

To: Commission Chair
Contra Costa LAFCO
From: Steve Cohn
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Date: April 19, 2011
Subject: MOFD and the Tri-Agency meetings

May 11, 2011
Agenda Item 13

I am a citizen of Orinda with no official capacity. I have been following the workings of the Moraga-Orinda Fire District (MOFD) for about 3 years. This included the LAFCO MSR for Fire and Emergency Medical Providers. I would like to report my observations regarding the LAFCO Fire Committee's Governance and SOI Recommendation #10 which was adopted by the full Commission at your October 14, 2009 meeting. This recommendation #10, pertaining to MOFD read "Encourage agencies to communicate regarding road/water infrastructure challenges and report back to LAFCO within 12 months." By "agencies" I believe LAFCO meant MOFD, the City of Orinda and maybe the Town of Moraga, which MOFD services.

The genesis of this recommendation came from a couple of "determinations" pertaining to MOFD that were contained in the MSR. These included:

6) In Orinda, there are water mains that need to be upgraded and hydrants in some areas have low pressure and capacity. Local voters have rejected bond ballot measures three times in recent years to improve water pressure for firefighting.

11) The District identified service challenges in Orinda area due to decayed roads and lack of street maintenance and access challenges on steep, windy, narrow roads, particularly in the El Toyonal area.

So it would appear that Recommendation #10 was directed more specifically toward Orinda than Moraga.

After the SOI recommendations were made in October 2009, to the best of my knowledge, MOFD did not contact Orinda on this matter. However, in January 2010 the citizens group FAIR (which I am on the steering committee of), made a presentation to the Orinda City Council. FAIR reiterated the claim made by the city's Revenue Enhancement Task Force (RETF) a year earlier that Orinda taxpayers were paying an excessive portion of MOFD's property tax revenue; over \$1 million more per year than they were receiving in services. (Note that the condition of Orinda taxpayers paying more property taxes for emergency services than the value of the services received was one of the key components of the vote to form MOFD in 1997; this is an old issue for Orinda.) FAIR informed The Council that they believed the city could obtain equivalent services by contracting with the county fire department, ConFire, for significantly reduced costs and that the savings could then be used to start refurbishing Orinda's decaying infrastructure. FAIR was aware that suggesting that the city, once again, detach from its emergency service provider was a radical and difficult task. However, after attempting to deal with MOFD both as members of the RETF and as individual taxpayers, FAIR believed that this might be the only way to move the issue forward.

In response to FAIR's proposal, the City of Orinda called for the formation of a Tri-Agency Committee, with Moraga and MOFD, to discuss the issue. Moraga and MOFD agreed.

The first Tri-Agency meeting was held on 4/16/2010. This was an organizing meeting agreeing to ground rules, appointing a chair, selecting an official name for the committee, and deciding on the agenda of the next meeting.

The second meeting was held on 5/24/2010. At this meeting MOFD made a presentation regarding MOFD's operations. (I would attach a copy of the presentation MOFD created for that meeting but they were designed as a slide show with black backgrounds and are therefore virtually unprintable. Therefore I can point you to the website of the community action group FAIR which has the MOFD presentation available at the top of its home page www.FairForOrinda.org). You will note in the power point there is no mention of either Orinda's nor Moraga's infrastructure. Comments by the public (with the three minute rule) were allowed before and after the presentation. There were none on infrastructure because the reason for these meetings was to discuss FAIR's proposal that Orinda detach from MOFD. However, there were many by the newly formed group OrindaCARES which was strongly opposed to reverting back to service by ConFire, whether by contract or annexation. When the committee members spoke, an Orinda representative asked about the status of Orinda's fire hydrants (30% of which are sub-standard). MOFD said they would provide information on the hydrants at the next meeting. This was the sole mention of infrastructure.

The third meeting was held on 9/1 2010. At this meeting MOFD made a presentation regarding MOFD's finances and the question of funding equity by Orinda and Moraga taxpayers. (MOFD's power point presentation for this meeting is also available on www.FairForOrinda.org). Again, Orinda's infrastructure was not discussed. MOFD did, as promised, provide a list of 23 Orinda neighborhoods impacted by substandard fire hydrants. This problem was not really discussed other than MOFD's statement that because they have a tanker truck they have never lost a home to fire due to insufficient water supply. That was the extent of the "discussion" on infrastructure.

The fourth and final meeting, held last Monday, April 11, 2011, consisted of a presentation by my group FAIR (I made the presentation) and a presentation by Ellen Dale for her group OrindaCARES. The entire focus of the presentations was on funding equity although FAIR called on the Orinda City Council to form a Citizens Emergency Services Task Force to explore not just the funding inequity issue (as this seems to be a point of serious contention within Orinda, not yet between Orinda and Moraga) but any and all other aspects of emergency services that the task force determines should be examined by Orinda and which Orinda should be knowledgeable of. The meeting concluded with the committee members making statements. None of the statements regarded infrastructure other than Moraga saying that it had its own infrastructure problems and it did not think its taxpayers should pay more taxes support MOFD just so Orinda taxpayers could allocate funds to improve Orinda's infrastructure. The MOFD members did not touch on the infrastructure issue. The committee agreed to dissolve and agreed that each agency would report back to its own board in its own manner with no "combined" subcommittee report.

I am reporting this because I believe that LAFCO may be under the impression that the Tri-Agency Committee was performing the task that LAFCO requested in its SOI Recommendation #10, discussing Orinda's infrastructure issues and how MOFD might participate in improving them. From this active observer's perspective, no discussions regarding infrastructure have yet taken place in the Orinda / Moraga / MOFD community. I may be wrong, I do not go to every meeting in Orinda nor do people report to me about what happens "off-line", but my observations are that nothing has happened. I hope you find my observations useful.