

pealed the case. Unfortunately, the local property owners had by then run through their war chest and could not afford to answer the appeal. Richmond was granted a judgment by default.

The LAFCO staff reviewed the Leneve application and performed an initial Study of Environmental Significance. As they found the application to be in good order and the study found that there was no significant impact, the staff moved ahead in preparing the appropriate documentation to move the request forward at the February 1 meeting of the Commission. The City of Richmond was observing these proceedings with considerable distaste and Assemblyman Knox (who represented both Richmond and El Cerrito in the state legislature) was soon spearheading the drive for a new bill that restored the former requirement that the city from which the citizens wanted to de-annex themselves also had to approve the request. This bill moved through the legislature with the likely assistance of many municipalities who feared the loss of some of their territory based on a vote of the citizenry. It was signed by the governor but did not become effective until all the firing on the front lines of the Richmond/El Cerrito border dispute had died down.

The City of El Cerrito, wanting to have some control over the Canyon Estates and Villa Mira Vista developments, saw to it that both the Canyon Estates and the Mira Vista subdivisions were included in the LAFCO application for detachment along with the Leneve detachment. The local newspapers had a field day with this, trumpeting how El Cerrito was attempting a "takeover try" to steal both tracts away from Richmond so that development could be stopped. (In truth, since Villa Mira Vista had already been duly approved by the City of Richmond, there was no way the City of El Cerrito could have stopped it, at least not without a large transfer of money directly

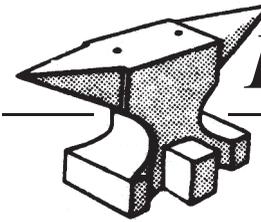
### **Mira Vista fights EC's takeover try**

*The headlines chronicling the struggle between the Villa Mira Vista developers and El Cerrito. The controversy was good for the newspapers if no one else.*

from the City of El Cerrito to the developers for liquidated damages.) So at its February meeting it was not only the detachment of the Leneve Place subdivision from Richmond that LAFCO was reviewing, but also the detachment of the Canyon Estates and the Villa Mira Vista subdivisions from Richmond.

At the February LAFCO meeting an animated public hearing was held on the matter. It was decided that the Commission would make its ruling at the March 1 meeting. The Leneve conspirators spent the month of February biting their fingernails, but it was worth the wait as the Commission at its March 1 meeting approved all three requests to de-annex from the City of Richmond and annex to the City of El Cerrito. The vote was 3 Ayes to 2 Nays. Thus the unprecedented feat was accomplished in about two months. But the fun had only begun.

In the wake of the March 1 LAFCO meeting, the abundance of charges and counter-charges between the cities, the threats of lawsuits, and the general mudslinging made for very entertaining reading in the local newspapers. Under disputed circumstances an agenda item to reconsider the March detachments was placed on the agenda for LAFCO's May 1978 meeting. The matter was duly brought up at the meeting and before the meeting was over LAFCO had voted to reverse the Villa Mira Vista de-annexation from Richmond, while leaving the Leneve Place and Canyon Estates subdivisions in El Cerrito. This outcome pleased neither El Cerrito nor Richmond since both wanted all three developments. However El Cerrito soon decided to count its blessings, while Richmond remained upset for quite a while. Most importantly to the original conspirators on Leneve Place, they got to keep their desired affiliation with El Cerrito. It is believed that the El Cerrito secessionists were the only group in the state to use the unique statute before the amended version took effect. ~ *The El Cerrito Historical Society thanks Rich Bartke as well as the staff at LAFCO in Martinez for their help with this article.*



# *El Cerrito Historical Society*

*P O Box 304, El Cerrito, CA 94530*

*elcerritohistoricalsociety@yahoo.com*

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## *The Forge*

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***OUR NEXT MEETING: 1 PM SUNDAY, APRIL 27TH  
AT THE SENIOR CENTER***

### ***President's Message***

While El Cerrito has no reputation as an architectural haven, we do have a wonderful collection of unique buildings - located in the flats as well as in the hills. Anyone willing to slow down and pay attention will discover that El Cerrito has a very interesting collection of architecturally and historically significant buildings. At our spring meeting we will have a thorough discussion about the Society's ongoing efforts to ensure that our historic and architectural resources in El Cerrito are well protected. We will also discuss the material included with this edition of the Forge which concerns the fund-raising drive the Board is launching to support the identification of all of our historic resources.

Our first order of business, however, will be elections. Elections are normally held at the January meeting. But we had a very busy meeting in January and your President, the Board, and the membership were so wound up in the meeting that everyone forgot about this necessity!

What was so riveting about the January meeting that everyone forget about the elections? The meeting started off with a delicious pot-luck lunch. The President reported that several environmental review processes are now underway on the Miraflores (Oishi/Sakai nurseries) development project. Regarding the city's proposed Zoning Ordinance, the President noted that after considering the Historical Society's comments, the City Council directed the staff to remove the section regarding historic resources from the new Zoning Ordinance. The Council asked the staff to return at a later date with a more inclusive version. This now provides the opportunity to do a historic resources survey and then finalize the ordinance. After these discussions were over, we were treated to a wonderful presentation by Karen Sorenson on the Images of America book she wrote about the City of Albany. She had some terrific pictures and stories for us. ~ *Tom Panas*

The El Cerrito Historical Society is a volunteer, non-political, non-profit organization with one agenda: to locate and preserve our local history. Anyone may join; dues are \$20 (Household member), \$50 (Sponsoring member), and \$250 (Life member).

# Secessionists and El Cerrito

In the 1960s city officials in El Cerrito began to be concerned about the City of Richmond's plans for development in the Rifle Range Road area, just over the top of the hill. The Leneve Place subdivision (1956), also just over the top of the hill but further south, in the Terrace Drive area, was already a part of Richmond and more was on the drawing board. The Canyon Estates subdivision (1962), on the far side of the hill and south of Rifle Range Road (Bel View Court and Wildcat Drive), had been in existence for a few of years. As explained in the box below, the official view was that Richmond, not El Cerrito, would control all development in Wildcat Canyon.

As time passed, a number of the Leneve property owners became unhappy with the fire, police, and other city services (or lack of services) that they were receiving from Richmond. Of particular note were emergency services, which had to come all the way from downtown Richmond. The property owners' dissatisfaction tied in nicely with the concerns that El Cerrito city officials had about Richmond's plans for development in Wildcat

Canyon in general - and in particular, in the "Ridge Area".

Under circumstances that no one seems to fully recall today, in 1977 a bill called "The Municipal Reorganization Act of 1977" was introduced in the California Legislature. Among the provisions of the Act was a change in the process under which residents of a city were allowed to "de-annex" themselves from that city and then annex themselves to another city. The revised process was as follows: i) the residents in the subject area had to approve the change, ii) the city into which they wanted to be annexed had to approve the change, and iii) the county's Local Agency Formation Commission had to approve the change. The bill passed both houses and was signed by the governor. Missing from the Act was a key provision of the previous law, which had imposed one additional requirement on any such change: the residents of the de-annexing area had to receive the permission of the city from which they wished to de-annex themselves.

Once the bill was passed, the Leneve property owners (and the City of El Cerrito) quietly prepared themselves for action. On the effective date of the bill - Sunday, January 1, 1978 - the "secessionists"

in the Leneve Place area hit the streets and had signed petitions completed within a few days. The rebels got the immediate approval of the El Cerrito City Council and they filed the appropriate application and papers to de-annex from Richmond with the Contra Costa County Local Agency Formation Commission on January 6, 1978.



*The unstable land in Canyon Estates. A house went down the hill in this area in 1983. Where Wildcat Drive slid out 10+ years ago is obvious toward the rear of this photo and in the foreground the road can be seen slumping as well.*

At the same time the residents on Leneve were executing their plan, a problem that had been brewing about half a mile north started to boil over. The Richmond City Council had recently given Villa Mira Vista, which was off Rifle Range Road and had been under study for about five years, the green light and construction was set to begin. Villa Mira Vista had been a very controversial development and to approve it, the Richmond City Council actually had to override the recommendation of its own Planning Commission. It was not only the Richmond Planning Commission that disliked the development. A number of residents of El Cerrito were strongly opposed to any further development in this area because they felt the land was unstable and prone to slippage and landslides (their concerns were justified, as illustrated by the picture and caption above) and also that further development adjacent to the new Wildcat Canyon Park was inappropriate. Rifle Range Road, in fact, was a private road at the time and the small handful of owners of the road sued the City of Richmond over access to the development via their private road. The landowners prevailed but the City of Richmond ap-

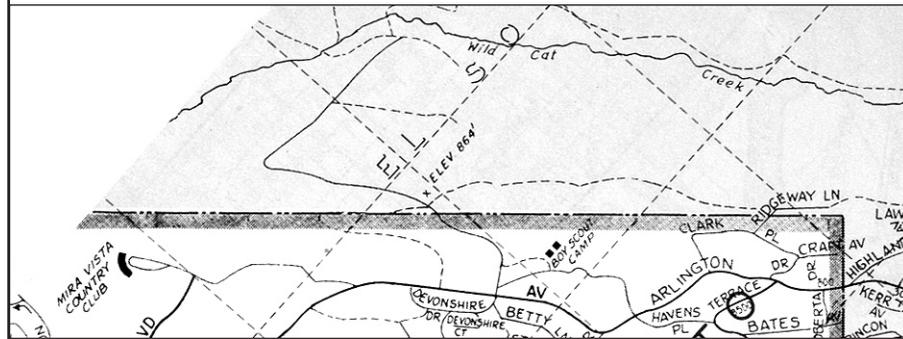
## LAFCO & Spheres of Influence

In the 1820s and 1830s the original Mexican land grants for today's southwest Contra Costa County were laid out so that everything west of the top of the hill was part of Rancho San Pablo, while everything east of the top of the hill was part of Rancho El Sobrante. This made good sense in the early 1800s, when there were few people around and the Spanish gentlemen who received the land grants settled disputes amicably between themselves instead of pulling

out their GPS devices and calling their lawyers.

California law requires that every county have a Local Agency Formation Commission ("LAFCO"), whose purpose is to control the contours of the existing and proposed incorporated cities in the county. The eastern line of Rancho San Pablo had traditionally been considered the eastern limit of El Cerrito's sphere of influence, while Rancho El Sobrante had always been considered a part of Richmond's sphere of influence.

Before most of the old Rancho El Sobrante land grant became Wildcat Canyon Park in 1976, the City of Richmond's general plan anticipated extensive development of this virgin territory. Richmond had big plans for Wildcat Canyon, with the general plan showing significant residential development, a school, and a fire station for the area. At one point there had



*Reflecting the old Ranchos line, in the 1950s the eastern border of El Cerrito was still straight as an arrow as far south as the northern border of Kensington. Wildcat Canyon (Rancho El Sobrante) is at the top; El Cerrito (Rancho San Pablo) is at the bottom.*

even been a shopping center proposed as far south as the area just east of Kenyon Avenue in Kensington - and it would have been considered a part of Richmond. Over time the remoteness of Leneve Place and the other developments on the east side of the hill from their home city of Richmond became more obvious. The untenable nature of the situation, once Richmond's big plans for Wildcat Canyon were formally discarded in the 1970s, caused LAFCO to actually move the so-called "Ridge-area" developments out of Richmond's sphere of influence and into El Cerrito's. But redefining spheres of influence does not change city boundaries; that is up to the citizens.