

Bay Area Tops in Population Growth Rates

Posted by : [Justin Hyer](#) August 21, 2014 In [Local Government](#)

By Hans Johnson.

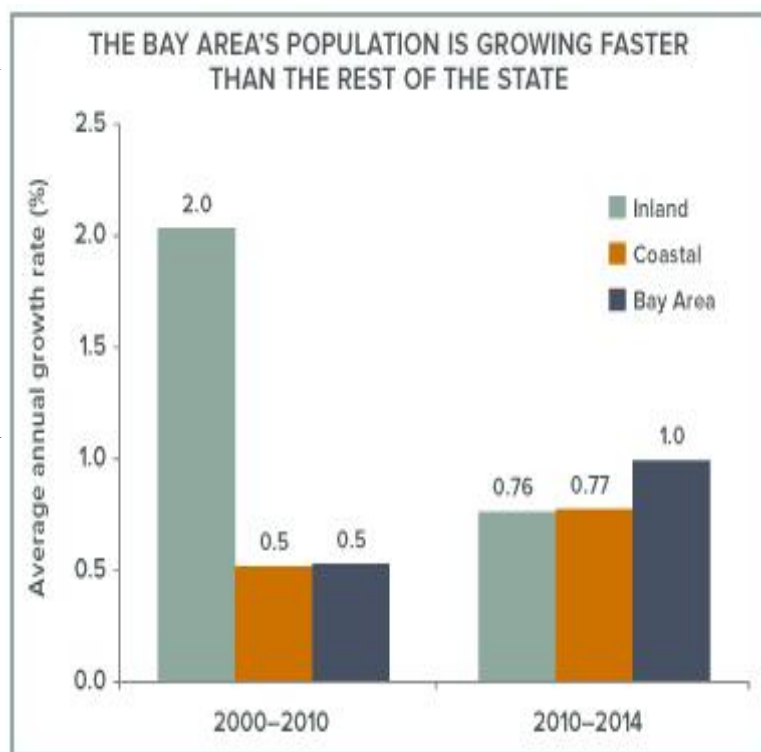
For many decades, inland areas of California have experienced faster population growth rates than coastal areas. Indeed, from 1950 to 2010 the Inland Empire (Riverside and San Bernardino Counties) experienced the most rapid rate of population growth in California. But now, for the first time since the 1860s, the Bay Area—long the slowest-growing urban region—is experiencing faster growth rates than any other region of the state.

Clearly, the Bay Area's strong economy has led to this growth. With robust job gains and relatively high wages, demand to live in the Bay Area is very high. To some extent, local authorities and builders have responded to this demand with new housing construction, much of it multi-unit housing in densely populated areas. Population growth has been especially strong in Santa Clara and Alameda Counties, but San Francisco and San Mateo Counties are also outpacing the more suburban parts of the Bay Area, such as Sonoma and Solano Counties.

In contrast, inland areas are still recovering from the recession and housing bust that hit them hard at the end of the last decade. Declines in employment and very high rates of foreclosure were centered on these inland regions, including the Inland Empire, the San Joaquin Valley, and Sacramento.

Some might say this is not an important shift in regional growth patterns. After all, at 1.0 percent annual growth, Bay Area populations are not exactly exploding. But growth rates in the Bay Area are twice as high this decade as they were in the previous one, and no one expected the Bay Area to be the fastest-growing region of the state—according to long-term projections, inland areas will have faster growth rates than coastal areas. If recent patterns persist, this conventional wisdom will be turned on its head, and the implications for California's future—from transportation infrastructure to water demand—could be enormous. As the economic recovery spreads throughout the state, it is reasonable to expect that inland growth will pick up, but to what extent and for how long is highly uncertain.

Originally posted at the [Public Policy Institute of CA.](#)



California Water Rights: You Can't Manage What You Don't Measure

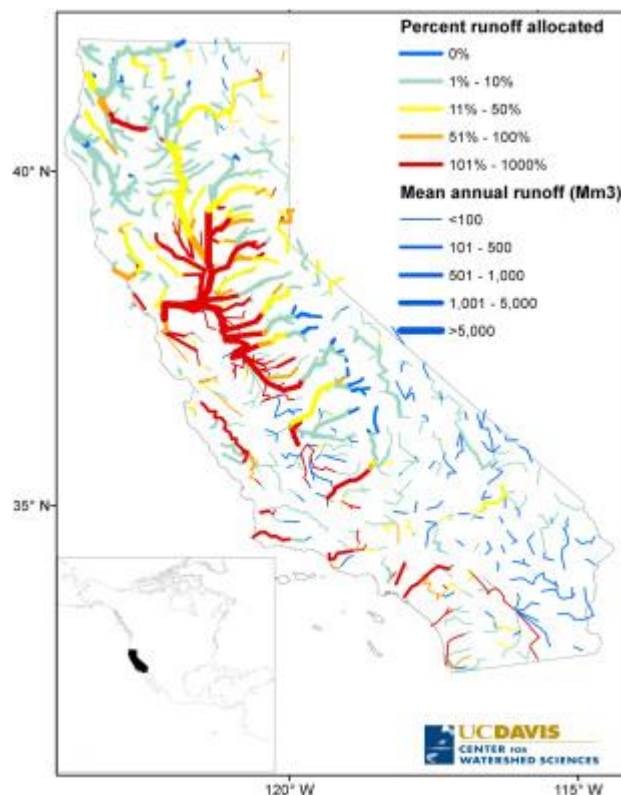
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By *Ted Grantham and Joshua Viers*

California water experts have long known the amount of surface water granted by water rights far exceeds the state's average supplies. Historically, the over-allocation has not raised much concern; in most years, there has been enough runoff of rain and snowmelt to go around.

But circumstances are changing. California is suffering the third driest year in a century and demands for water are at an all-time high. The huge gap between allocations and natural flows — coupled with great uncertainty over water-rights holders' actual usage — is increasingly creating conflicts between water users and confusion for water managers trying to figure out whose supplies should be curtailed during a drought.

To understand where and to what degree California rivers have been claimed, [we mapped](#) all appropriative water rights recorded by the State Water Resources Control Board. We quantified the total “face value”, or maximum annual diversion volume, of water rights for all rivers and streams and compared this data with estimates of water supply.



We found that water rights exceed average supplies in more than half of the state's large river basins, including the Salinas River, where water-rights claims amount to three times the average flow, and the San Joaquin River, where water rights exceed flows by as much as eightfold.

Not only are many rivers over-allocated but the amount of water actually used by water-rights holders is poorly understood. Comparisons of allocations with water use suggest that in most of California, only a fraction of claimed water is being used. Statewide, appropriative water-rights claims for consumptive uses are about five times greater than average surface-water withdrawals.

The Associated Press [recently reported](#) that the state water board is unable to track the water usage tied to many of California's oldest and largest water rights ([Dearen & Burke 2014](#)). The state system primarily relies on self-reported water use records, which are riddled with errors, even for the some of the state's largest water users.

In a well-functioning water-rights system where allocations are closely tracked and verified, over-allocation is not necessarily a problem. During water shortages, the state would order holders of junior appropriation rights to curtail use. When water is abundant, most water-rights holders should be able to fully exercise their claims.

Inaccurate accounting, however, threatens the security of water rights — particularly when water is scarce. Earlier in this drought year, for example, the water board sought to protect fish in some watersheds by [threatening curtailments of water rights](#) held by *all* users within those drainages. More targeted cutbacks might have been sufficient if the agency had accurate water-use information.



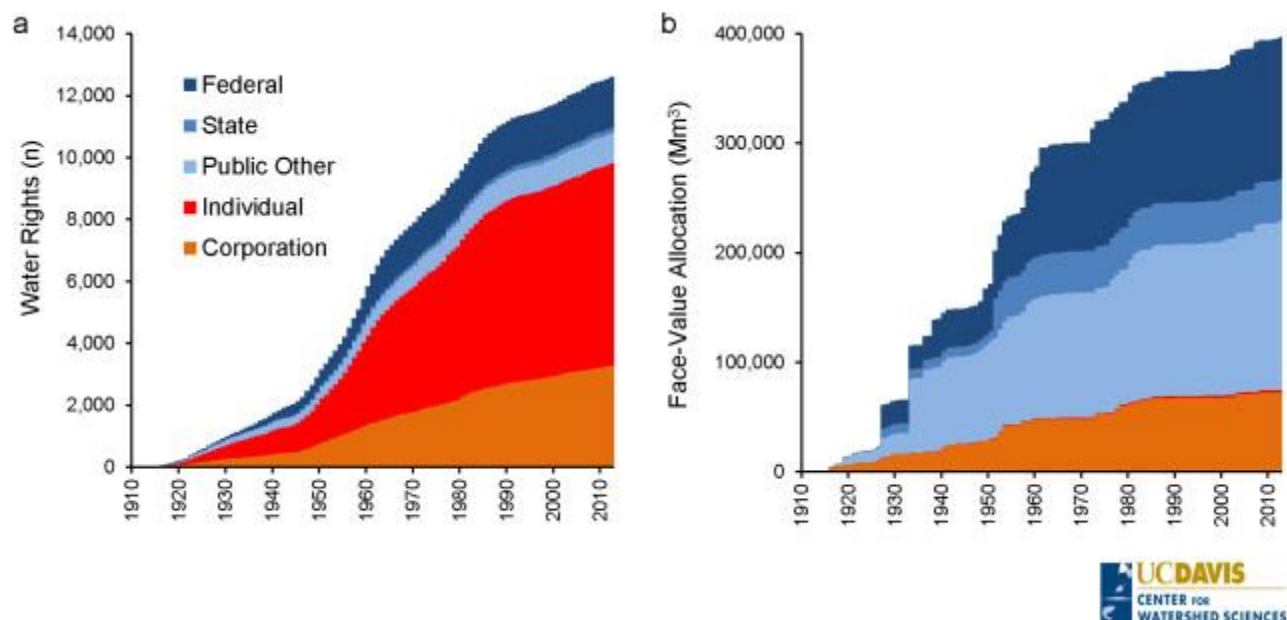
The lax water accounting has intensified conflicts between users during the drought. Operators of the state and federal water projects recently asked the water board to investigate diversion practices by farmers in the Sacramento-San Joaquin Delta. As the Sacramento Bee [recently reported](#), the water agencies suspect farmers are taking water released from upstream dams that is intended for consumers elsewhere. The [California Sportfishing Protection Alliance](#), a group often allied with Delta landowners, has countered with a formal complaint to the board alleging that the agencies are illegally diverting water from rivers that flow into the Delta. ([Weiser 2014](#)).

Innovative approaches to California's water management challenges also are dependent on accurate water-rights accounting ([Hanak et al. 2011](#)). For example, water markets rely on

transparent and accurate quantification of water transfers. Uncertainty in water rights may also discourage conjunctive management of surface and groundwater to improve water supply reliability ([Draper et al. 2003](#)).

In over-prescribed systems, water needed to meet new and evolving demands will likely require curtailment of water rights. This is not as daunting or threatening as it may seem.

Impacts to private water rights will likely be minimal because public agencies control the bulk of the state's water supply. Tightening the water accounting would have a much greater effect on state and federal water project operators, water utilities and irrigation districts that collectively hold rights to 80 percent of the allotted water — compared with less than 1 percent held by individuals.



Major policy changes may not be necessary to improve California's water rights system. California law already allows re-allocation of water rights to address evolving societal needs and changing environmental conditions ([Littleworth and Garner 2007](#)). For example, the public trust doctrine establishes that the government has an ongoing duty to safeguard natural resources (Frank 2012). California's Fish and Game Code 5937 is an expression of that doctrine, requiring dam owners to provide enough flows below impoundments to maintain fish in good condition.

The state water board, however, will need legislative authority and funding to improve the recordkeeping and effectively enforce water rights. According to board staff, the agency does not have the resources to systematically verify water usage or check even the most obvious mistakes in the records. Yet the board still relies on these inaccurate data in deciding how and where to grant water-rights permits ([Dearan and Burke 2014](#)).

Improving the water-rights system, of course, will not alone solve California's myriad water management challenges ([Hanak et al. 2011](#)). But without better quantification and regulation of

water rights, prospects of reconciling competing water demands in a drought-stricken state will remain bleak.

The tools and technology to quantify water supplies and accurately track usage are at our disposal. All that is lacking is political will.

Originally posted at [CA Water Blog](#).

Ted Grantham, a scientist with the U.S. Geological Survey, analyzed the state water-rights database as a postdoctoral researcher at the UC Davis Center for Watershed Sciences. Joshua Viers is director of the Center for Information Technology Research in the Interest of Society (CITRIS) at UC Merced. Their [study](#) of the California water rights system was published Aug. 19, 2014

Published August 13th, 2014

Home Fires Keep Burning

By Nick Marnell



Photos courtesy MOFD

new station would replace closed ConFire station 16, and MOFD station 43 in north Orinda.

"We know there is a need for a better located resource in that area, so we are working as quickly as possible to get the station going," said ConFire chief Jeff Carman. "So while this incident is a good example of the potential in Lafayette and the hills nearby, it hasn't changed how fast we are trying to work on the station." Negotiations between the two districts continue, with a formal proposal for station 46 expected to be presented this fall to both fire district governing boards.

Traci Reilly, co-chair of the Lafayette Emergency Services Task Force, said that the need for station 46 is understood, or it would not even be on the table. "This is exactly what has played out these last few weeks," she said, speaking of the Lamorinda fires. "We anticipated something like this and we are certainly doing everything we can to try to prevent it."



Two early summer structure fires put Lamorinda on high alert as it rolls into the peak of fire season during the driest year in recorded California history. A June fire destroyed a house on Tarry Lane in north Orinda, and in July firefighters put out a three-alarm fire on Monticello Drive in Lafayette. The two fires caused an estimated \$1.5 million in damage.

"The public is concerned with service cutbacks, the heat and the drought," said Lafayette fire commissioner Bill Granados, "as they should be." He cautioned that the resources of the Lamorinda fire agencies will be heavily challenged this season.

Nearly equidistant from both incidents is the site for proposed fire station 46, a joint venture between the Contra Costa County Fire Protection District and the Moraga-Orinda Fire District. The

Patterson Irrigator.com

Thursday, August 14, 2014

Ag-mitigation fees debated

A Planning Commission staff report presented by Community Development Director Joel Andrews, which asked councilmembers to set an in-lieu fee for mitigating the loss of farmland to housing, sparked a very passionate debate that included comments from District 5 Supervisor Jim DeMartini, and Planning Commission Chairperson Ron West, as well as Keystone Corp.'s Keith Schneider, and Building Industry Association (BIA) CEO John Beckman.

The report asked for the council to discuss and adopt an in-lieu fee of \$2,000 per acre, a number supported by members of the BIA.

As the Local Agency Formation Committee (LAFCO) law currently states, new residential development can either provide mitigation for farmland loss by creating a permanent ag-conservation easement protecting farmland at a 1-to-1 ratio, or by paying an in-lieu fee.

"The fee provides certainty for a developer who is trying to move forward," Andrews said while answering questions of the council during Tuesday evening's staff report.

"Why go with a flat fee when there are variances in types of ag-land?" asked Councilwoman Sheree Lustgarten. "We are the breadbasket. We have to protect that," she said.

Other councilors expressed their lack of support for either of the mitigation measures.

"This measure has not been effective in preserving farmland," said councilmember Dominic Farinha. "If we have a little blip of [farmland] outside of a growing community, it seems cumbersome for a city to consider this within a sphere. If it's around a city, it certainly ties our hands."

Councilman Larry Buehner turned to address Farinha at this time saying, "The city gets nothing; it's extortion money that LAFCO came up with."

Councilwoman Lustgarten asked staff if LAFCO was consulted on the matter, of which Deputy City Attorney Doug White said he "does not advise," though Development Director Andrews quickly chimed in that LAFCO had been notified.

District 5 Supervisor Jim DeMartini was in attendance and spoke as a member of LAFCO to the council.

"This item does not even come close to the regulations of LAFCO," said supervisor DeMartini. "I don't know how staff came up with these numbers, because it's not anywhere close with this one."

Supervisor DeMartini corrected many discrepancies within the topic being discussed. "If you pass this tonight, it will never pass LAFCO," said DeMartini.

Keith Schneider, representing Keystone Corporation, was quick to take the dais following DeMartini's words.

"As you are aware, I and the BIA are completely opposed to building fees," said Schneider. "The ag-mitigation policy passed by LAFCO and subsequently adopted by the city of Patterson is an example of government forcing one private sector of the economy, the building industry, to pay for another private sector of the economy, the ag-industry."

Patterson Planning Commission chairperson Ron West followed Schneider by relating the ag-industry to a woman floating in a pool trying to be saved by four life-guards.

"The ag-industry does not need to be saved," said West. "Every year the ag-industry gets stronger and stronger. We have been good stewards of our land. We don't need to apologize to LAFCO."

Supervisor DeMartini's spirited response to the matter raised concerns amongst councilmembers Farinha, and Lustgarten, who began to speak of bringing the matter back at a later date.

Councilmember Buehner, however, motioned to approve the \$2,000 in-lieu fee and Mayor Molina immediately seconded his motion.

"Opportunities may dry up because of an obstacle like this," said Molina.

The motion died 2-3 after not gaining the majority third vote needed to pass the resolution, with councilmembers Novelli, Lustgarten and Farinha dissenting.

"I've been up here four years and I've never seen supervisor DeMartini so passionate," said councilmember Novelli before providing the dissenting swing vote. "We don't have a project before us. I don't see why we can't take more time to look at this."

City staff plans to bring the issue back to the City Council at a future meeting.

Rodeo-Hercules fire board rejects call to rescind assessment

By Tuseda A. Graggs For the Contra Costa Times

Posted: 08/14/2014 03:28:02 PM PDT [0 Comments](#) | Updated: about 24 hours ago

Correspondent

HERCULES -- The Rodeo-Hercules Fire District board resisted a call from one of its members this week to rescind a controversial \$82-a-year benefit assessment on most district properties that is designed to bolster fire protection and emergency medical response.

Board member Bill Prather reiterated his stance that the board's recent approval of the assessment on area properties is wrong and open to a legal challenge. Prather was the lone dissenter when the board approved the assessment in the June vote.

"I think if we continue with this, we're going to get a black eye" because the assessment will likely be challenged in court, Prather said during Wednesday's board meeting. "This director would like to see it rescinded."

The benefit assessment will also help cover costs to reopen the Rodeo station, one of two in the district; the other is in Hercules. The assessment was approved by a weighted majority of property owners who voted via a mail-in election that concluded in May.

Although there was no formal vote, Prather's fellow board members said they are also adamant in their stance.

Fire board member John Mills said he hosted more than 100 people at his home during the recent National Night Out, and attendees were overwhelmingly supportive of the assessment. "I agree (with the decision). This is the path we've taken. It's the right thing to do," he said.

The fire board verbally agreed Wednesday to a board retreat with fire Chief Charles Hanley to discuss the district's past, present and future -- and the assessment.

Taxpayer groups say the board-approved assessment violates the California Constitution because it's being passed off as conferring a special rather than a general benefit.

Alex Aliferis, executive director of the Contra Costa Taxpayers Association, said the discussion Wednesday was good but didn't want to comment on the possibility of a lawsuit.

"I've been receiving correspondence from residents, and they don't want this," he said.

Vince Wells, head of the firefighters union, Local 1230, disagreed. "It would be a slap in the face to the public and to the process" to change now, he said.

The assessment is calculated to raise close to \$1 million a year for the district. Under the assessment, single-family houses would pay \$82 a year; condos and apartments, \$46.93; and stores, \$60.30 per one-fifth acre. Industrial properties would pay varying rates, based on their fire risk and the replacement cost of structures.

The East Contra Costa Fire District's board officially decided earlier this month to pursue a benefit assessment of its own in an attempt to keep its five remaining stations open.

If a majority of property owners approve the proposal in October, the assessment will generate just over \$4 million annually for five years starting in 2015.

During the discussion leading up to the East Contra Costa Fire District's Aug. 4 vote, there was no concern that the assessment might not be legal, said Director Joe Young.

Although critics sometimes argue that benefit assessments can't be used for any fire services, district counsel Shayna van Hoften said that state law and the state constitution allow fire districts that source of revenue as long as the assessments directly benefit property. As such, East Contra Costa Fire may not assess property owners for the cost of providing emergency medical services.

Staff writer Rowena Coetsee contributed to this story.

Contra Costa Times
08/15/14

OAKLEY

City appoints two to seats on fire board

City Council members appointed two Oakley residents this week to the board of the local fire district.

After reviewing the résumés of four applicants, the council unanimously agreed to reappoint Ron Johansen to represent the city as a director of the East Contra Costa Fire District.

Johansen, a firefighter who has sat on the ninemember board for nearly two years, is serving a term set to expire Oct. 31.

Council members also accepted Mayor Randy Pope's offer to fill the second seat on the board, which has been open since former member Kevin Bouillon stepped down Aug. 5 because he is moving out of the area.

Pope, a police sergeant, said Wednesday that he thinks his experience in public safety will come in handy with the fire district.

Noting that Brentwood's council also appointed its mayor to the fire board, Councilman Kevin Romick said having Pope at the meetings would ensure a direct line of communication between the city and fire district.

— *Rowena Coetsee, Staff*

California Drought: Bay Area loses billions of gallons to leaky pipes

By Lisa M. Krieger lkrieger@mercurynews.com

Posted: **08/16/2014** 05:59:43 PM PDT [2 Comments](#) | Updated: about 3 hours ago

As Bay Area residents struggle to save water during a historic drought, the region's water providers have been losing about 23 billion gallons a year, a new analysis of state records reveals.

Aging and broken pipes, usually underground and out of sight, have leaked enough water annually to submerge the whole of Manhattan by 5 feet -- enough to meet the needs of 71,000 families for an entire year.

Bay Area water agencies have lost from 3 to 16 percent of their treated water, according to this newspaper's analysis of the latest reports on water that disappears before the meter. The figures are especially irritating for residents who are being forced to cut up to 20 percent of their water use and contend with the first-ever statewide restrictions on outdoor watering.

"It's just freaking people out that we're so wantonly wasting water here," said Deborah St. Julien, who watched a 2-gallon-a-minute leak bubble up in front of her neighbor's house for a month before the San Jose Water Co. fixed it.

Leaks not only waste one of California's most precious resources but damage property and cost money through lost revenue for utilities and higher rates for water users.

This newspaper's analysis of reports submitted voluntarily to the Department of Water Resources for 2010 -- the latest year statewide records are available -- shows a wide range of estimated losses.

They range from 3.5 percent in Antioch and 5.2 percent in Santa Clara to 13 percent in Los Altos and 15.75 percent in Hayward. Leaks, breaks and overflows cost the East Bay Municipal Utility District 9.2 percent, or 6.028 billion gallons, of its total water production in 2012, the district declared in a more recent report.

But with no mandatory or standard auditing practices for the state's 362 urban water suppliers, it is difficult to calculate precisely how much water the state is losing.

Reporting is now merely recommended, not required. And while some leak reports are accurate, others are just rough estimates.

"If we are to better manage our water resources, we need to know how much water is lost over its distribution system," said state Sen. Lois Wolk, D-Davis, who is seeking tougher requirements to report water losses to the state through legislation, Senate Bill 1420.

"Then we need to take cost-effective steps to reduce these losses," she said.

The catastrophic water-main break last month that deluged the UCLA campus with 20 million gallons of water, destroying 300 cars and creating a 25-by-30-foot oval sinkhole about 7 feet deep, offered a vivid reminder of the fragility of our state's water systems. One of the two pipes was badly corroded; the other had five leaks before the rupture.

Pipes throughout the state are in unknown condition. But the two most common types of pipes in the Bay Area -- cast iron and asbestos cement -- are both nearing the end of their life spans. The Bay Area is filled with special risk: an unstable landscape of landslides and restless fault lines. And many of our towns sit upon clay, which expands and contracts.

"The soil is moving. Sometimes the pipe moves with it, and sometimes it doesn't," said Mike Wallis, director of operations and maintenance for EBMUD. "Joints get pulled apart."

One neighborhood in Kensington is so landslide-prone that 20 permanent "leak loggers" have been installed under streets. In Oakland, when the Hayward Fault shrugged under Highway 24 in February 2013, it broke a 24-inch main that serves more than 10,000 homes in the Oakland hills. It took more than a month to repair.

Unlike damage to roads and bridges, breaks in our vast network of underground water pipes are often hidden from view. Water may seep for days, weeks or even months until noticed.

"Leaks usually start small, but then finally give way," said Mike Simpson of M.E. Simpson Co. of Indiana, a national leader in leak detection services. "It suddenly becomes something you really don't want it to be."

Even in the best situation, some water loss is inevitable, said experts. Water flows at extreme pressure through a network of joints, valves and connections. And some reported losses aren't true leaks -- rather, they are caused by faulty meters, data-handling errors, theft or firefighting efforts.

But water providers like EBMUD are turning to technology to fight back. The agency uses acoustic devices, known as "loggers," to find leaks in water mains before they surface. More than 700 are in place, with another 500 yet to come.

The friction of water escaping a pipe makes a unique sound, detected by \$600 computers the size of a soda can. It's different from the more subdued roar of normal flow.

"Sometimes you hear a loud hissing. Or something deep, the sound of a wind," said Mike Brown of EBMUD, whose vigilant acoustic monitoring makes it one of the state's leaders in leak detection.

His team finds 800 to 1,000 leaks a year in a 4,200-mile-long maze of pipes, some of which were installed in the late 1800s, when cattle were still being herded to Oakland's rail yards and electric streetcars clanked through Berkeley.

The leak detectors are so sensitive they can hear water leaking at just 1 gallon an hour, said detection plumber Tony Lopez. "It will pick up a little spray," he said.

Last week, amid the roar of Interstate 880 traffic, Brown and Lopez gazed at a large and mysterious pool of underground water discovered during the widening of the 23rd Avenue offramp.

"Sometimes you go right to a leak and find it," said Brown. "Sometimes you just have to hunt around and it takes a long time. Sometimes you don't ever find it."

The source of a leak can be miles from where you first see water, he said. It may be far uphill. Or maybe the water is traveling laterally, along an electrical conduit. In some rare instances, the leak may even be downhill from the flow.

With so many water systems showing their age, the American Water Works Association has termed this "the dawn of the replacement era." The group estimates that replacing and expanding water systems will cost at least \$1 trillion over the next 25 years.

In the Bay Area, some communities are replacing miles of pipe for the first time. The San Francisco Public Utilities Commission, for instance, is spending \$4.6 billion to replace leaky pipes carrying Hetch Hetchy water. The new pipes in the project, to be completed in 2016, are designed to withstand a magnitude-7.1 earthquake on the Hayward Fault.

Last week, San Jose Water Co. announced a 15 percent jump in monthly bills, with a further unspecified increase planned for 2015, to cover the replacement costs of the most leaky pipes along its 2,400 miles of pipeline. It will replace 24 miles of pipe every year.

It is a wise long-term investment, said Madelyn Glickfeld, director of UCLA's Water Resource Center.

"In a drought emergency," she said, "we don't have water to waste this way."

Staff writer Andie Waterman contributed to this report. Contact Lisa M. Krieger at 650-492-4098.

HOW DURABLE ARE OUR WATER PIPES?

Much of our drinking water infrastructure is nearing the end of its useful life. The pipe networks were largely built and paid for by earlier generations, and passed down to us as an inheritance. Life spans are influenced by soil conditions.

Cast iron is found in old downtown neighborhoods such as Oakland, Berkeley and Richmond. Ductile iron is more common in San Jose. Asbestos cement is found in communities such as Orinda, Walnut Creek and Lafayette. Steel, which is expensive, is reserved for major distribution pipes. PVC is used in the newest developments.

Cast iron: 1900s-1940s. Life span 75 to 115 years.

Ductile iron: 1960s-2000s: Life span 60 to 110 years.

Asbestos cement: 1950s-1960s. Life span 60 to 100 years.

Steel: 1940s-2000s. Life span 90 to 100 years.

PVC: 1970s-2000s. Life span less than 70 years.

Water losses

Actual or estimated water losses in 2010 as reported to the state by urban water suppliers

System	Percentage lost of water put into distribution system
Alameda County Zone 7	3%
Antioch	3.5
American Canyon	7.7
Benicia	25.7
Cal Water Service	
Livermore	4.4
Los Altos	13
Mid-Peninsula	6.9
Salinas	10.2
South San Francisco	4.5
Coastside (Half Moon Bay)	1.9
Contra Costa Water District	14.7
Daly City	5
Diablo Water District	3.3
Dublin/San Ramon	4.4
East Palo Alto	1.4
EBMUD	9.2
Golden State Water Co. (Bay Point)	12.6
Gilroy	6.5
Hayward	15.8
Hillsborough	3.0
Livermore	14.2
Martinez	9.1
Millbrae	6.0
Milpitas	10.6
Morgan Hill	7.5
Palo Alto	8.4
Pittsburg	12.3
Pleasanton	6.6
Redwood City	7.8
San Bruno	11.2
San Francisco	8.1
San Jose	7.3
San Jose Water Co.	6.8
Santa Clara	5.2
Santa Cruz	8.5
Soquel Creek Water District	.29
Sunnyvale	5.7
Watsonville	6.8

Source: Department of Water Resources BAY AREA NEWS GROUP

State, local officials get behind renewed effort to save Doctors Medical Center

By Robert Rogers
Contra Costa Times

Posted: 08/25/2014 02:49:23 PM PDT Updated: about 13 hours ago

SAN PABLO -- Efforts by city officials in Richmond and San Pablo, as well as the health care district that manages Doctors Medical Center, appear to be coalescing around Assemblywoman Nancy Skinner's proposed bill aimed at saving the beleaguered hospital by increasing federal reimbursement rates.

Skinner introduced a bill last week that would place DMC into the state's public medical system, which would allow it to receive higher reimbursement rates from government-sponsored plans. That could mean \$4 million to \$6 million in additional annual revenue, West Contra Costa Healthcare District Chairman Eric Zell said Monday. The bill also includes an infusion of \$3 million in state funds in the short term to stave off closure of the hospital, which runs an \$18 million annual deficit and could run out of money as soon as October.

"This could be a part of a puzzle of funding that would be needed in the next 30 days to keep us open as a full service facility," Zell said. "We're grateful for the efforts of state legislators."

Zell said the race is on to get the bill through both houses of the Legislature this week before lawmakers begin a September recess.

Skinner said she was prompted to pursue the bill after learning of different reimbursement rates available to public hospitals and that Touro University, which has a campus in Vallejo, may be interested in a partnership with DMC.

"It's worth creating space for this potential lifeline," Skinner said.

Meanwhile, Richmond City Manager Bill Lindsay is expected to send a letter of support for the effort to the state in the next day or two, said Councilman Jael Myrick.

San Pablo City Manager Matt Rodriguez announced Monday that the City Council has called a special meeting Tuesday to express its support for the legislation, called AB 39.

"(AB 39) would place Doctors Medical Center into the public medical system as a 'safety net' hospital, which would provide a special designation for DMC to receive substantial financial benefits from the state of California to keep critical care services for West County residents viable, and to provide additional time to explore other long term operating solutions," Rodriguez wrote in an email.

Passage is not assured. The California Association of Public Hospitals and Health Systems sent a letter to Skinner Aug. 20 opposing the effort to designate DMC a public hospital.

AB 39 would set a "concerning precedent ... without any rationale or analysis regarding how this change will impact the current designated public hospitals in California or improve care for low income residents," wrote CAPH President and CEO Erica Murray.

Earlier this year DMC, which is West Contra Costa's only public hospital and the site of 25 of the 40 emergency room beds in the area, announced a fiscal emergency and moved to cut services. On Aug. 8, it stopped accepting ambulances and reduced the number of inpatient beds to 50. More than 80 workers have resigned, and Zell said 180 more employees have been given notice that they'll be laid off by Sept. 5 without an improvement in the hospital's fiscal crisis.

The main reasons for the hospital's troubles are a payer mix dominated by Medicare, MediCAL and uninsured patients, a problem that has grown worse over the years as more distant hospitals have absorbed more of the patients covered by private insurance.

A 2011 county study concluded that the closure would lead to longer ambulance transport times and longer waits at other hospitals inundated by patients diverted from DMC.

Nurses unions filed a federal lawsuit earlier this month against the county and the health care district to halt the ambulance redirection, arguing that it disproportionately affects seniors, minorities and the poor. The case is set to be heard later this week.

The unions welcomed Skinner's efforts Monday, calling it a "good start."

"Ultimately, the responsibility continues to rest on the Contra Costa County Board of Supervisors, who clearly have the funding that is needed," National Nurses United/California Nurses Association spokesman Charles Idelson wrote in an email.

County officials have been steadfast in their contention that they have no surplus funds to subsidize the hospital.

Zell said other options are still on the table, including saving the hospital in its current form, operating it as a stand-alone emergency room or getting a private partner.

"In a vacuum, the bill could help, but it doesn't solve the problem," Zell said. "We have to continue to look for other sources of funding and partnerships."

Contact Robert Rogers at 510-262-2726. Follow him at [Twitter.com/sfbaynewsrogers](https://twitter.com/sfbaynewsrogers).

Resident files suit over fire district assessment

By Tom Lochner, tlochner@bayareanewsgroup.com
Contra Costa Times, 08/26/2014

HERCULES — In a move that could resonate far beyond the small Rodeo- Hercules Fire Protection District, a resident has sued to overturn an \$82-a-year benefit assessment, arguing it would pay for districtwide general benefits rather than special benefits to property owners. The suit claims the assessment, which is expected to raise about \$1 million a year for fire protection, violates the strict requirements specified by the state constitution because it pays for services the district has provided historically and not special benefits. The suit is being watched closely in other districts, especially ones that have fared badly with recent parcel tax measures, which require a two-thirds majority to pass.

The East Contra Costa fire district board also decided earlier this month to pursue a benefit assessment, two years after a \$197-a-year parcel tax measure went down to defeat.

The Rodeo-Hercules assessment would charge owners of single-family homes \$82 a year, apartments and condos \$46.93 a year, stores \$60.30 per one-fifth acre and industrial properties an amount depending on size and type. Fire Chief Charles Hanley said Monday the district had not yet been served with the suit, filed on behalf of Hercules resident Thomas Bruce Pearson in Contra Costa County Superior Court in Martinez on Aug. 5. “Our legal counsel won’t issue advice going forward until they have had an opportunity to review the documents that were filed and brief the Board of Directors,” Hanley said in an email. District Counsel Richard Pio Roda said Monday the district is analyzing the merits of the petitioner’s argument. In May, Pio Roda said the ballot measure complied with the law.

The assessment was passed through a ballot-by-mail among property owners in May that required a weighted, simple majority of yes votes. The weighted tally, under which the district’s biggest property owner, the Phillips 66 petroleum refinery, would pay about \$45,500 a year for 29 parcels, passed with 57 percent in favor.

The board on June 11 voted 4-1, over the objection of board member Bill Prather, to impose the benefit assessment. On Aug. 13, the board rejected a call by Prather to rescind the assessment.

Contact Tom Lochner at 510-262-2760.

Print this page

Published August 27th, 2014

Two MOFD Seats Uncontested

Three Moraga-Orinda Fire District board seats are up for election this November. The races for two of the seats - Division 3 and Division 4 - are uncontested. Only the Moraga Division 1 race will appear on the November ballot: Nate Bell will challenge incumbent Kathleen Famulener.

Because the two races are uncontested, the Board of Supervisors has the option to appoint qualified candidates Brad Barber to the Orinda Division 4 seat and Steve Anderson to the seat in Division 3, which includes parts of both Moraga and Orinda. The supervisors could require that the uncontested races be placed on the ballot, but according to Contra Costa County elections chief Joe Canciamilla, in the interest of saving money they rarely do.

What if voters wish to challenge the presumed board appointee with a write-in candidate? "They can circulate a petition and request a special election," said Canciamilla. "But it is a very expensive process."

Supervisor Candace Andersen said that the appointments would be announced at one of the regular Board of Supervisors meetings.

N. Marnell

Reach the reporter at: info@lamorindaweekly.com

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Richmond: Group of doctors, nurses, advocates vow to keep fighting to keep Doctors Medical Center open

Bay City News Service

Posted: 08/27/2014 09:07:32 AM PDT Updated: 6 days ago

RICHMOND - A group of doctors, nurses and community activists say they will continue fighting to keep the financially troubled Doctors Medical Center in San Pablo open.

A group that calls itself the DMC Aversion Committee, or DCAC, held a news conference in Richmond today to voice its continued opposition to the downsizing and closure of DMC, the only public hospital in West Contra Costa County.

"Our community -- not only West County but the entire Bay Area community cannot stand by and allow this hospital to close," said Oakland-based attorney Pamela Price, who is representing DCAC.

The gathering came two weeks after DMC stopped accepting emergency ambulance service, cut its number of inpatient beds to 50 and shut down its heart attack intervention program after the hospital shed more than 80 staff members.

Patients in the area who would normally seek care at the hospital are now diverted to the next nearest hospitals, from nearby Kaiser Permanente Richmond Medical Center to as far as Berkeley and Vallejo.

Last Wednesday, Richmond resident Booker Williams died of an apparent heart attack at Alta Bates Summit Medical Center in Berkeley, despite requests from his family that he go to DMC, according to Price.

The attorney said today that Williams' death is a direct result of the diversion of ambulances from DMC to the farther hospital, which was overloaded with emergency patients on the day of his death.

"A man has died, and we know that he will not be the only one if we don't stop this train," Price said.

The Rev. Andre Shumake of Richmond, who also spoke at today's news conference, agreed.

"It has been stated and it was presented earlier that should this hospital close, should there be a diversion of ambulances to other facilities that this would happen," he said. "How many more people have to die?"

DCAC contends that the county should step up to fund the hospital, which has struggled for years to remain afloat and has operated under an annual \$18 million budget deficit due to a mostly uninsured or underinsured patient population. Voters rejected a May parcel tax measure meant to bridge the deficit.

On Aug. 12 Price filed a lawsuit in federal court on behalf of DCAC in an effort to stop the hospital's continued downsizing and potential closure, which hospital officials have said could happen as soon as October.

The suit alleges that scaling back services or closing the hospital constitutes discrimination, since its patients are mostly low-income residents, seniors or people of color, a situation that Shumake today called "medical apartheid."

A U.S. District Court judge in San Francisco earlier this month denied a motion for a temporary restraining order to stop the diversion of emergency ambulances at DMC. A hearing on the case is scheduled in San Francisco on Wednesday.

The complaint names Contra Costa County, each member of the Board of Supervisors, county Health Services director Dr. William Walker, the West Contra Costa County Healthcare District and district board chairman Eric Zell as defendants.

Zell could not be reached for comment.

County Supervisor John Gioia, whose district includes DMC, noted that he has fought for the better part of a decade to keep the hospital open and continues to work to prevent its closure.

"I think it is unfortunate to be critical of those who have been working to save the hospital for seven years and who actually worked to bring the hospital out of bankruptcy in 2008," Gioia said.

The supervisor is among several county officials and representatives from nearby Bay Area hospitals in a recently formed group tasked with devising an alternate model for the hospital that would allow it to keep its doors open and hopefully restore emergency ambulance services.

The focus now, he said, is on a model that would keep the hospital's emergency room open since studies have shown that the loss of the ER would have the greatest adverse impact on residents.

According to Gioia, the county's 10 health care clinics, including two located in West Contra Costa County, see some 80,000 patients annually - about double the amount of patients seen in DMC's ER each year, according to hospital estimates.

Meanwhile, state Assemblywoman Nancy Skinner, D-Berkeley, last week introduced a bill that would integrate DMC into the state's public health care system. If passed, the hospital would be eligible to receive higher reimbursement fees from government sponsored health care plans, which hospital officials have said could mean more than \$4 million in additional annual income.

Skinner's bill, AB39, has until Sunday to pass. In an email statement Monday, Skinner made particular note of DMC's nonemergency facilities. "Doctors Medical Center has, among other things, an outstanding cardio unit and dialysis center," she wrote.

Gioia and West Contra Costa Healthcare District Chairman Eric Zell said the hospital's future rests on dual tracks of action, and whatever is successful will help determine the outcome. Zell said earlier this week that if Skinner's bill became law, the new money it would free up could be a "part of a puzzle of funding" that saves the hospital as a full-service facility, an option largely written off just days before.

An Aug. 21 paper written by Hooper, Lundy & Bookman P.C., a San Francisco law firm that specializes in health care issues, concluded that DMC can be granted license to operate as a satellite emergency department of the county system by a decision from the California Department of Public Health.

"We do not believe that a standby emergency department must be located in a 'hospital building' that provides basic and inpatient services," the report concluded.

DMC and county officials met with state health department representatives in early August to discuss a satellite emergency department, according to the paper, but state officials argued that a satellite emergency department must be within a facility that provides inpatient services as well in order to get the proper licensing.

According to the paper, 89 percent of the 40,000 patients who go to DMC's emergency room annually don't need additional inpatient care, meaning only about 4,000 annually would likely require transport to another facility.

Nurses unions and community advocates have pushed hard against the satellite emergency department idea, arguing that the loss of basic health care and inpatient services at the hospital is unacceptable, particularly in a poor area of the county with a high proportion of elderly residents. About \$9 million in annual parcel taxes voters passed in 2004 and 2011 to fund the hospital would still be collected if DMC is scaled down to a satellite emergency department.

While maintaining a full-service hospital is still an option, Gioia and Zell said, the satellite emergency idea significantly reduces the gaping budget gap and makes it more likely that the county and the other area hospitals could chip in to fill it. The other hospitals are eager to avoid the deluge of hospital visits should DMC close completely. A satellite emergency department could cut the gap from about \$18 million to about \$9 million, Gioia said.

"There could be willingness," Gioia said. "The other hospitals have said in our discussions that they are open to discussing funding of a different model that is sustainable, and the county has never said it is not willing to contribute to DMC; it just doesn't have \$18 million annually."

Contact Robert Rogers at 510-262-2726. Follow him at [Twitter.com/sfbaynewsrogers](https://twitter.com/sfbaynewsrogers).

Options for Doctors Medical Center become clearer, giving renewed hope

By Robert Rogers
Contra Costa Times

Posted: 08/27/2014 02:12:49 PM PDT Updated: 6 days ago

SAN PABLO -- A new legal opinion suggests that Doctors Medical Center could be licensed to become a satellite emergency department under the county's jurisdiction, offering a possible avenue to preserve services at the foundering hospital that is at risk of closure.

The legal position paper recently received by county officials argues that the state's Department of Public Health has the authority to approve the conversion of the hospital to a satellite emergency department of the county, an option that could also increase reimbursement rates and free up county dollars to help close the hospital's budget gap.

The legal opinion, along with a bill introduced last week by Assemblywoman Nancy Skinner, D-Berkeley, that would designate DMC as a public hospital so that it could collect higher reimbursement rates, provides fresh hope that a plan can be crafted to avoid total closure of the hospital, which is drowning in red ink.

"Having a state bill which identifies some additional funding is helpful but not a full solution, and a legal opinion isn't actual state approval, so it's best to say there is continued hard work to be done," said Contra Costa County Supervisor John Gioia, of Richmond.

If the emergency department is absorbed as a satellite facility in the county system, patients would still have to be taken to other hospitals in the area if they need specialized care, as in the case of trauma and heart attacks. But a satellite emergency department has advantages over a freestanding unit because it could include better reimbursement rates under the county license and county subsidies. A satellite facility could also benefit from better integration with the resources of the county medical system.

"A satellite and a freestanding (emergency department) are pretty similar in some ways operationally," said Dr. Joseph Barger, director of Contra Costa Emergency Medical Services. "While there could be an advantage of having an associated medical staff of another entity, there would still be the challenge of making sure that patients who need additional care can be promptly and efficiently transported elsewhere."

DMC runs an \$18 million annual deficit, driven mostly by a payer mix that is about 80 percent Medicare and Medi-Cal patients, and only 11 percent privately insured, according to 2013 statistics. DMC is managed and funded by the West Contra Costa Healthcare District, which comprises about 250,000 West County residents but does not get subsidies from the county government.

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Martinez: Mayor calls out building owners in wake of Napa quake

[By Elisabeth Nardi](#)

[Contra Costa Times](#)

Posted: 08/27/2014 09:41:52 PM PDT

MARTINEZ -- In the wake of Sunday morning's earthquake and the damage it did in downtown Napa, the Martinez mayor is calling on owners of unreinforced masonry buildings in his city to make their properties earthquake-safe, or to at least get their plans to City Hall -- immediately.

After Sunday's magnitude-6.0 earthquake centered near Napa, Martinez Mayor Rob Schroder said Wednesday the city sent registered letters to commercial building owners who are out of compliance with the city's earthquake standards for unreinforced masonry buildings. These include structures made of brick, stone, concrete block, adobe and clay; most are in the downtown.

Martinez officials identified 60 commercial buildings that need earthquake retrofitting, and their owners had until Aug. 15 to submit plans to the city for making their masonry earthquake safe, Schroder said. There are nine property owners who have ignored the city's directive to get their buildings retrofitted as required by law, he said.

"Our downtown buildings are quaint, but they are also old, and we need to make certain that a significant earthquake won't injure employees and residents in the downtown," said Schroder. "People's lives are at stake, and these building owners need to step up and do the work necessary to prepare for the next big earthquake."

The city passed an ordinance in 2009 requiring buildings be brought up to earthquake safety standards.

Schroder said 37 of those 60 commercial buildings have had retrofitting completed. One other is close to completion, five buildings have been issued permits to start work, plans have been submitted for two, and owners of six more have engaged engineers, with plans being developed but not yet submitted.

All identified buildings must have the work done by Aug. 15, 2015. If property owners don't comply by next year, the city's last recourse is to force tenants out of a building, board it up, red-tag it and eventually give owners the choice of retrofitting or demolishing the building, said Martinez Public Works Director Dave Scola.

"There are some people who have totally not gotten on board or given us any indication that they are planning to or are working on this -- some are causing concern," he said.

Patty Telfer-Hector, who manages business properties for McMahon-Telfer Properties, which has one of the listed noncompliant buildings, said her firm has hired a structural engineer, and the city should get its plans by the end of the month. It has taken a while, she said, and it is expensive, but they plan to meet the deadline.

The city has tried to work with property owners, giving them a break on the building permit fee and trying to connect them with banks for loans. At one point, the city considered a nonprofit economic development corporation to use public and private money for loans, but that fell through; instead, the city created an economic development staff position, Schroder said.

One out-of-compliance building is at 822 Escobar St., owned by Larry Lippow of Lippow Development Co. The building is empty and will not be rented until earthquake retrofit work is done, Lippow said. And while he understands the city's position, retrofitting a building is expensive.

"It's very challenging to incur the cost of retrofitting buildings and get a reasonable return on investment considering the depressed rental market in Martinez," he said. "From a property owner's perspective, it needs to make economic sense."

Schroder said he understands the economics but also that it's a safety issue, and the Napa quake was a stark reminder.

"We have a real responsibility here," he said. "The most important thing, in my mind, for local government is to provide safety and security to residents."

Contact Elisabeth Nardi at 925-952-2617.

out of compliance

The following buildings and their owners were cited in a letter this week from the city and told to move quickly with retrofit work:

- 530 Main St. (Owned by Jila Afjei)
- 618-620 Main St. (Nader Heydayian)
- 701 Main St. (R.J. Johnson)
- 714-718 Main St. (Robert & Charleen Kassels)
- 720 Main St. (Charlene Marchi Trust)
- 727 Main St. (Jeffrey Cardoff)
- 700-724 Marina Vista (Lacey Lane Deal)
- 822 Escobar St. (Lippow Development Co.)
- 600 Ferry St. (McMahon-Telfer Properties)

Source: City of Martinez

Published August 27th, 2014

MOFD Increases Fire Season Staffing

By Nick Marnell

The fire season is off to an ominous start and the Moraga-Orinda Fire District has bulked up to confront it. The board of directors unanimously approved fire chief Stephen Healy's recent request for an increase in minimum daily staffing from 17 to 19 firefighters through the end of November, which will allow the station 45 ambulance to be fully staffed during the wildfire season.

"This gives us increased operational capacity," said Healy. Since Medic 45 will be staffed full time, the crew at station 44 will no longer be primarily used on ambulance calls. As a result, the station 44 engine will be available 99 percent of the time during the fire season.

Already this summer two fires damaged homes in Lamorinda, and in July the district suppressed four vegetation fires. "Everything is under stress from three years of drought," said Healy, who noted that Northern California has experienced 11 significant fires this season as opposed to three in Southern California. The chief added that historically, the worst fires occur in October and November.

The district estimates that the extra fire season staffing will cost \$250,000. But thanks to increased property tax revenue and savings realized from the new labor contract, the district projected a general fund surplus of more than \$400,000 before the additional personnel expense.

The firefighters union supported the action, but it admonished the district to take the time to evaluate its financial situation before making any long term decisions on staffing numbers, including the hiring of single-role paramedics instead of firefighters. "Before permanently restoring staffing back to 19 we feel it is equally important to look at restoring salary and benefits to our employees," said MOFD union representative Mark DeWeese.

Reach the reporter at: info@lamorindaweekly.com

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Judge denies request to reinstate services at West Contra Costa hospital in tentative ruling

By Jennifer Baires Contra Costa Times

Posted: 08/28/2014 09:26:11 AM PDT Updated: 5 days ago

Related Stories

- Aug 27:
- [Options for Doctors Medical Center become clearer, giving renewed hope](#)
- [Richmond: Group of doctors, nurses, advocates vow to keep fighting to keep Doctors Medical Center open](#)

SAN FRANCISCO -- In a courtroom packed with doctors, nurses and patients from Doctors Medical Center, a U.S. District Court judge tentatively denied requests for an injunction Wednesday to keep the beleaguered San Pablo hospital open and restore its staffing and services to levels that existed before the emergency room was closed to ambulance traffic earlier this month.

District Judge William H. Orrick did not make a final ruling Wednesday, saying that he would need some time to carefully reconsider the plaintiffs' argument that he should intervene because the hospital's diminished services mean that Contra Costa County is no longer meeting state and federal standards.

"Everybody here acknowledges the impact of DMC's closure," said Orrick, before adding that his two concerns were whether there was a legal argument he could "hang his hat on" to take the "quite extraordinary" step of a mandatory injunction, and whether doing so would benefit anyone.

Nurses, doctors, patients and community members filed the suit earlier this month seeking to stop the possible closure or downsizing of West Contra Costa's only public hospital, which is deep in the red and losing staff as uncertainty about its future continues.

"The remedy that you're asking for I don't think does good for the people you want to help," Orrick said. "They're going to be closing very soon, and if I ordered them to spend more money, they'd close sooner."

Amid mounting staff departures, DMC stopped accepting emergency ambulance traffic Aug. 8, diverting patients to hospitals farther away, and as of Tuesday night, closed one of its medical and surgical units.

A spokesman for the hospital said the unit consolidation was initially scheduled for Sept. 5 but was done Tuesday night after administrators determined there weren't enough patients to justify continuing to operate two units.

"It is part of the ongoing consolidation to extend the ability of the hospital to keep its doors open," said spokesman Chuck Finnie.

Sherry Ray, a nurse who works in the department and attended Wednesday's hearing, said the closure came as a surprise during her shift.

"They sent us home and said our next shifts were canceled," Ray said.

Plaintiffs' attorney Pamela Price mentioned the closure of the unit during her appeal to Orrick as another example of the hospital's "death by dismemberment."

Attorneys for Contra Costa County and the West Contra Costa Healthcare District, which runs the hospital, said they agreed with Orrick's tentative ruling that there is no legal basis for an injunction.

Both attorneys also added that their clients have done much to keep the hospital open, that they are continuing to work behind the scenes for a solution, and that they were upset by charges by the plaintiffs of discrimination.

"They think nothing of accusing my clients of discriminating without any factual evidence," Douglas Straus, an attorney representing the health care district, said of the accusation that the district was discriminating against African-Americans by reducing services at the hospital.

Orrick is expected to rule on the matter within the next few days.

Contra Costa Times editorial: State should clear the way for saving Doctors Medical Center emergency department.

Contra Costa Times editorial © 2014 Bay Area News Group

Posted: 08/28/2014 11:16:34 AM PDT Updated: 5 days ago

The biggest thing standing in the way of saving West Contra Costa's busiest emergency department is politics. State health Secretary Diana Dooley must push past that and clear the way for transitioning the financially failing Doctors Medical Center into a satellite emergency facility.

Nurses and physicians, more concerned with protecting unsustainable jobs than ensuring adequate emergency service, continue demanding that Doctors remain a full-service hospital.

Unfortunately, that's not realistic. The district lacks the revenues. Civil rights attorney Pamela Price's misguided attempt to use the courts to block service reductions won't produce more income, as the judge in the case understands.

Assemblywoman Nancy Skinner's pending legislation seeking higher federal reimbursement rates is a long shot that, even if it succeeds, won't close the funding gap. With or without that additional money, the numbers don't work.

We saw that as the district borrowed to keep Doctors running the past few years. All that has done is bury West County taxpayers deeper in debt that will take decades to pay off.

We see that again in a new financial analysis prepared for an advisory group trying to find a solution. A streamlined full-service hospital would lose \$18 million to \$22 million a year.

Nurses and physicians keep calling for a county bailout. Their protests and marches grab media attention, but ignore reality. The county, reeling from budget cutbacks and huge pension and retiree health costs, struggles to adequately fund its existing programs, including health services and understaffed sheriff and district attorney offices.

It's time to get real. Neighboring hospitals have agreed to consider financial assistance, but only for a sustainable model. The only scenario that comes close is a freestanding emergency department operating under the license of the county's Martinez hospital.

That would still lose about \$9 million annually, but the other hospitals have incentive to help close that gap to avoid patient diversions that overburden their emergency rooms.

Of course, doctors and nurses have been working in Sacramento to block this option. They argue that anything less than a full-service hospital would be unsafe for patients. That's untrue. Hundreds of satellite ERs operate in other states.

There's an open legal question whether California law allows the state Department of Public Health to license a satellite emergency department. Attempts to change the law would likely fail because of the California Nurses Association's tight grip on the Legislature.

But local leaders have made a strong legal argument that the state could issue the license under current law. We hope Dooley moves quickly so that a smooth transition can begin before the hospital runs out of cash.

San Pablo: Judge affirms ruling allowing service cuts at Doctors Medical Center

[By Matthew Artz Oakland Tribune](#)

Posted: 08/29/2014 10:36:44 PM PDT Updated: 3 days ago

A federal judge issued a final ruling Friday allowing cash-strapped Doctors Medical Center in San Pablo to proceed with sharp cutbacks in emergency care, hospital representatives said.

And in more bad news for the beleaguered hospital, the state Senate failed to act on legislation that would have added the medical center to the state's public medical system. Such a designation would have netted as much as \$4 million to \$6 million more in reimbursements from government-sponsored plans.

Affirming a tentative ruling he made Wednesday, U.S. District Judge William H. Orrick denied an injunction to restore staffing levels and services at West Contra Costa's only public hospital.

Hospital staff and community members had filed the lawsuit earlier this month to stop the possible closure or downsizing of DMC. Amid mounting staff departures, the hospital stopped accepting emergency ambulance traffic earlier this month and this week closed one of its medical and surgical units.

After Orrick's ruling, Eric Zell, the hospital board's chairman, said in a prepared statement that work continued to keep the hospital open as long as possible and provide needed care.

"At the same time," he said, "we have a responsibility to our patients to deal with the reality of operating a hospital on a day-to-day basis with depleted financial resources and both voluntary and necessary reductions in personnel."

Contra Costa County Supervisor John Gioia said in the wake of Friday's news that efforts should be concentrated on turning Doctors' emergency room into a satellite emergency department.

"I believe that the effect of these two actions essentially eliminates any hope that DMC can survive as a full service hospital," Gioia said in an email. "As a community, we need to unite behind one strategy that preserves most emergency services for West County under a model that has a chance of being financially sustainable."

Odds grow longer for effort to preserve services at Doctors Medical Center

By Jennifer Baires Contra Costa Times

Posted: 09/02/2014 05:24:43 PM PDT Updated: about 16 hours ago

SAN PABLO -- Physicians, nurses and community members fighting to keep Doctors Medical Center open as a full-service hospital said Tuesday they weren't giving up despite a double dose of bad news last week.

The odds are growing longer, however, after a judge denied their injunction request to reinstate services that have recently been reduced and a bill that would have designated DMC a public hospital, allowing it to collect higher reimbursement rates, failed to make it out of the state Legislature.

"Certainly, I'm very disappointed," said Dr. Ellen Morrissey, a kidney specialist at DMC and plaintiff in the injunction suit. "I think that the community deserves better."

Morrissey said she believes the plaintiffs will appeal U.S. District Judge William H. Orrick's decision. She added that many of her patients at DMC require frequent treatment and are frightened by the possibility of DMC closing. "One patient told me he might move away from the area so he could have certain care nearby," she said.

Before cutbacks this summer brought on by an \$18 million yearly deficit, DMC handled nearly 60 percent of West Contra Costa's emergency ambulance traffic and represented about 80 percent of the region's inpatient capacity, according to a 2011 report commissioned by Contra Costa Health Services. The hospital closed to emergency ambulance traffic on Aug. 7.

Advocates for DMC have continued pushing to keep the hospital fully operational, even while its directors close units and look for alternatives to a full-service hospital.

"We're beyond that now," said Dr. William Walker, director of Contra Costa Health Services, of hopes to maintain a full hospital. "As much as we'd like to fantasize about keeping the hospital open as a full-service facility -- it's not going to happen."

Walker said the county, along with the West Contra Costa Healthcare District, which runs DMC, is instead studying the feasibility of implementing a satellite emergency department, a model he said would be a first for California.

"There are a number of these departments across the country in suburban areas," Walker said. "In a number of those situations, it's the same, where a hospital has closed and left behind an emergency department."

The idea of a satellite department, or decreases to services at DMC, is unpopular with many who work at the hospital.

Dr. Richard Stern, a 33-year veteran of the hospital and its chief of staff, said he was opposed to any reduction in service and believes that a satellite emergency room is a more dangerous option than just closing the hospital.

"An emergency department with a downsized hospital makes no sense," Stern said. "What happens if somebody who is sick, who needs emergency care -- whether it's a heart attack or acute respiratory failure -- can't be treated by emergency department care alone? If they go to a free-standing department, their care is delayed."

Instead, supporters of keeping DMC full service are looking to the county for salvation. Representatives from the California Nurses Association and National Nurses United plan to hold a rally Wednesday morning in front of the office of Contra Costa County Board of Supervisors Chairwoman Karen Mitchoff, asking her to hold a vote to integrate DMC as a full-service hospital run by Contra Costa Health Services.

Mitchoff said that while she's happy to sit down with union representatives, she and the other supervisors agree that it's not possible for the county to take over DMC because the money isn't there.

An interim report by the Hospital Council of Northern and Central California on the best options for DMC is expected in the next week or two. In the meantime, a bill on Gov. Jerry Brown's desk, if signed, would give DMC \$3 million -- enough to stay open a few weeks longer while officials determine exactly what its next iteration will be.

Contact Jennifer Baires at 925-943-8378. Follow her at [Twitter.com/jenniferbaires](https://twitter.com/jenniferbaires).

East Contra Costa fire district to reprint ballots for assessment mail-in vote after error found

By Roni Gehlke For the Contra Costa Times

Posted: 09/02/2014 10:55:32 PM PDT Updated: 14 min. ago

[Click photo to enlarge](#)



Engineer Greg Baitx of East Contra Costa Fire Protection District station #94 backs up the fire...

OAKLEY -- The East Contra Costa Fire Protection District board voted Tuesday to reissue mail-in ballots to approximately 44,000 property owners after discovering a mistake in data the district received from outside agencies.

The mistake was found after one of the district's board members noticed that the assessment amount listed on his ballot was not what he had thought it would be. After district staff investigated further it was determined that the data the district had received from outside agencies was not up to date.

"It is important that all property owners be assessed the correct amount, so we will be taking a close look at all of the data to ensure complete accuracy," Chief Hugh Henderson said.

The district found that about 10,000 property owners were sent a lower assessment amount on their ballots than what they would actually have to pay. The majority of those parcels are in southwest Brentwood, but other areas were also affected.

After the assessments for those 10,000 properties are changed to the correct amounts, the fire district's other approximately 34,000 property owners should see a reduction in their assessments because the amounts are calculated based on the total assessment, which would generate about \$4 million annually.

Consultants previously determined that 96 percent of the parcels that have single-family homes on them will be assessed at less than \$113 annually. Most of the remaining parcels with improvements on them will have assessments under \$250.

Very large properties and those with gas stations on them where the volume of flammable liquids poses a particular fire hazard would pay more than \$250.

The data that needs to be updated includes fire hydrant locations in newly developed areas.

"I don't know what we could have done differently," said board President Joel Bryant, who expressed his anger and embarrassment over the situation. "We can only control what we have direct control of."

In a two-part vote the board decided to suspend the first assessment vote and then directed staff to retrieve the updated data to send out new ballots. The district hopes the new ballots can be mailed in six to eight weeks.

Henderson said that if the benefit assessment is approved by a majority of property owners, it would fund the cost of keeping five stations open for five years, as well as hiring and training of additional personnel. It would also allow Station 54 in Brentwood to reopen, reducing fire emergency response time for most residents and businesses in East County.