

Letters to the Editor June 6

## Developer's lawsuit over Pismo Beach proposal denied

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Judge rules agency acted appropriately in refusing annexation for Los Robles project

By Cynthia Lambert — [clambert@thetribunenews.com](mailto:clambert@thetribunenews.com)

Citing the shaky state of water sources vital to Central Coast residents, a San Luis Obispo Superior Court judge ruled Wednesday that a local agency acted within the law when it denied Pismo Beach's request to annex a 182-acre property into the city last year.

Approval of the request would have paved the way for a residential development known as Los Robles del Mar, which included plans for about 250 single-family homes and 60 senior citizen residences on 154 acres.

"The fragility of the existing water supply on California's Central Coast is an enduring, knotty problem that has often bumped up against the engines of development and economic growth," Judge Charles S. Crandall wrote in the opening of his ruling.

After reviewing 4,140 pages connected to the case, Crandall wrote that the San Luis Obispo Local Agency Formation Commission had considered "the potential harms to the public interest that might occur if the city's and developer's assumptions and predictions about water supply should not come to pass."

He determined that substantial evidence supported the LAFCO commissioners' 5-2 vote to deny the annexation in March 2012.

David Church, the agency's executive director, called the ruling a full victory for LAFCO and for the way the commissioners had reached their decision.

Larry Persons, president of Simi Valley-based Pacific Harbor Homes, has been trying for more than 25 years to develop the property on the city's northeastern edge bordered by Oak Park Boulevard and east of James Way.

But concerns over water twice derailed his plans. In 2008, he proposed using on-site wells to supply water to the development, but LAFCO commissioners rejected the plan.

Persons then spent \$3.5 million to purchase 100 acre-feet of state water from another property owner.

But the LAFCO board was still concerned about the availability of the city's long-term water supply and questioned the reliability of state water, one of Pismo Beach's three sources.

The lawsuit, filed in May 2012, asked the court to rescind and nullify LAFCO's decision and adopt a new resolution approving the annexation without any conditions, including allowing Persons' use of on-site wells.

Persons and Pismo Beach attorney David Fleishman could not be reached to comment Wednesday evening.

In the ruling, Crandall mentioned the city's three sources of water.

"A careful review ... establishes that periodic drought is now a reality in California, and the probability of drought must play an important factor when planning for further development on the Central Coast of California," he wrote.

He added: "During drought years, when runoff from the Sierra is diminished, when there (is) a shortage of water in state reservoirs, and when drought results in reduced groundwater pumping, Pismo Beach may very well not be able to meet the needs of its residents."

Pismo Beach had also mentioned work on water conservation and recycling programs that would supplement the city's supply, but Crandall noted that while the city has had considerable discussion about a tertiary wastewater treatment plant, no action has been taken on any concrete plans.

(The proposed Spanish Springs development in Price Canyon plans to upgrade the city's wastewater plant as part of its project.)

The Los Robles del Mar lawsuit also alleged the LAFCO board's action was controlled by a vocal group of residents, their elected representative Supervisor Adam Hill, and Bruce Gibson, a county supervisor — a claim that several elected officials later denied. None were named as individual defendants in the suit.

Crandall did not mention that argument in his ruling.

*Reach Cynthia Lambert at 781-7929. Stay updated by following @SouthCountyBeat on Twitter.*

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## **Barnidge: Plan Bay Area will be either the best or worst thing ever to happen to us**

*By Tom Barnidge Contra Costa Times Columnist Contra Costa Times*

*Posted:*

Tuesday, June 11, 2013  
ContraCostaTimes.com

Ready or not, Plan Bay Area is knocking at your door. Metropolitan Transportation Commission and Association of Bay Area Governments officials are expected to approve it next month, climaxing a fight that's produced enough bile to give the entire country acid reflux. In case you're late to the party, you probably should know that supporters and opponents have slightly different views of this vision for the future:

What's Plan Bay Area?

PRO: It's an integrated, long-range transportation and land-use/housing plan that will support a growing economy, provide more housing and transportation choices, and reduce transportation-related pollution in the Bay Area

CON: It's a conspiracy perpetrated by the MTC and ABAG to socially engineer peoples' lives, herding them like cattle from their single-family homes and cars into transit villages.

Why is there a Plan Bay Area?

PRO: Senate Bill 375 requires California's 18 metro areas to plan jointly for transportation, land use and housing as part of a "sustainable communities strategy" to reduce greenhouse gas emissions from cars and light-duty trucks.

CON: Empty-headed bureaucrats, who couldn't find a shadow on a sunny day, have swallowed Al Gore's global warming nonsense and now are using it as their excuse to take control of our lives.

What do MTC and ABAG do?

PRO: MTC is the transportation planning, financing and coordinating agency for the Bay Area that makes the regional transportation network function more efficiently. ABAG is the council of governments and regional planning agency for the Bay Area's nine counties and 101 towns and cities.

CON: They are the bureaucratic incarnation of Big Brother and Karl Marx, only worse, leveraging transportation grants to dictate which cities bend over, when and how far to accommodate a fabricated vision of population growth.

How can MTC and ABAG predict growth?

PRO: For several decades they've developed long-term regional plans for the Bay Area by using computer modeling to forecast transportation demands, economic growth, demographics and land-use changes.

CON: Judging by the numbers they forecast -- 2 million more residents in the next 25 years -- they're doing it with Ouija boards and magic 8-balls while under the influence of hallucinogens.

What will happen to individual cities?

PRO: Bay Area communities will continue to control local development, and most neighborhoods will remain largely unchanged, with the biggest growth taking place in urban areas such as San Francisco, Oakland and San Jose.

CON: High-rise apartments will be wedged into every corner of every town, single-family homes will disappear, riffraff will flock to affordable housing, and schools will be packed tighter than tuna cans. Take a picture of your charming town square, because the charm is about to be removed.

Has the public had a say in this?

PRO: Yes. Oral and written comments from workshops, telephone survey results, a Web survey and focus groups have been studied and analyzed. When the draft plan was released in March, officials opened it up for public comment.

CON: The only say you have is when to list your house and escape this Orwellian mess.

So, to recap: This could be either the best or worst thing ever to happen to us.

To learn more, visit [onebayarea.org](http://onebayarea.org). Contact Tom Barnidge at [tbarnidge@bayareanewsgroup.com](mailto:tbarnidge@bayareanewsgroup.com).

## Moraga-Orinda fire district to review policies in wake of Highway 24 injury accident

By Jennifer Modenessi Contra Costa Times Contra Costa Times

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ContraCostaTimes.com

MORAGA -- The Moraga-Orinda Fire District is reviewing safety policies in the wake of an investigation into a December multicar crash that sent three Moraga-Orinda Fire District firefighters and one motorist to the hospital.

Released June 5, the investigative report deconstructs what happened that stormy morning on a rain-soaked Highway 24 when Capt. Michael Rattery and firefighters Kelly Morris and Stephen Rogness were hit by a car as they tended to a four-vehicle accident. A motorist exiting his car after hitting a fire engine already at the scene was also struck. None of the four had life-threatening injuries.

Authored by private consultant and Lawrence Livermore National Lab Fire Marshal John Sharry, and reviewed by a peer committee, the report praises firefighters, paramedics and a quick-thinking captain whose decision to move an ambulance away from the initial crash scene kept it from being struck by another vehicle.

But it also points out several policy and operating deficiencies that contributed to an already bad situation on a section of freeway between Orinda and the Caldecott Tunnel fire officials say is an accident hot spot.

Those deficiencies include issues with establishing temporary traffic controls such as signs warning motorists they were approaching an accident; limited traffic control information on district training sheets and a lack of adherence to safety policies, including not wearing a "retroreflective" vests required of firefighters at incidents on or near roadways unless they're fighting a fire.

"MOFD doesn't have a formal policy about operations on the highway," Sharry said. "I don't believe that the district gave adequate guidance to its members for the dangers of operating on the highway."

The report's findings and recommendations include:

- Adopting a formal policy on freeway operations. Sharry said the district has three policies that deal mostly with rescue, but not with traffic management. The report recommended reviewing certain guidelines about blocking an accident scene, and said the placement of a fire engine that day was a factor in the accident because it partially obstructed a lane.

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Providing advance motorist warning of accident scenes. Sharry recommended the district work with Caltrans to provide electronic signs alerting drivers of incident ahead of them. Sharry said motorists approaching the December accident scene on the partially flooded highway had no warning of the fire engine sitting in the middle of the road.

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Crafting guidelines about safeguarding civilians or "patients" in addition to firefighters at an

area of activity such as a highway accident.

The district updates policies on vehicle accident responses on an as-needed basis, said Stephen Healy, MOFD division chief-operations, in an e-mail. Firefighter-paramedics also receive vehicle accident response training and participate in annual simulations.

Fire Chief Randy Bradley said the district is embracing the report's recommendations, and is working with the firefighter's union to address each one. Fire officials are also meeting with Caltrans and the California Highway Patrol about traffic control.

## Pinole fire department resignations force city to scramble to bolster staffing

By Tom Lochner Contra Costa Times Contra Costa Times

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ContraCostaTimes.com

PINOLE -- The city is scrambling to beef up its fire department staffing, with the imminent jump by three firefighters to the adjacent Rodeo-Hercules Fire District. A fourth is heading to the Vallejo Fire Department.

The moves come as Pinole already was hustling to fill four other firefighter positions under a federal SAFER Grant that is supposed to reopen Station 74 in Pinole Valley, one of two in the city, shuttered since July 2011; the open station, 73, is downtown.

The fire department also is in a leadership transition, as an interim fire chief, Carlos Rodriguez, prepares to take over next month from fire Chief Charles Hanley, who has served in the dual capacities of Pinole and Rodeo-Hercules fire chief since early 2011. Hanley became Rodeo-Hercules' chief in late 2010; his contract with Pinole expires June 30.

Rodriguez previously served as fire chief of Hollister, Visalia and Teton County, Wyo., and most recently, Union City. His first day on the job in Pinole was June 5.

In April, after months of deliberation, Pinole opted to continue running its own municipal fire department rather than contract for service with Rodeo-Hercules.

Pinole firefighters Clinton Ballard, Robert Gelhaus and Jerry Short gave notice June 3 and will start next week with Rodeo-Hercules, where they will work under the same fire chief, Hanley. Steven Dorsey will leave for Vallejo. The resignations come on top of the March 31 retirement of Pinole firefighter Keith Fields.

The hiring of the three Pinole firefighters by Rodeo-Hercules while Hanley heads both agencies did not sit well with Pinole Mayor Debbie Long.

She said she is not aware of anything in Hanley's contract that would address the hiring issue but added: "I don't think it was the honorable thing to do."

"Because (Hanley) is serving both agencies, he would have to represent both of our interests equally," Long continued. "He should have waited until he ended his tenure as Pinole's chief."

Hanley, in an email Friday, explained that the Rodeo-Hercules board had authorized him to fill three positions that had been vacated because of retirements.

"The Pinole firefighters were among the most qualified," Hanley said. "The timing is due to the length of time it takes to complete a criminal background check and medical examination.

"The Fire District does not discriminate in its employment practices as it relates to hiring the most qualified candidates," Hanley continued. "The filing and screening to fill these positions began early this year."

Pinole had 14 rank-and-file firefighters at the beginning of the year, plus a battalion chief. The retirement and four departures will leave Pinole with nine rank-and-file firefighters.

"With one station, you need a minimum of 12 (firefighters)," Pinole City Manager Belinda Espinosa said. "Where we have a soft spot is controlling overtime costs."

Twelve firefighters staff one firehouse with four people per shift, as long as no one calls in sick or goes on vacation.

Before the recent wave of resignations, Pinole had been well on its way to hiring three of the four firefighters under the SAFER grant; the three will be hired instead to fill recent vacancies, said Pinole Assistant City Manager Hector De La Rosa.

Espinosa noted that while Pinole has accepted the SAFER grant, it has not implemented it or drawn any of its funds.

"We will revisit the question of the SAFER grant and the opening of Station 74," she said Friday.

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## Lafayette taking a hard look at fire service

By Jennifer Modenessi Contra Costa Times Contra Costa Times

Posted:

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ContraCostaTimes.com

LAFAYETTE -- A citizen task force will tackle how to improve fire and emergency services in the city in the wake of the rejection last month of a plan to finance a new joint fire station on the Lafayette-Orinda border.

Also spurring this action -- concerns that local taxpayers are receiving fewer services than they pay for, especially with the recent closure of a local fire station.

The city council voted unanimously this week to form the Emergency Services Task Force, to comprise seven to nine residents and two council members. Officials want the group to deliver by Sept. 30 a preliminary report analyzing fire and emergency services in Lafayette.

The decision comes on the heels of a meeting between a council subcommittee and the executive director of the Local Agency Formation Committee, or LAFCO, on what steps Lafayette would take should the city pursue pulling out of the Contra Costa County Fire Protection District.

The subcommittee also met with Moraga-Orinda Fire District officials to discuss various scenarios should the city decide to shift fire services to MOFD.

Officials are considering leaving the Contra Costa Fire district in response to the closure in January of the Los Arabis station in the city's west end as part of a sweep of station closures within the district. ConFire currently operates two other fire stations in Lafayette and the city receives mutual aid from MOFD.

"We have a third of the city without sufficient -- or some would say any -- fire service," said councilman and subcommittee member Brandt Andersson. "That's not an acceptable situation."

At Monday's meeting, Andersson cited ways he believes fire service in the west end could be restored, including MOFD buying the Lafayette parcel where the new station had been proposed.

To do that, MOFD fire Chief Randy Bradley would have to again ask directors to purchase the now off-the-market \$1.2 million property. Bradley had approached the city of Lafayette in May requesting officials buy the property on MOFD's behalf, because the district can't purchase land outside of its own boundaries. MOFD would have closed a station in Orinda slated for reconstruction as part of the deal.

Citing a lack of partnership, a MOFD board majority opposed that idea despite placing a \$15,000 deposit -- of which the county chose not to pay half -- on the property. County supervisors also rejected financing any of the station's estimated \$2 million operational costs.

However, one of the MOFD directors who opposed the purchase has since resigned, and Bradley says he has been asked to place "Station 46" on the June 20 board meeting agenda. ConFire currently has no plans to approach supervisors, but the district is continuing to monitor the situation, said ConFire Chief Daryl Louder. As for pulling out of the county fire system, Andersson said Lafayette needs to continue looking into leaving ConFire and other ways to bolster service -- including contracting for it -- "if ConFire's not going to do it."

For Lafayette to make such changes, LAFCO would need to receive a petition from the city, residents, MOFD or other agency that would provide the services to the city. Agreements with the county, including the sharing or division of personnel, property, pension and health care obligations and taxes, would need to be negotiated. Then the city would submit an application that could cost between \$10,000 and \$25,000.

Talk of such a "detachment" is not sitting well with some county officials, including Supervisor and LAFCO Commissioner Mary Piepho, who said last month that LAFCO could find it difficult to support the request if there's a negative impact to the remainder of the fire district.

"I think it's important to know that Lafayette may try to take their destiny in their own hands but they are not in entire control of it," Piepho said in May.

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## East Bay Regional Park District to buy Roddy Ranch land in Antioch for \$14.2 million

By Paul Burgarino Contra Costa Times Contra Costa Times  
Posted:

Thursday, June 20, 2013  
ContraCostaTimes.com

ANTIOCH -- In a huge victory for environmentalists and open space advocates, roughly 1,900 acres at the foot of Mount Diablo that once included an ambitious plan to create a Blackhawk-like luxury home community will become the latest addition to the East Bay Regional Park District.

The rapidly growing park district agreed this week to purchase the property for \$14.24 million -- among its most expensive purchases ever -- from Roddy Group LLC, a partnership that includes ex-rodeo star and longtime cattle rancher Jack Roddy.

The deal caps decades of political and financial wrangling over Roddy Ranch and marks a sharp reversal from the bold effort to capitalize on the region's building boom by luring deep-pocketed executives to Antioch with estates that would complement the city's miles of affordable tract housing.

But the plan, compromised by bureaucratic red tape and persistent financial challenges that climaxed with the housing meltdown, never got off the ground.

Instead of 20,000-square-foot lots, the land will some day be home to a new regional park.

Tuesday's deal represents a "once-in-a-lifetime" opportunity to expand an existing trail network, protect and restore endangered or threatened species such as the California tiger salamander and eventually create Deer Valley Regional Park, said Robert Doyle, the district's general manager. The purchase is "at least in the top three" in the park district's history, he said.

"It will allow us to create a whole new park. Plus, it ties in with the other land acquisitions we've made in East Contra Costa to create a huge wildlife corridor," said district board director Ted Radke.

The district, which is teaming with the East Contra Costa County Habitat Conservancy on the purchase, will start the yearlong escrow process with a \$500,000 initial payment. It also allocated about \$23,000 for the installation of gates, fencing and signs around the property to keep it secure.

The acquisition does not include Roddy Ranch Golf Club, the personal 40 acres of Jack and Donna Roddy, and two other parcels totaling 240 acres inside the project boundary.

Park district acquisitions have increased in fast-growing East Contra Costa since voter approval in 2008 of a \$500 million bond measure for land preservation, including the 220-acre Fox Ridge Manor property and adjacent 21-acre Fan property. Several other parcels that connect those properties to Roddy Ranch were purchased by the Contra Costa Water District as mitigation for its expansion of Los Vaqueros Reservoir.

With Roddy Ranch in the fold, a near-continuous buffer of undeveloped land would be formed from Black Diamond Mines Regional Park to Marsh Creek State Park south of Brentwood. Much of the land around Mount Diablo now will also be open space.

"It's an incredibly important piece of land. We wholeheartedly support (Roddy Ranch) being at the

heart of this new preserve," said Scott Hein, president of conservation group Save Mount Diablo.

Federal grants from the California Wildlife Conservation Board and a private foundation are expected to cover the bulk of the purchase cost. The district will prepare plans for the land during the escrow process. Future amenities could include a more robust trail system for bicyclists and horseback riding, creation of wetland habitats and day camps, Doyle said. The property will be put into a "land bank" until the district's operational budget improves and it can establish a regional park, Doyle said.

Roddy, who helped put the deal together after the district identified the land as a potential regional park, said he is an "agriculturalist" and expressed his pleasure that he would be able "to leave that ranch the way he found it."

Roddy, who grew up ranching on his family farm in San Jose, purchased the land after flying over the grassy site in 1976 and finding it ideal for raising cattle. But as ranching became less viable and finances tightened, he partnered in the late 1990s with a deep-pocketed investor seeking to build.

The plans always centered on making the 656 acres of Roddy Ranch land inside Antioch a community with custom-designed homes. The remaining county land has been set aside for grazing and recreational purposes.

Roddy, 75, a self-described "rancher, not a developer," found himself thrust into the middle of building plans over the years.

In 2000, county supervisors moved Roddy Ranch outside the city's urban limit line, restricting development to existing neighborhoods. The decision stripped the land of development potential.

Antioch voters approved their own boundary five years later, which included a significant piece of Roddy Ranch and allowed for housing development.

But Roddy Ranch developers fell into financial trouble in 2009, defaulting on a \$36 million loan.

Just last fall, a new developer group that included Roddy submitted similar building plans. The park district and other environmental groups have expressed interest in preserving the land for some time. The idea resurfaced over the past few months, and talks intensified in April.

"The recession definitely made a difference. The anticipation was that other projects would be completed a lot sooner," Doyle said.

The Roddy Ranch partnership received higher offers for the property, which is selling for its fair market appraised value under the deal, but with the park district, it "had the assurance of knowing" it would be paid, Doyle said.

"It's a sure thing. There are no strings or appraisals or permits," he said.

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#### RODDY RANCH TIMELINE:

1976: Jack Roddy buys 2,156 acres southeast of Antioch.

1996-97: Faced with foreclosure, Roddy forms a partnership with Wayne Pierce, who invests cash

and arranges loans. Pierce owns 80 percent of the new company, and Roddy owns 20 percent.

1998: Partners sign a deal with broker David Fitzgerald to finance a golf course and 1,000 luxury homes on the property.

1999-2000: Fitzgerald sells \$35 million in municipal bonds to finance the project. Investors will be repaid with proceeds from home sales.

2000: Contra Costa County shrinks the urban limit line, which places a large portion of the ranch off-limits to housing.

March 2001: Officials revoke Fitzgerald's securities and broker licenses.

April 2001: Ranch defaults on bond payments.

July 2002: Ranch files for bankruptcy.

August 2003: At the request of creditors, a judge appoints a trustee to take over Roddy Ranch.

May 3, 2004: Richland Communities offers \$31 million for the ranch in a courtroom auction.

June 30, 2004: Richland fails to close escrow for undisclosed reasons.

January 2005: A consortium of owners -- Black Mountain Development of Pleasanton, Castle Companies of San Ramon and Pacific Coast Capital Partners of Sacramento -- forms Roddy Ranch PBC and buys the property out of bankruptcy.

November 2005: Antioch voters approve Measure K, which sets the city's urban limit line to include Roddy Ranch.

November 2006: Roddy Ranch is annexed into Antioch by the county land formation commission, allowing for the use of city services such as police, fire, sewer and water.

January 2009: Antioch releases draft environmental impact report.

July 2009: Ownership group Roddy Ranch PBC defaults on property.

January 2010: Roddy Ranch property purchased by GKK Roddy Ranch Owner LP at a trustee sale.

August 2012: Antioch releases recirculated draft environmental impact review.

June 18, 2013: East Bay Regional Park District purchases Roddy Ranch's 1,885 acres for \$14.24 million.



BAY AREA NEWS GROUP

## **Pinole turns down federal grant to reopen shuttered fire station, citing financial uncertainties, as tension mounts with firefighters**

*Contra Costa Times San Jose Mercury News*  
Posted:

Thursday, June 20, 2013  
ContraCostaTimes.com

PINOLE -- In a startling move that underscored the growing tension between the city and its firefighters, the City Council on Tuesday turned down a \$1.24 million federal grant to reopen a shuttered fire station for two years amid a war of words between the mayor and head of the firefighters union.

The council cited concerns over incurring associated costs with reopening the Pinole Valley station, along with a pending unfair labor practices complaint by the firefighters union, in rejecting the grant it had agreed to accept earlier this year.

The 4-1 decision, with Councilman Phil Green dissenting, followed a stark display of tension between Pinole and Firefighters Local 1230, highlighted when Mayor Debbie Long chastised union President Vince Wells for a recent post on this newspaper's website in which he blasted the council's leadership and its rejection of a contract with either of two neighboring fire districts. Wells later walked out of the council chamber with Pinole fire Capt. Rich Voisey after Long refused to engage in a dialogue with Wells as he sought to respond to her accusation, "It is you ... Vince, who has put a cloud over this city."

In his website post, Wells also accused the council of mismanagement and lack of attention to infrastructure and fire apparatus, and cited low morale among Pinole firefighters.

Long was particularly incensed by the post's closing comment, in which Wells, referencing the defection of three Pinole firefighters to the neighboring Rodeo-Hercules Fire District, wrote: "Congratulations to the firefighters who were able to get off this 'sinking ship.'"

Long said, "I want to tell ... everyone in the community that our ship is not sinking."

The two agencies have shared a fire chief since early 2011 in Charles Hanley, whose contract with Pinole runs through the end of June. Wells also decried Pinole's "disrespectful dissolution of (Hanley's) contract" in the post.

Long said she was "tired of people hiding behind the words of a blog," and that to say the Pinole Fire Department's ship is sinking is "wrong, misleading and irresponsible."

Long refused to allow Wells to respond to her remarks, contending that he had gotten his turn to speak earlier in the discussion of the grant. But in a telephone interview with this newspaper later Tuesday night, Wells said he should have been allowed to speak because "the mayor brought up a whole bunch of things that weren't on the agenda."

"She made reference to things that I wrote," Wells said, "but I never had the opportunity to respond; I could have gone toe-to-toe with her.

"She used her position as mayor to control the microphone and express her side without giving me the opportunity to give my side," Wells continued. "In my entire career, I have never seen anybody

abuse her position as mayor as she did."

The federal SAFER grant -- the initials stand for "Staffing for Adequate Fire and Emergency Response" -- was to be spread over two years, and was supposed to reopen Pinole Valley station 74, one of two fire stations in the city. It would have obligated Pinole, one of only three cities in Contra Costa County with a municipal fire department, to hire four new firefighters and renounce any staff reductions during the term of the grant.

The city had formally accepted the grant in January but never drew on it, and so had not implemented it, City Manager Belinda Espinosa said earlier this month.

City officials calculated that running two fire stations, even with the help of the grant, would cost Pinole \$400,000 a year more than keeping only the downtown station open, without the grant. But the council majority said the deciding factor in the vote to forgo the grant was the union's pending, two-count, unfair labor practices complaint before the California Public Employment Relations Board, which they fear could be onerous for the city for years to come in the event the union prevails.

But Wells said the city really did not want the grant.

"PERB gives them their cover to pass on the grant," he said.

One aspect of the PERB complaint deals with employee contributions to retirement; the other, according to the city, is related to overtime pay it says the union believes it was denied when the Pinole Valley station was browned out. But Wells said it is about getting the city to implement staffing provisions in the labor contract, and that overtime pay is only one of several possible remedies to what he characterized as unilateral actions by the city in violation of bargaining rules.

Wells predicted Pinole's renunciation of the SAFER grant would not sit well with its partner agencies in Battalion 7, a three-agency consortium consisting of Pinole, Rodeo-Hercules and the Contra Costa Fire District's El Sobrante and San Pablo stations; all three agencies' firefighters belong to Local 1230. Wells noted that the county fire district recently floated a parcel tax measure, albeit an unsuccessful one, and that Rodeo-Hercules is contemplating some kind of revenue measure as well. By contrast, he said, "Pinole had a grant and turned it down."

Wells said he stands by his "sinking ship" website remark.

"They're in jeopardy," he said of Pinole, predicting that Rodeo-Hercules and the county fire district might no longer want to provide automatic aid to Pinole in view of its rejection of an opportunity to contribute more to Battalion 7. Under automatic aid, the nearest units, as determined by computer, respond to an emergency automatically; under mutual aid, one agency must first make a request to another to receive aid.



## Fire districts urged to look at mergers

By Lucas Youngblood | Posted: Friday, June 21, 2013 8:22 am

Consolidating current fire districts was the hot item during the Local Agency Formation Commission meeting in San Andreas on Monday.

Calaveras County LAFCo, the body responsible for deciding the sphere of influences for government agencies, held a periodical service review of fire service providers in the county.

The review took into consideration the future needs of Calaveras in regards to fire service. A similar aspect of all fire districts is a shortage of funds.

“The main theme is that no one has enough money,” LAFCo Executive Officer John Benoit said.

The review was done by consultants Oxana Wolfson and Jennifer Stephenson. Wolfson and Stephenson put together a 257-page report that Benoit called “more comprehensive and analyzed” than the last.

The report gave background information on each district, except the Mokelumne Hill Fire Protection District, and then made determinations to be adopted. Mokelumne Hill was not reviewed due to a pending Grand Jury report involving the district. Benoit said he does not want to “adopt a review that is antiquated when (it is) adopted. The Mokelumne Hill district has an extended 60-day period before its review starts.”

The determinations that are adopted are not enforced; they are a “passive” way of setting standards that allow for flexibility and put the ball in the fire service providers’ court.

Bill Wennhold, a director of the San Andreas Fire Protection District, did not agree with consolidation as a measure to save money.

“We question if consolidation is good,” Wennhold said. “There is no empirical evidence to show that it would make things better here.”

Benoit felt that the established districts were reluctant to share authority with one another.

“These districts have been in existence since the ’30s and ’40s,” Benoit said. “There is identity in the districts and they are trying to protect their districts, that’s the reality of it. What I’d like to see is (a move for consolidation) come from the districts up. Right now I’d say that’s improbable, but in the future you never know.”

*The full municipal service review is available online at [calaveraslafco.org](http://calaveraslafco.org).*



## Lafayette fire station land buy moving forward

By Jennifer Modenessi Contra Costa Times Contra Costa Times

Posted:

Friday, June 21, 2013

ContraCostaTimes.com

ORINDA -- A plan by the Moraga-Orinda Fire District to buy land in Lafayette for a new fire station is back on the table, and the district is once again negotiating the purchase.

The move was approved Thursday by directors Steve Anderson, Alex Evans and new board president John Wyro after being rejected in a 3-2 vote in May. The board is currently operating with four members after director Frank Sperling -- who opposed the purchase -- resigned last month. Director Fred Weil continues to oppose the project.

The approval authorizes MOFD Chief Randy Bradley to begin negotiations with the owners of the 2.33-acre parcel on Lorinda Lane where "Station 46" is planned. That station will replace a Contra Costa Fire District station in west Lafayette the county closed in January, along with other facilities, due to budget cuts.

A new Lorinda Lane station also would replace MOFD's station on Via Las Cruces in Orinda, which MOFD has already spent about \$275,000 to rebuild.

MOFD had originally planned to buy the Lorinda Lane land and build the station jointly with ConFire -- a proposal Bradley and ConFire Chief Daryl Louder estimate would save taxpayers \$80 million over the next 40 years.

That idea was shot down last month by a majority of Contra Costa County supervisors who liked the proposal but didn't support the partnership's timing during continued station closures and other turmoil. An MOFD board majority also squashed the idea, arguing that the district lacked a financial partner and would be spending taxpayer dollars to improve service to Lafayette residents not in their district.

Since then, Lafayette has been studying fire service alternatives, including leaving ConFire and joining MOFD. The city believes its taxpayers are now overpaying for fire service and subsidizing the county -- an argument ConFire challenges. So MOFD director Anderson -- who had previously supported the consolidation but ultimately voted against it -- asked the purchase be considered again.

On Thursday, board president Wyro worked to convince board members to approve entering negotiations with the property owners for that location.

"The only solution I see to make (Station) 46 work to help with our sustainability is to build a Station 46 with Lafayette or ConFire," Wyro said. "But one way or another it needs to happen and it needs to happen there."

Because county regulations prohibit a fire district from purchasing property outside its boundaries, MOFD will once again ask the city of Lafayette to buy the land on its behalf, Chief Bradley confirmed in an email. The city council will make that decision, said Lafayette City Manager Steve Falk.

Should the purchase go through, the property will likely be held by the city of Lafayette until the district finds a financial partner in the county or the city to divide the land purchase, site and utility

work, and station construction costs.

Officials have estimated the total initial cost between \$5 million and \$6 million, excluding staffing and annual operation costs.

ConFire Chief Daryl Louder has said he does not currently have plans to approach county supervisors but continues to monitor the situation. He did not return a call seeking comment.

For Lafayette, funding a land purchase and station construction is not yet in the cards.

"The city does not receive property taxes to fund fire service delivery, and the city also -- unlike fire districts -- does not have special capital funds reserved for the reconstruction of fire stations, or a dedicated revenue source for that purpose," Falk said in an email.

## El Cerrito will spend \$25,000 on library needs survey

By Rick Radin Correspondent Contra Costa Times

Posted:

Sunday, June 23, 2013

ContraCostaTimes.com

EL CERRITO -- The City Council agreed last week to spend \$25,000 on a survey to determine what the community would like in a new library.

The decision came on the same night the council passed a bare-bones \$45.8 million 2013-14 budget with minimal changes from a proposed budget it reviewed two weeks ago.

A so-called needs assessment would solicit input from residents about an optimal size and structure for a new library while determining how to apply advances in library technology.

The assessment would have a life span of about three to four years, allowing time to find the money for construction, assistant City Manager Karen Pinkos told the council.

The city did a library needs assessment in 2006 that has been overtaken by developments in technology, she said.

The current library, at 6510 Stockton Ave., opened in 1948 and was renovated once in 1960. It has been identified as woefully inadequate by community groups, including Friends of the El Cerrito Library.

Councilman Mark Friedman urged City Manager Scott Hanin to find the money for the needs assessment and to add more library hours during the budget review session at the June 4 council meeting.

Pinkos said the city was paying about \$60,000 a year to increase library hours from 28 to 35 from 2003 through 2009.

In a reciprocal arrangement, the county agreed to pay for 35 hours of service and the city began paying for utilities, maintenance and other costs, which were previously covered by the county, she said.

"Now we're maintaining the entire building," Pinkos said. "We have to postpone funding (for more than 35 hours) at this time."

The 35 hours per week compares with 50 to 60 hours per week of service for eight other city-owned libraries in Contra Costa County, according to a Friends of the El Cerrito Library survey.

A few other identified needs also went unfunded in the final budget, including additional money to maintain city buildings, clubhouses and playfields and cost-of-living pay adjustments for management and other employees not represented by unions.



## Pittsburg fire station closure on July 8 means longer response times, warns Chief

By Eve Mitchell Contra Costa Times Contra Costa Times

Posted:

Tuesday, June 25, 2013  
ContraCostaTimes.com

PITTSBURG -- Longer response times to calls are expected to result after fire trucks stop rolling out of one of Pittsburg's three fire stations next month.

Based on computer models, it's estimated the average response time for calls responded to by nearby stations will be 7 minutes and 42 seconds after Station 87 on West Leland Road closes, compared with an average response time of 6 minutes and 23 seconds before the closure.

"It's about a minute-and-20-second difference with units coming from other locations," Contra Costa County Fire Protection District Chief Daryl Louder told a gathering of about two dozen residents who attended a Monday night meeting on the closure at Pittsburg City Hall.

"If they are running another call, if they are returning from a fire in Antioch or whatever it happens to be ... it's certainly possible to have a lot longer than that," he said.

When Station 87 on West Leland Road closes on July 8, it will mark the fourth district fire station that has been shut down since January as a result of the district struggling with fewer financial resources after voters rejected Measure Q, a parcel tax ballot measure in November. After the closure, calls will be handled by a fire station in Bay Point on Willow Pass Road, which is 2.4 miles away, and another Pittsburg station on Railroad Avenue that is 2.9 miles away.

Pittsburg homeowner Astier Jones said she will feel less safe after Station 87 closes.

"It's unfair that you guys are closing," Jones said. "It hasn't even been that long and you guys are already closing it. I was so happy when you opened that station."

Closing the station is expected to result in a yearly savings of about \$1.9 million, resulting from reduced overtime costs for the district, which will continue to maintain the station which was built in 2000. No layoffs are expected from the closure. Instead, firefighters will be reassigned to other stations to maintain a minimum staffing level of three firefighters on each engine company unit over a 24-hour period at the remaining 23 stations.¿

The vast majority of calls handled by Station 87 are emergency medical calls, just as they are at other stations.

To make more efficient use of existing resources during the peak service hours between 8 a.m. and 8 p.m., the district is looking into having two emergency service-only personnel on engine units responding to medical calls. But Louder said the current practice of having three firefighters on an engine unit provides the flexibility to respond to a variety of situations given the district's limited resources.

"People ask 'Why does that big fire truck show up at our medical emergency?' For us, we have very limited resources. It's important to be as flexible and able to adapt and respond to different types of emergencies that we are responsible for as best we can. For us, that's a three-person engine company.... It gives us the most flexibility, the most ability to go from a fire to a water rescue

to medical emergencies to vegetation fires," he said.

Having fire trucks stationed at strategic locations between two fire stations is also under consideration. Although that can result in efficiencies, there are practical issues to consider, Louder said.

"You are talking about a 20-ton fire truck that has to be on electrical charge and gets about two miles or three miles a gallon," he said.

Stations began closing after voters in November rejected a parcel tax that would have raised \$17 million annually over seven years to offset a drop in revenues linked to lower property taxes and higher health care and pension costs.

In January, stations in Lafayette, Martinez and Walnut Creek closed and the Clayton station became staffed on a part-time basis. Last month, the county board of supervisors voted to close Station 87. Supervisors also voted to close another yet-to-be-determined station on Jan. 1, 2014, which will leave 22 stations in the fire district that serves much of Central County as well as Antioch, Bay Point, Pittsburg and San Pablo.

Contact Eve Mitchell at 925-779-7189. Follow her on [Twitter.com/EastCounty\\_Girl](https://twitter.com/EastCounty_Girl).

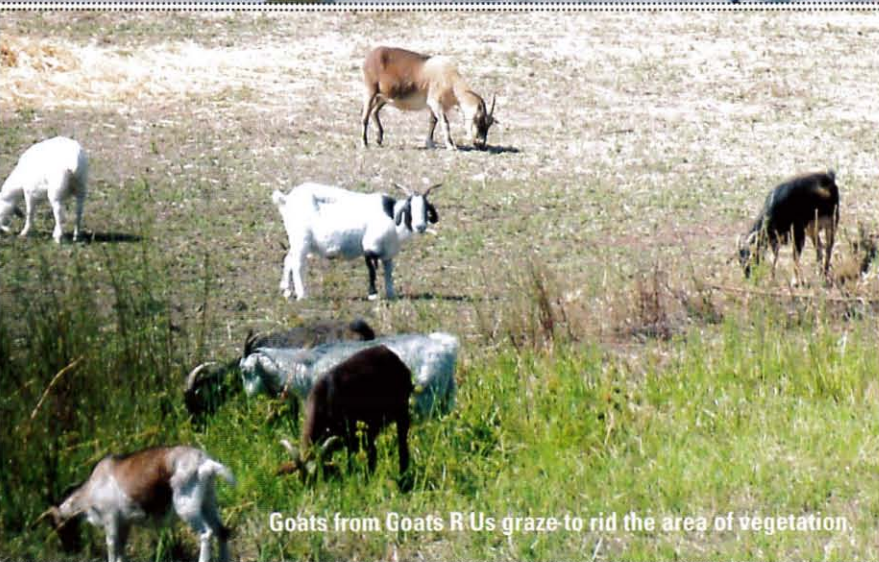


## Grazing away mosquitos

Contra Costa Mosquito and Vector Control District



Craig Downs



Goats from Goats R Us graze to rid the area of vegetation.

Contra Costa Mosquito and Vector Control District (CCMVCD) works hard to keep pests such as mosquitoes from affecting the lives of their constituents. Recently it experienced a challenge: a local storm water detention basin was becoming a breeding ground for mosquitoes. The basin was thick with vegetation, making it difficult to access by district inspectors. The district was able to meet this challenge head-on by getting involved with other local agencies and the employment of some unique helpers: goats.

*California Special District* interviewed CCMVCD and asked them to explain why their mission is so important to the public's health, how they met the challenged faced by the storm water basin, and why exactly goats were just what they needed to reduce the presence of mosquitoes on that property.

### What is CCMVCD's mission?

Our mission is to protect public health and welfare through area-wide, responsive services and programs. Our vision is be the lead agency in Contra Costa County for the detection and suppression of threats to public health from vectors—disease-transmitting and non disease-transmitting pests— that affect people and disrupt everyday activities.

### Why is it so important to locate and target mosquito breeding grounds?

Mosquitoes are capable of spreading a variety of diseases, such as West Nile virus, to people through their bites. Eliminating mosquito-producing water sources prevents mosquitoes from becoming flying, biting adults. As part of our Integrated Vector Management program, every effort is placed on

## Contra Costa Mosquito and Vector Control District

**Established:** 1926  
**Size:** 736 square miles  
**Population:** 1,066,096

**Budget:** \$6.1 million  
**Location:** Concord, California  
**Website:** [www.contracostamosquito.com](http://www.contracostamosquito.com)

preventing mosquito production in the first place. It's the most efficient and effective way to manage mosquito populations and protect public health.

And breeding grounds are everywhere. CCMVCD's vector control inspectors work daily to find and reduce mosquito breeding areas in an environment that is in constant change. Unfortunately, many of the sources are in residents' yards in containers such as buckets, boats, house gutters, toys, soda cans and more. Just one neglected swimming pool can produce more than one million mosquitoes and affect people up to five miles away. We urge our residents to fight the bite with us by emptying standing water and reporting neglected swimming pools and other potential mosquito sources to our district. To encourage the reporting of potential mosquito sources, we accept anonymous reports.

**CCMVCD encountered a challenge recently with a mosquito breeding ground at a storm water detention basin located near Heron Park. What about this area made it difficult for the district to reduce the likelihood of mosquitoes breeding there?**

Storm water detention basins, like this one, create quite a challenge for mosquito control in several ways. It takes a concentrated effort to locate all of the parties responsible for maintaining the detention basins and to determine a course of action. Mosquito control in the detention basin was difficult due to excessive and dense vegetation. Mosquitoes can develop in extremely small amounts of water. For example, just a couple of tablespoons of water can support a healthy habitat for hundreds of mosquitoes. The basin holds acres of water and the vegetation created thousands of little pockets that were blocked to our control products and prevented it from draining properly. The vegetation was also very thick, which made it difficult for our vector

control inspectors to gain efficient access. The majority of our mosquito control is done when the mosquitoes are in the water in their larval form. Once those mosquitoes become adults, the only effective way to control them and reduce or prevent the transmission of disease is by fogging with pesticides.

**Goats were brought in to reduce the vegetation. Why?**

Goats are extremely efficient and cost effective at reducing vegetation in a variety of situations. The goats we used are selectively bred to create the ultimate grazing machine. And graze they did! They eat most types of vegetation and are quite efficient.

**Were the goats effective in reducing the vegetation?**

Absolutely. Within seven days, the goats cleared a majority of the basin vegetation. Their efforts succeeded in making the area more accessible to district inspectors. With easier access and less vegetation, inspectors were able to better treat the area using public health pesticides that kill larval mosquitoes before they become flying, biting adults. The number of trapped adult mosquitoes infected with West Nile virus in the area quickly decreased.

There is a need for effective follow up by the land owner to maintain and minimize vegetation growth. Grading and establishment of low flow channels to direct periodic runoff will be essential for control of mosquitoes.

**What are other innovative ways CCMVCD works to protect the public health?**

We use mosquitofish in neglected swimming pools to control mosquitoes. Each fish is capable of eating up to 500 mosquitoes each day. The fish are very hardy and can live in the pool for years if no chlorine is present. Mosquitofish are used worldwide for mosquito control, however, using them in neglected swimming pools was unique enough to land our story on the front page of the Wall Street Journal and in a feature story on ABC's

Nightline as well. Mosquitofish are now used by many mosquito control districts as a biological tool to control mosquitoes.

CCMVCD consistently seeks new and innovative methods for mosquito control. For example, we continue to conduct trials using California native fish species for mosquito control in habitats where non-native mosquitofish may not be appropriate.

**Would you recommend to other mosquito and vector control districts the use of goats in clearing unwanted vegetation?**

Yes. Goats are an effective tool for vegetation management. In February, our scientific and mosquito program managers delivered a presentation at the Mosquito & Vector Control Association of California's Annual Conference to share our success in using this unusual tactic for mosquito control.

**The theme of this issue is Effectiveness and Efficiency. Are there any programs CCMVCD has in place to improve its operational efficiency?**

We use a Geographic Information System to map mosquito breeding sites, storm sewer systems, adult mosquito trap counts, dead bird reports, etc., all of which enable us to rapidly identify and assess risk areas and alert our field crews to those risk areas quickly and efficiently.

Additionally, our award-winning spray notification system reduces the need for data input and management by asking subscribers to opt in and opt out independently. All communication is delivered via Constant Contact, an online newsletter that we adapted for media releases and spray notifications. Posting spray notifications on our website along with interactive disease surveillance maps decreased phone calls from the public to nearly nil. ■

## Moraga-Orinda fire Chief Randy Bradley stepping down

By Jennifer Modenessi Contra Costa Times San Jose Mercury News

Posted:

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ContraCostaTimes.com

MORAGA -- Three years after he was hired to run the Moraga-Orinda Fire District, fire Chief Randy Bradley is stepping down from his \$189,600-a-year job to become fire chief of the Modesto Regional Fire Authority. Bradley's last day will be July 15.

Bradley said he had planned to submit his resignation letter to MOFD's four-member board Friday. Modesto fire officials will approve the new chief's contract and appoint Bradley on Wednesday, according to Modesto fire spokesman Hugo Patino. The job pays between \$132,629 and \$165,766 annually, he said.

Bradley said the move will cut his daily commute from Manteca from three hours to 15 minutes each day, and will allow for more family time.

Bradley, 51, also cites his ties to the Modesto area as a reason the new job makes sense.

"It's where I grew up. It's a big fire district that's developed a formula to become an even bigger fire district. It's a good fit for me," he said.

Bradley currently oversees about 96 employees in Moraga and Orinda. The Modesto fire authority comprises about 150 safety personnel and staffers who serve more than 240,000 residents of Modesto, Salida and adjacent unincorporated areas.

During his time with MOFD, Bradley developed a long-range financial plan he says will greatly reduce the district's pension and health care debt. He navigated the district through the economic downturn by streamlining the organization without reducing service levels, and oversaw programs for neighborhood wildland fire risk reduction and public education in schools.

Against a backdrop of ongoing labor negotiations, he also dealt with challenges, including some criticism over firefighter response to a deadly accident in Orinda in 2010 in which two window washers were electrocuted by a high-voltage transmission line, the failed purchase of an administration building in Moraga and a December accident on Highway 24 in which three firefighters and one motorist were hit by a car.

Most recently, Bradley and departing Contra Costa Fire District Chief Daryl Louder spearheaded a push to consolidate fire service on the Lafayette-Orinda border and purchase land for a new fire station.

That plan has proved challenging after a majority of county supervisors voted against partnering with MOFD to buy a Lafayette parcel. The MOFD board has since decided to team up with the city of Lafayette for the land buy, but both the board and the city still need to vote on the purchase agreement.

Bradley says he believes a joint partnership with the county is still the safest, most achievable option for service to area residents. The city is also exploring leaving ConFire and joining MOFD.

"I'm hoping the Board of Supervisors take another look at the proposal. I think a Lamorinda fire district should definitely happen. It's going to take a little bit longer," he said.

Board member Steve Anderson said he believes the effort will move ahead with or without Bradley.

"The decision to (purchase land) and go forward with the city of Lafayette -- that was a board majority decision. The direction and effort to pursue that will go on regardless of who is wearing the chief's hat," Anderson said.

Bradley became MOFD's fire chief in 2009 after serving as fire chief of the Lawrence Livermore Fire Department and deputy fire chief of the Alameda County Fire Department.

He also chairs the National Fire Protection Association's technical committee and serves on its Standards Council.