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Mailing Address

1901 Olympic Blvd., # 220
Walnut Creek, CA 94596
Tel: (925) 947-3535
Fax: (925) 947-0642

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www.savemountdiablo.org

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July 6, 2010

July 14, 2010
Agenda Item 17

Martin B. McNair, Chair
Local Agency Formation Commission
651 Pine Street, 6th Floor
Martinez, CA 94553

Re: LAFCO representatives & Measure F campaign in Brentwood

Chairman McNair,

The Local Agency Formation Commission makes important decisions which often involve the sensitive situation of choosing one agency's position over another. An overriding principle of LAFCO is that it's a neutral party. It doesn't take a stand on an issue until it comes before the commission for a decision. Those who are aware of LAFCO see it as having the same role as a judge.

Brentwood Measure F

Over the past two months, three LAFCO commissioners abandoned their role as neutral arbiters of issues before LAFCO, and misused their titles as LAFCO commissioners in order to influence an election campaign involving boundary issues. They consciously chose to present themselves as LAFCO spokespeople and commented, purportedly in that capacity, on LAFCO policy related to those issues. Not only were these issues not before LAFCO, but these three commissioners had not been designated to speak on LAFCO's behalf.

On May 6, 2010 the Brentwood Press published a letter by LAFCO commissioners Helen Allen and Rob Schroder regarding Measure F, a developer initiative to expand Brentwood's Urban Limit Line.

In the published letter, which I've attached, Allen and Schroder stated that they represented Contra Costa's 19 cities as the Mayors' Conference representatives, and signed their letter as LAFCO Commissioners.

In their letter Allen and Schroder made veiled threats to the residents of Brentwood stating that, if residents didn't approve Measure F, LAFCO could remove the area from Brentwood's Sphere of Influence and direct it to Antioch—even though the matter was not before LAFCO, and Antioch had no interest in the Measure F area. In fact, Antioch and Brentwood have had agreement that Brentwood would control future development of the Measure F area since signing a 1992 Memorandum of Understanding which is included and referenced in both of their General Plans.

Later, in May 30 and June 4 newspaper columns by Lisa Vordebrueggen of the Contra Costa Times, Allen is quoted as saying that she asked Schroder to sign the letter and then sent the letter on to Measure F spokesman Tom Koch.

"Allen says she wrote the letter after "people started calling me and asking me, 'What would LAFCO do if this happened or that happened?' People don't understand the LAFCO process, so I wanted to spell it out in a clear and simple way." She "asked Schroder to sign it and then sent the letter on to Measure F spokesman Tom Koch."

Dwight Meadows, another LAFCO commissioner, had a letter published in the next issue of the Brentwood Press (also attached) in which he agreed with Allen and Schroder and commented on Measure F, signing as a LAFCO commissioner.

On May 25, Seth Adams, Save Mount Diablo's Director of Land Programs, spoke to you in your capacity as LAFCO chairman and reported that you said *'I'm upset and disappointed by the letters of the three LAFCO members. They were entirely out of line and they do not represent official LAFCO policy.'* But you did not comment on Measure F.

Then, on June 3, the Brentwood Press published an article in which LAFCO Vice-Chairman David Piepho commented that (paraphrased by the Press): *"Allen and Schroder were right in using their LAFCO titles, even though they were not speaking for the commission as a whole." The Press quoted Piepho as saying "That's a responsibility they have – to identify themselves," Piepho said. The Allen/Schroder letter did not advocate a vote one way or another, he said, it just laid out "the reality of the process."*

In fact, the responsibility they had was to make clear that they were not speaking for the commission, when the issue was not before LAFCO, and when they had not been designated by LAFCO to do so. As a result they will not now be able to exercise independent, unbiased judgment in the event the issue does come before LAFCO.

The Press also said that you, Martin McNair, as chairman said that it was the use of LAFCO's name, not the contents of the letter, to which you objected.

Allen, Schroder and Meadows were not designated by CCC LAFCO as Spokespersons on the particular matter of Measure F

According to Section 1.4 (Rule and Procedures) of the Contra Costa County LAFCO Commissioner Handbook:

F.3 - "The Commission may, from time to time, designate a spokesperson to represent the Commission on a particular matter."

And

F.4 - "From time to time, Commission members and alternates may participate in community activities, committees, events and task forces. Unless specifically authorized by the Commission, when a Commission member or alternate participates in such activities, the member or alternate is acting as an interested party rather than acting on behalf of the Commission. Acting or participating on behalf of the Commission is limited to those instances when the Commission has formally designated the Commission members or alternate as its representative for the matter. "

As far as we know, LAFCO did not designate a commissioner to represent LAFCO in regard to Measure F.

Measure F campaign

The Measure F campaign (see attached materials) made the imagined threat of Antioch seizing the Measure F area, made by Allen and Schroder in their letter, the centerpiece of their campaign, even though Antioch had expressed no interest in the area. In fact, the two cities have been in agreement that Brentwood would control future development of the Measure F area since signing a 1992 Memorandum of Understanding which is included and referenced in both of their General Plans.

The suggestion of an Antioch annexation came from the Measure F campaign and from the statements of LAFCO commissioners. The threat was used in at least 12 mailers and full page ads in the Brentwood Press, robocalls, etc. It was the dominant issue in the campaign.

According to campaign literature, "LAFCO's seven commissioners would decide if Antioch can annex this area. Five commissioners have stated that Antioch could take the area when Antioch's voters say yes if Brentwood's voters say no."

LAFCO enabling legislation

LAFCO's responsibilities are defined by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, which creates the Commission, mandates its activities and grants it legal authority.

LAFCO meetings are subject to The Ralph M. Brown Open Meeting Law; the Commission is supposed to conduct its business in public and under specific standards.

LAFCOs are subject to the California Environmental Quality Act (CEQA), State environmental policies, procedures, and public participation rules in environmental matters.

Allen and Schroder stated that they were simply outlining the LAFCO process, but neither they nor Meadows outlined LAFCO procedures. Instead they expressed the likely direction that the Commission would take in a specific instance.

They did this although no agency had requested the information, there was no application, the issue was not before LAFCO, there was no public notice of Commission consideration, they had not reviewed analysis or staff recommendations, and they had not conducted or been a part of public hearings investigating the issue. Their letter created a predisposition to judgment by LAFCO on this issue.

Meanwhile Allen, Schroder, and Meadows indicated LAFCO concurrence, or agreement, on the Measure F issue. When Piepho suggested that they were right in using their LAFCO titles on the issue and in suggesting that the outcome they had suggested was reality, he suggested further concurrence constituting both a decision-making quorum, and the elements of a serial meeting aided by technological and print means, both of which violate at least the spirit of the Brown Open Meeting Law.

Commissioners Did Not Object To Use Of Their Names and Titles in Measure F Campaign

Comments about Measure F by Allen, Schroder and Meadows were widely distributed by the Measure F campaign; it suggested that five LAFCO commissioners were in agreement about the Antioch threat.

While the commissioners could not control what the Measure F campaign did, their failure to object to the use of their names, titles and statements raises the issue of complicity with the campaign, and further intent to influence Brentwood voters about Measure F.

Save Mount Diablo raised the issue of misrepresentation at the June 3 Mayors' Conference meeting, which was attended by both Allen and Schroder. Afterward, neither Allen nor Schroder made any attempt to stop use of their names and titles in the Measure F campaign, further compounding their violation of LAFCO policy requiring official designation as spokes persons.

Mayors' Conference Reprimand, Apologies by Allen and Schroder

On June 3, Save Mount Diablo requested action by the Mayors' Conference, which elects city members of LAFCO, in regard to Allen and Schroder's involvement with the Measure F campaign.

On July 1, the Mayors Conference Executive Committee considered the matter. Several members expressed their disbelief at the actions of the two, and at suggestions that they did not understand what they were doing when they provided the Measure F campaign with their letter.

In addition to recommending a tightening of Mayors' Conference procedures to prohibit statements by individuals that claim to represent the Mayors' Conference or Contra Costa's 19 cities, the Executive Committee also recommended a reprimand by the full conference of Allen and Schroder, each of whom 'apologized' that evening before the full conference for their actions.

We question the sincerity of the apologies for several reasons:

- Both Allen and Schroder parsed their statements to suggest that they were apologizing for suggesting that their actions were endorsed by the Mayors' Conference, but neglected to address that they also wrongly suggested that they represented LAFCO when they had not been designated to do so and when LAFCO had not considered Measure F.
- Allen suggested she was responding to inquiries about process but never said who the inquiries were from, why she didn't refer them to LAFCO staff, or how that led her to deliver their letter to Tom Koch, the campaign consultant for Measure F. In reality, many people assume that Koch wrote the letter, since his campaign strategy hinged on the same issues from the very beginning.
- At the meeting and in media reports, Schroder suggested that because Measure F failed, their statements didn't matter. This suggests that unethical behavior is only unethical if it's successful when in fact it can set precedents and be repeated regardless of the outcome. Both the forest and the tree, the spirit and the letter, matter: intent matters and unethical actions are unethical regardless of whether they're successful or someone objects. He also told the Martinez Gazette 'that the brouhaha over the letter was blown out of proportion'.

That evening there was also a motion to remove the two as LAFCO commissioners that failed to receive a majority. Rather than acknowledging the seriousness of the Mayors' Conference measures that did pass, including a reprimand by the group and direction to tighten policies so

that the situation would not be repeated, Schroder incorrectly referred to the one motion which failed, as being "reaffirmed."

Conclusion

LAFCO representatives need to be objective and unbiased in their evaluations and determinations. In this case, they were neither. Allen, Schroder and Meadows improperly injected themselves into the political process for one city, about an issue that was not before LAFCO. Their actions had a profound effect on the message of the Measure F debate, and far worse, their actions pitted one agency against another, in this case Brentwood and Antioch.

Save Mount Diablo believes that Commissioners Allen, Schroder and Meadows attempted to aid the Measure F campaign by their actions. They have misrepresented and misused their authority, in violation of existing LAFCO policies. They have behaved in an unethical manner. They have violated the public trust.

Further, they have created an apparent conflict of interest in regard to consideration of future boundary applications and choices in the area between Antioch and Brentwood, by expressing an opinion on issues that were not properly before them.

According to Section 1.2 (Membership) of the LAFCO Commissioner Handbook:

6 – Removal of Members

"Any member may be removed at any time and without cause by the body appointing that member." ... LAFCO can also recommend removal of a member for a variety of reasons including: "Malfeasance of office."

In other words, Allen, Schroder, and Meadows can be removed for representing the Commission or Commission policies without the authority to do so.

Recommendation

In considering these issues of misuse of authority and misrepresentation of LAFCO, as well as future consideration of boundary issues between Brentwood and Antioch, Save Mount Diablo believes that:

- LAFCO should investigate these issues of misconduct.
- LAFCO should reprimand Allen, Schroder and Meadows.
- In regard to boundary issues between Brentwood and Antioch, LAFCO should note that Allen, Schroder and Meadows, at the very least, have demonstrated bias, and should be excused from consideration of these issues in the future.
- All commissioners should be made aware of LAFCO policies related to the authority to speak on LAFCO's behalf.
- LAFCO should tighten and amplify its policies and procedures to avoid such situations in the future.

Thank you.

Sincerely,



Ron Brown, Executive Director
Save Mount Diablo

CONTRA COSTA TIMES

ContraCostaTimes.com

Mayors' Conference reprimands members over letter

By Rick Radin
Contra Costa Times

Posted: 07/01/2010 06:12:51 PM PDT

Updated: 07/02/2010 05:49:33 PM PDT

PINOLE — The Contra Costa County Mayors' Conference this week expressed disappointment with its appointees to the agency that oversees governmental boundaries for a letter they wrote about an urban limit line initiative in Brentwood.

The conference, consisting of representatives from the county's 19 cities and towns, also agreed to make clear in its bylaws that members cannot use the conference's name without its express consent in situations where their views might be taken as positions on political issues.

But representatives rejected a motion to remove the letter's authors, Martinez Mayor Rob Schroder and Concord Councilwoman Helen Allen, from the Local Agency Formation Commission.

Supporters of Measure F used the letter in their campaign. The measure would have created a new, larger urban limit line and opened the door for Brentwood to annex 740 acres west of the city and south of Antioch.

Potential developers of the land backed the measure, which lost on June 8 by 15 percentage points.

The first sentence of the May 6 letter that ran in a Brentwood newspaper reads, "We represent Contra Costa's 19 cities as the Mayors' Conference representatives on the Local Agency Formation Commission."

The letter warned that if Brentwood voters rejected Measure F, the formation agency might have no alternative but to allow Antioch to move the land into its sphere of influence.

Neither the conference nor the commission endorsed the letter.

"It was wrong that they identified themselves as representatives of the Mayors' Conference," said Danville Councilman Newell Americh, a member of the conference's executive board. "We're all smart enough to know not to do this."

Allen told the conference that she submitted the letter in response to questions she had received from East County residents about the role of the formation commission in determining spheres of influence and annexation rights of cities.

Measure F backers jumped on the letter with an ad campaign that raised the specter of Brentwood voters having no say over how land adjacent to its city limits is developed, she said.

"In my letter, I simply tried to explain the LAFCO process, and I believe that the content of the letter is accurate," Allen said. "I never took a position on Measure F, and had no control over what the letter was used for."

Schroder said his intent was simply to clarify the

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formation commission process.

"I did not intend to have it be a campaign document," he said. "Measure F lost, therefore it's irrelevant."

The conference rejected a motion to remove them by Pinole Mayor Debbie Long by a 12-4 vote, with Brentwood Mayor Robert Taylor abstaining.

Representatives of the environmental group that complained to the conference about the letter were unhappy that Allen and Schroder will remain on the formation commission board.

"They improperly injected themselves into the politics of two cities and pitted them against each other," said Ron Brown, the executive director of Walnut Creek-based Save Mount Diablo. "(The Mayors' Conference) should send a message that they value and respect moral and ethical behavior by replacing them with new representatives."

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Contra Costa mayors take Schroder to task

Mayor Schroder escapes expulsion from LAFCO following 12 to 4 vote

By

Staff Reporter

July 4, 2010



Mayor Rob Schroder came close to being expelled from LAFCO by the Contra Costa County Mayor's Conference on Thursday evening after he was chastised for what Pinole Mayor Debbie Long described as violations of the Brown Act. Long contended Schroder and Concord City Councilmember Helen Allen, another LAFCO appointee, used their position in an attempt to influence the outcome of a local election.

"The whole incident was unfortunate," Schroder told the *Gazette*.

Schroder is one of three Contra Costa City Council members elected by the Mayor's Conference to serve as city representatives to LAFCO, or the Contra Costa Local Area Formation Commission, the county agency with a mission of "discouraging urban sprawl and encouraging the orderly formation and development of local agencies based on local circumstances and conditions," according to LAFCO.

In the weeks leading up to the June primary election, Schroder and Allen signed their names to a letter to the Brentwood Press editor, which Schroder said Allen wrote. The letter, published in the May 6 Brentwood Press edition, claimed Schroder and Allen were representing the County's 19 cities in issuing an implicit ultimatum to Brentwood voters to approve an initiative, backed by developers, of a proposed massive housing project on land that straddles Antioch and Brentwood.

If the initiative, Measure F, failed, said Schroder and Allen in the letter, "LAFCO could reconsider its intention to direct this land to Brentwood by amending the city's sphere of influence." Instead, they warned, LAFCO could "remove land from city spheres once it is clear that such areas are either no longer appropriate for annexation ... or that the voters have rejected it," and make the land part of Antioch.

The apparent threat was that Brentwood would lose out on an increased property tax base. Campaign literature distributed to Brentwood residents prior to the election claimed if Measure F passed, "neither the County nor Antioch will control the area ... annual surplus to Brentwood budget of \$800,000 ... \$27 million to fix Balfour Road and extend American Avenue," and other supposed benefits to Brentwood residents.

However, an analysis by the nonprofit Save Mount Diablo states, "Measure F developers don't want to be part of Antioch ... A Brentwood address is worth more to them, on the order of \$50,000 – \$100,000 per house and providing services is cheaper."

Schroder told the *Gazette* on June 10 that he had "no opinion one way or another on Measure F," and that the brouhaha over the letter was blown out of proportion. On Friday Schroder stated if he had know the letter was going to be used by Measure F campaign manager Tom Koch, "I wouldn't have signed it," he said.

Ron Brown, executive director of Save Mount Diablo, was instrumental in bringing the controversial letter to the attention of the Mayor's Conference. Brown explained why the group was in opposition to Measure F saying, "developers and landowners placed Measure F on the June 2010 ballot to try to break and expand Brentwood's voter-approved Urban Limit Line (which was just approved in 2006). Brentwood residents rejected an expanded Urban Limit Line in 2005 (Measure L) and voted in 2006 for a tighter

one. In June 2010, developers tried to expand the line again, at a time when there is no need for more housing. Measure F would allow 1,300 new houses on 740 acres of agricultural land in Brentwood's western hills, south of Balfour Road and between Mountain View Drive and Deer Valley Road."

At Thursday's Mayor's Conference meeting at the Pinole Senior Center, Mayor Long motioned for the dismissal of Schroder and Allen as LAFCO representatives. However, a vote among members on the issue resulted in 12 members rejecting the motion and four in favor. Brentwood mayor Robert Taylor abstained from voting.

"I'm pleased we've been reaffirmed with 12 positive votes," Schroder commented Friday. "I find it interesting that the four no votes were West County votes." Asked why, he speculated that the West County mayors wanted representation for themselves on LAFCO.

Martinez resident and Democratic Party County Central Committee member Rich Verrilli attended the Mayor's Conference meeting and expressed disappointment on Friday for the mere slap on the wrist allowed for Schroder and Allen.

"My assumption is that these are all elected officials and they were essentially giving a break to two of their own with the thought in the future they might be in a similar position," said Verrilli. "My opinion is that [Schroder's contention that he was unaware of the ramifications of the letter] it's a strategy. [Schroder and Allen] had an agenda and fully well knew when they wrote that letter it was going to be used [in an attempt] to pass Measure F."

News

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1901 Olympic Blvd., # 220
Walnut Creek, CA 94596
Tel: (925) 947-3535
Fax: (925) 947-0642

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BAY AREA OPEN SPACE COUNCIL

June 15, 2010

Don Blubaugh, Executive Director
Contra Costa Mayors' Conference
1839 Ygnacio Valley Rd., #370
Walnut Creek, CA 94598

Re: Mayors Conference Representatives on LAFCO

Dear Mr. Blubaugh

As we stated in our comments and letter of June 3, 2010, the Mayors' Conference elects three members to LAFCO, the Local Agency Formation Commission. Currently they are Helen Allen, Rob Schroder, and alternate Don Tatzin.

In May, Allen and Schroder sent a Letter to the Brentwood Press regarding Measure F, a developer initiative to expand Brentwood's Urban Limit Line.

In the published letter Allen and Schroder stated that they represent Contra Costa's 19 cities as the Mayors' Conference representatives, and signed their letter as LAFCO Commissioners.

Allen and Schroder made veiled threats to the residents of Brentwood that, if residents didn't approve Measure F, LAFCO could remove the area from Brentwood's Sphere of Influence and direct it to Antioch. Allen and Schroder's letter was widely reproduced by the Measure F campaign as a reason to vote for their Measure. It was used as justification for many campaign pieces.

I'm forwarding some of those campaign materials as background information related to Save Mount Diablo's June 3 letter. Our original letter and our analysis of why Antioch was never a serious threat are also attached.

Developers Measure F "YES" Campaign

Tom Koch and the Measure F developers and landowners made the threat of Antioch the centerpiece of their campaign. From the beginning they used map graphics showing "big brown" Antioch looming over "little green" Brentwood as a supposed threat. This threat was used even though the developers had never approached Antioch; Antioch has no interest in the Measure F area; the two cities have a signed 1992 MOU included in both of their General Plans that agrees that, should the Measure F area be developed in the future, it would be developed by Brentwood; and the area is Brentwood's Sphere of Influence.

Koch used the comments of LAFCO members starting with Allen and Schroder as the crux of that imagined threat. Neither Antioch, nor LAFCO has made any official statement about Measure F. Neither has been approached by the Measure F developers. There is neither an application nor even a letter expressing interest in Antioch annexing the Measure F before Antioch or LAFCO.

Koch sent Brentwood voters 16 or 17 mail pieces, a door hanger, and published full page ads every week in the Brentwood Press. He utilized many slate cards, did robocalls, and even sent a last minute and fraudulent e-mail claiming to be from County Assessor Gus Kramer. Many of these materials centered on the Antioch "threat" and used LAFCO commissioner statements as their foundation.

Many of these pieces reached residents after our complaint to the Mayors' Conference. Neither Allen nor Schroder stopped the Measure F campaign from continuing to make the threat or from using their names and titles.

Conclusion

Helen Allen and Rob Schroder's involvement in the Measure F campaign, while claiming to represent the Mayors Conference and LAFCO, was an abuse of power. Your appointees have broken the public trust. They haven't represented cities well. They attempted to scare Brentwood residents and pit one city against another. They made misstatements and misrepresentations about their roles and claimed to represent LAFCO and the Mayors' Conference when they didn't have the authority to do so. We believe that they created both a real and a perceived conflict of interest in regard to Brentwood and Antioch LAFCO issues.

This is the first time that we're aware of that LAFCO commissioners have participated in a campaign in this manner. If the issue is not addressed with significant action, it will be repeated in the future.

According to LAFCO rules: *"Any member may be removed at any time and without cause by the body appointing that member."*

Even after bringing these issues up to the Mayors Conference, and now a full six weeks after their letter in the Brentwood Press, we have seen no formal apology from your LAFCO appointees for their actions in support of the Measure F campaign. More importantly, neither did the citizens of Brentwood. The Measure F campaign continued to make the threat on their website, in several mailers the last weekend of the campaign, in robocalls and in the fraudulent Gus Kramer e-mail the night before the election.

Finally, it's well known to most of the county that Helen Allen doesn't even live in Concord but has a primary residence in Sacramento and spends much of her time there. Elected officials and others have closed their eyes to this situation for too long.

We would appreciate consideration of this matter by the Mayors Conference. We would appreciate a response. We would also appreciate it if you would distribute these materials to the members of the Mayors Conference.

Sincerely,



Ron Brown, Executive Director
Save Mount Diablo

Cc: Members, LAFCO



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June 3, 2010

Don Blubaugh, Executive Director
Contra Costa Mayors' Conference
1639 Ygnacio Valley Rd., #370
Walnut Creek, CA 94598

Re: Mayors Conference Representatives on LAFCO

Members of the Mayors' Conference,

The Mayors' Conference elects three members to LAFCO, the Local Agency Formation Commission. Currently they are Helen Allen, Rob Schroder, and alternate Don Tatzin.

Last month Allen and Schroder sent a Letter to the Brentwood Press regarding Measure F, a developer initiative to expand Brentwood's Urban Limit Line, to rewrite a section of its General Plan and to approve a development agreement locking in a 1300-unit project. Brentwood voters have twice voted to locate the Measure F area outside of the Urban Limit Line.

The developers are doing everything they can to distract from the fact that more development will further depress Brentwood property values in an already devastated market and that their entire campaign is \$279,000 in developer campaign contributions, as of last week's reporting through May 22, 2010.

In the published letter, which I've attached, Allen and Schroder stated that they represent Contra Costa's 19 cities as the Mayors' Conference representatives, and signed their letter as LAFCO Commissioners. Dwight Meadows, another LAFCO commissioner, had a letter published in the next issue of the Brentwood Press agreeing with them.

Allen and Schroder made veiled threats to the residents of Brentwood that, if residents don't approve Measure F, LAFCO could remove the area from Brentwood's Sphere of Influence and direct it to Antioch. Allen and Schroder's letter has been widely reproduced by the Measure F campaign as a reason to vote for their Measure. It was used as justification for another mailer that hit the streets today.

LAFCO's statutory purposes include discouraging urban sprawl, preserving open space and prime agricultural lands. Urban Limit Lines are meant to protect agricultural and open space lands.

Brentwood and Antioch have a Memorandum of Agreement, included in both of their General Plans, that if the Measure F area is ever developed it will be controlled by Brentwood. The area is in Brentwood's Sphere. It is separated by almost two miles

of undeveloped land from the current edge of Antioch development. It would be served by Brentwood services.

Allen and Schroder appear to have violated LAFCO rules which require formal designation to represent the Commission or to act as its spokesperson, and LAFCO has not been and is not contemplating any of the changes they suggested. Martin McNair, the Chairman of LAFCO, told us and allowed us to make public his sentiments, quote: *"I'm upset and disappointed by the letters of the three LAFCO members. They were entirely out of line and they do not represent official LAFCO policy."* We called Antioch officials, who confirmed that their city has no interest in the Measure F area. They told us no member of the press or landowner in the affected area had called them to investigate these issues.

Lisa Vordebrueggen, Contra Costa Times political columnist, published her discussion with Allen and Schroder. Quote: *"Allen says she wrote the letter after "people started calling me and asking me, 'What would LAFCO do if this happened or that happened?' People don't understand the LAFCO process, so I wanted to spell it out in a clear and simple way."* She *"asked Schroder to sign it and then sent the letter on to Measure F spokesman Tom Koch. "As far as I was concerned, I was simply outlining the LAFCO process," Schroder said. "I had no idea it was so controversial until I got an e-mail from one of the (Measure F) opponents." The Martinez mayor concedes this is the only time he has signed a letter of this type in his eight years on LAFCO."*

This rationale defies logic. We believe that your appointees have broken the public trust. They haven't represented cities well. They've attempted to scare Brentwood residents and pit one city against another. They've made misstatements and misrepresentations about their roles as LAFCO Commissioners and claimed to represent LAFCO when they didn't have the authority to do so. We believe that they have created both a real and a perceived conflict of interest in regard to Brentwood and Antioch LAFCO issues.

Also according to LAFCO rules: *"Any member may be removed at any time and without cause by the body appointing that member."* LAFCO can also recommend removal of a member for a variety of reasons including: *"Malfeasance of office."* In other words, for representing the Commission or Commission policies without the authority to do so.

So the questions are: Do you want your representatives on LAFCO using veiled threats against your city's residents or those of another city? Do you believe it is their role to pit one city against another? Should they be allowed to use their positions on LAFCO to influence local elections outside of their own city, or before a project reaches them?

A final question is: Do Allen and Schroder repudiate their letter. If so, why has it taken them a month to do so?

We would appreciate your consideration of this matter. We would appreciate a response.

Sincerely,



Ron Brown, Executive Director
Save Mount Diablo

Cc: Members, LAFCO

Brentwood Press, May 06, 2010
Consequences of Measure F results

Editor:

We represent Contra Costa's 19 cities as the Mayors' Conference representatives on the Local Agency Formation Commission. LAFCO is the agency responsible to decide, among other issues, whether or not a particular area is annexed to one city or another.

Among the factors we consider in deciding these proposed annexations is whether or not the site is within voter-approved urban limit lines. For example, in 2006, we annexed Roddy Ranch (Horse Valley) to Antioch after Antioch's voters approved Measure K. In 2009, we annexed the Faria Ranch into San Ramon after that city's voters approved their own urban limit line.

The issue of annexation has come to our attention regarding Brentwood's Measure F. The land involved in Measure F is located between and adjacent to both Brentwood and Antioch. It is currently within Brentwood's Sphere of Influence. This is important because it means that Brentwood is the more logical service provider for this area.

However, we also remove land from city spheres once it is clear that such areas are either no longer appropriate for annexation to that city or that the voters have rejected it. As a case in point, in 2008, LAFCO deleted hundreds of acres from Brentwood's Sphere of Influence as the area became part of the state park system.

If Brentwood's voters indicate their lack of interest in this area by defeating Measure F, LAFCO could reconsider its intention to direct this land to Brentwood by amending the city's SOI. Additionally, if the people of Antioch decide to expand their urban limit line to include the area along Balfour Road, LAFCO could give that great weight. Any final decision about annexing the site to Antioch would occur only after a full analysis and public hearing.

We respect the will of the people. It is our policy and, in our view, is the only fair and reasonable way to handle these issues.

Helen Allen
Rob Schroder
LAFCO Commissioners

Brentwood Press, May 13, 2010
Land between two cities

Editor:

I read with interest the recent letter of my colleagues Helen Allen and Rob Schroder. I am fortunate to serve with them on the Local Agency Formation Commission. We have worked together for many years to try and make the right decisions about boundary changes and annexations.

In terms of the issues their letter raised, I couldn't agree with them more. Like Helen and Rob, I too feel that it is imperative that we at LAFCO respect the will of the people. It has been our long-term policy to honor voter-approved urban limit lines when deciding if and where a particular site should be annexed to one city or another.

Disputes arise among cities regularly. We've also had to decide between a given city and the unincorporated county area. These disagreements can be intense. However, we strive to consider all available information in order to make an equitable decision.

We generally do not annex land that is agriculturally highly productive. We also try to avoid "leap frog" annexations. However, in locations that are already between two cities and not of prime agricultural value, our LAFCO has normally been supportive of annexing such territory to a city. This is true as we are also obligated to support orderly development.

As a proud resident of East County, I am very familiar with the land involved in Measure F and the problems with Balfour Road and American Avenue. While I have not taken a position on Measure F, I did want to provide input to the people of Brentwood as they make their decision.

Dwight Meadows, LAFCO Commissioner

According to the Contra Costa County LAFCO Commissioner Handbook:

1.4 Rules and Procedures

F.3 - *"The Commission may, from time to time, designate a spokesperson to represent the Commission on a particular matter."*

And

F.4 - *"From time to time, Commission members and alternates may participate in community activities, committees, events and task forces. Unless specifically authorized by the Commission, when a Commission member or alternate participates in such activities, the member or alternate is acting as an interested party rather than acting on behalf of the Commission. Acting or participating on behalf of the Commission is limited to those instances when the Commission has formally designated the Commission members or alternate as its representative for the matter."*

Also:

1.2 Membership

6 – Removal of Members

"Any member may be removed at any time and without cause by the body appointing that member." ... LAFCO can also recommend removal of a member for a variety of reasons including: "Malfeasance of office"

Antioch is No Threat

The Measure F developers are trying to scare Brentwood residents

Fact: Antioch can't develop and doesn't want the Measure F area

Anyone who says that Antioch is a serious threat to the Measure F area is not telling the truth.

Summary: Antioch can't develop and doesn't want the Measure F area; it has no interest in the area at any level. By signed Memorandum of Agreement (MOU) between the two cities, Brentwood controls the Measure F area. Both Cities' General Plans incorporate that MOU and agree that Brentwood controls the Measure F area. The Measure F area is in Brentwood's Planning Area, and within Brentwood's Sphere of Influence, not in Antioch's. Changes to any of these things would require significant public planning processes, environmental impact reports and years of time. LAFCO, the agency which controls planning boundaries has made no action to remove the Measure F area from Brentwood's Sphere of Influence, or to add it to Antioch's Sphere, let alone Antioch's city limits. Three of the LAFCO commissioners and friends of the developers made empty threats about it, but they could only remove the area from Brentwood's Sphere and add it to Antioch's, or to Antioch's city limits with several more substantial, expensive public processes—if Antioch wanted it, which they don't, if it were part of Antioch's General Plan, which it isn't, and lastly if it were inside Antioch's Urban Limit Line, which it isn't. And that's the kicker: Neither LAFCO friends of the developers, Antioch politicians, nor Brentwood politicians can allow development of the Measure F area. Only the residents can—if developers convince them to change their existing voter-approved urban limit lines—which requires a public vote. That's what they're trying to get the public to do with Measure F. Finally, it would be even more difficult and expensive to develop the Measure F area through Antioch, and less profitable – Development is expensive. Paved roads, water lines, sewer lines, power lines, police services, fire stations, etc. would have to cross nearly two miles of open land between the Measure F area and the closest part of developed Antioch. Plus, the Measure F developers don't want to be part of Antioch for the same reasons that they're using it as a scare tactic, higher crime rates, etc. A Brentwood address is worth more to them, on the order of \$50,000-100,000 per house and providing services is cheaper. Bottom line: they're using Antioch as a scare tactic. It doesn't hold water. Don't be fooled.

- **Antioch has no interest in the Measure F area.** The Antioch City Council has made no statement of interest in the Measure F area; in fact that city has more land than it can develop for many years.
- **Antioch has indicated no interest in the Measure F area, at any official planning level.** Cities have three levels of planning interest:
 - 1) City Limits – the land within the City Limits is controlled by the city.
 - 2) Sphere of Influence – the land within a city's Sphere of Influence is reserved for that city's future development plans. The Measure F area is within Brentwood's Sphere of Influence.
 - 3) Planning Area – Cities can have Planning Areas which overlap, but in the case of the Measure F area, it is only in Brentwood's Planning Area, not Antioch's.
- **By mutual agreement between the two cities, Brentwood controls the Measure F area.** Antioch and Brentwood both have signed a Memorandum of Agreement (MOU) about what areas between the two cities each would control.
- **Both Cities' General Plans indicate that Brentwood controls the Measure F area.** The General Plans (each city's "constitution" which details its future plans) of both cities incorporate this MOU and both of them indicate that the Measure F area is controlled by Brentwood. General Plans can't be changed without a substantial public process which is expensive and time consuming and would almost certainly require an Environmental Impact Report.
- **The Measure F area is in Brentwood's Planning Area, and within Brentwood's Sphere of Influence, not in Antioch's.** Antioch could not even begin to plan for the area without the area first being removed from Brentwood's Sphere of Influence, and then added to Antioch's Sphere. Spheres of Influence can't be changed without a substantial public process which is expensive and time consuming and would almost certainly require an Environmental Impact Report.
- **LAFCO, the agency which controls planning boundaries has made no action to remove the Measure F area from Brentwood's Sphere of Influence, or to add it to Antioch's.** Here's where the developers get tricky. The agency that controls boundaries like City Limits and Spheres of Influence is called LAFCO, the Local Agency Formation

Commission. The seven members of LAFCO include: two City Council Members, two County Supervisors, two Special District Members and one public member.

Three of the developers' cronies on LAFCO, Helen Allen, Concord City Council; Rob Schroder, Martinez City Council; and Dwight Meadows, Director, Iron Horse Sanitary District; signed letters threatening that if Brentwood voters turned down Measure F, they'd be willing to consider transferring the area to Antioch. Then they gave themselves some wiggle room, "Any final decision about annexing the site to Antioch would occur only after a full analysis and public hearing. We respect the will of the people." It was an unscrupulous, underhanded and unprofessional action – and it bears no connection to actual LAFCO policy.

LAFCO can't simply make such changes just because three commissioners write a letter to the editor. Again, a substantial public process would be required to remove the Measure F area from Brentwood's Sphere of Influence, including an Environmental Impact Report, and then another to add it to Antioch's Sphere—if Antioch wanted it, which they don't, if it were part of Antioch's General Plan, which it isn't, and lastly if it were inside Antioch's Urban Limit Line, which it isn't.

● **Urban Limit Lines - Neither LAFCO, Antioch politicians, nor Brentwood politicians can allow development of the Measure F area. Only the residents can.** Land beyond Urban Limit Lines is designated for agriculture and open space. The Measure F area is outside of both Brentwood's voter-approved Urban Limit Line and outside of Antioch's voter-approved Urban Limit Line. Neither ULL can be moved without a vote of the people. That's what the developers are trying to trick Brentwood voters into doing.

● **But what about the County?** Couldn't the County grab this land from Brentwood? Here's another place where the developers try and scare people. The Measure F area is unincorporated County land. The County already controls the area. Most land outside of Urban Limit Lines is actually County land. But the County can't simply develop it either because in addition to being outside of Brentwood and Antioch's voter-approved Urban Limit Lines, the Measure F area is also outside of the County's voter-approved Urban Limit Line. That can only be changed by a vote of the people. That means it is official County policy that this land is for agriculture and open space.

The County could consider minor agricultural development but its official policy (in its own General Plan) is to allow no more than minor subdivisions on any parcel – that's 4 units or less. But the County and cities are also prohibited from extending any new urban services like water and sewer outside of their Urban Limit Lines. In reality there are all sorts of other constraints of development too, like endangered species, lack of water, etc. In the past twenty years since the County Urban Limit Line was first created there have been almost no county subdivisions of more than 1 or 2 units outside of the ULL between Brentwood and Mt. Diablo – that's why the ULL was created, to limit development. The idea was that when major development takes place, it should be controlled by cities and only inside Urban Limit Lines.

● **It would be even more difficult and expensive to develop the Measure F area through Antioch, and less profitable** – Development is expensive. Paved roads, water lines, sewer lines, power lines, police services, fire stations, etc. There are nearly two miles of open land between the Measure F area and the closest part of urban Antioch, the new Kaiser hospital on Deer Valley Road. Brentwood services are right next door. If a developer were to try and extend services from Antioch they would have to cross that two miles and put up the money upfront, with the pipes, roads and other services sized for intervening Antioch development too. That's one of the reasons the Roddy Ranch development hasn't happened yet. It's too expensive. It's much cheaper if services can be extended from Brentwood. Some services would have to come through Brentwood, and only if Brentwood is cooperative.

● **The Measure F Developers Don't Want to be part of Antioch** Lastly there's common sense – the Measure F developers don't want to be part of Antioch for the same reasons that they're using it as a scare tactic, higher crime rates, etc. A Brentwood address is worth more to them, on the order of \$50,000-100,000 per house. Services are cheaper.

###

CONTRA COSTA TIMES

ContraCostaTimes.com

Vorderbrueggen: Brentwood growth measure fight heats up

By Lisa Vorderbrueggen
Contra Costa Times

Posted: 05/30/2010 02:53:00 AM PDT

Updated: 05/30/2010 07:33:53 AM PDT

Brentwood's civil war over Measure F, its urban limit line initiative on the primary ballot, is reverberating outside city lines.

Concord Councilwoman Helen Allen and Martinez Mayor Rob Schroder, in an unprecedented joint letter, state that Antioch could seize planning control over the land covered by the measure if Brentwood rejects Measure F.

They signed it as members of the Local Agency Formation Commission, or LAFCO. It is an obscure but powerful board that oversees public agency boundaries.

"If Brentwood's voters indicate their lack of interest in this area by defeating Measure F, LAFCO could reconsider its intention to direct this land to Brentwood by amending the city's (sphere of influence)," the letter reads.

By way of background, Measure F is a landowner-written and financed initiative that would replace the countywide adopted urban limit line with a more expansive Brentwood voter-approved boundary.

The initiative features a deal with the developer for up to 1,300 houses and a variety of other uses on 740 acres located betwixt Brentwood and Antioch.

Voters will decide for themselves whether Measure F's positives outweigh its negatives.

But Antioch is no vulture waiting to feast on Brentwood's political spoils.

Measure F proponents incorrectly evoke the Allen-Schroder letter, writing in mailers, "The officials responsible for deciding if the site is annexed to Brentwood

or Antioch have already publicly stated that if Brentwood's voters don't want the area and Antioch's voters do, they'll likely annex it into Antioch's."

Allen and Schroder cannot decide anything. They are only two of seven votes.

LAFCO cannot initiate annexations. Only a city or a majority of the affected landowners may petition for annexation.

And, of course, LAFCO would likely annex land after a city's residents have voted to include it within its growth boundary.

But no such vote is imminent or even under consideration.

Sentiment can always shift, but Antioch had no interest a couple of years ago in pursuing annexation of property adjacent to the Measure F parcels. LAFCO subsequently removed the land — owned by the Ginochio family — from Antioch's sphere of influence.

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Will the landowners behind Measure F turn to Antioch voters if Brentwood turns them down?

That, too, is dubious. The process required to shift this property into Antioch's sphere is costly and lengthy. The landowners want a Brentwood address — its property values exceed those of Antioch, which translates into higher profits.

Back to the curious involvement of Allen and Schroder.

Allen says she wrote the letter after "people started calling me and asking me, 'What would LAFCO do if this happened or that happened?' People don't understand the LAFCO process, so I wanted to spell it out in a clear and simple way."

She sent the letter to LAFCO staff, for fact-checking, asked Schroder to sign it and then sent the letter on to Measure F spokesman Tom Koch.

"As far as I was concerned, I was simply outlining the LAFCO process," Schroder said. "I had no idea it was so controversial until I got an e-mail from one of the (Measure F) opponents."

The Martinez mayor concedes this is the only time he has signed a letter of this type in his eight years on LAFCO.

But he is no longer in the dark about its impact.

"This has to be one of the most unprofessional, lowest, underhanded tactics I have experienced with any individuals involved in a governing position within our city or county in the 60-plus years I have lived in this country," wrote Johnny Merrill in one of a half-dozen scathing letters sent to LAFCO.

MONEY TALK: Measure F proponents have out-raised their opponents 46 to 1, according to reports filed Thursday.

The yes camp reported contributions of \$279,972, compared with \$5,992 for the no folks.

The bulk of the opponents' resources came from Save Mount Diablo, which has donated \$4,902 worth of staff time, copies and supplies.

Proponents' cash came solely from landowners within the area affected by Measure F. Donations include \$78,000 each from Beverly Hancock and the Strickler family.

The campaign's chief expense appears to be for consultants. It has paid just under \$57,000 for consulting services, of which Tom Koch has been paid roughly \$33,000.

GOT POLITICS?: Read the Political Blotter at www.ibabuzz.com/politics.

- The Contra Costa District Attorney's race gets down and dirty when candidate Elle Falahat takes the office to task for sex talk. Watch video of her speech along with the comments of her opponents.
- Congressional District 11 candidate Elizabeth Emken smacks opponent David Harmer with a nasty mailer. See it online and read a line-by-line truth squad treatment of its contents.
- The money race continues in the lead up to the primary. See totals for candidates for Congress and Contra Costa Assessor, Sheriff, District Attorney and board of supervisors. Voters beware: Voters will find stuffed in their mailboxes cards with ideological or special interest titles, such as "Cops Voters Guide" or the "Vote Green Voter Guide." Read the fine

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ContraCostaTimes.com

Flap erupts in Contra Costa Mayors' Conference

By Lisa Vorderbrueggen
Contra Costa Times

Posted: 06/04/2010 09:43:26 PM PDT

Updated: 06/07/2010 09:05:52 AM PDT

The Contra Costa Mayors' Conference will investigate whether its two appointees to a county board that oversees city and other district boundaries exceeded their authority when they signed a letter used to promote Measure F, a Brentwood urban limit line expansion measure.

Concord Councilwoman Helen Allen and Martinez Mayor Rob Schroder, appointees to the Local Agency Formation Commission, or LAFCO, signed a letter in early May that indicated the panel could shift land identified in Measure F from Brentwood's planning area to Antioch's if voters reject the expansion.

The letter begins with the sentence, "We represent Contra Costa's 19 cities as the Mayors' Conference representatives on the Local Agency Formation Commission." Beneath their signatures, they are identified as LAFCO commissioners.

Mayors' Conference Chairman Ed Balico reiterated at the group's Thursday meeting that the letter does not represent the views of the conference.

The group is an association of the leaders of Contra Costa County's 19 cities. Its executive board will meet next month, Balico said, to discuss the

appropriate role of conference appointees to LAFCO and other boards.

Schroder told his colleagues Thursday that he has not taken a position on Measure F, viewed the letter as informational and was unaware it would be used for political purposes.

Allen said the letter was never intended to speak for either LAFCO or the Mayors' Conference but was an

expression of their personal views. The use of their titles was meant as disclosure, Allen said.

Allen has said she wrote the letter, sent it to LAFCO staffers for fact-checking and delivered the signed version to Measure F spokesman Tom Koch, a developer's consultant and former executive of Shapell Homes. The letter was initially published in the Brentwood Press.

Measure F proponents have obliquely referred to the Allen-Schroder letter, and with a similar message from LAFCO Commissioner Dwight Meadows, in campaign literature.

The letter also earned a sharp rebuke from Save Mount Diablo Executive Director Ron Brown, whose organization has helped lead opposition to Measure F.

Brown characterized the letter Thursday as a veiled threat designed to shift the debate away from the details of the development proposal.

"Your representatives (to LAFCO) on the Mayors' Conference have broken the public trust," Brown said. "They have not represented the interests of the cities. They have attempted to abuse their positions to scare Brentwood residents, pit one city against

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another, and claim to represent LAFCO when they were not authorized to do so."

Save Mount Diablo intends to take its complaint to LAFCO.

Earlier in the week, Koch rejected allegations that the letter or other campaign materials were intended as threats.

He said the campaign was simply pointing out the planning scenarios to help voters understand the consequences of their choices.

Lisa Vorderbrueggen covers politics. Contact her at 925-945-4773 or www.ibabuzz.com/politics.

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LAFCO members violate rules, Brown Act, to back Measure F

by BGR on JUNE 16, 2010



Some of the drama behind Brentwood's recent Measure F (defeated), played out in the cavalier behavior of LAFCO members Helen Allen and Rob Schroeder, who violated the Local Agency Formation Commission's (LAFCO) rules (below) and probable violation of California's

Brown Act, in their very public support of the measure.

Allen and Schroeder, in a letter published in the Brentwood Press of May 6, 2010, argued in favor of Measure F, which would annex land outside the voter-approved urban limit line. In the letter they clearly claimed authority as LAFCO members—and not simply interested private parties—pretending that their position was the duly approved position of LAFCO, and that LAFCO officially supported the Measure.

What's worse, Allen, a Concord Councilmember and resident of Sacramento, stood up at a recent Mayor's Conference meeting and treated her colleagues to her signature clownish browbeating for the Measure while the leaders of 19 Contra Costa Cities did not challenge her publicly overstepping her legal authority to do so. Thanks guys.

Luckily, Ron Brown of [Save Mt Diablo](#) stood up to challenge Allen's flagrant violations while the County's milquetoast electeds looked on dumbstruck.

What a chowder society. And you thought it was just politicians in D.C. that acted like unaccountable, all powerful twits on the take from special interests. Well, where do you think they get their training?

See Brown's subsequent letter outlining Allen and Schroeder's gross pretensions and misrepresentations, including their letter and another from LAFCO Commissioner Dwight Meadows.

[Mayor's Conference Lalco Letter -Measure f - 6-3-10](#)

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- How to write good (2)**
- Michael Toth: Like a feather boa – constrictor.
 - Edi Birsan: But I like the idea of feathers on a snake.
- Grand Jury report details problems at First 5 Contra Costa (84)**
- Carol: I vote for "c"
 - LeeAnne: This is the email letter Supervisor Bonilla sent me too.
 - SteveR: oh, one of my friends told me this email exchange is not...
 - Max: Yo go JGS! No brainer-ville – maybe that Julie Carvin...
- Whistling past the graveyard: In CA-11, Harmer touts independent turnout (2)**
- Edi Birsan: I seem to recall Harmer telling us at the Concord...
 - Math Major: That analysis made too much sense, BGR.

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- Jun 16 2010 05:30 PM
Pleasant Hill Chamber Mixer
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County Mental Health Services Overview
- Jun 17 2010 05:30 PM
Concord Chamber Mixer
- Jun 17 2010 05:30 PM
San Ramon Chamber Mixer
- Jun 17 2010 06:30 PM
Hancock, DeSaulnier, and Buchanan face California Budget Crisis
- Jun 22 2010 06:00 PM
Brentwood/East County CFL-TEA Party MeetUp
- Jun 23 2010 10:00 AM
Solano County Fair – Vallejo Fairgrounds
- Jun 23 2010 06:00 PM

Fraudulent E-mail Claiming to be from County Assessor Gus Kramer (Kramer denies involvement with the e-mail which was sent by East County consultant Dan Lee)

----- Original Message -----

From: Contra Costa County Assessor

To: billieg1

Sent: Monday, June 07, 2010 6:28 PM

Subject: [SPAM]See the MAP of Measure F area... picture worth 1,000 words.

Billie Gambel, City of Brentwood

If You Think No on F Means No Homes.

Think Again.

www.PutBrentwoodInControl.com

**Measure F opponents would have you
believe that No on F will stop development.
Things aren't ever that simple!**

- The Measure F area has been planned for homes for many years. Either Antioch or Brentwood will develop the site.
- Balfour Road needs widening. American Avenue needs to be extended. These roadway fixes cost \$27,000,000. Homes are the only way to pay for this.
- Antioch has announced it may be going bankrupt. They've already laid off police officers. They need every penny they can get. Antioch needs growth in order to fund public services.
- Antioch's Roddy Ranch also needs more growth to fund roads and utilities.
- Antioch has an average density of 4.5 homes per acre. Measure F limits potential growth to no more than 1.75 homes per acre. An Antioch approval could allow much more development.

LAFCO's seven commissioners would decide if Antioch can annex this area. Five commissioners have stated that Antioch could take the area when Antioch's voters say yes if Brentwood's voters say no.

**So, the question ISN'T IF the area will be developed.
The question is BRENTWOOD or ANTIOCH?**

YES on F Means. BRENTWOOD!

Brentwood Press

[print](#)

Measure F's LAFCO link

by Rick Lemyre

06.03.10 - 03:47 pm

A member of the Local Agency Formation Commission is supporting a pair of colleagues who have taken heat over a letter they wrote to the Press concerning possible outcomes following the June 8 vote on Brentwood's Measure F.

In their May 7 letter, commissioners Helen Allen and Rob Schroder wrote, in part, "If Brentwood's voters indicate their lack of interest in this area by defeating Measure F, LAFCO could reconsider its intention to direct this land to Brentwood by amending the city's SOI (Sphere of Influence). Additionally, if the people of Antioch decide to expand their urban limit line to include the area along Balfour Road, LAFCO could give that great weight."

LAFCO is the agency that sets boundaries for districts and municipalities in Contra Costa County.

Opponents have decried the letter as "inappropriate" and a "veiled threat" that interferes with Brentwood's election. Seth Adams of Save Mount Diablo and an opponent of Measure F said in an e-mail Tuesday that "The head of LAFCO has discredited a letter from several commissioners close to the developers, stating that they don't speak for the agency, which controls city boundaries."

On Tuesday, LAFCO Chair Martin McNair said by phone that it was LAFCO's name brought into the issue, not the contents of the letter, he objected to. The information in the Hall/Schroder letter was accurate, he said; he just wished they had not sent it "in the midst of such an intense campaign. The timing is terrible."

Then on Wednesday, LAFCO Vice Chairman David Piepho said Hall and Schroder were right in using their LAFCO titles, even though they were not speaking for the commission as a whole.

"That's a responsibility they have – to identify themselves," Piepho said. The Hall/Schroder letter did not advocate a vote one way or the other, he said, it just laid out "the reality of the LAFCO process."

Opponents have decried the Antioch issue as an empty threat and a scare tactic being used by the Yes side to garner votes. They cite Antioch's difficult financial situation and the lack of any indication of a desire on the part of that city or its residents to go after the Measure F area as evidence that Antioch is not a threat.

Besides Antioch pursuing the land, another way it could develop as Antioch is if the landowners applied for annexation there. Kathy Griffin, the principal officer for the No on Developer Measure F campaign, said by e-mail this week that she's troubled by proponent Annette Beckstrand's comment in a recent letter to the editor. Beckstrand wrote: "If we do not control this land, the owners will likely go to Antioch for annexation, or to the county for development."

"What loyalty do the landowners show to us with this sort of statement from their

proponent?" Griffin asked.

Measure F developer Lee Hancock said this week that applying to Antioch is possible, although he does not want to see it happen. His land was also part of 2005's Measure L, which sought to bring the area into the city as part of a larger plan and lost by a razor-thin margin.

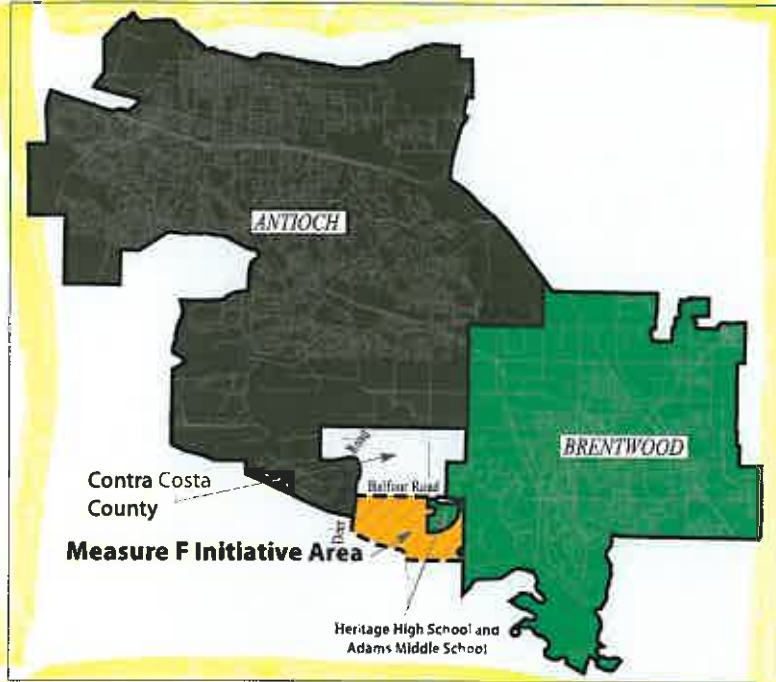
"We want to be in Brentwood, we want to *marry* Brentwood," he said. "But if she says 'no' twice, it doesn't mean we have to stay single."

Opponents have also argued that rejecting Measure F does not indicate a lack of interest in the area, but in the development agreement that is part of the measure. Piepho does not see it that way. "I can't speak for anyone else on the board ... but this would be a repetitive thing," he said. "If this ever did come before us, how could we not say Brentwood has twice rejected this area?"

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We Choose Brentwood!



Mayor Robert Taylor



Vice Mayor Erick Stonebarger



Council Member Chris Becnel



Council Member Robert A. Brockman

Mayor Brian Swisher • Mayor Mike McPoland • Mayor Bill Hill • Mayor Barbara Guise
 Mayor Catherine Palmer • Mayor Roger Moore • Vice Mayor Annette Beckstrand
 Vice Mayor Pete Petrovich • the Brentwood Chamber of Commerce • Educators • Farmers
 Public Safety Officials • Business Leaders • Seniors • Students • Sports Leaders

Yes on F means Brentwood will decide, not Antioch nor the County.



Yes on F is the Right Vote for Brentwood's Future!
www.PutBrentwoodInControl.com

Fix Balfour Road and American Avenue PAC, major funding by Beverly Hancock and Strickler Family
 Brentwood, LLC, a coalition of land owners, educators and taxpayers – Yes on Measure F
 Yes on F Headquarters 380 W. Country Club Drive, Suite 1, Brentwood (925) 634-4200

If you want: Brentwood in Control & Brentwood to decide if homes are built.

Then Join Us and Vote Yes on Measure F

Bob Taylor Mayor	Emil Geddes President, Brentwood Union School District	The Brentwood Press Hometown Newspaper
Erick Stonebarger Vice Mayor	Carlos Sanabria Trustee, Brentwood Union School District	Leonard Del Chiaro Businessman/Farmer
Chris Becnel City Councilman	Steve Barr Trustee, Liberty Union High School District	Karen Spann Past President, Brentwood Chamber of Commerce
Bob Brockman City Councilman	David Bristow Planning Commissioner	Ike Montanez Community Leader
Brian Swisher Former Mayor	Joe Weber Planning Commissioner	Harry York CEO, Brentwood Chamber of Commerce
Roger Moore Former Mayor	Dr. Paul Krey Former School Trustee	Dafne Swisher Community Leader
Barbara Guise Former Mayor	Mike Davies Former Chief of Police	(Partial List)
Annette Beckstrand Former Vice Mayor		

Or, if instead you want: Antioch/County in Control & Antioch/County to Decide on Development.

Then Vote No.



Educators, Farmers, Business Leaders, Elected Officials & Retirees Agree:
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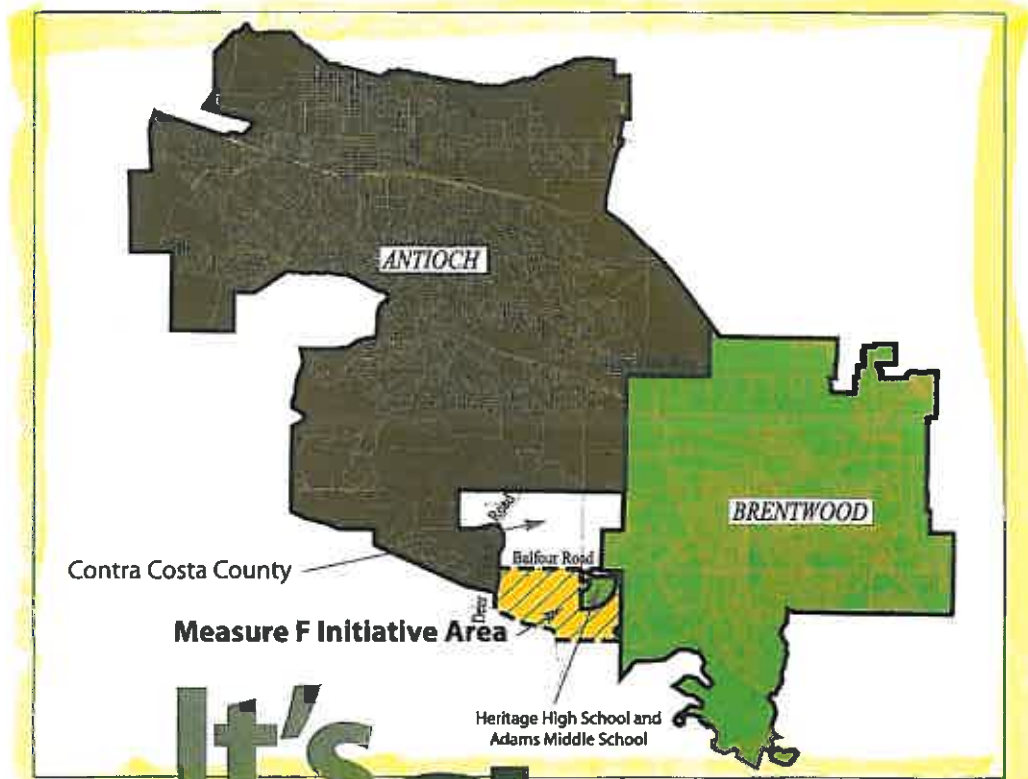
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It's Clear.

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Yes on F = Brentwood Control and Decision

No on F = Antioch/County Control and Decision

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Why Vote YES on Measure F?



Reason #1: Put Brentwood in Control

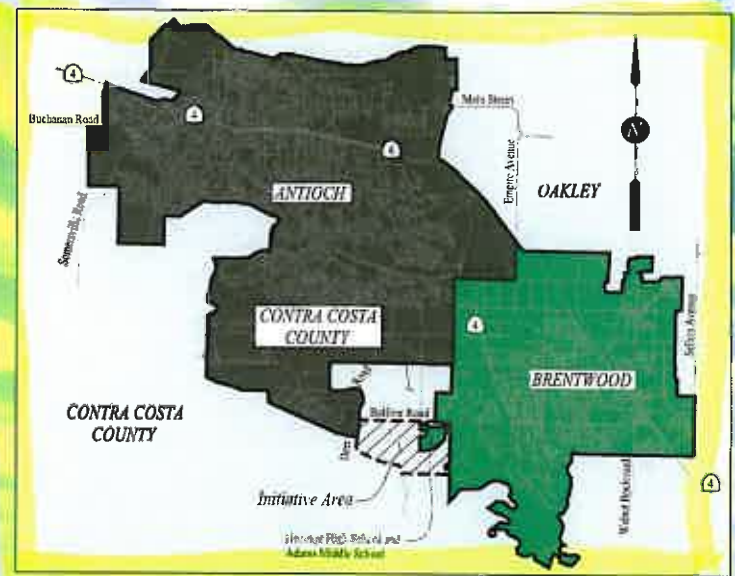
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Fix Balfour Road and American Avenue PAC, a coalition of land owners, educators and taxpayers – Yes on Measure F

Measure F Creates Brentwood's Own Urban Limit Line

Currently, outsiders control what happens around our borders. Brentwood residents only have a 5% say about what happens to the existing, countywide Urban Limit Line. Measure F gives Brentwood's voters 100% control. Our neighbors and City Council know what's best for Brentwood. We should decide, not them.

Voters in Pittsburg and San Ramon have their own Urban Limit Lines. So do the voters of Antioch. In fact, Antioch's Urban Limit Line is right next door to us. Antioch's voters have the power to approve development plans and expand Antioch into the land between our two cities. This would impact us and we would have nothing to say about it. Measure F would put much of this land into Brentwood's control.



Measure F Puts Us in Control of Our Own Future.

"Our great neighborhoods, good schools and low crime were no accident. Brentwood residents made this happen. Measure F will help keep us strong"

Brian Swisher



Brian Swisher
Brentwood Mayor 2002-2006



Annette Beckstrand
Brentwood City Council 2000 -2006
Vice Mayor 2002 to 2004

"Brentwood is a success because our people take pride in their community. Measure F supports our efforts to move forward."

Annette Beckstrand

Why Vote YES on Measure F? Because 100% Control is Better Than 5%!

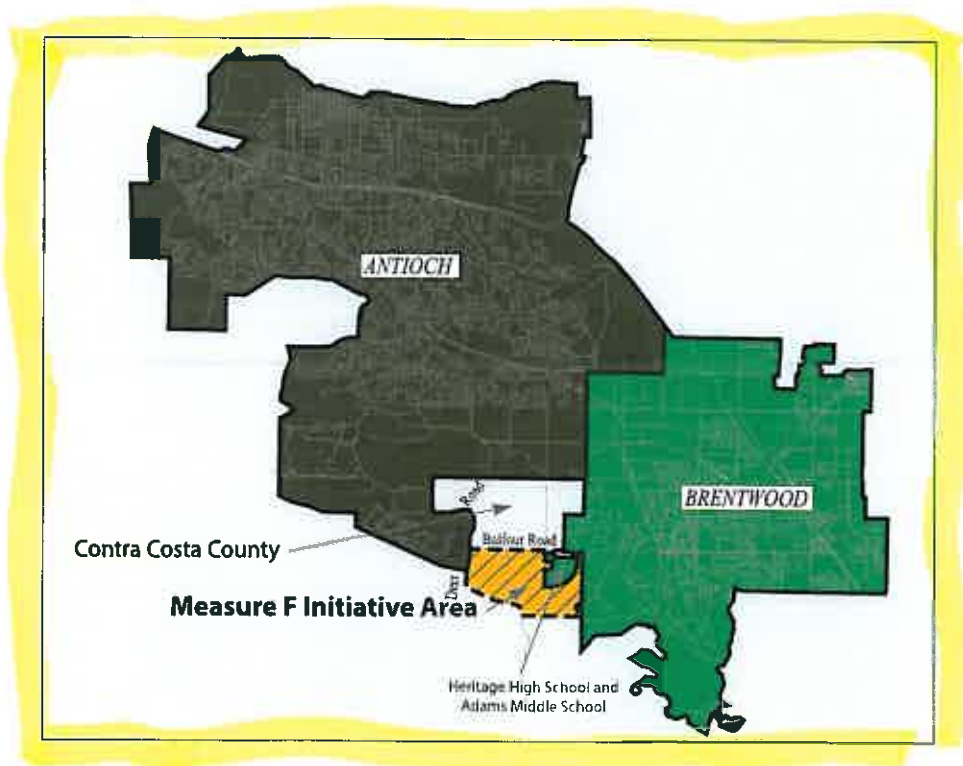
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If You Think No on F Means No Homes ...



...Think Again.

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a coalition of land owners, educators and taxpayers – Yes on Measure F



Measure F opponents would have you believe that No on F will stop development. Things aren't ever that simple!

- The Measure F area has been planned for homes for many years. **Either Antioch or Brentwood will develop the site.**
- Balfour Road needs widening. American Avenue needs to be extended. These roadway fixes cost \$27,000,000. Homes are the only way to pay for this.

- Antioch has announced it may be going bankrupt. They've already laid off police officers. They need every penny they can get. Antioch needs growth in order to fund public services.
- Antioch's Roddy Ranch also needs more growth to fund roads and utilities.
- Antioch has an average density of 4.5 homes per acre. Measure F limits potential growth to no more than 1.75 homes per acre. An Antioch approval could allow much more development.

LAFCO's seven commissioners would decide if Antioch can annex this area. Five commissioners have stated that Antioch could take the area when Antioch's voters say yes if Brentwood's voters say no.

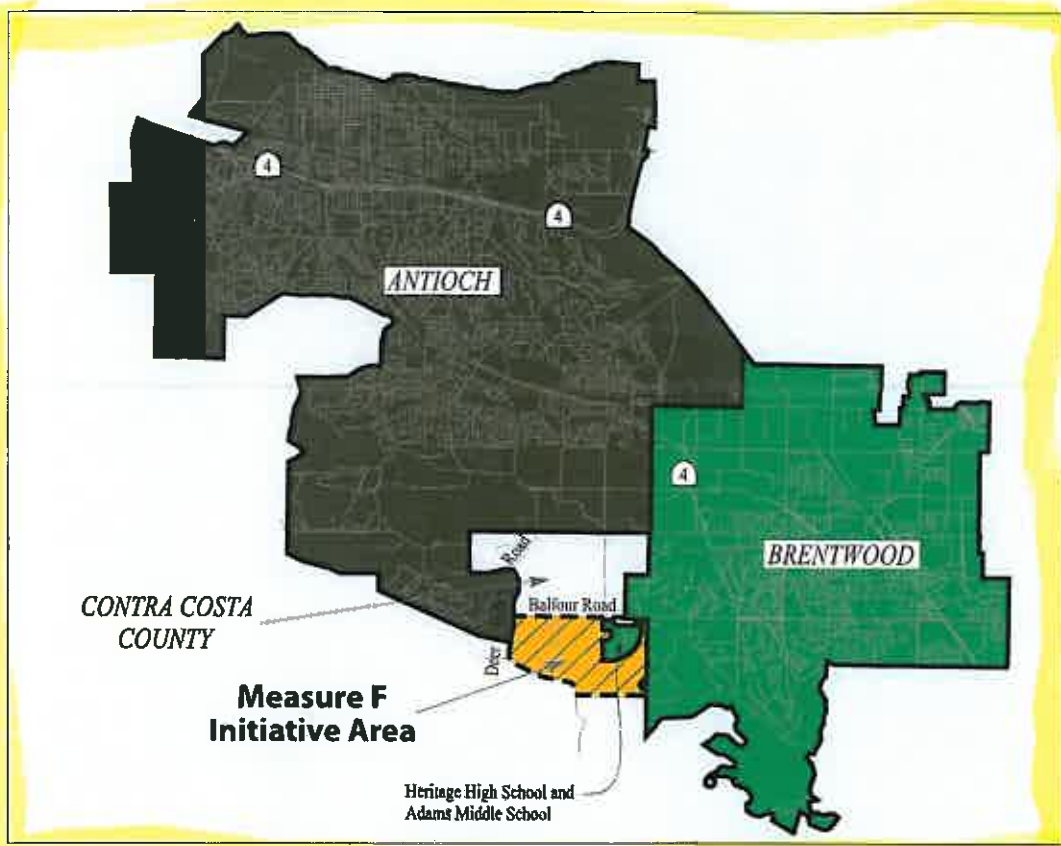
So, the question **ISN'T IF** the area will be developed. The question is **BRENTWOOD or ANTIOCH?**

YES on F Means BRENTWOOD!

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The Choice.



Know the Truth Before You Vote!

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Opponents of Measure F aren't telling the truth

They claim that annexation of the Measure F area to Antioch "can't happen" and is "impossible."

The opposite is true.

If Measure F is approved, the land will be annexed into Brentwood and Brentwood will decide if homes are allowed. Brentwood will have control.



However, if Measure F is defeated, here's how the area can get into Antioch:

1. Antioch's voters approve an initiative including this area in Antioch's own Urban Limit Line
2. The Contra Costa Local Agency Formation Commission (LAFCO) approves the shift to Antioch. LAFCO members have already indicated that they are open to putting this area into Antioch depending on the results of the Measure F election.

That's it.

This is the process Measure F opponents claim "can't" happen. Their allegations are especially strange since this is **exactly how Roddy Ranch was annexed to Antioch!**

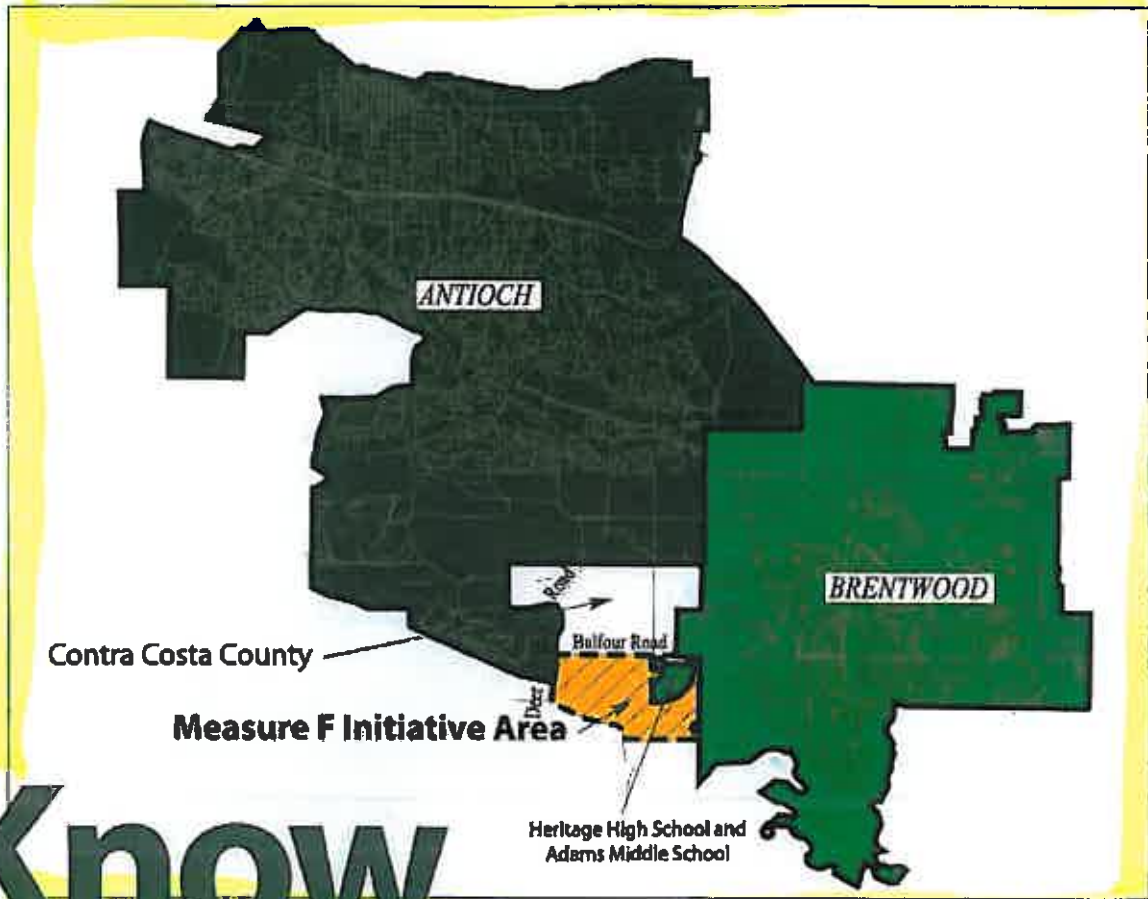
Some additional details.

1. An Antioch initiative can be brought forth by **ANY** of the following:
 - a) The Antioch City Council, b) a group of Antioch citizens,
 - c) other property owners, d) the Measure F property owners
2. The City Council of Antioch is **NOT** required to either approve or even support the annexation.
3. Brentwood residents would **NOT** be allowed to vote.

**Put Brentwood in Control.
Allow Brentwood to Decide.**

Yes on F

The Choice.



Know
the
Facts
Before You
Vote.

The Top Ten Mistatements

by Measure F's Opponents:

1. The area is "pristine farmland"

2. "The Bypass is incrementally federally funded"

3. "We can fix American Avenue and Balfour without development"

4. Measure F would "break Brentwood's voter-approved Urban Limit Line"

5. "We already control the site"

6. "It's in our sphere of influence therefore Antioch can't touch it"

7. They oppose Measure F because "it's too big"

8. They said that homes would be a drain on local resources

9. They say homes would have a negative impact on the current housing market

10. "Measure F is promoted by out of town developers"

The Facts:

- 1. Largely non-productive, the site is located between two historically fast growing cities. THIS IS NOT our ag core area. Farmers support Measure F.**
- 2. The Bypass has no federal money. It is funded entirely locally. 88% from developer fees. If homes are built, Measure F would generate an additional \$20,000,000 for the Bypass's expansion.**
- 3. The total cost for improving these roads is \$27,000,000. Brentwood doesn't have it. Antioch certainly doesn't have it. The County and the school districts don't have it. Measure F obligates the land owners to fully fund these costs if homes are approved.**
- 4. Brentwood doesn't have it's own Urban Limit Line as Antioch and Pittsburg do. It complies with the countywide line through which Brentwood voters only have 5% of the votes. Opponents now say they want Brentwood to create a new line They were opposed to it before they were for it.**
- 5. The land is NOT within Brentwood. It is in the unincorporated area of the County and adjacent to Antioch.**
- 6. The officials responsible for deciding if the site is annexed to Brentwood or Antioch have already publicly stated that if Brentwood's voters don't want the area and Antioch's voters do, they'll likely annex it into Antioch's.**
- 7. They supported 2005's Measure L which called for more than twice the homes on twice the land area. Measure L had no schools, jobs program, public safety resources or extra sports fields as Measure F does.**
- 8. The City's official fiscal analysis showed that Measure F would result in an annual SURPLUS of \$800,000. This is in addition to the \$60,000,000 in fees to the City and \$400,000,000 invested in the local economy.**
- 9. Under Measure F, no homes would be built for at least 5 years, until June 2015. This is assuming they're ever approved. Also, these would be low density, higher income homes, the kind which increase property values and expand the local tax base.**
- 10. 79% of the land is owned by local families. The other 21% is owned by a Fremont-based firm which has worked in East County for many years.**



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Mayor

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Vice Mayor

Chris Becnel
City Councilman

Bob Brockman
City Councilman

Brian Swisher
Former Mayor

Roger Moore
Former Mayor

Barbara Guise
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Annette Beckstrand
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Emil Geddes
President, Brentwood
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Steve Barr
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High School District

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Joe Weber
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Dr. Paul Krey
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Mike Davies
Former Chief of Police

Leonard Del Chiaro
Businessman/Farmer

Karen Spann
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Ike Montanez
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Harry York
CEO, Brentwood
Chamber of Commerce

Dafne Swisher
Community Leader

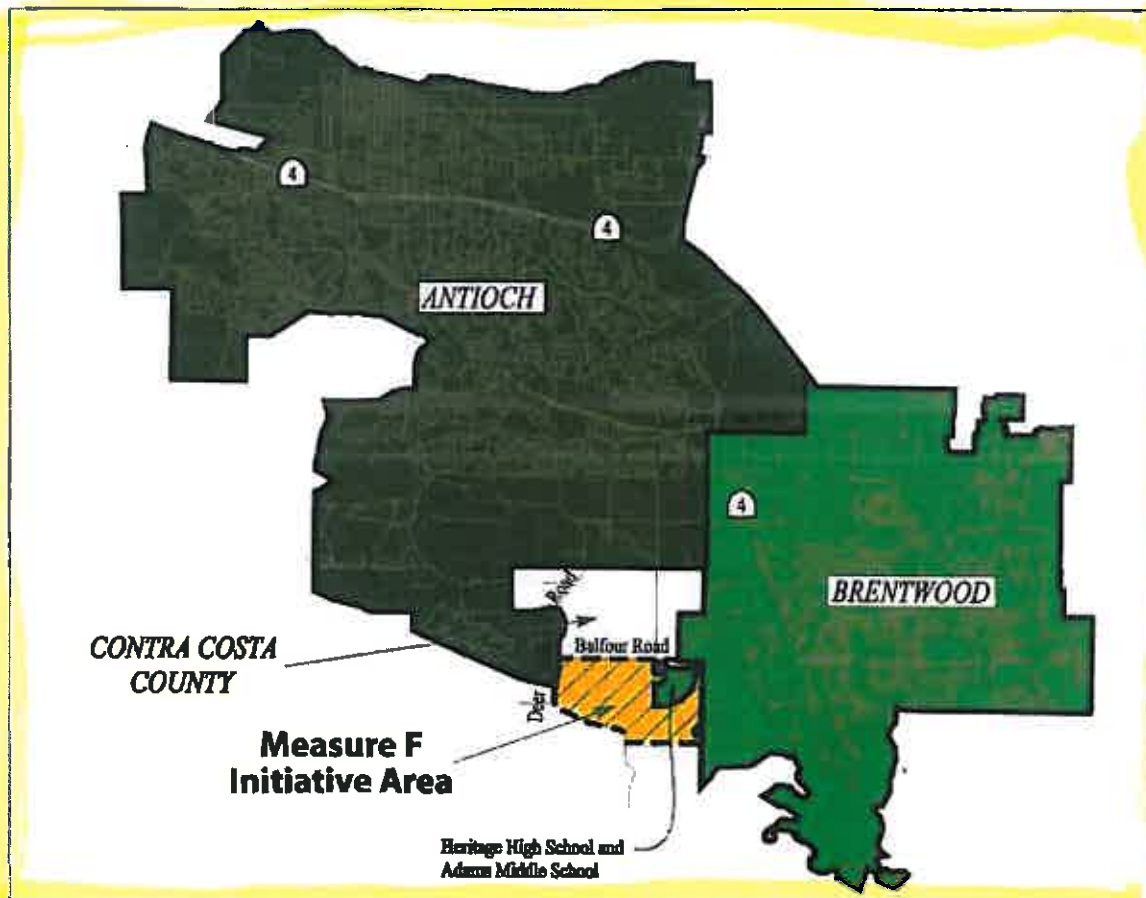
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If Measure F is approved:

- No development for at least 5 years
- Brentwood will have its own Urban Limit Line, allowing it to control its borders
- Balfour area between Brentwood and Antioch will be annexed to Brentwood
- Neither the County nor Antioch will control the area
- Zoning on Balfour site
- Planning in Brentwood begins

If homes **ARE** approved after the passage of Measure F:

- Annual Surplus to Brentwood budget of \$800,000
- Brentwood jobs, significant investment and improved local tax base
- \$27 million to fix Balfour Road and extend American Avenue
- \$20 million to expand the Bypass
- Low density, higher income homes which help local property values
- \$3 million for local job training and scholarships
- \$2 million for extra sports fields and parks
- New paramedic service and crime-prevention tools

If homes are **NOT** approved after the passage of Measure F:

- Brentwood keeps its own Urban Limit Line and controls its borders
- Brentwood retains control of Balfour site.
- County and Antioch have zero control
- Land remains undeveloped and unchanged
- None of the benefits to the community

If Measure F is defeated:

- Brentwood fails to gain control
- Homes may still occur in Balfour area. Decisions to be made by the County or Antioch
- None of the benefits to the community are provided for

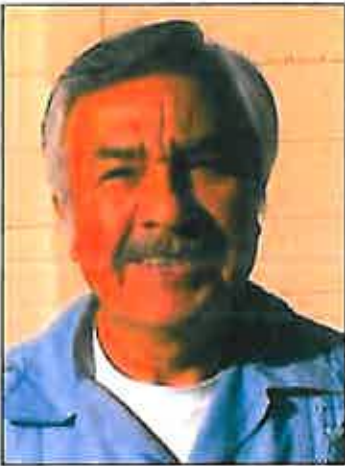


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Ms Gabina Lopez
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Brentwood CA 94513-8333

Join Us.



Si Se Puede!

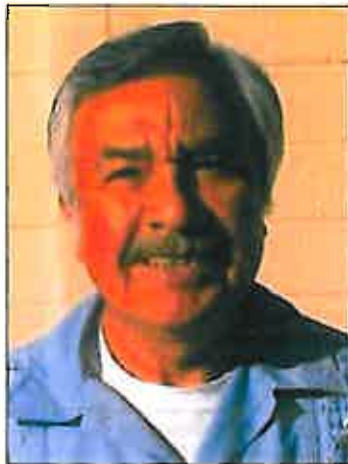
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Fix Balfour Road and American Avenue PAC, a Coalition of Land Owners, Educators and Taxpayers – Yes on Measure F

Brentwood Control Brentwood Decides Brentwood Benefits Yes on F.

"Measure F will help finish the Bypass without raising taxes. It also widens Balfour Road and fixes the mess at Heritage & Adams schools. Along with new sports fields, Measure F helps build Brentwood."

Isaac Montanez



Isaac Montanez
Community Leader



Dafne Arteaga Swisher
Businesswoman

"Our community needs investment and jobs. This is not designated protected land. If Measure F is approved, it will bring Brentwood jobs and expanded economic activity. The City will have surplus funding to maintain local services."

Dafne Arteaga Swisher

"Brentwood should decide what happens on this land, not Antioch nor the County. We should choose and we should benefit. That's why I support Measure F."

Bertha Ruiz



Bertha Ruiz
Long-time resident



Carlos Sanabria
Trustee, Brentwood Union
School District

"Measure F helps education by helping us keep our neighborhood kids in their neighborhood schools and providing new funding to benefit our kids."

Carlos Sanabria

If you want: Brentwood in Control & Brentwood to decide if homes are built.

Then Join Us and Vote Yes on Measure F

Bob Taylor

Mayor

Erick Stonebarger

Vice Mayor

Chris Becnel

City Councilman

Bob Brockman

City Councilman

Brian Swisher

Former Mayor

Roger Moore

Former Mayor

Barbara Guise

Former Mayor

Annette Beckstrand

Former Vice Mayor

Emil Geddes

President, Brentwood
Union School District

Carlos Sanabria

Trustee, Brentwood
Union School District

Steve Barr

Trustee, Liberty Union
High School District

David Bristow

Planning Commissioner

Joe Weber

Planning Commissioner

Dr. Paul Krey

Former School Trustee

Mike Davies

Former Chief of Police

The Brentwood Press

Hometown Newspaper

Leonard Del Chiaro

Businessman/Farmer

Karen Spann

Past President, Brentwood
Chamber of Commerce

Ike Montanez

Community Leader

Harry York

CEO, Brentwood
Chamber of Commerce

Dafne Swisher

Community Leader

(Partial List)

Or, if instead you want: Antioch/County in Control & Antioch/County to Decide on Development. Then Vote No.

Yes on F Headquarters: 380 W. Country Club Drive, Suite I, Brentwood (925) 634-4200

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Robert Taylor



Vice Mayor
Erick Stonebarger



Council Member
Chris Becnel



Council Member
Robert A. Brockman

The Brentwood Press
Local Newspaper

Pete Petrovich
Former Vice Mayor

Dr. Paul Krey
Former School Trustee

**Brentwood Chamber
of Commerce**

Mike Davies
Former Chief of Police

Harry York
CEO, Brentwood
Chamber of Commerce

Brian Swisher
Former Mayor

David Bristow
Planning Commissioner

Isaac "Ike" Montanez
Community Leader

Barbara Guise
Former Mayor

Joe Weber
Planning Commissioner

Alta Ackerman
Summerset

Bill Hill
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Trustee, Brentwood
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Dafne Swisher
Businesswoman

Catherine Palmer
Former Mayor

Steve Barr
Trustee, Liberty High
School District

Cindy Cayou
Parent & Traffic Safety
Advocate
(partial list)

Roger Moore
Former Mayor

Annette Beckstrand
Former Vice Mayor

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Brentwood benefits...

...by Voting Yes on Measure F! If Homes Are Ultimately Approved...



Extra Parks



New Sports Fields



\$800,000 Annual City Surplus & Help for the Brentwood Economy



\$27,000,000 to Widen Balfour & Extend American



Elementary School & Scholarships for Brentwood Students



New Paramedic Service



No New Taxes!



\$20,000,000 to expand the Bypass



Brentwood Decides, Not Antioch



Additional Brentwood Police



Tools to Fight Crime



Jobs for Brentwood



No Homes Until At Least June, 2015!



Low Density, Upscale, Owner-Occupied Homes

2 + a half foot long
Door hanger

Voter Alert!



Brentwood Press Confirms Antioch Risk

LAFCO's 7 commissioners decide Brentwood or Antioch. Here is what 5 of them have stated:

"If the people of Antioch decide to expand their urban limit line to include the area along Balfour Road, LAFCO could give that great weight."

Helen Allen, Rob Schroder
LAFCO Commissioners
Brentwood Press, June 4

Potential for Antioch Annexation is "Accurate."

Brentwood Press, June 4

"I agree with what Helen and Rob said."

Martin McNair
LAFCO Chairman

Regarding the Allen & Schroder letter

"I couldn't agree with them more."

Dwight Meadows
LAFCO Commissioner
Brentwood Press, May 13

Allen & Schroder letter laid out "the reality of the LAFCO process."

David Plepho
LAFCO Vice Chairman
Brentwood Press, June 4

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Yes on Measure F

Voter Alert!

Please Vote **Yes on F**
and allow Brentwood,
not Antioch nor the
County, to decide

Bob Taylor
Mayor

Erick Stonebarger
Vice Mayor

Chris Becnel
Council Member

Bob Brockman
Council Member

The Brentwood Press
Local Newspaper

**The Brentwood
Chamber of Commerce**

Brian Swisher
Former Mayor

Mike McPoland
Former Mayor

Bill Hill
Former Mayor

Barbara Guise
Former Mayor

Catherine Palmer
Former Mayor

Roger Moore
Former Mayor

Annette Beckstrand
Former Vice Mayor

Pete Petrovich
Former Vice Mayor

Many Others!

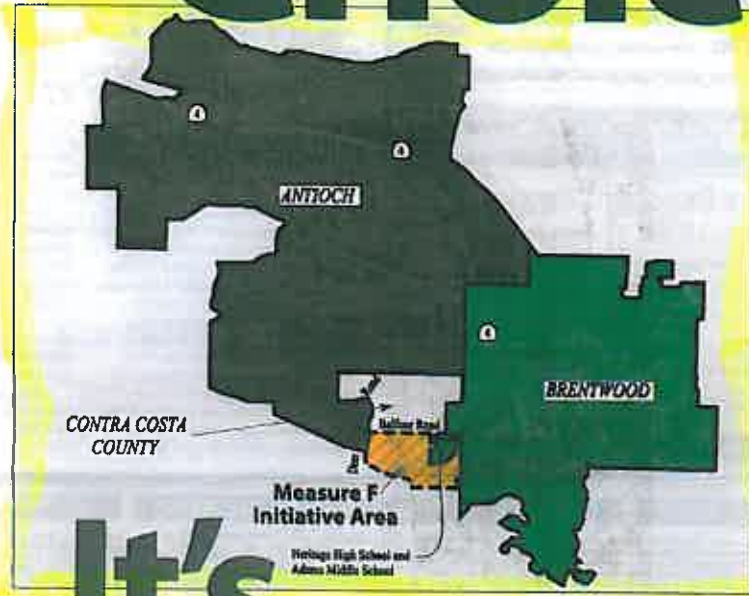
Vote Tuesday, June 8th

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For a Ride to the Polls Call (925) 634-4200



The Choice.



It's Your Decision.

- Brentwood Control
- Brentwood Decides
- Brentwood Benefits



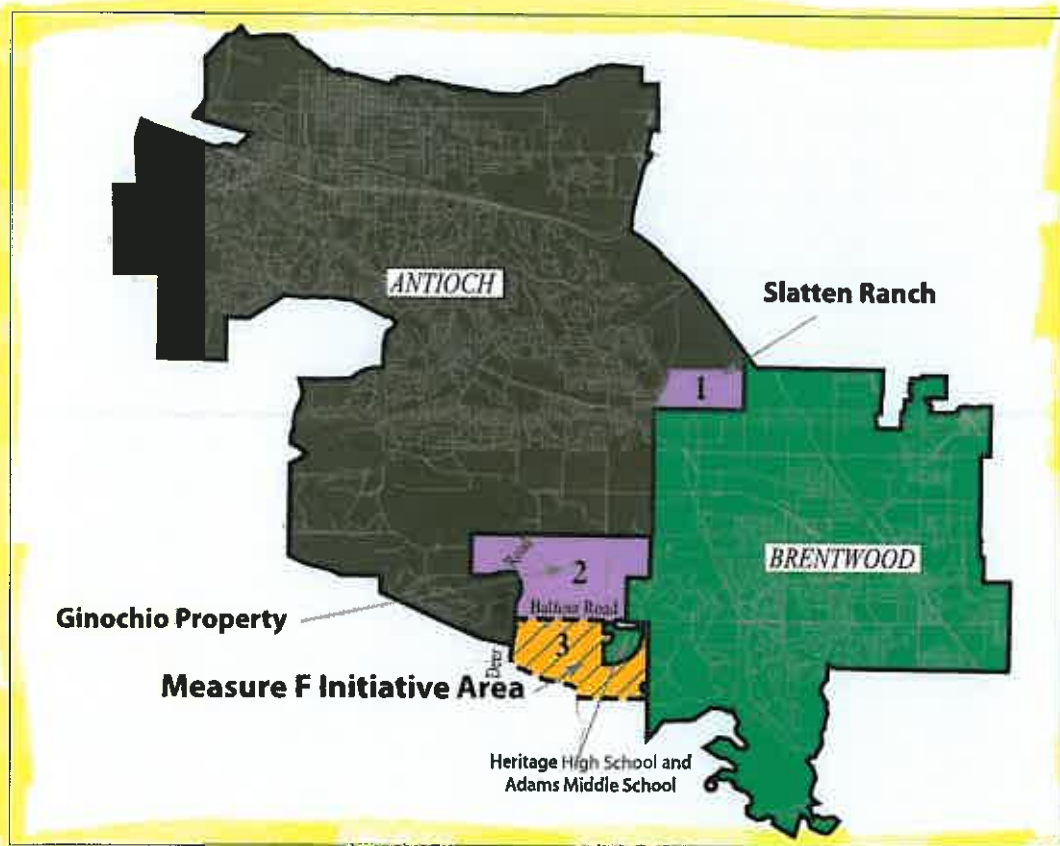
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It's Happened Before.



Don't Let It Happen Again!

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“Leaders Acknowledge Antioch could face bankruptcy”

Contra Costa Times May 18, 2010

“Mayor: City should brace for bankruptcy”

The Press May 20, 2010

EXPERIENCE!

“In the event...we cannot meet our payroll six months from now we have to start actions for bankruptcy”

Antioch Mayor Jim Davis



Chris Becnel
Brentwood City Councilmember
Attorney at Law, Certified Public Accountant

“I am sorry to see the trouble Antioch is going through. However, if Measure F is defeated, Antioch will have both the opportunity and financial motivation to seize this area. They have done so before.”

- 1. Slatten Ranch:** After Brentwood said No to annexing Slatten Ranch, Antioch said Yes to the 53 acre, 570,000 square foot retail development. **Result: Antioch receives more than \$1.5 million annually in taxes. Brentwood gets the traffic.**
- 2. Ginochio Property.** When Brentwood’s voters defeated Measure L in 2005, this opened the door for Antioch. Antioch has targeted the 792 acre Ginochio area calling it a “Focus Area” in its General Plan. Given Antioch’s average development density of 4.5 units/acre, Antioch approval of Ginochio could lead to more than **3,000 homes.** **Antioch would get the fees and taxes, we’d get the traffic.**
- 3. Measure F Initiative Area:** On Tuesday June 8 Brentwood voters will decide Measure F. If F passes, this area will be annexed to Brentwood and Brentwood will decide if homes are allowed, not Antioch nor the County. **Yes on Measure F means Brentwood Control & Brentwood Benefits.**

From Developer's Yes on F Website

Home | Our Measure | News | Campaign Literature | FAQ | Support | Endorsers | Photo Gallery | Contact

Yes on Measure F

Antioch Option

The Truth about the Antioch Debate
By Fix Balfour Road and American Avenue PAC, on May 30, 2010

It's Happened Before. Don't Let It Happen Again!
By Fix Balfour Road and American Avenue PAC, on May 28, 2010

The Choice. Know the Truth Before You Vote!
By Fix Balfour Road and American Avenue PAC, on May 28, 2010

Featured News

LAFCO Chairman Speaks For Himself
June 5, 2010

Antioch Councilman says Antioch Wants Measure F Area
By Arne Simonson - thepress.net, on June 3, 2010

Measure F Opponents Engaged in Sleazy Push Poll
May 15, 2010

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This year, leaders in Brentwood brought forward Measure F in an attempt to respond to the concerns that voters had with 2005's Measure L.

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Campaign Literature

Voter Alert! Brentwood Press Confirms Antioch Risk
By Fix Balfour Road and American Avenue PAC, on June 5, 2010

LAFCO's 7 commissioners decide Brentwood or Antioch

Here is what 5 of them have stated

"If the people of Antioch decide to expand their urban limit line to include the area along Balfour Road, LAFCO could give that great weight."

Helen Allen, Rob Schroder
LAFCO Commissioners
Brentwood Press, June 4

Potential for Antioch Annexation is "Accurate."
Brentwood Press, June 4

"I agree with what Helen and Rob said."

Martin McNair
LAFCO Chairman

Regarding the Allen & Schroder letter
"I couldn't agree with them more."

Dwight Meadows
LAFCO Commissioner
Brentwood Press, May 13

Allen & Schroder letter laid out
"the reality of the LAFCO process."

David Piepho
LAFCO Vice Chairman
Brentwood Press, June 4

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If You Think No on F Means No Homes ... Think Again.
By Fix Balfour Road and American Avenue PAC, on June 5, 2010

Measure F opponents would have you believe that No on F will stop development. Things aren't ever that simple!

- The Measure F area has been planned for homes for many years. Either Antioch or Brentwood will develop the site.
- Balfour Road needs widening. American Avenue needs to be extended. These roadway fixes cost \$27,000,000. Homes are the only way to pay for this.
- Antioch has announced it may be going bankrupt. They've already laid off police officers. They need every penny they can get. Antioch needs growth in order to fund public services.
- Antioch's Roddy Ranch also needs more growth to fund roads and utilities.
- Antioch has an average density of 4.5 homes per acre. Measure F limits potential growth to no more than 1.75 homes per acre. An Antioch approval could allow much more development.

LAFCO's seven commissioners would decide if Antioch can annex this area. Five commissioners have stated that Antioch could take the area when Antioch's voters say yes if Brentwood's voters say no.

So, the question ISN'T IF the area will be developed. The question is BRENTWOOD or ANTIOCH?

**YES on F Means
BRENTWOOD!**

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Join Us. Yes on F!
By Fix Balfour Road and American Avenue PAC, on June 5, 2010

Join Us. Yes on F! By Voting Yes on Measure F! If Homes Are Ultimately Approved...

- Extra Parks
- New Sports Fields
- \$800,000 Annual City Surplus & Help for the Brentwood Economy
- \$27,000,000 to Widen Balfour & Extend American
- Elementary School & Scholarships for Brentwood Students
- New Paramedic Service
- No New Taxes!
- \$20,000,000 to expand the Bypass
- Brentwood Decides, Not Antioch
- Additional Brentwood Police
- Tools to Fight Crime
- Jobs for Brentwood
- No Homes Until At Least June, 2015!
- Low Density, Upscale, Owner-Occupied Homes

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The Truth about the Antioch Debate

By Fix Balfour Road and American Avenue PAC. on May 30, 2010

Much of the current debate about Measure F is turning on the question of whether or not Antioch might take control of the area if Measure F is defeated. Our opposition has provided an impressive sounding argument. Unfortunately, it's full of misinformation half-truths and does not tell the whole story.

Here are the facts:

1. The site is NOT within Brentwood's City Limits. Until it is within the actual City Limits, the determination of the area's ultimate control remains unresolved. This is the law.
2. The Contra Costa Local Agency Formation (LAFCO) has the power to decide whether the area goes to Brentwood or Antioch or stays unincorporated. It is made up of 7 members. Contra Costa LAFCO has a longstanding policy of abiding by the express will of the people. In this case, if the people of Brentwood reject this area for a 2nd time, LAFCO Commissioners have indicated that they are open to sending it to Antioch if Antioch's voters want it.
3. The area is within Brentwood's Sphere of Influence (SOI). This does support the idea that Brentwood should ultimately control this territory. We agree. That's why we're trying to finalize the steps of coming into Brentwood by passing Measure F. We would much rather join Brentwood. That's why we wrote an initiative to come to Brentwood instead of Antioch.

It's important to understand that a SOI status can be changed at any time LAFCO deems it appropriate. As recently as 2008, LAFCO removed hundreds of acres from Brentwood's SOI after that land was made part of the state park system. LAFCO does a regular review of SOI's to see if they still make sense. We're concerned that a 2nd rejection of our land by Brentwood's voters would be a substantial basis for removing our land from Brentwood's SOI. This is the kind of reasoning that LAFCO uses throughout the County.

4. Opponents seem to think that the position of the City of Antioch somehow decides whether land is placed under their control. Not true. In fact, Antioch's City Council could even OPPOSE the proposed annexation. In the final analysis, the relevant issue is the policy of the 7 LAFCO Commissioners. State law gives them the sole power to decide this question.

But don't be fooled. Antioch has NOT rejected the idea of bringing our land into their control should Brentwood reject it. Even more important, with their recent announcement that they may be facing bankruptcy, Antioch would have a strong motivation to go after this area. Brentwood's staff concluded that homes on our site would generate annual net \$800,000 surplus. Not only would the tax dollars and fees be of great benefit to Antioch, they have made it clear that development is needed to fund roads and sewer lines to allow them to implement their plans for Roddy Ranch. Antioch voters approved Roddy Ranch via the Measure K initiative in 2005 by nearly a 60% to 40% vote.

5. The real question surrounding Antioch is what will the voters of that city do? Because of the approval of Measure K in 2005, Antioch has its own Urban Limit Line. Pittsburg and San Ramon's voters have the same power and authority over their own area. Currently, Brentwood does not. If Measure F passes, Brentwood will have its own Urban Limit Line which it will control. Right now, Brentwood is only a 5% fraction of overall countywide line.

6. An initiative in Antioch would change that city's Urban Limit Line and would amend its General Plan. These are the key factors which would allow Antioch to annex the Balfour area.

7. Once Antioch's voters approved the initiative, all that would be left is for LAFCO to finalize the shift to Antioch. It is true that a full review and public hearing would be part of that process. However, given LAFCO's stated policy of respecting the will of the people, ask yourself this basic question: if Brentwood's voters say no while Antioch's voters say yes, why wouldn't LAFCO put the area in the city which wants it? They almost certainly would. They always have.

8. Regarding an Antioch initiative, there are at least 4 groups who can put one on the ballot. A) the Antioch City Council, B) a group of Antioch citizens, C) other property owners, and D) the Measure F property owners. Please understand that initiatives get on city ballots a number of ways, often without the consent of the impacted property owners.

9. Finally, when our opponents say that Antioch can't take this area, please remember that Roddy Ranch was outside Antioch and outside the Urban Limit Line. It became a part of Antioch because of the passage of Measure K and the votes of the 7 LAFCO Commissioners.

That's it. As complicated as it may sound, it's ultimately a 3 step process. Our land can come into Antioch if: A) Measure F loses, B) an Antioch initiative passes and C) LAFCO approves the move.

Please ask our opponents that if Roddy Ranch could come into Antioch by initiative, why couldn't the Balfour area? Regardless of what they say, the simple fact is that it can.

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It's Happened Before. Don't Let It Happen Again!

By Fix Balfour Road and American Avenue PAC. on May 28, 2010

1. Slatten Ranch: After Brentwood said No to annexing Slatten Ranch, Antioch said Yes to the 53 acre, 570,000 square foot retail development. Result: Antioch receives more than \$1.5 million annually in taxes. Brentwood gets the traffic.
2. Ginochio Property: When Brentwood's voters defeated Measure L in 2005, this opened the door for Antioch. Antioch has targeted the 792 acre Ginochio area calling it a "Focus Area" in its General Plan. Given Antioch's average development density of 4.5 units/acre, Antioch approval of Ginochio could lead to more than 3,000 homes. Antioch would get the fees and taxes, we'd get the traffic.
3. Measure F Initiative Area: On Tuesday June 8 Brentwood voters will decide Measure F. If F passes, this area will be annexed to Brentwood and Brentwood will decide if homes are allowed, not Antioch nor the County. Yes on Measure F means Brentwood Control & Brentwood Benefits.

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The Choice. Know the Truth Before You Vote!

By Fix Balfour Road and American Avenue PAC. on May 28, 2010

Opponents of Measure F aren't telling the truth.

They claim that annexation of the Measure F area to Antioch "can't happen" and is "impossible."

The opposite is true.

If Measure F is approved, the land will be annexed into Brentwood and Brentwood will decide if homes are allowed. Brentwood will have control!

However, if Measure F is defeated, here's how the area can get into Antioch:

1. Antioch's voters approve an initiative including this area in Antioch's own Urban Limit Line.
2. The Contra Costa Local Agency Formation Commission (LAFCO) approves the shift to Antioch. LAFCO members have already indicated that they are open to putting this area into Antioch depending on the results of the Measure F election.

That's It.

This is the process Measure F opponents claim "can't" happen. Their allegations are especially strange since this is **exactly how Roddy Ranch was annexed to Antioch!**

Some additional details

1. An Antioch initiative can be brought forth by ANY of the following:
 - a. The Antioch City Council
 - b. A group of Antioch citizens
 - c. Other property owners
 - d. The Measure F property owners
2. The City Council of Antioch is NOT required to either approve or even support the annexation.
3. Brentwood residents would NOT be allowed to vote.

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Reason #3: Put Brentwood In Control

By Fix Balfour Road and American Avenue PAC, on April 27, 2010

Full Implementation of Measure F means:

- Brentwood Establishes its own Urban Limit Line
- Brentwood Voters Decide What Happens Around our Borders, not Outsiders
- Widen and Improve Balfour Road Extend American Avenue to Balfour
- Additional Dollars to Expand the Bypass
- More Police and Improved Public Safety
- Local Jobs, Job Retraining and Scholarships
- \$800,000 Annual Surplus to the City of Brentwood
- Low Density, Higher Priced Homes Near Balfour and Deer Valley
- Brentwood Kids in Brentwood Neighborhood Schools

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Reason #2: Put Brentwood In Control

By Fix Balfour Road and American Avenue PAC, on April 27, 2010

Balfour Road - Measure F requires land owners to widen Balfour to a 4 lane, divided roadway from American to Deer Valley. Currently, Balfour is two lanes, undivided and unsafe.

American Avenue - Measure F requires land owners to extend American Avenue to Balfour. This would allow for much better pick up and drop off of kids at Heritage High and Adams Middle Schools. Traffic will be reduced and American will become much safer.

The Bypass - Full implementation of Measure F would generate in excess of \$20,000,000 to expand the Bypass. More than 88% of the Bypass has been paid for with development fees. Bypass widening and an interchange at Sand Creek are planned.

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Reason #1: Put Brentwood In Control

By Fix Balfour Road and American Avenue PAC, on April 5, 2010

Currently, outsiders control what happens around our borders. Brentwood residents only have a 5% say about what happens to the existing, countywide Urban Limit Line. Measure F gives Brentwood's voters 100% control. Our neighbors and City Council know what's best for Brentwood. We should decide, not them.

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This year, leaders in Brentwood brought forward Measure F in an attempt to respond to the concerns that voters had with 2005's Measure L.

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Don't allow others to choose for us

By Annette Beckstrand, Brentwood - thepress.net, on April 29, 2010

One of the most important points to understand regarding Measure F is that the land in question is not protected open space. The land lies within the neglected and unfunded jurisdiction of the county. It is subject to anything the County Board of Supervisors elects to do – with or without our vote.

If we do not control this land, the owners will likely go to Antioch for annexation, or to the county for development. If this occurs, we will not see most of these improvements and will suffer from a development that will adversely impact our community.

Measure F is straightforward – local control for Brentwood. The bottom line is about who decides Brentwood's future, and the future use of the land in question. Brentwood residents can choose to have 100 percent of the vote regarding the future of Brentwood, or we can leave it to the overall county residents, of which we total a meager 5 percent of the voters. Measure F gives Brentwood control of its borders by establishing our own urban limit line, not the one decided upon by voters in the far reaches of the county – most of whom have never set foot in Brentwood.

Once annexed by us, we can oversee the specific compliances to environmental and community impacts. We can camp out on the steps of our own city hall to express our opinions and know that they will listen because our vote directly affects them.

Once Measure F is passed by us – we stand to benefit from the proposed amenities, which are: more than \$25 million to fix Balfour Road and American Avenue; significant funds for expansion of the Bypass, much-needed investment to our economy with new jobs and surplus funds to the city; services that enhance public safety with funding for paramedics and crime-fighting tools for our police; more elementary school capacity than needed to support the project; sports fields and parkland well in excess of standard requirements.

If we vote no, someone else will undoubtedly choose for us. We can choose for ourselves if we vote Yes on Measure F.

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Consequences of Measure F results

By Helen Allen, Rob Schroder, LAFCO Commissioners - thepress.net, on May 6, 2010

We represent Contra Costa's 19 cities as the Mayors' Conference representatives on the Local Agency Formation Commission. LAFCO is the agency responsible to decide, among other issues, whether or not a particular area is annexed to one city or another.

Among the factors we consider in deciding these proposed annexations is whether or not the site is within voter-approved urban limit lines. For example, in 2006, we annexed Roddy Ranch (Horse Valley) to Antioch after Antioch's voters approved Measure K. In 2009, we annexed the Faria Ranch into San Ramon after that city's voters approved their own urban limit line.

The issue of annexation has come to our attention regarding Brentwood's Measure F. The land involved in Measure F is located between and adjacent to both Brentwood and Antioch. It is currently within Brentwood's Sphere of Influence. This is important because it means that Brentwood is the more logical service provider for this area.

However, we also remove land from city spheres once it is clear that such areas are either no longer appropriate for annexation to that city or that the voters have rejected it. As a case in point, in 2008, LAFCO deleted hundreds of acres from Brentwood's Sphere of Influence as the area became part of the state park system.

If Brentwood's voters indicate their lack of interest in this area by defeating Measure F, LAFCO could reconsider its intention to direct this land to Brentwood by amending the city's SOI. Additionally, if the people of Antioch decide to expand their urban limit line to include the area along Balfour Road, LAFCO could give that great weight. Any final decision about annexing the site to Antioch would occur only after a full analysis and public hearing.

We respect the will of the people. It is our policy and, in our view, is the only fair and reasonable way to handle these issues.

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Land between two cities

By Dwight Meadows, LAFCO Commissioner - thepress.net, on May 13, 2010

I read with interest the recent letter of my colleagues Helen Allen and Rob Schroder. I am fortunate to serve with them on the Local Agency Formation Commission. We have worked together for many years to try and make the right decisions about boundary changes and annexations.

In terms of the issues their letter raised, I couldn't agree with them more. Like Helen and Rob, I too feel that it is imperative that we at LAFCO respect the will of the people. It has been our long-term policy to honor voter-approved urban limit lines when deciding if and where a particular site should be annexed to one city or another.

Disputes arise among cities regularly. We've also had to decide between a given city and the unincorporated county area. These disagreements can be intense. However, we strive to consider all available information in order to make an equitable decision.

We generally do not annex land that is agriculturally highly productive. We also try to avoid "leap frog" annexations. However, in locations that are already between two cities and not of prime agricultural value, our LAFCO has normally been supportive of annexing such territory to a city. This is true as we are also obligated to support orderly development!

As a proud resident of East County, I am very familiar with the land involved in Measure F and the problems with Balfour Road and American Avenue. While I have not taken a position on Measure F, I did want to provide input to the people of Brentwood as they make their decision.

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LAFCO Chairman Speaks For Himself

June 5, 2010

In an effort to undo the misinformation caused by Seth Adams' intentionally misleading comments, Contra Costa Local Agency Formation Commission Chairman Martin McNair spoke with the Brentwood Press this week. McNair is the chair of the 7 member commission which decides annexations. In this case, LAFCO will need to determine if either Brentwood or Antioch annexes the Measure F area along Balfour Road.

In a series of public comments and emails, the No on F crowd have taken McNair's comments out of context and have tried to get voters to believe something that just isn't true.

McNair confirmed that he was unhappy that fellow commissioners had chosen to provide input about LAFCO's policies and procedures during the Measure F election. He also stated that LAFCO hadn't made a final decision about the Brentwood or Antioch annexation question.

The reason they haven't made the decision is because the issue hasn't come to them yet! The No on F argument is different. They claim that a negative decision regarding Antioch's potential taking of the site has already been made. Absolutely untrue. A complete fabrication.

McNair went further to clarify his position in his words. He confirmed that he had read both the Helen Allen/RobSchoder letter along with the Dwight Meadows letter. In the Press story McNair says that both letters are "accurate." He also confirmed in a separate conversation that he agreed with everything the letters of his colleagues stated. Everything. He just wished that LAFCO hadn't become involved.

Vice Chairman David Piepho also participated. He made it very clear that he also agreed with the comments of Allen, Schroder and Meadows. They just laid out "the reality of the LAFCO process" stated Piepho. He also fully supported both the right of the LAFCO members to make their comments. Unlike the No on F group, others actually still believe in the First Amendment to the Constitution.

With McNair's and Piepho's comments, there are now 5 members of LAFCO who have all stated the same thing - namely that if Brentwood's voters say No and Antioch's voters say Yes, that they will likely adhere to the express will of the people and put the land into Antioch's control. The other two members, Supervisors Gayle Uilkema of Lafayette and Federal Glover of Pittsburg haven't spoken publicly on the issue.

Should Antioch get the property, none of the limitations on growth nor any of the benefits that Measure F provides Brentwood would be assured. Antioch could approve any number of homes they wished and Antioch would get the property taxes and other fees. Given Antioch's recent announcement that they are openly considering bankruptcy, their need for these dollars couldn't be more obvious.

Also, this land would be quite distant from the voters of Antioch. Accordingly, it might well be an area within which Antioch tries to supply its legally-mandated affordable housing. Of the 19 cities in Contra Costa, only Moraga, Orinda and Antioch do not have approved housing plans. State law requires each city to identify sites for low income housing. Antioch needs more dense homes and apartments to bring their plans into compliance with the law.



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