

## **Antioch: Dueling open-space initiatives go before council**



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By [Judith Prieve](mailto:jprieve@bayareanewsgroup.com) | [jprieve@bayareanewsgroup.com](mailto:jprieve@bayareanewsgroup.com) | Bay Area News Group  
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Backers of competing initiatives to preserve all or part of Antioch's Sand Creek Focus Area open space have collected enough signatures to qualify both proposals for the November ballot.

The proposals will be presented July 24 to the City Council, which could decide to adopt one and prepare the other for the ballot, prepare both for the ballot or request a staff report detailing each initiative's impact, according to City Clerk Arne Simonsen. If it seeks a staff analysis, the council could miss the Aug. 10 deadline for placing the initiatives on the Nov. 6 ballot; in that case, the earliest the proposals could get on a ballot would be November 2020.

Both initiatives would focus on saving open space between Black Diamond Mines and Deer Valley Road, as two developments east of Deer Valley Road — the Aviano Farms project and the Promenade/Vineyards at Sand Creek — have already been approved. The land is in Antioch's Sand Creek Focus Area — 2,712 acres of rolling hills and flat lands on the city's southern border where cattle have traditionally grazed.

The initiative with the most signatures, “[Let Antioch Voters Decide](#),” was driven by a coalition of residents and conservation groups who fear a major housing development would lead to more crime and traffic congestion and further strain schools. They want 1,850 acres west of Deer Valley Road designated as rural residential, agricultural and open space.

Under “Let Antioch Voters Decide,” any changes to the city’s growth limit line or any major development plans would require voter approval. The initiative, backed by Save Mount Diablo, the Greenbelt Alliance, the Sierra Club and the California Native Plant Society, garnered 5,682 verified signatures — 5,094 were required. The collection of signatures ended in early June, well ahead of an Aug. 22 deadline.

“I think it shows the tremendous amount of support from the community,” Seth Adams, Save Mount Diablo’s land conservation director, said of the successful drive. “The developer (of The Ranch) started doing a competing initiative, which confused people, but on the other hand, the developer used the same message, which was decrease and control growth in Antioch, so the messages reinforced each other.”

Adams said his group hopes the City Council will adopt the “Let Voters Decide” initiative outright later this month to save what he calls “the prettiest three miles in Antioch — Empire Mine Road and the Sand Creek (Focus) area.”

“It would save the cost of an election,” he said. “There’s a pretty strong sign where the residents of Antioch are with this. They want to see controlled growth.”



Area affected by the initiative is outlined in red. Green areas would be zoned for rural residential, agricultural and open space purposes. The Ranch project area is outlined in yellow and would be single-family homes, executive estate housing, senior housing and commercial uses. (Photo courtesy of Gene Endicott of Endicott Communications)

A second initiative, “West Sand Creek Open Space Protection,” would zone 1,244 acres west of Deer Valley Road for rural residential, agricultural and open space. The remaining land in the

western portion of the Sand Creek Focus Area — approximately 608 acres — would be open for [“The Ranch,”](#) which will include 1,177 homes.

Resident Terry Ramus, a Chamber of Commerce board director and member of the chamber’s Government Affairs Committee, introduced the second initiative, which Richland Communities, developer of The Ranch project, has backed. Former Councilman Manny Soliz Jr. and Matthew Malyemezian co-signed it.

The West Sand Creek Protection Initiative backers collected 5,156 signatures, 45 more than needed. The initiative would allow development only on the lower lying portion of Sand Creek, maintaining The Ranch development rights but rezoning to open space the proposed Zeka development to the west. The current General Plan allows [up to 4,000 homes](#) to be built throughout the Sand Creek Focus Area.

“Our initiative, which qualified with the support of thousands of Antioch residents, is a model project that restricts development while strongly protecting open space, hillsides, trees and providing recreational trails,” Ramus said.

Ramus also noted that under the West Sand Creek Protection Initiative, Richland Communities would commit to paying a minimum of \$1.2 million to upgrade the sports complex at Deer Valley High School and to including an age-restricted, active-adult community in its mix of low- and medium-density single-family homes.

If both initiatives make the ballot, the one with the most votes would be passed back to the council, which would then be tasked with implementing it.

Read more about the “Let Antioch Voters Decide” initiative at [letantiochvotersdecide.org](http://letantiochvotersdecide.org)

Learn about the West Sand Creek Open Space Protection initiative at [docdro.id/qiq4T9i](https://docdro.id/qiq4T9i)

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*Staff writer Aaron Davis contributed to this report.*

**Danville CA Patch.com**

# **Contra Costa County Accused Of Rigging Ambulance Bids**

**Officials say allegations unjustified and state action will have no immediate impact on response to 911 calls.**

By [Bob Porterfield, Patch Staff](#) | Jul 18, 2018 1:18 pm ET | Updated **Jul 18, 2018** 1:22 pm ET

CONTRA COSTA COUNTY, CA — For nearly three years, 911 emergency ambulance service in the Contra Costa County Fire Protection District has been provided by a unique public-private partnership that's improved performance and generated millions in revenue used to defray firefighting costs.

But recent allegations by an obscure state agency, the California Emergency Medical Services Authority (CEMSA), that ConFire colluded with the county's local Emergency Medical Services Agency to rig bidding on contracts underlying the partnership has ignited a legal catfight bringing into question just how much power a state regulatory agency has to dictate local contracting practices.

The issues involved are almost as complex as the state's emergency medical infrastructure itself as few average citizens understand the intricate mechanics set in motion when they call for help after an accident or other mishap. How the Contra Costa dispute is resolved could have lasting impact on the cost, quality and delivery of future 911 ambulance service for many Californians as other counties consider similar arrangements.

CEMSA accused Contra Costa officials of engaging in anti-competitive behavior by conspiring to manipulate the bidding process for an emergency ambulance service contract and further claimed county Supervisors had a conflict of interest when they voted to approve it.

As a result, CEMSA invalidated bid documents it had approved in 2015, rescinded its approval of the county's 2016 EMS plan and abolished the Exclusive Operating Areas in which the contracted ambulance service is provided. The county says CEMSA overreached, and its actions were an abuse of discretion and exceeded its jurisdictional authority, raising legal questions, not the least of which are whether the state agency actually has the authority to retroactively cancel procedures it previously approved and can arbitrarily nullify exclusive operating zones.

CEMSA's actions also raise questions about how much influence a private trade group may have exerted on the Authority to pursue its allegations at a time the issue of public-private ambulance partnerships was being argued in an Alameda Superior Courtroom, and why CEMSA waited nearly two years before launching what public documents suggest was nothing more than a superficial examination.

Timothy Ewell, Contra Costa's deputy chief county administrator, said the county doesn't comment on potential litigation, but confirmed an April letter from CEMSA to Patricia Frost, director of the county EMS Agency, was the first notice of state action received by the county.

"When the State EMSA denies any portion of a local EMS plan, the entire plan is effectively denied," Ewell said, adding there will be no immediate impact on emergency medical response when residents dial 911 for help because [CEMSA](#) suspended its action until 2020.

## **A Simple Concept**

Contra Costa's "alliance model" is a simple concept: Instead of the county EMS Agency contracting directly with a private ambulance company, it contracts with ConFire to provide emergency ambulance service. ConFire in turn subcontracts the service to a company that can provide ambulance vehicles and staff to answer 911 calls.

The Contra Costa model is composed of three separate five-year contracts: A prime contract between [ConFire](#) and the county EMS Agency; a \$200 million subcontract between ConFire and American Medical Response West, Inc. (AMR) which had already been providing emergency ambulance service in the county for more than a decade, and a third, \$8.5 million contract with Advanced Data Processing, Inc. of Florida to handle billing for both emergency and non-emergency ambulance services.

This approach to providing ambulance service in an area covering about 654 square miles stretching from San Francisco Bay to the borders of San Joaquin and Sacramento Counties differs from practices common in most other California counties. By contracting with ConFire, the county's EMS Agency delegates to fire officials the responsibility for ensuring its subcontractor meets performance standards established by county ordinance and Agency rules.

With ConFire personnel being dispatched to most incidents requiring ambulance response, the theory goes, the department is better able to determine if consumers of emergency healthcare are being served efficiently. At the core of ConFire's ambulance service are Exclusive Operating Areas, geographical regions containing large rural tracts. By granting just one ambulance provider the sole right to operate in these areas, this company is protected from competition in the more profitable urban segments of the exclusive zones in return for being required to provide the same quality of service to residents of the unprofitable sparsely populated portions. Creation of these monopoly zones was permitted by a 1984 amendment to state law.

Under its subcontract AMR provides 911 ambulance service within four zones encompassing about 81 percent of the county. Emergency ambulance service in remaining areas is provided by the Moraga-Orinda and San Ramon Valley Fire Protection Districts, which operate their own ambulances under separate contracts with the county.

In addition, the county has First Responder Agreements with six other fire departments – Crockett-Carquinez, East Contra Costa, El Cerrito, Pinole, Richmond and Rodeo-Hercules – to provide medical care until an AMR ambulance arrives, or the patient refuses transportation. Six

companies, including AMR, are authorized to provide non-emergency transport throughout the county.

Contra Costa's alliance was the first of its kind in the state and in 30 months of operation ambulance response times have improved. Last year ambulances responding with red lights and sirens to 60,920 potentially life-threatening situations arrived at the scene within the maximum time allowed under the contract on 95.6 percent of the calls. In some cases response times exceeded 98 percent.

### **'Public Benefit' Profit**

At the same time, the alliance has poured millions of dollars into ConFire's Special Revenue Fund instead of a private company's bank account. In 2017, the ConFire's ambulance operation generated \$47.3 million from charges for services, producing an operating profit of \$15.4 million.

This "public benefit" profit – the difference between what ConFire charges for ambulance service and what it pays AMR to provide it — was used to make the \$13.2 million annual debt service payment on ConFire's Pension Obligation Bonds, money that normally would have come from the \$110.2 million in property tax revenue that provides ConFire's major source of funding. The remaining \$1.3 million went to the ConFire's EMS Transport Fund.

AMR bills ConFire an "Ambulance Unit Hour Rate" for every ambulance and crew available for emergency call response. The rates range from \$130.51 to \$139.64 an hour depending upon the number of hours. For example, if AMR had 27 fully-staffed ambulances available 24 hours a day the company would charge ConFire \$139.64 per hour for each unit, a total of \$633,407 per week for the 4,536 hours ambulances were on duty, or about \$23,460 per ambulance.

Of course there's a downside for AMR. If the company doesn't meet performance requirements it must pay penalties ranging from a few hundred dollars for paperwork errors to \$1,500 every time an ambulance fails to arrive at the scene of top priority calls within the contract's maximum allowed response times. Last year, ConFire reported 2,774 AMR penalty responses of one kind or another, about 4.5 percent of total top priority calls. Of those penalty responses, only 139 exceeded the maximum allowed response time.

For those dialing 911, a ride to the hospital isn't cheap. Rates reflect the actual cost of providing around-the-clock service. ConFire's base rate is \$2,245.40 with additional charges of \$53.56 per mile for distances in which a patient is aboard, \$187.46 for administering oxygen and \$481 if a patient is treated at the scene but refuses transportation. These rates are reviewed annually using a formula of economic indicators.

Base rates charged by the San Ramon Valley and Moraga-Orinda fire departments are slightly higher, although ancillary charges are less than the county's, with the exception of a \$600 First Responder Fee for initial medical care at the scene. Last year the San Ramon Valley fire district reported \$4 million in ambulance revenue; Moraga-Orinda \$1.1 million.

Ambulance and other emergency medical costs are covered, at least in part, by Medicare, Medi-Cal or private insurance. In 2017, about 70 percent of ConFire reimbursements were made by Medicare or Medi-Cal with the remainder from private insurance or individuals who picked up the tab themselves.

### **What the County Did**

Fire departments and emergency ambulances have always enjoyed a symbiotic relationship. Generally the first on the scene of a fire or accident, fire crews include an Emergency Medical Technician (EMT) or Paramedic who stabilize injured parties until an ambulance arrives to further treat patients and transport them to nearby hospitals.

In Contra Costa, having to provide this obligatory service was just one of more than a dozen public health programs managed by the EMS Agency, a division of the county's Health Services Department, making the concept of a ConFire public-private partnership attractive.

With its existing ambulance contract set to expire in 2015, the EMS Agency hired Fitch & Associates, a Missouri consulting firm, to conduct a comprehensive study of the county's EMS system and suggest ways it could be modernized. Among nearly 80 recommendations encompassing virtually all aspects of county healthcare delivery contained in the firm's June 2014 report, Fitch recommended consolidating emergency dispatch services and concluded there would be no issues if ConFire was allowed to compete for providing emergency ambulance service.

Fitch's findings prompted ConFire to engage another Missouri consulting firm, the Ludwig Group, to assess the financial viability of operating its own emergency ambulance service. That study determined a ConFire operation would not only be cost effective, but could ultimately generate operating profits exceeding \$7.5 million annually.

Anticipating an EMS solicitation for ambulance service providers, on Sept. 9, 2014 fire district directors gave ConFire permission to submit an alliance proposal when bids were advertised. Five days later the county conducted a workshop to develop parameters for a new contract and the process by which it would be awarded. That meeting drew 47 attendees representing local government, law enforcement, fire departments, labor unions and medical organizations along with seven executives from four ambulance companies.

### **A Parallel Process**

On Feb. 16, 2015 ConFire, with the assistance of an outside consulting firm, issued a Request for Qualifications – a solicitation significantly different than a Request for Proposals – seeking companies willing to partner with ConFire that could qualify to provide services required by the EMS Agency. Only two companies responded: American Medical Response West, Inc. and Falck Northern California.

AMR was the existing emergency ambulance provider and had been operating in that capacity for several years under an EMS Agency contract. Formerly a unit of the Envision Healthcare

Corporation, a publicly-traded \$16.5 billion conglomerate operating hospitals, other medical facilities and physician staffing services, AMR is now part of Global Medical Response, Inc., a company formed in March when AMR combined with Air Medical Group Holdings, in a further consolidation of the US medical transportation industry. At the time, AMR was the largest ambulance company in America, operating in 40 states.

Falck Northern California is a subsidiary of Orange County-based Falck USA, which in turn is owned by Falck A/S a privately-held Danish multinational ambulance and healthcare company controlled in part by the KIRKBI group, an investment company run by Denmark's Kristiansen family, creators of the popular LEGO toys, and through a separate company, operators of LEGOLAND amusement parks. Falck USA operates 22 US ambulance companies and last year generated \$196 million in revenues, about 15 percent of the parent company's worldwide ambulance income.

Following two rounds of evaluation interviews, in March ConFire selected AMR and on May 12 fire district directors approved a Pre-Award Agreement outlining the terms of a subcontract with AMR if, in fact, ConFire was successful in obtaining the county contract.

In a parallel and nearly simultaneous process, on Feb. 27 the county EMS Agency issued its formal Request for Proposals to provide emergency ambulance service, initiating a convoluted selection process that would consume nearly a year before any contract was awarded, and set the stage for the current dispute.

On March 19, the EMS Agency conducted a prospective bidder's conference attended by just three companies – AMR, Falck and Medic Ambulance, the emergency provider in Solano County. Ultimately, only ConFire and Falck submitted proposals by the May 21 deadline and two months later after evaluation by outside experts and an independent financial review by the county administrator's office, supervisors authorized the EMS Agency to negotiate a contract with ConFire. In August, the county announced its intention to award ConFire the contract and supervisors formally approved the agreement Nov. 17.

### **An Unhappy Industry**

None of this set well with the California Ambulance Association (CAA), a non-profit trade and lobbying group whose members include several private ambulance companies, insurance companies, medical billing and collection agencies and consulting firms. CAA executive director Ross Elliott, a former Kern County official, owns a private company, Trilogy EMS Consulting LLC, which is paid to manage the organization.

In April 2016, four months after the ambulance contract became effective, and eight months past the deadline for unsuccessful bidders to protest the contract award, the CAA filed a complaint with CEMSA requesting an investigation of Contra Costa's selection process saying it was "nothing more than a sham to satisfy [CEMSA] RFP process standards" because the selection of an ambulance company had already been made on the basis of what "appears to be financial gain," something the CAA said might violate state law, "anti-trust parameters and possibly violate a private company's ability to engage in free trade."

Further, the CAA suggested a conflict of interest existed since county supervisors, who also serve as the fire district's board of directors, were the same people approving both ConFire's subcontract with AMR and the county EMS Agency's contract with ConFire.

"The action by the county to bypass EMSA's oversight of competitive processes for selection of Exclusive Operating Area providers is unprecedented, and these actions have the potential to alter EOA selection processes statewide," said the CAA.

Elliott told Patch the value of his organization "is that it can be used as a spokesman for members who believed they have been wronged," but declined to identify the member making the complaint, and said the delay in contacting CEMSA was because "CAA didn't realize the extent of the problem until after the fact."

"The damage was already done. In Contra Costa County the horse is out of the barn," Elliott said, "and CAA's concern in filing the complaint was whether this was going to be happening in other parts of the state. The CAA's position is to ensure whatever process is used provides for fair competition and gives everybody a chance to compete."

"What the county did through a two-step process was something that should have been done by the [county] EMS Agency. That's how you select a contractor," he said. Elliott conceded CEMSA authority to review and approve the fire department's separate RFQ was a "gray area" but maintained the process used circumvented state authority."

### **State Slow to Act**

The CAA's complaint apparently languished in CEMSA's Rancho Cordova headquarters until last Jan. 8 when the Authority submitted a Public Records request for county documents related to the EMS Agency's RFP. The county responded a month later with scores of documents. In April the CEMSA notified the county of its decision.

Citing the CAA's two-year-old grievance, CEMSA said it had conducted an "investigation" of the county's contracting process and determined collusion between the EMS Agency, ConFire and AMR had "stifled competition due to bid rigging and was anti-competitive due to other factors related to the bid," alleging AMR "agreed in advance not to compete against ConFire for the EMS [Agency] contract," and challenging the Pre-Award Agreement.

CEMSA further asserted the bid rigging was compounded when county supervisors, who were also directors of the fire district, in essence awarded the contract to themselves "creating a situation that has a chilling effect on all other competition."

Just how extensive CEMSA's probe of the ConFire bidding was is unknown. CEMSA told Patch that despite what its letter to the county said, there really was no investigation, just a "review," of documents received from the Contra Costa EMS Agency.

"It wasn't an audit type situation where we provide them with our findings," a CEMSA spokesperson said in an email response to Patch questions. "We aren't required to, nor did we

provide them with an investigatory report." CEMSA said it conducted no interviews during the review.

### **A Quick Response**

Thomas Geiger, an assistant county attorney representing the EMS Agency, quickly appealed the decision saying the allegations were baseless and the CEMSA had both abused its discretion and exceeded its authority by retroactively rescinding approval of the county's RFP, because CEMSA's power is limited only "to reviewing and approving a local EMS agency's competitive process" and CEMSA has no authority to create, manage or abolish Exclusive Operating Areas.

Geiger said allegations of collusion were unjustified because the contract with AMR was a "legitimate, publicly disclosed joint partnership" lawfully created through bidding activities subject to public meetings and conducted in a fully transparent manner.

Suggesting CEMSA's action itself was a politically-motivated sham, Geiger wrote: "CEMSA's decision was improperly influenced by non-governmental organizations, including the California Ambulance Association. CEMSA relied on unfounded allegations made by the [CAA] and did not conduct an independent, complete investigation into the facts and circumstances surrounding this matter before issuing its decision."

What could be most troublesome for CEMSA as the county's appeal wends its way through the administrative law process, and later, possibly the courts, was Geiger's assertion the state Authority had erroneously relied upon its own guidelines in reaching its decision, saying "CEMSA Guidelines are improper underground regulations that do not have the force of law, because they have not been approved under the California Administrative Procedure Act," the state law dictating how regulations must be implemented.

### **Limits of Power**

Created in 1980, CEMSA is a division of the California Health & Welfare Agency that coordinates and integrates all emergency medical services through a wide range of statewide standards and guidelines for emergency and disaster medical care that includes some oversight of local EMS agencies.

Among its primary responsibilities, CEMSA establishes standards for training of Emergency Medical Technicians and Paramedics and administers testing for their certification and recertification. The Authority also sets the minimum CPR and first-aid training and certification standards for firefighters, police officers, lifeguards and school bus drivers, and coordinates the state trauma system and California Poison Control System.

As the foundation of California's two-tiered EMS infrastructure, state law requires CEMSA to develop planning and implementation guidelines for EMS systems that cover not only training, communications and emergency ambulance transportation but responsibility for assessing local EMS system organization, management and operation along with evaluation of hospitals and critical care centers.

One of these tasks is the review and approval of local EMS agencies' formal or updated emergency medical services plans. As the second tier in the statewide system, local agencies must outline their readiness and ability to manage emergencies including a mandatory requirement for providing transportation of emergency medical patients.

Whatever authority CEMSA may have where local emergency ambulance service is concerned is found in the massive state Health & Welfare Code, which regulates every aspect of California emergency medical care, and authorizes each county to independently develop its own EMS program.

That law was amended in 1984 permitting county EMS agencies to create Exclusive Operating Areas as part of local plans required to be submitted annually for CEMSA for review and approval. These plans were to contain descriptions of how competition would be conducted in selecting exclusive ambulance operators.

In reaching its Contra Costa decision, CEMSA relied heavily on this requirement, citing its own Guideline 141, a nine-page document outlining how RFPs must be constructed and the bidding process managed.

However, nowhere in this guideline does CEMSA claim any authority to rewrite or dictate the wording of an RFP, and nowhere does it claim an RFQ, such as that utilized by ConFire, must be submitted for approval, only that the competitive process must comply with generally accepted public bidding practices. Nothing in the guideline, or the law, appear to give CEMSA any power to rescind an RFP once it's been approved.

Another section of the law requires that all of CEMSA's own "regulations, standards and guidelines" must be approved by the state Commission on Emergency Medical Services, an 18-member body appointed by the governor and legislature that includes healthcare professionals, law enforcement officers and fire officials. Records of the Commission's official actions in approving the CEMSA's original 1985 emergency ambulance contracting guidelines are missing from the State Archives and minutes of Commission meetings in 1997, when CEMSA issued a re-worded Guideline 141, contain no discussion or approval of the updated document.

In fact, CEMSA concedes its guidelines are just that, simple advice to local EMS agencies.

"While the guidelines do not have the same weight or authority as [state law] or regulations, they are important directions that a local EMS agency should consult when planning and implementing their system," a CEMSA spokesperson told Patch.

## Napa Valley Register

# Napa stemming wine waste trucking flow to Oakland

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- Jul 21, 2018 Updated **Jul 21, 2018**



The Napa Sanitation District treatment plant sits along the Napa River on Soscol Ferry Road in South Napa. Napa Valley wineries are currently trucking wastewater to East Bay MUD in Oakland, because NSD is too expensive to discharge to and cannot accept that much high density waste.

Napa County is gradually breaking its habit of trucking millions of gallons of wine wastewater annually to the East Bay Municipal Utility District plant in Oakland, instead putting some of that previously unwanted substance to good use locally.

Napa Recycling & Waste Services has found that elusive winery wastewater win-win at its composting facility.

At least some of those trucks are now exiting Highway 29 at the airport industrial area near American Canyon and heading to the Napa Recycling & Waste Services yard. There, the wastewater is used for dust mitigation and moisture control to help turn the region's yard clippings into compost.

“Once the drought hit, we felt guilty about using domestic water, so we looked for alternative sources,” Napa Recycling & Waste Services General Manager Greg Kelley said.

The Napa Recycling & Waste Services program is keeping about 700 trucks annually off the road between the county and Oakland. This comes at a time when traffic and the county’s carbon footprint are local concerns.

Saintsbury winery in the Carneros region usually uses its own, onsite system to clean up wastewater containing such things as juice and plant matter. Like many wineries, it turns wine wastewater into irrigation water for vineyards.

But the winery is rebuilding that system and for now is trucking its wastewater to the Napa Recycling & Waste Services compost piles.

“I think the community’s concerns about sending water to East Bay MUD are legitimate,” Saintsbury co-founder David Graves said. “I would hope that as the word gets out among the waste haulers, that the East Bay MUD option basically just sort of goes away.”

Of course, Napa County has its own sewage treatment plants. But the Napa Sanitation District plant isn’t equipped to handle all of the hold-and-haul flow of wine wastewater, making the East Bay MUD plant the preferred option.

The wastewater from wineries is not toxic or dangerous, but it does contain yeasts, sugar and other nutrients that are difficult for a sewage-treatment plant to handle without special facilities, such as those built by East Bay MUD.

The NapaSan Board of Directors, which has looked at the issue for years, on Wednesday heard about the Napa Recycling & Waste Services program.

“This is a pretty elegant solution in providing options,” Board Member and Napa Mayor Jill Techel said.

But are there enough local options to stem the flow of trucks to East Bay MUD in Oakland to any large degree? A NapaSan report concludes that this is a possibility within a few years.

One hard-to-answer question has been how much winery wastewater is on the road. NapaSan’s latest estimates are that 48 county wineries and other facilities use hold-and-haul. They generate 21.5 million gallons annually of wine wastewater, with the waste hauled by 13 trucks daily.

Napa Recycling & Waste Services is using a few million gallons of winery wastewater annually for composting and isn’t looking for more customers. But it plans to expand its program.

By the end of 2019, the composting program could use 9.1 million to 12.6 million gallons, a NapaSan report said. Within five years, this could increase to between 13 million and 18 million gallons, depending on whether deliveries are made on weekends.

Meanwhile, NapaSan has a new pilot program for hold-and-haul winery wastewater. That could cover another 675,000 gallons annually.

Add those two options together and the possibility exists that much of the East Bay MUD truck traffic flow could be erased. But, as NapaSan officials pointed out, regional and market forces are also at play.

Presently, Napa Recycling & Waste Services is charging 3.5 cents to 5 cents per gallon for wine wastewater disposal, depending on quantity. That's similar to East Bay MUD, the NapaSan report said.

"I think taking those trucks off the road going to East Bay MUD is kind of a win for the Bay Area," said NapaSan Board Member and county Supervisor Ryan Gregory.

Napa County in 2015 considered banning all new wineries from using hold-and-haul for their wine wastewater, except on a temporary basis. The county Board of Supervisors in early 2016 decided not to take that action.

On June 20, the county Planning Commission allowed the planned Boyd Family Vineyards winery to use hold-and-haul. The other option was for the winery to remove 3 acres of vineyards to create room for a leach field so it could have an onsite system.

Though local options for winery wastewater hold-and-haul disposal means less trucks on the road for the Bay Area as a whole, those trucks are still on Napa County roads.

Gregory said he'd like to have wineries within the NapaSan service area pipe the wastewater to the NapaSan treatment plant. The service area in and near the city of Napa has 25 hold-and-haul facilities trucking 13.5 million gallons annually.

"That's a bigger part of the puzzle for me," he said.

NapaSan General Manager Tim Healy said the sewer bill for wine wastewater is expensive and that the wastewater can overwhelm the capacity of the treatment plant. The district encourages wineries to pretreat the waste, but that costs them money to install those systems.

## East Bay Times

# Bill to transfer Contra Costa Canal to water district advances



Construction of the main section of the Contra Costa Canal sometime between 1937 and 1948. (Contra Costa Water District)

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The decades-old concrete canal that brings water to half a million Contra Costa residents is damaged and dangerous, experts say, but a bill that proposes to fix it through an ownership transfer has cleared a hurdle.

Called the Contra Costa Canal Transfer Act, the bill written by Congressman Mark DeSaulnier, D-Concord, would transfer ownership of the canal system from the U.S. Bureau of Reclamation to the Contra Costa Water District, which is working on safety improvements to the canal. The bill unanimously passed out of the House's Natural Resources Committee on Wednesday.

“In order to streamline improvements to our aging canal system, the ownership of the Contra Costa Canal should be transferred from the federal government to the Contra Costa Water District,” DeSaulnier said in a news release issued jointly Wednesday by his office and the water district. “I am pleased that our effort to help upgrade the Contra Costa Canal and revitalize the

surrounding land for recreation, development, and the enjoyment of local residents is one step closer to becoming law.”

A companion bill, SB 3001, was introduced in the Senate last month by U.S. Senators Dianne Feinstein and Kamala Harris.

The water district has operated the system since 1972 and fully paid off the canal, the Shortcut Pipeline, two reservoirs and other facilities in 2010, according to a June district news release. Now it wants to get started on a project to replace a 26-mile stretch of the canal from the Rock Slough intake in Oakley to Clyde with a pipeline.

The currently open canal is a safety risk. According to the Contra Costa Water District, 81 people have died in the canal over its lifetime. It is also vulnerable to leaks and water evaporation, earthquakes, landslides and water degradation from algae or storm contamination.

The 48-mile canal was built between 1937 and 1948 as the first part of the federal Central Valley Project, a series of dams and canals planned to primarily deliver irrigation water to the Sacramento and San Joaquin valleys. It's also had to deliver water to the homes and businesses in central and eastern Contra Costa County that have grown since World War II.

Work on the canal has already been ongoing, with millions of dollars — including from grants and Proposition 84 — going toward replacing several segments. The new modernization project is estimated to cost upwards of \$500 million, said water district director of public affairs Jennifer Allen, and the district [would like to own the canal before investing that much money in its upgrades.](#)

Allen said the district expects customers would feel more comfortable with it owning the canal before investing hundreds of millions of dollars into it, too, especially considering the district has already paid off the canal and invested in its upgrades.

“The canal system is the backbone of the district’s delivery system and gaining title of the system is an important step for the future of this facility,” Constance Holdaway, vice president of the Contra Costa Water District’s board of directors, said in a news release.

Congressmen Mike Thompson, D-Napa, and Jerry McNerney, D-Stockton, are co-sponsors of the bill to transfer the canal, H.R. 6040. The bill will have to pass the House and then the Senate in the coming months to be signed into law.

## East Bay Times

# \$1 billion coming to Bay Area for two new dams

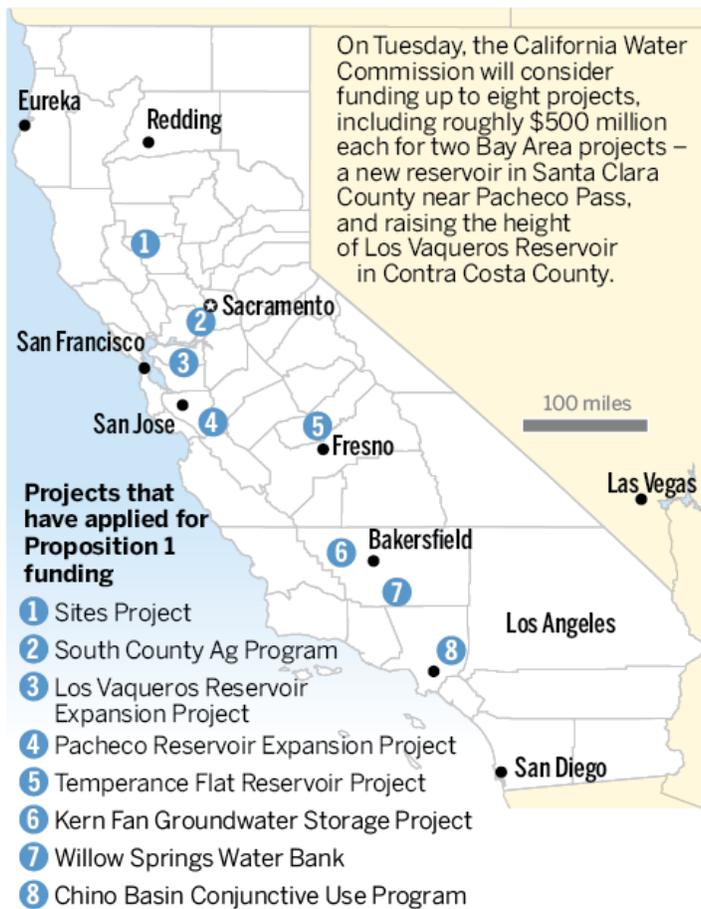
By [Paul Rogers](#) | [progers@bayareanewsgroup.com](mailto:progers@bayareanewsgroup.com) |

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During California's recent five-year drought, it was common to hear people asking why the state doesn't build more dams.

On Tuesday, flush with cash from voters, the administration of Gov. Jerry Brown is expected to finally do just that, committing nearly \$1 billion to build two huge dam projects in the Bay Area, and another \$1.5 billion for six more big water projects from the Sacramento Valley to Bakersfield.

### WATER STORAGE INVESTMENT PROGRAM



Source: California Department of Water Resources BAY AREA NEWS GROUP

The California Water Commission, whose eight members are appointed by the governor, will likely vote to fund \$2.5 billion overall for the eight projects — four new dams and four groundwater storage proposals.

Among the proposed awards: \$485 million to the Santa Clara Valley Water District to construct a new 319-foot-tall dam at Pacheco Pass in rural southern Santa Clara County, and \$459 million to the Contra Costa Water District to raise the height of the dam at Los Vaqueros Reservoir in eastern Contra Costa County by 55 feet, increasing the lake's size by about 70 percent. The new funding would pay roughly half the cost of each project.

The money comes from Proposition 1, a state water bond approved by voters in November, 2014. It is believed to be the largest state commitment to build new dams in California since 1960, when Brown's father, former Gov. Pat Brown, was in office.

That year, the former governor convinced voters to pass a ballot measure with the same name, Proposition 1, which provided \$1.75 billion to construct Oroville Dam and much of the State Water Project.

But unlike that measure, which funded dams and concrete canals, this one was designed by state lawmakers to also include underground storage, where water is put into large aquifers in wet years and pumped out during dry years. Underground storage is often cheaper than new above-ground reservoirs, and comes without evaporation problems. It also avoids environmental battles that arise when new dams are proposed to block rivers, which can kill salmon, and other fish and wildlife.

Armando Quintero, chairman of the California Water Commission and a former national park ranger who also works as president of the Marin Municipal Water District Board, said the state needs to diversify the way it stores water.

“People think of reservoirs when they think of water storage. You can look at them and see them when they are full or empty,” he said. “Groundwater is abstract. But there is 25 times as much room in groundwater basins as in all the existing reservoirs in California.”

The bond includes \$7.5 billion for a range of water projects, including desalination, conservation, storm water capture, water recycling and storage. After Tuesday, roughly \$3.4 billion of the money will have been committed.

Last year, after the commission held dozens of meetings to write regulations creating a ranking system that would assign scores and cost-benefit ratios to issues from flood control to endangered species, 12 projects applied for the storage money.

Here are the final eight the commission will consider, with the amount of money its staff has recommended, ranked by their scores:

1) [Pacheco Reservoir Expansion](#): \$485 million. Total project cost: \$969 million. The Santa Clara Valley Water District would expand a small reservoir on Pacheco Creek, at Pacheco Pass, increasing its size from 6,000 acre-feet to 140,000 acre-feet. The new dam would be 319 feet tall. The district would take water it now stores in nearby San Luis Reservoir and pipe it into the new reservoir, filling it during wet years.

2) South County Ag Program: \$280 million. Total project cost: \$373 million. The Sacramento Regional County Sanitation District would provide up to 50,000 acre-feet of recycled waste water a year to farmers for irrigation, reducing groundwater pumping in Sacramento County.

3) [Los Vaqueros Reservoir Expansion](#): \$459 million. Total project cost \$980 million. The Contra Costa Water District would raise the height of the dam in eastern Contra Costa County by 55 feet to 273 feet high. That would expand the reservoir’s capacity from 160,000 acre-feet to 275,000 acre-feet, providing more water for Bay Area cities during droughts and some for wildlife refuges near Los Banos.

4) Temperance Flat Reservoir: \$171 million. Total project cost: \$2.6 billion. The project, proposed by cities, water agencies and counties in the San Joaquin Valley, would build a new dam on the San Joaquin river in the Sierra Nevada north of Sequoia-Kings Canyon National Park. The dam would be 665 feet high, the second tallest in California, and would store 1.2 million acre-feet of water.

5) Chino Basin Conjunctive Use Program: \$207 million. Total project cost: \$480 million. Proposed by the Inland Empire Utilities Agency, the project would build pipes, pumps and a treatment facility to put up to 15,000 acre-feet of recycled wastewater a year into a groundwater storage bank in San Bernardino County for use by local cities, businesses and farms.

6) Sites Reservoir: \$1 billion. Total project cost: \$5.2 billion. Officials from Glenn, Colusa and Sacramento counties and Sacramento Valley water agencies hope to build a massive new off-stream reservoir in Colusa County, filled with water piped from the Sacramento River. It would hold up to 1.8 million acre-feet, making it the seventh-largest reservoir in California.

7) Kern Fan Groundwater Storage Project: \$86 million. Total project cost: \$171 million. The Irvine Ranch Water District in Orange County and the Rosedale-Rio Bravo Water Storage District in Bakersfield are proposing to store up to 100,000 acre-feet of water in groundwater basins near Bakersfield in wet years and draw it out during droughts.

8) Willow Springs Water Bank: \$124 million. Total project cost: \$343 million. Expanding a groundwater bank 50 miles north of Los Angeles near Rosamond in Kern County would add 500,000 acre-feet of new storage. The project is also partly funded by private investors and CalPERS, the state's main public pension fund.

Getting approval Tuesday doesn't guarantee the projects will be built. The applicants have until Jan. 1, 2022 to come up with the rest of the money from increases in local water rates, federal grants or other sources. They must also obtain all permits, finish environmental studies, purchase land and secure water rights before the state will release its funding.

"They now have a better license to go hunt," said Jay Lund, director of the Center for Watershed Sciences at UC-Davis. "But there is still a lot of work to be done. Some of them probably will never get built."

Because there is a mix of traditional storage and underground storage, common water adversaries have found something to like.

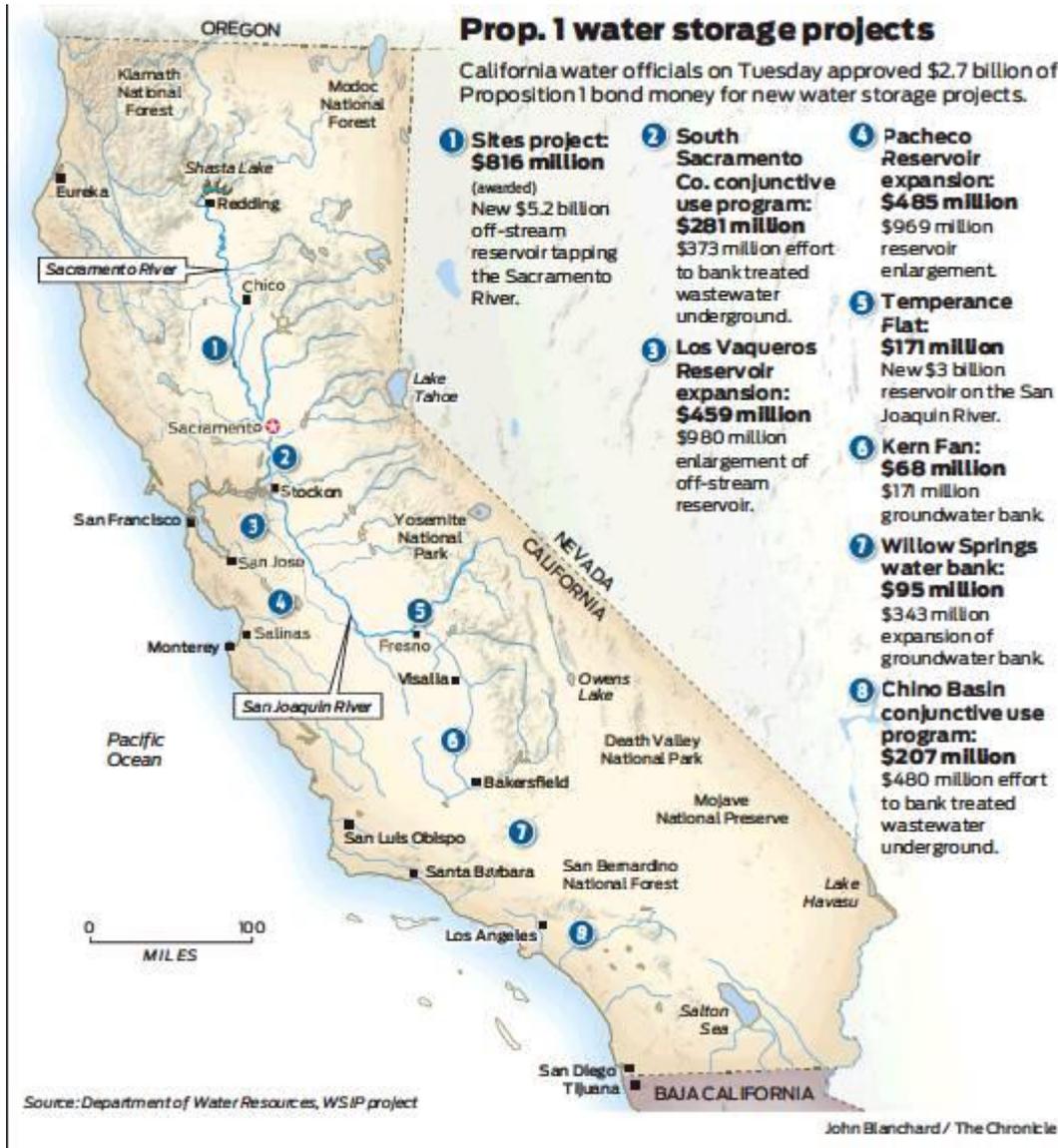
"We finally got some money now that can be used for infrastructure that has been sorely missing for a generation," said Mike Wade, executive director of the California Farm Water Coalition.

Kyle Jones, a policy advocate for Sierra Club California, called the final recommendations "innovative."

"I'm pleased that it wasn't just a giveaway for the big dam projects that we don't like," he said.

# State approves funds to expand water storage

By Kurtis Alexander, July 25, 2018



For the first time since California’s dam-building boom ended nearly a half century ago, state officials on Tuesday approved a windfall of cash for new water storage projects, setting the stage for at least a mini-resurgence of reservoir construction.

The historic \$2.7 billion of voter-approved bond money will go to elevating two Bay Area dams, at Los Vaqueros Reservoir near Livermore and Pacheco Reservoir east of Gilroy, as well as to

the development of two much larger dams in the Central Valley. Funds also will go to four less traditional endeavors that store water underground.

Collectively, the projects would add about 4.3 million acre feet of water storage across the state, the equivalent of about a dozen of San Francisco's Hetch Hetchy reservoirs. The new supply is intended to help California weather drought as longer, deeper dry spells are expected to take hold with climate change.

Although the larger dams, at the proposed 13-mile-long Sites Reservoir along the Sacramento River and 18-mile-long Temperance Flat Reservoir on the San Joaquin River, are still well short of the money they need to get off the ground, the Bay Area projects are now close to moving forward.

"Getting the money is a greater step toward water reliability for the Bay Area region," said Oliver Symonds, a spokesman for the Contra Costa Water District, which was allocated \$459 million for the proposed \$980 million expansion of Los Vaqueros Reservoir.

The state money comes four years after voters approved Proposition 1 in the throes of the recent drought. The \$7.5 billion bond measure committed funding for upgrading water infrastructure, restoring watersheds and developing new water storage, with more than a third of the money earmarked for reservoirs and underground water banks.

Tuesday's decision on storage projects was made by the California Water Commission, an independent advisory board appointed by the governor, following a years-long technical review in which about a dozen proposals were considered.

To make sure the projects wouldn't serve special interests, each was scored by how much public benefit it would provide — for example, whether it offered boat recreation, improvements to fish habitat or wastewater treatment.

Among the winners were two efforts to recycle wastewater by treating it and storing it underground. The projects were submitted by the Sacramento Regional County Sanitation District and the Inland Empire Utilities Agency.

Two other funding recipients, in Kern County and Southern California's Antelope Valley, plan to recharge stressed groundwater basins with surplus surface water.

But the bulk of the money, close to \$2 billion, is headed to reservoirs.

With its allocation, the Contra Costa Water District hopes to break ground in two years on raising the dam at Los Vaqueros Reservoir in the East Bay hills by 55 feet. The reservoir, which holds water piped in from the Sacramento-San Joaquin River Delta, would grow by 70 percent, increasing its capacity to 275,000 acre-feet of water, enough to supply more than a half million households for a year.

The district intends to share its additional supplies with other Bay Area providers, including the San Francisco Public Utilities Commission and the East Bay Municipal Utility District. Those agencies are expected to help foot the balance of the project's cost.

With \$485 million of Prop. 1 money, the Santa Clara Valley Water District plans to construct a new \$969 million dam on Pacheco Creek in eastern Santa Clara County, in the footprint of a smaller dam. The project will increase water storage from the creek, which gets much of its water through releases from nearby San Luis Reservoir, from 5,500 to 140,000 acre feet of water.

An acre foot is 326,000 gallons and can meet the needs of about two households for a year.

The outstanding balance for the expanded Pacheco Reservoir is expected to come from other water agencies that will benefit, including the San Benito County Water District and Pacheco Pass Water District, as well as customers served by the project.

Richard Santos, chairman of the Santa Clara Valley Water District Board of Directors, said he hopes construction will start in the next few years.

"It's a reliable source of water that will provide for all of Santa Clara County's residents," he said.

The biggest recipient of the Prop. 1 funding was the proposed Sites Reservoir, a \$5.2 billion venture slated for the west side of the Sacramento Valley in rural Colusa County. The project would store 500,000 acre feet of water piped in from the nearby Sacramento River.

However, the \$816 million allocated for the reservoir is much less than the project's backers wanted, leaving the future of the effort uncertain. The reservoir's anticipated public benefit did not score as high as what supporters had hoped.

"My concern is that this (money) is more of a down payment on what we need and not an end solution," said Jim Watson, general manager of the Sites Project Authority. "But it's a step in the right direction."

Watson said he is pursuing funding from other sources, including the many water agencies that would benefit from Sites, largely districts that provide water for farms.

Proponents of the proposed Temperance Flat Reservoir, near Fresno, said they, too, are having to look elsewhere for cash.

The \$3 billion project, which would add 1.3 million acre feet of water storage from the San Joaquin River, was awarded \$171 million. The public benefit of the project was also deemed low.

Mario Santoyo, the project's executive director, said he's hoping President Trump, who has committed to increasing agricultural water supplies, will pick up with where the state left off.

“There’s no guarantees, but we have a new administration that wants to build,” Santoyo said.

The Prop. 1 funding for water storage is the most the state has allocated since construction of the State Water Project, which consists of 21 dams and hundreds of miles of canals, built largely in the 1960s.

California’s last major reservoir, New Melones Lake near Sonora (Tuolumne County), was constructed by the U.S. Bureau of Reclamation in the 1970s.

Jay Lund, director of the Center for Watershed Studies at UC Davis, said Prop. 1 was largely an aberration since the state and federal governments have retreated from the dam-building business.

The reasons are numerous, he and other water experts say. For one, the best spots for reservoirs are taken. Also, the harm that dams do to fish and rivers has become increasingly clear. And finally, there’s just not much money for the pricey endeavors.

“This is pretty unprecedented that the state is providing general fund revenues for water storage. It’s rarely done on this large of scale,” Lund said. “But I’m not sure there’s anymore economically promising surface storage to be built no matter how much money you have. This may well be the last hurrah for water storage.”

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## East Bay Times

# Outgoing SPUR director explains what's wrong with the Bay Area today



Gabriel Metcalf of the San Francisco Bay Area Planning and Urban Research Association —or SPUR — is photographed at the Montgomery Street BART station on Thursday, June 7, 2018, in San Francisco, Calif. Metcalf, who is the president and CEO of SPUR is stepping down after more than 20 years with the organization. (Aric Crabb/Bay Area News Group)

By [Erin Baldassari](#) | [ebaldassari@bayareanewsgroup.com](mailto:ebaldassari@bayareanewsgroup.com) | Bay Area News Group  
PUBLISHED: July 26, 2018 at 6:00 am | UPDATED: **July 26, 2018** at 3:50 pm

Gabriel Metcalf loves cities.

He loves the diversity of people, and the organic ways they can find others like them, while at the same time, being constantly exposed to those who aren't. He loves walking or hopping on a bike to get where he needs to go. He loves the way cities buzz with energy.

It's why he's so disappointed in what he calls "exclusionary policies" that make it so expensive to live in the Bay Area. As president and CEO of SPUR, the region's preeminent urban planning think tank, Metcalf, a San Francisco condo owner, has been at the forefront of advocating for smarter housing and transportation policies. He was a co-founder of City CarShare, one of the first car-sharing organizations in North America, and a founding member of the San Francisco Housing Action Coalition, a nonprofit that advocates for more housing at all levels of affordability.

He's stepping down from SPUR after more than 20 years, including 13 as its president and CEO, to take a new job at The Committee for Sydney, another urban planning think tank. This news organization spoke with Metcalf about the ways in which the Bay Area has changed over his tenure at SPUR, what challenges lie ahead and what opportunities await. The conversation has been edited for clarity and length.

**Q: How did you first become interested in cities and urban spaces?**

**A:** One starting place is the experience of moving around as a young person, living in Denver, living in suburbs, living in a college town, and viscerally feeling how much place matters. Boulder provided a really wonderful experience of small college-town urbanism in the sense of a very walkable, compact place where you could get everywhere by bike. It has a very healthy public space culture, where people spend time on the street and in the parks. So, some of that interest in cities began as just a lived experience of the quality of life in different places. And, from early on, I knew I wanted to live in a bigger city and get into a bigger world than where I grew up.

**Q: How did you end up in San Francisco?**

**A:** My girlfriend and I went to Seattle for a couple of years, and then we moved to San Francisco in 1996 in maybe one of the last years when it was still possible to come here without a job and figure it out, before the city got so expensive that that became impossible. It was a dream to get to live in such a great city. There was so much happening, so many different kinds of people, and I really had the sense that it was a place where it was going to be possible to experiment politically to do things that wouldn't be possible in other parts of the country.

**Q: What makes cities great places to live, in your mind?**

**A:** Cities are a vessel for holding human difference. That's what a city is. And that essential purpose of holding human difference becomes a platform for a lot of other really interesting things. Cities end up fostering creativity of all kinds because they bring so many different kinds of people together. That shows up in political movements, it shows up in artistic movements, and it shows up in economic innovation, as well. And, it also turns out cities are incredibly ecologically efficient. The city with the smallest carbon footprint per capita in the United States is New York. The essence of the ecological genius of cities is, by concentrating people at high densities, we make it possible to get around by foot, by bike or by transit. So, cities do a lot of different things for us.

**Q: How have the cities in the Bay Area changed in the past two decades you've been living here?**

**A:** Physically, it has not changed very much. And I think that's de facto been the choice we've made. We've decided to keep most of the physical form intact, but at a price of losing a lot of the social fabric.

The most important mistake in the Bay Area is our decision that nothing should ever interfere with the comfort and convenience of people who currently own their homes, that they should not have to be troubled with taller buildings anywhere in their line of sight. If we were willing to make some very small sacrifices, essentially to allow tall buildings to be built, we could make this region less expensive.

**Q: Why are people so resistant to seeing taller buildings, or physical change in general, in the Bay Area?**

**A:** This is one of the great ironies of the Bay Area, that attitudes that are clearly exclusionary got labeled “progressive” by some people. The attitude that single family neighborhoods should be able to keep out higher density apartment buildings forever. It’s attitudes like that are clearly harmful to low-income people or immigrants. And, I don’t know why that happens.

**Q: Is that the biggest challenge facing the Bay Area right now?**

**A:** It’s one of the challenges. Another big challenge for the Bay Area is transportation. The generation after WWII did an extraordinary thing by planning and funding and building BART. This was in an era when much of the country was still building highways. The Bay Area looked so ahead of the game in the mid ’70s when BART opened, but since then, we’ve really rested on our laurels and have not kept up. We’ve skipped two generations of expanding our transit system, and so today we live with that legacy of under-investing in regional transit. At the same time, we built out so much of the region in the form of low-density sprawl, which means transit does not work there. So, we now face the twin challenges of retrofitting our low-density neighborhoods to become more compact and walkable, while at the same time playing catch up on transit investment.

**Q: Is there any hope for us?**

**A:** There is hope. We actually have everything we need to solve these problems. We have such high levels of education. We have such high levels of wealth. We have a very idealistic population. The greatest danger for us is a form of fatalism, where we start to believe these problems are permanent and there is nothing we can do. That is simply not true. We have the ability to solve them. But, we need to come together as a region to change course on housing and transportation.

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**Gabriel Metcalf**

**Age:** 48 **Position:** CEO of SPUR **Education:** Antioch College; Institute for Social Ecology; Department of City and Regional Planning, U.C. Berkeley **Residence:** San Francisco **Family:** Two boys; partner

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## **Five things to know about Gabriel Metcalf**

1. He thinks cities are the solution to almost every problem.
2. He goes on a solo backpacking trip in the Sierra every year.
3. He was one of the founders of City CarShare, one of the first car-sharing organizations in North America.
4. He wrote a book called Democratic by Design, which is a history of alternative institutions within American social movements.
5. Even though he's moving to Sydney, he still believes in the potential of the United States. He loves the quote from Richard Rorty, "The whole point of America was that it was going to be the world's first classless society."

**East Bay Times**

# Antioch approves developer-backed open-space initiative

By [Judith Prieve](#) | [jprieve@bayareanewsgroup.com](mailto:jprieve@bayareanewsgroup.com) | Bay Area News Group  
PUBLISHED: July 26, 2018 at 2:37 pm | UPDATED: **July 27, 2018** at 5:10 am

The Antioch City Council has unanimously adopted a developer-backed initiative that would pave the way for “The Ranch,” a 1,177-home community in the city’s largest swath of remaining open land.

Because the council adopted the measure outright, it won’t go on the November ballot.

The vote late Tuesday came after dozens of public comments, presentations and debate, which included some council members’ accusations that another initiative, backed by a coalition of residents and conservation groups, had misled voters with exaggerated numbers of homes being planned. That initiative, called “[Let Antioch Voters Decide](#),” would have blocked all large-scale development in the Sand Creek Focus Area of Southeast Antioch. It was unanimously sent back for further study and is to return for council reconsideration on Aug. 28. Even if placed on the ballot, however, it wouldn’t affect the already approved Ranch development.

“I think this stinks,” Mayor Sean Wright said of misinformation about the initiatives. “We’re not touching those hills — the land we are talking about is private land. I’m all for open space...there’s a lot of open space.”

Councilman Lamar Thorpe also complained that “Let Antioch Voters Decide” petitioners cited inaccurate housing numbers in describing The Ranch plan.

“They were not accurate in telling people the number — 8,000 never existed,” he said. “I found it so disingenuous. I have an absolute distaste for misleading the public in what we were doing.”

But former mayor and councilman Donald Freitas pointed out that more than 20 years ago the city planned for more than 8,000 homes, then reduced the number to 4,000 in 2003. The Ranch, meanwhile, recently was reduced from 1,677 to 1,177 homes, he said.

“Our vision for this area was that it would not have cookie-cutter development — that it would be different, that we would honor and respect the environment,” he said. “Our original goal was 8,950 units ... This (Richland Communities) has been a responsible developer — nothing like this exists in Antioch, and for that matter, in East County.”

Both initiatives focus on preserving open space between Black Diamond Mines Regional Preserve and Deer Valley Road. To the east of Deer Valley Road, two developments — the Aviano Farms project and the Promenade/Vineyards at Sand Creek — have already been

approved. All of the land is in Antioch's Sand Creek Focus Area — 2,712 acres of rolling hills and flat lands on the city's southern border.

The approved "West Sand Creek Open Space Protection" initiative would zone 1,244 acres west of Deer Valley Road as rural residential, agriculture and open space, with the remaining land — approximately 608 acres — open for "The Ranch" development.

The coalition behind the "Let Antioch Voters Decide" initiative fears a major housing development would lead to more traffic congestion and crime and further strain schools while jeopardizing agriculture, streams, grasslands, wildlife habitats and scenic views. Backers included Save Mount Diablo, the Greenbelt Alliance, the Sierra Club and the California Native Plant Society.

In urging approval of the no-growth initiative, Juan Pablo Galvan, Save Mt. Diablo's land use manager, said it "would protect Antioch's precious natural resources and beautiful scenery."

"It will help reduce traffic impacts from residential building and allow the city to focus on improving what it already has rather than incurring more long-term negative impacts by expanding growth," he added.

The counter initiative would allow development only on the lower lying portion of Sand Creek, protecting 70 percent of the land in the Sand Creek Focus Area west of Deer Valley Road. It would permanently preserve grasslands and open space in the Sand Creek corridor, but allow for development of the flatter portions of land known as The Ranch, a planned residential community of low- and medium-density homes, including single-family and senior homes.

The West Sand Creek proposal amends the city's general plan to establish two overlay land use designations in the initiative's area: one for "restricted development area," which applies to the more hilly and environmentally sensitive lands west of Deer Valley Road; and the other, a limited development area, for the flatter, less environmentally sensitive lands west of Deer Valley Road where The Ranch community is planned.

Craig Cristina, senior vice president of The Ranch, touted the project's mix of senior and single-family homes, amenities such as parks and trails, and transportation improvements including a connector for Sand Creek Road between Deer Valley and Dallas Ranch roads. The proposal also requires the developer to donate a site for a future fire station at Deer Valley and Sand Creek roads as well as \$1.2 million to Deer Valley High School sports facilities.

Twenty-four people spoke in favor of The Ranch, which they said would bring local jobs, badly needed housing and road improvements. About a dozen opponents of The Ranch urged the council to keep the pristine open space intact.

"This project would give you certainties about what areas would be developed, and certainty about what areas are going to be held for open space," Ralph Garrow said. "Housing is needed. It's the last major development area."

But while the proposal would maintain The Ranch's development rights, it would rezone the proposed Zeka development to the west. The current general plan allows for [up to 4,000 homes](#) throughout the Sand Creek Focus Area.

That did not sit well with representatives of the Zeka Ranch, which has been working with the city to develop the land since 1992.

Louisa Zee Kao, president of Zeka, urged the council to send the initiative out for a 30-day study of its impacts. "They (The Ranch's Richland Communities) deliberately put a green belt out to the west to make it impossible to develop."

Antioch's interim city attorney, however, said a "hardship waiver" in the West Sand Creek initiative will allow a developer there to appeal to the council for an exception.

Therese Kain, a 30-year-resident, said she's disappointed that the city is considering more development.

"Antioch should be a destination city," Kain said. "It has a magnificent location; it's on a river. The people who settled here saw the opportunity in this place....I would rather see that land be left for a while; let a more visionary idea be presented — that's what we need."

## Calexico Chronicle/Imperial Valley Weekly

# LAFCO Cautions HMHD Adopt Guidelines; Closely Scrutinize Grants

July 30, 2018

[BY WILLIAM ROLLER](#)



In a sobering assessment of the Heffernan Memorial Healthcare District, the head of its oversight organization, the Imperial Local Area Formation Commission, responded to questions about keeping the district in compliance with state requirements.

Speaking at the July 18 meeting of the Heffernan board of directors, LAFCO Executive Officer Jurg Heuberger remarked he was attending not to pick on the district but to provide direction. LAFCO oversees special districts under state law.

"A couple of years ago I knew HMHD needed improvement," he said. "I give you a grade B. I know you're an A team and I think you're headed there."

The turnabout appears to have been even faster. Heuberger's assessment is in stark contrast to his appearance at the Feb. 21 Heffernan meeting where he raised the grim prospect of dissolving the district due its shortcomings, including not having a staff person and lack of policy for assessing funding requests.

Heuberger on July 18 cited several points of departure where Heffernan strayed from acceptable protocol, especially excessive emergency meetings recently scheduled, sometimes just for one agenda item. It is supposed to schedule just two meetings per month.

"It's a matter of public perception," said Heuberger. "People cannot afford to come down here to meet every week. Some meetings are scheduled at odd hours. The public begins to think you're trying to wear them out and prevent them from attending public meetings."

Additionally, he asked Heffernan prepare a five-year plan outlining long-range goals. Another major criteria is financial, he noted.

"You're in a doggone good position--you got lots of money," he said. "But you are not allowed to subsidize the city of Calexico programs until they have a draft plan approved by LAFCO."

Earlier in 2018 the city of Calexico inquired about Heffernan helping finance the city fire department's financially strapped ambulance service, something Heuberger warned at the time was not consistent with Heffernan's mission. Despite that, the proposal to fund the ambulance service was defeated Jan. 17 in a narrow 3-2 vote by the Heffernan board.

Heuberger urged Heffernan to adopt a policy guideline that spells out criteria of funding requests are evaluated.

"Once you have guidelines they should be reproduced on a standard hand-out you can distribute to applicants. Consider posting them to your website and tell everybody, 'Hey, read the rules online,'" Heuberger added.

Responding to Heffernan trustee Rudolfo Valdez, he remarked the district will continue to be monitored until such time that LAFCO has confidence that it is no longer necessary for such close oversight.

"For the time being, we'll oversee you," he said. "And it's pretty much my recommendation. In our original report (March 2018) discussion arose whether to dissolve you. But we said, 'No.' We're trying to give HMHD positive feedback and we don't want to bug you every couple of months."

Answering a question from Heffernan Treasurer Norma Apodaca about a prior recommendation to hire an executive director, Heuberger replied it was not necessary to get a full-time staff member.

"We prefer full-time but we don't expect a \$300,000-a-year executive," he said. "We understand starting off with a half-time executive secretary maybe enough. We're not here to tell you how but provide you guidance."

At the beginning of the month, after reviewing three candidates, Heffernan identified Tomas Virgin as their choice. He is now undergoing a background check.

The Heffernan board also voted unanimously to accept the treasurer's report. Total assets were \$6,350,946. Total expenses were \$31,307, including \$17,157 of Heffernan grants for the period of June 20 to July 15.

## Funding Stalls For New Calexico Health Clinic

July 30, 2018

[BY WILLIAM ROLLER](#)

While local healthcare start up Calexico Wellness Center seeks to serve the many in the city with inadequate or no health insurance, it has run into a major funding snag with no resolution in sight.

The roadblock occurred on June 20 when the Heffernan Memorial Healthcare District board denied its request for \$371,000 in funding, which a company official said was about 70 percent of its planned operating expenses for its first year.

Calexico Wellness is located at 420 Heffernan Ave. It opened June 4.

Even though the board vote on funding was a 2-2 tie, that still meant denial and to date the board has not shown interest in revisiting the matter.

Heffernan board President Hector Martinez and Director Norma Apodaca voted no with Director Sylvia Bernal abstaining because of a conflict of interest, Calexico Wellness Chief Operating Officer Inette Dominguez said in a July 11 phone interview.

Reached by phone on July 12, Martinez explained why he voted no saying that initially Calexico Wellness requested two year's funding but then revised it to one year and offered to repay the funds within five years. He said the request was for a substantial amount and there is no guarantee the venture will succeed.

"They reasoned the center was a primary care facility but there's already the Pioneers Calexico Health Center and the El Centro Regional Medical Center (in Calexico)," said Martinez.

He added, "They were not offering any advantage to the citizens because patients still had to pay through their insurance, so it was just a community grant for them to open a business. If they make another request that demonstrates a benefit to citizens--maybe offering some free services, I would reconsider my vote."

Further complicating matters is that Heffernan's oversight agency, the Imperial Local Agency Formation Commission, has authority over district expenditures and may not be on board with funding Calexico Wellness.

Dominguez said that prior to the June 20 meeting LAFCO Executive Officer Jurg Heuberger informed the center he would review their data and offer an opinion. Heuberger had sent Calexico Wellness a letter with a list of questions he requested answers to in mid-June, she

added. Heuberger was concerned the clinic may not receive the 10,000 annual visits needed to break even, she said.

The clinic responded but has not received a reply from Heuberger, Dominguez said.

This newspaper posed several questions to Heuberger by e-mail, but in a July 12 e-mail response he did not answer them and stated, "Have not issued any further opinions at this time."

At the Heffernan board meeting on July 11 Heuberger was scheduled to appear yet did not attend. Both Dominguez and Chief Executive Officer Blanca Morales did appear and signed the public comments request to address the board. Yet after 25 minutes the board adjourned to meet in closed session without Morales or Dominguez speaking.

Despite the tribulations, Calexico Wellness officials said they are pressing on as they believe their mission noble.

Recently the four administrators--Dominguez, Morales, Chief Financial Officer Frank Adamitis and physician Vital Aizin--provided the clinic with about \$200,000 of their own pooled funds, Dominguez added.

Additionally, the clinic is getting contracts with Medicare, Medi-Cal, Blue Cross and Blue Shield so when the clinic bills patient services the medical insurance companies will reimburse them, Dominguez explained.

"We want to be proactive," said Morales. "There's 24,000 people in Calexico who are at or below the 200-percent-of-poverty level. So we'll service patients without insurance. And we'll pre-pay for patients with vouchers who don't drive."

She added, "There's lots of asthma, obesity and hypertension in Imperial Valley so we're reaching out, doing Facebook, the county health fair in October and other community events."

Dominguez said Heffernan should support Calexico Wellness because "they don't have a clinic that they collaborate with and that's what they're supposed to be doing."

The clinic offers cardiology, gastroenterology and a liver specialist with a focus on hepatitis C, as well as telemedicine.

"This is where the future of medicine is heading," said Dominguez.

# Firefighters weary — and state budget wearing thin

By Melody Gutierrez, August 1, 2018

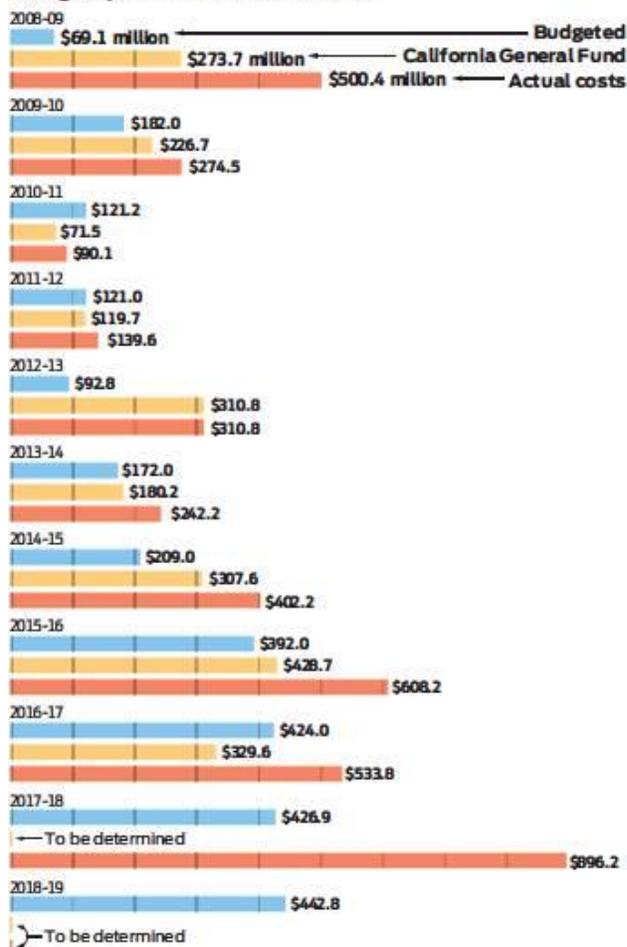
Josh Edelson / AFP / Getty Images

SACRAMENTO — California’s firefighters are stretched as thin as they have ever been, state officials said Tuesday, with no indication that the wave of fires scorching the Golden State will ease in the coming months.

## California firefighting costs

Amounts budgeted for Cal Fire wildfire fighting, total state costs in those years and total overall costs, including local and federal reimbursements.

### Emergency fund in millions of dollars



Source: State Department of Finance

John Blanchard / The Chronicle

It used to be that the fire season picked up at the end of August and ran through October. That changed with the state’s five-year drought, and this year’s outbreak in July has officials worried about firefighter fatigue.

It was an unprecedented month for fires, both in the number of acres burned and the cost of fielding crews to douse the flames.

The state spent \$125 million in July fighting wildfires. That was more than one-fourth of what was budgeted for the entire fiscal year, which began July 1 and won’t end until June 30, 2019.

It was also a tragic month for firefighters. Four died while battling blazes, two on the Ferguson Fire near Yosemite National Park and two on the Carr Fire as it threatened Redding.

“Unfortunately, no one is going home,” said Mark Ghilarducci, director of the Governor’s Office of Emergency Services. “There is no rest. ... We are literally moving firefighters and personnel from one fire to another, and will continue to do so until the threat is mitigated.”

Cliff Allen, president of Cal Fire Local 2881, the union that represents employees with the state Department of Forestry and Fire Protection, said the workload is taking a toll.

“Fatigue is starting to set in,” Allen said.

Nearly 300,000 acres of state and local lands have burned in California since January, 70,000 acres more than at this time last year and close to triple the five-year average for the date. Cal Fire has had to tap agencies in 12 other states to help build the force of 10,500 firefighters who are on the lines fighting the largest fires.

State officials even persuaded Australia and New Zealand to send firefighters. And Ghilarducci said his office is considering asking the Pentagon to deploy ground troops from the Marines or Army who can help clear brush to stop fires from spreading.

“We have fire literally from one end of the state to the other, and we have weather conditions that are making this an even more dynamic situation,” Ghilarducci said. “We have to get resources to the right place at the right time. It’s like a chess board.”

Ghilarducci said that in recent days, state officials redirected fire crews from the Ferguson Fire near Yosemite to the Carr Fire as it threatened Redding and to the Mendocino Complex fire when it took aim at communities in Lake County.

When those fires are contained, Ghilarducci said, it’s unlikely firefighters will get a break. The way the summer is going, they’ll probably have another fire to put out.

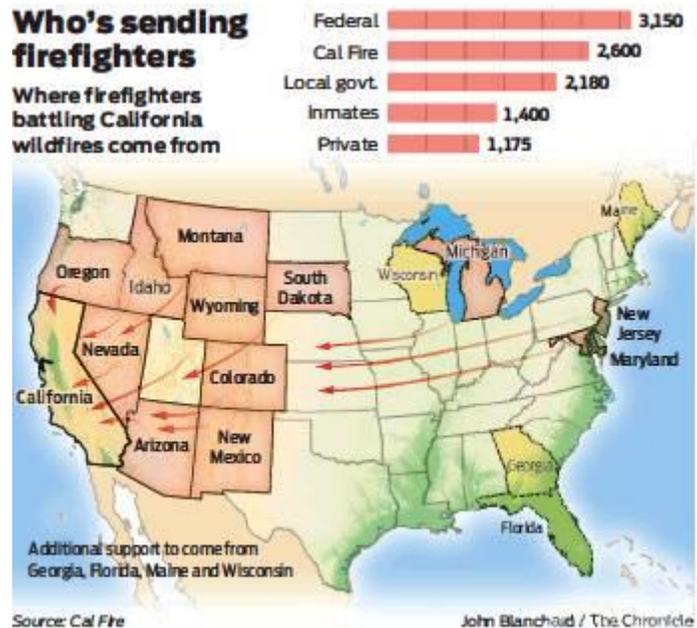
“It’s really all hands on deck,” he said.

And that comes at a cost.

The state is likely to need to dip into reserves for the eighth time in the past decade to cover the cost of putting out wildfires. That’s despite an ever-increasing budget for fighting fires.

Last year, the state budgeted \$427 million. The outburst of fires in the North Bay and elsewhere in October, and then in Southern California in December, left the state, local governments and the federal government having to come up with another \$470 million to cover costs.

California has budgeted \$443 million for this fiscal year that began July 1, and has spent \$125 million so far. That’s more than the state spent during the entire 2010-11 fiscal year.



“This is why the governor has been so insistent over the years of having a healthy budget reserve because, as this year may very well show, Mother Nature doesn’t always coordinate with the state budget,” said H.D. Palmer, spokesman for the state Department of Finance. “The second thing it speaks to is that it underscores what the governor has talked about in terms of the kind of effect that climate change has had on conditions in California and how they set the state up for these kinds of catastrophic wildfires.”

Edward Struzik, author of the book “Firestorm: How Wildfire Will Shape Our Future,” said rising firefighting costs are going to put pressure on budgets across the U.S. in coming years. The only way to prevent that is to keep people from moving into wildland areas and investing in technology that predicts where fires are likely to happen, he said.

“There is no indication we will get cooler and wetter in the West,” Struzik said. “Every study I’ve seen shows California and most of the American West will get hotter and drier. We have more people working and living in these forest areas, and that is increasing the likelihood of fires. I don’t see any other future other than one with more fires.”

And, he added, a future of “really stressed-out fire crews.”

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