

## Fire district puts measure on hold

by Rick Lemyre

04.07.11 - 10:57 am



A possible new fire assessment for far East County has been delayed after a consultant failed to deliver a “defensible” report spelling out how the assessment would work.

The East Contra Costa Fire Protection District had anticipated the report from CSI Consultants would be delivered this week in

time for a decision on whether to move forward with a possible benefit assessment district levy of about \$96 per single-family home. But when the district board met Monday, there was no completed report to consider.

The matter is on a fast track in order to get the issue before voters in time to begin receiving revenue – if a measure is passed by voters – next year.

“I think they put us under a huge restraint,” said Board Member Jim Frazier of Oakley. “I have just lost a lot of confidence moving forward with this firm. (SCI) was very sure of themselves that they were going to meet the timeline. They didn’t make it.”

Officials from SCI did not attend Monday’s meeting and could not be reached for comment.

According to Jim Karpiak, attorney for the district, the hang-up is on Prop. 218, the 1978 measure under which new assessments must be considered.

Among other rules, Prop. 218 specifically states that a special-assessment district cannot be formed by setting a target for revenue and then deciding how that revenue should be spent. Discovery Bay resident Bob Mankin read that portion of the law to the directors, reminding them that that is what they were considering doing.

“They said point blank that it’s not legal to do exactly what the district just did, and that’s (conduct a) poll based on a dollar figure that they thought the public would accept,” Mankin said by e-mail on Tuesday. “It couldn’t be any more direct unless it said ECCFPD somewhere in the comments.”

The board had hoped to approve the report so work could begin on educating the public on the reasons the measure is needed and what might happen should it fail to pass. The delay means the time for public outreach has been cut by weeks – the mail-in election must be completed by Aug. 10 to make next year’s tax roll.

“I’m extremely disappointed,” said Board Member Steve Barr of Brentwood. “We didn’t anticipate (the report), we were promised it. Disappointed would be a public way of expressing it.”

The board will meet again in May (or possibly in a special session prior to that) to consider whether to go ahead, but several people at Monday’s meeting said the vote should wait.

“Use what’s happened to go ahead and run a better campaign,” said Discovery Bay resident Brian Dawson, who also believes the \$96 is not enough to ask for. If it were to pass, the measure would raise about \$4 million. The district is operating with an annual deficit of \$2.8 million dollars, and will run out of cash during 2012.

The assessment would cover the deficit and increase staffing at three stations, as well as begin a paramedic program (the district currently provides only basic life-saving services and uses ambulances to provide advanced life-saving services). It would also set aside money for

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communications and other equipment.

But two stations closed last year by the district's financial woes would remain shuttered, and inadequate quarters at its Bethel Island station would not be fixed. Dawson and others believe the district should ask voters for enough to bring the entire organization up to par even if it makes the assessment harder to sell to voters.

"I'd rather lose going for what I need rather than lose going for what I think I can get," he said.

Others at the meeting felt the effort to convince voters of the need should center on possible hikes in insurance premiums should the measure fail. Without more money, Fire Chief Hugh Henderson told the board, the district might be forced to shut down two more stations, reducing to just three the number serving the district's 250 square miles, far below the standard of five miles between fire stations required to keep rates as they are.

In addition to triggering likely insurance hikes, the reduced staffing would pose a greater risk to firefighters – who last month answered 530 calls for service – and result in fire engines speeding from one side of the district to the other.

When it meets again, the board will discuss possibly waiting on an assessment and consuming the last of its reserves to stay in operation at current levels for another year. Factored into that decision will be the fact that the district has already been told its retirement costs would be increasing about \$500,000 next year.

## Future of fire district debate likely lies with Orinda council

By Jonathan Morales  
Contra Costa Times

Posted: 04/12/2011 12:57:06 PM PDT

Updated: 04/14/2011 06:19:33 PM PDT

ORINDA -- Whether a yearlong debate spurred by a bold proposal to dissolve the local fire district will continue will likely rest with the Orinda City Council.

Representatives from Orinda, Moraga and the Moraga-Orinda Fire District met for the last time Monday, with most unconvinced by some Orinda residents' claim they unfairly pay more for fire service than their neighbors in Moraga.

Those representatives, members of a subcommittee formed in March 2010 to look into that claim, will bring what they have learned to their respective agencies. But Moraga and fire district officials made it clear they believe the issue has been studied enough.

"This is not a positive or productive exercise in my mind," said Moraga Councilman Ken Chew. "The work of this committee should be done, and we should get on with our lives."

A group of residents calling themselves FAIR, for Fire and Infrastructure Renewal, believes differences in property tax

allocations have led to a funding inequity that leaves Orinda residents paying more for the Moraga-Orinda Fire District than those in Moraga.

The group suggested in January 2010 that Orinda could save money by pulling out of the district and contracting with the county fire department.

On Monday, FAIR member Steve Cohn said the district could correct the inequity by increasing Moraga's fire flow tax rate and passing the revenue to the city of Orinda.

But recognizing that a year of meetings

since then has failed to win FAIR supporters on the Moraga council or fire board, Cohn asked Monday that the Orinda council form its own task force to settle the issue.

"It is time for Orinda to take stock of its own issues and see where it stands," he said.

Orinda Councilwoman Amy Worth, that city's lone subcommittee member, said she would also report back to her fellow council

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members, but gave no indication Monday about where she stood on the inequity claim.

In a pair of 30-minute presentations Monday, FAIR and its opponent group Orinda Citizens Against Reducing Emergency Services, or OrindaCARES, reiterated their arguments.

Ellen Dale, with OrindaCARES, countered Cohn's remarks by saying city boundaries are irrelevant because the district operates as a single entity. "We are not two cities providing mutual aid to each other," Dale said. "We are one fire district. It's time to move on."

Contact Jonathan Morales at 925-943-8048. Follow him at [Twitter.com/sosaysjonathan](https://twitter.com/sosaysjonathan).

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## Congressional, local leaders spotlight threats to Delta

By Hannah Dreier  
Contra Costa Times

Posted: 04/27/2011 04:23:47 PM PDT

Updated: 04/28/2011 09:34:29 AM PDT

ANTIOCH -- The overwhelming sentiment at a Wednesday afternoon summit here was that corporate farming interests and careless federal oversight are threatening the survival of the Delta ecosystem.

A collection of local and congressional representatives, along with about 150 residents, gathered in an Antioch community center room decorated with salmon-colored balloons and blowups of Delta photos to bring attention to the threat they say water deliveries to the south bring to Delta-dependent farming and fishing communities.

"People can steal billions of dollars of water and nobody cares," said water attorney Dante Nomellini, who moderated the event. "You steal a six-pack of beer from 7-11, and you're allowed to be prosecuted."

Congressman Mike Thompson, D-St. Helena, sounded an oft-repeated call to base Delta policy on science, not politics.

"When science goes out the window, everything goes out the window," said Thompson, co-chairman of the Wild Salmon Caucus. "They're basically trying to steal water by expunging the need for science in the process,"

Delta activists have held two other summits about San Francisco Bay, but this was the first to bring in farmers as well as fishermen, according to organizers.

"Farmers and fishermen live parallel lives," said attendee Duncan Maclean, a fisherman in Half Moon Bay. "They're just as much stewards of the fish as we are."

A field representative for Rep. George Miller,

D-Martinez, insisted that the Delta holds national significance just like Chesapeake Bay or the Everglades, and should be treated as such.

Rep. Jackie Speier, D-Hillsborough, noted that 90 percent of Delta wetlands have been lost in the past century, and she called on the federal government to take action. Still, she said, both sides need to work to offer solutions.

"Pitting the two interests against each other is not the way to solve this problem," she said.

Rep. Tom McClintock, R-Granite Bay, held a water rights hearing in Fresno earlier this month where he and others argued that bureaucrats and special interests are depriving the San Joaquin Valley of water.

U.S. Reps. John Garamendi, D-Walnut Grove, and Jerry McNerney, D-Pleasanton, echoed their colleagues' messages about the importance of conservation. Contra Costa Supervisor Mary Piepho, of Discovery Bay, and representatives from California Sens. Barbara Boxer and Dianne Feinstein were also in attendance.

A panel of farmers and fishermen followed the politicians' remarks.

Oakley bait-and-tackle shop owner Gene Buchholz spoke about the \$250,000 drop in revenues he experienced when the state closed the salmon fisheries three years ago.

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Dick Pool, co-owner of Pro-Troll, a Concord fishing tackle manufacturer, showed a line graph charting the precipitous decline of the salmon fishery since 2002.

He pointed to a small uptick in the population last year and said that he was hopeful that next year's season might bring a consistent catch. "I'm looking forward to making some cash after three years of losses," he said.

Contact Hannah Dreier at 925-779-7174. Follow her at [Twitter.com/hannahdreier](https://twitter.com/hannahdreier).

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## Hercules shrinks from redirecting wastewater to West County

By Tom Lochner  
Contra Costa Times

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Updated: 05/01/2011 05:27:03 PM PDT

Hercules appears close to giving up on the idea of redirecting its wastewater flow from the treatment plant it shares with Pinole to a plant in North Richmond.

The proposal was conceived as a way to ensure adequate wastewater treatment capacity for Hercules' future growth ambitions. It persisted for years despite studies showing it would be far cheaper to stick with the shared Pinole/Hercules treatment plant, and assurances by Pinole officials that the plant could accommodate Hercules' growth, albeit with some upgrades, mostly to the system's capacity to absorb wet-weather flows.

Although the Hercules City Council has yet to make a final decision, the Pinole/Hercules joint powers wastewater board, made up of two council members from each city, recommended unanimously this week to work toward upgrading the plant to Regional Water Quality Control Board mandates, pending a town-hall meeting sometime in May and formal Hercules City Council action sometime after.

Hercules had looked into moving its wastewater flow to the West County Wastewater District's North Richmond plant, insisting that it was mandated by its projected population growth, from 25,000 today to around 34,000 by 2030. West County, in turn, wooed Hercules and shared part of the cost of a recent engineering study.

Pinole officials countered that the Pinole/Hercules plant, with some upgrades, could handle Hercules' future needs, and much more cheaply. Several studies ensued. The latest estimates

showed Hercules would need to invest \$59 million in capital funds in infrastructure, including pumps

and a seven-mile pipeline through several jurisdictions, to move to West County. Upgrading the Pinole/Hercules plant, by contrast, would cost each city \$23.5 million, according to latest estimates.

Meanwhile Pinole, which holds the permit for the shared plant located on the Pinole side of the city line along San Pablo Bay, is looking at a 2015 deadline to perform significant upgrades mandated by the Regional Water Quality Control Board; the scope of the upgrades would vary according to whether Hercules stays at the plant or bolts to West County. Because of the 2015 deadline, and the long lead time before construction can begin, Pinole has pressed Hercules to make up its mind.

If Hercules were to move to West County, it would pay that agency a fee to treat its wastewater.

While treatment costs would be lower at West County, the debt service on the formidable capital investment required to move there would mean significantly higher rates for Hercules residents, the study showed -- \$62 a month for single-family homes by fiscal 2025-26 under the West County option, versus \$45 a month under the Pinole/Hercules option.

Still, Hercules officials, led by former City Manager Nelson Oliva, clung to the idea of moving, to the consternation and bafflement of Pinole officials as well as some residents in both cities. Besides the cost differential, a move to West County was fraught with uncertainty. One possible pipeline route would partly follow the right-of-way of the Union Pacific

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Railroad, with that entity's cooperation hardly a given. The other would go mostly under San Pablo Avenue. Either route would require negotiations and permits from several agencies.

Former Hercules interim City Manager Charlie Long, who served from October to December 2010, canceled two consultant contracts for studies related to a move to West County. Oliva, who briefly returned to Hercules City Hall from medical leave in December before stepping down permanently in January, reinstated those contracts. The new interim city manager, Fred Deltorchio, canceled them again a few weeks later.

At Wednesday's noontime meeting, Pinole Public Works Director Dean Allison went over familiar ground, making the case for a continued mutual arrangement between the two cities. Hercules officials said they want more of a say in plant operations and Pinole officials seemed amenable.

Contact Tom Lochner at 510-262-2760.

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## Proposed cash influx stalled after East Contra Costa fire board rejects report

By Rowena Coetsee  
Contra Costa Times

Posted: 05/03/2011 08:44:05 AM PDT

Updated: 05/03/2011 05:18:36 PM PDT

OAKLEY -- The East Contra Costa Fire District's effort to remain solvent with the help of a property assessment stalled this week when directors scuttled a report needed to bring the matter before voters.

Director Steve Barr noted that the computations in the consultants' report were difficult to understand, and colleague Erick Stonebarger along with an audience member questioned whether the firm had accurately calculated the distance between certain homes and the nearest fire station.

Director Jim Frazier was unsettled when the fire district's attorney noted that the benefit assessment could encounter legal challenges. After the meeting, he said the consultants should have given the board a more realistic view of the court battles it might encounter.

Frazier ultimately called for the board to reject the report, saying he was "severely disappointed."

SCI Consulting Group presented the document, which describes the additional services that a proposed benefit assessment would provide along with an explanation of how the Fairfield firm calculated the per-parcel amounts that property owners would be asked to approve.

Directors were unhappy with what the company finally gave them Thursday -- a dense, detailed analysis that they had expected to receive at their April 4 meeting.

SCI Consulting Group President Gerard van Steyn was unavailable for comment Tuesday.

The district signed a \$100,000 contract with SCI

Consulting

in return for not only the engineer's report but help drafting the measure, mailing and tabulating the ballots, and getting the assessment on the tax rolls.

The assessment would have generated an estimated \$3.9 million the first year for the fire district, which is expected to run out of reserves before the end of the 2012-13 fiscal year.

Although board members had been hoping to hold an election by August, Frazier and Director Bob Kenny agreed with listeners who asked them to retain the current level of services for now while they develop a plan for selling voters on some kind of revenue-generating tool.

At the fire district's next meeting in June, Frazier said he wants his colleagues to consider hiring consultants to draft a parcel tax measure instead.

Postponing a decision on how to drum up funds will force the district to continue going through its savings at a rate that amounts to about \$2 million this year alone, according to fire Chief Hugh Henderson.

Continuing to operate with six stations -- only four of which are staffed at the industry standard of three firefighters per shift -- will necessitate using \$2.7 million more in reserves in 2011-12, leaving the agency with only about \$600,000 by year's end.

But Discovery Bay resident Bob Mankin urged the board to do it anyway.



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"A reserve is a rainy-day fund and folks, it's a monsoon," he said, adding that directors will have a hard time justifying any additional cuts unless they first draw on the district's savings.

Board members are concerned that if they don't do a good job with an education campaign and a ballot measure consequently fails, voters won't be in the mood to entertain another proposal.

Frazier also said he wants the board to have a more specific plan -- what services it wants the district to provide, a way to pay for them, and how to garner public support for it -- before adopting a budget.

Although it typically decides on its spending plan for the next fiscal year by June 30, the district legally can wait until Oct. 1.

**Contact Rowena Coetsee at 925-779-7141.**



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