales and Use Taxes	\$22,027,934
Other Taxes	\$43,404,977
Licenses, Permits, and Fees	\$6,545,260
Fines and Forfeitures	\$294,780
Interest and Invest In	\$2,000,000
Service Charges	\$4,475,687
Other Revenue	\$2,543,885
Transfers-in <sup>12</sup>	<u>\$7,940,500</u>
Total General Fund Revenue	\$134,294,025

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<sup>11</sup> Actual expenditures in fiscal year 2008/09 did not exceed revenues.

<sup>12</sup> Transfers are transactions between funds and are normally repaid within the current fiscal year.

### *Expenditures*

General Government	\$17,089,163
Police	\$56,217,931
Fire	\$29,984,210
Public Works	\$15,418,174
Planning and Building	\$634,728
Library and Cultural Services	\$7,248,023
Recreation Department	\$8,379,016
Debt Service	\$1,189,866
Transfers-out <sup>13</sup>	<u>\$332,914</u>
Total General Fund Expenditures	\$136,494,025

In fiscal year 2008/09, the City's primary General Fund revenues include other taxes (32%), property taxes (26%), and sales and use taxes (16%). Property tax revenue anticipated in the 2008/09 budget is slightly greater than that which was anticipated in the 2007/08 budget—a 3% annual increase is assumed. Sales tax revenue is expected to be greater as well, primarily because another new major retailer (Target) is slated to open. With regard to expenditures, the primary General Fund expense is police services (41%), followed by fire services (22%), and general government (13%). The \$2.2 million shortfall will reduce the General Fund Balance. As of the end of the 2007/08 fiscal year, the unreserved fund balance for the General Fund was \$9.4 million, exclusive of the \$10.0 million designated for contingency reserve in compliance with the Council's established reserve policy.

### Development Service Funds

Development Service Funds are used to account for proceeds from licenses, permits, development review, and other fees associated with development within the City. For fiscal year 2008/09, these funds are expected to generate \$10,098,995 in revenues and expend \$10,098,996.

### Special Revenue Funds

Special Revenue Funds are used to account for proceeds of specific revenue sources that are restricted to expenditures for specified purposes. These funds include funds such as LEAP Grants, Library Grants, Gas Tax Fund, Hope VI Grant Fund, and the Veolia Mitigation Fund. For fiscal year 2008/09, these funds are expected to generate \$17,227,203 in revenues and expend \$19,544,247.

### Enterprise Funds

Enterprise Funds account for the City's municipal operations that are intended to be self-funding through user fees and charges. Enterprise services in Richmond consist of KCRT Television and wastewater operations, and the Port of Richmond. For fiscal year 2008/09, these funds are expected to generate \$23,076,396 in revenues and expend \$24,969,419.

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<sup>13</sup> "Transfers out" are monies paid from the General Fund to specific funds.

### Redevelopment Funds

The Richmond Community Redevelopment Agency undertakes projects that stimulate private sector investment in the City in order to improve the general welfare and enhance the quality of life throughout the community. Funding is obtained through Community Development Block Grants and property taxes. For fiscal year 2008/09, these funds are expected to generate \$9,693,534 in revenues and expend \$9,693,534.

### Housing Authority Fund

The Richmond Housing Authority provides affordable housing for low and very low income residents of Richmond through federally funded housing programs, such as the Public Housing Program and the Housing Choice Voucher Program (Section 8). For fiscal year 2008/09, these funds are expected to generate \$25,041,207 in revenues and expend \$24,789,074.

### Internal Service Funds

Internal Service Funds are funded through service charges from information technology, telecommunications, insurance reserves, and facilities maintenance. For fiscal year 2008/09, these funds are expected to generate \$45,048,860 in revenues and expend \$41,155,382.

### Capital Improvement Project Funds

The Capital Improvement Project Funds are used to account for financial resources to be used for activities such as street paving, street light rehabilitation, and sidewalk improvements. For fiscal year 2008/09, these funds are expected to generate \$3,103,426 in revenues and expend \$646,500.

### Non-Departmental Funds

Non-Departmental Funds in the City consist of the Benefits Stabilization Fund. For fiscal year 2008/09, this fund is expected to generate \$800,000 in revenues and expend \$800,000.

### Debt Service Funds

The total balance of all City debt as of July 1, 2008, was \$496,328,608. The largest contributors to the City's debt include prepayment of the unfunded liability of the Miscellaneous and Safety pension plans provided through CalPERS (\$114,995,133), capital improvements of Redevelopment Agency (\$65,400,000), and Lease Revenue Bonds for the Civic Center Renovation Project (\$101,420,000). For 2008/09, the scheduled payments against this debt are budgeted at \$31,393,571. The operating budget incorporates actuarially-based funding for other post-employment benefits (OPEB), and funding for these future benefit obligations has been placed with a trustee. As of June 30, 2008, 408 retirees met the OPEB eligibility requirements.

### Capital Improvement Program

Richmond's Capital Improvement Program (CIP) is a multi-year planning program for the construction of new facilities and infrastructure, and for the expansion, rehabilitation, or replacement of City-owned assets. The Plan covers a five-year period and is updated by City staff and approved by the City Council each year. For the five-year period of 2008/09 through 2013/14, the CIP identifies approximately \$363 million of 155 funded capital improvement projects (including the Project being financed by the Series 2007 Bonds) and approximately \$464 million of unfunded capital improvement projects. Major projects for 2008/09 are noted

above in the discussion on City Operations. Project revenue and expenditures in the first year (fiscal year 2008/09) of the Plan are balanced and fully funded. Priority projects for 2008/09 include the recently completed upgrades to City Hall, Port Expansion that will create a new rail yard adjacent to ship berths and allow imported autos to be loaded directly onto rail cars, Police and Fire facility and equipment upgrades, a new Enterprise Resource Planning (ERP) System that will provide a link between the various operating systems to reduce redundant input and provide better access to information on a real-time basis, \$8.9 million of road repair to maintain City streets, Wastewater Plant improvements, and Park improvements that include lighting, irrigation, and new play structures.

## CITY PLANNING BOUNDARIES AND GROWTH

### **City Boundaries**

#### City Limits

Located in western Contra Costa County, and occupying a triangular-shaped land mass that projects into the San Francisco and San Pablo Bays, Richmond covers approximately 53 square miles. It shares boundaries with the Cities of Pinole and El Cerrito, and the unincorporated neighborhoods of Bayview–Montalvin, Tara Hills, East Richmond Heights, Rollingwood, El Sobrante Valley, Kensington, and Briones. (Refer to Exhibit V-A.)

#### Sphere of Influence

The currently adopted SOI for the City encompasses approximately 58 square miles, and includes the unincorporated communities of North Richmond (1.5 square miles), El Sobrante (2.5 square miles), and East Richmond Heights (0.4 square miles), north of the City of El Cerrito. (Refer to Exhibit V-A.). In the current General Plan, areas north of Wildcat Creek are designated for light industrial uses. The area south of Wildcat Creek is largely residential. The El Sobrante Valley area contains residential communities, ranch lands, and hillside, wooded open space. The unincorporated East Richmond Heights area contains residential communities and the Wildcat Canyon Regional Park.

#### Planning Area

The existing General Plan Planning Area includes not only the incorporated City and the City's SOI, but also areas that bear some relation to the City's planning, even though they may not be annexed or served by the City. The Richmond Planning Area covers approximately 65 square miles. This includes several large regional parks and areas of the bay that are located within City limits.

#### Urban Limit Line

Contra Costa voters approved the current countywide ULL in 2006. (Refer to Exhibit V-A.) The Richmond City Council adopted the countywide ULL in October 2008. There are two areas within the City's SOI that are outside of the adopted ULL, a portion of the East Richmond Heights area within Wildcat Canyon Regional Park, and a portion of the North Richmond area adjacent to the bay.

## General Plan

Richmond's General Plan was adopted in August 1994. The City is currently in the process of a comprehensive update to the General Plan. The Richmond General Plan includes nine elements: Land Use, Circulation, Community Facilities, Economic Development, Growth Management, Housing, Noise, Open Space and Conservation, and Safety.

The new General Plan draft contains 15 elements: Economic Development, Education and Human Services, Land Use and Urban Design, Circulation, Housing, Community Facilities and Infrastructure, Conservation-Natural resources and opens space, Energy and Climate Change, Growth Management, Parks and Recreation, Community Health and Wellness, Public Safety and Noise, Arts and Culture, Historic Resources, and National Historical Park. This plan has been released for public review.

## Population Growth

According to the City's General Plan, Richmond grew by 17% between 1980 and 1990, due primarily to the large number of new homes being built at that time. The City's population has grown slowly but steadily since then, growing to 99,216 (2000), 102,700 (2005), and expected to reach 104,700 in 2010.<sup>14</sup> Richmond is currently ranked as the second-largest city in Contra Costa County, behind Concord. ABAG projections indicate an increase in Richmond's population to 128,000 by 2030, a 22% increase.

## Jobs-Housing Balance

The effect of employment trends on planning for housing is measured through the ratio of jobs to housing. Job growth in Richmond has roughly paralleled the increase in population and employed residents. In 2010, ABAG estimates that there will be 47,140 jobs within the City and 52,690 employed residents.<sup>15</sup> This results in a jobs-to-employee ratio of 0.89. A ratio of 1.00 indicates that there is a numeric balance between the number of jobs and the number of employed residents in a community. A ratio of less than 1.00 typically indicates that a community is "job poor" and that its residents commute to jobs in other areas, and the community's economic development has not kept pace with its housing growth.

## Vacant Land

As indicated in the City's General Plan, a 1989 City field survey found an estimated 750 vacant acres of land zoned for residential uses, representing a potential 7,439 estimated housing units. The General Plan also includes a program to maintain an annual inventory to reflect changes in land uses and zoning within the City and its SOI. During the housing boom of the last 10 years, much of this land has been consumed by new residential projects constructed in

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<sup>14</sup> ABAG 2007.

<sup>15</sup> These estimates (ABAG 2007) include the City's SOI.

the El Sobrante Valley, Hilltop, and Country Club areas. Additionally, many new infill homes have been constructed on vacant lots throughout the City.

Vacant parcels and tracts remain in many of the City's older neighborhoods, industrial areas, and transitional areas near the northern and southern waterfronts. Additional opportunities for residential construction are available in key transportation corridors, including Macdonald Avenue, San Pablo Avenue, and 23rd Street. Additional high-density development can also occur near the Richmond BART station and near the Civic Center.

While the potential exists to add thousands of additional residential units to the City in the future, the location and type of development will be a function of market conditions and the outcome of the current General Plan process.

### **Development Projects**

The City's Community Redevelopment Agency has completed a number of projects in the recent past and is currently undertaking a variety of new projects. Current projects include: 12th and Macdonald Mixed Use Project, Blight Abatement, finalizing the Civic Center Rehabilitation, Downtown Area Improvements, East Macdonald Street Improvements, Façade Improvement, Ford Assembly Building, Redevelopment Plan Amendments, Marina Bay Parkway Grade Separation, Transit Village Parking Garage, Marina Bay Landscape Management Plan, Macdonald 80 Shopping Center, Marina Bay Northshore/Signature Properties, Richmond Ferry Project, Marina Bay Trails-Landscaping Improvements, Redesign of Harbour Way South Regional Measure Two, Street Reconstruction Funding, Terminal One Soils Remediation, Trainmaster Building, Transit Village-Metro Walk, West Macdonald Streetscape Improvements, Nevin Park revitalization, 23rd Street Streetscape Improvement Project, and Nevin Avenue Pedestrian Improvement Project (Richmond Transit Village to the Civic Center) Recent housing projects include Trinity Plaza, Crescent Park rehabilitation, Carquinez rehabilitation, Arbors rehabilitation with Miraflores, Lillie Mae Jones, and Neighborhood Stabilization projects, all proceeding in various levels of the planning process. Details are located on the City's website on the Redevelopment page.

### **Growth Management**

Growth Management is addressed as a separate element in the City's General Plan. The purpose of the Growth Management Element of the Richmond General Plan is to establish policies and standards for traffic Levels of Service and performance standards for capital projects related to fire service, police service, parks facilities, sanitary facilities, water service, and flood control facilities in order to ensure generally that public facilities are provided consistent with adopted standards. The Growth Management Element of the General Plan is consistent with the requirements of the Contra Costa Transportation Improvement and Growth Management Program (Measure C), approved by the Contra Costa County voters in 1988.

### **Annexations**

Land annexations by the City between 1953 and 1957 to the east, north, and northwest resulted in a geographically enlarged but barely contiguous city. There were over 30 successful

boundary reorganizations involving the City of Richmond between 1967 and 1994, and a number of unsuccessful boundary changes. The existing SOI areas provide connections for some of the City's disconnected areas.

### **Sphere of Influence Reductions and Expansions**

No SOI reductions or expansions are proposed at this time.

### **Public Safety Services**

#### Police

The Police Department is divided into two main Bureaus: Field Services and Administration; each Bureau having various divisions. Personnel & Training, Recruiting, Financial Services, and Investigations fall under the Administrative Bureau. CSI, Motors, K9, School Resources Officer, and standard patrol duties fall under the Field Services Bureau.

The department aims to achieve and maintain a sworn staffing level at a ratio of 1.9 officers per 1,000 residents; the current ratio is 1.6 officers per 1,000 residents. Policing services are broken down geographically into three separate districts (Northern, Central, and Southern), each commanded by a Police Captain. Each district is divided into three beats. Every officer in the Field Services Bureau is assigned to a particular district. All officers within the agency operate under the community policing philosophy set forth by the administration and the mission and vision statements of the police department.

The Richmond Police Department also provides full and complete dispatch services to the entire western region of Contra Costa County, under a Consortium Agreement. The dispatch center is staffed by 30 full-time dispatch personnel.

The City's budget for fiscal year 2008/09 allocates \$56,217,931 for Police Services (41% of the City's General Fund budget). This amount includes funding for 300 full-time paid positions, sworn and non-sworn, for police services.

According to the U.S. Federal Bureau of Investigation crime statistics for 2007, Richmond had 1,220 violent crimes and 4,254 property crimes. Crime rates are affected by a number of factors and reflect a City's population, concentration of youth, degree of urbanization, cultural and educational characteristics, geographic location, jobs-to-residents ratio, the City's economy, and modes of transportation, among others. Therefore, these rates are a good measure of changed conditions within a City over time but should not be considered as a direct evaluation of the adequacy of police services between cities. In 2008, the homicide rate decreased 43% from 47 in 2007 to 27 in 2008, and violent crime decreased 11%.



## General Plan Performance Standards: Police

- Capital facilities sufficient to maintain the following response time (for first unit):
  - Life Threatening Service Calls: 3 to 5 minutes.
  - Critical Emergency: 3 to 5 minutes.
  - Non-Critical Emergency: 15 to 20 minutes.
  - Non-Emergency: 30 to 60 minutes.
  - Other: 60 minutes plus.
- Average response times for August 2009 are:
  - Life Threatening and Critical Service calls: 6 minutes 43 seconds
  - Non-Critical Emergencies calls: 14 minutes 50 seconds
  - Non-Emergency calls: 18 minutes 24 seconds
  - Other: 43 minutes 13 seconds.

## Fire

The City of Richmond provides fire and emergency medical services within the City limits, adjacent portions of the City of El Cerrito, the City of San Pablo, and portions of the unincorporated El Sobrante and North Richmond areas. The City's Fire Department includes several divisions: Administration, Emergency Operations, Support Services, Training, Fire Prevention, and the Office of Emergency Services. The department currently has 92 full-time employees, seven fire stations, seven engine companies, one truck company, two rescue units, one hazmat unit, and one breathing support unit. The department responded to 11,046 alarms in 2007.<sup>16</sup>

The Richmond Fire Department participates in an Automatic Aid agreement with the El Cerrito Fire Department and the Contra Costa County Fire Protection District (Con Fire). This format provides the most seamless service to residents of West Contra Costa County.

The Richmond Police and Fire Communication Center (RCC) provides dispatching services for both Richmond and El Cerrito Fire. Each department operates on the RCC 800 MHz radio system. When requesting automatic aid from Con Fire, RCC directly dispatches Con Fire Stations 69 and 70. Conversely, Con Fire can directly dispatch Richmond Fire Stations. This direct dispatch arrangement conserves time and expedites emergency response. Fire Companies from the three agencies are fully capable of communicating on each other's radio frequencies. During fiscal year 2008/09, the Richmond Fire Department responded to 762 incidents in county jurisdiction.

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<sup>16</sup> Fire services within Richmond are reviewed in *Municipal Services Review: Fire and Emergency Medical Service Providers* (Contra Costa LAFCO 2009).

The City's budget for fiscal year 2008/09 allocates \$29,984,210 for Fire Services (22% of the City's General Fund budget). This amount includes funding for 105 full-time paid positions for fire services.

#### General Plan Performance Standards: Fire

- Capital facilities sufficient to maintain the following service level:
  - First Engine Company: six-minute response time
  - Water Requirements: 1,500 gallons per minute minimum
  - Access widths: Minimum 20-foot-wide apparatus roadway with 13'6" inch vertical clearance; Minimum 150-foot roadway length without turnaround; Turning radius: Engine – 34-foot inside turning radius; Truck – 44-foot inside turning radius.

The standards indicated above are presently being met.

#### Community Development Services

Richmond's Community Development Services Grouping consist of the departments and agencies listed below:

##### Planning and Building Regulations Department

In 2006, the Departments of Planning and Building were combined and now operate as two divisions within the same department. The Planning Division provides advice and technical expertise to assist public officials, public agencies, real estate professionals, business operators, and residents in understanding key community issues and priorities related to land use. The Planning staff provides excellent customer service by creating public and private partnerships that foster economic vitality, environmental integrity, and quality design for the City of Richmond.

The division has established a goal of processing 95% of all land use applications in 30 days or less. The City is meeting this goal (note: during 2008/09, the number of land use applications declined dramatically).

The Planning Division is also responsible for the preparation of Richmond's comprehensive General Plan update; the plan is essentially complete and will be presented to the City Council for preliminary approval in December 2009, and it could be formally adopted in February 2010.

The Building Division issues building permits, inspects grading and construction activity, and provides technical assistance to architects and builders. The division is committed to ensuring compliance with building codes and the safe and timely completion of building projects. The division expects to respond to approximately 5,700 service requests in 2009, almost 1,000 fewer than the number of requests in 2008. The current recession and the foreclosure crisis have shifted the demand for permitting and inspections services from new construction to repair, rehabilitation, and abatement of code violations.

### Community and Economic Development Agency

The Community and Economic Development Agency works to initiate and facilitate the revitalization of physical, economic, and social conditions through redevelopment blighted areas as well as economic development, job training, community development, and the management of real estate assets; all of which are designed to reduce blight and crime, develop community resources, and stimulate private sector investment in the City.

The Agencies and Departments that make up Community & Economic Development Agency are the Richmond Community Redevelopment Agency (RCRA), the Richmond Housing Authority (RHA), and the Employment & Training Department (E&T). Within these three entities, there are five business units.

- The Richmond Community Redevelopment Agency (RCRA) undertakes projects that stimulate private sector investment in the City in order to improve the general welfare and enhance the quality of life throughout the community. The RCRA promotes economic development and revitalization, develops community assets, and manages real estate assets. In FY 2009/2010, the Redevelopment Division anticipates to have a variety of projects and programs in progress, totaling over \$37million obligated for public infrastructure.
- The Office of Economic Development operates as part of the Richmond Community and Economic Development Agency. The Office of Economic Development provides services regarding business resources and opportunities, locating a suitable business site, tax and other special incentive programs, revolving loan programs, and business management and technical assistance programs. The Office of Economic Development set the following goals for 2008/09:
  - Revolving Loan Funds loans approved or closed: 8
  - Net absorption of commercial space in City (in sq ft): 90,000
  - New businesses in City: 575
  - City sales tax increase: \$300,000/2.5%

With the harsh downturn in the county, state, and federal economy, there was a comparable decline in City sales tax revenues in 2008/09. Notwithstanding this reality, the other economic development outcomes for the year were at or near their projected targets:

- Revolving Loan Fund loans approved or closed: 8
- Net absorption of commercial space in City (in sq ft): 86,256
- New businesses in City: 502
- The mission of the Housing & Community Development Division is the development of quality neighborhoods within the City of Richmond. The division accomplishes this by partnering with neighborhood residents and community groups to improve existing housing conditions, develop new affordable housing, assist homeless and disabled individuals in obtaining housing and expand economic opportunities in business and employment for low- and moderate-income residents. Within the Community and

Economic Development Department, \$4.9 million in funds was set aside for the Housing Division in the 2008/09 budget for low- and moderate-income housing. For 2009, the Housing Division anticipates completion of 14 new for-sale affordable units and 414 rehabilitated affordable units (Crescent Park/Arbors).

- The Richmond Housing Authority provides affordable housing for low and very low income residents of Richmond through federally funded housing programs, such as the Public Housing Program and the Housing Choice Voucher Program (Section 8). RHA provides oversight to 639 public housing units on 6 different sites; 1,750 Housing Choice Vouchers (Section 8) were administered. The RHA is a stand-alone entity.
- The Employment and Training Agency assists Richmond residents and business with employment and training. Its three-year-old RichmondBUILD program trains clients to work in the green economy (solar installation, green building, energy efficiency rating) and was recently awarded an FBI Director's award for its role in prevention of violence in the community.

## **Transportation and Road Services**

### Transportation

Richmond's Circulation Element addresses the City's commitment to multi-modal transportation systems through a series of governing statements of goals and policies. The Circulation Element is consistent with the Contra Costa Congestion Management Program adopted by the Contra Costa Transportation Authority in October 1991.

Interstate 80 cuts through the eastern and northeastern portions of the City, through a mostly residential area, connecting to Pinole, Hercules, and then on to Vallejo. The weekday westbound morning commute on Interstate 80 through Richmond lies within the most congested stretch of freeway in the Bay Area, according to Caltrans, and has been ranked as such since 2001.<sup>17</sup> Interstate 580 curves along the southern portion of the City, and the Richmond Parkway runs along the City's heavily industrial western side and through the unincorporated area of North Richmond. San Pablo Avenue (State Route 123) runs through Richmond and San Pablo to Pinole, Hercules, and to its terminus in Crockett.

The physical configuration of development along the Interstate 80 corridor as a band of suburban development divided and bounded by ridgelines on the east and the Bay to the west has resulted in a simple transportation network which relies on Interstate 80 to provide regional transportation service to and through the area. When Interstate 80 becomes congested, alternative parallel diversions become congested. The result is that actions affecting other roadways in the west County corridor outside of Richmond have an impact, both positive and negative, on the backup on Interstate 80 and spillover traffic conditions in Richmond.

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<sup>17</sup> Metropolitan Transportation Commission 2007.

As indicated in the Growth Management Element of the General Plan, maximum level of service (LOS) standards acceptable for Basic and Regional Routes in Richmond have been adopted.

#### General Plan Performance Standards: Transportation

- Measure C establishes standards for traffic service through volume/capacity (V/C) ratios. Measure C mandates the following traffic Level of Service (LOS) standards by land use categories:
  - Rural: LOS low-C (70 to 74) V/C
  - Semi-Rural: LOS high-C (75 to 79) V/C
  - Suburban: LOS low-D (80 to 89) V/C
  - Urban: LOS high-D (85 to 89) V/C
  - Central Business District: LOS low-E (90 to 94) V/C

The City's intersections operate at an LOS of high D.

#### Road Services

The City has over 280 miles of public streets, maintained by 48 employees within the Streets Division of the Public Works Department. The pavement maintenance section of the Streets Division maintains the streets by repairing potholes, working with the City Engineering Department to devise a plan to identify specific streets that require repaving, and implementing a crack sealing program to help preserve the pavement life of existing streets.

The City has conducted a pavement survey in 2008 to determine expected life remaining in its dedicated roadways. The condition of roads is based on a Pavement Condition Index (PCI). The PCI is a numerical index used to indicate the condition of a roadway. It is widely used in transportation and civil engineering. The pavement index looks at the overall conditions of the roadways, including engineering design, base and paving thickness, crown and drainage, and wear and aging condition. The pavement survey allows the City to plan repairs or perform preventive maintenance to extend the service life of the roadways. The pavement index shows that, overall, the existing roadways receive an index rating of 58. The 58 pavement index rating shows that the City of Richmond's roadways overall are in fair condition. The 2008/09 budget includes a goal of working to achieve a 5% increase in the City's median PCI. The City has an annual paving program of \$7.2 million to address repairs and preventive maintenance needs.

#### **Water and Sewer Services**

Water and wastewater services for Richmond are reviewed in *Water and Wastewater Services Municipal Services Review for West Contra Costa County*.<sup>18</sup> Water service is provided by the East Bay Municipal Utilities District. It should be noted that water supply conditions throughout

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<sup>18</sup> Contra Costa LAFCO 2008.

the state are changing due to drought and regulatory impacts. Performance standards for domestic water service should be consistent with regulatory requirements for water conservation, applicable local and regional water resource management plans, and the water service provider's service standards. Similarly, water quality regulations for wastewater discharge are becoming increasingly stringent; therefore, performance standards for wastewater service should be consistent with the wastewater service provider's service standards and regulatory requirements.

The Richmond Municipal Sanitation District (RMSD) is a designated special sewer district as determined by LAFCO. The City of Richmond operates and maintains this sewer collection system on behalf of RMSD. The RMSD provides sewage collection and treatment services for approximately 70% of the sewage flows within the City's boundaries. Many of the residents living in the northern half of Richmond are served by West County Sanitation District (<http://www.wcwa.org/index.htm>). Residents in the southern section are serviced by Stege Sanitation District (<http://www.stegesd.dst.ca.us/>). All sewage flows from the RMSD are treated at the Richmond Water Pollution Control Plant (WPCP). The City has entered into a long-term contract with Veolia Water North America to operate and maintain both the WPCP and the wastewater collection system. The City of Richmond monitors and conditions industrial and commercial pollutant discharges through a comprehensive Industrial Pretreatment Program. This program monitors industrial wastewater as well as commercially produced fats, oils, and greases, discharged into the RMSD sewer collection system, and issues approximately 200 permits to wastewater dischargers operating within the RMSD. Over the past 15 years, the Pretreatment Program has also been involved with identification and reduction of pollutant sources both to the sanitary sewer and the storm drains from industrial, commercial, and residential activities.

The City's sewer facilities maps show gravity, force main, and pump stations serving the strip of developed land along Vista Heights Road, but that area is not shown as part of the City's sewer service area. This is due a slide that occurred in the late 1980s. The lines were rerouted to the Stege Sanitary District. A memorandum of understanding (MOU) exists between the City and Stege Sanitary District that addresses the maintenance requirements in detail. At this time, it would be cost prohibitive to reroute these lines to connect to the RMSD.

#### General Plan Performance Standards: Sewer

- Verification by the Richmond Municipal Sewer District, or other applicable Sanitary District if applicable, that adequate collection and treatment to Regional Water Quality Control Board (RWQCB) standards can be provided.

#### Richmond Municipal Sewer District

- System: Class 4 conventional activated sludge and secondary treatment facility.
- Capacity: Design Flow of 15 million gallons per day.
- Monitoring: Self-monitoring for full NPDES permit compliance, with active pretreatment program.

### Growth Management Standards

The City expects continuation of the renovation of older residential neighborhoods, especially older multi-family structures built during the war years. Richmond anticipates a steady population growth of approximately 1% per year over the next decade. Furthermore, the City is projecting growth in construction of single-family residences for the next decade. Land values are generally reasonable by Bay Area standards, and the City has adopted policies directed at home ownership.

This increase in population growth is anticipated to attract additional commercial and industrial development. The City has developed and adopted a Sewer System Master Plan. Within the Master Plan, the City has included provisions by which future developments must provide the resources necessary to improve the collection system condition and increase sewer system capacity. Required project-related sewer system improvements shall accommodate project-related flow contributions including a wet weather peaking factor. The City also requires that new developments provide resources to mitigate for system-wide infiltration and inflow in amounts equal to the project-related flow contribution.

Through this aggressive growth management program, the City can promote residential, commercial, and industrial growth while both accommodating additional sewage flows and improving the condition of an aging sewer system.

### **Solid Waste Collection and Disposal Services**

Solid waste collection (garbage service and recycling services) is provided by Richmond Sanitary Service, which is a solid waste management contractor responsible for the pickup and disposal of solid wastes from residences and businesses. Collection services occur on regular garbage pickup days. Richmond is a member of the West Contra Costa Integrated Waste Management Authority, along with El Cerrito, San Pablo, Pinole, and Hercules, to collaborate on solid waste issues. As part of that effort, the Authority operates a household hazardous waste facility in Richmond for West County residents. The California Integrated Waste Management Board reports a diversion rate of 53% in 2006 for the Authority.

### **Parks**

It was estimated in 2004 that City of Richmond parks totaled 292.6 acres. Richmond currently has 52 parks, which include 49 playlots and 26 ballfields and a civic plaza.. The City now has 407 acres of developed parks and civic landscapes. The Richmond urban forest consists of approximately 40,000 publicly owned trees. There are also 510 acres of undeveloped open spaces.

General Plan Performance Standards: Parks

- 3.0 acres of parks per 1,000 population, or 0.003 acre per person.

Based on the 2004 acreage estimate, the City was not meeting this performance standard, which required 310.7 acres of parkland based on a population of 103,577. The current

performance now surpasses 306.8 acres of developed parkland based upon a population of 102,285.

## Recreation Facilities

The Recreation Department is a full-service department in the City of Richmond consisting of the Paratransit division, and Recreation division.

The Paratransit division provides low-cost, demand response transportation services to seniors and physically challenged individuals that reside in Richmond, North Richmond, Kensington, and El Sobrante.

The Recreation division provides recreation programs and classes, and coordinates facility rentals. Recreation programs include after-school programs, youth sports, youth activities, adult sports, adult activities, aquatics, senior programs, programs for the disabled population, and special events. The two senior community centers offer a variety of educational, social, recreational, nutritional, and human service programs for adults 55 years and older. The department operates eleven community centers, two aquatic facilities and the Convention Center. They are as follows:

- Booker T. Anderson Community Center, 960 S. 47th Street
- Disabled People's Recreation Center, 1900 Barrett Avenue
- Martin Luther King Jr., Community Center, 360 Harbour Way South
- May Valley Community Center, 3530 Morningside Drive
- Nevin Community Center, 598 Nevin Avenue
- Parchester Community Center, 900 Williams Drive
- Point Richmond Community Center, 130 Washington Avenue
- Richmond Recreation Complex, 3230 Macdonald Avenue
- Shields Reid Community Center, 1410 Kelsey Street
- Richmond Swim Center, 4300 Cutting Boulevard
- The Richmond Senior Center, 2525 Macdonald Avenue
- Richmond Annex Senior Center, 5801 Huntington Avenue.
- Richmond Memorial Convention Center, 403 Civic Center Plaza (was closed for 2009 for renovations).
- Richmond Plunge, 1 East Richmond Avenue (currently under renovation).

### General Plan Performance Standards: Recreation Facilities

- 1 square foot of recreational facility building space per person.



#### The Recreation Department:

- Plans on offering a diversity of recreation activities, sports programs and events for youth, adults and seniors.
- Plans on improving all of its recreation facilities to meet today's standards for quality recreation services.
- Will identify demographic make-up of the community to meet current and future program needs through random, program-specific and annual surveys.
- Improve marketing and publicity standards for the department.
- Provide sustainable City activities that promote health, fitness, and an appreciation of the environment.
- Continue to establish local and state outreach and collaborative partnerships that enrich the lives of Richmond residents.

#### Library Facilities

Library facilities include three branches—the Main Library (31,245-square-foot facility); two small branch libraries, the Bayview Branch Library (1,980-square-foot facility) and the Westside Branch Library (1,745-square-foot facility); and one bookmobile. Significant service limitations have been identified for the Richmond Main Library, due to its age and the increasing needs of a growing population. In 2007, recognizing the significant physical and service limitations of the Main Library, the City engaged in a comprehensive Community Library Needs Assessment (CLNA) to identify current and anticipated library service needs through the year 2030. The Richmond CLNA documents these needs and proposes a new library of approximately 65,300 square feet to replace the current facility. The proposed site for the Main Library is close to its current location, adjacent to the newly renovated City Hall, on a site owned by the City. The CLNA also recognized the community need for an additional branch library in the Hilltop area of the City to serve newer residential development. The Growth Management Element does not contain standards for library services, but the recent CLNA is a comprehensive measure of service needs and delivery. Richmond has a municipal library system separate from the County library system. It is the only city in Contra Costa County with its own library system.

#### General Plan Performance Standards: Recreation Facilities

- 1 square foot of recreational facility building space per person.

#### SERVICE REVIEW DETERMINATIONS

In anticipation of reviewing and updating the City of Richmond's SOI, and based on the information provided above, the following written Determinations are intended to fulfill the requirements of California Government Code, section 56430 (a).

## General Statements

- A. The City has been proactive in addressing community needs, public services, and infrastructure improvements.
- B. Determinations relating to the City of Richmond presented in the Final Draft 2009 Municipal Services Review: Fire and Emergency Medical Service Providers remain valid.<sup>19</sup>

## Infrastructure Needs and Deficiencies

1. The City is working to address infrastructure needs and deficiencies through its five-year Capital Improvement Plan and other implementation plans. Within the past several years, the City has recognized fairly substantial infrastructure deficiencies and needs, such as the condition of the streets, the age of storm drain and sanitary sewer collection systems, the outdated street lighting systems, the development of a Citywide pedestrian and bicycle safety plan, and a complete Citywide traffic signal upgrade. The City has completed several needs assessments to help identify specific needs and to prioritize projects for the upcoming years. In the past several years, the City has instituted strict financial control measures, and has made substantial investments in infrastructure.
2. Richmond's roadways have a pavement condition index of 50, which is rated as "at-risk." The City maintains 280 miles of publicly dedicated streets. The Capital Improvement Program includes City-wide pavement replacement, enhancement, and management programs for fiscal year 2008/09.
3. Recent cuts to City Gas Tax revenues by the State may affect the progress of the improvements in pavement conditions, since Gas Tax is a major funding source for these programs.
4. The City's wastewater collection system is old and suffers from inflow/infiltration problems. The CIP is including projects to replace sections of sewers within the fiscal year 2008/09 CIP budget.

## Growth and Population Projections for the Affected Area

5. The City is projected to grow 22% by 2030. Annual growth will be approximately 1.1% annually.
6. City growth is constrained, with the cities of El Cerrito and San Pablo to the east, San Pablo Bay to the west, Pinole to the north, and open space defined by the County-wide voter-approved ULL to the southeast. The City's SOI areas are largely built out with residential, industrial, and some commercial uses.
7. The City has a jobs-housing balance of 0.89, which indicates that there are more workers available than jobs within Richmond. The City is within approximately 10% of being considered jobs-housing balanced.

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<sup>19</sup> Contra Costa LAFCO 2009.

## **Financing Constraints and Opportunities**

8. Standard & Poor's Rating Services ("S&P") recently issued its report affirming the City's "A+" credit rating, and assigning a rating of "A" to the bond financing, which is a reflection of financial performance and stability.
9. Sales tax revenues make up approximately 16% of the overall General Fund revenue. With declining sales revenues, the City's revenues are impacted, with effects on General Fund spending and service provision.
10. The City is anticipating decreased revenues from other sources as well, including property taxes, and planning and building fees, due to economic conditions. The City revised its projections based on these conditions and factored them into its mid-year budget update for 2008/09 and development of the 2009/10 budget.

## **Cost Avoidance Opportunities**

11. The City has automatic aid agreements with other fire protection agencies and shares support services. The City also provides police dispatch for surrounding jurisdictions and therefore consolidates costs and improves efficiencies for such services.

## **Opportunities for Rate Restructuring**

12. As part of the City's annual budget review, all fees, charges, fines, and user fees are reviewed and updated as necessary to keep up with costs of service provision.
13. The City provides the following services as enterprise activities: KCRT Television, wastewater, and Port operations. This ensures that revenues are sufficient to cover expenses.
14. Richmond's recreation programs are funded through program, rental, and other user fees, as well as grants. The fee structure for programs and facility rentals is reviewed regularly.

## **Opportunities for Shared Facilities**

15. Richmond shares programs and facilities related to emergency services, public safety, animal control, and waste management. This allows the City to provide a higher level of service to its residents and business communities.
16. The City has consolidated internal functions as part of its fiscal control measures, which has resulted in greater efficiency in delivery of services.

## **Evaluation of Management Efficiencies**

17. This Municipal Services Review has identified no deficiencies within City management practices. The City maintains an efficiently sized staff for City operations and to maintain City facilities and infrastructure.

## **Government Structure Options**

18. The City's SOI includes the communities of North Richmond, El Sobrante, and East Richmond Heights. The City will consider future annexations upon property owner request.
19. The Vista Heights Road area, within El Cerrito's SOI, is located between the northeastern boundary for El Cerrito and Wildcat Canyon Regional Park. This area is within the boundaries of the City of Richmond. The community has approximately 97 homes and is only accessible through El Cerrito. The City of El Cerrito provides police and fire protection as well as recreation services, EBMUD provides water service and wastewater treatment, and the Stege Sanitary District provides wastewater collection by agreement with the City of Richmond due to a landslide that damaged Richmond's sanitary sewer infrastructure. Detaching this area from Richmond and annexing it into El Cerrito would establish boundaries that are consistent with the efficient provision of services. However, this boundary change would remove the area from Richmond's wastewater service area and require that it be annexed to either the Stege Sanitary District or the West County Wastewater District to ensure adequate service continues. Given the history of the wastewater system, this could pose a significant risk for either of the two districts. Additional study is needed to determine whether future improvements to Richmond's wastewater collection system could provide adequate cost-effective service to this area and the potential liability to Stege or West County if it were annexed into either district.
20. The unincorporated community of El Sobrante is divided by the SOIs of the City of Pinole and the City of Richmond generally along Manor Road. Both cities should review potential service delivery into this area as well as polling the interest of the citizens to determine if future SOI amendments may be appropriate for this area to bring the entire area into a single city's SOI.
21. The cities of Richmond and El Cerrito have major boundary problems along San Pablo Avenue. There are numerous split parcels that split retail and other commercial businesses. This results in confusion and service inefficiencies.

## **Local Accountability and Governance**

22. The City maintains a comprehensive website that includes City documents, codes, ordinances, and other relevant information.
23. As part of the annual budgeting process, Richmond sets staffing levels, identifies prior year accomplishments, details performance on key service indicators, and sets objectives and goals for the upcoming year. These criteria provide an objective means to evaluate performance.
24. The City's adopted policies and goals are stated in public documents and provide a framework for management decisions.

## SPHERE OF INFLUENCE RECOMMENDATIONS AND DETERMINATIONS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that LAFCOs review and update SOIs for each special district and city within the county not less than once every five years.

An SOI is defined by California Government Code, section 56076, as a "Plan for the probable physical boundaries and service area of an agency, as determined by the Commission." An SOI is a planning tool used by an agency to conduct service and facilities planning for areas that it intends to annex and serve in the future. The establishment or amendment of an SOI may take several forms. An SOI may be coterminous to an agency's boundaries, indicating that the agency is at its ultimate configuration with no land area growth anticipated in the near future. An SOI may extend beyond the agency's boundaries, indicating that future annexations are anticipated and that the agency is the appropriate service provider for the area. An SOI may be smaller than the agency's boundaries, indicating that future detachments from the agency may be appropriate. Lastly, the Commission may adopt a "zero" SOI for the agency, indicating that a potential dissolution of the agency may be appropriate.

Given the considerations addressed in this Municipal Service Review, two SOI options are identified for the City of Richmond.

- **Retain the Existing SOI for the City**

If LAFCO determines that the current government structure and Richmond planning area is appropriate, then the existing SOI should be retained. This option would enable the City to continue to include areas within its SOI in its long-term planning.

- **Reduce the Existing SOI for the City**

If LAFCO determines that an area or community should be served by an agency other than the City of Richmond, or if the City has no plans to annex all or a portion of that area within the foreseeable future (10 to 20 years), then reducing the City's SOI would be appropriate. Given the economic outlook within the State and changing regulations that will affect municipal service providers, such as water quality, climate change, affordable housing, and others, the most beneficial and cost-effective means for providing services could change significantly. Removal of any one of these areas from the City's SOI could impact current and future services along with capital improvements and long-term planning for these areas.

### **Recommendation**

It is recommended that the current SOI for the City of Richmond be retained, with the exception of the area east of Bonita Road, which would be removed from Richmond's SOI. Please refer to the San Pablo chapter for additional discussion regarding this area. The intent of an SOI is to identify the most appropriate areas for an agency's extension of services in the foreseeable future. Contra Costa LAFCO policies discourage inclusion of land in an agency's SOI if a need for services provided by the agency within a 5- to 10-year period cannot be demonstrated. Territory included in an agency's SOI is an indication that the probable need for

service has been established, and that LAFCO has determined that the subject agency is the most logical service provider for the area.

The northern portion of East Richmond Heights is within the SOI for the City of Richmond, while the southern portion is within El Cerrito's SOI. The boundary between the SOIs follows a logical course based on public streets. Richmond would be the logical service provider for any future annexations within its SOI.

As noted in the Municipal Services Review for El Cerrito, the area along Vista Heights Road adjacent to El Cerrito's northeastern boundary should remain within El Cerrito's SOI. Although it is within the boundaries of the City of Richmond, it is not within Richmond's SOI. This area is only accessible through El Cerrito, as Wildcat Canyon Regional Park lies immediately east. This area is served by El Cerrito and special district service providers. El Cerrito can continue to provide the most efficient services; additional study would be needed to evaluate any changes to wastewater service.

The cities of El Cerrito and Richmond should evaluate their boundary along San Pablo Avenue to determine if changes to that boundary would result in more efficient service provision.

## Table V-1 – City of Richmond

### SOI Issue Analysis

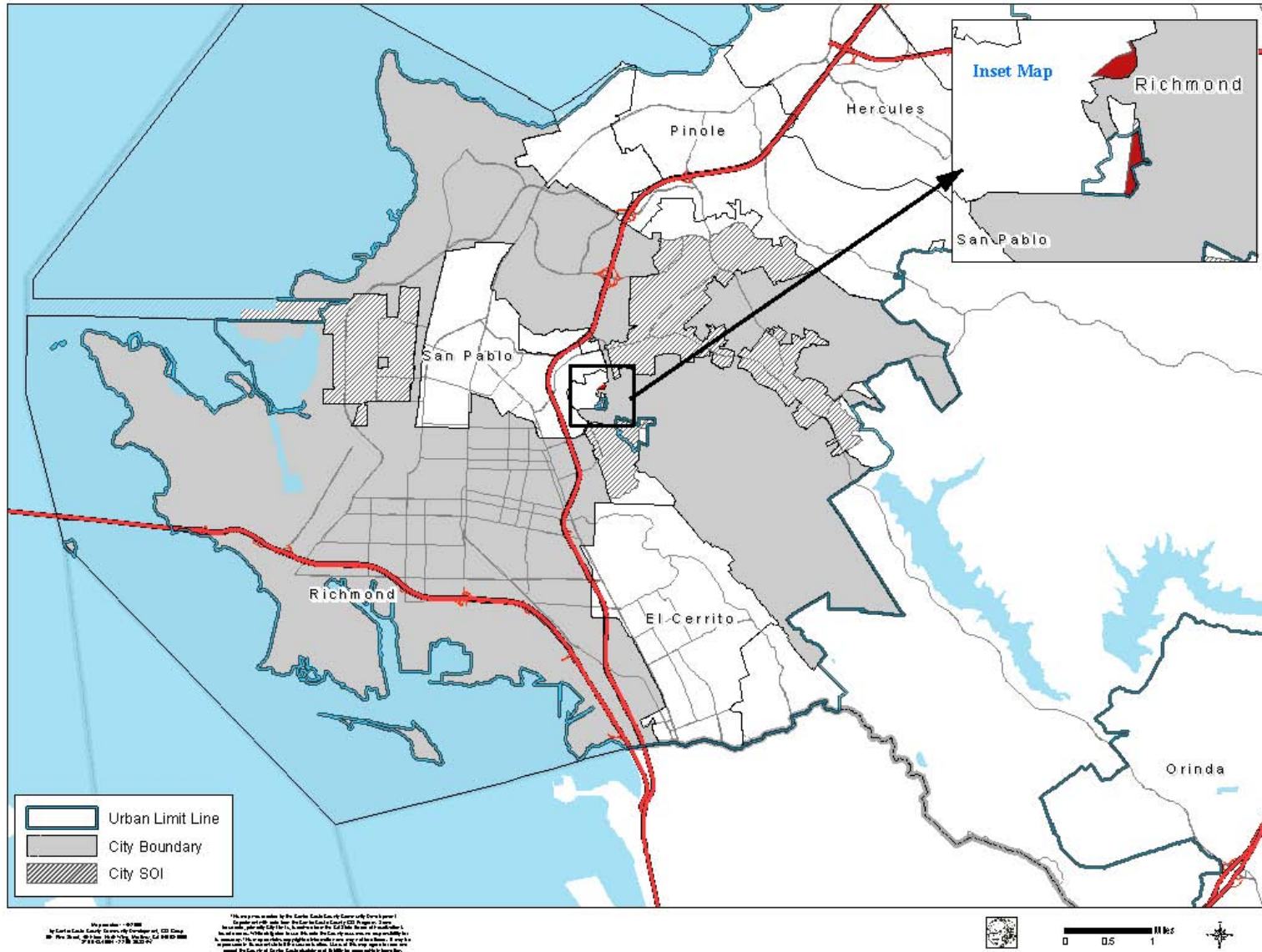
Issue	Comments
SOI Update Recommendation	Recommendation is to retain the current existing SOI for the City, with the exception of the area east of Bonita Road, which would be removed from Richmond’s SOI. Please refer to the San Pablo chapter for additional discussion regarding this area.
Services Provided	The City provides a full range of municipal services, including police, fire, planning, engineering, parks, recreation, library, and maintenance. The City contracts with Contra Costa County for other public safety–related services and animal control. Water service is provided by EBMUD, and wastewater collection is provided by the City, West County Wastewater District, and Stege Sanitary District.
Present and Planned land uses in the area	The City and SOI areas are largely built out, with few vacant parcels remaining for residential development, although land use intensification, redevelopment, and/or infill development is anticipated. Land uses within the SOI include residential, multi-family residential, light industrial, and open space land.
Potential effects on agricultural and open space lands	Retaining the current SOI would have no effect on open space or agricultural land uses currently existing within the City or the SOI.
Projected population growth	The City and the areas within the SOI are largely built out. Population will increase to 128,000 by 2030, or a 22% increase, with an average growth rate of approximately 1.1% annually.
Present and probable need for public facilities and services in the area	All areas within Richmond’s SOI are developed and currently receive municipal services.
Opportunity for infill development rather than SOI expansion	As the City and the SOI are largely built out, all development will be infill and redevelopment. No expansion of the SOI is recommended or anticipated based upon the information contained within this Municipal Services Review.
Service capacity and adequacy of service	Richmond is improving its performance standards for roadway maintenance, traffic service, and other municipal services. The City has a five-year CIP and needs assessments that guide City services and budgeting and scheduling of capital improvements. Richmond has the capacity to continue to serve within its corporate boundaries and should incorporate surrounding areas within its SOI into its long-term planning.
The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency	The communities of North Richmond and portions of El Sobrante and East Richmond Heights are within the City’s SOI.
Effects on other agencies	Retaining the existing SOI would have no effect on other agencies providing services within the SOI areas.

Table V-1 (Continued)

Issue	Comments
Potential for consolidations or other reorganization when boundaries divide communities	<p>The community along Vista Heights Road is within the City's boundaries and on the northeastern boundary of El Cerrito. This area is only accessible through El Cerrito and is served by El Cerrito and related service providers. El Cerrito and Richmond should consider detaching this area from Richmond and annexing it into El Cerrito. The analysis should evaluate potential impacts to wastewater service providers, including the Stege Sanitary District and the West County Wastewater District.</p> <p>The unincorporated community of East Richmond Heights is divided, with the northern area in Richmond's SOI and the southern area in El Cerrito's SOI. Future annexations should consider any impacts to the two cities and any remaining unincorporated area.</p>
Location of facilities, infrastructure and natural features	The City public facilities are located to provide service throughout the City and be easily accessible for the public. The crest of the Berkeley Hills and Wildcat Canyon Regional Park lie within the southern portion of the City.
Willingness to serve	The City is willing to provide service to all areas within the City and considers potential service to unincorporated areas within its SOI in its long-range planning.
Potential environmental impacts	Retaining the existing SOI will have no effect upon the environment and would be exempt from the provisions of the California Environmental Quality Act (CEQA).



# Exhibit V-A: City of Richmond Sphere of Influence and Voter-Approved Urban Limit Line



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## VI. CITY OF SAN PABLO

### LOCATION, ADMINISTRATION, AND OPERATIONS

The City of San Pablo, incorporated in 1948, encompasses an area of approximately 2.6 square miles. San Pablo is bounded by the City of Richmond except in two areas: 1) the unincorporated community of Rollingwood is adjacent to San Pablo's northern boundary, and 2) the unincorporated North Arlington<sup>1</sup> community is adjacent to the City's southeastern boundary. Both of these communities are within San Pablo's sphere of influence (SOI). San Pablo's SOI includes 2.9 square miles. The North Arlington SOI area includes land within the boundaries of the City of Richmond and area that is outside the County adopted Urban Limit Line (ULL). Narrow strips of incorporated area that connect lands within the City of Richmond separate San Pablo from nearby unincorporated communities, including North Richmond to the west, El Sobrante to the east, and East Richmond Heights to the southeast. The City's current population is approximately 31,190.<sup>2</sup> The City's planning area comprises of 1,790 acres or 2.79 square miles. The majority of the planning area, SOI, and the City limit boundaries are coterminous.

San Pablo is divided into five special planning residential neighborhoods (Bayview, Central, Hillside, Old Town, and Rumrill) and two mixed-use districts (Alvarado and Gateway). The Bayview and Hillside neighborhoods include hillside development. The higher elevation areas transition to flatlands in the Rumrill and Old Town neighborhoods in the western portion of the City. Three creeks – San Pablo Creek, Wildcat Creek, and Rheem Creek – drain westward through Richmond to San Pablo Bay; these creeks link open space within the City.

San Pablo has two Redevelopment Project Areas that encompass nearly the entire area within the City's boundaries. The Tenth Township Redevelopment Project Area was established in 1969 with 1,196 acres of property, or approximately 72% of the City's land area. In 1997, the Legacy Redevelopment Project Area was established with 1,542 acres that includes the Tenth Township Project Area as well as additional lands. Commercial areas are primarily located along arterial roads, such as San Pablo Avenue and San Pablo Dam Road. Major institutional uses include Contra Costa College, St. Joseph's Cemetery, and Doctors Medical Center.

The Casino San Pablo is the only Indian gaming casino in the East Bay. In April 1994, voters in San Pablo legalized gaming, which allowed the casino to operate as a card club. On June 7, 1999 the Lytton Band of Pomo Indians entered into a Municipal Services Agreement with the City of San Pablo, and in October 2000 the Band obtained the deed to the casino. This agreement stipulates how the City is compensated by the Band for the municipal services provided and the impact on infrastructure. As a result, the casino license and fees provide a major source of revenue to the City.

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<sup>1</sup> North Arlington is also known as Bayo Vista.

<sup>2</sup> State of California, Department of Finance 2008.

Casino San Pablo is a Class II gaming facility with low-stakes card games and electronic bingo. In 2004 the Band proposed expanding the casino to a 600,000 square foot Class III facility with slot machines. Federal legislation introduced in 2009 (S.338, Feinstein) would amend the Omnibus Indian Advancement Act,<sup>3</sup> preventing any future expansion of the physical structure and requiring the Band to complete a federal determination process prior to engaging in Class III gaming. The bill passed the Senate on March 12, 2009 and has been referred to the House Committee on Natural Resources.

San Pablo is considered built-out, and future growth will occur through in-fill development and re-use of existing sites. Interstate 80 serves the City. AC Transit and the West Contra Costa Transit Authority provide bus service; the City also subsidizes paratransit services for seniors and disabled residents. The nearest Bay Area Rapid Transit (BART) station is located to the south in Richmond.

### **City Governance**

San Pablo is a “general law city,”<sup>4</sup> operating as a municipal corporation pursuant to the laws of the State of California.<sup>5</sup> The City has a Council-Manager form of government<sup>6</sup> where the City Council provides overall policy direction, with the City Manager responsible for implementing adopted City policies.

#### City Council

The City is governed by a publicly elected, five-member City Council, which consists of a Mayor, Vice Mayor and three Council members. Council Members are elected “at large” in even-numbered calendar years for staggered four-year terms. The five Council members select the Mayor annually for a one-year term. In addition to the Council, the City has an elected Treasurer and City Clerk.

The Council identifies the range and level of municipal services that will be provided to the community based upon established priorities and fiscal capabilities. The City Council is responsible for establishing goals, objectives, and policies as well as formulating priorities for allocation of City resources. The City Council also serves as the governing board for the Redevelopment Agency. Council meetings are held the first and third Monday of each month at 7:00 PM in the Council Chambers at City Hall, 13831 San Pablo Avenue, San Pablo. Council

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<sup>3</sup> Public Law 106-568.

<sup>4</sup> Under the California State Constitution, Article 11, section 2, and California Government Code, section 34102, cities organized under the general law of the State are “general law cities” as opposed to “charter cities,” which operate under an individual city charter.

<sup>5</sup> California Government Code, section 34000 et seq.

<sup>6</sup> The Council-Manager form is the system of local government that combines an elected legislative body (City Council) with the management experience of an appointed local government manager (City Manager).

agendas and public hearing items are posted at City Hall, Contra Costa College, and on the City's website at least 72 hours in advance of the meeting.

City Council members receive a stipend of \$702 per month, as well as \$30 per meeting when sitting as the Redevelopment Agency Board. Benefits for Council members include workers' compensation; retirement, health, dental, and life insurance; liability and unemployment insurance; vision care; Medicare; medical insurance for retirees; and an employee assistance program.

#### City and Regional Commissions and Committees

San Pablo has established advisory boards to provide guidance and input to the City Council. These include the Planning Commission, Safety Commission, and Beautification Board. The San Pablo Community Foundation, formed in 1996, provides grant funding to private non-profit service providers in San Pablo and west Contra Costa County. Per the Municipal Services Agreement between the Lytton Band and the City, the Foundation receives 1% of the annual gaming profits. Foundation directors are appointed by the City Council, and meetings are open to the public. Details on these commissions and the San Pablo Community Foundation are available on the City website. Advisory board meetings are noticed and open to the public.

In addition, the City Council appoints representatives to regional agencies and boards to represent the City's interests, including the following: Association of Bay Area Governments (ABAG), Contra Costa Mosquito and Vector Control District, West Contra Costa Transportation Advisory Committee, Contra Costa County Library Commission, and the West County Integrated Waste Management Authority.

#### City Information

The City maintains a comprehensive website<sup>7</sup> to communicate City business, news, and events. The website includes public documents related to the City's finances, General Plan, environmental documents, and agendas and minutes for City Council and commission meetings. It also includes information on each of the City departments, as well as information related to living in and doing business with the City. Public documents are also available at City Hall. The City also publishes a quarterly Newsletter and Recreation Activity Guide in English and Spanish.

As an outcome of the City Council's goal setting session held in February 2009, the City is evaluating the technology requirements and cost to televise council meetings.

#### **City Operations**

City government is organized by department to provide services as summarized below. More detailed discussion is included in the Municipal Services section of this chapter.

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<sup>7</sup> [www.ci.san-pablo.ca.us](http://www.ci.san-pablo.ca.us)

- General Government

General Government includes the City Council, City Clerk, City Treasurer, City Manager, and City Attorney as well as human resources and financial services. The City Manager retired June 30, 2009, and is currently serving as the interim City Manager pending recruitment of his replacement. The City anticipates a new City Manager on or about July 1, 2010.

- Community Services

The Community Services Department includes Recreation, Building Inspection, Planning, Economic Development, Information Technology, and Redevelopment, including affordable housing. This department is responsible for the General Plan Update that is currently underway. It is anticipated that the new General Plan will be adopted in 2010.

- Public Works

The Public Works Department is responsible for engineering, including providing assistance on public infrastructure in development projects, issuing and monitoring encroachment and grading permits, maintaining traffic counts and speed studies, and overseeing operation of the Citywide traffic signal system. Public Works plans and administers the five-year municipal Capital Improvement Program (CIP), stormwater pollution control, and pavement management programs. This department also includes Maintenance Services, which is responsible for building and street maintenance, street lighting and landscaping, and graffiti and litter abatement.

- Police

The San Pablo Police Department provides community-based police services within the corporate boundaries of the City. In addition to patrol services, the Department provides code enforcement, traffic safety and DUI enforcement, and two School Resource Officers. The Department contracts with state and other local agencies for support services, such as radio communications and dispatching, criminalistic services, animal control, and records management. The City participates with other agencies in regional public safety initiatives, such as the West Contra Costa County Narcotics Enforcement Team.

Other services within San Pablo are provided by Contra Costa County, special districts, and private companies through franchise agreement:

- Water

The East Bay Municipal Utilities District (EBMUD), an independent special district, provides water services within San Pablo and surrounding areas.<sup>8</sup>

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<sup>8</sup> Water and wastewater services are reviewed in Contra Costa LAFCO's *Water and Wastewater Services Municipal Services Review for West Contra Costa County* (Dudek 2008).

- Wastewater Collection and Treatment

The West County Wastewater District, an independent special district, provides wastewater collection and treatment services.<sup>9</sup>

- Solid Waste and Recycling

Richmond Sanitary Service, a subsidiary of Republic Services, Inc., provides solid waste and curbside recycling services within the City. The West Contra Costa Integrated Waste Management Authority operates a household hazardous waste facility in Richmond for west county residents.

- Library Services

Library services are provided through the Contra Costa County Library system. There is one public library in San Pablo and another in El Sobrante.

- Flood Control and Drainage

The Contra Costa County Flood Control and Water Conservation District, a dependent special district, coordinates regional drainage master planning, financing and implementation, reviews land development plans and studies, provides flood risk reduction, and oversees the Contra Costa Clean Water Program.

- Mosquito and Vector Control

The Contra Costa Mosquito and Vector Control District, an independent special district, provides mosquito and vector control services.

- Other Services

Contra Costa County provides a number of other services including jail facilities and child protective services.

### City Infrastructure

San Pablo's public infrastructure includes the following facilities: City Hall, two community centers, two senior centers, two historic buildings, the police station, a corporation yard, 28 acres of parks and sports fields, and one mile of City-owned trail. The infrastructure also includes 48 miles of streets, sidewalks, streetlights, 17 miles of storm drain and channels, traffic signals and signing, landscaping, and irrigation. For 2007, the Metropolitan Transportation Commission<sup>10</sup> gave San Pablo an average Pavement Condition Index (PCI) rating of 72.<sup>11</sup>

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<sup>9</sup> Ibid.

<sup>10</sup> MTC 2007a.

<sup>11</sup> The Pavement Condition Index (PCI) is used by the Metropolitan Transportation Commission and most Bay Area jurisdictions to monitor and track pavement condition; it is based on a visual survey of the pavement using specific protocols. Scores are based on average condition and range from 0 to 100, classified as follows: 25-49 poor, 50-59 at risk, 60-69 fair, 70-79 good, 80-89 very good, 90-100 excellent.

In 2007/08, the City invested approximately \$4.5 million in street improvement projects. Other notable projects include the completion of Wanlass Park and Brentz Lane Park. Davis Park is the City's largest recreational facility with 12 acres.

Infrastructure needs are addressed through CIP planning and the budgeting process in order to complete projects as cost effectively as possible within budget constraints. The City plans for infrastructure maintenance through programs carried out by the Public Works Department. The CIP is funded at approximately \$21 million for 2008/09. Projects scheduled for construction in 2008/09 include the following: Wildcat Creek Trail, Broadway traffic calming and resurfacing, Rumrill Boulevard bridge replacement, El Portal Drive Gateway, Old Town Traffic Study implementation, and an annual Pavement Repair and Slurry Seal project. Near-term projects also include San Pablo Avenue Overlay from San Pablo Dam Road to 23<sup>rd</sup> Street, the sidewalk gap closure project on Amador Street, and the Helms Community Center.

As noted earlier, nearly all of the land within the City's boundary is designated as a Redevelopment Project Area. The Redevelopment Agency was established in 1969 to address physical and economic blight. The tax increment and bond proceeds provide significant funding resources for capital improvements.

Funding for capital improvements is also provided through voter-approved initiatives. In November 2008 voters in Alameda and Contra Costa counties approved Measure WW, a \$500 million bond measure to provide funding for acquisition and development of neighborhood, community and regional parks and recreation lands and facilities. Of the available funding, 75% will be used to fund regional park acquisitions and capital projects, with the remainder going to cities, special park and recreation districts, and county service areas for park and recreation services. San Pablo will receive \$1,425,538. The City will be entering into a master contract with the East Bay Regional Park District, the designated program administrator, to begin the process.

Other assessments that fund infrastructure improvements and maintenance include the following: a Landscape and Lighting Assessment approved by San Pablo voters in 1982; a National Pollutant Discharge Elimination System (NPDES) assessment collected by the County Flood Control District and disbursed to the City; Gas Tax revenues allocated by the State; and Measure C funds, a countywide 0.5% sales tax increase for transportation and growth management programs approved in 1988. Two special assessment districts were established in San Pablo to fund infrastructure improvements for Town Center (1997) and Oak Park (1998). The City also pursues grants and has been successful in obtaining grant funding of approximately \$7.8 million.

In general, the City's infrastructure is in good condition. The significant resources provided by redevelopment activities coupled with the special taxes and assessments have enabled the City to address infrastructure needs.



## City Budget

San Pablo uses a one-year budget cycle with a mid-year review and adjustment. The 2008/09 budget<sup>12</sup> reflects the City Council's stated goals for sound financial stability with solid reserves. The overall budget, including the General Fund and all special funds, has total revenues of \$41.5 million and expenditures of \$53.5 million as adjusted mid-year. The difference is due to Redevelopment Agency activities funded with monies accumulated in prior years and 2006 bond proceeds.

In addition to property and sales taxes, other City revenue sources include a 12% transient occupancy tax and a 4% utility users tax collected on telephone, electricity, gas, water and video services.<sup>13</sup> The City's Master Fee Schedule was last revised in December 2004. The 2008/09 General Fund budget has adjusted revenues of \$19.1 million and expenditures of \$18.6 million. The City is projecting that General Fund reserves will be \$3.75 million at June 30, 2009. Projected General Fund Revenues and Expenditures for the 2008/09 fiscal year follow:

### *Revenues*

Property Taxes	\$2,780,500	15%
Sales Taxes	\$1,760,000	9%
Utility User Tax	\$1,272,000	7%
Business Licenses	\$10,645,000	56%
Franchise Fees	\$485,000	3%
Other Taxes	\$350,000	2%
Fines and Forfeitures	\$368,000	2%
Use of Money and Property	\$581,000	3%
Intergovernmental Revenues	\$180,000	1%
Charges for Services	\$231,000	1%
Other Revenues	\$1,665,700	9%
Interfund Transfers	(\$2,344,440)	(12%)
Mid-year Adjustment <sup>14</sup>	<u>\$1,100,000</u>	<u>6%</u>
Total General Fund Revenue	\$19,073,760	100%

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<sup>12</sup> City of San Pablo 2008a.

<sup>13</sup> EBMUD, as the water service provider, historically has not collected the tax on water services on behalf of its member cities. The City and EBMUD are currently in discussions regarding collection of the tax beginning in 2010.

<sup>14</sup> The mid-year adjustment, approved February 10, 2009, included adjustments to revenue and income for several funds, with a net reduction in expenditures of \$2.1 million.

***Expenditures***

City Council	\$234,940	1%
City Attorney	\$472,650	3%
City Manager	\$948,070	5%
Information Technology	\$604,500	3%
Finance/City Treasurer	\$522,510	3%
Recreation	\$1,418,080	8%
Emergency Medical Services Aid	\$350,000	2%
Police	\$13,102,250	70%
Code Enforcement	\$806,927	4%
Mid-year Adjustment	<u>\$159,000</u>	<u>1%</u>
Total General Fund Expenditures	\$18,618,927	100%

Public Works is funded through special funds, such as Gas Tax, Street Lighting and Landscaping, and NPDES. General Fund transfers are used to support activities funded by the Gas Tax Fund, street lighting and landscaping, as well as Neighborhood Services, which provides community planning, building permits, business licenses, and residential health and safety inspections.

For the mid-year budget review completed in February 2009, the City projected a \$6.3 million decrease in revenue for the Redevelopment Agency due to a reduction in supplemental property taxes as well as changes in the State's property tax allocations and pass through expenses. However, the General Fund realized increased revenues of \$1.1 million due to an increase in casino revenues. The 2009/10 County Assessment Roll indicates a decline of 24.3% in assessed value for properties in San Pablo, resulting in a \$3.1 million reduction in annual revenue and an additional loss of \$6 million due to State takeaways.

San Pablo's employees are eligible to participate in the California Public Employees' Retirement System (CalPERS). The City has satisfied its liability for employees joining the statewide pool as required by a 2005 change in state law. CalPERS is an agent multiple-employer-defined benefit pension plan that acts as a common investment and administrative agent for participating public entities within the State of California. CalPERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Employees vest after five years of service and are eligible to receive benefits at age 50.

The City also provides retirement healthcare; it is the City's policy to prefund these benefits. A trust fund has been set up with ICMA-RC. The City made contributions of \$3,275,000 in fiscal year 2008 to pay off the actuarially determined unfunded liability.

Utility user's tax increased slightly in fiscal year 2008 as the temporary reduction in rates from 7% to 5% remained in effect this fiscal year. Utility user's taxes are expected to decrease in the upcoming fiscal year as a further 1% temporary reduction, bringing the rate to 4%, went into effect October 2008. Sales tax and motor vehicle fees represent the other major General Fund revenue producers, and no variation is expected in the upcoming fiscal year.

Fiscal year 2008 did not show the impact of the new development that started in 2003, as did 2007. Median housing prices in San Pablo decreased by 38.4%, slightly more than the average decrease in Contra Costa County of 34.2%. Current supplemental property taxes, which represent the change in property taxes when property is sold, decreased 59%, in contrast to fiscal year 2007, when the supplemental property taxes increased 96.9%. When incremental property taxes of the redevelopment agency are included, property taxes equal 36% of revenue for all governmental funds.

Expenditures at the fund level increased \$2.9 million in 2008. General Fund expenditures increased \$5.7 million due to the City paying \$2.8 million for unfunded retirement plans and \$3.2 million for unfunded post retirement health care benefits (OPEB). An increase in loans made from the Redevelopment Low and Moderate fund caused this fund's expenditures to increase \$3.9 million. The purchase of property for \$5.1 million in 2007 was the major reason for expenditures in the Redevelopment Agency Projects Fund decreasing \$3.6 million in 2008. The Public Works Fund's expenditures decreased \$4.1 million as a result of decreased project activity. Increased expenditures in the Gas Tax and Development Services Funds are due to the funding of the unfunded retirement plans and OPEB. Lastly, debt service in the 2006 Subordinate Tax Allocation Bonds Fund increased \$0.6 million due to increased interest payment on these bonds.

#### Other Funds

The City had three Major Funds in 2008 in addition to the General Fund: The Redevelopment Agency Low & Moderate Income Housing Fund, the Redevelopment Agency Projects Fund, and the Public Works Construction Fund.

The Redevelopment Agency Low and Moderate Income Fund accounts for the portion of property tax increment required under California law to be set aside to fund low and moderate income housing expenditures. At the end of fiscal year 2008, the outstanding balances of such loans were \$9.4 million, up \$5 million from fiscal 2007. This balance includes loans of \$5.1 million for First Time Homebuyers, \$1.2 million to finance a 55-unit senior housing complex, \$1.4 million for construction of 82 low-income rental units for seniors, and a \$1.7 million construction loan for 84 affordable rental units.

The Redevelopment Agency Projects Fund revenues increased \$0.7 million in fiscal year 2008. Incremental Property Tax revenues remained the same. Revenue from Use of Money and Property increased \$0.9 million in 2008. This increase is due in most part to an increase in rental income from the newly acquired mobile home parks, as well as an increase in interest. Budgetary-basis expenditures of the Redevelopment Agency Projects increased \$16.8 million in fiscal year 2008 due to relocation costs for mobile home parks, and settlement of the purchase of the Circle S Mobile Home Park and the Salvaion site.

The Public Works Construction Fund accounts for major capital improvement projects. Revenues received in 2008 represent funding for projects from the State of California and Contra Costa County in the amount of \$1.2 million, the same as the prior year. Expenditures for fiscal year 2008 were \$4.6 million, down \$4.1 million from fiscal year 2007.

## Reserves

As an outcome of the City Council's goal setting session held in February 2009, the City is developing a policy establishing minimum operating reserve levels.

## Debt Service

The City generally incurs long-term debt to finance projects or purchase assets that will have useful lives equal to or greater than the related debt. All of the long-term debt in the City's financial statements is composed of Tax Allocation Bonds issued by the Redevelopment Agency. The Bonds are special obligations of the Agency and are secured only by the Agency's tax increment revenues.

1999 Tax Allocation Bonds—On June 10, 1999, the Agency issued \$9,850,000 of Subordinate Tax Allocation Bonds, Series 1999A, to defease \$3,950,000 of the 1990 Subordinate Tax Allocation Bonds, and to fund capital projects in the Tenth Township Project Area. The 1999 Bonds are special obligations of the Agency and are secured by the Agency's tax increment revenues. Annual principal payments on the 1999 Bonds are due December 1, and semiannual interest payments are due June 1 and December 1, through 2023. 1999 Bonds maturing on or after December 1, 2010, are subject to call on any interest payment date at par plus a premium of up to 2%.

2001 Tax Allocation Revenue Bonds—On March 22, 2001, the Redevelopment Agency issued \$12,997,670 of Tax Allocation Revenue Bonds, Series 2001, to defease \$4,665,000 of outstanding 1990 Tax Allocation Bonds, and to fund capital projects in the Legacy and Tenth Township Project Areas. The Bonds are special obligations of the Agency and are secured by the Agency's tax increment revenues.

The 2001 Bonds consist of \$7,855,000 original principal amount of Current Interest Serial Bonds, \$2,280,000 original principal amount of Current Interest Term Bonds, and \$2,862,670 of Capital Appreciation Bonds, which pay no interest but which accrete in value to \$12,055,000 at their redemption date. Interest payments on the Term Bonds are payable semiannually on June 1 and December 1.

The 2001 Bonds Capital Appreciation Bonds unaccrued discount totaled \$7,784,944, and the outstanding balance increased \$232,078 due to the annual increase in accreted value. Principal and interest payments of \$2,635,000, \$2,355,000, \$2,355,000, \$1,570,000, \$1,570,000, and \$1,570,000 commence December 1, 2024, and continue through December 1, 2029.

2004 Tax Allocation Revenue Bonds—On March 18, 2004, the Agency issued \$37,755,000 of Tax Allocation Revenue Bonds, Series 2004, to defease \$13,910,000 of outstanding 1993 Tax Allocation Bonds, and to fund capital projects in the Legacy and Tenth Township Project Areas. The defeased 1993 Bonds were called on December 1, 2004. The 2004 Bonds are special obligations of the Agency and are secured by the Agency's tax increment revenues. Annual principal payments on the 2004 bonds are due December 1, and semiannual interest payments are due June 1 and December 1, through 2015.

2006 Subordinate Tax Allocation Bonds—On October 5, 2006, the Agency issued \$36,000,000 of Tenth Township Redevelopment Project Area Subordinate Tax Allocation Bonds, Series 2006, to refund the remaining \$12,350,000 principal amount of the 1993 Tax Allocation Bonds and to fund certain public improvements in the Tenth Township Project Area. In October 2006, the City defeased the outstanding 1993 Bonds by placing a portion of the proceeds from the 2006 Bonds in an irrevocable trust to provide amounts sufficient to pay on December 1, 2006, the prepayment price of 102% of the principal amount and accrued interest. The defeased 1993 Bonds were called on December 1, 2006. Principal payments on the 2006 Bonds are due annually on December 1 commencing December 1, 2009, and interest payments are due monthly, through December 1, 2032.

In October 2006, the Agency entered into a 26-year interest rate swap agreement for the entire \$36,000,000 par amount of its 2006 Subordinate Tax Allocation Bonds. The combination of variable rate bonds and a floating-to-fixed interest rate swap agreement effectively creates a synthetic fixed-rate obligation for the Agency.

#### Capital Improvement Program

San Pablo's Capital Improvement Program (CIP) is a multi-year planning program for the construction of new facilities and infrastructure, and for the expansion, rehabilitation, or replacement of City-owned assets. The Plan covers a five-year period and is updated by City staff and approved by the City Council each year. The current plan for 2004/05 through 2008/09 includes 45 projects with \$16.3 million budgeted in 2008/09. Capital improvements are funded through bond proceeds earmarked in the Redevelopment Agency Five-Year Implementation Plan for Public Works Capital Improvement Projects, grants, Proposition 1B (state transportation bond), and Measure C with limited contribution from the General Fund. Most projects are at least partially funded; unfunded projects include Wildcat/San Pablo Creeks Flood Control, Old Town Drainage Study, Wildcat and San Pablo Creeks Master Plan, and the BNSF Soccer Complex. Major projects for 2008/09 are noted above in the discussion on City Infrastructure.

### CITY PLANNING BOUNDARIES AND GROWTH

#### **City Boundaries**

##### City Limits

San Pablo's corporate boundaries encompass approximately 2.6 square miles. The City is primarily bounded by the City of Richmond, except in two areas: the unincorporated community of Rollingwood is adjacent to San Pablo's northern boundary, and the unincorporated communities of North Arlington and East Richmond Heights are adjacent to the City's southeastern boundary.

##### Sphere of Influence

San Pablo's SOI encompasses approximately 3.0 square miles and includes all of the area within its corporate boundaries as well as the unincorporated community of Rollingwood (0.17 square miles) and the unincorporated North Arlington community. Within the North Arlington SOI

area, area generally south and east of Bayview Avenue and Harbor View Avenue is within the boundaries of the City of Richmond.

### Planning Area

The San Pablo Planning Area includes an area of approximately 2.79 square miles as follows: north to the northern edge of the Bayview neighborhood at Richmond Parkway; the Rollingwood residential area to the northeast; east towards the Hillside neighborhood near El Portal Drive; south towards Costa Drive (City boundary); and west towards Giant Road (City boundary).<sup>15</sup> The planning area as defined does not include the unincorporated North Arlington area within the City's SOI.

### Urban Limit Line

Contra Costa voters approved Measure L, which established the current countywide Urban Limit Lines (ULLs) in 2006. In December 2006, the City of San Pablo adopted Resolution 2006-167 adopting the County's ULL. San Pablo's North Arlington SOI area includes a portion of Alvarado Park that is outside the ULL.

### **General Plan**

The San Pablo General Plan was originally adopted in 1960 with the most recent comprehensive update adopted in August 1996. In 2008 the City began preparation of the San Pablo General Plan Update 2030; adoption is anticipated in 2010. A draft of the General Plan Update Map Atlas,<sup>16</sup> which describes existing conditions, was presented to the City Council in April 2009. The San Pablo Housing Element Update was adopted in 2002 and the element is in compliance with state law.

### **Population Growth**

Similar to other cities in the western portion of the County, San Pablo's population is relatively stable. Per the 2000 Census,<sup>17</sup> the City had a population of 30,256; this has increased by only 3% to 31,190 in 2008.<sup>18</sup> Population is expected to increase 6% by 2035, growing at a modest annual rate of approximately 0.2% to approximately 33,000.<sup>19</sup>

San Pablo's SOI includes the unincorporated communities of Rollingwood and North Arlington. Both of these areas are developed and future growth rates are expected to be consistent with the surrounding area.

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<sup>15</sup> Dyett & Bhatia 2009.

<sup>16</sup> Ibid.

<sup>17</sup> U.S. Census Bureau 2000.

<sup>18</sup> State of California, Department of Finance 2008.

<sup>19</sup> ABAG 2006.

## Jobs-Housing Balance

In 2005 there were 6,190 jobs and 12,370 employed residents within San Pablo's SOI, resulting in a jobs-to-employee ratio of 0.5.<sup>20</sup> A ratio of 1.0 indicates a balance between the number of jobs and employed residents within a community. A ratio of less than 1.0 indicates that a community is "job poor" and residents commute to jobs in other areas. The Association of Bay Area Governments' San Francisco Bay Area Housing Needs Plan 2007-2014<sup>21</sup> allocates an additional 298 housing units to San Pablo to meet regional housing needs.

As noted earlier, nearly the entire area within San Pablo's corporate boundaries is within a designated Redevelopment Project Area. The City designated two mixed used areas within the central portion of the City to encourage additional commercial activity. In addition, the City offers a small business assistance program to encourage local investment. A 53% increase in the number of jobs within the City's SOI is expected by 2035, reaching 9,460 total jobs.<sup>22</sup> The largest employers in the City are in the government, education and retail sectors. Major employers include the Doctor's Medical Center, Casino San Pablo, Contra Costa College, Vale Care Center, City of San Pablo, Brookvue Care Center, Creekside Health Care Center, Albertson's, Raley's, and Food Maxx.

## Vacant Land

San Pablo, North Arlington, and Rollingwood are considered built-out and development within the City's corporate boundaries is primarily occurring through the reuse of existing sites. In the analysis of existing conditions for the 2030 General Plan Update, the City identified 60 acres of vacant land within its boundaries and 133 underutilized acres. Approximately 65 acres of vacant and underutilized land are within areas zoned for residential development; this is sufficient to meet residential land use needs by 2030 under a moderate growth scenario.<sup>23</sup> One of the goals of the City's Planning Division is to update the zoning ordinance and prepare guidelines for hillside development. This will further refine the development opportunities for vacant sites.

## Development Projects

San Pablo has several development projects in progress for both commercial and residential uses, including development of the College Center Shops and other retailers with 48,340 square feet of commercial and retail space. Multifamily residential development projects include the Abella Paseo with 125 housing units and the El Paseo Family Apartments with 132

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<sup>20</sup> Ibid.

<sup>21</sup> ABAG 2008.

<sup>22</sup> Ibid.

<sup>23</sup> Dyett & Bhatia 2009.

units.<sup>24</sup> The City plans to draft and adopt a specific plan for San Pablo Avenue and is working to implement the 23<sup>rd</sup> Street Specific Plan.<sup>25</sup> One of the Redevelopment Agency's major initiatives is redevelopment of the Circle S Mobile Home Park with up to 200 units of ownership housing with common open areas. The Agency is in the process of assisting Circle S residents with relocation.

## **Growth Management**

San Pablo's Growth Management Element was adopted in 1992 in accordance with Measure C, which provides funding for transportation and growth management programs. The Growth Management Element establishes policies and standards for police and fire protection services, traffic levels of service, and performance standards for water, wastewater, storm drainage systems and park and recreation facilities. These policies and standards guide the City decision making process and are intended to ensure that new development impacts that could degrade established service thresholds are mitigated through project modification, capital improvement programming, or contributions to improvements. The performance standards are noted below in the discussion on Municipal Services.

## **Annexations**

The most recent annexation to the City of San Pablo was in 2002. No annexations are anticipated at this time.

## **Sphere of Influence Reductions and Expansions**

The most recent change to the City's SOI was in 1988.<sup>26</sup> LAFCO last affirmed the City of San Pablo's SOI in 1993.

## MUNICIPAL SERVICES

### **Public Safety Services**

#### Police

The San Pablo Police Department is a full service, community-based law enforcement agency with three divisions: Patrol, Investigations, and Support Services. The police station is located at 13880 San Pablo Avenue. The Department is budgeted for 75 fulltime employees, including 53 sworn officers and 22 non-sworn employees. The Department includes a Code Enforcement Division with 9 staff. The primary source of funding for police services is the General Fund with some additional funding through federal and state grants. Police services comprise approximately 70% of General Fund expenditures.

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<sup>24</sup> Ibid.

<sup>25</sup> City of San Pablo 2007.

<sup>26</sup> Contra Costa County Ordinance No. 88-28.



The Police Department recently reorganized its management structure to improve accountability and service. The City is pursuing grant opportunities to enhance the current workforce and overall effectiveness.

The Municipal Services Agreement between the City and the Lytton Band of Indians stipulates that the San Pablo Police Department will enforce California criminal law at the San Pablo Casino and that the Department will conduct background investigations of all Casino employees. The Band is required to pay the City \$1.5 million annually, adjusted according to the same percentage as property taxes, for police services plus reimburse the City for the cost of the investigations. For 2008/09, this reimbursement is budgeted within the General Fund at \$1.65 million plus \$50,000 for Casino police services.

San Pablo cooperates with other West County cities and agencies for public safety support services and programs. This includes contracting with the Richmond Police Department for consolidated dispatch services and records management. Contra Costa County provides criminalistic services and animal control. The City also participates in the West Contra Costa County Narcotics Task Force. San Pablo has a comprehensive juvenile intervention and diversion program developed through cooperative effort with juvenile justice agencies. As part of this effort the City provides two School Resource Officers to the West Contra Costa Unified School District.

The Police Department also provides community programs, including PISTOL (Police in Schools to Offer Life), Neighborhood Watch, Business Crime Prevention, a youth camping program, and disaster preparedness training.

One service standard in the Public Safety and Related Services Element of the General Plan is to develop and implement a community-based police strategy compatible with the service level standards identified in the Growth Management Element. The other standard is 1.43 police officers per 1,000 residents. With 53 sworn officers, the City is providing approximately 1.7 officers, exceeding its standard.

For 2007, San Pablo had 314 violent crimes and 1,693 property crimes, with a rate of 6,444 crimes per 100,000 in population.<sup>27</sup> Crime rates are affected by a number of factors and reflect a city's population, concentration of youth, degree of urbanization, income levels, cultural and educational characteristics, geographic location and modes of transportation, among others. Therefore, these rates are a good measure of changed conditions within a city over time, but should not be considered as a direct evaluation of the adequacy of police services between cities.

#### Fire

The Contra Costa County Fire Protection District provides fire protection and emergency medical services within San Pablo and the nearby unincorporated communities of North Richmond, El Sobrante, North Arlington, and East Richmond Heights.<sup>28</sup> The District participates in

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<sup>27</sup> Federal Bureau of Investigation, Uniform Crime Report 2007.

automatic response agreements with the fire departments in the cities of Richmond, Pinole and El Cerrito. The District's Station 70 is located at 13928 San Pablo Avenue within the City. A second station, Station 69, is located in El Sobrante.

According to the District, Station 70 has one of the highest call levels, and responds to approximately 2,000 medical aid calls per year. In San Pablo's 2008/09 budget, the City approved funding for a fourth firefighter on each shift.

The adopted service standard in the Growth Management Element in San Pablo's General Plan<sup>29</sup> includes the following:

- A fire station within 1.5 miles of all residential and non-residential development within the City;
- A five-minute response time; and
- Minimum roadway widths of 20-feet and inside turn-around diameter of 35-feet.

## Community Services

San Pablo's Community Services Department provides the following services: Planning, Building Inspection, Information Technology, Economic Development, Redevelopment, and Recreation.

### Planning and Building Inspection

The Neighborhood Services Division is responsible for community planning as well as issuing building permits, business licenses, and providing residential health and safety inspections. This includes assisting applicants; evaluating applications; monitoring, updating, implementing, and ensuring consistency with the General Plan and Zoning Ordinance; and undertaking focused planning activities such as the preparation of specific plans, design guidelines and special studies.

The Planning Division is responsible for preparation of the 2030 General Plan Update; as noted above, a draft of the General Plan Update Map Atlas was presented to the City Council in April 2009.<sup>30</sup> The plan update is anticipated to be completed in 2010.

For 2008/09, the City estimated that the number of building plan checks will be 87, compared with 101 in 2007/08. The estimated number of building permits to be issued in 2008/09 is 582 versus 513 in 2007/08.

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<sup>28</sup> Fire services within San Pablo are reviewed in Contra Costa LAFCO's *Municipal Service Review: Fire and Emergency Medical Service Providers* (Burr Consulting 2009).

<sup>29</sup> City of San Pablo 1996.

<sup>30</sup> Dyett & Bhatia 2009.

### Redevelopment, Economic Development and Housing

The Redevelopment Agency of San Pablo was established in 1969. As described above, the Tenth Township and Legacy Redevelopment Project Areas encompass a majority of the area within the City boundaries. The Agency's current focus is on development of land acquired in 2007/08 to expand economic opportunities within the City. Agency projects for 2008/09 include the following: a first-time homebuyer program that offers loans up to \$200,000; residential rehabilitation; economic development loans and grants to small businesses; relocation of the Circle S Mobile Home Park residents and site planning; redevelopment of the former Burlington Northern Santa Fe railroad site; and other commercial district projects.

The Agency's Affordable Housing Program invests in existing housing stock through loans and grants. Funded through Redevelopment Housing set-aside funds, the 2008/09 budget includes \$5.725 million in loans and grants.

Current multifamily residential development projects include the Abella Paseo with 125 housing units and the El Paseo Family Apartments with 132 units.<sup>31</sup> Redevelopment of the Circle S Mobile Home Park is planned to include up to 200 units of ownership housing with common open areas.

San Pablo's Economic Development Program is using a variety of strategies to encourage short and long-term economic growth, including providing information for economic development strategies, providing assistance to attract and retain businesses, and conducting outreach activities. The City is working to expand retail opportunities that meet the needs of residents and is in advanced negotiations with four major retailers and businesses to locate operations within San Pablo. As noted above, the City provides loans to small businesses at favorable interest rates, with \$50,000 budgeted for micro-loans in 2008/09.

### **Transportation and Road Services**

The Public Works Department is responsible for transportation, roads, and drainage infrastructure, as well as graffiti and litter abatement, water quality programs, municipal building and street maintenance, parks maintenance, and street lighting and landscaping. The Engineering Division is responsible for providing assistance to the general public and developers with respect to streets, sidewalk, storm drainage, grading and other capital improvements, including plan review for major developments. The Engineering Division plans and administers the municipal capital improvement program, storm water pollution control, and pavement management programs.

The Building Maintenance Group of the Public Works Maintenance Division is responsible for maintenance, security, and groundskeeping for City-owned buildings. The Parks and Landscape Maintenance Group is responsible for the maintenance and repair of public facilities, parks, and landscaping, including City Hall, four recreational and maintenance buildings, parks, street trees and sidewalks, roadside weed abatement, medians in public

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<sup>31</sup> Ibid.

roadways, the street lighting system, and maintenance and replacement for maintenance vehicles; this group is funded through the City's Street Lighting and Landscape Assessment District No. 1982-1. The Street Maintenance Group is responsible for general street maintenance and is funded through Gas Tax funds and the General Fund.

Per the requirements of Measure C, the designated Routes of Regional Significance within San Pablo include the following: Interstate 80, El Portal Drive, Rumrill Boulevard, San Pablo Avenue, San Pablo Dam Road, and 23<sup>rd</sup> Street. The City's Level of Service (LOS) standards require that the standards adhere to those included in the adopted 1992 Growth Management Element for both Routes of Regional Significance and Basic Routes (collectors and locals) to ensure consistency with Measure C standards. For roads not designated as Routes of Regional Significance, a level of service (LOS) D for intersections is the City's minimum acceptable standard.

San Pablo has 48 miles of public streets with related storm drain facilities. The Metropolitan Transportation Commission<sup>32</sup> rated the City's streets with an average pavement condition index of 72 (good).<sup>33</sup> Major capital improvement projects include Broadway Traffic Calming and Resurfacing, Rumrill Boulevard Bridge Replacement, San Pablo Avenue Resurfacing from San Pablo Dam Road to 23<sup>rd</sup> Street, Old Town Traffic Study and Improvements, and the 2008/09 annual pavement maintenance project..

### **Water and Sewer Services**

San Pablo receives water and wastewater services through two independent special districts. EBMUD provides water service and the West County Wastewater District provides wastewater collection and treatment services. Water and wastewater services for San Pablo are reviewed in Contra Costa LAFCO's Water and Wastewater Services Municipal Services Review for West Contra Costa County.<sup>34</sup>

The service standard policy in the 1996 General Plan Update is to maintain consistency with the 1992 Growth Management Element by requiring a level of service that meets or exceeds the City's adopted performance standards for water and wastewater services. Additional standards regarding water conservation and the use of dual plumbing systems may be included.

It should be noted that water supply conditions throughout the state are changing due to drought and regulatory impacts. Performance standards for domestic water service should be consistent with regulatory requirements for water conservation, applicable local and regional

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<sup>32</sup> MTC 2007a.

<sup>33</sup> A pavement index is a statistical measurement of a roadways' condition, taking into account pavement condition, base, pavement thickness, age and utilization. The measurement gives a rating on a scale of 0 to 100 with 100 being perfect condition.

<sup>34</sup> Dudek 2008.

water resource management plans, and the water service provider's service standards. Similarly, water quality regulations for wastewater discharge are becoming increasingly stringent; therefore performance standards for wastewater service should be consistent with the wastewater service provider's service standards and regulatory requirements.

## **Park, Recreation, Cultural and Library Services**

### Facilities

The Public Works Department Maintenance Division is responsible for maintaining the City's recreational facilities and parks, including 24.7 acres of parks, two playgrounds, one mile of trails, and the San Pablo Youth Soccer Field. The Division is also responsible for maintaining structural facilities such as the two community centers and two senior centers. The General Plan Circulation, Public Facilities and Services Element sets a service standard of 3.0 acres of improved parks and 1.5 square feet of recreational building for each 1,000 residents. Upon completion of Wanlass Park in late 2009, the City will have approximately 0.8 acres of improved parkland and 34,848 square feet per 1,000 residents. The City is falling short of the requirements. The City will have cooperative agreements to share recreational facilities, such as athletic fields, with the West Contra Costa Unified School District (WCCUSD).

Several recreation facility projects are included in the 2004/05 to 2008/09 Five Year CIP including the following: Davis Park Improvements to enhance aesthetics and safety, construction of Wildcat Creek Trail from Davis Park to 23<sup>rd</sup> Street, Helms Community Center, Wanlass Park construction, and implementation of the Davis Park Master Plan. The City is preparing a master plan to re-design the 12-acre Davis Park; part of this effort includes relocating the City's Corporation Yard, opening up an additional acre of land for recreational use. The City is partnering with WCCUSD for the Helms Community Center project, which will be located at Helms Middle School. The District is reconstructing the school and the City will be constructing a new 10,000 square foot facility on site that will provide recreational space for classes, program, childcare, and activities.

The City will receive \$1,425,538 through Measure WW, a countywide bond measure to provide funding for acquisition and development of neighborhood, community and regional parks and recreation lands and facilities. The City has initiated the process with the East Bay Regional Parks and Recreation District to receive the funding, although the specific projects to be funded have not been determined.

### Programs

The City's Recreation Division is responsible for providing recreation and cultural programs, activities and special events. Programs include a variety of youth programs, such as an after school program delivered through partnership with the West Contra Costa Unified School District, community events and excursions, summer day camp and programs for youth and teens, enrichment classes, sports leagues, among others. Community Events include but are not limited to the 4<sup>th</sup> of July Family Celebration, Movies-in-the-Park, Summer Concert Series, and the San Pablo Heritage Day. The San Pablo Senior Adult Center is a full service senior center that offers recreational and educational activities as well as social services and a daily meal program. The City also operates an art gallery featuring local artists and group

exhibitions. San Pablo's recreation programs are funded through program, rental and other user fees as well as grants with some additional support from the General Fund.

### Library

San Pablo receives library services through the countywide Contra Costa Library system. The San Pablo branch is located at 2300 El Portal Drive; the 8,900 square foot facility has a collection of approximately 35,800 books and 17 computers. The library is open 39 hours per week and closed on Thursdays. The County funds 29 hours per week at branch libraries, and the City is funding an additional 6 hours per week. From September 2008 through February 2009, the City also funded an additional 4 hours per week so the library would be open on Sundays.

### **Solid Waste Collection and Disposal Services**

The City's solid waste disposal and curbside recycling services are handled by franchise agreement with Richmond Sanitary Service. Curbside recycling is provided. The private company also provides service to unincorporated areas in west Contra Costa County and the cities of Hercules, Pinole and Richmond.

San Pablo is a member of the West Contra Costa Integrated Waste Management Authority along with El Cerrito, Richmond, Pinole and Hercules to collaborate on solid waste issues. As part of that effort the Authority operates a household hazardous waste facility in Richmond for west county residents. The California Integrated Waste Management Board reports a diversion rate of 53% in 2006 for the Authority.

### SERVICE REVIEW DETERMINATIONS

In anticipation of reviewing and updating the City of San Pablo's SOI, and based on the information provided above, the following written Determinations are intended to fulfill the requirements of California Government Code, section 56430(a).<sup>35</sup>

### **General Statements**

- A. San Pablo is proactive in addressing community needs, public services and infrastructure improvements.
- B. Determinations, as proposed, relating to San Pablo in the 2009 Municipal Services Review: Fire and Emergency Medical Service Providers remain valid.

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<sup>35</sup> This report addresses the nine determinations previously required under Government Code Section 56430. Changes to the code that became effective on January 1, 2008, now require analysis of six determinations.

## **Infrastructure Needs and Deficiencies**

1. The City is working to address infrastructure needs and deficiencies through its five-year Capital Improvement Program and Redevelopment Agency Five-Year Implementation Plan for Public Works Capital Improvement Projects. The City undertakes studies to evaluate infrastructure needs, prioritize projects, and develop implementation plans.
2. The City has adopted performance standards for several municipal services in accordance with its 1992 Growth Management Element, including public safety, traffic services, park and recreation facilities, water and wastewater services, and storm drainage. With respect to the services reviewed in this study, the City is meeting or exceeding the standards for police services, and the City has programs and projects to continue to improve park and recreation facilities and storm drainage.
3. The City uses a five-year Capital Improvement Program that is updated annually. The 2004/05–2008/09 CIP identifies 45 projects and nearly all are at least partially funded. The City's adopted budget includes \$16.3 million for capital projects in 2008/09. The City finances major capital improvements through bonds, grants, state bond programs, Measure C, and the General Fund.
4. The condition of the City's roadway infrastructure was rated at a Pavement Condition Index of 72 (good) in 2007. The City has an ongoing pavement maintenance program that is funded annually.

## **Growth and Population Projections for the Affected Area**

5. San Pablo is considered built-out and future growth will occur through infill development and reuse of existing sites. In 2008 the City had an estimated population of 31,190. This is projected to increase to 33,000 by 2035 reflecting an overall growth rate of 6% or 0.2% per year.
6. San Pablo's SOI includes the unincorporated communities of Rollingwood to the north and North Arlington to the southeast. Both of these areas are developed and future growth rates are expected to be consistent with the surrounding area.

## **Financing Constraints and Opportunities**

7. San Pablo has an annual budget cycle with mid-year adjustments. As an outcome of the City Council's goal setting session held in February 2009, the City is developing a policy establishing minimum operating reserve levels.
8. The City is anticipating decreased revenues due to economic conditions and has factored this into the mid-year budget update for 2008/09 as well as in development of the 2009/10 budget.
9. The City benefits from several voter-approved initiatives that provide funding sources for capital improvements and City services, including the following: a 1994 measure that legalized gaming; assessments for a Landscape and Lighting Assessment District (1982); Measure C (1988) that funds transportation and growth management projects; Measure

WW (2008) that will fund acquisition and development of neighborhood, community and regional parks and recreation lands and facilities; and a 7% utility users tax. Casino San Pablo is also a significant source of revenue, with fees paid according to the 1999 Municipal Services Agreement.

10. San Pablo has two designated Redevelopment Project Areas that encompass nearly the entire area within the City's corporate boundaries. Redevelopment activity and related bond issues provide a significant source of funding for capital projects. The Agency's current focus is on development of land acquired in previous years to expand economic opportunities within the City.
11. San Pablo's Economic Development Program uses a variety of strategies to encourage short and long-term economic growth, including providing information for economic development strategies, providing assistance to attract and retain businesses, and conducting outreach activities. To further encourage economic growth, the City has a small business assistance program to provide loans at favorable interest rates.

### **Cost Avoidance Opportunities**

12. San Pablo receives comprehensive fire prevention and emergency services through the Contra Costa County Fire Protection District. The City contracts with the City of Richmond for police dispatching and records management services, and collaborates with other agencies on regional programs. This improves the cost-effectiveness of providing full service public safety services for its residents.
13. The City is collaborating with other agencies on waste management programs and partnering with the West Contra Costa Unified School District to share athletic fields and school sites for recreational purposes. This enables the City to provide a higher level of service while controlling costs.

### **Opportunities for Rate Restructuring**

14. The City's Master Fee Schedule,<sup>36</sup> including recreational fees and facility rentals, was last updated in December 2004. The schedule is posted on the City's website. The City should consider reviewing and updating the schedule to ensure fees are adequate to cover the related costs.

### **Opportunities for Shared Facilities**

15. San Pablo shares programs and facilities related to emergency services, public safety, animal control, waste management, recreation, and library services. This allows the City to provide a higher level of service to its residents and business communities.

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<sup>36</sup> City of San Pablo 2004.



## **Government Structure Options**

16. San Pablo operates as a general law city with a council/manager form of governance. There are limited opportunities for changes to the existing government structure.
17. The City's SOI includes the unincorporated area of Rollingwood and the unincorporated community of North Arlington. The City is not anticipating any annexations in these areas.
18. The City should include North Arlington within its planning area for the 2030 General Plan if the area remains within the City's SOI.

## **Evaluation of Management Efficiencies**

19. The City's adopted policies and goals are stated in public documents and provide a framework for management decisions.
20. The City should consider including service metrics within its annual budget to demonstrate performance levels.

## **Local Accountability and Governance**

21. San Pablo's City Council meetings are noticed and accessible to the public. The City maintains a comprehensive website that includes City documents and other relevant information. As an outcome of the City Council's goal setting session held in February 2009, the City is evaluating the technology requirements and cost to televise council meetings.
22. The City has established advisory boards to provide guidance and input to the City Council and to implement programs and activities consistent with City priorities. Advisory board meetings are noticed and open to the public.

## SPHERE OF INFLUENCE RECOMMENDATIONS AND DETERMINATIONS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that LAFCO review and update the SOI for each city and special district within the county not less than once every five years.

San Pablo's SOI includes the unincorporated communities of Rollingwood and a majority of North Arlington. Within the North Arlington SOI area, area generally south and east of Bayview Avenue and Harbor View Avenue is within the boundaries of the City of Richmond but not within Richmond's SOI. These boundaries divide the community. North Arlington is adjacent to Alvarado Park to the south and open space to the east and includes area that is outside the County adopted Urban Limit Line.

Current service providers for these areas are shown below:

Service	Rollingwood	North Arlington	City of Richmond area in North Arlington
Governing Body	Contra Costa County	Contra Costa County	City of Richmond
Water	EBMUD	EBMUD	EBMUD
Wastewater Collection / Treatment	West County Wastewater District	West County Wastewater District	West County Wastewater District
Fire	Contra Costa County Fire Protection District	Contra Costa County Fire Protection District	Richmond Fire Department
Police	Contra Costa County Sheriff	Contra Costa County Sheriff	Richmond Police Department
Planning / Engineering	Contra Costa County	Contra Costa County	City of Richmond
Recreation Programs	Contra Costa County and City of San Pablo	Contra Costa County and City of San Pablo	City of Richmond, Contra Costa County and City of San Pablo

In November 2008, voters within the unincorporated areas of East Richmond Heights and North Arlington did not approve Measure F, which would have established a parcel tax to provide funding for a Resident Deputy Sheriff to serve the two communities. Currently the two communities share a 24-hour a day/7-days a week patrol with the communities of Rollingwood and North Richmond. The tax was estimated at \$108 per parcel per year on single family residential properties. The measure only received 60.22% of the vote and a two-thirds approval was required.

Given the considerations addressed in this Municipal Service Review, three options are identified for the City of San Pablo SOI:

- **Retain the Existing SOI**

If LAFCO determines that the current government structure and San Pablo SOI is appropriate, then the existing SOI should be retained. This option would enable the City to continue to include areas within its SOI in its long-term planning.

- **Reduce the SOI**

If LAFCO determines that an area or community should be served by an agency other than the City of San Pablo, or if the City has no plans to annex all or a portion of that area within the foreseeable future (10-20 years), then reducing the City's SOI would be appropriate. Other options would be to remove the North Arlington area within the corporate boundaries of the City of Richmond and/or remove area that is outside the County and City adopted Urban Limit Line.

- **Expand the SOI**

If LAFCO determines that the North Arlington community should not be divided, then expanding San Pablo's SOI to include all of the developed area within North Arlington, inside the Urban Limit Line, would be appropriate. This would require removing area east of Bonita Road from Richmond's SOI.

### **Recommendation**

It is recommended that the SOI for the City of San Pablo retained for the Rollingwood community, and be adjusted as follows in North Arlington: 1) expanded to include all of the developed area of North Arlington, and 2) reduced to remove area outside the County adopted Urban Limit Line. This would require that Richmond's SOI be adjusted accordingly. The intent of an SOI is to identify the most appropriate areas for an agency's extension of services in the foreseeable future. Contra Costa LAFCO policies discourage inclusion of land in an agency's SOI if a need for services provided by the agency within a 5-10 year period cannot be demonstrated. Territory included in an agency's SOI is an indication that the probable need for service has been established, and that LAFCO has determined that the subject agency is the most logical service provider for the area.

With respect to the unincorporated community of Rollingwood, the area is receiving services through the County with some service providers serving both the community and the City of San Pablo. It is appropriate that this area remain in the City's SOI for long term planning and other municipal service issues.

For North Arlington, San Pablo would be the logical service provider for any future annexations within this SOI area. With the exception of the small portion of area within the boundaries of Richmond, the North Arlington area is surrounded by San Pablo to the east and north, and open space to the west and south. The area outside the Urban Limit Line is expected to remain undeveloped and City services would not be needed. The eastern portion of this community abuts open space and is removed from other developed areas within the corporate boundaries of the City of Richmond. The neighborhood is not directly accessible through the City of Richmond. Services such as police and fire protection would be more efficiently provided by the agencies serving the community west of Bonita Road.

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Table VI-1 – City of San Pablo

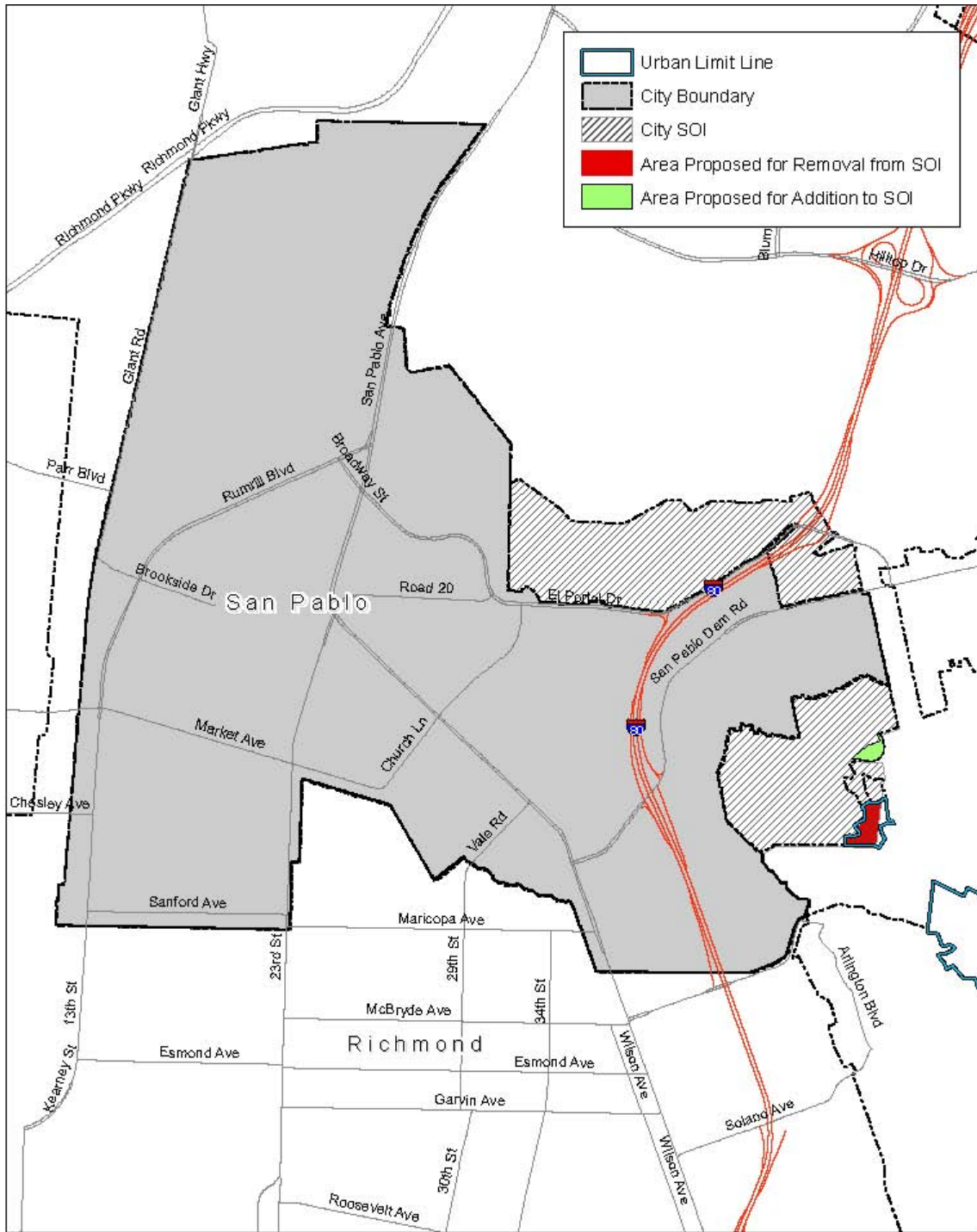
SOI Issue Analysis

Issue	Comments
SOI Update Recommendation	Retain the existing SOI for Rollingwood; expand the North Arlington SOI to include all developed area; adjust the North Arlington SOI to remove area outside the County adopted Urban Limit Line
Services provided	<p>The City provides a full range of municipal services including police, planning, engineering, parks, recreation, and maintenance. The City contracts with Contra Costa County for other public safety related services and animal control. Water and service is provided by EBMUD and wastewater collection and treatment is provided by West County Wastewater District. Library services are provided through the Contra Costa County Library system.</p> <p>As noted in the SOI service analysis table above, various agencies provide services to the unincorporated areas within San Pablo's SOI.</p>
Present and planned land uses in the area	Land uses within the City and its SOI are consistent with urban development, and are primarily residential with some commercial and institutional uses.
Potential effects on agricultural and open space lands	There are no agricultural uses within the San Pablo's SOI. The City has policies within its General Plan that seek to preserve and maintain open space.
Projected population growth in the City	Projected population growth within the City is approximately 0.2% annually. By 2035, San Pablo is projected to have a population of 33,000, a net increase of 6%.
Present and probable need for public facilities and services in the area	All areas within San Pablo's SOI are developed and currently receive municipal services.
Opportunity for infill development rather than SOI expansion	The area within San Pablo's SOI is considered built-out and future growth will result from infill development and reuse of existing sites. There are limited opportunities for SOI expansion to accommodate new development.
Service capacity and adequacy	San Pablo is meeting its performance standards for police services and is implementing a number of projects that will expand and improve recreational facilities. The City has a five-year CIP and conducts studies that guide City services and budgeting and scheduling of capital improvements. San Pablo has the capacity to continue to serve within its corporate boundaries.
The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency	San Pablo's SOI includes the unincorporated community of Rollingwood and a majority of the unincorporated community of North Arlington. The Lytton Band of Pomo Indians owns and operates the Casino San Pablo on a 9-acre site within the central portion of the City.

Table VI-1 (Continued)

Issue	Comments
Effects on other agencies	Retaining the existing Rollingwood SOI will have no effect on other agencies. Adjusting the North Arlington SOI to include all developed area will require that area east of Bonita Road be removed from Richmond's SOI. Annexation in this area would require that it be detached from Richmond.
Potential for consolidations or other reorganizations when boundaries divide communities	The current boundaries for the City of Richmond within North Arlington divide the community. All of the developed area should be within one SOI. As North Arlington is primarily bounded by San Pablo to the east and north, and open space to the west and south, San Pablo is the logical service provider.
Location of facilities, infrastructure and natural features	City facilities and infrastructure are located throughout the community. City Hall and the police station are located mid-City. The northern and eastern portions of the City have higher elevations, with 3 creeks draining westward through Richmond towards San Pablo Bay.
Willingness to serve	The City is willing to provide service to all areas within its boundaries and considers potential service to unincorporated areas within its SOI in its long-range planning.
Potential environmental impacts	There would be no environmental impacts from retaining the existing SOI for Rollingwood, expanding the North Arlington SOI to include all developed area, or adjusting the North Arlington SOI to remove area outside the County adopted Urban Limit Line

# Exhibit VI-A: City of San Pablo Sphere of Influence and Voter-Approved Urban Limit Lines



Map Date: 1/14/2010  
 By: Contra Costa County Community Development Department  
 601 Pine Street, 11th Floor, Suite 1100, Alameda, CA 94601-4606  
 415.762.1500 ext. 1206/1207

This map was created by the Contra Costa County Community Development Department - 601 Pine Street, Contra Costa County GIS Program. Some boundaries shown on this map are based on the GIS data base of the County's GIS data base. While the County is not responsible for the accuracy of the map, the County is not responsible for the accuracy of the map. This map is for informational purposes only and should not be used for any other purpose. The County is not responsible for the accuracy of the map. The County is not responsible for the accuracy of the map. The County is not responsible for the accuracy of the map.



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## VII. CROCKETT COMMUNITY SERVICES DISTRICT

### LOCATION, ADMINISTRATION, AND OPERATIONS

The Crockett Community Services District (CCSD) was formed in July 2006 through the reorganization of three agencies: Crockett Sanitary District, County Sanitation District No. 5 (Port Costa), and County Service Area P-1. CCSD serves two separate and distinct communities—Crockett and Port Costa—and is authorized to provide the following services: wastewater collection, treatment, and disposal; public recreation; street lighting; landscape maintenance; graffiti abatement; and construction and maintenance of library buildings and cooperation with other governmental agencies for library services.

Crockett is an unincorporated community situated on the southern shoreline of the Carquinez Strait, where the Sacramento River joins San Pablo Bay. It is the historic home of the C & H Sugar Company. Crockett has been an established community since the turn of the twentieth century, with residential areas, a downtown commercial district, and public schools. Crockett has a total area of approximately five square miles and has a population of approximately 3,200.<sup>1</sup>

Approximately one mile east of Crockett is the smaller unincorporated community of Port Costa, also located on the southern shore of the Carquinez Strait. This community is separated from Crockett by the Carquinez Strait Regional Shoreline Park. Port Costa was founded in 1879 as a landing for the railroad ferry Solano, owned and operated by the Central Pacific. After a railroad bridge was constructed in Martinez in 1930 to replace the ferry crossing at Port Costa, the community lost population, and, since the 1960s, it has mainly been a small shopping venue. Port Costa has a total area of approximately 0.7 square miles and has a population of approximately 232.<sup>2</sup>

The CCSD service area encompasses 1.07 square miles (686 acres), which includes the unincorporated, noncontiguous communities of Crockett and Port Costa. The CCSD's Sphere of Influence (SOI) is coterminous with its service area boundary. (Refer to Exhibit VII-A: Crockett Community Services District Sphere of Influence and Voter-Approved Urban Limit Line.)

#### **District Management**

The CCSD has a five-member governing body. Board meetings are held on the fourth Wednesday of each month. Meetings are held at the Crockett Community Center, 850 Pomona Avenue, Crockett, at 7 PM. The meeting agenda and minutes from previous meetings are posted on the CCSD website.<sup>3</sup> Board members do not receive compensation or

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<sup>1</sup> U.S. Census Bureau 2009b.

<sup>2</sup> Ibid.

<sup>3</sup> <http://www.town.crockett.ca.us>

benefits for their service. Administrative services are housed at 628 Second Avenue, Suite 206, Crockett, where the department leases office space.

The CCSD has six full-time employees and numerous temporary employees. The General Manager has the administrative authority and responsibility for the operation of the CCSD and the enforcement of all CCSD rules and regulations. The General Manager also has emergency authority as may be granted by the Board of Directors. The CCSD obtains legal services from an attorney under fee agreement with the law corporation Meyers, Nave, Riback, Silver and Wilson. The CCSD obtains engineering services from a practicing engineer under fee agreement with RMA/Engineering and Management.

There are three Commissions that serve in an advisory capacity and are appointed to oversee the three departments in the District.

### **Budget**

CCSD accounts for operations through three budgets: Crockett Sanitary Department, Port Costa Sanitary Department, and Recreation Department. The CCSD receives the majority of its revenue for operations, maintenance, and replacement and capital improvements from sewer service charges to its customers. A lesser amount is received from property taxes, which are composed of a portion of the 1% property tax assessed on parcels within the former Crockett Sanitary District. In addition, a tax of \$50 per parcel is assessed within the CCSD for parks and recreation services. Other revenue sources include grants, loans, connection charges, interest on invested reserves, cost recovery, facility rental fees, user charges, and miscellaneous fees.

The CCSD's 2008/09 budget<sup>4</sup> reflects revenues in the amount of \$2,198,869 and expenditures of \$2,761,815. The deficit will be funded from prior years' unspent money.

Projected Revenues and Expenditures for the 2008/09 fiscal year follow:

#### ***Revenues***

Crockett Sanitary Department	\$1,503,015
Port Costa Sanitary Department	\$227,862
Recreation Department	<u>\$467,992</u>
Total Revenue	\$2,198,869

#### ***Expenditures***

Crockett Sanitary Department	\$2,061,153
Port Costa Sanitary Department	\$222,632
Recreation Department	<u>\$478,030</u>
Total Expenditures	\$2,761,815
Excess of Revenue over Expense	-\$562,946

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<sup>4</sup> CCSD 2008.

The CCSD has a five-year revenue program that foresees necessary adjustments in sewer service charges. The Board has the authority to set sewer service charges as needed to provide collection system reliability and meet all regulatory requirements.

The CCSD has a loan from the State Water Resources Control Board for capital improvements on the High School Sewer Project. The loan has an interest rate of 2.4% and matures in 2021; the annual installment of principal and interest is \$7,666.49. The CCSD also has a 20-year, 2.7% State Revolving Fund loan of \$553,065, with annual payments of \$36,120.81, that matures in 2023. In the Crockett Sanitary District 2006-2007 Sewer Use Charge Study, the CCSD estimated that there were approximately \$12 million in deferred capital improvements for the collection system.<sup>5</sup> In 2007, the CCSD obtained an additional loan from the Municipal Finance Corporation in the amount of \$700,000. It has an interest rate of 4.9% and matures in 2026. Semiannual installments of principal and interest are \$27,651.07.

### Reserves

CCSD maintains reserves for the Crockett Sanitary Department. Reserve funds are designated for capital improvements. The reserve fund balance at June 30, 2008, was \$1,679,929.

Per the terms of the State loans, the CCSD must maintain a reserve fund for future expansion, improvements, and rehabilitation. The required Capital Reserve Fund must be built up at a minimum annual rate of 0.5% of the loan amount for ten years. The CCSD must replace any amounts expended at a minimum annual rate of 10%. The CCSD has a designated reserve fund for this purpose with a balance of \$63,235 as of June 30, 2008. CCSD is in compliance with the reserve requirements.

### Debt Service

The sanitary departments have considerable debt, with many outstanding loans.

## DISTRICT PLANNING BOUNDARIES AND GROWTH

### **District Boundaries**

#### District Limits

The CCSD encompasses approximately 1.07 square miles (686 acres). The CCSD is located in the towns of Crockett and Port Costa, which are unincorporated areas located northeast of the City of Hercules on the southern shoreline of the Carquinez Strait, where the Sacramento River joins San Pablo Bay. Land uses within the District are almost entirely residential.

#### Sphere of Influence

The CCSD's SOI is coterminous with its service area boundary. The CCSD's SOI and boundary extend beyond the voter-approved County Urban Limit Line in a number of places.

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<sup>5</sup> CCSD 2007.

## Population Growth

The current estimated population within CCSD's boundaries is 3,422 residents. Based on the Association of Bay Area Government's (ABAG) 2005 Census Tract Projection data, this is expected to reach 3,990 by 2030 with an average annual growth rate of 0.7%.

The County General Plan policies for Crockett act to preserve the small town atmosphere. The policies encourage development of mixed uses in the downtown area and encourage office uses to attract employment opportunities within town. The Plan identifies an approved General Plan Amendment that would allow up to 100 residential units in the area.<sup>6</sup> Other potential development would come via site-by-site projects that have not yet been proposed.

Port Costa's opportunities for development are limited. The County's General Plan created land use policies that limit additional development in the area. Commercial uses are envisioned to include only small shops on scale with neighborhood retail or specialty shops and avoid automobile-oriented uses (e.g., supermarkets, home improvement centers). The County has emphasized the importance of open space within the area, and does not currently allow for conversion of open space to residential uses. Multifamily dwellings would only be allowed in the commercial area as part of a multiuse facility.

## MUNICIPAL SERVICES

### **Wastewater Collection, Treatment, and Disposal Services**

The Municipal Services Review for wastewater services provided by Crockett was adopted in August 2008.<sup>7</sup> Sewer services in Crockett were historically provided by the Crockett Sanitary District, an independent special district formed in 1953 and governed by a five-member board of directors. The District operated a wastewater collection, treatment, and disposal system to serve the Crockett community.

In the neighboring community of Port Costa, sanitary services were provided by the County-governed Sanitation District No. 5, established in 1973. The County Public Works Department staffed this District, and the treatment plant was operated via a contract with a private company.

The Crockett Sanitary Department was established in 2006 as successor to the Crockett-Valona Sanitary District, concurrent with the formation of the CCSD. The department is overseen by an appointed Crockett Sanitary Commission. The Town of Port Costa voted in 2007 to become a full partner in the CCSD for recreation and sewer services. Sewer service is provided by the Port Costa Sanitary Commission.

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<sup>6</sup> Contra Costa County 2009.

<sup>7</sup> Dudek 2008.

The initial boundaries of the Crockett Sanitary District were fixed at formation to include the principal territory of the towns of Crockett and Valona. Four annexations later occurred, and, with the formation of the CCSD in 2006, the service area of the Crockett Sanitary Department was expanded to include all buildings in Crockett. The service area now contains a cluster of homes on Vista Del Rio (2077 and higher) and Kendall Avenue (720 and higher) that have private septic systems, along with the shoreline area that contains C & H Sugar Company, Crockett Cogeneration, and the Crockett marina.

The Crockett Sanitary Department currently provides sewage collection, treatment, and disposal service to properties inside CCSD boundaries. The Department contracts with the West County Wastewater District (WCWD) for a variety of services, including routine maintenance, repairs, and emergency response. By providing necessary manpower, equipment, and vehicles for collection system maintenance and emergency response, the WCWD has relieved the Department of the need to employ its own staff.

Development in Crockett is constrained by the Carquinez Strait to the north and the hilly topography and unstable soils of territory in the other directions, most of which is now owned by the East Bay Regional Park District and thereby removed from consideration for development. The CCSD foresees only limited infill growth and anticipates no need for expansion of its facilities.

The Department owns three properties. Two properties are located on the shoreline just west of town, where two buildings of the old treatment plant and a stormwater storage tank are still in use by the Department. The third property is the site of a tiny pump station off Loring Avenue.

The Department owns a pumping station located under the Carquinez Bridge on land leased from the State. The Department owns a minority share of the Joint Treatment Plant located on the west side of the bridge, also on land leased from the State. The wastewater outfall in the Carquinez Strait is owned solely by the Department and leased to C & H Sugar Company for use by the Joint Treatment Plant. The Department also owns nearly 16 miles of gravity sewers throughout the District along with several force mains. While most are located within public rights-of-way, several are located within private property. Consequently, the Department has acquired easement rights for such sewer mains and force mains. One easement is leased from Union Pacific Railroad for an annual fee.

### **Public Recreation Services**

Most local recreation services in Crockett, including operation of an aquatic center and park, have historically been provided by the Crockett Recreation Association, a nonprofit, private agency. In July 2006, with the formation of the CCSD, a Recreation Department was formed. The Department is managed by the Recreation Commission, which is composed of existing P-1 Committee members and Crockett Recreation Association Board members.

The Crockett Community Center, built by the C & H Sugar Company, was used by the company for events in the past and is now the venue for many local events. The facility is available for rental by private users. The County Supervisor also has a local office in the facility.

In the early 1960s, the Community Center was dedicated to a nonprofit community organization. To assist in obtaining grant funds to rehabilitate the Center, it was then dedicated to Contra Costa County in 1979. Over the years, many improvements have been made to the Center. The Community Center was then transferred from the County to the CCSD as one of the conditions of LAFCO approval of the reorganization. The ownership of the public swimming pool, tennis courts, bocce courts, Alexander Park from the Crockett Recreation Association, and a landscaped plaza in the downtown area have been transferred to the CCSD.

### **Other Services**

The CCSD is authorized to provide street lighting, landscape maintenance, and graffiti abatement. The CCSD owns and maintains 30 street lights in the downtown area. The District contracts out for landscape maintenance and graffiti abatement.

Garbage and recycling collection is provided by Richmond Sanitary Service.

### **SERVICE REVIEW DETERMINATIONS**

In anticipation of reviewing and updating the CCSD's SOI, and based on the information provided above, the following written Determinations are intended to fulfill the requirements of California Government Code, section 56430(a).<sup>8</sup>

### **Infrastructure Needs and Deficiencies**

1. The CCSD owns sewer infrastructure, as addressed in the Water and Wastewater Service Municipal Services Review for West Contra Costa County,<sup>9</sup> and owns and maintains the Crockett Community Center and swimming pool, tennis courts, bocce courts, and Alexander Park.
2. The District has started the engineering design process to replace the swimming pool plumbing and mechanical systems. Infrastructure and facilities are high quality and well maintained.

### **Growth and Population Projections for the Affected Area**

3. The CCSD will grow by an anticipated rate of less than 1% by 2030. The small size of the CCSD's boundaries, topographic constraints, and public ownership of surrounding properties leave little undeveloped open land within the CCSD's boundaries for future development.

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<sup>8</sup> This report addresses the nine determinations previously required under Government Code, section 56430. Changes to the code that became effective on January 1, 2008, now require analysis of six determinations.

<sup>9</sup> Dudek 2008.

## **Financing Constraints and Opportunities**

4. The Crockett Reorganization Plan for Service notes that the revenue projections include “sizeable” rate increases for sewer services. This was due to the increased operational costs and capital needs and not the reorganization itself. Increased service charges will ensure adequate revenues for operations and maintenance, as well as funding for debt service and major capital improvements.
5. CCSD may need to implement enhanced maintenance and pretreatment practices, as well as capital improvements, in order to comply with increasingly stringent water quality standards. Costs will be allocated to each wastewater system so that one does not bear the cost of improvements for the other area.

## **Cost Avoidance Opportunities**

6. The CCSD avoids costs related to benefits and other employee expenses by operating with limited staff; contracting with other agencies to provide operations, maintenance, and emergency response services; and sharing treatment facilities with C & H Sugar Company.
7. Elected board members receive no stipend for serving on the board.

## **Opportunities for Rate Restructuring**

8. The annual sewer service charge is collected through the property tax roll. With respect to sanitary services, the financial plan for the Crockett Reorganization states that, “Revenue from the Port Costa area will be strictly segregated for use solely in Port Costa; the same rule will apply to the Crockett revenue. Neither community will be made to subsidize the other.”
9. The CCSD has established an equitable process for assessing users and evaluating fees within each wastewater service area.
10. Fees and rates for recreation services can be adjusted according to demand, but additional parcel taxation is subject to voter approval.

## **Opportunities for Shared Facilities**

11. The CCSD shares services related to wastewater facility maintenance and treatment with C & H Sugar.

## **Government Structure Options**

12. CCSD was formed in 2006 through the reorganization of three special districts: Crockett Sanitary District, County Sanitation District No. 5 (Port Costa), and County Service Area P-1. This area was also served by the Crockett Recreation Association. The CCSD replaced all of these agencies as a public entity capable of providing local services and accountability to the voters in Crockett and Port Costa, two separate and distinct communities. The reorganization was developed through extensive public agency and community involvement, and the change in government structure was affirmed by the voters.

## Evaluation of Management Efficiencies

13. CCSD is managed by a General Manager under the oversight of an elected Board of Directors.
14. The CCSD is constantly evaluating its facility and service delivery needs and financial capacity for providing service, including maintenance and capital improvements.

## Local Accountability and Governance

15. The Directors of CCSD are elected at large by voters within the District.
16. Meeting notices and agendas are posted at least 72 hours in advance at the Crockett Community Center, the Crockett Post Office, and Port Costa. CCSD meetings are open and accessible to the public.
17. The CCSD provides some public information through the Town website. The CCSD routinely makes agendas, meeting minutes, and other service information available on the website.
18. The CCSD should consider posting financial information on its website in the future.

## SPHERE OF INFLUENCE RECOMMENDATIONS AND DETERMINATIONS

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000<sup>10</sup> requires that LAFCO review and update SOIs for each special district and city within each county not less than once every five years.

An SOI is defined by California Government Code, section 56076, as a "Plan for the probable physical boundaries and service area of a local agency, as determined by the Commission." An SOI is a planning tool used by the agency to conduct service and facility planning for areas that it intends to provide service to and annex in the future. The establishment or amendment of an SOI may take several forms. An SOI may be coterminous to an agency's boundaries, indicating that the agency is at its ultimate service configuration with no growth anticipated in the near future. An SOI may extend beyond the current boundaries of the agency, indicating that future annexations are anticipated and that the agency is the appropriate service provider for the area. An SOI may also be smaller than the agency's current boundaries, indicating that future detachments may be appropriate. Lastly, the Commission may adopt a "zero" SOI, which would indicate that a potential dissolution of the agency may be appropriate.

Given the considerations addressed in the Municipal Services Review, three options are identified for the CCSD SOI:

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<sup>10</sup> California Government Code, section 56000 et seq.



- **Retain the Existing Coterminous SOI**

If the Commission determines that the existing government structure is adequate, then the existing SOI should be retained. This option would enable the CCSD to continue to include the areas within its SOI in its long-term planning.

- **Expand the SOI larger than the current existing SOI**

This would indicate that the Commission considers that areas outside of the current boundaries would benefit from services provided by the CCSD.

- **Adopt a Zero SOI**

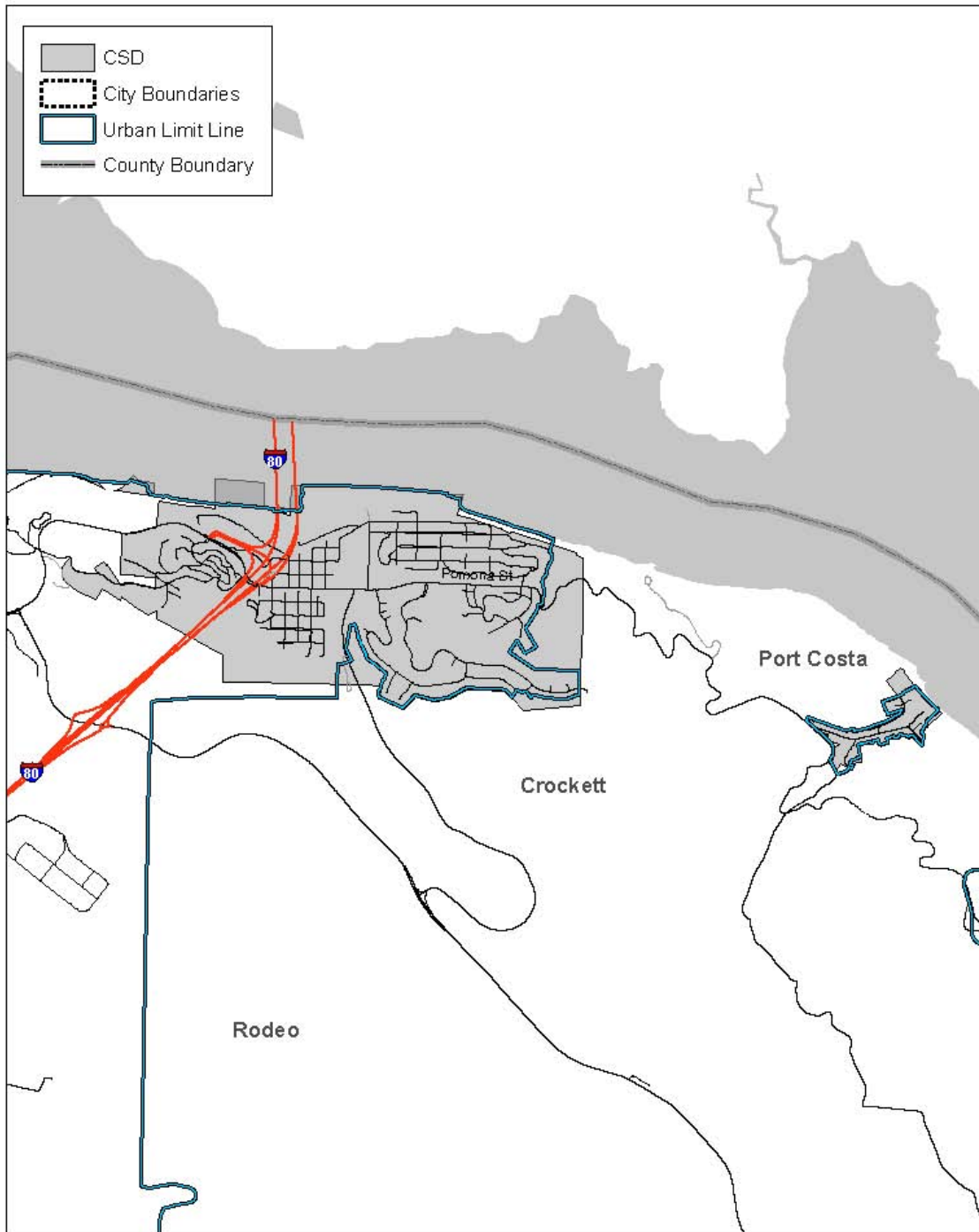
This would indicate that the Commission considers that a future dissolution of the CCSD would be appropriate.

### **Recommendations**

The SOI is contiguous with the boundaries of the CCSD. There is one residential property served by the District in Port Costa that will be required to annex to the District. It is located on the southwest boundary of the Port Costa area. Retaining the current coterminous SOI with the inclusion of the one residential property in Port Costa would be appropriate at this time.

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# Exhibit VII-A: Crockett Community Services District Sphere of Influence and Voter-Approved Urban Limit Lines



Map Date: 11/16/2009  
 By: Contra Costa County Community Development GIS Group  
 651 Pine Street, 9th Floor North Wing, Martinez, CA 94501-6806  
 2750448-5504 12270125347W

This map was created by the Contra Costa County Community Development Department as part of the Contra Costa County GIS Program. Some data on this map may be derived from the GIS Data Base of the State of California. We are not responsible for any errors or omissions in this map. The map is provided for informational purposes only. It may be reproduced in any form without the written consent of the County of Contra Costa.



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## VIII. KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

### LOCATION, ADMINISTRATION, AND OPERATIONS

The Kensington Police Protection and Community Services District (KPPCSD) provides police protection, waste collection, and park services to the unincorporated community of Kensington. KPPCSD was formed in 1946 as the Kensington Police Protection District, which was re-organized in 1953 under Government Code Section 61600 as the Kensington Community Service District. In 1955, the District, by vote of the electorate, expanded its services to include park and recreation services. In 1979, voters approved adding trash collection and disposal. In 1995, voters approved changing the name of the District to Kensington Police Protection and Community Services District.

Kensington is a special district that consists of approximately one square mile in west Contra Costa County, bordered by the cities of Berkeley, Albany, El Cerrito, and Tilden Park. The use of the land in Kensington is dictated by the hill terrain of this part of Contra Costa County. Starting at the southwest corner, with an elevation of 120 feet, the land slope increases sharply to the ridge at the northeast sector, where a peak in the Berkeley Hills is 886 feet above sea level. From nearly every point in the community, there is a dramatic view of either San Francisco Bay or the canyons of Wildcat Canyon in Tilden Park. The District is located in the community of Kensington, which is an unincorporated area located south of the City of El Cerrito. Its Sphere of Influence (SOI) is coterminous with the District's boundary. (Refer to Exhibit VIII-A: Kensington Police Protection and Community Services District Sphere of Influence and Voter-Approved Urban Limit Line.) According to the latest census, population within the District is 4,936.<sup>1</sup> Based on updated estimates, the number of residents served by the District is approximately 5,009.<sup>2</sup>

### **District Management**

The District has a five-member governing body. Board members are elected at large to staggered four-year terms. Board meetings are held monthly, on the second Thursday of the month at 7:30 p.m. The board elects one of its members to serve as Board President and one to serve as Board Vice President at the end of each calendar year. The President of the Board assigns each of the Board members to serve as Chairpersons for the various committees serving the board. The following are standing committees of the Board: Emergency Preparedness, Solid Waste Committee, and Finance Committee.

The following are Board Coordinators: Finance & Administration; Intergovernmental/External Issues; District Policies & Procedures; Public Safety Building; Park Planning & Recreation and Park Funding; and Community Outreach. There are currently no ad hoc committees.

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<sup>1</sup> U.S. Census Bureau 2009b.

<sup>2</sup> Contra Costa LAFCO 2009.

### Kensington Municipal Advisor Council

The Kensington Municipal Advisory Council (KMAC) was established in 1989 by the Contra Costa County Board of Supervisors. The Council consists of five members and an alternate who have resided in Kensington for at least five years prior to assuming office. Council members are appointed by the County Board of Supervisors upon the recommendation of the Kensington Improvement Club, the Kensington Property Owners Association, and the Kensington Municipal Advisory Council.

Most of KMAC's activities concern land use, planning, applications for variance, and conditional use permits.

### Kensington Community Council

The Kensington Community Council (KCC) is a non-profit volunteer corporation governed by a 20-member Board. The KCC runs all recreational programs under contract with the Community Services District. The KCC is funded through contributions from the community, class fees, and advertising in the "Outlook", the KCC newsletter.

Meetings of the KPPCSD are held at the Kensington Community Center, 59 Arlington Avenue. The meeting agenda, board special announcements, and online forums regarding board actions are posted on the District's website.<sup>3</sup> Board members do not receive compensation or benefits for their service.

Administrative services are housed in the Kensington Fire Protection District's (KFPD) Public Safety Building at 217 Arlington Avenue, Kensington. KPPCSD pays rent and a share of maintenance costs to the facility, which is reflected in the annual budget reports.

There are currently 12 authorized positions in the District, which include the General Manager/Chief of Police, two Police Sergeants, one detective, six patrol officers, one Police Services Aide (part time), and the District Secretary/Park Administrator (part time). The General Manager/Police Chief is the top administrator in the District and is responsible for the law enforcement function. The District Secretary/Park Administrator provides all oversight, scheduling, and contract management functions for non-police functions and provides administrative support for the law enforcement function.

With regard to customer service, issues and/or concerns may be submitted to the District Secretary via phone, email, or through the website electronic form.

The District leases its office space from the Kensington Fire Protection District. The District owns Kensington Park, which has three public buildings as well as tennis courts, basketball courts, and a children's play area.

Two of the three park buildings are in need of repair; one building needs a cosmetic upgrade, and the other needs remodeling to bring it up to building and safety codes.

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<sup>3</sup> <http://www.kensingtoncalifornia.org>

## Budget

The District's largest source of revenue is derived from property tax allocations. The District's collection of Special Tax Revenue, another source of large revenue, is restricted to police activities. The District also has a park maintenance tax. The current rate was established in 1997 after receiving voter approval in 1994. The District's 2008/09 budget projects revenues in the amount of \$2,100,426 and expenditures of \$2,533,984.<sup>4</sup>

The District's budget is segregated into nine units: Police Activities Revenue, Park and Recreation Revenue, District Activities Revenue, Police Salaries and Benefits, Other Police Expenses, Parks and Recreation Salaries and Benefits, Park and Recreation Expenses, District Expenses, and Capital Outlay.

Projected General Fund Revenue and Expenditures for the 2008/09 fiscal year follow:

### *Revenues*

Police Activities	\$2,020,426
Park and Recreation	\$55,000
District Activities	<u>\$25,000</u>
Total Revenue	\$2,100,426

### *Expenditures*

Police Salaries and Benefits	\$1,700,432
Other Police Expenses	\$256,112
Park and Recreation Salaries and Benefits	\$38,237
Park and Recreation Expenses	\$63,240
District Expenses	\$161,262
Capital Outlay	<u>\$314,700</u>
Total Expenditures	\$2,533,983
Excess of Revenue over Expense	-\$433,557

In fiscal year 2008/09, the District's primary revenues are derived from taxes (95%). With regard to expenditures, the primary expense is Police Salaries and Benefits (67%), followed by Capital Outlay (12%), and Other Police Expenses (10%).

The 2008/09 budget shows a projected loss of \$433,557 for the fiscal year. Total reserves (identified as "Fund Carryovers" in the District's Budget) are \$1,966,632. If the projected loss for the current fiscal year is realized, reserves would drop to \$1,533,075. Future allowances are made for mandated contingencies and other liabilities in the amount of \$628,928. In addition, allocated funds total \$155,947. Therefore, the total available funds net of future allowances and allocations, is \$748,199, which is approximately 30% of projected operating expenses. However, this reserve amount does not account for various liabilities, including other post-

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<sup>4</sup> KPPCSD 2008.

employment benefits (OPEB) The District's current unfunded OPEB liability is \$2.2 million. The District is currently reviewing CalPERS, PARS, and other investment options to fund this obligation.

The District's CalPERS Employer Contribution Rate for pension liability for 2008/09 is 28.77%. The District's Annual pension costs were 100% funded for fiscal years ending June 30, 2003, through June 30, 2006. The 2008/09 budget includes \$338,000 for CalPERS pension funding, including both the District's and Officers' share. The District's 2008/09 budget reflects 100% funding of both the District's and the officer's share of pension funding.

According to CalPERS,<sup>5</sup> employer contribution rates have been set through fiscal year 2010/11. But the investment return for fiscal year 2008/09 could impact public agency employer contribution rates in the 2011/12 fiscal year. CalPERS' monthly information compilation<sup>6</sup> indicates that total net returns in 2008/09 year to date (as of March 31, 2009) were -28.58%. Based on CalPERS estimates, it is anticipated that employer contribution rates for 2011/12 would increase more than 5% of payroll as result. The District has budgeted for salaries in 2008/09 in the amount of \$882,164. With the current trends, an additional 5+% would increase pension liabilities in coming years by approximately \$45,000 annually.

In 1980, the residents of Kensington approved Resolutions 80-01 and 80-02, setting into motion a proposal for a special tax and a special election for the special tax. The voters approved additional increases or separate taxes in 1984, 1993, 1994, and 1997. The 1984 residents established a special tax for police protection, and the 1997 vote established a cap on fees as follows: Single Family Residential (\$300), Multiple Unit Residential (\$450), Commercial and Industrial (\$450), Miscellaneous Improved Property (\$300), and Unimproved Property (\$90). Rates have not increased from the 1997 rates identified above.

The District acts as an agent for the Kensington Park Assessment District and collects assessments, forwards collections to bondholders, and initiates foreclosure proceedings on behalf of property owners in the District.

#### Reserves

Current revenues exceeded operational expenses for the 2007/08 fiscal year. The District's share of the EBRPD Measure WW funding is \$258,000, and the district is currently exploring options for long-term capital improvements in the park. One of the first projects that has been identified is the building of a park restroom.

The District is currently repaying a bond that was used to purchase the park.

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<sup>5</sup> CalPERS 2008.

<sup>6</sup> CalPERS 2009.



## Capital Improvement Plan

The District prepares projected revenues and expenses on a yearly basis and has factored in capital improvement projects and expected costs for each fiscal year. Thus, the proposed capital improvements are funded within the budget. Capital projects identified in the 2008/09 budget include the following: police building improvements, patrol cars, patrol car accessories, weapons/radios, station equipment, office furniture and equipment, computer equipment, park land, park building improvements, park construction fund, other park improvements and park/recreation furniture and equipment. The 2008/09 budget identified a total of \$314,700 for capital outlay, most of which (\$230,000) is attributable to park building improvements.

### DISTRICT PLANNING BOUNDARIES AND GROWTH

#### **District Boundaries**

##### District Limits

The District encompasses approximately one square mile. The District is located in west Contra Costa County, bordered by the cities of Berkeley, Albany, El Cerrito, and Tilden Park. The District serves the Kensington community, which is an unincorporated area, located south of the City of El Cerrito. Land uses within the District include primarily residential, with some commercial, open space, churches, and institutional uses. Residential areas are located throughout the District and consist primarily of single-family residences, at five to seven units per net acre. Commercial areas are located in two distinct areas, in the southwestern portion of the District on Colusa Avenue, and in the south of the District along Arlington Avenue. Open space consists of the approximately 81-acre Sunset View Cemetery facility, located in the western portion of the District. Institutional uses primarily consist of school-related facilities, including the Blake House and Botanical Garden, owned by the University of California.

##### Sphere of Influence

The District's SOI is coterminous with the District boundaries.

The Kensington community is also located within the City of El Cerrito's SOI.

#### **Population Growth**

Kensington is a special district serving primarily residential uses and two small business areas. Kensington consists of approximately 1 square mile, with approximately 5,000 residents living in the District. Significant growth is not expected, as limited vacant area is available for development within the District.

The projected population growth rate from 2008 to 2030 is 2%, which is substantially lower than the countywide projected growth of 20% over that period. Future growth is expected to consist of limited infill opportunities. There are no planned or proposed developments in the community. The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies.

## MUNICIPAL SERVICES

### **Parks and Recreation Services**

The District provides park and recreation services, including maintaining and managing park and recreational facilities and buildings. The District owns a 10-acre park, which contains three buildings used for public use, tennis courts, basketball courts, picnic areas, and a children's playground. The District contracts out for both park and facility maintenance. The District manages the grounds and facilities, as well as books rentals, at the community center. Recreation programs, which include the Kensington After School Enrichment Program and Summer Day Camp, are managed by the Kensington Community Council, a private nonprofit organization. Administrative services such as fee collection and contracts are also managed and provided by the District. The District provides one staff member (District Secretary/Park Administrator) for recreation services. Recreation programs are managed by a non-profit volunteer organization, the Kensington Community Council, and use the District's facilities.

### **Police Protection Services**

Police protection services are operated out of the KFPD Administrative office. There are currently 10 law enforcement positions funded by the District's annual budget. The District operates under Penal Code Part 2, Title 3, Chapter 4.5, and provides a full range of police services. The District provides a full-service, sworn officer police force of 10, providing 24/7 law enforcement protection to the community. The District maintains all criminal activity statistics and can provide response times upon request. The District has, in the past, conducted a customer service survey on police services. The District is currently exploring offering another customer service survey to the community.

According to the U.S. Federal Bureau of Investigation crime statistics for 2007, Kensington had four violent crimes and 126 property crimes, with a rate of 2,440 crimes per 100,000 population. Crime rates are affected by a number of factors and reflect a community's population, concentration of youth, degree of urbanization, cultural and educational characteristics, geographic location, and modes of transportation, among others. Therefore, these rates are a good measure of changed conditions within a community over time, but should not be considered as a direct evaluation of the adequacy of police services between communities.

### **Waste Management Services**

The District's General Manager oversees the contract to provide solid waste and recycling services to the District. The Solid Waste Coordinating Committee is a five-member committee consisting of representatives from the County, the District Board of Directors, the County Board of Supervisors, the contracted service provider, and the General Manager of the District. The District is currently in compliance with AB 939, the State Legislation mandate that all agencies/cities divert at least 50% of their waste stream from the landfill. The District does not provide staff for waste management services, and operations are overseen by the District Board, which is volunteer based.

Since Kensington is an unincorporated community, the County is ultimately responsible for solid waste collection and disposal. Bay View Refuse and Disposal provides waste collection and disposal service via a franchise agreement with the District. The current franchise agreement will expire in 2015.

Other municipal services within the Kensington community are provided by Contra Costa County, special districts, and other entities, including the East Bay Municipal Utility District (water), Stege Sanitary District (wastewater), and the Kensington Fire Protection District (fire and emergency medical).

#### SERVICE REVIEW DETERMINATIONS

In anticipation of reviewing and updating the KPPCSD's SOI, and based on the information provided above, the following written Determinations are intended to fulfill the requirements of California Government Code section 56430(a).<sup>7</sup>

#### **Infrastructure Needs and Deficiencies**

1. Existing infrastructure is expected to be sufficient for the next 5 to 20 years. For portions of the District's assets with a shorter useful life, there is a replacement plan in place.

#### **Growth and Population Projections for the Affected Area**

2. The District boundaries are nearly built out, with an anticipated growth rate of 2% by 2030.
3. The small size of the District's boundaries, existing approved subdivision of lands, and environmental constraints leave little undeveloped open space territory within the District's boundaries for future development.
4. Residential population growth in the KPPCSD boundary is projected to be minimal. Future growth is expected to consist of limited infill opportunities. There are no planned or proposed developments in the community. In the long-term, growth is expected to increase the population to approximately 5,123 in 2030.
5. KPPCSD does not conduct growth planning due to the built-out nature of the community.

#### **Financing Constraints and Opportunities**

6. KPPCSD has passed a deficit budget for the past three years, although actual revenues to expenses in two of the past three budget years were positive.
7. The District does not have access to new revenue streams to help offset increasing costs without asking the electorate to vote for special assessment rate increases. The rate cap for

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<sup>7</sup> This report addresses the nine determinations previously required under California Government Code section 56430. Changes to the code that became effective on January 1, 2008, now require analysis of six determinations.

the property/parcel taxes for police protection does not allow the District to increase fees as it realizes increases in costs for service.

8. Cost for service provision is increasing and is projected to exceed revenues generated annually. Shortfalls are being made up using long-term budgetary reserves.
9. In the future, the District may have to reduce service delivery to stay within revenues. Other options that the District is exploring include a parcel tax increase, contracting out for services, or a possible merger with the Fire District.

### **Cost Avoidance Opportunities**

10. KPPCSD leases space from the Kensington Fire Protection District.
11. Elected board members receive no stipend for serving on the board.

### **Opportunities for Rate Restructuring**

12. The District charges fees for park and facility rental activities, and assesses franchise fees for solid waste services, which can be adjusted to a limited extent. The District has not had a police tax increase since 1997, when the tax was increased to \$300.00 per household. The District is currently examining the feasibility of increasing the police tax and/or increasing the park maintenance assessment. The District is also looking at the possibility of raising fees for park facility rentals.

### **Opportunities for Shared Facilities**

13. KPPCSD leases space from the KFPD and allows the Kensington Community Council to run recreation programs from its facilities.

### **Government Structure Options**

14. KPPCSD does not have many options to increase its revenues, other than special assessment increases or new assessments. Annexation into the City of El Cerrito could provide further options for maintaining future levels of service in light of the District's revenue constraints. There are no services provided to the District by the City of El Cerrito other than those services contracted for by the Kensington Fire Protection District. The Kensington community is within the City of El Cerrito's SOI.
15. Consolidation of KFPD with the KPPCSD is an option identified in the Fire and Emergency Medical Service Providers MSR.<sup>8</sup> KPPCSD's boundary area includes all of the KFPD boundary area, as well as the EBMUD reservoir, which is outside of the KFPD boundary, but inside the KPPCSD boundary. KPPCSD could exercise its latent power to provide fire protection services.

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<sup>8</sup> Burr Consulting 2009.

16. Consolidation of KFPD with KPPCSD could streamline local government, and offer cost saving opportunities to the community by providing more options on allocating public safety funds.

### **Evaluation of Management Efficiencies**

17. The District utilizes its very small staff efficiently by combining job titles and job functions. Recreation services are supplemented by volunteer services.

18. The District is considering service alternatives, including contracting for law enforcement services to the City of El Cerrito, which could provide greater efficiencies in delivery of law enforcement services to the community.

### **Local Accountability and Governance**

19. The District provides opportunities for citizens to attend meetings and access to information via the District's website.

### **SPHERE OF INFLUENCE RECOMMENDATIONS AND DETERMINATIONS**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000<sup>9</sup> requires that LAFCO review and update SOIs for each special district and city within each county not less than once every five years.

An SOI is defined by Government Code section 56076 as a "Plan for the probable physical boundaries and service area of a local agency, as determined by the Commission." An SOI is a planning tool used by the agency to conduct service and facility planning for areas that it intends to provide service to and annex in the future. The establishment or amendment of an SOI may take several forms. An SOI may be coterminous to an agency's boundaries, indicating that the agency is at its ultimate service configuration with no growth anticipated in the near future. An SOI may extend beyond the current boundaries of the agency, indicating that future annexations are anticipated and that the agency is the appropriate service provider for the area. An SOI may also be smaller than the agency's current boundaries, indicating that future detachments may be appropriate. Lastly, the Commission may adopt a "zero" SOI, which would indicate that a potential dissolution of the agency may be appropriate.

Given the considerations addressed in this Municipal Services Review, three options are identified for the KPPCSD SOI:

- **Retain the Existing Coterminous SOI**

If the Commission determines that the existing government structure is adequate, then the existing SOI should be retained.

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<sup>9</sup> California Government Code, section 56000 et seq.

- **Expand the SOI larger than the current existing SOI**

This would indicate that the Commission considers that areas outside of the current boundaries would benefit from services provided by the District.

- **Adopt a Zero SOI**

This would indicate that the Commission considers that a future dissolution of the District would be appropriate.

## **Recommendations**

The SOI is contiguous with the boundaries of the District. Retaining the current coterminous SOI would be appropriate at this time.

The Fire and Emergency Medical Service Providers MSR<sup>10</sup> identified consolidation of KFPD with the KPPCSD as an option. KPPCSD is organized under a principal act that would enable LAFCO to authorize the CSD to provide fire protection services. Consolidation would offer opportunities to the community in exercising greater control over the share of local property tax dollars spent on fire, emergency medical services, law enforcement, and other services. Consolidation of KFPD with KPPCSD could streamline local government, and offer more options on allocating public safety funds within the community.

The KFPD is opposed to consolidation with the KPPCSD.<sup>11</sup>

In the April 22, 2009, hearing regarding the KFPD (and in a memo dated April 21, 2009, from Silvano Marchesi to the Commission<sup>12</sup>), LAFCO Legal Counsel provided a preliminary conclusion that it is likely that the property tax collected by the KFPD would be transferred to the KPPCSD, should those districts be combined. Further, that if the KPPCSD were to begin providing fire protection services after such a combination, its KPPCSD Board of Directors probably would have the authority to allocate those transferred revenues in its sole discretion. Restriction of the use of such revenues exclusively for fire protection purposes might be accomplished by the formation of a zone within the CSD or by special legislation.

It would also be an appropriate recommendation, given the available information on the District, for the District to explore future contracts for service provision by other agencies; for instance, contracting police services to the City of El Cerrito.

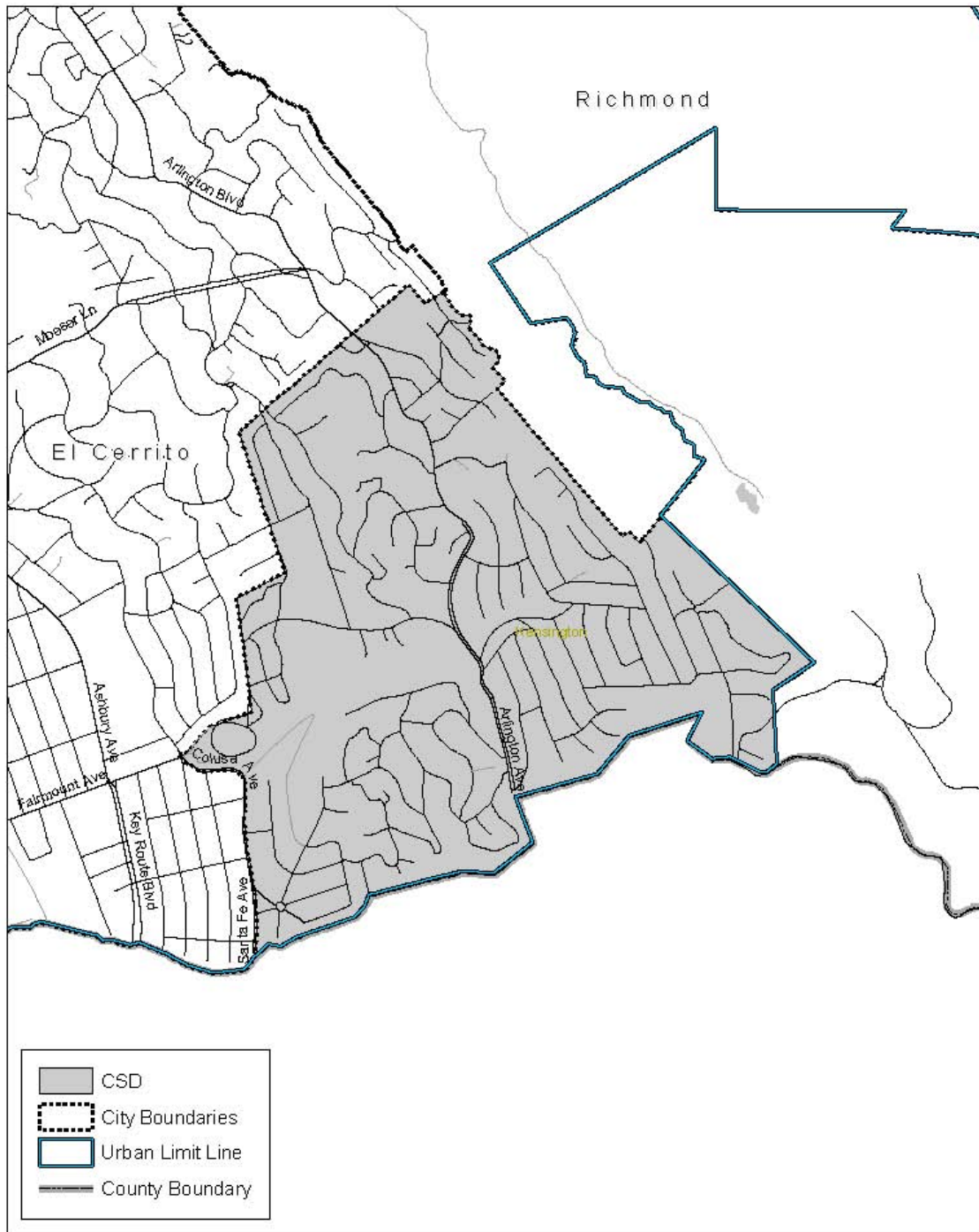
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<sup>10</sup> Burr Consulting 2009.

<sup>11</sup> Bakker 2009.

<sup>12</sup> Marchesi 2009.

# Exhibit VIII-A: Kensington Police Protection and Community Service District Sphere of Influence and Voter-Approved Urban Limit Line



Map scale: 1:60,000  
 By Contra Costa County Community Development, GIS Group  
 601 Pine Street, Third Floor, Walnut Creek, CA 94595-0005  
 PDS0482504 12/28/2009 10:44 AM

This map was created by the Contra Costa County Community Development Department as part of the Contra Costa County Community Development Program. Some data, primarily the Urban Limit Line, is the property of the State of California and is provided to the County under license. The County assumes no responsibility for its accuracy. This map and the information it contains may be used for any purpose. The map and the information it contains may be used for any purpose. The map and the information it contains may be used for any purpose.



0 0.125 0.25 Miles



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## IX. ORGANIZATIONS AND PERSONS CONTACTED

Table IX-1

### Agency Contacts

Agency	Contact Name	Title
Crockett CSD	Kent Peterson	General Manager
El Cerrito	Scott Hanin	City Manager
Hercules	Nelson E. Oliva	City Manager
Kensington	Greg Harman	Police Chief/General Manager
Pinole	Belinda B. Espinosa	City Manager
Richmond	Bill Lindsay	City Manager
San Pablo	Brock T. Arner	City Manager
	Mr. Kelsey Wrothy	Acting City Manager through 8/17

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- California Government Code, section 56000 et seq. Title 5: Local Agencies; Division 3: Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
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