

Influential Contra Costa boundary panel tightens rules over members

By Lisa Vorderbrueggan
Contra Costa Times

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MARTINEZ — A powerful Contra Costa County agency tightened its rules this week, satisfying neither critics nor the two members whose actions sparked a political dogfight in the wake of a contentious Brentwood growth battle.

At issue was a letter written by the mayor of Martinez and a Concord councilwoman who are both members of the Local Agency Formation Commission, or LAFCO, a board with the power to set political boundaries. Their letter became a key element in the Brentwood debate over Measure F, an unsuccessful June measure that would have expanded the city's urban growth line.

Critics expressed frustration over the commissioners' unwillingness to censure each other while the board members accused their challengers of badgering them in unrelenting rounds of "public floggings."

But the commissioners ultimately agreed that they must take greater care when they independently express their views on matters that may end up on their official agenda.

Commissioners who make independent, public statements on potentially LAFCO-related matters must now explicitly spell out that their views do not represent those of the entire board. The seven-member commission is made up of two members of the board of supervisors, two appointees each from the Contra Costa Mayors Conference and special districts, and a member of the public.

The rule change, adopted unanimously at LAFCO's monthly meeting, comes after several commissioners wrote

letters later deployed by proponents of Measure F, a landowner-sponsored and funded urban limit line expansion initiative.

The commission's vote fell far short of what critics sought.

The board rejected an environmental group's call for an investigation, and removal or reprimand of letter authors, Concord Councilwoman Helen Allen and Martinez Mayor Rob Schroder.

The letters were part of an orchestrated drive to mislead Brentwood voters about Antioch's plans and an abuse of the commissioners' role as countywide arbiters of boundary issues, said Save Mount Diablo Executive Director Ron Brown. His organization led the Measure F opposition campaign.

Earlier this month, the Mayors' Conference declined to replace their appointees but publicly chastised Schroder and Allen for their May 6 letter published in the Brentwood Press.

The pair wrote that LAFCO would likely annex to Antioch the area affected by Measure F if Brentwood voters rejected the measure. That possibility would

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become one of the proponents' central arguments in favor of the initiative. The letter identified Allen and Schroder as representatives of the Mayors' Conference.

LAFCO Commissioner and special district appointee Dwight Meadows later sent a letter in which he concurred with Schroder and Allen's conclusions.

Allen and Schroder conceded on Wednesday that the letter was poorly written — Allen says she wrote it and handed it off to Measure F consultant Tom Koch — and Meadows admitted that he probably would not have sent his if he had not planned to go on vacation after its publication.

But the Martinez and Concord pair were visibly angry with Save Mount Diablo's Brown, who publicly criticized them and called for their reprimands for a third time Wednesday.

"You are badgering me," said a shaken Allen, who said the letter was used in the Measure F campaign without her control or knowledge.

Schroder demanded an end to what he described as the organization's disparaging comments about his integrity and said he was fed up with what he called repeated public floggings.

After the meeting, Brown emphasized that his organization's criticisms are not personal. Elected officials serving on a critical board such as LAFCO must be accountable to the voters, he said.

"It's unclear why (they) chose to involve themselves in this campaign but I find it hard to believe that they were unaware of how their letters were intended to be used," Brown said. "If they had directed some of this indignation toward the Measure F campaign

at the time their letter was being used, instead of being angry at Save Mount Diablo, I might be more inclined to believe their story."

With the commission and the Mayors' Conference showdowns now over, it appears that Allen and Schroder's seats on the commission are secure, at least for the balance of their terms.

Schroder's LAFCO term ends in early 2011 while Allen's is up in early 2012. Both are up for re-election to the city offices in November and could seek reappointments to the commission.

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Pinole chooses against joining Hercules at West County wastewater plant

By Tom Lochner
Contra Costa Times

Posted: 07/23/2010 05:17:07 PM PDT

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Declining to follow Hercules' lead, Pinole will go it alone at the two cities' wastewater treatment plant instead of rerouting its sewage to the West County Wastewater District plant in North Richmond.

The City Council unanimously embraced the Pinole-only option this week after a presentation by city engineer Dean Allison. Residents' monthly sewer service charges would be much lower under the Pinole-only option, at least until 2025, he said.

Although treatment costs at the much larger West County Wastewater plant are lower, the costs of conveying the sewage there, including the debt service on new infrastructure, would more than offset the savings on treatment, Allison said. The monthly rate, currently \$47.37, will climb to \$64.43 in 2015 if Pinole sticks with its own plant. If Pinole was to join Hercules at West County Wastewater, the monthly rate would be \$86.44 a month in 2015, Allison said.

"We can't overcome this large cost for capital," he said.

The Pinole-Hercules plant is on the Pinole side of

the city line. The two cities entered into a joint-use agreement in 1971.

The plant's most recent permit from the Regional Water Quality Control Board in 2007 identified several deficiencies and set a timetable for correcting them. The deadline for completing all of the improvements is 2015.

The plant's permitted capacity of 4.06 million gallons a day is adequate during dry weather, while wet weather capacity is about 10 MGD,

Allison said. But during prolonged or particularly intense wet weather — he cited one Dec. 31, 2005 event when the flow was 22 MGD — the plant sometimes discharges partially treated wastewater into San Pablo Bay.

"Wet weather flows is the principal reason upgrades are needed," Allison told the council. "Not the growth of Hercules."

That view is at odds with Hercules'. In April 2009, in a posting on its city website and in a publication, "2009 Wastewater Update," Hercules said the most viable option to handle its future growth would be to redirect its wastewater flow to West County. Hercules' population, currently about 24,500, will grow to almost 35,000 by 2035, according to a 2009 biennial projection by the Association of Bay Area Governments.

Allison dismissed as "myths" the notions that population growth in Hercules is at the base of the mandated upgrades and that the present plant cannot accommodate the growth.

An upgrade of the Pinole-Hercules plant to accommodate the two cities' needs — the option that

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Hercules formally rejected in March when it declared its intent to go to West County Wastewater — would have cost an estimated \$44 million, to be split equally by the two cities, Allison said.

The Pinole-only option will require only about \$2.5 million in capital improvements for an approximately 500,000-gallon "equalization tank" that would collect excess water during intense rains, to be fed slowly into the treatment system as the rain abates. With Hercules gone, the plant would need a wet weather flow capacity of about 12 or 13 MGD, Allison said.

The council Tuesday also certified the Environmental Impact Report for the plant improvement project. The report found only two impacts that could not be mitigated to a level of insignificance, and those would be temporary — noise and air pollution during construction.

West County Wastewater will begin negotiating with Hercules on a service agreement, said general manager E.J. Shalaby. The agency in the past has embraced the idea of a regional approach to wastewater treatment. But the infrastructure costs of a move to another district are high, Shalaby said, and Pinole's rate calculations support the city's decision to stay put, he said.

Whereas, Shalaby said, "Hercules has obviously made a decision to get out of the wastewater business."

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Fire district names 'new' chief -- two years later

By Rowena Coetsee
Contra Costa Times

Posted: 08/02/2010 10:49:39 PM PDT

Updated: 08/02/2010 10:57:41 PM PDT

BRENTWOOD -- Directors of East Contra Costa Fire District on Monday gave Hugh Henderson the title of the job he has been doing for 2 years.

The nine-member board approved a contract hiring him as fire chief, ending Henderson's 30-month stint as acting head of the financially strapped agency.

"You've just accepted a job that nobody else wants," quipped board president Erick Stonebarger as the audience applauded.

The two-year contract does not include a raise or improved benefits for Henderson.

The district's last full-time fire chief left in June 2006, and his successor's contract expired in January 2008.

Henderson took over the reins the following month.

Directors acknowledged the accomplishments Henderson has overseen since the board was seated in February, which included balancing a budget that had a nearly \$3 million deficit going into the current fiscal year.

The cuts meant closing two of the district's eight fire stations last month.

And the pressures won't be subsiding anytime soon: Henderson already has turned his attention to other tactics the board is considering to generate more money.

One of those is to put a special property tax on the June ballot; the fire district has started soliciting bids from polling companies to ascertain whether the public would vote to pay more, and it is planning to have the results of that study in January.

Another possibility is charging for the services

the fire district provides other than fighting blazes, such as responding to car and boat accidents or containing spills of hazardous materials.

In addition, Henderson is researching providers other than the county that offer the specialized help his agency needs in human resources, information technology and other areas.

And there is still more on his plate.

In September, directors are scheduled to approve a study of proposed fee hikes for services that Contra Costa County Fire District provides their agency such as inspecting the sprinkler systems in new homes and businesses as well as enforcing the state's Building Code.

Then there is the business of transferring ownership of the fire stations from the county to the fire district, and deciding whether the directors, all of them currently appointees, should run for election next summer.

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East Contra Costa Fire District also will be reviewing an analysis of its performance that a consulting firm did in 2006 and updating sections of that so-called strategic plan.

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Bethel Island's levee maintenance district considers parcel tax

By Rowena Coetsee
East County Times

Posted: 08/02/2010 11:17:31 AM PDT

Updated: 08/02/2010 11:17:31 AM PDT

BETHEL ISLAND -- Bethel Island's levee maintenance district will hold a town meeting Tuesday night to solicit residents' opinions on a proposed tax.

The meeting is at 6:30 p.m. at Scout Hall, 3090 Ranch Lane.

Bethel Island Municipal Improvement District officials will give a brief overview of the measure that is scheduled for the November ballot, a \$252.29 parcel tax intended to generate revenue for maintaining and improving the island's levee and drainage system.

The agency's income from property taxes declined by 25 percent last year, however, as has the state Department of Water Resources' contribution to the cost of maintaining the levee.

Portions of the 11.5-mile earthen berm need to be raised to current height standards and riprap must be replaced around the entire perimeter. BIMID's share of cost -- the state will foot some of the bill -- is \$403,655 annually for 10 years. Divided among the 1,600 taxable parcels on the island, that obligation is \$252.29 per year.

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