



UNINCORPORATED NORTH RICHMOND ANNEXATION

FREQUENTLY ASKED QUESTIONS

The Richmond City Council is exploring the feasibility of annexing the unincorporated area of North Richmond into the City of Richmond. The City of Richmond prepared this document to provide answers to frequently asked questions (FAQs) to help inform residents, property owners and business owners about the proposed annexation. This FAQ document is not intended to advocate in favor of or against annexation but should, instead, serve as an educational tool.

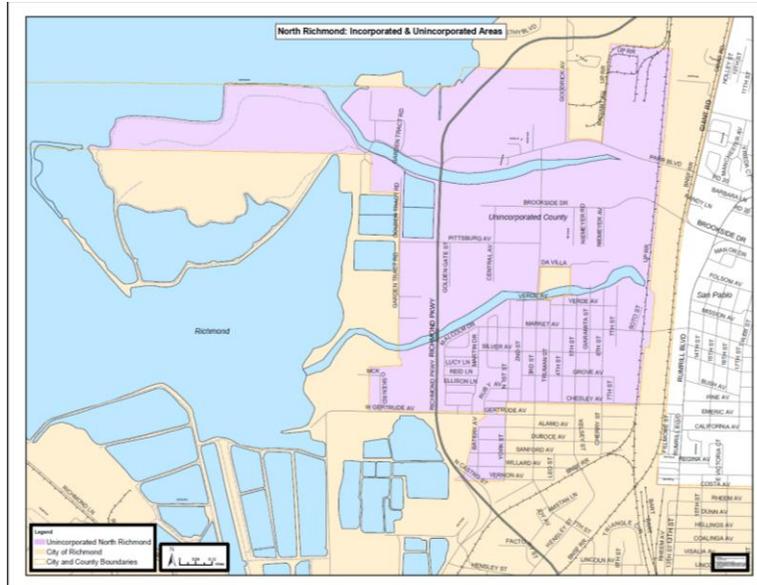
GENERAL QUESTIONS

What is annexation?

Annexation is a process by which a city adds land to its jurisdiction in order to extend city services (e.g., police, code enforcement, library, etc.), laws, voting privileges and other benefits to the residents in the annexation area.

What area is included in the proposed annexation?

The City of Richmond is considering annexing [unincorporated North Richmond](#) (the area), illustrated in the pink color on the below map, into its existing boundaries. Unincorporated North Richmond consists of approximately 900 acres of flat bayside land. The area north of Wildcat Creek consists primarily of industrial-related uses. The area south of Wildcat Creek is occupied, for the most part, by the North Richmond residential community of approximately 765 mostly single family residences. According to the 2010 U.S. Census, there were 3,717 residents in unincorporated North Richmond.



Unincorporated North Richmond is completely surrounded by the City of Richmond due to decisions made by elected officials many years ago to bypass the area in an effort to annex other areas further north. The area is currently governed by the [County of Contra Costa](#). This means that the [County Board of Supervisors](#) makes policy decisions on behalf of the area and that the County provides all municipal services (e.g. public safety, code enforcement, infrastructure, library, etc.) to the area. Annexation would make unincorporated North Richmond part of the City of Richmond, which means that the area would be governed by an elected Mayor and six City Council members and municipal services would be provided by the City of Richmond, with the exception of services such as courts, public health, social services, and environmental health, which would remain with the County.

How is annexation decided?

An application to annex an area can be submitted by a local agency (e.g., the City), or by a petition of registered voters or landowners. The application is then submitted to an independent government agency, the [Contra Costa Local Agency Formation Commission \(LAFCO\)](#), which is responsible for overseeing orderly growth and development, including the extension of government services to those who need them. Under State law, LAFCOs have final authority for determining boundaries of cities and is responsible for approving or denying an annexation application.

The City of Richmond is considering submitting an application to LAFCO. However, before directing City staff to submit the application, the Richmond City Council is interested in hearing from unincorporated North Richmond residents, and business and property owners about their feelings regarding annexation. Based on LAFCO laws, City’s can only petition to annex a new territory (area) if the new area is contiguous to the municipalities existing territory. Since the unincorporated North Richmond area is completely surrounded by the City of Richmond, referred to as an “unincorporated island,” the City of Richmond is the only municipality that can petition to annex the area because the areas must be contiguous or share a common border.

Per [LAFCOs website](#), “unincorporated islands have been a concern for LAFCOs in that islands result in illogical boundaries and difficulty and confusion in the delivery of municipal services. Annexation of islands to cities is usually preferred, as it often results in a higher level of local service for the island residents.”

Why is the Richmond City Council considering annexation?

In 2015, the conversation regarding annexation resurfaced and the Richmond City Council voted to explore the idea of annexing unincorporated North Richmond. A history of City Council meetings regarding annexation can be viewed at www.nrannexation.org. The Richmond City Council believes that Richmond and unincorporated North Richmond might be better served if both areas were under the same municipal jurisdiction and that the annexation might provide multiple benefits to unincorporated North Richmond residents, property and business owners.

The City of Richmond has over 20 major departments or divisions which manage and operate a variety of services to Richmond residents. Information about City of Richmond services can be found at <http://www.ci.richmond.ca.us/>.

The following highlights some of the reasons the Richmond City Council is interested in exploring annexation:

- **Representation in local government.** If the area is annexed into the City, unincorporated North Richmond would be represented by a Mayor and a 6-member council, which would all be elected by residents. Currently, unincorporated North Richmond residents elect and are represented by one of five members on the Contra Costa County Board of Supervisors. Policy decisions that impact the area are made by the entire 5-member board (4 members represent other areas).
- **Opportunities for resident engagement.** Unincorporated North Richmond residents would have the ability to vote in City elections, run for City-elected offices, and/or serve on various City commissions and committees.
- **Government in closer proximity.** Richmond City hall is approximately 3 miles from the proposed annexation area, while Martinez, where the County Board of Supervisors meet, is approximately 20 miles away. Therefore, residents would have an easier time accessing their elected officials and government staff, as well as attending City Council meetings and other government meetings.
- **A single law enforcement entity.** Annexation would remove the boundary lines that distinguish the jurisdictional boundaries between the City of Richmond Police Department and the County sheriff’s department.

Why are you asking me to complete and submit a survey?

While there is interest in annexing unincorporated North Richmond into the City of Richmond, the Richmond City Council believes it is essential to hear from residents and property and business owners that would be most impacted by the annexation. Council directed staff to conduct a comprehensive community outreach campaign to gather input from residents and property and business owners before determining how to move forward.

If the City of Richmond ultimately decides to submit an application to LAFCO to proceed with the annexation process, the submission of the application would initiate the annexation process but does not decide it. LAFCO will review and consider the application and will hold one or more hearings to discuss the application and to allow registered voters and property owners within the unincorporated North Richmond area to participate in the LAFCO process. Voters and property owners opposed to annexation will have the opportunity to petition LAFCO to either stop the annexation or force a vote to determine if the annexation should happen. If a vote is forced, then only registered voters within the annexed area can participate. Additional details about the LAFCO process can be found later in this document.

Taking into consideration that only registered voters can participate in the LAFCO voting process, the City Council thought it was important to provide ALL unincorporated residents and property and business owners with the opportunity to voice their opinions regarding annexation. It was determined that an advisory survey would allow everyone in the annexed area to answer the question: **Should the unincorporated area of North Richmond become part of the City of Richmond?**

The survey is considered “advisory” because the results will not mandate or legally require that the City Council act in a specific way. Instead, the results from the survey will provide City Council with opinions on the matter of annexation and will help them determine how to proceed.

SERVICE IMPACTS - CHANGES TO GOVERNMENT SERVICES

Would my service providers change if my property is annexed to the City of Richmond?

If the unincorporated area was annexed to the City, the City would provide municipal services such as police, fire, building inspection, maintenance of public roads and infrastructure, library, parks and recreation. Other services, such as transportation (AC Transit, BART, etc.), water (East bay Municipal Utility District), gas & electric (Pacific Gas & Electric or MCE), schools (West Contra Costa Unified School District), telephone (various providers), and cable (various providers) would continue to be provided by your current service providers. The table below highlights some of the changes in service providers.

Service	Current Provider	Provider at Annexation
Law Enforcement	Contra Costa County Sheriff Department	City of Richmond Police Department
Fire Protection	Contra Costa County Fire Protection District	City of Richmond Fire Department
General Government (administration, attorney, finance, human resources, IT)	County of Contra Costa	City of Richmond
Storm Drainage	County of Contra Costa	City of Richmond
Public Works	County of Contra Costa	City of Richmond (Department of Infrastructure Maintenance & Operations and Engineering & Capital Improvement Projects)
Planning and Building	County of Contra Costa	City of Richmond

What services would Contra Costa County continue to provide?

If annexed, Contra Costa County will continue to provide services such as health and human services, social services and animal control services to the area. The City would continue to partner with the County on various topics regarding environmental justice, transportation and other issues that impact the region. The area would continue to be included in District 1 of the Contra Costa Board of Supervisors and eligible residents would have the ability to vote for and would continue to be represented by a County Board Supervisor.

How, if at all, would public safety services change?

Police service is currently provided by the Contra Costa County Sheriff and California Highway Patrol. If annexed, police service would be provided by the Richmond Police Department (RPD). The annexed area would have access to the full array of services offered by RPD including, but not limited to, community policing, office of professional accountability, crime prevention, and traffic enforcement. Visit <http://www.ci.richmond.ca.us/82/Police-Department> to learn more about the Richmond Police Department's mission and services.

The unincorporated area is currently serviced by both the Contra Costa Fire Protection District (primary) and the Richmond Fire Department (secondary) through a system called "Auto-Aid." Through a contract between both fire departments, Auto-Aid allows either fire department to be automatically dispatched to the unincorporated area. If annexed, Auto-Aid could continue; however, the Richmond Fire Department would be the primary responder and would receive the designated revenue from the annexed area's property taxes. To learn more about Richmond's Fire Department, visit <http://www.ci.richmond.ca.us/79/Fire-Department>.

IMPACT OF ANNEXATION ON RESIDENTS, PROPERTY OWNERS AND BUSINESS OWNERS

Would there be a change in any policies, fees, taxes, etc.?

Yes. The City of Richmond has approved policies, programs, fees and taxes that are not currently present in the unincorporated areas of the County. Also, City of Richmond fees for specific services might vary from those in the County. As a result of the annexation, residents, property owners and/or businesses in North Richmond can expect the following:

- **Property Taxes** – Property taxes would increase by .14% (.0014) which would add \$140 per \$100,000 of assessed valuation to a homeowner's annual property tax bill. For example, if a home has an assessed value of \$300,000, then the property taxes will increase by \$420 per year.
- **Sales Tax** – The sales tax rate in North Richmond would be increased to match the City of Richmond's sales tax rate of 9.25-percent which is one-percent higher than Contra Costa County's 8.25-percent rate.
- **Utility Users Tax (UUT)** – Utilities users tax for various services (i.e. gas, electric and telecommunications) will increase between five and ten-percent to make them consistent with levels in the City of Richmond currently. For example, if your PG&E is \$100 per month, then your bill would increase by \$10 per month (10% UUT) for a total monthly bill of \$110.
- **Garbage Service** - The garbage service provider would continue to be Richmond Sanitary Services but some of the costs might change. The average bill for service including a 35-gallon

garbage container would increase by approximately \$10.00 for each 3-month period.

- **Business License Fees** - The City's annual cost of a business license fee is \$234.10 per business, plus \$46.80 for each employee up to 25 employees, and \$40.10 per employee for employees 26 and above. This is compared to annual cost of \$100 plus \$10 per employee for the County.
- **Residential Rental Inspection Program** (This program does not exist in Contra Costa County) - All owners of rental dwelling units within the City are subject to the Residential Rental Inspection Program except those units that are exempt. Effective 07/20/2017, owners are required to pay the following program fees. Additional information about the program can be found at www.ci.richmond.ca.us/2101/rental-inspection-program.
 - Registration/Processing Fee - \$81.00
 - Initial Inspection Fee (per unit) - \$161.00
 - Re-inspection Fee (per unit) - \$68.00
- **Rent Control and Just Cause for Eviction** (This program does not exist in Contra Costa County) – Landlords that are subject to the Rent Control and Just Cause for Eviction Ordinance are required to pay an annual Residential Rental Housing Fee to fund administration of the Ordinance. The combined fee for Fiscal Years 2016/17 & 2017/18 is \$145 per unit. Depending on the reason for tenant relocation, a Permanent or Temporary Relocation Payment may be required. Temporary Relocation Payments are currently a minimum of \$175 per day, and current Permanent Relocation Payments range from \$3,400 - \$16,400, depending on the reason for eviction. There are also rules around rent increases as well as increased noticing requirements for evictions and rent increases. Additional information can be found in the “Rent Program” section below and at www.richmondrent.org.
- **Wastewater and Sewer Fees** – There is a \$32 annual assessment fee that would be added to each property owner's tax bill.
- **Other Fees** – There are other City fees such as developer impact fees, building permit fees, plan check fees, code enforcement fees, etc. that might vary from those in Contra Costa County. Please refer to the Master Fee Schedule at <http://www.ci.richmond.ca.us/DocumentCenter/View/42708>.

When will the new property tax rates and other fees take effect?

If a decision is made through the LAFCO process to officially annex unincorporated North Richmond into the City of Richmond by December 1st (this would require LAFCO to submit required paperwork to Contra Costa County), then City taxes would be reflected on newly annexed property owner's property tax bills in July of the following year. For example, if the annexation process was completed and the area was recorded with the County by December 1, 2018, then the increased property taxes would be assessed on the property tax bill in July 2019. All other fees could go into effect immediately or soon after annexation.

Would there be a reassessment of my property upon annexation?

No. A reassessment would not occur as part of an annexation. Your property would only be reassessed when it is sold or if you make major improvements.

Would annexation change where my children go to school?

No. School district boundaries are not affected by annexations to cities.

Will my home or business address change?

No. Your home or business address will not change as a result of the annexation.

PLANNING, ZONING AND DEVELOPMENT

Would the zoning on my property change if the annexation is approved?

The City is required to pre-zone the area proposed for annexation prior to submitting the annexation application to LAFCO. The zoning on the property would not change as a result of the annexation, as LAFCO has no direct land use authority and cannot change the zoning. Therefore, zoning would conform to the pre-zoned designation for the parcel when it is annexed. For example, if the property has been pre-zoned as RL2 (Family Low Density Residential) that zoning would continue to be in effect when the property is annexed. However, this does not prevent the City from imposing certain types of regulations, such as regulations relating to public nuisances. City staff can address questions about specific existing land uses.

Would a Contra Costa County building permit be honored by the City?

The City would honor ACTIVE permits issued by the County for construction on real property subsequently annexed to the City for the life of the permit as issued and completed. Permits that have been suspended, revoked, expired or otherwise deemed invalid would not be honored.

What plans, if any, does the City of Richmond have regarding development?

At this time, the Richmond City Council has not discussed potential development plans for the unincorporated area. Any proposed development would be dependent on a variety of factors including but not limited to designated land uses and market forces.

Will I be subject to Richmond City ordinances and permit requirements?

Yes, ordinances applied to newly annexed areas will include but are not limited to the following: building and fire codes; zoning and land use regulations; noise ordinance; and other health and safety codes. The City might have different permit requirements than the County and in the event that the unincorporated area is annexed into the City, City staff will inform residents of new policies, ordinances, permits, etc.

Can nonconforming uses continue upon annexation?

Yes. Nonconforming uses, which are uses that are not consistent with the zoning district for the property, but were legally established in the County, may continue upon annexation to the City. Nonconforming are regulated by the City's nonconforming provisions in the Richmond Municipal Code Article 15.04.606.

What is the Richmond Rent Ordinance?

On November 8, 2016, [Measure L: The Richmond Fair Rent, Just Cause for Eviction, and Homeowner Protection Ordinance](#) was passed by a majority of Richmond voters. On December 30, 2016, the Rent Ordinance went into effect. Additional information about the Richmond Rent Program can be found at www.richmondrent.org, or by calling (510) 620-6576. The Rent Program office is located in the Community Services Building at Richmond City Hall, 440 Civic Center Plaza, Second Floor, Richmond, CA 94804.

Below is a summary of major components of the Program:

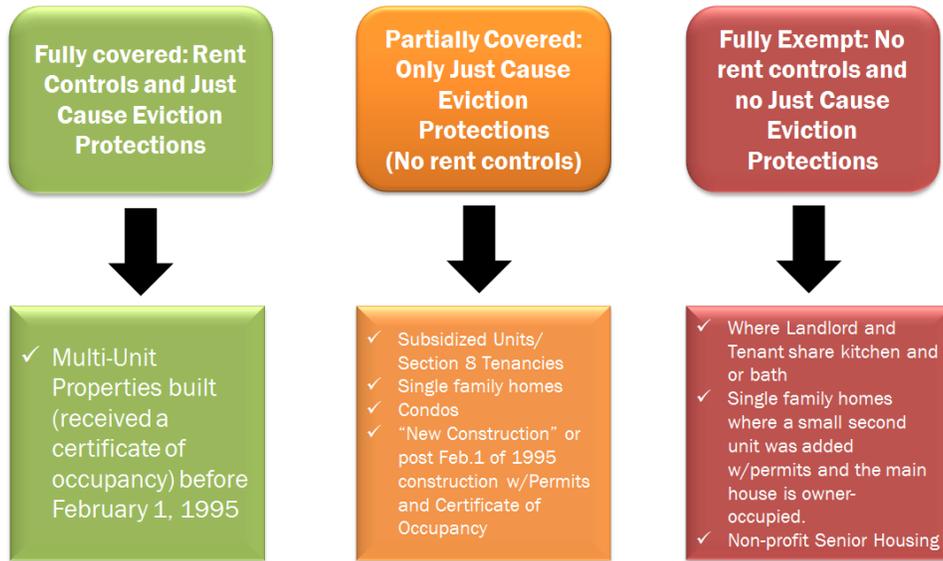
- Eviction protections apply to most rental units in the City of Richmond. In Richmond, Landlords may only evict a Tenant for one of the eight “just causes,” such as failure to pay rent, nuisance, and breach of the lease or rental agreement. In some cases, for example, an “owner move-in,” relocation payments are required.
- The vast majority of multi-unit rental properties (including duplexes) constructed before 1995 in the City of Richmond are subject to rent control.
- Single family homes, condominiums, permitted small second dwelling units built in compliance with the Richmond Municipal Code, and rental of a room within a home where the Landlord shares a kitchen or bathroom with a Tenant are NOT covered by the rent control provisions of the Rent Ordinance.
- All Landlords must enroll their rental units in the Richmond Rent Program at www.richmondrent.org/enroll.
- Landlords must file with the Rent Program a copy of all notices of a rent increase, changes in the terms of a tenancy and terminations of tenancy. Please visit our website to submit online forms and notices, or stop by our office for assistance.
- Rents for rent-controlled units must reset to the “base rent,” i.e., the rent paid on July 21, 2015 (or the first date that rent was paid after this date if the unit was vacant on that date).
- The Maximum Allowable Rent is equal to the base rent, plus all applicable Annual General Adjustment rent increases.
- Any rent paid in excess of the Maximum Allowable Rent following December 30, 2016, MUST be refunded to the Tenant in the form of a Cashier's check. Proof must be submitted using the online "[Proof of Excess Rent Refund](#)" form. See [Regulation 17-05](#) for detail.

How would the Rent Ordinance affect me as a Tenant or Landlord?

If unincorporated North Richmond were annexed into the City of Richmond, most Tenants and Landlords would be affected by the Richmond Rent Ordinance. This means that most Tenants would be covered by the protections under the Ordinance and Landlords would have to comply with the requirements of the Rent Ordinance, such as the payment of the Rental Housing Fee, enrollment of the rental unit in the Program, and all applicable provisions of the Rent Ordinance and Rent Board Regulations. In particular, rents would be reset to July 21, 2015 (or to the first date that rents were imposed if the rental unit was vacant on that date) but Landlords, with

proper notice to the Tenants, could increase those rents by the Annual General Adjustments that have been approved following the adoption of the Rent Ordinance. In addition, Landlords would not be required to reimburse Tenants for rents in excess of the reset rent that was in effect prior to the effective date of the annexation.

Which properties are covered by the Richmond Rent Ordinance?



How much is the Rental Housing Fee?

The Rent Ordinance requires that all Landlords pay the Rental Housing Fee in addition to the Business License Tax. The amount of the Rental Housing Fee is determined annually based on the Rent Program Budget. The FY 16/17 and FY 17/18 Rental Housing Fee was \$145.00 per Rental Unit.

FISCAL IMPACT (FOR THE CITY OF RICHMOND)

I heard a fiscal analysis and service plan study was done? What is that and what were the results?

The City of Richmond & Contra Costa County commissioned a jointly-funded service plan and fiscal analysis study regarding the possible annexation of unincorporated North Richmond to the City of Richmond. The fiscal analysis and service plan study (Study) estimated the net fiscal impact (the difference between the increase in revenues and expenditures) on the City of Richmond due to the additional service demands that would be required within the unincorporated area of North Richmond.

For Richmond, the estimated revenues that will be increased included a variety of taxes including, but not limited to, property taxes and utility user tax. Expenditures were calculated by estimating costs to the City for services, including police, fire and facilities maintenance due to an increased service population and service area. The following is a summary of the fiscal impact analysis, explained in further detail (including definitions and assumptions) in the report which can be

found at www.nrannexation.org:

- At annexation, North Richmond will generate revenue to the City of Richmond of \$2.8 million annually (based on housing and commercial development in 2017), and annual expenditures to serve North Richmond will equal roughly \$4.9 million. Expenditures will exceed revenues by approximately \$2.2 million.
- The development scenarios that feature primarily nonresidential land uses are fiscally negative.
- The analysis “breaks even” only once a significant amount of residential development has occurred.
- Capital costs (i.e. Las Deltas Public Housing Site, lighting upgrades, street maintenance, etc.) are not included in the Study as they are not annual expenditures.

ANNEXATION PROCESS

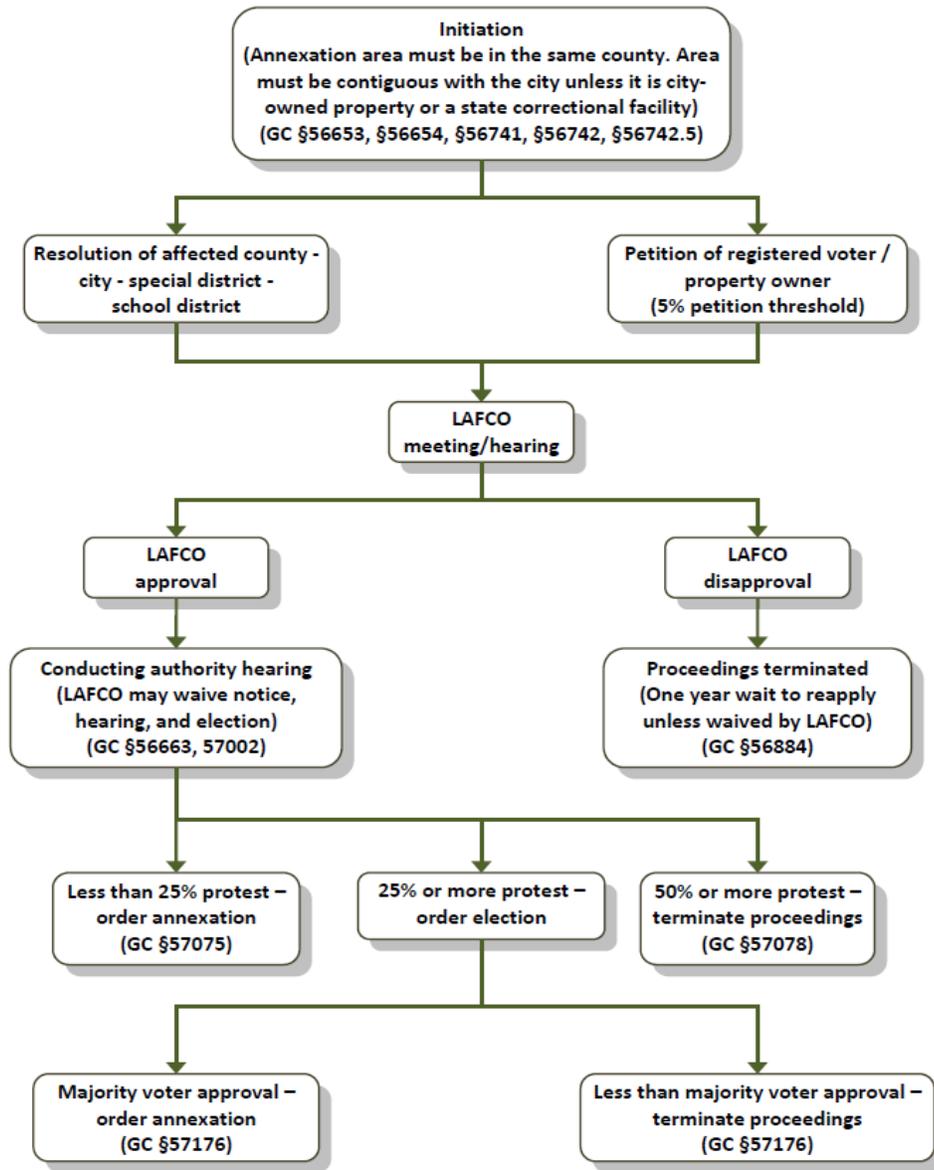
What is the process for annexation?

The City of Richmond will ultimately have to apply to the Local Agency Formation Commission (LAFCO) for annexation. LAFCO is the decision making agency for annexations. Should LAFCO approve the annexation, and if there are any objections to the annexation – either by landowners or registered voters within the annexation area, then LAFCO holds a second hearing called a “protest hearing.” The protest hearing is conducted by the LAFCO Executive Officer. As part of the protest proceedings, landowners or registered voters *within the annexation area* can file written protests to the annexation. The fate of the annexation is determined as follows:

- If protests are filed by fewer than 25% of either landowners who also own 25% of the assessed value of land within the subject area¹ or registered voters *within the annexation area*, LAFCO orders (confirms) the annexation
- If protests are filed by at least 25% but less than 50% of either landowners or registered voters *within the annexation area*, the question of annexation goes to an election where only registered voters can vote – the vote is subject to a simple majority
- If protests are filed by 50% or more of the registered voters *residing within the annexation*, then the annexation is terminated

¹ Based on LAFCO law, assessed value is based on land only (excludes structures/improvements). The assessed value is provided by the County Assessor.

LAFCO Process Flow Chart



All affected and surrounding landowners and registered voters will receive information via US Mail regarding the proposed annexation and hearing. The LAFCO process is prescribed by law (Gov. Code 56000 et seq.) and requirements for submitting a written protest are prescribed by law (Gov. Code §§57051 and 56704). For information about LAFCO meetings and agendas, visit the LAFCO website or contact the LAFCO office. For more information regarding Contra Costa LAFCO please call (925) 335-1094 or visit the website at www.contracostalafco.org.

How would a registered voter, that is also a land/property owner, be counted? Would their written protest be counted in both areas to help reach the 25% threshold?

Individuals can submit written protests as both a voter and a landowner, but their vote is not double counted. In counting the protests, LAFCO makes two columns – “Voter” and “Landowner” – if either column exceeds 25%, the question of annexation goes to a vote (where only registered voters can vote).

Can I opt out of the North Richmond Annexation?

No. However, as explained above, there is an opportunity for registered voters and property owners living in the unincorporated area to provide written protest to LAFCO.

OUTREACH AND COMMUNITY INPUT

How can I become involved in the annexation process?

There are a number of opportunities throughout the annexation process where you can be involved and provide comment:

- Attend one of many community meetings – Information can be found at www.nrannextion.org.
- Visit www.nrannexation.org to find out about community meetings, provide input and to locate documents.
- Refer to the information that was mailed to you home or place of business and respond to the survey by September 28, 2018.
- If the City submits an application to LAFCO to proceed with annexation of unincorporated North Richmond, LAFCO will hold public hearings that are open to the public. Notices will be mailed out to registered voters and property owners within the annexed area. Information will also be posted at www.nrannexation.org and can be found at www.contracostalafco.org. The meetings of the LAFCO Commission, which are generally held once a month on the first Wednesday, are open to the public. There is always a public comment section on the agenda for non-agenda items, and agenda items usually include an opportunity for public comment.

Who can I contact if I have questions, comments or concerns?

Any questions, comments or concerns about the Unincorporated North Richmond Annexation can be directed to:

- LaShonda White, Administrative Chief, City of Richmond at 510.620.6828 or Lashonda.white@ci.richmond.ca.us
- Robert Rogers, District Coordinator, Office of Supervisor John Gioia at 510.231.8688 or Robert.rogers@bos.cccounty.us.