

Napa County LAFCO pondering its role in shaping county's future

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The Local Agency Formation Commission of Napa County wants to go from being the agency many people have never heard of to a proactive player helping to shape the county's future.

Perhaps LAFCO will take a comprehensive look at how to balance housing needs in coming decades with agricultural preservation. That could include signaling where growth makes the most sense for cities such as Napa, which will soon update its general plan.

The commission could lead a discussion on local cities and the county sharing services to save money, be it police or financial services or corporation yards. It could leave the bureaucratic shadows and enter the public policy fray, at the very least as a hot-topic conversation catalyst.

“Big-picture thinking” is how Commissioner and county Supervisor Diane Dillon put it at Monday's LAFCO workshop.

All 58 California counties have LAFCOs under state law passed in 1963. The state-imposed responsibilities range from protecting agriculture to limiting sprawl to ensuring orderly growth of public services.

Commission powers include approving annexations by cities, the creation of new cities and service boundary extensions by sewer districts and other special districts.

That said, individual LAFCOs have elasticity. Some might press forward aggressively doing such things as annexing "island" pockets of unincorporated land to cities and others might simply approve requested annexations from cities and rarely meet.

“What's right for the Alameda LAFCO might not be right for Napa LAFCO,” said consultant William Chiat, who led Monday's workshop.

The workshop amounted to the Napa LAFCO searching for an expanded identity. Local commissioners are elected officials from Napa County and its cities and public representatives.

Commissioner and county Supervisor Ryan Gregory said LAFCO could set certain expectations on what cities must do before it will expand their growth boundaries, such as having higher densities or building taller housing projects.

“To help us explain, for example, why we need density on Old Sonoma Road,” Gregory said.

Napa County wants to redevelop its 8.6-acre, former Health and Human Services Agency site on Old Sonoma Road with housing. It plans to seek approval from the city of Napa so a developer can build apartments and townhouses there, given the property is within city boundaries.

But Napa City Councilwoman Juliana Inman had a reply for Gregory.

“LAFCO shouldn’t determine that the city of Napa should be having high rises on Old Sonoma Road,” Inman said. “LAFCO doesn’t go there.”

Chiat said that LAFCO can’t regulate land use, though its decisions affect how land is used.

Inman noted the city of Napa will soon be updating its general plan. That raises questions of when in coming decades the city will need to expand its boundaries to accommodate housing growth and how to balance growth with agricultural protection.

Most of the Stanly Ranch area annexed by the city of Napa decades ago in the Carneros area will never be urban, Inman said. She suggested that LAFCO could someday return it to the county for agricultural preservation and let the city annex land more suitable for development.

Chiat said LAFCO has this power. It could condition a future annexation on detaching land at another location from the city for agriculture.

The city of Napa has approved the VieVage hotel and resort for 93 acres of the 700-acre Stanly Ranch. The rest of the land is to be vineyards and wineries.

Resident John Stewart suggested LAFCO explore having a municipal utility district serving the Napa Valley. He mentioned water and wastewater as possible utilities.

A well-known, regional municipal utility district is East Bay Municipal Utility District, which provides water to 1.4 million people in Contra Costa and Alameda counties. The alternative is for each city to provide the service.

Napa LAFCO has only one full-time employee – Executive Officer Brendon Freeman – and a half-time secretary. It has an annual budget of about \$500,000 that could also be used to hire a staff analyst or consultants.

At a future meeting, LAFCO commissioners will take another look at their dreams for the agency and decide which can be realized, given the limited resources.

East Bay Times

Danville: New developer hoping to revive Magee Ranch housing project



Doug Duran/Staff

Bicyclists travel on Diablo Road between Mt. Diablo Scenic Boulevard and Green Valley Road in Danville, Calif., near the proposed Magee Ranch housing development, in 2015. The housing project has a new developer, Davidon Homes.

By [Sam Richards](#) | srichards@bayareanewsgroup.com |

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DANVILLE — The saga of the proposed 69-home Magee Ranch housing development continues, with a developer stepping in the approval process largely starting anew.

Meanwhile, the open space preservation group that has fought the project since 2013, when it sued the Danville Town Council over environmental concerns, is looking for essentially the same concessions it has sought all along — a smaller project, and protecting bicyclists who use nearby Diablo Road on their way to and from Mount Diablo State Park.

Walnut Creek-based Davidon Homes became the developer, and applicant, for the project in February. San Ramon-based SummerHill Homes, Magee Ranch's lead developer since its inception in 2010, walked away soon after Contra Costa County Superior Court Judge Barry Goode ruled in March 2016 that the project's environmental impact report must be redone to address bicycle safety.

The bicycle safety issue, the judge said, is affected by the design of the housing project itself, including the entryways from the new houses onto Diablo Road; simply adding more thorough bicycling information to the old data, Goode said, wasn't enough.

After SummerHill's, the Magee family became the de-facto developers. The project was essentially in limbo until Davidon stepped in.

David Crompton, Danville's senior planner, said the environmental impact report work should begin soon.

“The town has to go back and do additional work to address bicycle safety” along Diablo Road, Crompton said Thursday. The town will commission the new EIR work, Crompton said, and Davidon will pay for it.

Steve Abbs, Davidon’s vice president of land acquisition and development, didn’t return calls for comment.

In 2013, the group SOS-Danville filed a lawsuit that attracted the attention not only of locals concerned about developing agricultural space, but also of bicycling enthusiasts from throughout the region who pay attention to safety along Diablo Road — a popular route.

The winding, narrow Diablo Road already is dangerous for bicyclists even without the new traffic Magee Ranch homes would generate, said SOS-Danville member Maryann Cella.

“Our group is prepared to continue our opposition to what we consider to be an appalling project” proposed on historic ranch land, Cella said. An acceptable compromise, she said, could be fewer homes and a full bike lane on the south side of Diablo Road. A separate 8-foot-wide bike lane built into the hillside south of Diablo Road, she said, is not a workable option.



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ConFire Station 16: Process defeating progress

By Nick Marnell

The Lafayette Design Review Commission approved plans for Contra Costa County Fire Protection District Fire Station 16 in February, and the project next proceeds to the Lafayette Planning and Building department for issuance of a building permit.



"Station 16 is about half the size of a normal fire station for us," Deputy Chief Lewis Broschard told the commission. The rebuilt station will include 2,713 square feet of living quarters for three firefighters plus a 1,100-square-foot apparatus bay.

"The station will look like a ranch-style home, and will look better than what has resided on that spot for the past 20 years," Broschard said, referring to the mobile structure that sat on the site since 1995.

Proposed Station 16 in Lafayette. Photo courtesy ConFire

Broschard explained that because of the small space, the Station 16 apparatus bay can only allow the engines to

back in to the garage, though ConFire prefers a drive-in facility. He said that the apparatus bay is more than just a garage but also serves as a storage area for personal protective gear and decontamination equipment.

The district has scheduled meetings with an energy consultant, as the building has to adhere to the Contra Costa County sustainable energy requirements. The fire station must also receive a Leadership in Energy and Environmental Design rating indicating that the station is green-certified.

The ConFire project manager, Kitchell Northern California, has begun the prequalification of building contractors. In the meantime, the district is drafting its construction and design plans to submit to the city building department. Broschard said that since a fire station is an essential services facility, it must not only be strong enough to respond to community needs but also become the focal point for relief efforts in a major disaster, and so the construction and design requirements are far more rigid than for a single-family home.

Lafayette resident Erling Horn, a member of the ConFire advisory fire commission, implored officials to move quickly on the project. "I urge approval posthaste before the county decides to spend its money someplace else," he said.

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MOFD unrestricted general fund deficit soars to \$60 million

By Nick Marnell

The Moraga-Orinda Fire District board unanimously approved revised financial reports from 2105 and 2016 at its March 15 district meeting, the MOFD financial reporting ad hoc committee having recommended a write off of \$23 million for an incorrectly recorded prepaid item on the district balance sheet. But one director was furious that the committee failed to provide its information to the rest of the board members prior to the district meeting.

The district purchased a \$28 million pension obligation bond in 2005 to pay down its unfunded pension liability, and recorded the amount as a prepaid item on its balance sheet. Accounting rules changed in 2015 and no longer should the district have recorded that figure as a prepaid item. After research and evidence collected by the ad hoc committee, comprising directors John Jex and Craig Jorgens, and a conference call that included a senior staff member of the Governmental Standards Accounting Board, the district staff revised the financial reports, writing off the \$23 million balance of the bond and increasing the district's unrestricted general fund deficit to more than \$60 million.

Jex, a retired Deloitte audit partner, later put into perspective the complexity of the accounting involved. "I cannot remember, in my 35 years as an auditor, ever going to the Financial Accounting Standards Board with a question," he said.

Though he did not disagree with its findings, Director Steve Anderson chastised the committee for not including other board members in the loop prior to the district meeting. "The ad hoc committee does not serve the ad hoc committee. The ad hoc committee serves the whole board," he said. Anderson demanded that if another director requests information of an ad hoc committee, it should supply the information, regardless of the inconvenience it might cause.

Anderson was not finished. "I was extremely perturbed when I discovered that a member of my division called me and told me all of the information," he said.

Jorgens did not consider that communication to be seditious. "It's not a Brown Act violation to communicate to an outsider as long as that person is not acting as an agent of a board member," he said, referring to legislation that regulates how public meetings are conducted.

MOFD outside counsel John Bakker said that ad hoc committee meetings may be held privately but a third director cannot be present unless the meeting is posted and noticed to the public. The ad hoc committee may provide a purely informational, one-way transmission of its findings to the board without posting a public meeting.

The district voted to terminate its financial reporting ad hoc committee, and created one to search for a new district auditor.

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East Bay Times

Fire district directors support Brentwood fire station proposal



A sign notifies people that the East Contra Costa Fire Station 54 has been closed for service in Brentwood on Sept. 28, 2015. (Jose Carlos Fajardo/Bay Area News Group)

By [Aaron Davis](#) | aarondavis@bayareanewsgroup.com |

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BRENTWOOD — The East Contra Costa Fire Protection District’s board has voted to go forward with negotiating funding for a fourth fire station to be located in Brentwood.

This decision comes on the heels of the Brentwood [city council’s decision on March 28](#) to either pay for the fourth fire station in Knightsen with help from Oakley and Contra Costa County, or to fund a fourth fire station in Brentwood.

Brentwood city councilmembers and the council’s Fire and Medical Ad Hoc Committee argued that the need for action was imminent, since the fourth fire station in Knightsen would need to begin winding down operations in mid- to late-April before its closure in June.

In response, the fire district directors voted 7 to 2 to negotiate a partnership with Brentwood and to let the fire station in Knightsen close. Director Doug Hardcastle of Oakley and director Robert Kenny from the county were both in the dissent.

While the station will be located in Downtown Brentwood, it will service the entire district. Brentwood will be responsible for \$3 million of the costs, which would come from unallocated community facility district funds. The remaining \$4.2 million would be funded by the district.

Joe Young, Brentwood's appointed member on the fire district board, said that the board saw a lack of support from Contra Costa County supervisor Diane Burgis and Oakley City Councilmember Kevin Romick.

"The board is concerned that we are already losing firefighters that are going to other jobs. It costs \$20,000 to train one of these guys," Young said. "This is a time driver and the board felt we should try to put something in place in the city of Brentwood as quickly as possible to keep those firefighters from leaving and to allow us to have a fourth fire station."

Doug Hardcastle, Oakley city councilmember and the city's representation on the fire district board, voted against the decision to go with Brentwood alone.

Hardcastle said that the Oakley City Council was never informed of the urgency of this vote by its representatives to Brentwood's ad hoc committee.

"We are elected for the safety of the people who put us on the city council, whether it's fire or police services," Hardcastle said. "We didn't do that. The ball was dropped."

Oakley Councilmember Kevin Romick represented the city during meetings with Brentwood's Fire and Medical Ad Hoc committee. He argued that Brentwood surprised the city of Oakley with the decision to fund the fire station alone.

In Oakley's March 28 city council meeting, Romick reported to the city council that Brentwood was potentially pursuing funding the fourth station alone. "Knock yourselves out, guys. If you want to fund the fourth fire station with your (facilities) money and with the fire district money, I'm all for it. Keep it going."

Brentwood's city manager, Gus Vina, said that neither Oakley nor the county could say they didn't have enough time.

"To say that people didn't know or didn't have enough time to decide is not appropriate," Vina said. "We very directly asked them in February if they wanted to participate in the current (funding extension). That's not new. We were very candid that the results would go to the city council on March 28."

The Brentwood City Council is expected to approve the partnership in a vote on April 11. The next step would be to bring the agreement and the authorization of funds back to the Brentwood City Council meeting on April 25. The fire district board of directors would then cast a final vote on the agreement during their meeting on May 1.

Brentwood currently has a closed fire station at 739 First St. that would be the only fire station in the city that could accommodate firefighters by June 1.

East Bay Times

East Contra Costa County: Bill would take money from parks for fire safety

By [Denis Cuff](#) | dcuff@bayareanewsgroup.com |

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A state lawmaker on Wednesday proposed a novel idea to solve a local fire district's budget woes: Take \$10.5 million from the regional park district.



Jim Frazier

Assemblyman Jim Frazier, D-Oakley, introduced a bill to reopen three shuttered fire stations in far eastern Contra Costa County by using property tax funds from the East Bay Regional Park system.

The park district took no time to label the proposal a thinly veiled money grab that would strip the district of about 8 percent of its operating budget, triggering park closures or reduced operating hours and the postponement of opening a long-awaited new regional park at the old Concord Naval Weapons Station.

“This is robbing money from Concord, Oakland, Fremont and other East Bay communities and giving to an area where we don’t even get property taxes,” said Bob Doyle, general manager of the regional park district covering Contra Costa and Alameda counties.

Frazier said the money redistribution is necessary to protect lives and property in the East Contra Costa Fire Protection District, where local voters rejected have three different tax or fee measures.

“The park district has done some great things, but it comes down to whether you want to spend the money on parks or to save lives,” Frazier said of his Assembly Bill 898. “How do you put out a fire when you cannot respond in a timely manner? We’re in a desperate situation.”

Voters have made clear they aren’t willing to pay more for fire protection, Frazier said. In November, voters in Brentwood and Oakley rejected utility tax measures for fire services.

The fire district once had eight stations but is down to four to serve some 110,000 people in Brentwood, Oakley, Discovery Bay, Knightsen and Bethel Island. And the station in Knightsen is set to close in June unless the fire district lines up more funds.

Frazier said East Contra Costa fire district is allocated an unreasonably small share of local property taxes because of rigid state rules from the late 1970s on carrying out the Proposition 13 tax-slashing measure.

Because the district had a small population back then, it was allocated only about 7 percent of property taxes, a half or a third of what many other Contra Costa fire districts get. The east county fire district's percentage share of the tax pie has not grown despite the area's huge population growth.

Frazier, he believes the park district is in a much better position to give up "discretionary" funds than cities or school districts in eastern Contra Costa County because it has a healthy reserve and its budget has grown as it bought more park land.

He said he also singled out the park district because it received an exemption from a 1992 state reallocation of local government funds to school districts. After benefiting from that exemption for 25 years, the park district should be willing to give up some of those funds, Frazier asserted.

"We are not stealing money," he said. "The park district benefited from this exemption and preferential treatment for many years."

Park district officials, however, said the agency qualified for the exemption because it is a multi-county special district that provided fire and police services. The park district also operates the popular state-owned Del Valle, East Shore and Crown Beach parks without state operating funds.

Doyle contends the fire district should not be rewarded with a tax reallocation when it failed to win voter support for local tax measures — in contrast to the regional park district which won voter approval for a \$500 million bond measure in 2008 to buy and improve parkland.

"Property tax diversion from one high performing agency, which has the trust of voters, to another agency, which has not built the sufficient support of voters, is a dangerous precedent," Doyle said.

Joel Byrant, president of the East Contra Costa fire board, said he thinks Frazier's bill should be considered "as a way to save lives in our area" even though the fire board hasn't yet taken a stand on the bill.

In a related matter, the fire board earlier this week agreed to work with the city of Brentwood toward developing an agreement for Brentwood to pay to keep a fire station open.

The fire district also is talking with the city of Oakley and Contra Costa County to see if those agencies would consider helping pay to keep a station open.

Published April 5th, 2017

Fire Chief Paige Meyer: the Joe Montana of fire service

By Nick Marnell



Courtesy San Ramon Valley Fire

Intelligence combined with people skills, passion and a solid work ethic invariably produce an effective leader. Lafayette's Paige Meyer, fire chief of the San Ramon Valley Fire Protection District, personifies that formula, even drawing a comparison to the San Francisco 49ers' all-time great quarterback.

Early career

Meyer grew up in Stockton. He says his mother was a big influence in his life, teaching him to be the hardest worker he could be and do something you love and are passionate about.

His career in public service began as a lifeguard on the state beach circuit where he learned the severity and importance of helping those in distress. "I was doing something that mattered, with the self-satisfaction of making a difference."

On injury calls the fire department would come to the beach. The firefighters all thought Meyer had the greatest job in the world, but he felt a calling to theirs, and Meyer volunteered at the Stockton Fire Department. A true sense of purpose hit him as a volunteer.

Public Service in Sunnyvale

Meyer became obsessed to score a firefighter job. He changed his Chico major to public policy, he commuted between school and Stockton for fire meetings and he tested for every fire job that came up. He landed his first paid position in Sunnyvale, in its public service department, where he worked as both a police officer and a firefighter. "I had little or no interest in being a police officer, though I have a ton of respect for them. I was terrified. I was a firefighter in a cop's world."

He learned on one of his first fire calls the importance of thinking and working smart. Meyer attacked a structure fire, into the smoke, the fire ripping and blowing, his helmet melting, his face burning - hard core firefighters love to "feel the fire." A colleague bailed him out. "It taught me that you should never have any close calls. You need to control your atmosphere when you walk in that building. If you can't, then the victim is dead. You have to understand that there's more to putting out a fire than adding water."

Meyer was bored with police work and he applied for firefighter positions. "I got job offers from Stockton and Vallejo on the same day. I leaned toward Stockton, my wife didn't want Stockton." He took the job in Vallejo in 1997.

Sixteen years in Vallejo

His head nearly exploded with what Vallejo offered. "Diverse calls. Fires, shootings, stabbings, you name it. I loved it!" He got involved with the union on the negotiating committee. Meyer worked as a firefighter, captain and battalion chief but he twice turned down the fire chief position.

In 2011, City Manager Phil Batchelor, a published author, used his way with words when he offered Meyer the fire chief job again. "I've got a question for you," Batchelor said. "Are you going to live your life with fear, or are you going to empower yourself to be as great as you can be? Answer that question, and you'll find the answer to whether you'll take this job."

"I took it," Meyer said. "He knew what would make me tick."

Meyer was 41 and never felt so stressed out in his life. He dealt with a math nightmare. Because of its dire financial plight the city had cut the fire staff in half, responding to 13,000 calls a year with four engine companies, down from eight. Fires burned longer because it often took longer to get to them. How do you keep people safe when you're doing more with less?

"You have to do things by the book. You have to think. Everyone wants to be a hero but you can't be a hero

alone. Three firefighters might be on a fire a long time, and they have to make great decisions. You cannot operate the same way with a staffing reduction."

Meyer brought in command and control training. He had to deal with disciplinary issues. The firefighters' code? "The code is to give victims their best chance for survival, and to go home safe. The code isn't running around and getting yourself hurt or killed."

He loved leading a gritty department but he demanded that his personnel think and that they understand the job and the risks. The Vallejo crews didn't always do things the right way and Meyer had to change the mindset. If he didn't, he'd be handing a flag to someone's family member.

"I've met a couple of people who could outrun a fire, and I've met a couple of people who could grab me by the neck and drag me out of a burning building in 10 seconds. But 99.9 percent of us can't do it like in the movies."

San Ramon Valley today

The Vallejo Fire Department was just that - a city department, with Meyer the department head. He jumped at the opportunity in 2013 to lead the San Ramon Valley Fire Prevention District - an independent, special district with its own governing board. Meyer loved that he could live and die on his own merits. Again he had to change a culture.

"We had financial problems we shouldn't have had. We were building a \$10 million fire station but the firefighters were taking a pay cut. It didn't make sense!"

Meyer changed the staffing model, redeployed resources and with the help of a better economy the district solved its fiscal problems. He lowered the station cost to under \$5 million.

The district runs 90 percent emergency medical calls. "So we better be the best at it." Meyer brought in a medical director and added training, constantly trying to improve quality. He ran the district as a business.

With the new deployment, the district cardiac save rate hovers at near 50 percent. "That's where we make an impact. But we can always do better." He plans to revamp the Fire Prevention Division from an enforcement arm into a business-friendly department, and to become more involved in disaster preparedness.

"Paige is doing an excellent job," said district board president Donald Parker. "He has brought about a harmony of the board, the union and the community unlike any chief I have ever seen."

Concurred by Capt. Mike Mohun, Local 3546 president, who said that Meyer and he share the same goals: To provide a high degree of service to the community, to give all employees the opportunity to succeed and to treat people with respect. "Paige relates well to others and recognizes their strengths. With his high level of energy and intelligence, I sometimes feel that I'm working with Joe Montana," Mohun said.

Meyer spends most of his off time with his wife, two daughters and son. His oldest plays on the Campolindo High School girls basketball team, the 2017 Northern California champions. (See page C1)

"My board believes in saving lives and property. My firefighters believe the same thing. The union and the administration are second to none. That makes my life easy.

"I'm a small part of big things that are going on."

Best-selling author Michael Lewis ("Moneyball") profiled Meyer and his Vallejo performance in "Boomerang: Travels in the New Third World."

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Emergency response times in north Orinda rise since sinkhole

By Nick Marnell



Photo Gint Federas

stationed closer to Miner Road.

According to district records, for the two months prior to the sinkhole, first-responding units arrived at 15 Code 3 north Orinda calls in an average of eight minutes and 33 seconds. For the two months since the sinkhole, first-arriving crews responded to 11 calls in the same area in an average of nine minutes and 49 seconds.

One of the calls in the post-sinkhole time frame included a Feb. 20 response to a car fire in the far western end of north Orinda, on Bobolink Road. Because the first due responding unit from Fire Station 45 was on an emergency medical call, the crew from Station 43 ran the call and took more than 12 minutes to arrive. The car fire turned out to be a false alarm.

Comparing the arrival of first-responding units to the scene of all Orinda emergency calls of February 2016 to February of this year, average response time increased 24 seconds in 2017 to nine minutes and 17 seconds. For Moraga, average response time decreased 10 seconds between the same periods to six minutes and six seconds.

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East Bay Times

John T. Knox, longtime Contra Costa Assemblyman, dies



Herman Bustamante Jr./Times archive

Former Assemblyman John T. Knox from West Contra Costa died Tuesday at 92.

By [Sam Richards](#) | srichards@bayareanewsgroup.com |

PUBLISHED: April 5, 2017 at 11:02 am | UPDATED: April 5, 2017 at 5:44 pm

RICHMOND — Former state Assemblyman John T. Knox, a liberal Democrat who was a driving force behind the 1970 creation of the California Environmental Quality Act (CEQA) and the San Francisco Bay Conservation and Development Commission in 1965, died Monday at Kaiser Permanente Hospital in Richmond after a long illness. He was 92.

Knox represented Contra Costa County in the Assembly from 1960 through 1980 and served as the Assembly speaker pro tem for the last four years of that time. Because of CEQA, state and local agencies are required to identify and mitigate significant environmental impacts of development, construction or other actions. The BCDC's mission is to enhance and protect San Francisco Bay and ensure responsible development along the water.

John H. Knox, the Assemblyman's son, believes those may be his most important accomplishments, his greatest legacies in a political career with a long resume that also included authoring the Knox-Keen Health Care Service Plan, which regulated California's health-maintenance organizations (HMOs).



Gov. Ronald Reagan signs the California Environmental Quality Act in 1970 with Assemblyman John T. Knox, D-Richmond, second from right, and son John H. Knox. At left is Knox's friend, Republican Senator Bob Beverly. (Courtesy of John H. Knox)

“He liked to say he was very proud of being a politician, and that wasn’t a dirty word to him at all,” said the younger Knox. “He was a master negotiator; he got (Gov.) Ronald Reagan to sign the Environmental Quality Act, if that tells you something.”

Former Congressman George Miller said Wednesday that Knox approached his job like the lawyer he was — he prepared thoroughly and presented his arguments smartly and concisely.

“He wasn’t interested in small issues or small ideas — he wanted to save San Francisco Bay and rewrite how local government works,” said Miller, who said he was mentored by Knox much as Knox was mentored by his father, former state Sen George Miller Jr. “He saw what it was that government was for, to get change for the people, to get things done. And he wouldn’t let himself be derailed.”

John T. Knox was born Sept. 30, 1924, in Reno, moving to California at age 5. He earned a bachelor of arts degree from Occidental College in Los Angeles in 1949 and a law degree from Hastings College of Law in San Francisco in 1952. He set up a private law practice in Richmond soon thereafter.

He joined the Assembly in November 1960 after a special election to replace S.C. Masterson, who had resigned. He represented District 11, which at that time represented most of West Contra Costa as well as parts of Orinda and other areas east of the Caldecott Tunnel. He was elected Assembly speaker pro tem for the first time in January 1976 and was re-elected each of the following three years, retiring in 1980.

Knox’s son said creation of the San Francisco Bay Conservation and Development Commission may have saved the bay from a dramatic downsizing, as plans were afoot to fill in large parts of it, including most of the stretch between Richmond and Berkeley, where some sought to build an airport.

“There was rampant filling of the bay going on,” he said. “They had to fight hard to get that bill through.”

There also was the Knox-Nisbet Act of 1963, which helped establish Local Agency Formation Commissions through which cities now annex new lands. That allowed the construction of the 6½-mile stretch of Interstate 580 between the I-80 interchange near Golden Gate Fields west to the Richmond-San Rafael Bridge, which is formally called the John T. Knox Freeway.

“That stretch used to be Highway 17, a four-lane undivided highway known as ‘Blood Alley’ because of all the traffic collisions,” John H. Knox said. “It was unsafe and congested.” The freeway was built from 1987 until 1991, with funding coming years after Knox left the Assembly.

And then there is Miller/Knox Regional Park near Point Richmond, named for him and George Miller Jr., as well as the John & Jean Knox Performing Arts Center at Contra Costa College, where Jean Knox — John T. Knox’s wife of 67 years — was a founding faculty member.

“There is a reason things are named after him; he got things done,” said Contra Costa County Supervisor John Gioia of Richmond. “He did the heavy lifting and the hard work needed to make things happen.”

After leaving the Assembly, Knox joined the San Francisco office of the Los Angeles-based law firm Nossaman, Krueger & Marsh (later Nossaman, Krueger & Knox) as an attorney and lobbyist. He worked for the firm as an attorney and lobbyist for almost 20 years. Later, embracing his “elder statesman’s” role, Gioia said, Knox would often be seen eating lunch at the Hotel Mac in Point Richmond, talking issues with whoever sat down with him. He had done a similar service years earlier, talking to civics classes at Kennedy High School taught by John Gioia’s father. “He was willing to be out in the community like that,” Gioia said.

In addition to his son, John T. Knox is survived by his wife, Jean, daughters Charlotte Knox and Mary Knox and seven grandchildren. Memorial arrangements are pending.

John Knox, former Contra Costa County assemblyman, dies at 92

By [Bob Egelko](#)

Updated 1:09 pm, Saturday, April 8, 2017

When **Republican Ronald Reagan** was elected governor of California in 1966, ousting Democratic Gov. Pat Brown in a hard-fought campaign, a Bay Area Democrat, Assemblyman John T. “Jack” Knox, decided to calm the waters by inviting Reagan to a private, getting-to-know-you dinner with fellow legislators.

The assemblyman, who died Monday at the age of 92, often spoke of that dinner afterward, describing how Reagan, over drinks, “proceeded to regale the group with decidedly off-color jokes,” said his son, attorney John H. Knox. And it may have paved the way for a working relationship in 1970, when Reagan signed a Knox bill, the landmark California Environmental Quality Act, which requires environmental review of all planned construction projects.

Later, Assemblyman Knox regularly hosted dinners at his Sacramento apartment, attended by fellow lawmakers, staff, lobbyists and sometimes Reagan’s Democratic successor, Jerry Brown.

Assemblyman Knox was a shining example of a time when Democrats and Republicans, or at least some of them, were willing to work together, said Bill Bagley, a former Republican assemblyman from Marin County who was first elected in the same year, 1960.

“We didn’t (even) have partisan aisles,” but sat alongside one another, Bagley said. He described Mr. Knox as “one of California’s greatest legislators ... the greatest legislator I’ve ever known.”

“He did what we’re supposed to do here, work on the big things,” said Assemblyman Tony Thurmond, D-Richmond, who now holds the Assembly seat and described Assemblyman Knox as a mentor.

He spent 20 years in the Assembly, representing western Contra Costa County. Besides the state’s environmental law, he sponsored laws creating the San Francisco Bay Conservation and Development Commission, which was signed by Reagan and thwarted

plans to fill in parts of the bay; authorizing state regulation of health maintenance organizations, rewriting standards for sales of stock and other corporate securities in California, and establishing regional planning agencies.

Nationwide, he was the “foremost authority on local government as it relates to state government” and “also an incredible lawyer,” said Willie Brown, the former San Francisco mayor, Assembly speaker and current Chronicle columnist, who served alongside Assemblyman Knox from 1964 to 1980.

He presided over Assembly sessions as speaker pro tem from 1976 to 1980. Even after he retired from the Legislature and joined a law firm, Brown, then the speaker, brought him back at times to preside as the house parliamentarian.

A section of Interstate 580 leading to the Richmond-San Rafael Bridge is named the John T. Knox Freeway because of his success in obtaining funding to rebuild a dangerous, undivided highway. He also secured funding for converting industrial land in Point Richmond to a park now called the Miller-Knox Regional Park, named for the assemblyman and his onetime mentor, state Sen. George Miller.

John T. Knox was born in Reno in 1924 and moved to California with his family in 1929. He served in the Army Air Corps during World War II, part of the time as a radio announcer in Nome, Alaska. He returned to graduate from Occidental College in Los Angeles, where he met his future wife, Jean Henderson.

After attending law school at what was then Hastings College in San Francisco, he practiced law in Richmond from 1953 until his election in 1960. He returned to law practice 20 years later and started the San Francisco office of the firm Nossaman, Guthner, Knox & Elliott, where he worked until retirement in 2008.

He died in a Richmond hospital. Survivors include his wife of 67 years, Jean; their son, John; daughters, Charlotte and Mary; and seven grandchildren. Plans for a memorial service are pending.

East Bay Times

How the drought changed California forever



Looking south, one can see the dried up Guadalupe River near Santa Clara Street in San Jose, Calif., on Friday, July 17, 2015. (Jim Gensheimer/Bay Area News Group)

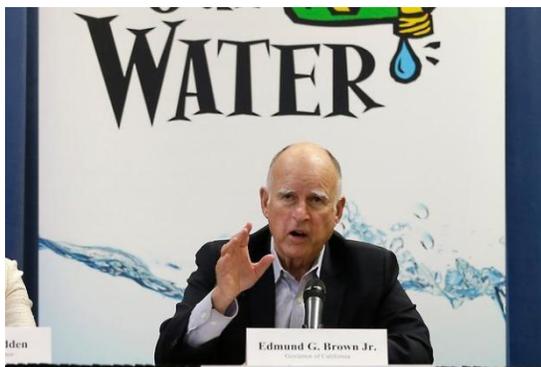
By [Paul Rogers](#) | progers@bayareanewsgroup.com |

PUBLISHED: **April 15, 2017** at 9:45 am | UPDATED: **April 17, 2017** at 5:28 am

California's historic five-year drought is officially over, washed away with the relentlessly drenching rains, floods and snowstorms of this winter.

But just as tougher building codes and better emergency planning follow major earthquakes, the brutally dry years from 2012 to 2016 are already leaving a legacy, experts say, changing the way Californians use water for generations to come.

“There’s no question that we’ll be better prepared for the next drought because of the lessons learned in this one,” said Felicia Marcus, chairwoman of the State Water Resources Control Board in Sacramento. “This was the wake-up call of the century.”



During the drought, Gov. Jerry Brown ordered the state's first mandatory water conservation restrictions on communities throughout California. Some of the rules — such as banning lawn watering within 48 hours of rain and hosing off pavement — remain. (AP Photo/Rich Pedroncelli)

The drought's legacy includes landmark new laws aimed at limiting farmers from over-pumping groundwater; homeowners removing thousands of suburban lawns; voters approving billions in funding for new reservoirs; and vast expanses of forests dying off across the Sierra Nevada.

“Every drought has a lasting impact,” said Jeff Mount, a senior fellow at the Public Policy Institute of California Water Center in San Francisco. “That probably goes all the way back to the Depression.”

The era of massive dam building in California began after the 1929-34 drought. Urban water conservation started in earnest during the 1976-77 drought. And the state's brutal 1987-92 drought prompted water departments in the Bay Area and Southern California to connect their networks of pipes together, to build huge groundwater storage banks and new local reservoirs, and to develop a statewide system of buying and selling water.

As a result of those changes, Californians were better prepared to handle the most recent drought, which saw the driest four-year period of any time back to 1895, when modern records began. Although some farm communities with limited groundwater suffered severely, California's overall economy grew during the drought, up 10 percent to \$2.2 trillion from 2012 to 2015.

“We lost a third of our water supply,” said Jay Lund, director of the Center for Watershed Sciences at UC-Davis. “And the impact to the agricultural economy was a 2-3 percent loss and the urban economy had almost no economic impact. To me that's remarkable.”

The drought nevertheless left a lasting impact in at least five key ways:

1) Groundwater: After 100 years of allowing cities and farms to pump as much water as they wanted from the ground, without reporting it to the state or being limited, dozens of communities across California found themselves with precariously dropping water tables as the drought began. A study using NASA satellites in February found the ground in some areas between Merced and Bakersfield dropped as much as two feet as underground aquifers collapsed during the drought, cracking roads, water canals and pipelines.



A low-flow water emitter sits on some of the dry, cracked ground of an almond orchard in the Sacramento-San Joaquin Delta near Stockton in 2015. As the state entered a fourth year of drought, huge amounts of water were mysteriously vanishing from the Sacramento-San Joaquin Delta, and farmers whose families for generations have tilled fertile soil there were the prime suspects. (AP Photo/Rich Pedroncelli)

In 2014, Gov. Jerry Brown signed the Sustainable Groundwater Management Act, requiring local government agencies in areas with severely overdrawn groundwater to draw up plans by 2020 to

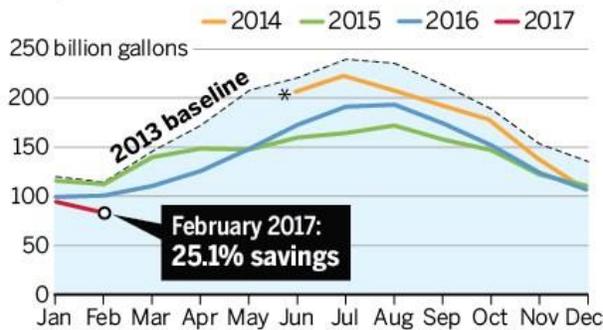
bring it into balance. They will then have 20 years to do that, which will mean taking some farmland out of production, buying water from other areas, building percolation ponds to recharge aquifers and other costly solutions.

“We had to do something,” said Paul Wenger, president of the California Farm Bureau Federation. “There’s no argument on that from me. But some areas are going to really suffer.”

2) Water wasting: Several high-profile rules put into place by the State Water Resources Control Board during the drought will continue forever. They include bans on watering lawns within 48 hours of rain, or washing cars without a shut-off nozzle on the hose, or cities watering grass on road medians using potable water. It’s also illegal now to run a fountain that doesn’t recycle water. And the state’s 410 largest cities, water districts and private water companies will have to continue to report every month to the state water board how much water they are using.

STATEWIDE URBAN WATER USE

Californians cut water use 22.5 percent during the drought compared to 2013 levels, and are continuing to conserve.



*State first begins closely tracking monthly use.

Source: California Water Boards

BAY AREA NEWS GROUP

“It would be bad if the message from this wet year went out that the problem is over,” said Peter Gleick, co-founder of the Pacific Institute, an Oakland nonprofit that studies water issues. “We don’t have enough water to waste. That’s a hard one when you see floods and endless rain.”

3) Proposition 1: In November 2014, during some of the worst months of the drought, California voters approved a \$7.5 billion water bond to fund new reservoirs, recycled water projects, desalination and stormwater capture efforts. It passed with 67 percent of the vote. By comparison, the last water bond, Proposition 84, a \$5.4 billion measure in 2006, passed with just 54 percent.

Water agencies are lining up to submit detailed plans for the money, which could pay up to half the cost of new reservoirs, and is scheduled to be awarded next year. Long-stalled projects like Sites Reservoir in Colusa County may finally be funded, and existing dams could be built higher.

“We had so much water this year that we could have caught if we had the storage,” said Wenger. “I’m hoping we learned our lesson.”



Homeowners across the state saved billions of gallons of water by removing lawns. (Courtesy of City of Santa Barbara)

4) Lawn removal and conservation: Urban Californians cut water use 22.5 percent between June 2015 and February 2017. Over that time, 2.6 million acre-feet of water was saved — enough to supply more than 13 million people for a year. Water agencies spent hundreds of millions of dollars during the drought giving rebates to people to install low-flush toilets, efficient washing machines, gray water systems and dishwashers. The Metropolitan Water District in Southern California spent \$310 million alone in rebates for people to remove 160 million square feet of grass, which will save 21,000 acre feet of water every year.

Those lawns and water-wasting appliances aren't coming back. Lawns use 50 percent of all urban water during summer months, and as cities wrote new local rules limiting lawns in new homes and businesses, neighbors looked askance at homeowners who had bright green turf. Already, big water agencies in Los Angeles, Oakland, San Jose and other areas are using less water now than they were in 1990, despite population growth. Almost nobody expects water use to return to pre-drought levels.

"I'm not an advocate that every blade of grass has to be taken out of California, but I think you'll see a lot less lawn in the future," said Tim Quinn, CEO of the Association of California Water Agencies.

5) Environmental harm: Dry creeks and rivers led 18 fish species to crash to near extinction. And the drought killed 102 million trees across the state, most in the Sierra. That could increase fire risk for years to come.

"If the climate continues to be as warm as it has been recently," said Lund, "we could see very big changes in the mountains. We can't really manage it. We aren't going to put sprinkler systems in the forests."

Overall, experts say, the drought left nearly all residents of California — a state where even in a normal year most cities get only 15 inches of rain a year, the same as Casablanca, Morocco — much more aware of their water.

"This was a prolonged, very deep drought, many believe the worst in the historic record," said Quinn. "It was really dry, and now here we are with the wettest year ever. Welcome to California."

East Bay Times

Editorial: Lawmaker proposes stealing \$10.5 million from East Bay Regional Park District



By [East Bay Times editorial board](#) |

PUBLISHED: **April 17, 2017** at 8:15 am | UPDATED: April 17, 2017 at 9:36 am

Assemblyman Jim Frazier's proposal to steal \$10.5 million annually from the East Bay Regional Park District to fund a local fire agency ranks as one of the dumbest pieces of legislation we've seen.

East Bay residents should be outraged at his attempt to raid the coffers of their treasured park district. Frazier, D-Oakley, should be embarrassed by his dimwitted bill, [AB 898](#). And every other East Bay legislator should vehemently oppose it.

There's little doubt the East Contra Costa Fire Protection District is underfunded. Because of historical anomalies of Proposition 13, the statewide 1978 property tax-cutting initiative, the fire district receives a disproportionately small share of property tax revenues.

But that doesn't mean that the regional park district, which serves Alameda and Contra Costa counties, should be singled out as the savior for a single fire district serving Oakley, Brentwood and six unincorporated areas.

At issue is the distribution of base property tax, which is 1 percent of the assessed value of property. Not only does the fire district receive an unusually small share, so does the park district in East County.

The portion going to the park district from residents within the fire district is about \$381,000 annually. Frazier's bill would require the park district to give up that money and kick in an additional \$10.1 million each year.

It's mind-boggling. You think maybe residents of the 31 other East Bay cities, who also pay taxes to fund the park district, might object?

Imagine what would happen if every underfunded city, school system or special district that was in financial trouble sought legislation so it could reach into the pockets of its better-financed neighbor. We'd have a free-for-all in Sacramento.

Fire district directors also have themselves to blame for the predicament they're in. In 2012, they asked voters to pass a 10-year parcel tax. But the proposal [lacked a viable financial plan](#) to address the district's debts. Voters wisely said no.

The district came back in 2014 with a legally questionable and complex [assessment district levy](#). Again voters said no. Finally, in 2016, the Oakley and Brentwood councils asked their voters to approve [utility tax increases](#) to help fund the fire district. But there were no legal restrictions on the use of the money. Those measures failed too.

To be sure, there is a rational argument for considering reallocation of tax dollars from properties *within the fire district* to provide more money for firefighting.

But that should require a negotiated deal among all public agencies that receive a cut of East Contra Costa property tax dollars. And it should require the fire district produce a viable, long-range financial plan, and stick to it.

That's very different from what Frazier proposes. His bill is not reallocation. It's robbery.

East Bay Times

Opinion: Assembly Bill 898 may solve fire district funding crisis



East Contra Costa firefighter captain Robert Ruddick, of Station 52, lowers the fire truck cab after performing a regular maintenance checkup at the fire station in Brentwood, Calif., on Monday, Sept. 28, 2015. Over the past decade, the number of fire stations operated by the East Contra Costa Fire District has dropped from eight to three. (Jose Carlos Fajardo/Bay Area News Group)

By [Bryan Scott](#) |

PUBLISHED: **April 3, 2017** at 8:57 am | UPDATED: **April 17, 2017** at 9:33 am

Lives and property in East Contra Costa County may become a bit safer in the near future.

Assemblyman Jim Frazier has recently announced details of a property tax reallocation plan that could go a long way towards correcting the structural funding deficiency plaguing the East Contra Costa Fire Protection District.

Assembly Bill 898, though still in the draft stage, will move \$10.5 million of property tax funding from the East Bay Regional Parks District to the local fire district.

“To me, public safety trumps everything else,” Assemblyman Frazier said.

Brentwood residents Hal Bray and Bryan Scott, co-chairs of the citizens action committee East Contra Costa Voters for Equal Protection, were surprised and pleased at learning of Assemblyman Frazier’s plan.

“We see Assemblyman Frazier’s planned bill as a validation of the property tax reallocation concept, and appreciate his taking the lead in addressing the community problem,” Bray said.

ECV sees the proposed legislation as validating the dire need for increased funding for fire and emergency medical services in East Contra Costa County, and also establishing a method, reallocating property tax revenue, as the correct way to address the fire district’s structural funding problem.

ECCFPD provides fire and emergency medical services to 110,000 residents of 250 square miles of eastern Contra Costa County. Fire districts throughout California are primarily funded by state property taxes, disbursed according to allocation rates set 35 years ago. ECCFPD receives property tax funding at a rate one-fourth to one-third of what other fire districts in Contra Costa County receive.

The proposed legislation also validates the roles of the legislature and local government agencies in solving the crises, according to Bray and Scott.

The EBRPD, in their 2017 Proposed Budget, show Total Resources of \$210,260,270 (Page 56). Of this amount \$123,004,400 are listed as Property Tax resources. The budget shows that this figure grew by 7.15%, or \$8,204,400, when compared with 2016.

AB 898's \$10.5 million property tax reallocation amount is 8.54% of the property tax funds the park district is budgeted to receive in 2017, or 4.99% of their total resources.

The process of how Frazier's reallocation program will be implemented has not yet been made public. If the plan is implemented over a four-year period, as has been suggested by ECV reallocation proposals, EBRPD would gradually transfer a portion of the growth in property tax funding to ECCFPD for each of the next four years.

If the plan were implemented for 2017 this would mean EBRPD property tax funding would grow by 4.9% (\$5,519,400) instead of 7.15%, with \$2,625,000 being transferred to the fire district.

This means that the park district's property tax funding would grow by nearly five percent even while California improves the safety of lives and property in East County.

This process would continue, with the reallocation amount increasing each year by about \$2,625,000. EBRPD property tax funding would just grow a little slower than normal until the full \$10.5 million has been reallocated to the ECCFPD.

At that point the park district property tax funding would grow normally, and the fire district would have funding at a property tax allocation rate of about 13.86%, which is about the average for county fire districts and second lowest.

Assembly Bill 898 requires approval of two-thirds of the California Assembly and Senate in order for it to become law.

Bryan Scott is a Brentwood resident and Co-Chair of East County Voters for Equal Protection, a non-partisan citizens action committee whose aim is to improve funding for the ECCFPD. He can be reached at scott.bryan@comcast.net, or 925-418-4428. The group's Facebook page is <https://www.facebook.com/EastCountyVoters/>.

Published April 19th, 2017

MOFD fire suppression rating improves, and lower insurance rates may follow for residents

By Nick Marnell



Courtesy MOFD

Moraga-Orinda Fire District Chief Stephen Healy announced that the district achieved an improved rating from the Insurance Services Office for its fire suppression efforts, and that improved rating may help lower fire insurance rates for many district residents.

The ISO is a privately owned assessment company that collects statistical data on how effectively fire departments put out fires. Through its Public Protection Classification program the company rates a community's effort to provide adequate fire service on a scale of 1 to 10, the lower number equating better fire protection. MOFD had registered a 3 rating since its inception in 1997, but effective April 1, the district rating improved to 2, a score attained by fewer than 3 percent of all fire districts nationwide.

According to the ISO, 10 percent of its rating reflects the community's emergency communications capabilities, including 911 telephone and dispatching systems, for which MOFD contracts with the Contra Costa County Fire Protection District. Fifty percent of the rating reflects the quality of the fire department, including its equipment, staffing, level of training and the geographic distribution of fire stations. Evaluation of the water supply constitutes the remaining 40 percent of the ISO rating. The company looks at the condition and maintenance of the EBMUD hydrants, existence of alternative water sources, and the amount of available water, both in terms of volume and pressure, compared with the amount needed to suppress fires.

"We received extra credit for our reserve ladder truck, keeping better training records and our fire season staffing levels," Healy said.

ConFire will undergo its ISO review this year. "We have a split rating of 3/8B," said Deputy Fire Chief Lewis Broschard. "The rating of 3 exists within all the cities we serve and many of the unincorporated areas. The 8B rating is applicable only in those rural and remote areas, such as Briones, where a fire hydrant supplied by a municipal water system is more than 1,000 feet from a structure." Unincorporated areas of MOFD with no hydrants received a 2X rating.

In 2015 structure fires caused \$10.3 billion in damage, according to the National Fire Protection Association. It therefore behooves insurance companies to encourage communities to lower their ISO rating, generally resulting in lower premiums for communities with better protection. Representatives of the Farmers Insurance Group and State Farm Insurance - the country's leading property-casualty insurance company - would not comment on any specific correlation between an ISO rating and insurance premiums for Lamorinda homeowners.

The ISO rates only structure fire suppression efforts. The company does not consider vegetation fires in its rating, nor does it review emergency medical service procedures.

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Little Hoover Commission Refining Special Districts Review

At its business meeting last week, the Little Hoover Commission set direction for the next steps in its review of special districts that began last August. Several Commissioners articulated an evolution in their opinion on special districts and the approach the Commission should be taking. Generally, the Commission expressed a desire to focus on how special districts and the State can provide the public with better information about local services providers. The Commission will now call a "roundtable" meeting in June with key stakeholders in order to refine the recommendations it is drafting for its final report.

Commissioners in attendance were in consensus that extreme approaches to local governance, such as the 10-year sunset idea referred to as a "special district death sentence" by a Commissioner in a previous meeting, are not the right approach. Rather, Commissioners articulated a desire to provide local communities with the information they need to best make determinations at the local level. They also expressed a desire to help local agency formation commissions perform their mission of reviewing municipal services and overseeing formations, dissolutions, and reorganizations of local agencies.

Five of the 12 sitting Commissioners (there is currently one vacancy) participated in last week's business meeting, including Commission Chair Pedro Nava, Vice-Chair Sean Varner, Assembly Member Chad Mayes, David Beier, and Jana Sidley.

Many of the Commissioners noted the value of the work special districts perform, including Commissioner Beier who commented that "Special Districts serve an important and vital purpose." Commissioner Sidley noted that she has met with several special district officials and among them, "All are well run and doing important work that I think the communities appreciate." However, these Commissioners also discussed room for improvement.

Commissioner Beier stated that, "There is an opportunity to enhance efficiency through transparency." Commissioner Sidley shared that she would like to ensure taxpayers know who to call to address concerns related to their services, and Commissioner Varner added that, "Transparency is key and taxpayers need to know this information."

CSDA Advocacy and Public Affairs Director Kyle Packham was present at the business meeting and spoke to special districts' ongoing commitment to transparency and accountability. Packham noted that CSDA supports opportunities to work together with the Commission to improve upon these efforts, which were highlighted in [CSDA's August 8, 2016 written testimony](#) to the Commission. CSDA looks forward to further discussions with the Commission, and will attend the upcoming roundtable meeting on behalf of all special districts.

Little Hoover Commission Chair, Pedro Nava, will serve as the keynote speaker at Special Districts Legislative Days May 16-17 in Sacramento. It's not too late to register at legislatedays.csda.net. Check out a sneak peek of the agenda [here](#).

[California Special Districts Association](http://www.csda.net) | 1112 I Street | Suite 200 | Sacramento, CA 95814 | 877.924.CSDA (2732)



A Proud California Special Districts Alliance Partner



CSDA Voices Opposition to District Dissolution without Due Process

CSDA staff [testified in opposition](#) to SB 448 (Wieckowski) during last week's Senate Governance and Finance Hearing. SB 448 seeks to provide a definition for "inactive" and "idle" districts, makes changes to the dissolution process for special districts, and

increases special district financial reporting requirements. As outlined in its [position letter](#), CSDA pointed out the need for amendments to allow local agency formation commissions (LAFCOs) to consider other options besides dissolution when appropriate, allow special districts to testify on their own dissolution, and reduce redundant paperwork requirements. SB 448 ultimately passed out of committee with the Author and Chair committing to work with CSDA on our concerns. In addition to hearing SB 448, last week the Legislature passed SB 496 (Cannella) and postponed a hearing on AB 979 (Lackey).

CSDA [opposed](#) legislation on design professional indemnity, [SB 496](#) (Cannella), was voted out of the Assembly to the Governor on a 47-15 vote. SB 496 was gutted-and-amended in early April to require special districts and other local agencies to defend private engineers and architects against lawsuits related to the private design professionals' work. The bill became part of a package of measures passed in conjunction with the recent transportation funding legislation.

CSDA sponsored AB 979 (Lackey) was rescheduled to be heard in the Assembly Local Government Committee on May 10. AB 979 improves the process for special districts to gain representation on LAFCOs. Read the full text of [AB 979](#) and download a [sample support letter today](#).

Read more about bills that would impact special districts' in this week's [Legislative Hot Sheet](#).

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East Bay Times

Antioch demands equal access to clean, affordable water



The city of Antioch is demanding that the state grant equal rights to fresh water after a 2016 sweetheart deal gave Contra Costa Water District a fresh water pipeline in exchange for its silence on the State Water Project. (Susan Tripp Pollard/Staff)

By [Aaron Davis](#) | aarondavis@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: **May 1, 2017** at 2:59 pm | UPDATED: May 1, 2017 at 7:50 pm

ANTIOCH — With discussions having ceased, the city has filed a claim with the state to be “made whole” from the increased impact on the city’s water supply from the state’s WaterFix project.

The claim argues that the Contra Costa Water District’s deal struck last year with the state Department of Water Resources is “substantially more favorable” than the city’s agreement with the state.

The county water district [gave up a pending protest](#) over the WaterFix project in exchange for upstream fresh water from the Sacramento River.

“The bottom line is we want to be made whole,” City Manager Ron Bernal said. “We have one of the most superior water rights in the state. We’ve been taking water since 1850 and that source of water is hard to come by these days.”

Antioch has rights dating back to before 1914 to pump without the need for a state permit. A 1968 agreement with the state required the state to pay for one-third of Antioch’s costs to purchase water when its normal supply is not usable due to increased salinity levels.

Also included in that agreement is a “me-too” clause, which requires the state to offer the same terms to Antioch that it offers to other water users in the region. With the county water district’s agreement pulling fresh water from farther up the Sacramento River, the city feels that this new deal will also impact the supply of fresh water.

“By virtue of (the state) entering into an agreement with CCWD and not even discussing things with us, we believe that we’re being ignored,” Bernal said. “At the end of the day, we want to be able to assure our ratepayers that the impacts of an upstream project have been mitigated. The proponents (of that project) have an obligation to mitigate and we don’t believe that’s been done.”

With the WaterFix pumping more and more water from the region to the San Joaquin Valley and Southern California, many areas around the Delta will be feeling the pressure to increase water rates to pay for an increasing need for treatment.

Restore the Delta, a community advocacy group that has fought the state water plan, estimated that there are around 40,000 people in the Delta that could be classified as environmental justice communities. Environmental justice laws require the equal treatment of all people with respect to environmental issues, such as access to clean water.

Specifically, the cities of Antioch and Stockton have larger environmental justice populations that would experience significant difficulty were water pollution levels or water rates to increase.

“What the state is proposing for Antioch and Stockton is to take away the good fresh water from the Sacramento River and leave both cities with degraded San Joaquin water, which is one of the most polluted waters in the United States,” said Barbara Barrigan-Parrilla, the executive director of Restore the Delta.

In 2016, the San Joaquin River placed second among the country’s most endangered rivers, according to [American Rivers, a national advocacy group](#). In 2014, the San Joaquin and its principal tributaries — the Merced, the Tuolumne and the Stanislaus Rivers — placed first.

Barrigan-Parilla said that the state had never surveyed populations around the Delta to determine the population of the environmental justice community and never considered the impact on marginalized communities.

“Frankly, the CCWD provides water to more affluent communities, a more up-and-up tech community and predominantly white community,” Barrigan-Parilla said. “It’s very similar to Flint, Michigan... here, you are left with a degraded source of water, you will need more for treatment costs and you will have a lot of poor people that won’t be able to afford to pay more and more for water.”

CCWD provides water to the communities of Clayton, Clyde, Concord, Pacheco, Port Costa and parts of Pleasant Hill, Martinez and Walnut Creek.

The Department of Water Resources would not comment, citing pending litigation.

Published May 3rd, 2017

Oakland Fire steps up to help MOFD cover Canyon

By Nick Marnell



Locked up and ready to respond into Canyon.
Courtesy MOFD

On the evening of April 18, the town of Moraga closed the Canyon Road bridge over Moraga Creek between Constance Place and the Valle Vista staging area, compromising the ability of the Moraga-Orinda Fire District to quickly respond into the Canyon community.

"Our first thought was to use the Lafayette-Moraga Trail," Fire Chief Stephen Healy said. "We could use a bulldozer and scrape out a road." But the landslide along the trail was too big and it was pushing toward the bridge, nixing that approach. The muddy fire trails nearby need regraded and that option remained out until the summer. The district requested assistance from the Oakland Fire Department and from Paramedics Plus, the Alameda County ambulance provider, and the agencies immediately entered into a mutual aid agreement. "It was a lot to ask of Oakland Fire," Healy said.

Under mutual aid, either agency may decline to respond if it is unable to perform, so MOFD will respond to Canyon incidents out of Moraga Station 41 using a unique procedure. The district parked a reserve engine and a reserve ambulance on the Canyon side of the Canyon bridge, and locked them behind a fence topped with barbed wire. If Fire Station 41 is dispatched, the firefighters will shuttle to the bridge and walk across to the staged vehicles. "It's part of our job to take risks in order to save lives," said the chief, who noted that, should the bridge become impassable for even MOFD crews, they will use the trail at the end of Augusta Drive.

Healy said that under normal conditions, Station 41 responses take eight minutes of travel time to Canyon. Adding five minutes for the crew to cross the bridge and start the engine would result in a 13 minute total travel time.

Should the Station 41 crew be unavailable, an engine from Orinda Station 45 and an ambulance from Orinda Station 44 will respond to Canyon through Oakland and Pinehurst Road.

Travel time to Canyon via Highway 24 from Station 44 is 25 minutes; from Station 45, 22 minutes. Crews from Oakland Fire Station 6, on Colton Boulevard near Skyline, would arrive in Canyon in 11 minutes.

"Only when we receive word from Oakland Fire that they are on the scene will we send our guys back to their stations," Healy said.

The Oakland firefighters came to Canyon the day after the bridge closure and endeared themselves to the community. Crews toured the town, mapped the area, checked the water supply, pretty much socialized themselves to an area they knew very little about. "They were great and we are grateful," said Canyon Steinzig, Canyon Community Association president.

In the 365 days preceding the bridge closure, MOFD responded to 22 calls into Canyon, including eight emergency medical calls, five vehicle accidents and no structure fires.

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Published May 3rd, 2017

School access is the No. 1 concern for Canyon residents

By Nick Marnell



Everyone is welcome, but they'll have a tough time getting there. Photo Nick Marnell

secluded, sparsely populated community of 250 that shares his name. "We're a resilient bunch," he said. And while Steinzig noted that residents will travel to Oakland to satisfy most of the needs of their daily lives, he agreed that getting kids to school and getting them back home has become a real issue.

According to school officials, 18 students from outside the district attend Canyon Elementary and 16 kids who live in Canyon go to school in Lamorinda. "If they would only open the bridge to foot traffic, we could shuttle the kids across," Steinzig said. But Moraga Town Manager Bob Priebe told Canyon residents at an April 24 community meeting that the bridge was unsafe. "A sudden landslide would take out the bridge," Priebe said.

Canyon residents said they fear that school and community evacuations will be impeded if either Pinehurst Road or Redwood Road shuts down, as occurred April 20 when a big rig jackknifed on Pinehurst and closed the artery for six hours. "Parents are hysterical and very concerned. You can't run a school when there is no safe access," said Sullivan, who suggested that the school may lose interdistrict transfers because of the access inconvenience. Canyon Elementary Superintendent Gloria Faircloth pleaded with the supervisors to repair the slides and metal plate on Pinehurst, which will now carry more traffic. "It could be a matter of life or death," she said.

The tone of the community meeting was not entirely negative. Residents praised the performance of the Oakland Fire Department, which will respond into the community under a mutual aid agreement with the Moraga-Orinda Fire District. "They came the next day," Sullivan said of OFD. "They toured our area, had lunch with the kids, let them play on the fire truck." Meeting attendees cheered Battalion Chief Nick Luby after he assured Canyon that it will receive the same resources as the city of Oakland.

Spirits remained high when officials confirmed that Republic Services will not miss a beat with garbage collection and recycling, and that Horsemen's Association members will be able to care for their horses by going through the road barrier near the Valle Vista staging area. Lt. Jason Haynes said that, considering the curiosity seekers who may come to the community, the county sheriff's office will beef up its Canyon patrol during the bridge closure. Residents appealed for signage alerting the visitors to stay off of the community's private roads.

But the focus always returned to access. "Caesar could cross the Rhine in 10 days," barked a resident at the community meeting. "We can't wait years to fix this problem."

The closure of the Canyon bridge may present an inconvenience to Moragans seeking a traffic-free route to Oakland, but to Canyon residents, the closure poses a serious life safety issue.

"On April 18, the town of Moraga precipitously closed the Canyon Road bridge, endangering the Canyon community and especially the Canyon school students," Canyon Elementary School board member Brian Coyle told the county Board of Supervisors, his statement an allusion to the opening sentence of Pulitzer Prize-winning "The Bridge of San Luis Rey." He said that Moraga has demonstrated engineering incompetence by not providing a temporary walkway, and he asked the supervisors to assume authority of the project. Moraga closed the bridge indefinitely after it determined earth movement had compromised the structural integrity of the bridge.

School Principal Lucia Sullivan also requested that the county step in.

"Moraga may believe they are acting in the best interests of Moraga, but this issue is greater than the town," she said. The supervisors, though sympathetic, acknowledged that the bridge lies under jurisdiction of the town of Moraga.

Canyon Steinzig, the president of the Canyon Community Association, was born and raised in the

"It's a strain on our emergency resources too," Priebe said. "We have a vested interest in getting this solved."

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Moraga-Orinda Fire District board: architect responsible for Station 43 cost overruns

By Nick Marnell

The Moraga-Orinda Fire District board refused to approve a \$100,000 contract increase requested for construction of Fire Station 43, insisting that many of the extra charges were incurred because of mistakes made by the station architect.

Steve Stewart, Station 43 project manager, told the board April 19 that the piers at the base of the fire station on Via Las Cruces in Orinda had to be redesigned due to modifications to the original design and revised geotechnical requirements. "We're adding \$25,000 because the work wasn't done right in the first place?" asked Director Craig Jorgens.

The architect also requested more money to secure project approval from the California Department of Fish and Wildlife and to rebuild an interior countertop to have it fully comply with the Americans with Disabilities Act. "They thought they had all of the permits needed," Stewart said of the architect.

"It is their sole responsibility to get every permit that is required. There is no exception to it," Jorgens said. "They had to go back and check the changes in the code, and obviously they did not."

According to the Nov. 17, 2015 agreement between Shaw Kawasaki Architects of Oakland and MOFD, the architect "shall review the most recent version of the California Building Code and make all necessary changes to the Station 43 design to meet the current code." The Station 43 rebuild had been placed on hiatus in 2013 while the district worked out a joint venture with the Contra Costa County Fire Protection District to build and staff a fire station in western Lafayette, but the project fell apart.

"Nothing has changed, except that a bunch of people didn't do their jobs," Jorgens said. "Why are we going to pay them to manage the mistakes that they made?"

The board tabled both the architect's fee request and also a decision on installation of solar panels at the station. Directors Jorgens and John Jex complained about the project's lengthy capital payback and the lack of a district solar tax credit.

Fire Chief Stephen Healy said that he, not Stewart, will talk with Shaw Kawasaki about honoring the terms of its Station 43 contract.

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