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August 10, 2011

**MEMORANDUM**

To: Contra Costa Local Agency Formation Commission  
From: Bruce Baracco, Baracco and Associates *Baracco*  
Subject: Corrections and Additions to the Law Enforcement Public Review  
Draft Municipal Service Review

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Following release of the Law Enforcement MSR Public Review Draft on July 18, 2011, a number of comments were generated, including review comments from Chiefs of Police. The Comment Log and comment submissions were provided to the Commission as a separate package.

In addition, a request was made for each Police Department to provide LAFCO with their 2010 average Priority 1 response time, and their three year (2007-2009) crime clearance rates.

Attached for Commission review are those pages of the Public Review Draft where corrections and additions were made. ~~Strikethrough~~ type indicates deletions and underline type indicates additions.

As part of the report finalizing process, all figures and tables will be updated to reflect new information provided by the respective Police Departments.

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## Service Providers

This report focuses on the Office of the Sheriff, 19 cities and seven special districts who provide or contract for law enforcement services within Contra Costa County and are under LAFCO jurisdiction as shown in Figure 1-1.

**Figure 1-1: Local Agency Law Enforcement Providers Under LAFCO Jurisdiction**

This MSR also includes profile information on other law enforcement service providers not under Contra Costa LAFCO jurisdiction, including regional, state, and federal agencies; educational agencies; and private companies. Please refer to Chapters 27 through 31.

This report is the sole MSR in this cycle for the Contra Costa County Sheriff's Office (SO) and three special districts: County Service Area (CSA) P-2, CSA P-5, and CSA P-6. The SO is a Countywide agency for which a Sphere of Influence (SOI) is not a consideration; however, because of the interconnections with other law enforcement agencies within the County, it is important to review the Office of the Sheriff. LAFCO will utilize this MSR to review and possibly update the SOIs for the three law enforcement related special districts listed above, and possibly for other agencies covered in the MSR.

MSRs covering all municipal services were prepared for the 19 cities previously as referenced in each city chapter of this report. City police services information gathered for this report will be utilized for any subsequent city MSRs in the next cycle. Four special districts that provide police services were previously studied in their respective MSRs for district-wide services. These are the Diablo Community Services District, the Kensington Police Protection and Community Services District, and CSA M-29 and CSA M-30.

Cities
Antioch
Brentwood
Clayton
Concord
Danville
El Cerrito
Hercules
Lafayette
Martinez
Moraga
Oakley
Orinda
Pinole
Pittsburg
Pleasant Hill
Richmond
San Pablo
San Ramon
Walnut Creek
Contra Costa County
Office of the Sheriff (SO)
Special Districts
CSA P-2/Zone A (Blackhawk) & Zone B (Alamo)
CSA P-5/(Roundhill)
CSA P-6/(County-wide except incorporated cities)
Diablo CSD
CSA M-29 (Dougherty Valley)
CSA M-30 (Alamo Springs)
Kensington PP & CSD

- El Cerrito An area along Vista Heights Road east of the Mira Vista Country Club is within the El Cerrito SOI but is within the Richmond city limits and should be removed from the El Cerrito SOI. (Refer to Map 9-1.)
- This is not to suggest that the Vista Heights area be detached from the City of Richmond and annexed to El Cerrito. It is simply suggested that El Cerrito' SOI be removed from an area that is already within the corporate limits of another city.
- CSA M-30 In order to simplify the overlapping governance issues associated with CSA M-30 (see below), a 'zero' SOI is suggested as the first step in dissolution and annexation to the Town of Danville. This would also allow those residents of the Alamo Springs Subdivision to be removed from CSA P-2/Zone B, CSA P-6 and CSA R-7/Zone A.
- CSA P-2 Because the area does not warrant enhanced law enforcement services, the portion of CSA P-2 west of Danville (see below), should be removed from the CSA P-2 SOI as the first step in detaching from CSA P-2. The area would still remain within CSA P-6 for basic law enforcement services. (Refer to Map 23-5.)

### *The P-6 Conundrum*

There are a number of governance measures related to County Service Area (CSA) P-6, the Countywide special district (minus the cities and Kensington PP&CSD) which was designed to assist in the funding of law enforcement services in the unincorporated area of the County. These measures include:

- The SO, in conjunction with County GIS needs to precisely map (by metes and bounds) each of the 111 Zones within the District;
- Tax Rate Area (TRA) 85065 in Kensington needs to be revamped to eliminate the CSA P-6 allocation as part of the Basic 1% Property Tax;
- Within the City of San Ramon portion of CSA M-29, the affected TRAs need to be revamped to eliminate the CSA P-6 allocation as part of the Basic 1% Property Tax;
- CSA P-6 maps should be corrected to eliminate CSA P-6 from the unincorporated portion of CSA M-29 (refer to Map 23-3);
- Properties within CSA M-30 (which receive their law enforcement services from the Town of Danville) pay property taxes (a portion of which is allocated to CSA P-6) and are assessed a CSA P-6 special tax (along with 11 parcels that are in the Town limits). Both the TRA allocation and the special tax should be eliminated from these properties;
- Existing Zones within CSA P-6 which consist of four parcels or less should be eliminated after paying a total of \$1,000 in assessment fees;
- The SO and the Board of Supervisors should consider establishing P-6 Advisory Committees in areas that receive 'enhanced' police services from CSA P-6 funding (East Richmond Heights, North Richmond, and Bay Point) similar to the P-6 Advisory Committee established in Discovery Bay; and
- Those CSA P-6 areas that are within a P-6 Zone and are generating sufficient funds to warrant a Resident Deputy (Bethel Island and Norris Canyon) should petition the SO and the Board of Supervisors to add this service.

### County Service Area M-29 (Dougherty Valley)

Until Dougherty Valley reaches build-out, it is likely that the revenues generated by CSA M-29 will not be sufficient to account for all the costs attributed to CSA M-29. Deficits have been averaging around \$1.8 million per year over the past two fiscal years. The City of San Ramon should request, and the Board of Supervisors as the Board of Directors for CSA M-29, should consider payment of this debt out of existing CSA M-29 reserves, which had an available fund balance of \$6.28 million as of June 30, 2010.

### County Service Area M-30 (Alamo Springs)

Residents within CSA M-30 are within two other police protection special districts from which they receive no services: CSA P-2/ Zone B (Alamo area); and CSA P-6 (Countywide unincorporated area except Kensington). (Refer to Map 23-5.) In addition to the approximate \$22,263 that CSA M-30 residents are assessed each year for services they receive from the Town of Danville, they also pay \$24,764 to CSA P-2 and CSA P-6. As a governance and financial issue, it makes more sense to dissolve CSA M-30 (thereby detaching from CSA P-2/Zone B and CSA P-6) and annex that territory to the Town of Danville (who is the current provider of municipal services to CSA M-30). As a start, this MSR suggests that CSA M-30 have a 'zero' Sphere of Influence (SOI).

Residents of the Alamo Springs Subdivision are partially within the Town of Danville and partially within unincorporated county territory. There may be historical reasons for this situation, but it has resulted in overlapping service areas as described above. In addition, residents of CSA M-30 are within CSA R-7/Zone A (except for seven acres adjacent to Danville) and pay property taxes which provides park and recreation, trails and landscaping services in the Alamo area. The nearest park facility funded by CSA R-7 is one mile away Hap McGee Ranch Park which is three-tenths of a mile from the CSA M-30 boundary. The next nearest park facility funded solely by CSA R-7 is Rancho Romero School Park, seven-tenths of a mile from CSA M-30. The most straightforward solution to this situation is to have the CSA M-30 territory annex to the Town of Danville, and concurrently detach from CSA P-2/Zone B, CSA P-6 and CSA R-7/Zone A.

At the very least, property within CSA M-30 should be removed from CSA P-2/Zone B and CSA R-7/Zone A; and the whole of Alamo Springs Subdivision (both city and unincorporated portions) should be removed from CSA P-6.

### County Service Area P-2 (Alamo, Blackhawk and Other)

CSA P-2 includes three distinct areas: Blackhawk (which includes Zone A of CSA P-2); Alamo (which includes Zone B of CSA P-2); and an unincorporated area adjacent to the Town of Danville (with no designated Zone). (Refer to Map 23-1.) The following governance measures have been identified for CSA P-2:

- At the present time, the boundary for CSA P-2 in the Blackhawk/Camino Tassajara area consists of 4.3 square miles with an SOI coterminous with its boundary. This portion of CSA P-2 is within the larger Blackhawk-Camino Tassajara census designated place (CDP) which is 9.3 square miles. Consideration should be given to increasing the CSA P-2 SOI in the Blackhawk/Camino Tassajara area to 9.3 square miles consistent with the Blackhawk-Camino Tassajara CDP. (Refer to Map 23-1.)
- At the present time, the boundary for CSA P-2 in the Alamo area consists of 5.3 square miles with an SOI coterminous with its boundary. This portion of CSA P-2 is within the larger Alamo CDP which is ~~20.6~~ 9.7 square miles, ~~(and also includes the adjacent CSA P-5, Round Hill (which is adjacent to CSA P-2), is also within the Alamo CDP.~~

Consideration should be given to increasing the CSA P-2 SOI in the Alamo area to ~~20.6~~ 9.7 square miles consistent with the Alamo CDP; or the area which was proposed for incorporation. Consideration should also be given to including the district boundaries (1.2 square miles) of CSA P-5 (Round Hill) within the CSA P-2 Alamo area SOI. (Refer to Map 23-1 and Map 23-2.)

As an alternative, consideration could be given to expanding the SOI for CSA P-5 (Round Hill) to include all of the Alamo area; and signaling a future merger of CSA P-2 in the Alamo area into CSA P-5. Zone B for CSA P-2 could remain intact, and would become a Zone within the new CSA P-5. CSA P-2 would then consist of the Blackhawk area only (and in the future Camino Tassajara if that area were to be added to the CSA P-2 SOI).

- The third geographic area within CSA P-2 is located on the west side of Danville and is a 0.65 square mile (417 acre) area comprised primarily of the Las Trampas Regional Wilderness. This area is uninhabited and generates approximately \$7,000 per year in CSA P-2 property tax revenue. Consideration should be given to removing this area from the CSA P-2 SOI and eventually detaching it from CSA P-2. This area would still remain in CSA P-6 for basic law enforcement services. (Refer to Map 23-1.)
- The SO, in conjunction with the Contra Costa County Assessor, should insure that all properties (both residential and commercial) within CSA P-2, Zone A are being assessed for Zone A special taxes.

### Best Practices

There are a number of innovative law enforcement techniques and practices that have been implemented by local law enforcement agencies. The following have been identified:

- Richmond PD – Enhanced Technology including the Closed Circuit Television Cameras (CCTV) to provide video surveillance at key locations; and ‘Shotspotters’ which are acoustic sensors that pinpoint the location of a gunshot.
- County Sheriff – Special Response Justice Team (J-Team) is a multi-tasked special enforcement unit, conducting pro-active patrol in high crime areas; performs burglary suppression, narcotics investigations, serves search warrants and conducts surveillance.
- Pinole PD – ~~Community Preservation and Safety Unit (CPSU) combines community policing, code enforcement, community relations, business alert, and neighborhood watch provided by an integrated team (Crime Prevention Officer, Code Enforcement Officer and Community Safety Specialist).~~ No longer funded.
- Martinez PD -- Neighborhood Policing Areas (NPA’s) insures that a patrol officer is designated for each of the 24 NPA’s in the city; facilitates direct contact to the assigned officer by e-mail with residents or businesses within each NPA.
- Any PD or SO -- Canine (K-9) Units consisting of trained police dogs and officers/handlers; the more the better. A valuable resource for any law enforcement agency.
- Pittsburg PD -- Hiring of four retired officers (annuitants at 960 hours per year) to work as detectives, following up on reported crimes. One focuses on cold murder cases, a second on financial crimes, and the other two on general follow-up on reported crimes.
- Pittsburg PD -- Vital and timely arrest and report information is scanned automatically to other agencies in the county via a system called the “Daily Blast.” Interviews are automatically captured on video with sound, transcribed and attached to reports, and

## Service Adequacy

Each law enforcement agency has been evaluated using a number of factors. Exact comparisons are not always possible due to the differing conditions and policing methods used. Adequacy of law enforcement services can be evaluated based on a number of elements. For the purposes of this report, services are assessed according to accreditation, response times, clearance rates (the portion of crimes solved), management practices and staffing ratios. For a comparison of service-related data, refer to Table 3-2: Service Indicators.

### Accreditation

The Commission on Accreditation for Law Enforcement Agencies (CALEA) is a national organization that functions as an independent accrediting authority. Law enforcement agencies may voluntarily choose to apply for CALEA accreditation. CALEA offers an accreditation program as well as a law enforcement recognition program in which the agency is required to meet a more modest list of standards. CALEA law enforcement accreditation does not require the law enforcement agency to meet specific benchmarks in terms of response time, staffing levels or crime clearance rates. CALEA accreditation requires the police service provider to pass inspection and to meet dozens of requirements such as annual documented performance evaluation of each employee, investigation of all complaints against the agency and its employees, and annual review of allocation and distribution of personnel. Of the service providers in the County, only East Bay Regional Park District Police Department is accredited by CALEA.

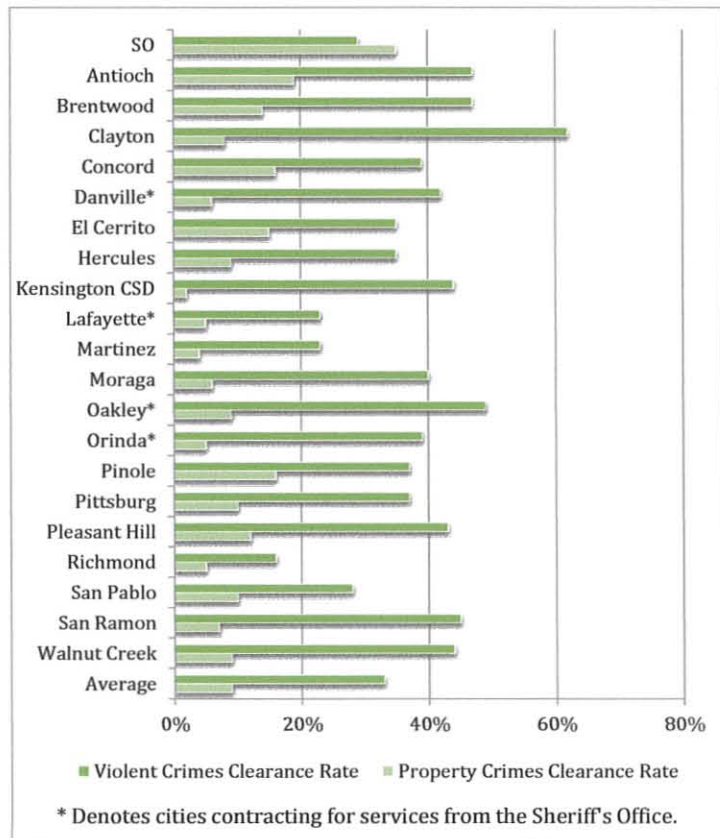
### Clearance Rates

The effectiveness of a law enforcement agency can be gauged by many factors, including crime clearance rates or the portion of crimes that are solved.

Cleared crimes refer to offenses for which at least one person was arrested, charged with the offense, and turned over to the District Attorney for prosecution. A crime is also considered cleared by exceptional means if the offender dies, the victim refuses to cooperate, or extradition is denied. There are no standards or guidelines on the proportion of crimes that should be cleared.

Figure 3-6 depicts the clearance rates of all violent and property offenses, which is calculated as the average rate between 2007 and 2009, and as reported to the California Department of Justice (DOJ). Providers countywide on average cleared 38.3 percent of violent crimes (homicide, forcible rape, robbery and aggravated assault) committed in 2007, 2008 and 2009, and 10.6 percent of property crimes (burglary, motor vehicle

Figure 3-6: Clearance Rates (CY 07-09)



theft, and thefts of greater than \$400) during that same time period. The clearance rate for violent crimes ranged from 16 percent in Richmond to 62 percent in Clayton, while the clearance rate for property crimes ranged from two percent for Kensington CSD to 35 percent for the Sheriff's Office. Those agencies with the highest clearance rate for violent crimes included Clayton (62 percent), Oakley (49 percent), Antioch (47 percent), and Brentwood (47 percent). Those agencies with the highest clearance rate for property crimes included Antioch (19 percent), Concord (16 percent), Pinole (16 percent), and El Cerrito (15 percent).

Clearance rates for all agencies provided by the California State Department of Justice, Criminal Justice Statistics Center and are based on the number of cleared crimes as reported by each agency. In the case of agency's that contract for services from the Sheriff's Office, cleared crimes are reported by the Sheriff's Office, not the City. Discrepancies currently exist with respect to crime clearance rates. ~~The authors are attempting to reconcile these discrepancies for publication in the final report.~~ Clearance rates as reported by the agency may differ depending on the agency's definition of a cleared crime. An offense is cleared or "solved" for crime reporting purposes to the State when at least one person is arrested, charged with the commission of the crime, and turned over to the court for prosecution or referred to juvenile authorities. In certain situations a clearance may be counted by "exceptional means" when the police definitely know the identity of the offender, have enough information to support an arrest, and know the location of the offender but for some reason cannot take the offender into custody. Local clearance rates (where provided by the local PD) are indicated in Table 3-2: Service Indicators, along with the DOJ clearance rates.

### Response Times

The ability of local law enforcement to respond to calls (especially Priority One calls – Code 3 with sirens) will be affected by the reduction in beat patrol officers and deputies throughout the County. At the present time, local law enforcement is doing an adequate job in responding to Priority One calls. On the other hand, lower priority calls are requiring longer response times.

Although police response times for serious crimes in progress are an important indicator of service adequacy, there are not clear standards as to what that response time should be. Police response times were traditionally used to measure effectiveness. However, more recent research indicates that response time does not have a significant effect on crime-solving, because most crimes are "cold" crimes and victims do not tend to call police immediately after the crime is committed. The modern approach to response time—differential response—is to ensure quick response to serious crimes (Priority 1) in progress, when there are opportunities to save a victim and/or to apprehend the criminal, and to inform lower-priority callers (Priority 2 through 6) that response time may be lengthy. Experiments indicate that differential response leads to both citizen and officer satisfaction.<sup>7</sup>

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<sup>7</sup> Walker and Katz, 2002.

**Table 3-1: Staffing and Budget Indicators**

Revisions indicated in **bold underline** type.

Agency	2010 Population	Sworn Staff	Sworn Staff per 1,000 population	Police General Fund Expenditure	Percent of Agency General Fund	Cost per Capita
Office of the Sheriff	154,708	176 <sup>1</sup>	<b><u>1.14</u></b>	<b><u>\$74.0</u></b> million	<b><u>33.0%</u></b>	N.A.
Antioch	102,372	<b><u>119</u></b>	<b><u>1.16</u></b>	24.9 million	73.0%	\$243
Brentwood	51,481	62	<b><u>1.26</u></b>	16.0 million	45.1%	311
Clayton	10,897	11	<b><u>1.01</u></b>	1.8 million	50.0%	168
Concord	122,067	152	<b><u>1.25</u></b>	41.6 million	58.6%	341
Danville	42,039	31	<b><u>0.74</u></b>	7.5 million	42.2%	182
El Cerrito	23,549	43	<b><u>1.83</u></b>	9.4 million	35.7%	400
Hercules	24,060	<b><u>23</u></b>	<b><u>0.96</u></b>	7.0 million	<b><u>36.0%</u></b>	292
Kensington CSD	5,077	10	<b><u>1.97</u></b>	2.1 million <sup>2</sup>	N.A.	415
Lafayette	23,893	16	<b><u>0.67</u></b>	4.1 million	43.1%	172
Martinez	35,824	<b><u>37</u></b>	<b><u>1.03</u></b>	10.1 million	52.5%	283
Moraga	16,016	11	<b><u>0.69</u></b>	2.0 million	32.8%	125
Oakley	35,432	<b><u>28</u></b>	<b><u>0.79</u></b>	7.3 million	59.4%	207
Orinda	17,643	14	<b><u>0.79</u></b>	4.0 million	40.7%	229
Pinole	18,390	<b><u>28</u></b>	<b><u>1.52</u></b>	6.5 million	53.1%	355
Pittsburg	63,264	75	<b><u>1.19</u></b>	20.1 million	63.9%	318
Pleasant Hill	33,152	40	<b><u>1.21</u></b>	9.7 million	52.7%	292
Richmond	103,701	181	<b><u>1.75</u></b>	62.9 million	51.5%	606
San Pablo	29,139	<b><u>56</u></b>	<b><u>1.92</u></b>	14.1 million	73.7%	485
San Ramon	72,148	58	<b><u>0.80</u></b>	10.2 million <sup>3</sup>	27.1%	141
Walnut Creek	64,173	<b><u>76</u></b>	<b><u>1.18</u></b>	22.4 million	36.9%	353
<b>Total or Average</b>	<b>1,049,025 total</b>	<b><u>1,241</u> total</b>	<b><u>1.18</u> average</b>	<b><u>\$357.7</u> million total</b>	<b><u>48%</u> average</b>	<b><u>\$296</u> average</b>

Notes:

1. Patrol and Investigation-related – does not include Contracts, Administrative Services, Coroner, Custody, or Support Services.
2. Includes expenditures from all sources of District funds.
3. Does not include CSA M-29 revenues.



**Table 3-2: Service Indicators**

Revisions indicated in **bold underline** type.

Agency	Service Calls <sup>1</sup>	Calls per Capita	Violent Crimes <sup>2</sup>	Property Crimes <sup>2</sup>	Total Crimes per 1,000 population	Violent Crimes Clearance Rate	Property Crimes Clearance Rates	Response Time - 1 <sup>3</sup>
Office of the Sheriff	425,000	<u>2.7</u>	590	2,085	17.3	29%	35%	8:39
Antioch	85,200	0.8	877	2,219	30.2	47% <b>46%</b>	19% <b>8%</b>	<b>8:00</b>
Brentwood	38,000	0.7	124	631	14.7	47% <b>56%</b>	14% <b>14%</b>	<b>4:44</b>
Clayton	7,450	0.7	8	105	10.4	62% <b>62%</b>	8% <b>15%</b>	1:30
Concord	122,300	1.0	438	2,593	24.8	39%	16%	12:15
Danville	35,000	0.8	22	290	7.4	42%	6%	5:36
El Cerrito	10,500	0.5	155	570	30.8	35%	15%	4:45
Hercules	23,300	1.0	58	300	14.9	35%	9%	5:00
Kensington CSD	5,000	1.0	4	64	13.4	44% <b>65%</b>	2% <b>17%</b>	<b>2:45</b>
Lafayette	21,400	0.9	24	317	14.3	23%	5%	<b>4:50</b>
Martinez	28,200	0.8	123	703	23.1	23%	4%	7:30
Moraga	3,100	0.2	11	112	7.7	40%	6%	<b>2:05</b>
Oakley	36,165	1.0	88	452	15.2	49%	9%	<b>3:47</b>
Orinda	16,200	0.9	11	177	10.7	39%	5%	5:33
Pinole	<b>29,750</b>	<b>1.6</b>	119	452	31.0	37% <b>52%</b>	16% <b>16%</b>	<b>3:20</b>
Pittsburg	72,200	1.1	202	1,526	27.3	37% <b>36%</b>	10% <b>10%</b>	6:08
Pleasant Hill	20,800	0.6	115	607	21.8	43%	12%	4:45
Richmond	110,600	1.1	1,136	3,674	46.4	16%	5%	6:11
San Pablo	26,500	0.9	308	1,113	48.8	28%	10%	4:30
San Ramon	57,700	0.8	51	552	8.4	45%	7%	7:08
Walnut Creek	37,000	0.6	122	1,422	24.1	44% <b>43%</b>	9% <b>15%</b>	<b>2:25</b>
<b>Total or Average</b>	<b>1,208,365</b>	<b>0.9 avg.</b>	4,586	20,684	<b>21.1 avg.</b>	<b>38.3% avg.</b>	<b>10.6% avg.</b>	<b>5:19 avg.</b>

Notes:

1. Average number of calls per year over past three years.
2. Average number of crimes per year over past three years.
3. Response time for Priority 1 calls in progress in minutes and seconds.
4. Violent Crime and Property Crime Clearance Rates in regular type indicates DOJ data.  
Violent Crime and Property Crime Clearance Rates in **bold** type indicates local agency data.

on crime prevention, and developed crime prevention tips published monthly in the local paper. The Department takes full advantage of electronic communication systems such as "Fax Blast" to release information and alerts to the media and community.

If a constituent has a complaint regarding the Department or its employees, complaint forms are available at the front counter of the police station. Complaints are also taken by phone, by email, or directly by any member of the Department. Complaints are then forwarded via command staff to the Chief. The Chief serves as the person directly responsible for addressing all complaints. The Department did not provide the exact number and type of complaints received in 2007, 2008, and 2009.

Antioch PD demonstrated partial accountability and transparency by cooperating with LAFCO requests for information, documents and interviews during the MSR process.

### *Planning and Management Practices*

In FY 10-11, the City budget approved ~~162~~ 173.7 positions for the Antioch PD, of which ~~113~~ 117.5 were sworn staff and 56.2 were support staff. Authorized positions may not correlate directly with positions by type as reported by the Department due to part-time employees, or vacant or frozen positions. The Department operates under two basic functions, the Field Services Division (which includes Dispatch, Patrol, Community Policing and Traffic), and the Support Services Division (which includes Administration, Investigations, Narcotics, Records, and Animal Control Services). The captain of each of those divisions reports to the Chief. The Chief holds regular meetings with his command staff internally, and attends meetings with other department heads, the City Manager, and with the City Council.

In 2006, the Chief initiated a reorganization of the Antioch PD using strategic planning and community policing programs as the principal methods of providing improved delivery of police services to the community. The process began with a series of meetings with businesses and local neighborhoods. Feedback received from the community and from members of the department resulted in adoption and implementation of a program consisting of six basic goals or tenets for department operations, focusing on 1) leadership and relationships, 2) communication, 3) staffing, 4) reducing crime, 5) juvenile issues, and 6) public education.

The City's approach to monitoring workload and performance varies by department. In the PD, all employees are evaluated annually. Department performance is reviewed routinely using internal CAD and RMIS systems that permit data to be evaluated on crimes and other calls for services using a program called CRYSTAL. Community policing teams hold meetings weekly to evaluate community or beat problems, and reports initiated either by members of the community or by the officers themselves. Finally, two lieutenants are charged with the responsibility of evaluating policies and procedures. They use the Lexipol System to research successful best practices information submitted by other police agencies.

The Department's performance is also evaluated yearly in its annual report, every three years during the strategic plan update, and annually during the budget process. The City's General Plan outlines the need for additional performance evaluations, including 1) an annual assessment of the adequacy of facilities and services serving Antioch, which would address personnel and staffing needs, and capital needs, based on anticipated growth and the level of service standard, and 2) have POST undertake an analysis of the Antioch Police Department's staffing needs.

Planning documents that guide Antioch PD's services are the departmental strategic plan and the City's General Plan. The strategic plan is updated every three years and outlines specific goals, strategies to accomplish those goals and a timeline to complete each task. While the City adopts a

## Service Adequacy

Adequacy of law enforcement services can be evaluated based on a number of elements. For the purposes of this report, services provided by Antioch PD are assessed according to response times, clearance rates (the portion of crimes solved) and staffing ratios.

Although police response times for serious crimes in progress are an important indicator of service adequacy, there are not clear standards as to what that response time should be. Police response times were traditionally used to measure effectiveness. However, more recent research indicates that response time does not have a significant effect on crime-solving, because most crimes are "cold" crimes and victims do not tend to call police immediately after the crime is committed. The modern approach to response time—differential response—is to ensure quick response to serious crimes (Priority 1) in progress, when there are opportunities to save a victim and/or to apprehend the criminal, and to inform lower-priority callers (Priority 2 through 6) that response time may be lengthy. Experiments indicate that differential response leads to both citizen and officer satisfaction.<sup>9</sup> Response times are dependent on the agency's staffing level and size of the jurisdiction served. Antioch PD on average responds to Priority 1 incidents within ~~seven minutes and 21 seconds~~ eight minutes, while law enforcement providers countywide averaged five minutes and 44 19 seconds for Priority 1 incidents.

Cleared crimes refer to offenses for which at least one person was arrested, charged with the offense, and turned over to the District Attorney for prosecution. A crime is also considered cleared by exceptional means if the offender dies, the victim refuses to cooperate, or extradition is denied. There are no standards or guidelines on the proportion of crimes that should be cleared. As shown in Figure 4-4, Antioch PD had a clearance rate of 47 percent for violent crimes (homicide, forcible rape, robbery and aggravated assault) committed in 2007, 2008 and 2009, and a clearance rate of 19 percent for property crimes (burglary, motor vehicle theft, and thefts of greater than \$400) during the same period. Local clearance data indicates a 46 percent clearance rate for violent crimes and an eight percent clearance rate for property crimes during this period. By comparison, providers countywide on average cleared 38.3 percent of violent crimes and 10.6 percent of property crimes, meaning Antioch PD solves a significantly larger portion of both violent crimes and property crimes within its jurisdiction ~~than the~~ as compared to the average of other providers in the County.<sup>10</sup>

The number of sworn officers per capita is a traditional indicator of service level. There are no established State or national standards for police staffing levels. Staffing ratios in Contra Costa ranged from 0.67 sworn staff per 1,000 residents in Lafayette to 1.97 in Kensington PP&CSD. Antioch PD is slightly below the countywide average of 1.18 sworn staff per 1,000 residents, with a sworn staff to resident ratio of 1.16.

<sup>9</sup> Walker and Katz, 2002.

<sup>10</sup> Clearance rates for all agencies provided by the California State Department of Justice, Criminal Justice Statistics Center and are based on the number of cleared crimes as reported by each agency. In the case, of agency's that contract for services from the Sheriff's Office, cleared crimes are reported by the Sheriff's Office, not the City. Clearance rates as reported by the agency may differ depending on the agency's definition of a cleared crime. An offense is cleared or "solved" for crime reporting purposes to the State when at least one person is arrested, charged with the commission of the crime, and turned over to the court for prosecution or referred to juvenile authorities. In certain situations a clearance may be counted by "exceptional means" when the police definitely know the identity of the offender, have enough information to support an arrest, and know the location of the offender but for some reason cannot take the offender into custody.

## 5. City of Brentwood

The City of Brentwood provides a range of municipal services, including law enforcement services within the city limits. This chapter focuses solely on the City's law enforcement services germane to this report. LAFCO adopted a sub-regional MSR covering all services provided by the cities in the eastern portion of the County. For general information on the City and related determinations refer to this MSR.

*Basic information on the Brentwood Police Department is contained in the East Contra Costa County Sub-regional MSR adopted by the Commission on December 12, 2008. ([www.contracostalafco.org](http://www.contracostalafco.org))*

### Agency Overview

#### Background

The City of Brentwood is a general law city, which was incorporated in 1948. Its boundary area is approximately 14.8 square miles (land only). The City's SOI encompasses two adjacent unincorporated areas, one in the northeast and one in the southwest. (Refer to Map 5-1)

#### Accountability and Governance

Local accountability and governance can be measured using a variety of factors. This MSR focuses on several variables, including the decision making process, visibility and accessibility, community outreach and education, and customer service.

The City operates under a City Council-City Manager form of government. The Chief of Police is Mark Evenson, who serves as the department head for the Police Department (PD) and reports to the City Manager. The City does not have a law enforcement-related advisory commission or committee.

Constituent outreach efforts are aimed at crime prevention, education about the Department's activities, and involving constituents in police efforts. Activities in the City include: R.A.V.E. (Reducing Adolescent Violence Education); Neighborhood Watch; Red Ribbon Week (anti-drug education program); Vacation Watch; Tell-A-Cop (anonymous phone number); Operation Identification (identification engraving program); Community Introduction Program; and Every 15 Minutes (drunk driving education for high school students). The Department sponsors an Explorer Post program which teaches different aspects of law enforcement to youth possibly interested in a career in police work. Additionally, the Department takes part in Triad - a national community polling initiative wherein law enforcement professionals, seniors and community groups partner to meet the crime-safety needs of seniors. The Department makes crime statistics and other information available on its website.

If a constituent has a complaint regarding the Department or its employees, complaint forms are available online. The Department tracks complaints by using a distinct numbering system. Complaints are reviewed by the Professional Standards Unit. The Chief acts as the ombudsman by reviewing all complaints and the action taken to address the issue by the Professional Standards Unit. For the Brentwood PD, in 2007 there were three complaints in which one was unfounded and

two were not sustained; in 2008 there were five complaints in which one was sustained, two were exonerated, and two were unfounded; and in 2009 there were seven complaints in which three were unfounded, three were exonerated, and one was not sustained.

Brentwood PD demonstrated full accountability and transparency by cooperating with all LAFCO requests for information, documents and interviews during the MSR process.

### *Planning and Management Practices*

Per the City's FY 10-11 budget, the PD has 80.5 authorized full time equivalent (FTE) positions of which 62.0 are sworn officers and 18.5 are support personnel. Authorized positions may not correlate directly with positions by type as reported by the Department due to part-time employees, or vacant or frozen positions. The Department is supplemented by a volunteer program that presently has approximately 15 volunteers, a volunteer chaplain program, and an Explorer Scout program.

The Department is divided into two divisions: Field Operations and Support Services. The Field Operations Division command staff consists of a Captain who oversees the Field Operations Division, two Field Lieutenants who are the day and evening Watch Commanders, six Field teams that are responsible for patrol and calls for service, the Traffic Safety Unit, the School Resource Officers assigned to the schools, the K-9 Unit, the Field Training Officer Program, Community Service Officers deployed in the field as support staff, and a SWAT Team. The Support Services Division is commanded by a Captain and has two Bureaus, Administration and Investigations, each directed by a Lieutenant. The Administration Bureau responsibilities include records, emergency services, recruiting and hiring, training, special projects, special event coordination, financial accounting, and crime prevention services. The Investigations Bureau responsibilities include major crimes and special operations investigation units, city planning liaison, the property unit, and the Chaplain's program. The captain of each division reports to the Chief.

The Chief holds regular meetings with his command staff internally, and attends meetings with other department heads, the City Manager and with the City Council.

The guiding goals of the Brentwood PD are: 1) maintaining a full staffing level; 2) implementing a traffic safety emphasis program; 3) establishing a report writing capacity from the field; 4) expanding crime prevention efforts; 5) expanding city wide emergency preparedness training; and 6) streamlining department efficiency and operations.

Sworn officers are evaluated annually. New staff are evaluated after 18 months of a probation period. The Department puts together an annual crime and services report as well as a crime report to the State, which tracks the workload of the Department as a whole. The Department's performance is evaluated yearly in its annual report and biennially during the budget process. The Department also conducts an annual benchmark report to evaluate public safety services in the City. The City Council has adopted four benchmark indicators to monitor the Police Department's ability to provide quality police services to the residents of Brentwood. These benchmarks are: 1) response times; 2) incidents of crime and crime rates; 3) workload; and 4) clearance rates. These benchmarks are analyzed on an annual basis and assist in determining appropriate staffing requirements for the Police Department. The first such benchmarking report was completed in 2008. The 2011 Benchmark Report demonstrated acceptable results in the four criteria indicated above, and that staffing is sufficient at the present time.

In order to improve efficiencies, the Department is working to streamline the workload and eliminate duplication of efforts. Examples of these efforts include initiation of an enhanced booking program and reconfiguration of beats to meet demand.

Although police response times for serious crimes in progress are an important indicator of service adequacy, there are not clear standards as to what that response time should be. Police response times were traditionally used to measure effectiveness. However, more recent research indicates that response time does not have a significant effect on crime-solving, because most crimes are “cold” crimes and victims do not tend to call police immediately after the crime is committed. The modern approach to response time—differential response—is to ensure quick response to serious crimes (Priority 1) in progress, when there are opportunities to save a victim and/or to apprehend the criminal, and to inform lower-priority callers (Priority 2 through 6) that response time may be lengthy. Experiments indicate that differential response leads to both citizen and officer satisfaction.<sup>11</sup> Response times are dependent on the agency’s staffing level and size of the jurisdiction served. Brentwood PD on average responds to Priority 1 incidents within four minutes and 40 44 seconds, while law enforcement providers countywide averaged five minutes and 44 19 seconds for Priority 1 incidents.

Cleared crimes refer to offenses for which at least one person was arrested, charged with the offense, and turned over to the District Attorney for prosecution. A crime is also considered cleared by exceptional means if the offender dies, the victim refuses to cooperate, or extradition is denied. There are no standards or guidelines on the proportion of crimes that should be cleared. As shown in Figure 5-4, Brentwood PD had a DOJ clearance rate of 47 percent for violent crimes (homicide, forcible rape, robbery and aggravated assault) committed in 2007, 2008 and 2009, and a clearance rate of 14 percent for property crimes (burglary, motor vehicle theft, and thefts of greater than \$400) during the same period. Local clearance data indicates a 56 percent clearance rate for violent crimes and a 15 percent clearance rate for property crimes during this period. By comparison, providers countywide on average cleared 38.3 percent of violent crimes and 10.6 percent of property crimes, meaning Brentwood PD solves a significantly larger portion of both violent and property crimes within its jurisdiction than the average of other providers in the County.<sup>12</sup>

The number of sworn officers per capita is a traditional indicator of service level. There are no established State or national standards for police staffing levels. Staffing ratios in Contra Costa ranged from 0.67 sworn staff per 1,000 residents in Lafayette to 1.97 in Kensington PP&CSD. Brentwood PD is above the countywide average of 1.18 sworn staff per 1,000 residents, with a sworn staff to resident ratio of 1.26.

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<sup>11</sup> Walker and Katz, 2002.

<sup>12</sup> Clearance rates for all agencies provided by the California State Department of Justice, Criminal Justice Statistics Center and are based on the number of cleared crimes as reported by each agency. In the case, of agency’s that contract for services from the Sheriff’s Office, cleared crimes are reported by the Sheriff’s Office, not the City. Clearance rates as reported by the agency may differ depending on the agency’s definition of a cleared crime. An offense is cleared or “solved” for crime reporting purposes to the State when at least one person is arrested, charged with the commission of the crime, and turned over to the court for prosecution or referred to juvenile authorities. In certain situations a clearance may be counted by “exceptional means” when the police definitely know the identity of the offender, have enough information to support an arrest, and know the location of the offender but for some reason cannot take the offender into custody.

### Service Adequacy

Adequacy of law enforcement services can be evaluated based on a number of elements. For the purposes of this report, services provided by Clayton PD are assessed according to response times, clearance rates (the portion of crimes solved) and staffing ratios.

Although police response times for serious crimes in progress are an important indicator of service adequacy, there are not clear standards as to what that response time should be. Police response times were traditionally used to measure effectiveness. However, more recent research indicates that response time does not have a significant effect on crime-solving, because most crimes are "cold" crimes and victims do not tend to call police immediately after the crime is committed. The modern approach to response time—differential response—is to ensure quick response to serious crimes (Priority 1) in progress, when there are opportunities to save a victim and/or to apprehend the criminal, and to inform lower-priority callers (Priority 2 through 6) that response time may be lengthy. Experiments indicate that differential response leads to both citizen and officer satisfaction. Response times are dependent on the agency's staffing level and size of the jurisdiction served. Clayton PD on average responds to Priority 1 incidents within one minute and 30 seconds, while law enforcement providers countywide averaged five minutes and 19 seconds for Priority 1 incidents.

Cleared crimes refer to offenses for which at least one person was arrested, charged with the offense, and turned over to the District Attorney for prosecution. A crime is also considered cleared by exceptional means if the offender dies, the victim refuses to cooperate, or extradition is denied. There are no standards or guidelines on the proportion of crimes that should be cleared. As shown in Figure 6-4, Clayton PD had a DOJ clearance rate of 62 percent for violent crimes (homicide, forcible rape, robbery and aggravated assault) committed in 2007, 2008 and 2009, and a clearance rate of eight percent for property crimes (burglary, motor vehicle theft, and thefts of greater than \$400) during the same period. Local clearance data indicate the same percent clearance rate for violent crimes, but a 15 percent clearance rate for property crimes during this period. By comparison, providers countywide on average cleared 38.3 percent of violent crimes and 10.6 percent of property crimes, meaning Clayton PD solves a significantly larger portion of violent crimes within its jurisdiction, and a higher property crimes than the average of other providers in the County.<sup>13</sup>

The number of sworn officers per capita is a traditional indicator of service level. There are no established State or national standards for police staffing levels. Staffing ratios in Contra Costa ranged from 0.67 sworn staff per 1,000 residents in Lafayette to 1.97 in Kensington PP&CSD. Clayton PD is below the countywide average of 1.18 sworn staff per 1,000 residents, with a sworn staff to resident ratio of 1.01.

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<sup>13</sup> Clearance rates for all agencies provided by the California State Department of Justice, Criminal Justice Statistics Center and are based on the number of cleared crimes as reported by each agency. In the case, of agency's that contract for services from the Sheriff's Office, cleared crimes are reported by the Sheriff's Office, not the City. Clearance rates as reported by the agency may differ depending on the agency's definition of a cleared crime. An offense is cleared or "solved" for crime reporting purposes to the State when at least one person is arrested, charged with the commission of the crime, and turned over to the court for prosecution or referred to juvenile authorities. In certain situations a clearance may be counted by "exceptional means" when the police definitely know the identity of the offender, have enough information to support an arrest, and know the location of the offender but for some reason cannot take the offender into custody.

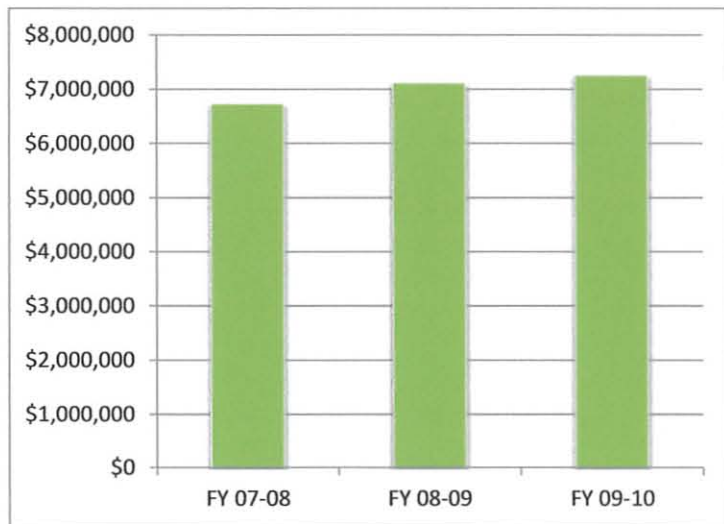
## Financing

The Department's services are financed primarily through the General Fund (98 percent) and augmented by two Special Revenue Funds – the Donations and Contributions Fund and the Public Safety Fund. The Donations and Contributions Fund tracks contributions for selected programs, such as the police K-9 program and the school resource program. Revenues for law enforcement activities from this fund were \$345,009 in FY 09-10. The Public Safety Fund tracks special revenues for police programs, including SLESF funds provided by the State (\$3,518 FY 09-10), Abandoned Vehicle Abatement (\$23,460 FY 09-10) and Asset Seizure (\$10,968 in FY 09-10). Revenues are collected from police fees and fines (\$250,992 in FY 09-10) and are considered General Fund monies.

Figure 8-1: Danville PD Expenditures (FYs 08, 09, & 10)

Expenditures over the last three fiscal years have increased slightly each year, as shown in Figure 8-1. Police Services increased a net of \$143,289 (2%) in FY 09-10, reflecting higher expenses for contract costs with the Contra Costa County Sheriff's Department.

In FY 09-10, the expenses for the Department were patrol (65 percent), management and community services (15 percent), investigations (nine percent), the school resource program (six percent), animal control (three percent), and disaster preparedness (two percent).



The Town does not have any long-term debt related to law enforcement activities.

The Town participates in the Municipal Pooling Authority (MPA), a joint powers agreement between nineteen cities, which provides insurance coverage for liability, auto, property and workers' compensation claims.

## Law Enforcement

### Nature and Extent

The Police Department is responsible for providing law enforcement services in the Town, including crime prevention, parking and traffic control, investigations, community awareness, and investigations. The Department is responsible for community policing, but does not have a Special Weapons and Tactics (SWAT) Team. The Town provides law enforcement functions with sworn personnel from the Sheriff's Office by contract. Danville controls the specifics of delivery of law enforcement services in the Town. Danville PD, as a result of the contract with the County Sheriff's Office, utilizes many of the County's available services such as dispatch, SWAT and forensics.

Similar to other city police departments, the Department also relies on the Sheriff's Office for search and rescue services and long-term holding facilities. Danville contracts with County Animal Control for animal control services. The Town relies on the Walnut Creek PD for bomb squad services. Danville is a member to an agreement with the City of San Ramon, San Ramon Valley Fire



Protection District and San Ramon Valley Unified School District to collaborate on improving the emergency preparedness of the San Ramon Valley community.

The Sheriff’s Department also provides safety services within the Town by responding to a Town of Danville “critical incident” in which a request has been made for “mutual aid.”

Danville PD also provides law enforcement services to the unincorporated portion of the Alamo Springs Subdivision through County Service Area M-30. Refer to CSA M-30 in Chapter 23 for details.

**Patrol**

Danville PD patrols 18.3 square miles (including CSA M-30) which are divided into three beats. These beats are established based on empirical statistical data reflecting calls for service, combined with landmark and/or natural boundary characteristics. A fourth beat may be needed if new areas annex and are developed. There are five teams which operate during different times of the day and week – Monday through Thursday is day shift from 6:00 AM to 4:00 PM (three officers and one sergeant), swing shift from 3:00 PM to 1:00 AM (three officers and one sergeant), and graveyard from 9:00 PM to 7:00 AM (two officers and one sergeant); and Friday through Sunday is day shift from 6:00 AM to 6:30 PM (three officers and one sergeant), and graveyard from 6:00 PM to 6:30 AM (three officers and one sergeant). Bicycle patrol is utilized for the downtown area, trails, and parks. Foot patrol is utilized for community events.

**Staffing**

**Figure 8-2: Danville PD Staffing Levels**

Over the last three FYs (09, 10, 11), unlike most other city police departments, Danville has been able to maintain stable staffing levels with little variation from year to year. (Refer to Figure 8-2.)

Currently, the Department determines staffing levels based upon meeting the annually adopted performance objectives. Danville PD presently employs 0.67 sworn officers per capita, and has been able to maintain its sworn force.

Position	FY 08-09	FY 09-10	FY 10-11
Chief	1	1	1
Captain	0	0	0
Lietenant	1	1	1
Detective	1	1	1
Police Officer	17	18	18
K-9 Officer	1	1	1
Community Services Officer	3	3	3
Traffic Control Officer	3	3	3
Records Specialist	0	0	0
Office Support Staff	0	0	0
<b>TOTAL</b>	<b>27</b>	<b>28</b>	<b>28</b>

**Location**

Danville PD provides services throughout the Town’s territory plus the unincorporated portion of the Alamo Springs Subdivision. In addition, the PD provides services outside its boundaries through mutual aid agreements. These joint mutual aid agreements include: 1) the California Law Enforcement Mutual Aid Plan; and 2) the County Wide Mutual Aid Program, which is a countywide agreement to provide law enforcement services to any other provider when needed. The Department does not have any automatic aid agreements with other providers.

The Department did not identify any areas within the Town’s boundaries that are particularly challenging to serve.

## 10. City of Hercules

The City of Hercules provides a range of municipal services, including law enforcement services within the city limits. This chapter focuses solely on the City's law enforcement services germane to this report. LAFCO adopted a sub-regional MSR covering all services provided by the cities in the western portion of the County. For general information on the City and related determinations refer to this MSR.

*Basic information on the Hercules Police Department is contained in the West Contra Costa County Sub-regional MSR adopted by the Commission on November 18, 2009. ([www.contracostalafco.org](http://www.contracostalafco.org))*

### Agency Overview

#### Background

The City of Hercules is a general law city, which was incorporated in 1900. Its boundary area is approximately 7.6 square miles (land only). The City's SOI encompasses one adjacent unincorporated area to the north along State Highway 4. (Refer to Map 10-1.)

#### Accountability and Governance

Local accountability and governance can be measured using a variety of factors. This MSR focuses on several variables, including the decision making process, visibility and accessibility, community outreach and education, and customer service.

The City operates under a City Council-City Manager form of government. The Interim Chief of Police is William Goswick, who was appointed in December 2010. The Chief of Police serves as the department head for the Police Department (PD) and reports to the City Manager. The City has a Public Safety and Traffic Subcommittee. The committee consists of two council members and one representative each from the Police Department, Planning Department and Engineering Department.

Constituent outreach efforts are aimed at crime prevention, education about the Department's activities, and involving constituents in police efforts. Activities in the City include the Explorer Program, Neighborhood Watch, Business Watch, and emergency notifications through e-mail to residents. The Department sponsored Explorer Program is designed to incorporate experience in several areas, including life skills, career training, learning through service (volunteering), character education, and leadership experience. Additionally, the Department's notification service, operated by Nixle, provides alerts and updates to residents who sign up for the service through the website. The Department makes crime statistics and other information available on its website.

If a constituent has a complaint regarding the Department or its employees, complaint forms are available online. Complaints are filed and reviewed with the administrative sergeant. The Department did not provide the exact number and type of complaints received in 2007, 2008, and 2009, but estimated that about six complaints are received annually.

Hercules PD demonstrated full accountability and transparency by cooperating with LAFCO requests for information, documents and interviews during the MSR process.

### Planning and Management Practices

As of June 2011, the Department is operated by 26 personnel, of which 23 are sworn officers and three are support personnel. The number of authorized positions is not reported in the City's current budget. For FY 09-10 the Department was allocated 39.0 full time equivalent (FTE) positions of which 32.0 FTE were sworn officers and 7.0 FTE were support personnel. The Department is supplemented by four reserve officers and 25 Explorers.

The Department is divided into two divisions: Patrol Operations and Administration. An acting Commander (Sergeant) oversees the Patrol Operations Division, which consists of four patrol teams that conduct community policing, emergency services, Explorers and parking enforcement. Team A includes one school resource officer. The Administration Division is managed by an acting Commander (Sergeant) and has three sections - Records/Services, Training and Investigations. The Administration Division responsibilities include records, ~~emergency services~~, recruiting and hiring, training, special projects, special event coordination, financial accounting, and crime prevention services. The commander of each division reports to the Chief.

The Chief holds regular meetings with his command staff internally, and attends meetings with other department heads and with the City Council. The Chief has weekly meetings with the City Manager.

Specific agency goals and objectives are set on a yearly basis by Hercules PD administration with the input of department employees. These goals and objectives are not outlined in a document such as a strategic plan or the budget. The Department reported that long-range planning is an ongoing process which has been facilitated by staff meetings and team-building workshops.

Sworn officers are evaluated annually. New staff are evaluated after 18 months of a probation period. The Department's performance is evaluated yearly in its annual report and annually during the budget process. Daily activity reports are also generated by the Department and made available for viewing by the public. Due to staff reductions, the daily logs are no longer available on the website, but are available at the Department in hard copy.

Planning documents that guide Hercules PD's services are the City's 1998 General Plan, the departmental policy manual and the departmental mission statement. The City is currently updating its General Plan Housing Element.

General Plan Service Standards for police are as follows:

- Office and supporting facilities shall be provided in a central, headquarters facility. Communication equipment (including repeater stations) shall be provided to allow communication between dispatch and police units throughout the service area, and
- Expanded police facilities will be planned as needed to serve new development within the city limits and the sphere of influence.

The Department does not have adopted standards regarding ratio of officers per 1,000 residents or response times.

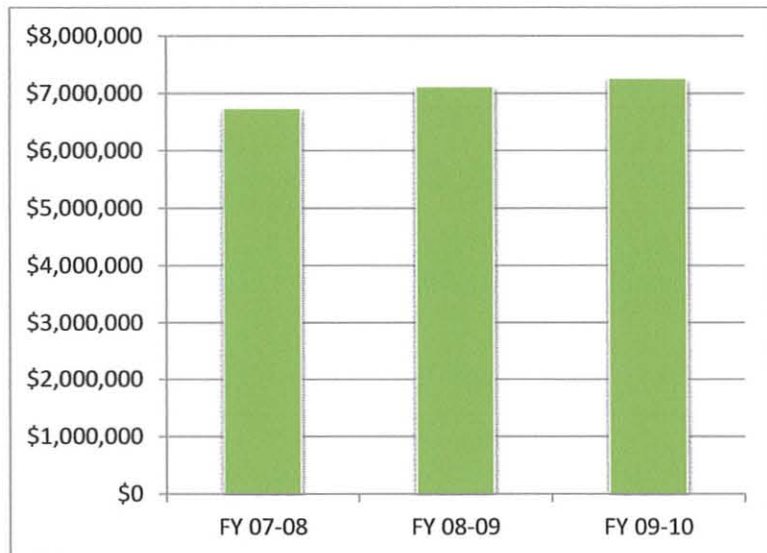
Financial planning documents include the annual budget and capital improvement program. The City's capital improvement program is a multi-year planning program, included in the annual budget, for the construction of new facilities and infrastructure, and for the expansion, rehabilitation, or replacement of City-owned assets. The Engineering Division develops, manages, and implements the capital improvement program for the City and Redevelopment Agency. The City's existing plan is for the period FY 10-11 to FY 14-15, and consists of 72 projects, none of which are related directly to law enforcement services.

## Financing

In FY 09-10, the operating costs of the Police Department were entirely financed by the City's General Fund. The Community Development Fund financed \$127,500 of capital improvements to the police wing of the City Hall in FY 09-10. This fund accounts for property development tax revenue collected per residential unit to finance acquisition, construction and furnishing of public buildings, parks and recreational facilities. The City also maintains separate funds for grants from government and public sources that are to be used to cover expenditures for providing public services and improving public safety, as well as for revenue received from the State for its Citizen Option for Public Safety (COPS) Program to fund police officer positions. These monies are transferred into the General Fund for use by the Department. In FY 09-10, these funds contributed \$458,600 to the General Fund. Additionally, the Department may receive financing from the Police Facilities Development Impact Fee (DIF) Fund; however, no funds were allocated to law enforcement expenditures from this fund in FY 09-10.

Figure 10-1: Hercules PD Expenditures (FYs 08, 09, & 10)

Expenditures over the last three fiscal years have steadily increased, as shown in Figure 10-1. In FY 09-10, the primary expenses for the Department were \$5,609,712 (79%) for Salaries and Benefits, \$1,132,454 (16%) for Services and Supplies, and \$332,642 (5%) for Allocated Expenses. Patrol accounted for 66% of the total PD costs, with Administration and Investigations accounting for 34%.



The City had approximately \$14.9 million in long-term debt at the end of FY 09-10, none of which was related to law enforcement services.

The City engages in joint financing arrangements related to insurance. The City is a member of the Municipal Pooling Authority, a joint powers authority, for liability and workers compensation insurance.

## Law Enforcement

### Nature and Extent

The Police Department is responsible for providing law enforcement services in the City, including crime prevention, parking and traffic control, community awareness, search and rescue, and investigations. The Department is responsible for community policing and has a Special Weapons and Tactics (SWAT) Response Team that is limited to High Risk Entries and barricaded subjects. The PD relies on the SO for all other SWAT situations. The Department also conducts community outreach and education. Hercules PD is also involved in the East Bay Regional Communication System and collaborates with other providers in the region for Incident Command System (ICS) training. The Department hosted a regional ICS training to coordinate county response to a large-scale critical incident.

The Department relies on the Sheriff's Office for search and rescue services, crime lab services, and long-term holding facilities, County Animal Control for animal services, Walnut Creek PD for bomb squad services, and the City of Pinole for police dispatch services. While the City provides search and rescue and SWAT services, the Sheriff's Office provides support when necessary.

The Sheriff's Department also provides safety services within the City by responding to a City of Hercules "critical incident" in which a request has been made for "mutual aid."

Hercules PD does not provide contract services to other agencies.

**Patrol**

Hercules PD patrols 7.6 square miles, which are divided into two beats. Each beat is patrolled in two 12-hour shifts. A single officer staffs each beat patrol vehicle. Traffic enforcement is conducted by one Traffic Officer in a vehicle, supplemented by two dual purpose motorcycles when staffing permits, plus a bike patrol, augments patrol-staffing from 6:00 AM to 4:00 PM.

**Staffing**

**Figure 10-2: Hercules PD Staffing Levels**

~~One sworn officer position was eliminated and one support position added in FY 09-10. In the 10-11 Fiscal Year, the Hercules PD was forced to re-structure the Department due to budget cuts. (Refer to Figure 10-2.) This included the loss of four police officers, one neighborhood watch coordinator, two parking enforcement assistants, one equipment coordinator, and one office assistant.~~

Position	FY 08-09	FY 09-10	FY 10-11
Chief	1	1	1
Commander	2	2	2
Sergeant	6	6	4
Detective	3	3	2
Police Officer	20	20	13
Traffic Control Officer	1	1	0
Records Specialist	1	1	0
Office Support Staff	1	1	3
School Resource Officer	0	0	1
<b>TOTAL</b>	<b>35</b>	<b>35</b>	<b>26</b>

The Department's staffing levels are normally determined based on how many positions can be financed by up to 47 percent of the General Fund revenues, which the Department is allocated each year. For FY 09-10, the Department utilized 36 percent of total General Fund revenues. Hercules PD presently employs 0.96 sworn officers per 1,000 population, down from 1.37 in FY 09-10.

**Location**

Hercules PD provides services throughout the City's territory, and in addition, provides services outside its boundaries through mutual aid agreements. The City participates in the County Wide Mutual Aid Program, which is a countywide agreement to provide law enforcement services to any other provider when needed. The Department does not have any automatic aid agreements with other providers.

The Department identified two areas within the City's boundaries that are particularly challenging to serve - near the golf course, due to longer response times, and along the railroad tracks near the foothills.

## 13. Town of Moraga

The Town of Moraga provides a range of municipal services, including law enforcement services within the town limits. This chapter focuses solely on the Town's law enforcement services germane to this report. LAFCO adopted a sub-regional MSR covering all services provided by the cities in the central portion of the County. For general information on the Town and related determinations refer to this MSR.

*Basic information on the Moraga Police Department is contained in the Central Contra Costa County Sub-regional MSR adopted by the Commission on September 9, 2009. ([www.contracostalafco.org](http://www.contracostalafco.org))*

### Agency Overview

#### Background

The Town of Moraga is a general law city, which was incorporated in 1974. Its boundary area is approximately 9.5 square miles. The Town's SOI encompasses one adjacent area in the southeast. (Refer to Map 13-1.)

#### Accountability and Governance

Local accountability and governance can be measured using a variety of factors. This MSR focuses on several variables, including the decision making process, visibility and accessibility, community outreach and education, and customer service.

The Town operates under a Town Council-Town Manager form of government. The Chief of Police is Robert Priebe, who serves as the department head for the Police Department (PD), and reports to the Town Manager. The Town does not have a law enforcement-related advisory commission or committee.

Constituent outreach efforts are aimed at educational programs, community policing, enforcement programs, and traffic calming programs. The Town publishes a quarterly newsletter ("Moraga Town Crier") with articles from the PD, and to which the Chief contributes to a bi-weekly column newsletter ("About Town"). The PD maintains a website separate from the Town website, where regular crime alerts are posted, crime statistics and program information are made available, and crime reports and complaints can be submitted. Programs that the PD uses to interact with and educate constituents include: the Healthy Choices program to promote alcohol and drug awareness to students and parents; the cadet program to allow youth to explore the field of law enforcement; the Neighborhood Watch program; and regular programs at two senior care facilities, and the Lamorinda Alcohol Coalition. The PD has plans to expand its cadet program in the near future. The Department reported that traffic safety is a top priority for the PD, and in the last few years it has made use of "speeding letters" as a way to remind people to slow down. If a driver is clocked at a speed above the limit, the license plate is recorded and the driver is sent a reminder to stay within the legal limits. The PD reported that this educational effort has been successful at generally reducing speeding throughout the Town; but loss of staff (Community Services Officer) has suspended the program.

If a constituent has a complaint regarding the Department or its employees, complaint forms are available online. Complaints may also be submitted via phone or in person. All complaints are filed directly with the Chief. The Chief acts as the ombudsman by reviewing all complaints and taking action if required. For the Moraga PD, in 2007 there was one complaint which was exonerated; in 2008 there was one complaint which was not sustained; and in 2009 there was one complaint which was not sustained.

Moraga PD demonstrated full accountability and transparency by cooperating with all LAFCO requests for information, documents and interviews during the MSR process.

### *Planning and Management Practices*

The Moraga Police Department has 12.5 authorized FTEs in FY 10-11, or 11 sworn officers and 1.5 full-time equivalent (FTE) support staff. The PD is supplemented by four reserve officers, three cadets, and one volunteer Community Services Officer. The sworn personnel are the Chief of Police, one Lieutenant, ~~two Sergeants~~, one Sergeant, and ~~seven~~ eight Patrol Officers. Reserve Officers and Cadets volunteer their time to the department. The Assistant to the Chief manages the front desk and administrative duties, and a part time records clerk enters information into department computers.

The Department operations include three divisions: Administration, Operations, and Support Services. Administration includes the Chief of Police and lieutenant, who oversee and manage the Department. The Operations division consists of field services and patrol. Support Services include clerical and other duties, including maintaining the property room, parking enforcement, and maintenance of vehicles and equipment.

The Chief holds regular meetings with his command staff internally, and acts as a representative to the Town Manager and Town Council.

Goals are identified yearly during the annual budget process based on anticipated staffing and resource levels. Goals adopted by the Department in the FY 10-11 budget include:

- Attain and retain full staffing of sworn personnel;
- Re-establish the detective position;
- Expand volunteer programs;
- Relocate all property and evidence from the Hacienda;
- Update EOC assignments, train new staff in their roles and responsibilities, and conduct a simulated disaster exercise;
- Improve internal work flow efficiency, by creating an office for administrative assistant;
- Install and integrate new interoperability radio system;
- Continue review of archived records and purge according to the records retention schedule; and
- Review current hiring and retention practices to develop a five-year plan to ensure continued service and leadership.

The Department lost one officer so was unable to meet the first goal. It will also be a few months before the Detective position can be filled. The Department was able to expand its volunteer program, relocated all property and evidence, and improve internal work flow. The new interoperable radios were purchased and installed. The EOC assignments were up dated and new

staff were trained, but the simulated disaster exercise did not occur. Moraga PD also continued to purge records, and reviewed hiring and retention practices.

Sworn officers are evaluated annually. New staff are evaluated after 18 months of a probation period. The Department puts together an annual crime and services report, as well as a crime report to the State, which tracks the workload of the Department as a whole. The Department's performance is evaluated yearly in its annual report and annually during the budget process. The Department's annual crime report includes minimal benchmarking of staffing levels with other law enforcement providers in the County.

In order to improve efficiencies, the Department is making efforts to maximize workload and minimize overtime. The Department recently adopted new work schedules—3 shifts of 12 hours and 4 shifts of 12 hours—to help reduce overtime costs. The Department reported that this has resulted in improvements in service and lowered costs through a reduction in overtime. The Department reported a need to enhance staffing levels in order to further improve efficiency; specifically, there is a need for a new detective position. ~~to double as a night commander.~~

Planning documents that guide Moraga PD's services are the Town's 2002 General Plan, the Town's annual budget and the Department's mission statement.

General Plan Service Standards for police are as follows:

- Maintain a three-minute response time for all life threatening calls and those involving criminal misconduct. Maintain a seven-minute response time for the majority of non-emergency calls.
- Provide police services to maintain the peace, respond to localized emergencies and calls for service, and undertake crime prevention within the Town.
- Encourage the placement of residential and business addresses so that they can be easily seen from the street.
- Develop guidelines for the design and ~~iting~~ siting of buildings to reduce the opportunity for crime, and apply such considerations in the review of development proposals. Provide related information to the public to educate them on the benefits of appropriate home designs and other preventive steps to reduce crime in their neighborhood.
- Participate, to the extent feasible, in programs relating to multi-jurisdictional disaster preparedness and cooperate with the County Office of Emergency Services and other appropriate agencies to revise and update the Town's Disaster Preparedness Plan.

Moraga PD currently ~~does not meet~~ the adopted response time standard for Priority 1 calls, ~~but responds within four minutes.~~ with a two minute and five second average response time.

Financial planning documents include the annual budget. The Town does not maintain a separate capital improvement plan for police services, but instead plans for capital improvements in the annual budget.

### **Population and Growth Projections**

According to the 2010 Census, the population of the Town is 16,016. Over the last 10 years, the population of Moraga has declined by approximately two percent.

The Town has maintained a low growth rate over the last four decades. According to the Town, annual growth rates of approximately 0.5 percent are expected to continue until Town build-out.



There are approximately 863 acres of undeveloped land within the Town, which is not designated as open space and is available for development.<sup>23</sup>

Based on ABAG projections, the Town is anticipated to grow by 14 percent over the next 25 years. By comparison, the median city in Contra Costa is anticipated to experience 17 percent growth over the same time period, while the countywide growth is anticipated to be 21 percent. ABAG projects that the Town's population will be 18,900 in 2035.

In order to address any increase in demand as a result of population growth, the PD would likely need additional sworn staff, considering that Moraga PD has one of the lowest levels of staffing in the County, as discussed further in the Service Adequacy section.

The Department is invited to comment on any proposed developments. Growth strategies related to law enforcement in the Town include performance standards adopted as part of the Town's General Plan as indicated above.

At the present time, there is one area outside of the town limits but inside its SOI that could potentially be annexed and served. (Refer to Map 13-1.) This is an area adjacent and east of Sanders Ranch Road and Camino Pablo and is currently vacant.

There are no unincorporated islands within the Town Limits.

### Financing

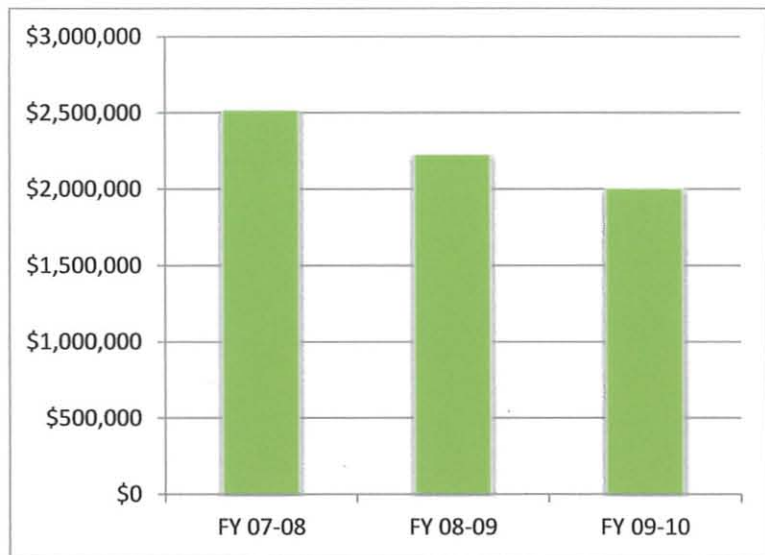
Similar to other municipalities, the Town of Moraga faces declining revenues and budget cutbacks. The Police Department has been forced to reduce staffing levels by eliminating one police officer and a half-time community services officer position in FY 10-11. Additionally, police vehicles have historically been purchased through the Town's Asset Replacement Fund; however, contributions to the Asset Replacement Fund have been deferred and the Town is depleting this fund without replenishing it, which could mean further cutbacks in new equipment and vehicles.

The Department's services are financed primarily through the General Fund (97 percent) and augmented by three special revenue funds. The Citizens Options for Public Safety (COPS) Fund receives financing from the State's COPS program to be used to support police activities, and may include funding for additional officers. Financing for the Traffic Safety Fund comes directly from traffic fines and forfeitures. It has historically been used only for capital purchases for the Police Department. Beginning in FY 08-09 these funds were used to support the activities in the General Fund that related to police equipment and operational costs, and are not accounted for separately in the Town's financial statements. The Asset Replacement Fund is used for equipment purchases in various departments for the Town. In FY 10-11, the COPS fund accounted for \$53,645 approximately \$135,000, and accrued monies from the Asset Replacement Fund accounted for approximately \$53,645 of PD expenditures for major equipment purchases of approximately \$135,000 were made that year (interoperable radios and two patrol vehicles). ~~from accrued monies in the Asset Replacement Fund.~~ Other law enforcement revenues, which are considered General Fund monies, include charges for police services (\$62,879 in FY 09-10) and the Town's public safety sales tax (\$50,620 in FY 09-10).

<sup>23</sup> Contra Costa LAFCO, Central Contra Costa County Sub-regional MSR, 2009.

Figure 13-1: Moraga PD Expenditures (FYs 08, 09, & 10)

PD expenditures over the last three fiscal years have declined by approximately 20 percent, as shown in Figure 13-1. A breakdown of actual police department expenditures by type was not available in the Town’s audited financial statement for FY 09-10. Based on the FY 09-10 budget, expenses were planned to consist of administration (31 percent), patrol services (60 percent), support services (seven percent), and depreciation (two percent).



The Town does not have long term debt related specifically to law enforcement services.

Moraga takes part in the Municipal Pooling Authority joint powers authority, formerly Contra Coast Municipal Risk Management Insurance Authority (CCMRMIA), for risk management coverage.

## Law Enforcement

### Nature and Extent

The Police Department is responsible for providing law enforcement services in the Town, including crime prevention, parking and traffic control, community awareness, investigations, hazard mitigation, and emergency preparedness training. Moraga PD is also involved in the East Bay Regional Communication System and the Contra Costa Mobile Field Force.

The Department relies on the Sheriff’s Office for SWAT, search and rescue services, and long-term holding facilities; County Animal Control for animal services; and the City of Walnut Creek for bomb squad services. Additionally, the Town contracts with the Sheriff’s Office for dispatch and lab services.

The Sheriff’s Department also provides safety services within the Town by responding to a Town of Moraga “critical incident” in which a request has been made for “mutual aid.”

The Town participates in a joint powers agreement with the East Bay Regional Parks District Police Department to provide primary response and investigation for misdemeanor crimes committed on East Bay Regional Parks District parks within the Town. The Town of Moraga also provides back-up to the East Bay Regional Parks District police for more serious crimes committed on park property, such as shootings and other felonies. Moraga PD provides law enforcement services to St. Mary’s College which is within the Town Limits, including criminal investigations/reports.

### Patrol

Moraga PD patrols 9.5 square miles, which are divided into two beats. There are two officers on duty at all times. Officers work three 12-hour shifts one week followed by four 12-hour shifts the following week (total of 84-hours per two-week period).

## Staffing

Figure 13-2: Moraga PD Staffing Levels

Over the last three FYs (09, 10, 11), two sworn officer positions and one community service officer position have been eliminated. Consequently, the PD has been forced to rely more on police cadets for non-sworn and administrative duties. (Refer to Figure 13-2.)

Position	FY 08-09	FY 09-10	FY 10-11
Chief	1	1	1
Detective	1	1	1
Police Officer	11	10	9
Community Service Officer	1	0.5	0
Office Support Staff	1.5	1.5	1.5
TOTAL	15.5	14	12.5

Currently, the Department determines staffing levels based on available financing during the annual budget process. There is an emphasis on traffic enforcement safety in the Town; consequently, Moraga PD maintains sufficient staffing to have two officers on duty at all times.

## Location

Moraga PD provides services throughout the Town's territory, and in addition, provides services outside its boundaries through mutual aid agreements. These joint mutual aid agreements include: 1) the Contra Costa Mutual Aid Mobile Field Force which provides police services of all types for calls to other counties on request; 2) the County Wide Mutual Aid Program, which is a countywide agreement to provide law enforcement services to any other provider when needed; and 3) the IMPACT Team, which provides response to serious traffic collisions throughout the County. The Department does not have any automatic aid agreements with other providers.

The Department reported that the open space areas that are adjacent to the Town pose a challenge to providing quick response and law enforcement services. East Bay Regional Park rangers assist Moraga PD in these areas.

## Infrastructure

Moraga PD operates out of a police headquarters at 329 Rheem Blvd. The police headquarters is located in one wing of the Rheem Administration Building which was extensively remodeled in 2005, and is considered to be in very good condition. The Department reported that there is more than adequate space at the facility to provide room to expand. The PD shares the building with the Planning Department, Town Clerk and Town Manager.

The town plans to remodel the Rheem building to make it usable for multiple City departments and a Council Chamber, and eventually move all town departments except Parks and Recreation there, turning the building into Moraga's town hall and leaving the Hacienda (where the remaining Town staff is presently located) as a community center. The project is currently in the design phase with construction scheduled for the Spring of 2012. The remodel will not affect the PD wing of the building.

The Department did not report any needs related to vehicles or equipment. The Department replaced two patrol vehicles in FY 10-11. While vehicles and equipment are not kept within a secure area, the parking lot has video cameras for surveillance.

## 14. City of Oakley

The City of Oakley provides a range of municipal services, including law enforcement services through a staffing contract with the County Sheriff's Office (SO). This chapter focuses solely on the City's law enforcement services germane to this report. LAFCO adopted a sub-regional MSR covering all services provided by the cities in the eastern portion of the County. For general information on the City and related determinations refer to this MSR.

*Basic information on Oakley law enforcement services is contained in the East Contra Costa County Sub-regional MSR adopted by the Commission on December 12, 2008. ([www.contracostalafco.org](http://www.contracostalafco.org))*

### Agency Overview

#### Background

The City of Oakley is a general law city, which was incorporated in 1999. Its boundary area is approximately 16.1 square miles. The City's SOI extends beyond the City's boundaries in two areas in the northeast quadrant. (Refer to Map 14-1)

#### Accountability and Governance

Local accountability and governance can be measured using a variety of factors. This MSR focuses on several variables, including the decision making process, visibility and accessibility, community outreach and education, and customer service.

The City operates under a City Council-City Manager form of government. The Chief of Police is Bani Kollo, who is a contract employee through a contract with the County Sheriff's Office (SO), and who was appointed in September of 2010. The Chief, as the department head for the Police Department (PD), reports to the City Manager during weekly meetings. The City does not have a law enforcement-related advisory commission or committee.

Constituent outreach efforts are aimed at crime prevention, education about the Department's activities, and involving constituents in police efforts. The Chief is responsible for police media releases. The Chief, who was appointed in September 2010, is currently engaged in reviewing policies and procedures that relate to community outreach, and is meeting personally with various public groups. The City distributes a quarterly newsletter entitled "The Oak Leaf" to residents, and also maintains a website to keep the community informed regarding programs and activities. Two officers have been assigned the task of enhancing quality of life and community concerns. Community law enforcement activities include a Traffic Safety Program, a School Resource Officer Program, a Problem Oriented Policing component, a Neighborhood Watch Program, and vacation watch ~~and drunken driving education for high school students.~~

The Department uses a formal complaint procedure developed by the Sheriff's Office, and may receive complaints from the city website, e-mail, phone, or directly at the front desk of the Department. The Department does not have an ombudsman as the Chief is responsible for disposition of all complaints via the chain of command. For the Oakley PD, in 2007 there were two complaints in which one was unfounded and one was exonerated; for 2008 there were three

complaints, two were unfounded and the other was exonerated; and in 2009 there were two complaints in which one was not sustained and the other was frivolous.

Oakley PD demonstrated full accountability and transparency by cooperating with all LAFCO requests for information, documents and interviews during the MSR process.

### Planning and Management Practices

The City of Oakley operates under a contract with the Sheriff's Office for law enforcement services. The contract is reviewed annually by the City Manager and the SO. The Police Chief is a Sheriff's Lieutenant approved by the City Manager and City Council to perform the duties of Police Chief in the City. All sworn members of the Department are deputy sheriffs of appropriate rank assigned full-time to the City to perform police services. The Department uses procedures and policies approved by the Sheriff. ~~and modified by the Chief to meet the needs and requirements of the City.~~ Non-sworn personnel, including the assistant to the Chief, administrative assistants, and police services assistants, are employees of the City.

Per the City's FY 10-11 budget, the Police Department has 31.75 authorized full time equivalent (FTE) positions, 28.0 of which are sworn personnel and 3.75 are support staff. Authorized positions may not correlate directly with positions by type as reported by the Department due to part-time employees, or vacant or frozen positions. The Department is supplemented by five active reserve police officers, and two volunteers. Currently, staffing levels are determined by the City Council after reviewing recommendations received from the Chief and City Manager. The SO submits a formal contract for the cost of police services based upon the number of personnel approved by the Council.

Currently, the Department does not have an organizational chart that depicts management reporting practices or span of control. The Chief reported that he is seeking to ~~increase~~ adjust the span of control in his agency by ~~adding~~ adjusting responsibilities.

Goals and objectives for the Police Department are established by the City Manager and Chief. The Chief holds quarterly staff meetings with department supervisors to gather pertinent information used in making decisions. He also maintains close communications with the City Manager and interfaces with his superiors and administrators from the Sheriff's Department routinely.

Oakley PD follows the three times per year employee evaluation procedures developed by the Sheriff's Office. Staff workload is not tracked by the Department. Workload of the Department as a whole is tracked in an annual crime and services report and a crime report to the State compiled by Department staff. The Department's performance is evaluated yearly in its annual report and annually during the budget process. The Chief holds meetings with his supervisors quarterly concerning department operations, reviews his city budget ~~semi-annually~~ monthly and contract payments monthly. Additionally, the degree to which established goals and objectives have been achieved is reviewed annually during a meeting with the City Manager.

Planning documents that guide Oakley PD's services are the City's 2020 General Plan (which was adopted in 2002), the City's Emergency Operations Plan, and a departmental mission statement. While the General Plan has seven adopted policies regarding law enforcement, none are specific service standards such as response times or staffing levels. General Plan policies related to law enforcement are as follows:

- Police patrol beats shall be configured to assure minimum response times and efficient use of resources.

**Financing**

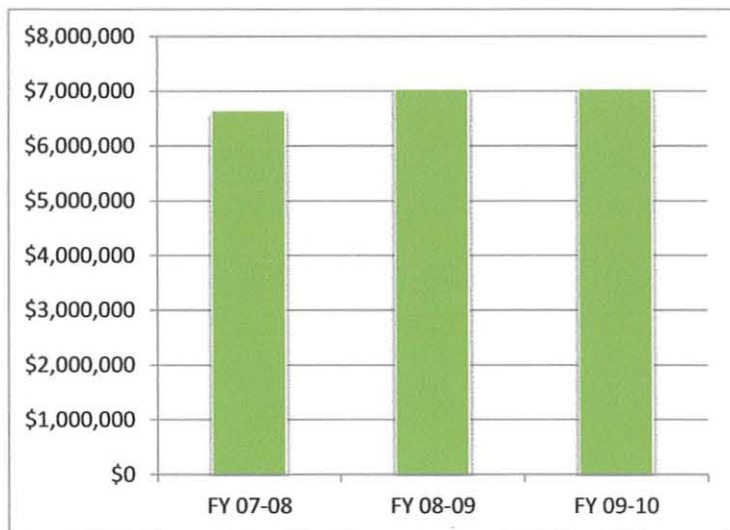
Oakley PD reported that the current financing level is adequate to maintain delivery of essential police services; however, due to the recession, the police services budget is very limited. To date, the Police Department has not suffered from personnel reductions, but has eliminated its specialty positions. In order to stay within budget and minimize costs, overtime is carefully controlled by the Chief, and patrol vehicle maintenance is carefully supervised by a ~~Sergeant~~ the Assistant to the Chief to control purchasing and maintenance of all rolling stock. Police protection constituted 28 percent of the City's governmental expenditures in FY 09-10 and 58 percent of the City's General Fund.

The Department's services are financed primarily through the General Fund (66 percent) and augmented by the P-6 Special Tax Fund, the Supplemental Law Enforcement Services Fund (SLESF), and Redevelopment funds, which all together accounted for 34 percent of total PD funds in FY 09-10. The P-6 Fund is where the City accounts for the City's police services special tax, all of which is budgeted to augment general fund resources in funding the Police Department budget. The police services special tax is a voter approved special tax levied by the City and collected at the same time and in the same manner as property taxes, which is to be used exclusively for Public Safety. In FY 09-10, P-6 funds constituted \$2.18 million of law enforcement related revenues. The SLESF is where the City accounts for Supplemental Law Enforcement Grants from the State, such as the State COPS program funds. SLESF revenues contributed \$100,000 to law enforcement activities in FY 09-10. Revenues are also collected from charges for services (two percent), such as vehicle abatement, and are considered General Fund monies.

**Figure 14-1: Oakley PD Expenditures (FYs 08, 09, & 10)**

The City pays the Sheriff's Office for contract services based on the number of staff provided. In FY 09-10, the City paid approximately \$5.9 million to the County for police department staffing and forensic and support services. Support costs, capital costs and administrative costs, such as non-sworn staff, vehicles and maintenance costs, are paid directly by the City, which constituted 14 percent of law enforcement expenditures in FY 09-10.

Expenditures over the last three fiscal years have been relatively stable, and in fact, actually increased in FY 08-09, as shown in Figure 14-1.



The City does not have any long-term debt related to law enforcement services.

The City is a member of the Municipal Pooling Authority of Northern California. The Authority provides coverage against various types of loss risks under the terms of a joint powers agreement with the City and several other cities and governmental agencies.

## Law Enforcement

### Nature and Extent

The Police Department is responsible for providing law enforcement services in the City, including crime prevention, parking and traffic control, community awareness, and investigations. The City provides law enforcement functions with sworn personnel from the Sheriff's Office by contract. Oakley controls the specifics of delivery of law enforcement services in the City. Part of this local control provides for the selection of personnel, uniforms, and police car markings; consequently, the Police Department is an independent city police operation under city control. Specialized functions such as Special Weapons and Tactics (SWAT) Team and forensics are provided by the Sheriff's office as part of the contract services. Oakley PD is also involved in the East Bay Regional Communication System.

Similar to many other cities, the Department relies on the Sheriff's Office for Search and Rescue services, dispatch and long-term holding facilities, County Animal Control for animal services, and the City of Walnut Creek for bomb squad services.

The Sheriff's Department also provides safety services within the City by responding to a City of Oakley "critical incident" in which a request has been made for "mutual aid."

Oakley PD does not provide contract services to other agencies.

### Patrol

Oakley PD patrols 16.1 square miles which are divided into three beats. Patrol shifts regularly consist of three officers with one supervisor, except for the weekday morning shift, which consists of two officers with one supervisor in the field.

### Staffing

Figure 14-2: Oakley PD Staffing Levels

~~In FY 10-11 Oakley PD has reduced its staff due to budget constraints. In order to maintain basic patrol services, the Department has eliminated its Detectives, K-9 officer, Community Services Officer, Traffic Control Officer, and School Resource Officer. For FY 10-11 Oakley PD has been able to retain its specialty positions and currently has two Detectives, two Traffic Control Officers, two Problem Oriented Police (POP) Officers, one School Resource Officer, and one K-9 Officer. (Refer to Figure 14-2.) The Department also has 14 regular patrol officers.~~

Position	FY 08-09	FY 09-10	FY 10-11
Chief	1	1	1
Detective	2	2	0
Sergeant	0	0	5
Police Officer	24	24	22
K-9 Officer	1	1	0
Community Service Officer	2	1	0
Traffic Control Officer	2	2	0
Office Support Staff	2	2	4
School Resource Officer	1	1	0
TOTAL	35	34	32

According to the City's budget, there is a staffing goal of 1.1 sworn staff to 1,000 population served. Oakley PD presently employs 0.79 sworn officers per capita, which is below the City's staffing goal.

### Location

## 16. City of Pinole

The City of Pinole provides a range of municipal services, including law enforcement services within the city limits. This chapter focuses solely on the City's law enforcement services germane to this report. LAFCO adopted a sub-regional MSR covering all services provided by the cities in the western portion of the County. For general information on the City and related determinations refer to this MSR.

*Basic information on the Pinole Police Department is contained in the West Contra Costa County Sub-regional MSR adopted by the Commission on November 18, 2009. ([www.contracostalafco.org](http://www.contracostalafco.org))*

### Agency Overview

#### Background

The City of Pinole is a general law city, which was incorporated in 1903. Its boundary area is approximately 5.3 square miles (land only). The City's SOI encompasses two adjacent unincorporated areas on the southwest edge of the City on the east and west side of Interstate 80. (Refer to Map 16-1.) These are further described under Population and Growth Projections, below.

#### Accountability and Governance

Local accountability and governance can be measured using a variety of factors. This MSR focuses on several variables, including the decision making process, visibility and accessibility, community outreach and education, and customer service.

The City operates under a City Council-City Manager form of government. The Chief of Police, as the department head for the Police Department (PD), reports to the City Manager. John Hardester is the Chief of Police, who was appointed in April 2011 to replace retiring Chief Paul Clancy. The City does not have a law enforcement-related advisory commission or committee.

Constituent outreach efforts are aimed at crime prevention, education about the Department's activities, and involving constituents in police efforts. The Department places a particular emphasis on community policing. ~~The Department has a Community Preservation and Safety Unit (CPSU), which works in partnership with the community to enhance the quality of life in the City by improving safety and removing blight.~~ A part-time Community Safety Specialist and a half-time Corporal oversee code enforcement, the Neighborhood Watch Program and related newsletter, webcasts on crime prevention strategies, the Youth Academy, National Night Out, the Crime Free Multi-housing Program, business alerts, criminal/sex offender registration, and a parent handbook on child safety. Other programs within the PD include a liaison program with senior citizens, and an Explorer program which teaches different aspects of law enforcement to youth possibly interested in a career in police work. The Pinole "Police Blotter" is a weekly listing that contains selected crimes and incidents that occur in Pinole. This service is available on the department's website and can also be viewed daily on Pinole Cable Channel 28. ~~The Department also maintains a column in the local newspaper to inform and update constituents.~~ The Department makes crime statistics and other information available on its website.



If a constituent has a complaint regarding the Department or its employees, the complaint may be submitted by e-mail, phone or in person. All complaints are referred to the Chief for review and follow-up action. For the Pinole PD, in 2007 there were 11 complaints in which one was sustained; for 2008 there were 10 complaints, none of which were sustained; and in 2009 there were 12 complaints in which two were sustained.

Pinole PD demonstrated full accountability and transparency by cooperating with all LAFCO requests for information, documents and interviews during the MSR process.

### *Planning and Management Practices*

Per the City's FY 10-11 budget, the PD has 42.0 authorized full time equivalent (FTE) positions of which 28.0 are sworn officers and 14.0 are support personnel. Authorized positions may not correlate directly with positions by type as reported by the Department due to part-time employees, or vacant or frozen positions. The PD is supplemented by six volunteers and 12 scouts in the Explorer Scout program.

The Department is divided into three divisions – Field Operations, Investigations and Community Preservation, and Support Services. Commanders oversee the Field Operations and Investigations Divisions, while a services manager oversees the Support Services Division. Both commanders and the services manager report to the Chief, who in turn reports to the City Manager. The Field Operations Division provides patrol, response to calls, and traffic safety services. The Investigations Division is comprised of three units – Investigations, Inspection and Control, and Community Preservation and Safety. Support Services include dispatch, records, property and evidence, and front office operations.

The Chief holds regular meetings with his command staff internally, and attends meetings with other department heads, the City Manager and with the City Council.

Current and long range goals are established by the Department as part of the fiscal planning process during development of the city budget. Additionally, the Department developed goals and action items as part of a team building workshop conducted by the California Commission on Peace Officer Standards and Training in 2010.

The guiding goals of the Pinole PD are: 1) prevent and control conduct widely recognized as threatening to life and property; 2) aid individuals who are in danger of physical harm; 3) protect constitutional guarantees; 4) facilitate the movement of people and vehicles; 5) assist those who cannot care for themselves; 6) resolve conflict, whether among individuals, groups or individuals and government entities; 7) identify problems that have the potential for becoming intrusions in the community; 8) create and maintain a feeling of security in the community; and 9) develop and implement strategies and programs which enhance delivery of police service in the community.

Sworn officers are evaluated annually. New staff are evaluated after an 18-month probation period. The Department puts together an annual crime and services report as well as a crime report to the State, which tracks the workload of the Department as a whole. The Department's performance is evaluated yearly in its annual report and annually during the budget process. The Department does not perform any benchmarking or comparison of its services to other law enforcement providers.

In order to ~~reduce costs, improve~~ enhance efficiencies, ~~and reduce demand on staffing resources, and to improve security and enforcement efforts,~~ the Department is ~~working to minimize overtime and~~ has installed surveillance cameras at a senior center and in the Fitzgerald Avenue area.

Planning documents that guide Pinole PD's services are the City's 2010-2030 General Plan, which was updated in October 2010, the Department's mission statement, and a statement of the Department's core values.

General Plan Service standards and policies for police services are as follows:

- Pinole will strive to maintain capital facilities, equipment and staffing to maintain a five-minute response time for emergency calls.
- The Police Department will work in partnership with citizens and community organizations to expand community-based crime prevention programs.

Pinole PD ~~does not~~ presently meets the General Plan response time standard with an average Priority 1 response time of three minutes and 20 seconds. ~~The PD has demonstrated adherence to the second standard through the Community Preservation and Safety Unit (CPSU).~~

The City's financial planning efforts include annual budgets, annual financial audits, and capital improvement plans. The City's most recent audit was completed for FY 09-10. The capital improvement plan was most recently updated in FY 10-11. Annually, the City and Redevelopment Agency (RDA) review and update an expenditure plan for capital projects and programs that support City and RDA goals and objectives. The first year of the CIP is an actual budget year and the remaining four years are projections. The FY 10-11 CIP is fully funded with existing cash on hand. With only a few exceptions, the remaining years of FY 11-12 through FY 14-15 are unfunded. The City's current CIP consists of 15 projects, none of which are related directly to law enforcement services.

### **Population and Growth Projections**

According to the 2010 Census, the population of the City is 18,390. Over the last 10 years, the population of Pinole has declined by three percent.

City growth is constrained with the city of Hercules to the northeast, San Pablo Bay to the west, and open space defined by the Countywide voter approved ULL to the east. (Refer to Map 16-1.) The City's General Plan indicates that population growth is expected to average less than 1 percent per year for the foreseeable future. Though land use changes that increase development densities would create incentives for higher growth rates, this growth is anticipated to be tempered by the fact that most properties are already developed. Growth is anticipated to be limited to infill redevelopment of sites, as the cost of maintaining and modernizing aging properties make redevelopment to higher densities a more attractive alternative to continued maintenance.

Based on ABAG projections, the City is anticipated to grow by 33 percent over the next 25 years. By comparison, the median city in Contra Costa is anticipated to experience 17 percent growth over the same time period, while the countywide growth is anticipated to be 21 percent. ABAG projects that the City's population will be 26,500 in 2035.

The City has not had to address increased demand for services as a result of population growth, given the City's decline in population; however, growth in surrounding communities has placed a much higher demand on transportation, which has resulted in increased congestion and a need for enhanced traffic enforcement.

The Department is invited to comment on any development applications to evaluate any impact on law enforcement and traffic enforcement activities. Growth strategies related to law enforcement in the City include performance standards adopted as part of the Growth Management section of the City's General Plan as indicated above.

## Financing

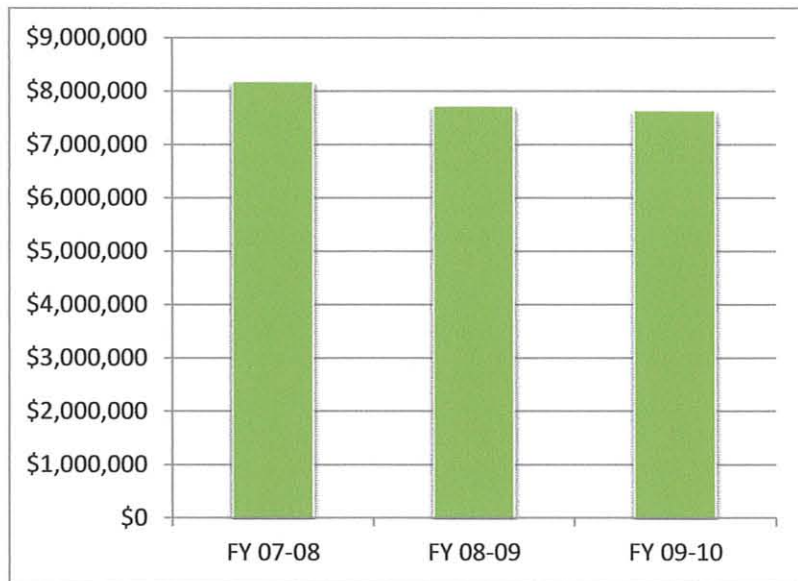
The City of Pinole's financing level is adequate to deliver services, but is not sustainable. Financial pressures include the scheduled 2012 sunset of the City's utility users tax (a ballot measure to extend the tax failed in 2010), the scheduled 2015 sunset of the City's redevelopment project area spending authority, and cost inflation trends that exceed revenue projections. The City adopted a three-year expenditure control budgeting plan in 2008 to implement cost reduction strategies. The City's objective was to adapt without layoffs; to do so, the City financed general fund operating deficits in FY 08-09 through FY 10-11 through a \$2.3 million loan from the redevelopment agency, and has offered voluntary severance packages. Due to these constraints, the City's General Fund appropriations have declined by 16 percent between FY 07-08 and FY 11-12, and the Police Department has reduced expenditures by \$1.6 million or nearly 20 percent during the same time period, which has resulted in the elimination of 15.8 FTE PD positions over that time period.

Seventy percent of the Police Department's services are financed through the General Fund. The City receives proceeds from the Proposition 172 special sales tax, which is restricted for use for public safety services. These funds are initially tracked in a separate fund, but are transferred into the General Fund for use. The remaining 30 percent of the Department's funding comes from the following eight special revenue and non-major governmental funds (amount from these funds in FY 09-10 shown in parentheses):

- Police Security Fund - Reflects the reimbursement received from commercial enterprises for police security services provided by the City, primarily for the Pinole Vista Shopping Center and also the East Bluff Apartment Complex. (\$42,343)
- Measure S Fund - This fund accounts for revenue from a special half-cent sales tax approved in 2006 for public safety purposes. (\$991,898)
- Police Grant Fund - The City has been awarded and has accepted a three year funding grant (\$819,850) from the U. S. Department of Justice under the CHP (Cops Hiring Program) program to be used for community oriented policing services. (\$245,009)
- Traffic Safety Fund - This fund accounts for revenues from fines and forfeitures. (\$15,024)
- Supplemental Law Enforcement Services Fund - This fund accounts for State allocations received through the Citizens Option of Public Safety Program. The minimum allocation for public agencies is \$100,000, which is the amount which has been historically allocated to Pinole. This amount and continuation of allocation of this State subvention is subject to the discretion of the State Legislature and ~~was not~~ has been partially funded for 2011-12. (\$103,006)
- Asset Seizure - Property seized during drug arrests is distributed either back to its owner or sold and the proceeds divided up among the arresting and prosecuting agencies. Monies shown as revenue in this category have been returned to the City at the culmination of certain cases and can only be used for police activities. (\$937)
- Growth Impact Fund - This fund receives fees from building activities and uses these funds to offset costs associated with city growth. (\$54,587)
- Redevelopment Agency Fund - This fund is used to account for major capital improvement projects under the management of the City's Redevelopment Agency. (\$802,851)

Figure 16-1: Pinole PD Expenditures (FYs 08, 09, & 10)

Expenditures over the last three fiscal years have declined by 5.8 percent, from \$8.1 million in FY 07-08 to \$7.7 million in FY 09-10, as shown in Figure 16-1. In FY 09-10, the primary expenses for the Department were personnel (85 percent), supplies and services (13.5 percent), capital outlays (less than two percent).



The City had approximately \$58.1 million in long-term debt at the end of FY 09-10, none of which was related to law enforcement services.

The City engages in joint financing arrangements related to insurance. The City is a member of the Municipal Pooling Authority, a joint powers authority, for liability and workers compensation insurance.

## Law Enforcement

### Nature and Extent

The Police Department is responsible for providing law enforcement services in the City, including crime prevention, parking and traffic control, community awareness, staff training, and investigations. The Department conducts emergency preparedness in collaboration with the City of Hercules. ~~The Police Department recently took on the responsibility of code enforcement. The Code Enforcement division enforces a number of laws pertaining to residential property within the City.~~ Pinole PD is also involved in the East Bay Regional Communication System.

The Department relies on the Sheriff's Office for search and rescue services, the Special Weapons and Tactics (SWAT) Team, and long-term holding facilities, County Animal Control for animal services, and the City of Walnut Creek for bomb squad services. Pinole PD also contracts with Contra Costa County Crime Lab for specialized services.

The Sheriff's Department also provides safety services within the City by responding to a City of Pinole "critical incident" in which a request has been made for "mutual aid."

Pinole PD provides contract dispatch services to the City of Hercules. Additionally, the Department provides ~~two~~ three school resource officers in the local schools, through a partnership with West Contra Costa County School District. The School District funds two SROs and the City funds one SRO.

### Patrol

Pinole PD patrols 5.3 square miles, which are divided into three beats – one on each side of I-80 and one for the commercial area. There are four patrol teams to provide continuous patrol and response to calls in these three areas.

- Expansion of the Property/Evidence Room and enhanced facilities to ensure safe storage of material,
- Upgrades and/or changes to the computer-aided dispatch and records management system, and
- Equipment upgrades to participate in the East Bay Regional Communication System, a Joint Powers Authority (JPA) established to improve inter-agency emergency communication.

There are no plans for significant capital improvements to the police facilities before 2015, based on the City’s capital improvement plan.

The Department did not report any needs related to vehicles or equipment. Vehicles and equipment are kept within a secure area adjacent to the police building. The Department is monitoring the mileage of patrol vehicles to insure that the fleet is ‘rotated for use’ by patrol officers in order to evenly distribute the mileage, which extends their service life accordingly.

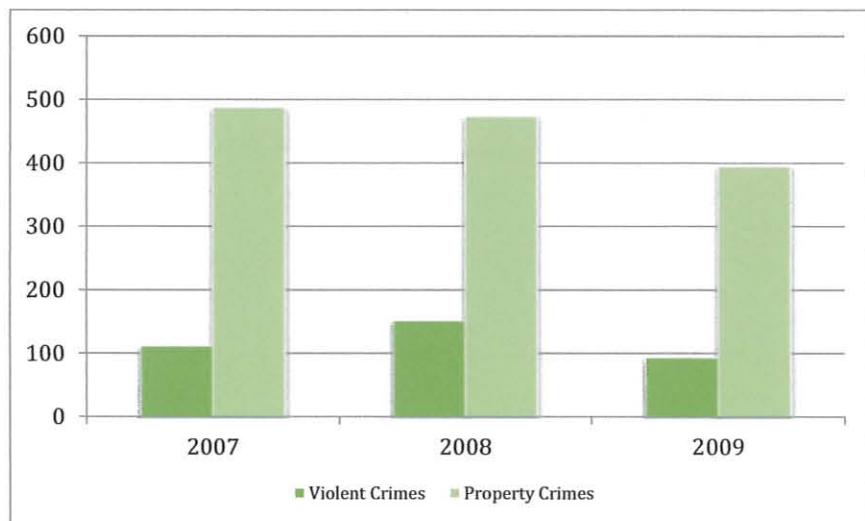
### Service Demand and Service Adequacy

Each law enforcement agency has been evaluated using a number of factors. These factors are indicated in Figure 16-4: Pinole Law Enforcement Profile. These profiles can be used to compare between agencies, although exact comparisons are not always possible due to the differing conditions and policing methods used. Refer also to Chapter 3: Law Enforcement Overview for comparison tables.

#### Service Demand

Figure 16-3: Violent and Property Crimes (2007-2009)

During the last three years, the annual number of crimes and the number of crimes per capita have had a downward trend. As shown in Figure 16-3, while the number of violent crimes fluctuated over this time period, the number of property crimes has declined by almost 19 percent. Based on the number of property and violent crimes between 2007 and 2009, the City had approximately 31 reported crimes per 1,000 residents, while providers countywide averaged 21 crimes per 1,000 residents. The City averaged ~~12,700~~ 29,750 service calls per year in 2007, 2008 and 2009, which is ~~689~~ 1,618 service calls per 1,000 residents. By comparison, service providers countywide averaged 1,500 service calls per 1,000 residents during the same time period.



The Department reported that there are no periods or events that have particularly high demand for police services.

### Service Adequacy

Adequacy of law enforcement services can be evaluated based on a number of elements. For the purposes of this report, services provided by Pinole PD are assessed according to response times, clearance rates (the portion of crimes solved) and staffing ratios.

Although police response times for serious crimes in progress are an important indicator of service adequacy, there are not clear standards as to what that response time should be. Police response times were traditionally used to measure effectiveness. However, more recent research indicates that response time does not have a significant effect on crime-solving, because most crimes are “cold” crimes and victims do not tend to call police immediately after the crime is committed. The modern approach to response time—differential response—is to ensure quick response to serious crimes (Priority 1) in progress, when there are opportunities to save a victim and/or to apprehend the criminal, and to inform lower-priority callers (Priority 2 through 6) that response time may be lengthy. Experiments indicate that differential response leads to both citizen and officer satisfaction.<sup>29</sup> Response times are dependent on the agency’s staffing level and size of the jurisdiction served. Pinole PD on average responds to Priority 1 incidents within three minutes and 20 seconds, while law enforcement providers countywide averaged five minutes and 19 seconds for Priority 1 incidents.

Cleared crimes refer to offenses for which at least one person was arrested, charged with the offense, and turned over to the District Attorney for prosecution. A crime is also considered cleared by exceptional means if the offender dies, the victim refuses to cooperate, or extradition is denied. There are no standards or guidelines on the proportion of crimes that should be cleared. As shown in Figure 5-4, Pinole PD had a DOJ clearance rate of 37 percent for violent crimes (homicide, forcible rape, robbery and aggravated assault) committed in 2007, 2008 and 2009, and a clearance rate of 16 percent for property crimes (burglary, motor vehicle theft, and thefts of greater than \$400) during the same period. Local clearance data indicates a 52 percent clearance rate for violent crimes and a 16 percent clearance rate for property crimes during this period. By comparison, providers countywide on average cleared 38.3 percent of violent crimes and 10.6 percent of property crimes, meaning Pinole PD solves ~~slightly less~~ significantly more violent crimes and significantly considerably more property crimes within its jurisdiction than the average of other providers in the County.<sup>30</sup>

The number of sworn officers per capita is a traditional indicator of service level. There are no established State or national standards for police staffing levels. Staffing ratios in Contra Costa ranged from 0.67 sworn staff per 1,000 residents in Lafayette to 1.97 in Kensington PP&CSD. Pinole PD is above the countywide average of 1.18 sworn staff per 1,000 residents, with a sworn staff to resident ratio of 1.52.

<sup>29</sup> Walker and Katz, 2002.

<sup>30</sup> Clearance rates for all agencies provided by the California State Department of Justice, Criminal Justice Statistics Center and are based on the number of cleared crimes as reported by each agency. In the case of agency’s that contract for services from the Sheriff’s Office, cleared crimes are reported by the Sheriff’s Office, not the City. Clearance rates as reported by the agency may differ depending on the agency’s definition of a cleared crime. An offense is cleared or “solved” for crime reporting purposes to the State when at least one person is arrested, charged with the commission of the crime, and turned over to the court for prosecution or referred to juvenile authorities. In certain situations a clearance may be counted by “exceptional means” when the police definitely know the identity of the offender, have enough information to support an arrest, and know the location of the offender but for some reason cannot take the offender into custody.

### CSA P-2, Zone B -- Alamo

Alamo is a diverse community with a mix of residential, commercial and open space areas. Alamo has been a candidate for incorporation on several occasions, with the latest effort in 2009. At the March 2009 Special Election, incorporation was defeated with 35.6% voting 'Yes' and 64.4% voting 'No.'

As a Census Designated Place (CDP), Alamo is comprised of ~~20.6~~ 9.7 square miles and has a 2010 population of 14,570. Zone B of CSA P-2 consists of 5.3 square miles (~~32~~ 55 % of the CDP area) with an estimated population of 7,618 (2,627 households at 2.9 persons per household). Both the P-2 Zone B area and the remainder of the Alamo CDP (~~68~~ 45% of the CDP area) are within County Service Area P-6, the Countywide law enforcement services special district. CSA P-5 (Round Hill) is within the Alamo CDP, is adjacent to P-2 Zone B, and is also within Countywide CSA P-6. (Refer to the CSA P-5 and CSA P-6 sections of this report and Map 23-5.)

#### Accountability and Governance

There is a seven-member Advisory Committee for Zone B appointed by the Board, and includes two members of the Alamo Municipal Advisory Council (MAC). The Committee meets monthly and provides input to the Board and the SO on Alamo police service matters. Agendas and minutes are posted at the SO Valley Station, 150 Alamo Plaza, Suite C, and on the web at [www.alamore.org](http://www.alamore.org) (which is a private website owned and maintained by a local resident).

The Resident Officers assigned to Alamo share space at the SO Valley Station in the Alamo Plaza Shopping Center.

Additional information may be obtained from the Finance Services Unit at the SO, or through the Clerk of the Board and County Administrator.

#### Planning and Management Practices

CSA P-2, Zone B collects a portion of the Basic 1% Property Tax Allocation from properties within Zone B (currently 0.47878% on average for Tax Rate Area (TRA) 66015 and 0.48645% on average for TRA 66009. These taxes generate approximately \$142,000 per year for CSA P-2, Zone B. Zone B also assesses properties in Zone B an annual assessment of \$18 for residential property and \$54 for commercial property. These assessments generate approximately \$65,000 per year. These revenues (property taxes and property assessments) are utilized to provide enhanced law enforcement services to properties within CSA P-2, Zone B.

Properties within CSA P-2, Zone B are also within CSA P-6 (Countywide unincorporated area except Kensington). (Refer to Map 23-3.) A number of CSA P-6 Zones (special assessment areas) have been established throughout the P-6 territory, including within CSA P-2, Zone B territory. At the present time there are 12 P-6 Zones within P-2 Zone B which are currently generating \$40,486 in special assessment revenues per year for P-6. There is no indication that these Zone revenues have been allocated to enhanced law enforcement services within CSA P-2, Zone B.

CSA P-6 also collects a portion of the Basic 1% Property Tax Allocation (currently 1.20573% on average) from properties within CSA P-2, Zone B for 'basic' law enforcement services. This is appropriate because the Resident Deputy assigned to Alamo obtains support from the local beat Deputies when the Resident Deputy is not on duty. (Refer also to the CSA P-6 Section of this report.)

CSA M-30 (Alamo Springs) is also within CSA P-2, Zone B and CSA P-6. A portion of the Basic 1% Property Tax Allocation for properties within CSA M-30 is allocated to CSA P-2, Zone B and to CSA P-6. Developed residential properties within CSA M-30 are charged an annual assessment for

## County Service Area P-5

### Background

County Service Area (CSA) P-5 ('P' for Police) was formed in 1972 to provide financing for 'enhanced' police services in the form of Resident Deputies from the Contra Costa County Sheriff's Office (SO) to the unincorporated community of Round Hill. The District was formed under the provisions of California Government Code Section 25210 *et seq.*

CSA P-5 includes approximately 1.2 square miles (749-acres) and is located on the east side of Alamo, east of Interstate 680 and north of Stone Valley Road. (Refer to Map 23-2.) Access to Round Hill is from the I-680/Stone Valley Road interchange and through a portion of the Alamo community. Round Hill is a single-family residential area along with the Round Hill Country Club. The current estimated population within the District is 1,764.

### Accountability and Governance

Local accountability and governance can be measured using a variety of factors. This MSR focuses on several variables, including the decision making process, visibility and accessibility, community outreach and education, and customer service.

CSA P-5 is a 'dependent' special district in which the County Board of Supervisors (Board) is the Board of Directors for the district. Administrative staffing for the District is provided by the Office of the Sheriff, in particular, the Finance Services Unit of the Administrative Services Bureau, which oversees the District budget process.

There is a seven-member Advisory Committee for CSA P-5 which meets monthly at the Round Hill Country Club and provides input to the Board and the SO on Round Hill police service matters. Agendas are posted at the SO Valley Station, 150 Alamo Plaza, Suite C, and on the web at [www.alamo.org](http://www.alamo.org) (which is a private website owned and maintained by a local resident).

The Resident Officers assigned to Round Hill share space at the SO Valley Station in the Alamo Plaza Shopping Center.

Additional information may be obtained from the Finance Services Unit at the SO, or through the Clerk of the Board and County Administrator.

The Finance Services Unit demonstrated full accountability and transparency by cooperating with LAFCO requests for information, documents and interviews during the MSR process.

### Planning and Management Practices

Because the CSA is a special district, it does not have land use authority. Those responsibilities lie with Contra Costa County. Round Hill can be considered a sub-area of Alamo, which is a larger unincorporated community west of Round Hill.

A portion of the Basic 1% Property Tax (currently 3.22769% on average) is allocated to CSA P-5, which currently generates approximately \$201,250 of tax revenue per year. CSA P-5 also assesses developed property within the district a special tax of \$330 per residence, which currently generates approximately \$242,550 per year.



## County Service Area M-29

### Background

County Service Area (CSA) M-29 ('M' for Maintenance) was formed in 1996 to provide financing for facilities and services in the Dougherty Valley Area. The CSA was formed as part of a 1994 agreement to settle litigation brought against the County and the developers in Dougherty Valley. The objective was to enable the County to finance extended services for Dougherty Valley residents and property owners at no extra cost to the County's General Fund and taxpayers outside of Dougherty Valley. The District was formed under the provisions of California Government Code Section 25210 *et seq.*

CSA M-29 includes approximately 9.34 square miles and is located in the easterly portion of San Ramon and south to the Alameda-Contra Costa County Line. (Refer to Map 23-4.) Approximately 68% of the District territory is within the City Limits of the City of San Ramon, and 32% is within the unincorporated area. The current estimate from the city includes 8,071 residential units and 166,200 square feet of commercial space. The current estimated population within the District is 22,610.

### Accountability and Governance

Local accountability and governance can be measured using a variety of factors. This MSR focuses on several variables, including the decision making process, visibility and accessibility, community outreach and education, and customer service.

CSA M-29 is a 'dependent' special district in which the County Board of Supervisors (Board) is the Board of Directors for the district. Staffing for the District is provided by the Special Districts Unit of the Contra Costa County Department of Public Works. Revenues generated by the District are administered by the Finance Division of the City of San Ramon Administrative Services Department. There is no advisory committee established for this district.

The CSA is authorized to provide road maintenance, street landscaping, park maintenance, open space maintenance, flood control, law enforcement services, and community facilities maintenance. The District may also charge for city administration overhead costs. Recreation-related services were addressed in the Recreation & Parks and Cemetery Municipal Service Review adopted by LAFCO in April 2010. This Section concentrates on the law enforcement services funded by the District.

Each year, as part of the city budget process, the San Ramon City Council approves an operating budget for Dougherty Valley Maintenance. The Board subsequently approves the budget pursuant to the 2005 Reimbursement Agreement as an agenda item at a regular Board of Supervisors meeting. At the end of the fiscal year, the District reimburses the city for services performed in Dougherty Valley.

There is no separate website for the CSA. Information may be obtained from the Special Districts Unit of the Contra Costa County Department of Public Works or the Finance Division at the City of San Ramon.

The Special District Unit demonstrated partial accountability and transparency, and the City of San Ramon demonstrated full accountability and transparency by cooperating with LAFCO requests for information, documents and interviews during the MSR process.

The Special District Unit demonstrated partial accountability and transparency, and the Town Manager's Office demonstrated full accountability and transparency by cooperating with LAFCO requests for information, documents and interviews during the MSR process.

### Planning and Management Practices

The CSA M-30 boundaries include only the unincorporated properties -- 42 of the 53 residential lots within the Alamo Springs Subdivision. The other 11 residential lots are within the Town of Danville. The CSA is 62% built-out (26 lots) with residential dwellings, while the remaining 38% (16 lots) are vacant. Refer to Map 23-5 which shows the relationship between the District, the Town of Danville and the other Police Protection CSA's.

Because the CSA is a special district, it does not have land use authority. Those responsibilities are jointly shared between Contra Costa County and the Town of Danville through a Memorandum of Understanding (MOU) developed when the subdivision was approved. Under the City-County MOU, and in accordance with the CSA's formation approval, the County collects benefit assessment revenue from developed lots within the CSA and transfers those funds to the Town of Danville (for extended public services) and to CSA L-100 (now CFD 2010-1) (for street lighting services). Details are presented in the Financing section below.

Residents within CSA M-30 are also within two other police protection special districts from which they receive no services: CSA P-2, Zone B (Alamo area); and CSA P-6 (Countywide unincorporated area except Kensington). (Refer to Map 23-5.)

In the case of CSA P-2, Zone B, 0.48549% of the Basic 1% Property Tax is allocated to CSA P-2, which is currently generating approximately \$2,881 of tax revenue per year. CSA P-2, Zone B also assesses developed property within CSA M-30 at \$18 per parcel, which generates \$468 per year. Vacant parcels are not assessed.

For CSA P-6, 1.20573% of the Basic 1% Property Tax is allocated to CSA P-6, which currently generates approximately \$7,155 of tax revenue per year from CSA M-30 properties. CSA P-6, Zone 1802 also assesses property within the Alamo Springs Subdivision (including the 42 residential lots in CSA M-30, plus the 11 residential lots in Danville, plus what appear to be four common/open space parcels). This assessment generated \$14,260 in FY 09-10, and will increase based on the Cost of Living Index.

Two inconsistencies have been identified for CSA M-30:

1. Properties within CSA M-30 receive law enforcement services from the Town of Danville, but are contributing property tax revenues (currently \$10,036 per year) to CSA P-2 and CSA P-6; and
2. Properties within CSA M-30 also contribute special taxes (assessments) (currently \$14,728 per year) to CSA P-2 and CSA P-6.

These contributions exceed the total revenue generated by CSA M-30 for its own services by \$2,081. Territory within CSA M-30 should be detached from CSA P-2 and CSA P-6. In addition, the whole of Alamo Springs Subdivision (both city and unincorporated portions) should not be included as a Zone within CSA P-6.

### Population and Growth Projections

It is estimated that the current population within CSA M-30 is 70 (26 homes at 2.7 persons per home). Population at full build-out will be approximately 113; although no new homes have been built in the past three years, leaving 16 lots vacant.

Figure 26-2: Unincorporated Communities

Communities	Population (2010)	Enhanced Police Services
<b>West County</b>	<b>49,431</b>	
Bayview CDP	1,754	None
Crockett CDP	3,094	Sheriff (1.5 Resident Deputies)
East Richmond Heights CDP	3,280	None
El Sobrante CDP	12,669	None
Kensington CDP	5,077	Kensington Police Protection & CSD
Montalvin Manor CDP	2,876	None
North Richmond CDP	3,717	Sheriff (6 Resident Deputies)
Port Costa CDP	190	None
Rodeo CDP	8,679	Sheriff (Housing Authority Deputy)
Rollingwood CDP	2,969	None
Tara Hills CDP	5,126	None
<b>Central County</b>	<b>74,358</b>	
Acalanes Ridge CDP	1,137	None
Alamo CDP (CSA P-2B) <sup>3</sup>	12,736	Sheriff (1 School Resource Officer)
Alamo Springs <sup>+</sup> (CSA M-30)	62	Danville (Regular Beat)
Alhambra Valley CDP	924	None
Blackhawk CDP (CSA P-2A)	9,354	Sheriff (1 Lieutenant, 2 Resident Deputies)
Camino Tassajara CDP (Portion of CSA P-2A)	2,197	None
Canyon <sup>+</sup>	200	None
Castle Hill CDP	1,299	None
Clyde CDP	678	None
Contra Costa Centre CDP <sup>+</sup>	5,133	Sheriff (1 Resident Deputy)
Diablo CDP (Diablo CSD)	1,158	Sheriff (1 Resident Deputy)
Dougherty Valley <sup>+</sup> (CSA M-29)	22,160	San Ramon (Regular Beat)
Mountain View CDP	2,372	None
Norris Canyon CDP	957	None
North Gate CDP	679	None
Pacheco CDP	3,685	Sheriff (1 Resident Deputy)
Reliez Valley CDP	3,101	None
Round Hill <sup>+</sup> (CSA P-5)	1,764	Sheriff (1 Sergeant, 1 Resident Deputy)
San Miguel CDP	3,392	None
Saranap CDP	5,202	None
Shell Ridge CDP	959	None
Vine Hill CDP	3,761	None
<b>East County</b>	<b>39,683</b>	
Bay Point CDP	21,349	Sheriff (3 Resident Deputies, 1 SRO)
Bethel Island CDP	2,137	None
Byron CDP	1,277	None
Discovery Bay CDP	13,352	Sheriff (2 Resident Deputies, 1 Crime Prevention Specialist)
Knightsen CDP	1,568	None
Orwood Resort		None

Source: 2010 Census  
Notes:  
1) CDP indicates Census Designated Place  
2) <sup>+</sup> indicates estimated population  
3) Excluding Alamo Springs and Round Hill

## Union Pacific Railroad Company

- Authority: 49 USC 24305(e) and California Penal Code § 830.33 (e)
- Profile: Union Pacific Railroad (UPRR) Police serving Contra Costa County operate out of the Oakland Division office. The Oakland Division is one of 10 divisions in the 23-state UPRR system. This Division is responsible for all railroad property and rail/street crossings in an area that extends from the California-Oregon border on the north, Elko, Nevada on the east, and San Luis Obispo and Chowchilla on the south. UPRR Police personnel have jurisdiction anywhere within the state, perform 'ride-along' duties on trains, and are heavily involved in drug smuggling interdiction operations.
- Staffing: The Oakland Division is under the direction of one Captain and one Lieutenant, and utilizes up to 20 officers. All are fully sworn California peace officers. Additional police personnel (up to 220) from the UPRR system, plus special operations (SWORT) teams can be assembled as necessary. UPRR Police coordinate with Amtrak Police as well as local, state and federal law enforcement agencies.
- Equipment: Each officer has one vehicle, with the fleet transitioning from unmarked to marked patrol vehicles. ATVs and an Emergency Response Trailer are also available. Communications are through UPRR headquarters in Omaha, Nebraska, with the capability of interfacing with local law enforcement agencies through the CHP Golden Gate Division in Vallejo.

## 32. Organizations and Persons Contacted

<u>Agency or Organization</u>	<u>Persons Contacted</u>
Amtrak Police Department	Joe Gross, Officer
Antioch Police Department	Allan Cantando, Chief of Police Rick Marchoke, Lieutenant Virginia Johnson, Crime Data Technician
Bay Area Rapid Transit Police Department	Andy Alkire, Lieutenant
Brentwood Police Department	Mark Evenson, Chief of Police
California Department of Fish and Game	Sheree Christensen, Lieutenant
Clayton Police Department	Dan Lawrence, Chief of Police Tim Marchut, Sergeant
Concord Police Department	Guy A. Swanger, Chief of Police Daniel Siri, Captain Brian Wiesendanger, Captain Cheryl Owens, Administrative Services Manager
Contra Costa Community College District Police Department	Thomas Sharp, Lieutenant (Retired) Chad Wehrmeister, Lieutenant
Contra Costa County Public Works Department, Special Districts Section	Jessi Duffy, Engineering Technician
Contra Costa County Sheriff's Office	David O. Livingston, Sheriff Michael Casten, Undersheriff Scott P. Daley, Former Undersheriff Ron Jarrell, Former Undersheriff David Pascoe, Commander Ron Bradley, Captain

	Elise Warren, Lieutenant Frank Scudero, Fiscal Officer Gail Bowen, Communications Director Sammy Smith, Sergeant
Crockett Cogeneration Plant	Chris Sargent, Plant Manager
Danville Police Department	Steve P. Simpkins, Chief of Police Jeff Moule, Lieutenant Allan Shields, Investigations Supervisor
Danville, Town of	Marcia Somers, Assistant Town Manager
Diablo Community Services District	Richard J. Breitwieser, General Manager
El Cerrito Police Department	Sylvia M. Moir, Chief of Police Michael Regan, Captain
Hercules Police Department	William Goswick, Interim Chief of Police Ruben Rodriguez, Sergeant
John F. Kennedy University	David Sadler, Director of Facilities
Kensington Police Protection and Community Services District	Gregory E. Harmon, General Manager and Chief of Police
Lafayette Police Department	Michael Hubbard, Chief of Police
Martinez Police Department	Gary D. Peterson, Chief of Police
Moraga Police Department	Robert Priebe, Chief of Police Jeff Price, Lieutenant
Mount Diablo State Park	Dan Stefanisko, Supervising Ranger
Oakley Police Department	Bani Kollo, Chief of Police
Orinda Police Department	Jeffrey Jennings, Chief of Police

Pinole Police Department	Paul Clancy, Chief of Police (Retired) John Hardester, Chief of Police Terri Krieger, Support Services Manager Beth Bartke, Administrative Assistant
Pittsburg Police Department	Aaron L. Baker, Chief of Police Brian Addington, Lieutenant
Pleasant Hill Police Department	Peter Dunbar, Chief of Police John F. Moore, Captain Peter Enea, Lieutenant
Rhodia Martinez Plant	Laura Gantt, Senior Project Manager
Richmond Police Department	Edwind (Ed) Medina, Deputy Chief of Police
San Pablo Police Department	Mark E. Foisie, Captain
San Ramon Police Department	Scott Holder, Chief of Police
Union Pacific Railroad	John Allen, Special Agent (Captain)
United States Coast Guard	Jeremy Pichette, Lieutenant Junior Grade
Walnut Creek Police Department	Joel H. Bryden, Chief of Police Tim Schultz, Commander Steve Skinner, Commander Tori Maxfield, Executive Assistant
West Contra Costa Unifies School District	William Fay, Deputy Superintendent