



Planning Commission favors North Pacheco annexation

November 25, 2010

By
Staff Reporter
November 25, 2010

January 12, 2011
Agenda Item 14c



[1]

As far as the Planning Commission is concerned, the City's move to annex North Pacheco is long overdue. Members voted unanimously on Tuesday to approve a package of general plan amendments and related environmental documents, facilitating the annexation proposal to proceed before the City Council.

"It's rare that not one resident is here in opposition [to an annexation]," commented Chair Donna Allen. Now that Lynette Tanner-Busby has resigned from the Commission, Allen will serve as the Commission's Chairperson.

Moreover, members Paul Kelly and Allen voiced their support for the Council to consider expanding the annexation area further north along Pacheco Blvd.

The annexation's biggest impact on the City's Public Works Department, said consulting project manager Dani Tasani, is in the cost of expanded street sweeping to the new area twice a month.

Commissioners called on incoming Chief of Police Gary Peterson to confirm that the annexation would not unduly tax the police force and services. Peterson referred to a section of the project's Initial Study that describes, "police patrol and emergency response would be transferred from the County Sheriff's Office to the City of Martinez Police Department. The Sheriff's Office responded to 177 calls in the beat that includes the proposal area in the six months from April 1, 2008 to Sept. 30, 2008. [MPD] estimates that initial needs in the proposed areas can be met with existing staff following the annexation and that no new police facilities will be needed in order to address new service calls."

Commissioner Rachael Ford expressed skepticism throughout the discussion over the finances of the proposed annexation, pointing out that City doesn't have extra cash to throw at new projects for the time being. Although the City is managing to keep within budget and eschewed layoffs, Ford indicated she was concerned the annexation might provoke a downward spiral of deficit spending.

Calling the area "very, very blighted," City Manager Phil Vince said the annexation would not see a rush of big box development in the area, rather it would encourage small and medium-sized businesses in the area to move into the newly-anointed section of Martinez.

"Twelve antique stores are not creating jobs," said Vince, referring to current downtown businesses.

An attorney representing O'Brien Homes, developers of the Belmont Terrace subdivision, addressed the Commission to underscore the company's support of the annexation as long as a Memorandum of Understanding is signed between the County, the City of Martinez and O'Brien Land Company over currently approved development permits, chiefly over an unbuilt subdivision called Field/Bodhaine.

"It is important that the MOU include provisions ensuring all of the following: an extension of the tentative map and full vesting of the rights secured under the tentative map for the Field-Bodhaine project through November, 2014; processing of the map and building permits on Belmont Terrace and Field/Bodhaine by Contra Costa County, even after the annexation is final; no

changes to conditions of approval ... and no resultant increases in impact fees, permitting fees or building permit fees ...,” said Martin Lysons.

Resident Tim Platt noted the Council might use the annexed area to implement a Redevelopment Agency, but Vince denied the suggestion, saying there were many tools to use as subsidies to bring businesses to the area. Platt also said that the roughly \$100,000 the City has spent so far on annexation studies and consultants should be included in the final cost analysis.

Now that the Commission has weighed in on the matter, it will go before the City Council; Council members will vote on whether or not to forward the proposal to LAFCO for final approval.

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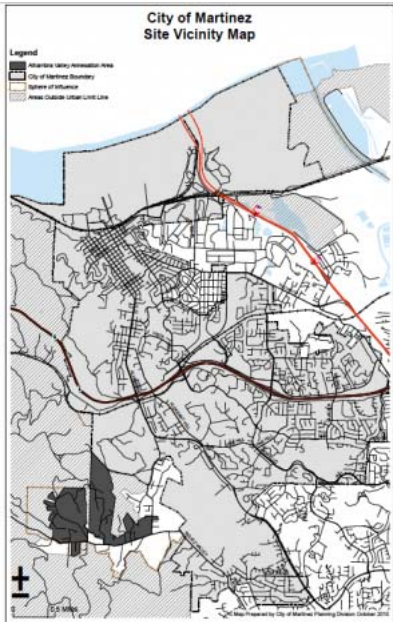
December 5, 2010

Alhambra Valley annexation favored 4-1

By

Staff Reporter

December 5, 2010



[1]

With a vote of four to one in favor of annexing approximately 400-acres of Alhambra Valley into the City limits the City Council forged ahead, disregarding two decisive denials of the plan by the Planning Commission and overwhelming opposition from Valley residents.

Council member Mark Ross cast a nay vote only because he thinks the City should take over administration of the entire Valley.

"The Alhambra Valley is Martinez. Annexation was a condition of water service," said Ross, telling the audience that "we already protected you [from development]," when the Council voted in 2006 to adopt the Urban Limit Line "well within the [City's] sphere of influence."

After appearing one more time on a future Council agenda, the annexation plan will then go before the Contra Costa Local Area Formation Commission (LAFCO), the county agency that serves as the final decision-maker on annexations.

Earlier in this week's meeting, three incumbent Council members were sworn in for another term after the November 2 election results were finally certified two days prior. In his comments, newly re-elected Mayor Rob Schroder declared, "some in the community will never accept the plans that we have made, but the citizens have spoken in this last election and those of us that have been elected will carry out their will."

The will of Valley residents, at least the dozens present at Wednesday's meeting, is to block the annexation, as evidenced by speaker after speaker approaching the podium during public comment in an attempt to dissuade the Council.

Sharon Hannah spoke on behalf of herself and her husband, David Hannah, the great grandson of John Muir. While the Hannah property is not included in the annexation area map – Planning Commissioner Michael Marchiano had described it as a gerrymandered – if the annexation takes place, the couple's property will become an island, she said.

"We do not want street lights. We do not want the City to maintain our roads. We do not want the Sheriff's Office providing police protection. We do not want to pay additional taxes," said Hannah. "We want to maintain our rural status with minimum one half acre lots ... we live in a democratic republic and count on our elected officials to represent us. I'm asking you to listen to the people and drop this proposed annexation."

"A lot of us moved there to get away from cities ... the confusion that's being created here for the sake of the City is a good example of what we can expect later," said Frederick Maida, adding that he doesn't put much stock in Council's promises that the current zoning of the Valley won't change. "[You say] the plan will stay 'generally' the way it is – that is a dangerous word."

Tom Griffin, whose family has owned and lived on their Alhambra Valley land for the past 140 years, said he would state his opinion succinctly. "The valley isn't broken, I don't know why you guys are trying to fix it," he said as the audience applauded.

City officials and staff have long insisted the Alhambra Valley annexation proposal was initiated in response to a request from LAFCO.

LAFCO is comprised of Mayor Rob Schroder and Concord City Council member Helen Allen (Don Tatzin is the City official alternate); Board of Supervisors Federal Glover and Gayle Uilkema (with Supervisor Mary Piepho as the alternate); public members Martin McNair (Sharon Burke is the alternate); and special district members Dwight Meadows and David Piepho, Mary's husband (George Schmidt is the special district alternate). At the moment, David Piepho's LAFCO membership is up in the air after the Board of Supervisors failed to renew his appointment to the Byron-Brentwood-Knightesen Union Cemetery District, a necessary position for him to stay on the LAFCO board as a special district member.

In 2008, according to Planning Manager Terry Blount, LAFCO directed the City of Martinez to implement the 105 annexation agreements that the City claims to have entered into over the last two decades.

These deferred annexation agreements were signed by homeowners when they sought water service. City policy required the agreements in order to provide water service outside the city limits but inside its water service area.

Although Blount asserted the deferred annexation agreements are on a City database, Valley residents and members of the Alhambra Valley Improvement Association (active in opposing the annexation) Hal and Marie Olsen said they spent many hours at City Hall looking for said agreements. City staff were only able to produce 29 percent of the documents.

"Where are the others?" asked Marie Olsen; she did not receive an answer.

The agreement documents are key because they prevent those property owners from voting on the annexation should the matter come to a protest vote.

According to Blount, "LAFCO completed the State mandated municipal service review (MSR) for Martinez in 2006. In the section of the report that addressed agencies in Central Contra Costa County that provide water and wastewater services, the report discussed the number of water service accounts located outside the City's current boundaries. Most of the service accounts were set up pursuant to City of Martinez Resolution No. 169-87, adopted in 1987, which required a deferred annexation agreement and were entered into prior to 2001. A few have been processed since 2001. As noted in the MSR regarding the outstanding deferred annexation agreements, LAFCO encourages the City to annex areas currently receiving City water services into the City, as appropriate."

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Fire district explores options for floating parcel tax

By Rowena Coetsee
Contra Costa Times
Contra Costa Times

December 6, 2010

Posted: 12/06/2010 10:46:19 PM PST

OAKLEY -- East Contra Costa Fire District officials are wondering how they can afford to propose a parcel tax.

Directors on Monday winced at what it would cost the cash-strapped agency to put the question to voters in an election.

"These numbers are huge," director Chris Finetti said while surveying several estimates.

Placing a parcel tax measure on the June ballot would run \$4.50 for every registered voter in the fire district or about \$240,000, according to the county clerk's office. Holding a mail-in election in May would cost about \$205,000, and hiring private consultants to do everything would cost roughly \$85,000 to \$95,000, according to a staff report.

"I was astounded at the prices and I'll tell you right now, I don't think we have it," said director Bob Taylor.

The district closed two of its eight fire stations in July to balance the current fiscal year's budget, and officials are predicting that it still will run out of money before the end of 2012-13 unless something changes.

Although the district is in no shape to hire more firefighters, a spokesman from United Professional Fire Fighters of Contra Costa County Local 1230 gave a presentation at the outset of the meeting to emphasize the need for at least three people on an engine, the industry standard.

Capt. Peter Marshall drove home his point with a couple of videos that showed how a small fire can become an inferno in minutes -- and how much more slowly a two-man crew works.

Although the district reassigned personnel from the stations it closed to create three-person crews at four of the remaining ones, two stations still don't have enough firefighters.

Finetti suggested that the district could save money by having employees work with a consultant to hold the election, an idea that fellow directors agreed will be presented in the bids the agency will be soliciting over the next month. The cost of doing it this way will be presented at the board's January meeting along with the results of a recently commissioned poll.

Directors had the survey done to find out whether a parcel tax has a chance of succeeding before going to the expense of putting the measure on the ballot.

Intertwined with the discussion of the fire district's election options was talk of whether to ask voters at the same time whether they want to choose the directors.

The nine-member board currently is appointed.

Contact Rowena Coetsee at 925-779-7141.

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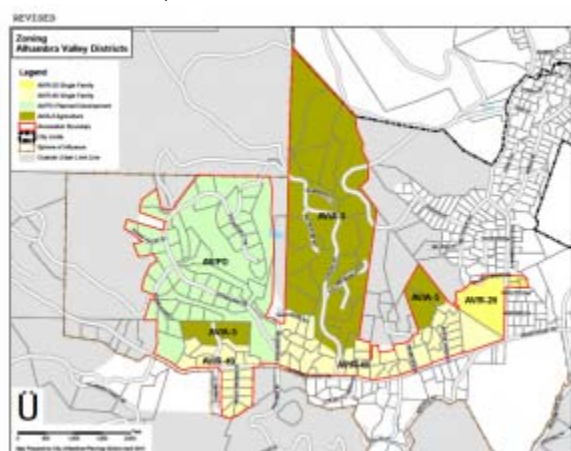
December 14, 2010

Council set to rubber stamp Alhambra Valley annexation

By

Staff Reporter

December 14, 2010



[1]

This week the City Council plans to sign off on an attempt to annex 400 acres of Alhambra Valley; the municipal ordinances relating to the planned annexation are placed on the consent calendar for summary approval and the proposal will next go to the Local Area Formation Commission (LAFCO) for final approval or denial.

Echoing the fact that the minutes from the December 1 City Council meeting, as posted on the City's website, wholly omit the statements of dozens of citizen who spoke in explicit opposition to the annexation, the Council opted at that meeting to overrule two Planning Commission denials of the annexation plan and the testimony of Valley residents.

"We do not want street lights. We do not want the City to maintain our roads...We want the Sheriff's Office providing police protection. We do not want to pay additional taxes," said Sharon Hannah during the Dec. 1 public comment period; she said she spoke on behalf of herself and her husband, David Hannah, the great grandson of John Muir. "I'm asking you to listen to the people and drop this proposed annexation."

Council member Mark Ross cast the one nay vote on the annexation package, which included the acceptance of environmental documents, establishment of new land use designations and pre-zoning of the annexation area, only because he felt the City should annex the entire Valley and the current plan didn't go far enough.

Kate Sibley of LAFCO said Monday that after the City submits the annexation application, it will take a minimum of six months or "potentially longer," to process the application and place the item on the LAFCO agenda. Sibley also confirmed that former LAFCO member David Piepho no longer sits on the Commission and now the Contra

Costa Special Districts Association will decided on Piepho's replacement on January 24.

"We will be expecting nominating requests by January 5," said Sibley.

Other agenda items slated for Wednesday's meeting include presentations on the Joltin' Joe restoration and one from the Martinez Chamber of Commerce and Main Street Martinez.

Both organizations are required to provide the Council will quarterly status reports as a condition of receiving City funding.

City staff will also be asking the Council to approve a new \$15 fee to cover upgrades in technology. This fee will be paid by those filing various building permits and applications.

"These point-of-origin fee-based services include all

building permit applications, which include permits in the new construction, miscellaneous,

mechanical, plumbing, and electrical categories, and a number of Planning services, including design review, General Plan amendment, lot line adjustment, major subdivision...planned unit development, rezoning, use permit, variance, zoning amendment...and tree removal permit," said Senior Management Analyst Michael Chandler.

Chandler specified the City processes an average of 1,274 building and 81 planning permits annually for a total of 1,355 each year. Since the cost to the City, "which includes annual maintenance, customization, support, and Web

hosting, and allows for future plans for wireless/remote connectivity to support in-the-field

inspections," is just under \$20,000, he divided that total by 1,355 to reach the \$15 a year fee.

On Wednesday, the City Manager will review the City's plans on how the second phase of the 2008 Measure H bond money will be spent and seek approval to move forward on designs from the Council.

The Council is also slated to approve Mayor Rob Schroder's recommendations for commission and committee recommendations. Paul Kelly, currently an Alternate, is being recommended for a four-year term as a full Commissioner; as is resident Sigrid Waggener. Kimberly Glover is up for appointment as a Planning Commissioner alternate.

Other planned appointments are Scott Alstad as Veterans Commissioner, Scott Watkins as Design Review Committee member and Daniel Pellegrini to the Contra Costa Mosquito and Vector Control District.

News

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LAFCO seats up for grabs

by Ruth Roberts

December 16, 2010

Dec 16, 2010 | 90 views | 0 | 2 |



For the first time in nearly five years, two openings on the seven-member Contra Costa Local Agency Formation Commission (LAFCO) are up for grabs, and commission members are expected to vote on the available seats within the next few weeks.

"This is a little unusual," said Lou Ann Texeira, LAFCO executive officer. "Certainly it's the first time this has happened since I've been with LAFCO, but it'll work out. We'll get it done."

LAFCO is a powerful county commission that oversees land boundaries and annexation issues. There are 58 such boards throughout California.

The two positions – the mayors seat, held by Concord Councilwoman Helen Allen, and the special districts position held by Discovery Bay Community Services District (CSD) Director David Piepho – became available last month following Allen's retirement from the Concord Council and Piepho's resignation from the CSD board and subsequent unsuccessful bid for a seat on the Byron-Brentwood-Knightesen Union Cemetery Board. In order to retain a position on LAFCO, commissioners must sit on the board of one of the agencies they represent.

In the case of Allen, a call for nominations to fill her spot on LAFCO went out a few weeks ago and the nomination deadline was set for Dec. 22. According to Texeira, when the City Selection Committee meets at its regular Jan. 6 meeting, a new commissioner to fill Allen's position will be appointed.

"Because Helen (Allen) didn't run for a seat on the Concord City Council again, her seat on LAFCO became available," said Texeira. "There are 19 cities countywide, so there is the potential for that many nominations, although typically we receive maybe three or four. We'll see what happens."

Selection committees comprising representatives from each of the commissions appoint LAFCO seats. For example, a group made up of representatives from each of the county's 19 city councils votes on the mayors seat.

Although no official word has been issued on who is running for the open mayors seat, Brentwood Mayor Bob Taylor has said he might throw his hat into the ring, and according to Texeira, it's also possible that mayors seat alternate – Lafayette City Councilman Don Tatzin – might apply. Applicants for the mayors seat needn't be mayors, but must at least be members of a city council.

Nominations for the special districts seat are open until Jan. 5, and an appointment is expected at the regular meeting of the Independent Special District Selection Committee on Jan. 24.

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There are 44 special districts countywide and the same number of potential applicants, but so far, just one individual, George Schmidt – the sitting alternate – plans to apply for the post.

“I am definitely interested in running,” said Schmidt, who has been on the board of directors of the West County Wastewater District since 1992. “I’ve been an alternate for years and I would like to make a run for it. Maybe it’s my time.”

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Southeast Danville annexation costs analyzed

By Eric Louie
Contra Costa Times
Contra Costa Times

December 16, 2010

Posted:

DANVILLE -- Looking at the cost to annex areas off Camino Tassajara, the town of Danville has learned the cost to provide services there would be balanced out by money it would receive in taxes and other revenue from the area.

A draft fiscal analysis was given to the Town Council on Tuesday. The issue will be included in the town's ongoing update of its General Plan for long-range growth.

The town hopes to complete the plan in the summer. It is separate from the town's consideration of expanding into the Tassajara Valley. Both issues will be included in the General Plan.

Any initiative for Danville to expand its "sphere of influence" would be initiated by the town and must be filed with the Contra Costa County Local Agency Formation Commission, which would be the agency to approve it.

The area considered in the analysis is along the eastern stretch of Camino Tassajara and includes Bettencourt Ranch, Shadow Creek Drive, Mrack Road/Hansen Lane, Monterosso Street, Wendt Ranch, Willow Collection and Alamo Creek, according to the town. Those areas are outside town limits and are considered unincorporated Contra Costa County.

About 9,200 residents could be affected, according to the analysis. That is an estimated 5,351 people who live there now, with 1,360 expected from development before annexation and an additional 2,458 when the area is built out.

The analysis by consultants Economic and Planning Systems compared property taxes and other potential revenue to the cost for items such as police, street lighting, street maintenance and major roadside and median landscaping. It showed that annexing the area would result in \$450,000 more money than was spent on the area a year.

Of the areas considered, Bettencourt Ranch, Shadow Creek and an area unrepresented by an association are north of Camino Tassajara. In only areas south of Camino Tassajara were to be annexed, it would create a \$150,000 shortfall, according to the analysis.

Talks with some homeowners associations and those in the unrepresented areas have been held, and there is interest in pursuing the annexation further.

The analysis did not include sales taxes figures since residents would be spending their money in the town regardless if it were annexed or not.

The study also assumed annexing south of Camino Tassajara would not include Danville taking responsibility for additional costs to the street. The segments of street for which the town is responsible may be the subject of negotiations with the county.

Contact Eric Louie at 925-847-2123

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Pittsburg to delay collection of developer fees

By Rick Radin
Contra Costa Times

Posted: 12/21/2010 07:30:59 PM PST

Updated: 12/22/2010 05:18:51 PM PST

PITTSBURG -- The city has taken another step to try to light a fire under the stalled construction industry by delaying the collection of developer fees.

Homebuilders in Pittsburg have been paying fees for such things as transportation projects and water and sewer connections that usually total tens of thousands of dollars at the time they take out construction permits.

Under the plan, developers can defer the payment of fees to the time of the final property inspection or for 12 months after the builder pulls a permit, whichever comes first.

The program will last two years, and the city will charge developers an administration fee of 1 percent of the fee amount.

The City Council approved the change in a 5-0 vote Monday evening.

Developers benefit through lower carrying costs on the project while it is under construction, said assistant city manager Joe Sbranti.

The program is for home developers only and does

not apply to commercial or industrial projects.

Planning department fees and fees for schools and fire protection are not included, and developers who owe the city money are excluded.

Pittsburg's decision follows similar steps taken by Contra Costa County, Brentwood, Oakley, Livermore and Pleasanton in the East Bay.

"We've been kicking around the idea for some time, and the timing was right to go ahead and make the change to catch up," Sbranti said.

Former Councilman Michael Kee, who in September was the only council member to vote against a proposal to lower some transportation-related fees for developers, endorsed the proposal before he left office earlier this month.

"It doesn't matter too much as long as we get the money," Kee said. "We're just taking the fees and putting them on the back end instead of the front end."

Pittsburg charges transportation-mitigation fees of \$7,123 for construction of a single-family home, as well as fees to bring sewer and water service into the development of \$4,330 to \$11,250, respectively, per unit.

The deferral also includes fees to pay for roads and public transit.

The city in September reduced those fees from \$17,795 to \$15,795 for a single-family home and from \$10,924 to \$9,700 for a unit in a multifamily project, with similar reductions for commercial, office and industrial projects.

East Bay housing starts fell from 10,204 in 2006 to

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2,914 in 2009, according to California Building Industry Association figures.

Pittsburg is also petitioning the Contra Costa Local Agency Formation Commission, which decides government boundaries, to allow it to annex 607 acres in the city's southwest hills owned by West Coast Builders, an affiliate of Concord-based A.D. Seeno Construction.

Annexation would smooth the way for construction of homes and infrastructure.

Contact Rick Radin at 925-779-7166.

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