

## Giving back to the community

### Central Contra Costa Sanitary District

October 10, 2012  
Agenda Item 12c



Mike McGill  
Board Member

Mike McGill understands what it means to be a public servant. He has served on numerous boards over the years, dedicating his time and experience to agencies and organizations important to his community. McGill has extensive experience running as a candidate for these boards in efforts to get elected. Serving on a board of directors requires time and dedication and McGill has given both over the last few decades.

*California Special District* asked McGill why he has made service on the boards of directors of the agencies a priority, why public service is important and advice for others interested in running for a local agency board.

**You currently serve on a number of boards of directors, including those of local agencies. What are those boards and what are the agencies' missions?**

1. Central Contra Costa Sanitary District Board of Directors  
Years: 2006 to present  
Location: Martinez, CA (Central Contra Costa County service area)  
Website: [www.centralsan.org](http://www.centralsan.org)
2. California Association of Local Agency Formation Commissions (LAFCo) Board of Directors  
Years: May 2012 to Present  
Location: Sacramento, CA (statewide)  
Website: [www.calafco.org](http://www.calafco.org)
3. Contra Costa LAFCo Board of Directors  
Years: 2011 to present  
Location: Contra Costa County, CA (countywide)  
Website: [www.contracostalafco.org](http://www.contracostalafco.org)
4. National University System Board of Trustees, including National University, John F. Kennedy University, and other affiliates  
Years: 1989 to present  
Location: Pleasant Hill, CA (statewide)  
Website: [www.nu.edu](http://www.nu.edu) and <http://www.jfku.edu>



## Central Contra Costa Sanitary District

**Established:** 1977

**Mission:** To protect public health and the environment by collecting and treating wastewater, recycling high-quality water and promoting pollution prevention.

**Location:**

Martinez

**Website:**

[www.centalsan.org](http://www.centalsan.org)

5. Contra Costa Council Board of Directors (Co-Chair of Land Use Task Force)

Years: 2000 to present

Location: Concord, CA (countywide)

Website: [www.contracostacouncil.com](http://www.contracostacouncil.com)

6. Los Medanos College Foundation Board of Directors (Treasurer)

Years: 1998 to 2004; 2006 to Present

Location: Pittsburg, CA

Website: [www.losmedanos.edu/foundation](http://www.losmedanos.edu/foundation)

7. Work Force Development Board of Contra Costa County (Co-Chair of Program, Policy & Performance Committee)

Years: 2011 to Present

Location: Pleasant Hill, CA (countywide)

Website: <http://wdbccc.com>

Also, I am this year's Central Contra Costa Sanitary District (Central San) representative to the Contra Costa Special Districts Association, and I have completed the Special District Leadership Academy.

### What motivated you to run for election to these boards?

I'm a Civil Engineer with master's degrees in Civil Engineering and Water Resource Engineering. My area of practice is predominately municipal engineering, usually for cities or counties. I have a great deal of interest in water, but found I wasn't getting an opportunity to use my water process/water treatment training.

I ran for the Central San Board because I felt my expertise could benefit the District and its constituents, and because it would give me an opportunity to be involved with public health and the environment from a water perspective.

The other thing I wanted to do as a Central San Board member was increase the

District's community involvement and political presence.

I have lived in Central San's service area since 1980. It didn't have much of a political presence. I felt Central San should have a stronger voice. It's too easy for people to take fresh, clean water as it comes from the tap for granted, and it's too easy to take for granted that somebody is going to collect the biosolids and everything else that goes down the drain "and just make it go away."

Protecting public health and the environment is a very important role, and as such, I believed Central San should be more active in the political community.

I became involved with John F. Kennedy University, the National University System, and the Los Medanos College Foundation because I've always had great affinity for education. Much of my own education and degrees were supported by University of Michigan scholarships. I know just how much it did for me to have that training and exposure, and I feel that giving back is important. I also believe it's good for individuals, and good for our society, to have a highly educated populace.

I got involved with the Contra Costa Council because it was related to so much of the work I was doing.

I became aware of the Workforce Development Board of Contra Costa County when I ran for County Supervisor a couple of years ago. The Workforce Development Board is consistent with my affinity for education, so when I saw they had an opening I submitted my application. When the economy was booming, the main focus of the Board was to provide training to make sure we have a skilled and qualified

workforce. Now that the economy is not as robust, the Board is trying to do things to help industry develop, and it's more than just education in that case.

### Explain why you feel serving on local agency boards is important.

I believe in the expression, "All politics is local." I find so much of what really affects our lives on a day-to-day basis comes out of the local boards. This is certainly the case of Central San, where we collect and treat wastewater, recycle water, provide household hazardous waste collection and disposal, and many other services that benefit everyone in central Contra Costa County.

I'm a champion of recycled water. Right now we're dumping about 40 million gallons of wastewater each day into Suisun Bay rather than reusing it. That is one of my big concerns as a member of the Central San Board.

Also, I'm a long-time advocate of transparency, and feel local agencies could be more open, more involved and more active within their communities. I've made it a point to talk to rotaries and other groups about Central San's pollution prevention program, household hazardous waste program, pharmaceutical collection program, and recycled water program.

I'm a firm believer in "Don't just take from your community, give back to your community." I have a quote posted where I look at every day: "Produce more than you consume."

### You serve on your county's LAFCo. What inspired you to seek appointment to the commission?

Because of my background and experience as a municipal engineer, I gained a good understanding of what LAFCo did. I knew

*continued on page 46*



## What's so special [continued from page 39]

the importance of adequate municipal services, orderly boundaries and expansions of cities and special districts, protecting open space and agricultural lands, and avoiding sprawl. I felt I could make a real impact in the future quality of life that we experience here in Contra Costa County.

### What goals do you bring to your public service?

My goals are transparency and personal involvement (of myself and the agency) in the community and political arena. I also want to assist in raising the awareness that change is often beneficial and necessary. Even though something was a good idea last year, and might still be a great idea this year, we need to be aware that things change and be ready to help facilitate that change. For example, there are microconstituents of emerging concern in the wastewater stream, such as chemicals and drugs. We need to be open-minded, use good science, and don't just say "We've done it this way for years; it was good enough then, it's got to be good enough now." Our world is evolving.

### Many special districts in California find challenges in getting people to run for their boards, instead having to appoint members to the board. What tips do you have for special districts wanting to encourage members of the public to run for election?

I think public outreach is very important, particularly by board members. When we get out into the community and speak to people, it helps them understand what we do, and it helps them understand what they can do to help (in our case, pollution prevention). But it also can create excitement about the good work we do, and that

excitement is what's going to get people interested in running for office.

### What tips do you have for individuals interested in successfully running for election to a local board?

Plan early if you're going to run. There are a lot of rules related to running for office – whether it's how much it cost to file papers, how many signatures you need, what you pay for a ballot statement, the FPPC rules, etc. – these requirements can look absolutely overwhelming, but they're not. Just think about some of the "less-than-stellar" people you know who have run for office and gotten elected. If they can do it, you can do it.

I would also encourage people considering running for office to start attending that agency's meetings so they can see the Board dynamics, get an idea of the issues, etc. You shouldn't just shoot from the hip. There's a fair amount of work and study involved. I'm not saying you need to be highly technical when running for office; common sense often carries the day.

### Are there ambitions you have to run for other offices?

I've already run for County Supervisor once. I did that because I felt we needed to have somebody with a good understanding of numbers and finance, and I'd been Treasurer of JFK University for a long time and chaired Central San's Finance Committee. I wanted to put that skill set to good use. Whether I'd ever run for County Supervisor again, I don't know. ■

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# MOVERS & SHAKERS

## MOVERS AND SHAKERS

Does your district have an individual recently appointed as general manager or a top staff position? Have you recently elected a new board president? Have any district personnel been appointed to other community boards or positions? Email your district's movers and shakers to Nicole Dunn, communication specialist, at [Nicoled@csda.net](mailto:Nicoled@csda.net) and we will include them in our next issue!

The nonprofit Save Our Heritage Organization honored **Vista Irrigation District** and **General Manager Roy Coox** with the Preservationist of the Year Award for their work restoring the Warner-Carrillo Ranch House, a national historic landmark on acreage owned by the district.

Los Osos Community Services District welcomes **Susan Morrow** as general manager. Morrow takes the position following resignation of former general manager Dan Gilmore in January.

North Coast County Water District welcomes **Cari Lemke** as general manager. Lemke has been with the district for years and previously held the position of assistant general manager.

**Central Contra Costa Sanitary District** won two awards for its safety program from the California Water Environment Association (CWEA) and the Water Environment Foundation (WEF). The first award, from CWEA, was the Large Plant Safety Award for the district's comprehensive safety training program. The second award, from WEF, was the Annual George W. Burke, Jr. Award, which recognizes a wastewater facility for maintaining an active and effective safety program and an outstanding safety record for the year.

East Bay Regional Park District welcomes **Anne Scheer** as chief of park operations. Scheer replaces outgoing chief, **Jeff Wilson**, who is retiring after over 30 years with the district.

Cucamonga Valley Water District introduces long-term employees to new executive positions. **Jo Lynne Russo-Pereyra**, with the district since 1997, now serves as assistant general manager. **Carrie Corder**, with the district since 2001, serves as chief financial officer. And **John Bosler**, with the district since 2004, now serves in the new position of chief operations officer.



*Richard Price*

The San Ramon Valley Times recognized Fire Chief **Richard Price**, with San Ramon Valley Fire Protection District, as Citizen of the Year. Price was honored for his commitment to public service and citizen-helping-citizen outreach with the PulsePoint foundation and CPR mobile app.

**Mesa Consolidated Water District** has been awarded a PROTOS award by the Orange County Chapter of the Public Relations Society of America. The recognition was for outstanding achievement in the Community Relations/Institutional Programs category for the district's 2011 campaign, "Hello: My Name is Mesa Water."

Advocates for Lifestyle of Exercise and Nutrition in Ventura County presented **Camarillo Health Care District** with a Health Champion Award for its role as a community partner with the Ventura County Chronic Disease Prevention Coalition. The coalition work to increase access to chronic-disease management services in the area.

**Tom Mulvihill**, general manager of the Indian Wells Valley Water District (IWVWD) has retired. The new general manager, **Donald M. Zdeba**, brings 24 years of water-related experience to the district. IWVWD also welcomes **Don. J. McKernan** to its board of directors. McKernan fills the seat vacated by Harold Manning. McKernan previously served on the IWVWD Board of Directors from 1973-2004.

## Martinez wins approval of Alhambra Valley annexation, but opponents will try to force vote

By Lisa P. White *Contra Costa Times Contra Costa Times*  
Posted:

Thursday, September 13, 2012  
ContraCostaTimes.com

MARTINEZ -- The county agency that regulates local government boundary changes on Wednesday approved the city's bid to annex part of the Alhambra Valley, but opponents vowed to force a vote.

The Local Agency Formation Commission approved Martinez's annexation of 104 parcels -- 316 acres -- in the Stonehurst, Alhambra Valley Ranch, Deer Creek and Valley Orchard subdivisions. The annexation area also includes four parcels that sit outside those subdivisions. Supervisor Federal Glover, who represents Martinez, voted no.

Opponents can force a vote if 25 percent of the registered voters or landowners in the proposed annexation area file a written protest with LAFCO, which will hold a protest hearing in the next 35 days. It's unclear at this point how many people must file a protest to trigger an election. Homeowners whose properties are bound by existing agreements to one day join Martinez can't file a protest.

Cathe Cracknell, whose house on Valley Orchard Court is in the annexation area, said a new group called Protect Our Right to Protest will work to line up enough challengers.

"There is an uprising occurring," Cracknell said. "That's all we want, we just want to vote."

Opponents believe annexation will ruin the valley's rural character and lead to poorly maintained roads and slower police response times. Valley residents who are annexed also must help repay a \$30 million parks bond Martinez voters passed in 2008.

City leaders originally proposed annexing 139 parcels across nearly 400 acres in the valley, the semirural area south of Martinez. Facing a likely referendum, the council last month reduced the area so it primarily includes properties bound by deferred annexation agreements.

When Stonehurst and Alhambra Valley Ranch were built in the 1980s, the deeds included a stipulation that the houses eventually would become part of Martinez. According to the city, property owners or developers of the other subdivisions also signed deferred annexation agreements in exchange for water service from the city. Martinez staffers say the city has 99 signed agreements, but opponents have disputed that number.

According to LAFCO attorney Sharon Anderson, the state attorney general's office says deferred annexation agreements are legal and run with the land. To determine whether residents are eligible to file a protest, LAFCO staff will verify the date the deferred annexation agreement was recorded with the county and whether the homeowner bought the property after that date.

LAFCO commissioners rejected several alternatives to the city's revised annexation area, including adding seven parcels along Vaca Creek Way and Vaca Creek Road. The approved annexation boundary runs down the middle of Vaca Creek Way -- meaning three houses now are in Martinez, while two remain in the county.

At the meeting Wednesday, LAFCO commissioners wrestled with the fact that although Alhambra Valley residents don't want to join the city, LAFCO has urged Martinez to annex those areas where it provides water service.

"The last thing the city needs is an angry subset of the community," said Commissioner Don Blubaugh, a former Martinez city manager. "In reality, Martinez is doing what LAFCO and the law has encouraged them to do."

Lisa P. White covers Martinez and Pleasant Hill. Contact her at 925-943-8011. Follow her at [Twitter.com/lisa\\_p\\_white](https://twitter.com/lisa_p_white).

## Martinez Patch, **September 13, 2012**

### **The Annexation Game - Martinez Is Having Serious Growing Pains**

After losing the North Pacheco election and scaling back the Alhambra Valley bid, city officials must be getting the sense no one loves them.

- By [Jim Caroompas](#)

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Martinez City Hall has had its eye on the Alhambra Valley for many, many years now. It's a prestigious community with a lot of wealth and power. Its rural, even pastoral landscape is something the city would be proud to claim for its own.

Yesterday (Wednesday, Sept. 12), the county agency charged with determining local boundaries handed the city a small, and possibly temporary, victory in its bid to annex at least a portion of the valley. [The Local Area Formation Commission \(LAFCO\) voted to approve the city's amended request to annex four subdivisions in the valley \(Stonehurst, Alhambra Valley Ranch, Deer Creek and Valley Orchard\) for a total of 316 acres.](#) The original request to annex 400 acres fell through after the city apparently misplaced, or failed to locate, some deferred annexation agreements (DAAs).

And what are those, exactly? In exchange for providing city water to the valley residents, including those of the then-new subdivisions, they had the homeowners or developers, as the case may be, sign agreements saying that they would at some point in the future agree to be annexed into the city. Part of the agreement was that they would not be able to vote against annexation. State law says that if 25 percent of the homeowners or residents of an area protest a proposed annexation, it will go to a vote, and a simple majority will win. Unless they have signed an agreement not to vote.

In this instance, many valley residents are saying they never signed such an agreement, and were never made aware of one by their title company or realtor. But LAFCO commissioner Mary Piepho advised them Wednesday that state law now requires municipalities to provide services only to those within its boundaries, and the city could legally turn off their water service should they decide not to be annexed. LAFCO commissioner and Martinez mayor Rob Schroder quickly assured the audience that the city would not consider turning off their water.

Though LAFCO approved the city's reduced annexation request, a protest hearing can be held within 35 days of the decision, and it is a solid bet that such a hearing will be requested, since the vast majority of valley residents strongly oppose annexation, fearing that city policies will ultimately reverse their pastoral paradise.

[Meanwhile, the city's bid to annex a portion of North Pacheco also fell through last month, by one vote.](#) The reasons for that annexation were all business - it was felt that the commercial development potential of the properties being annexed would ultimately be good for the city.

But the residents there - all 79 who voted - decided by 40 to 39 that the city would not give them a better deal than the county. There were concerns from some Martinez residents that the tax revenue received from the new properties would not be enough to cover the costs of expanded city services.

Both of these annexations would have been big wins for the council, all of whom are still reeling from the state's death blow to redevelopment, the one thing everyone on this council supported, and the one shining hope they all had for the future of downtown. With various big-ticket items like the deteriorating marina, a sluggish local economy and stalled developments hanging over their heads and two seats coming up for election, the loss of these two annexation bids cannot feel very good.

It must feel like the kid in the school yard no one wants to play with.

**Related Topics:** [Alhambra Valley](#), [Annexation](#), and [North Pacheco](#)

Editor [Jim Caroompas](#) [jim.caroompas@patch.com](mailto:jim.caroompas@patch.com)

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# The Annexation Game - Martinez Is Having Serious Growing Pains

After losing the North Pacheco election and scaling back the Alhambra Valley bid, city officials must be getting the sense no one loves them.

By [Jim Caroompas](#) | [Email the author](#) | September 13, 2012

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2 Comments

Chris Niewiarowski

Flag as inappropriate

9:17 am on Thursday, September 13, 2012

As one of the Alhambra Valley residents, I really don't want this to go through.

Reply



Bill Wainwright

Flag as inappropriate

11:50 pm on Thursday, September 13, 2012

Some flagrantly specious arguments were used to try to convince residents in the targeted areas that annexation to Martinez would be good for them. We all know about the false statements made that Pacheco annexation area residents must now wait long minutes for Sheriff's patrols in east county to drive half way across the county when they call for help.

Equally specious were arguments used to entice Alhambra Valley residents, such as the pollyanna vision of creating a unified community where Alhambra Valley children going to schools in Martinez would be able to live in the same town as their schoolmates.

Tell that to Pleasant Hill and to those many Martinez residents whose children go to schools in the Mt. Diablo Unified School District. Is our City suggesting that Pleasant Hill annexe such areas so those kids could all reside in the same town? Come to think of it, there might be more support among Martinez residents for a Pleasant Hill annexation of parts of Martinez than the response our City has gotten for its Pacheco and Alhambra Valley exertions.

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## Orinda residents, Moraga-Orinda Fire District clash over highly critical report

By Jennifer Modenessi *Contra Costa Times Contra Costa Times*

Posted:

Thursday, September 20, 2012  
ContraCostaTimes.com

ORINDA -- A debate between local residents and the Moraga-Orinda Fire District over emergency services has reignited following claims of less-than-optimal response times, shaky finances, massive unfunded liabilities and other problems detailed in a 90-page audit blasting the district.

The report -- authored by nine Orinda residents who call themselves the Orinda Emergency Services Task Force -- says the district has significant financial problems. They include a nearly 40 percent failure rate in meeting standard response times for critical emergencies in Orinda; an overpayment of about \$1 million for the city's share of service; and the accrual of more than \$700 million in future unfunded liabilities, including pension obligation bonds and medical insurance for retired employees in the 15 years since the district was formed.

According to the group's calculations, the district currently has \$120 million in assets to pay for those liabilities and under current assumptions could only cover about \$300 million of future employee benefits.

The entire report can be found on the group's website at [www.OrindaTaskForce.org](http://www.OrindaTaskForce.org).

At a meeting Tuesday, during which officials heard public comment but did not respond, task force member Diana Stephens suggested council members read the report and "take an active interest in how Orinda is being served in the area of emergency services."

She told council members that they need to work with the fire district to provide emergency services and asked them to consider forming a task force, committee or public safety commission to do so.

The task force audit report decries the lack of citizen oversight, including committees or commissions.

"Don't just ignore the issue or assume that someone else is going to take care of it," Stephens told the council. "There are serious issues currently being decided, and MOFD's service may further degrade if the city does not get involved."

Fire Chief Randy Bradley blasted the report, telling the council it is "full of hyperbole, false and inaccurate assumptions and creative accounting." He said the task force was trying to place improvements of roads and infrastructure before the community's needs for fire protection and emergency medical services and asserted the district is meeting expectations for urban service levels in an area with semirural housing densities.

Bradley also dismissed the group's claim that Orinda is overpaying for its fire services. He briefly addressed the unfunded liabilities issue, saying the district has been working on a draft plan to address all of those liabilities over 13 to 15 years and talked about potentially reducing other post-employee benefits, which include health care, life insurance and disability compensation.

This isn't the first time residents have taken the district to task. Some members of the group served on a city task force in 2008 exploring funding for infrastructure and road repairs. Known as the Revenue Enhancement Task Force, that group created a plan to reallocate property taxes going to the district and transfer some back to Orinda to fund infrastructure. However, that group disbanded, and some members formed Fire and Infrastructure Renewal, or FAIR. The new task force includes members of FAIR.

In an interview before Tuesday's meeting, Councilwoman Victoria Smith said the audit report should be presented to the fire district board once its two new directors take office in December. She said it's up to the new board to review the report "in the time frame and manner they determine."





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## Should bankrupt California cities disincorporate?

September 20, 2012 @ 10:07 pm

By Cate Long

California State Comptroller John Chiang said in a press conference yesterday in San Francisco that he expected more municipal bankruptcies in the Golden State. [Bloomberg](#)<sup>[1]</sup> has the details:

“We will start to see more bankruptcies, not necessarily because of pension issues,” Chiang said. “We need the state to participate in trying to prevent these bankruptcies.”

California cities that have hit their fiscal bottoms have been turning to the Chapter 9 municipal bankruptcy process. Recently, Stockton, Mammoth Lakes and San Bernardino voted to put themselves under the protection of a bankruptcy judge and shield themselves from new legal claims. Bankruptcy is a complex and expensive process. Fitch Ratings [said](#)<sup>[2]</sup> [in](#)<sup>[2]</sup> [a](#)<sup>[2]</sup> [recent](#)<sup>[2]</sup> [report](#)<sup>[2]</sup> [\(](#)<sup>[2]</sup> [page](#)<sup>[2]</sup> [5\)](#)<sup>[2]</sup> that the state of California offers no other intervention process for broke cities.

California has an effective mechanism to support school districts that experience financial distress, but provides no such assistance for cities. Many states have some form of intervention program that can help turn around financial decline by providing a control board, financial manager, or similar structure. In 2011, the state enacted Assembly Bill (AB) 506, which provides for a mediation process among localities and their stakeholders prior to bankruptcy.

Rather than preventing default and bankruptcy, AB 506 may have accelerated their occurrence. While state intervention is not factored into ratings unless the program is invoked and proven effective, Fitch believes credit deterioration can be forestalled for an entity in a state with an effective intervention program.

There is, in fact, another process in California law that Fitch and others might not be aware of. This is the process of disincorporation that has existed in California law for decades. [John](#)<sup>[3]</sup> [Knox](#)<sup>[3]</sup>, a law partner at Orrick, Herrington & Sutcliffe in San Francisco, [wrote](#)<sup>[4]</sup> [a](#)<sup>[4]</sup> [white paper](#)<sup>[4]</sup> [on](#)<sup>[4]</sup> [disincorporation](#)<sup>[4]</sup>. Here is some background from Knox's paper:

Seventeen cities have disincorporated in California's history, including the cities of Long Beach, Pismo Beach, and Stanton, each of which later reincorporated. However, since the creation of LAFCOs [local agency formation commissions] in 1963, only two cities have disincorporated – Cabazon in 1972 and Hornitos in 1973. Of these, only Cabazon's disincorporation went through the process prescribed by the Act; Hornitos was disincorporated by [legislative] statute.

### What happened in Cabazon?

Cabazon was a city of 613 residents in Riverside County incorporated in 1955. Following years of city-government turmoil related to the regulation of local gambling, including multiple recalls, resignations, and arrests of city council members, a group of citizens filed a disincorporation proposal with the local LAFCO.

The LAFCO held a hearing, approved the proposal without requiring any additional terms or conditions, and set the question for election. Residents of the city voted 192 to 131 in favor of disincorporation, and after a several-month delay because of a legal challenge to the election procedures, the city ceased existence in early 1972.

Following the disincorporation, Riverside County inherited Cabazon's assets and liabilities

and wound down its remaining affairs, including sale of the city's personal property and cancellation of its lease for various city buildings.

The county paid the city's outstanding debts with the remaining city funds, along with funds generated from property sales and debts owed to the city. Nearly ten years later, the former city's account still had a surplus.

The outcome of the disincorporation process was that the county inherited the financial assets and liabilities of the disincorporated city. And services previously provided by the city were provided by the county.

Knox's whitepaper addresses one of the biggest issues, public employee contracts, in the disincorporation process (page 4):

While a public employee may obtain a right protected by the contract clauses of the state and federal constitutions, as was the case in Sonoma County, such right does not include the "right to remain in an office or employment, or to the continuation of civil service status."

In short, public employees do not have a right to employment once the city they worked for has been dissolved. I'd imagine that the county absorbing the disincorporated city would want to retain employees, but they would have the freedom to decide the best course.

The affairs of the city have to be wound up and money – often through taxes – would have to be raised to pay off outstanding claims (page 4):

Prior to the effective date, public officers must turn over public property to the county board of supervisors, and the city council must turn over all city funds, as certified by the LAFCO or the county, to the county treasurer.

However, while the California Constitution does not allow a county to impose taxes directly under the Act, a LAFCO can require voter approval of such taxes as a condition of approving the disincorporation proposal in the first place.

I've left out a lot of the details, but they can all be found in Knox's excellent paper. Disincorporation is not a simple process, but in some cases it might be preferred over bankruptcy for its relative simplicity and sometimes lower cost. In some cases citizens could benefit from their services being absorbed by the county. California needs every option possible in its toolkit, and disincorporation may be a useful new addition.

*A line was removed in the second paragraph to reflect a correction made by Bloomberg to say that John Chiang pointed to recent financial distress in Jurupa Valley, Wildomar, Eastvale and Menifee in Riverside County. Chiang had been previously incorrectly quoted as saying he "expects further bankruptcies" in these cities.*

[1] Bloomberg: <http://www.bloomberg.com/news/2012-09-19/california-may-see-more-bankruptcies-chiang-says.html>

[2] said: [http://www.fitchratings.com/creditdesk/reports/report\\_frame.cfm?rpt\\_id=686358](http://www.fitchratings.com/creditdesk/reports/report_frame.cfm?rpt_id=686358)

[3] John: <http://www.linkedin.com/pub/john-knox/6/548/b38>

[4] wrote: [http://www.calafco.org/docs/Municipal\\_Disincorporation\\_in\\_California-Knox.pdf](http://www.calafco.org/docs/Municipal_Disincorporation_in_California-Knox.pdf)

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## Oakley council appoints three new faces to fire board

By Rowena Coetsee *Contra Costa Times San Jose Mercury News*

Posted:

Friday, September 21, 2012

ContraCostaTimes.com

Oakley's city council has appointed three new faces to far East County's fire district board.

Oakley residents Kevin Bouillon, Ronald Johansen and Jonathan Michaelson will replace council members Pat Anderson, Jim Frazier and Mayor Kevin Romick to represent the city on East Contra Costa Fire District's board of directors.

The nine-person board also includes four directors from Brentwood and two from some of the unincorporated communities the agency serves.

Bouillon and Johansen will take over from Anderson and Frazier on Oct. 1; Michaelson is to replace Romick on April 1. They all will serve two-year terms.

Although the county Board of Supervisors originally ran the fire district, the balance of power shifted when the county, Oakley and Brentwood -- the two cities in the fire district -- agreed in 2009 to more local control.

The city councils appointed some of their own members to represent them on the nine-person fire board while county supervisors named two people from the fire district's unincorporated areas.

But even back then the long-range goal was to have residents directly elect those on the fire board.

Directors decided after a proposed parcel tax failed in June that the financially strapped district couldn't afford the cost of an election, however, so those from Oakley and Brentwood asked their respective city councils to solicit replacements for them instead.

All three of the applicants Oakley council members chose have professional firefighting experience.

Johansen teaches fire and emergency medical services technologies at Las Positas College in Livermore and has worked in fire protection for 37 years.

Bouillon is a fire captain at Travis Air Force Base in Fairfield and has 26 years' experience in firefighting, much of it in management roles.

And Michaelson, who brings 25 years' experience to the board, is a firefighter and paramedic for the San Ramon Valley Fire District.

He also trains and supervises first-aid personnel at Six Flags Discovery Kingdom in Vallejo, and runs a business offering classes and certificates in cardiopulmonary resuscitation.

Brentwood's city council plans to interview applicants in mid-November; the two or three it chooses will take their seats early next year.

Contact Rowena Coetsee at 925-779-7141. Follow her at [Twitter.com/RowenaCoetsee](https://twitter.com/RowenaCoetsee).



## **Pinole assistant city manager departs for Antioch**

*By Tom Lochner Contra Costa Times Contra Costa Times*

*Posted:*

ContraCostaTimes.com

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PINOLE -- Pinole's assistant city manager, Michelle Fitzer, is leaving to take on the job of administrative services director in Antioch.

Thursday was Fitzer's last day at Pinole City Hall. She will begin in Antioch on Oct. 1.

Fitzer also wore the hat of human resources director. In her six years in Pinole, she was known as a hard worker who handled her multiple tasks with savvy and aplomb as the city grappled with a daunting and protracted financial crisis.

Pinole City Council members this week thanked and praised Fitzer while expressing regret over her departure.

Contact Tom Lochner at 510-262-2760. Follow him at [twitter.com/tomlochner](https://twitter.com/tomlochner)

# Barnidge: Beware the consequences if Contra Costa County fire tax fails

[By Tom Barnidge Contra Costa Times Columnist](#)

Posted: 09/21/2012 07:05:37 PM PDT

Updated: 09/23/2012 02:18:09 PM PDT

Because taxes are as popular as bedbugs, it's no surprise the Contra Costa County Fire District parcel tax measure has been under attack since it was proposed. Critics want the district to find another way to balance its books. But, just wondering, have you noticed how little is being asked and how much is at stake?

If passed, the measure would cost each property owner \$75 per year, which works out to a whopping \$1.44 per week. With that windfall, you could buy a cup of coffee every Monday morning -- as long as you got it at McDonald's, not Starbucks.

If it fails, seven of the district's 28 fire stations will close, 80 of its 264 firefighters will be laid off, emergency services will be compromised and homeowner insurance premiums will go up.

It's obvious the opposition isn't grounded in risk-reward rationale.

Something deeper is at work, beginning with disdain for cushy firefighter benefits the public feels have caused budget problems. A "no" vote is meant to send a message, apparently regardless of consequence.

People wonder why the district can't live within its means. One answer is that its means aren't nearly what they were. When property tax bills shriveled like a plum in a sauna -- you've noticed you're paying less, right? -- so did the amount we paid for fire protection.

But we still expected the same service. Try getting that deal from PG&E.

No one wants another tax, and firefighters hardly need me to defend them. But think about what a "no" vote puts at risk: emergency medical service, vehicle accident calls, confined-space extrications, swift-water rescues, hazardous materials control, terrorism preparedness, building inspections, firefighting and, yes, response time.

The district is already thinly staffed. Fire Chief Daryl Louder would need to more than double his staffing to hit the industry standard of one firefighter per 1,000 residents. Still, some question why so many firefighters.

How about leaving medical calls to contracted emergency medical units? Louder explains that firefighters can respond more quickly when seconds count because of their widely dispersed

stations. When a recent call came in for a stroke victim in Lafayette, firefighters were treating the victim eight minutes before an American Medical Response team arrived. While the AMR unit was then occupied delivering its patient to the hospital, filing reports, cleaning and restocking its ambulance, the fire engine company was ready for its next call, fire or medical. Does it make sense to forgo that availability?

Some people question why 28 stations are required. Let Louder explain: "Our military's defense doctrine says it has to be prepared to fight multiple serious conflicts simultaneously. We're pretty much the same. We don't know when the next second- or third-alarm fire will come along, which could take 10 or 15 units."

Critics point out that less than 5 percent of district calls are for fires; more than 80 percent are medical. Fire Marshal Lewis Broschard said that's misleading, because a typical medical call requires one engine (three firefighters) for less than 20 minutes. A working fire takes five trucks (15 firefighters), for five or six times as long. District firefighters spend plenty of time lugging hoses. They average more than 500 structure fires a year.

Louder speaks with pride of his units. He said they do a lot with limited resources, but he fears a parcel tax defeat will push them beyond the brink.

"Once you pull that trigger," he said, "we're in for a tough ride. That scares me for the public, and it scares me for our firefighters."

The choice is yours. I'm willing to skip the cup of coffee.

Contact Tom Barnidge at [tbarnidge@bayareanewsgroup.com](mailto:tbarnidge@bayareanewsgroup.com).



# Barnidge: Readers have a slightly different opinion of fire parcel tax

[By Tom Barnidge Contra Costa Times Columnist](#)

Posted: 09/24/2012 12:20:35 PM PDT

Updated: 09/25/2012 05:15:18 AM PDT

A lot of people think journalists ply their trade for the incredible fame and lavish salaries that come with the job. Well, sure, a lot of that is true.

Just the other day, I was recognized while buying some deodorant at the drugstore, and surely you don't think I'd be driving a 2002 Buick if I had settled for being a lawyer.

In truth, though, the greatest satisfaction comes from warm interactions with readers in online comments and emails. Just this week, for instance, several of them took time to share their heartfelt sentiments.

Their correspondence came after I wrote in support of Measure Q, a proposed parcel tax intended to keep the Contra Costa County Fire Protection District's 264 firefighters on the job and its 28 stations open. I explained that the \$75 annual fee works out to \$1.44 a week, or roughly the cost of a cup of coffee.

Some of them gently differed from my position.

"Barnidge your article is a joke just like you. The cup of coffee comparison is just ridiculous. The property tax has just went up with a bond for the school for 100 million that they put in solar roofing. The solar panels that were installed were made in China."

I'm always gratified when readers come so close to spelling my name correctly and nearly get their facts right. Not to quibble, but Mt. Diablo school district's Measure C bond issue in 2010 was for \$348 million, about \$80 million of which went for solar panels that were purchased from SunPower, a company that's based in San Jose.

"I respectfully disagree. The problem is that instead of fixing the problem, which is ever growing entitlements, benefits and pensions, we keep being asked to toss more money down the drain to the feed the beast."

My favorite kind of disagreement is a respectful one. Maybe you can talk to the first guy.

"Your column misses the point. The district offers the public two choices: Pay more or receive reduced services. And yet there are an infinite number of alternative choices."

I may have missed your point, but I'm pretty sure I hit mine. When you go to the polling place on Nov. 6, I can just about guarantee that none of those infinite other choices -- which is a really big number, by the way -- will be among the options listed on your ballot.

"The question is not the extra buck forty-seven a week. If it were only that easy it would be a no-brainer. The real question is what are they going to do to correct the pension and salary problem so they won't be back next year for more money."

Actually, it's only \$1.44. So you're already three cents better off than you thought. And the tax measure would extend for seven years, not one. So a better question is what are they going to do in eight years. If you really want to know, you can inspect the district's 10-year budget projections at [www.cccfpd.org/ParcelTaxInitiative.php](http://www.cccfpd.org/ParcelTaxInitiative.php). Bring your visor and your calculator.

"The fire dept can cut staff, salaries and learn to do more with less just like everyone else. ... I have fire insurance and could care less if they close down all the firehouses."

I have auto insurance. Maybe we should do away with the traffic cops, too.

"Give us a break. ... fire fighters are overpaid and underutilized."

Yep, right up until the time smoke pours out your window and you pick up the phone to dial 911.

Share your deep thoughts and well wishes with Tom Barnidge at [tbarnidge@bayareanewsgroup.com](mailto:tbarnidge@bayareanewsgroup.com). Follow him at [Twitter.com/tombarnidge](https://twitter.com/tombarnidge).

MORAGA-ORINDA

## Fire district's finances worsen

Tuesday, September 25, 2012  
Contra Costa Times

Expenses are rising as revenue remains flat; shortfall is \$800,000

By Jennifer Modenessi

[jmodenessi@bayareanewsgroup.com](mailto:jmodenessi@bayareanewsgroup.com)

MORAGA — Rising pension costs and other expenses coupled with stagnant revenue have helped push the Moraga-Orinda Fire District's yearly budget deeper into the red.

Trustees last week approved the district's final 2012-13 general fund budget, which includes a shortfall of more than \$800,000 despite a tiny spike in property tax revenue and a rebate of more than \$200,000 from the county.

They also greenlighted the district's capital projects fund, which includes expenses of more than \$2.3 million to rebuild Station 43 in Orinda and remodel Station 41 in Moraga.

Fire chief Randy Bradley told directors at the Sept. 19 board meeting that administrators are doing their best to maintain service despite a less-than-ideal financial picture. "We continue to struggle to balance the budget without reducing service levels," he said.

The district started the year's budgeting process with a \$258,313 deficit carried over from the previous year after the board voted to balance the 2011-12 budget by dipping into reserves.

This year, they've budgeted a \$549,916 increase in pension contributions to the Contra Costa County Employee Retirement Association, which manages the fire district's post-employment benefits, and a \$115,000 payment toward pension obligation bonds.

But the district's biggest expenses remain salaries and benefits, projected to cost nearly \$14.3 million for 2012-13 — up almost 2 percent from last year. That figure reflects increases in retirement costs, according to district data.

"Our budget is primarily salaries," the fire chief told directors before focusing on revenues, which include about \$80,000 in property tax money.

Revenue also includes a onetime \$226,311 credit from the county deriving from an appeals court ruling that requires Chevron to pay more than \$27 million in additional property taxes.

That money is being credited to some cities and special districts.

The chief also listed capital expenses, including station construction costs, \$32,000 for a new fire prevention vehicle and \$49,000 in tech upgrades.

Directors spent little time discussing the budget, explaining they had gone over it in detail during draft sessions and noted that the deficit was less than had been previously projected. Then they turned their attention to the district's draft long-range financial forecast, which maps out the next five years.

Bradley has said the plan will help the district address its unfunded liabilities but is not sharing details because of ongoing contract negotiations with firefighters.

The district has come under fire for its future unfunded liabilities, which some residents have estimated at about \$700 million. Critics, some of whom question the veracity of the district's financials in general, recently authored a 90-page audit of the fire district, and at least one is questioning whether administrators should be budgeting more money to pay for this year's increased pension costs — and cutting down on expenses such as fire station construction.

Bradley did not directly address the report, but following a resident's prompting, trustees asked him to come back with an analysis of any new information.

## **Pittsburg planning commission gives go-ahead for new pool at Ambrose Park**

*By Eve Mitchell Contra Costa Times Contra Costa Times*  
*Posted:*

Friday, September 28, 2012  
ContraCostaTimes.com

PITTSBURG -- Long-delayed efforts to replace the closed pool at Ambrose Park took a major step forward when city planning commissioners signed off on a design plan.

Planning commissioners voted 6-0 Tuesday to give the go-ahead to the plan, which the City Council will now review at its Oct. 15 meeting.

Technically, Ambrose Park, which is near Highway 4 and Bailey Road, is within Pittsburg city limits as a result of land that the city annexed in 2008. But Ambrose Park is within the jurisdiction of the Ambrose Recreation and Park District, which serves Bay Point residents. The city is acting as the project manager for the pool project while the district has final approvals.

The plan approved by commissioners calls for the old eight-lane lap pool to be replaced with a large children's activity "splash pool" that would be irregularly shaped with a maximum depth of 18 inches. Designs also call for restrooms, a snack stand, and a pool equipment building.

Several Bay Point residents pleaded with commissioners to consider building an eight-lane competitive swimming pool instead of the splash pool.

"I hope it will be competitive pool (so) the whole community can come and enjoy the pool and that it's not just a splash pool," said Vicki Zumwalt, a member of the Bay Point Municipal Advisory Council.

"I think it makes much more sense to do the big pool first, then you could do the splash pool," said Debra Mason, who is also on the council.

Funding limitations make it very difficult to build an eight-lane lap pool, said Tarry Smith, the park district's general manager, adding they are both expensive to build and to operate.

He estimated it would cost about \$200,000 to build the three-lane lap pool and \$500,000 to build an eight-lane lap pool. "The (splash) pool is a huge revenue source," Smith said.

If more funding becomes available or the bid for the splash pool comes in lower than expected, it's possible a three-lane, 25-yard lap pool with a depth of three-and-a-half feet could be added later, Smith said.

Commissioner David Fogleman noted that Bay Point is not a wealthy community and that its schools do not have swim teams that would be able to use a competitive lap pool. A.J. Fardella, chair of the planning commission, said he could see a lot of local day care centers paying to use the splash pool.

The old pool was closed in 2008 for safety reasons, which included problems with its drainage system, and to make other improvements.

The Ambrose pool replacement project is estimated to cost \$2.3 million. Project funding comes from \$1.13 million from the East Bay Regional Park District's Measure WW, a voter-approved bond measure; \$600,000 in park fees paid by city developers; \$98,000 from the district; and \$473,000 in county developer fees. The county fees were turned over to the district from a lawsuit settlement to help the district pay for the new pool.



If all goes according to plan and the necessary approvals for the project are obtained, the new pool could be open in July.

Before the meeting, Tarry said, "We feel like we have enough for the (splash) pool. That's the one that will serve the small kids and parents and is the least expensive to operate and brings in the most revenue."

He also noted that Buchanan Park in Pittsburg has a lap pool. "Buchanan is not that far away," he said.

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

## East Contra Costa fire district recruiting firefighters with help from grant

By Rowena Coetsee [rcoetsee@bayareanewsgroup.com](mailto:rcoetsee@bayareanewsgroup.com) Contra Costa Times

Posted:

Wednesday, October 3, 2012  
ContraCostaTimes.com

OAKLEY -- East Contra Costa Fire Protection District has notified laid-off firefighters around the state that it's hiring, and soon it will start recruiting from the public at large.

A \$7.8 million federal grant is enabling the agency not only to start filling the 15 positions that it was forced to eliminate in July following the failure of a proposed parcel tax, but hire an additional 12 firefighters as well.

The fire district also closed three of its six remaining stations July 1, but the two-year grant it since has learned it will be receiving will make it possible to reopen them.

Of the 15 firefighters who lost their jobs, eight have indicated they want to return, Fire Chief Hugh Henderson told the board of directors Monday. At least six others already have found work with other agencies.

In an effort to rebuild the ranks of first responders, Henderson said he's sent out about 150 letters to individuals on a statewide list of firefighters who have lost their jobs

The district also has contacted the small group of paid on-call firefighters it sidelined, offering these part-time reservists the chance to apply for full-time status.

Henderson hopes to expand his search to the general public in the next few days, collecting the names of potential applicants who, at the very least, have graduated from a firefighting academy and hold an emergency medical technician certificate. The district would turn to this pool of eligible employees if it can't fill all 27 openings using the first two search methods.

The first station to reopen will be the one in Knightsen, which is closest to Bethel Island and other spots in the northeastern part of the district where response times have been the longest since the station closures, Henderson said.

The facility, which will be staffed by nine firefighters, is expected to be back in operation by mid-November.

Although dispatchers received only 30 calls to the Bethel Island area in August and 23 the following month, the average response times were 13 minutes and 40 seconds and just over 14 minutes, respectively, he said.

Over the same period, there were many more calls from residents near the shuttered station in downtown Brentwood -- the next one that will open sometime in December -- but it took fire trucks an average of 8 minutes and 40 seconds at most to arrive, he said.

Henderson thought it unlikely that Bethel Island's fire station will reopen considering that it could cost as much as \$1 million to refurbish. The district's insurance carrier not only condemned the structure after asbestos and mold were found there, but the building doesn't meet current flood control standards.

However, Henderson noted that Shea Homes eventually might build a replacement. One of the conditions of approval that the city of Oakley placed on the company was that it provide residents with a fire house once it has built 600 homes in its Summer Lake development, Henderson said. So far it has built roughly half that

number, he said.

On the heels of Henderson's update, Director Bob Kenny asked his colleagues to consider giving themselves a stipend for their work on the board.

"I just feel we would have a better demographic on our board if we made it more attractive by offering some compensation," he said, noting that a single parent, for example, might be more likely to apply for the position.

Other fire districts in the county pay their boards a stipend -- directors of San Ramon Valley Fire District receive \$105 per meeting, Kenny added.

But the compensation doesn't have to be much, and directors always could choose to give the money to charity or back to the district, he said.

Recently appointed board member Ronald Johansen disagreed with Kenny's idea, however.

He vied for a spot on the board because he's concerned about East Contra Costa Fire's financial future, he said.

In light of how hard the agency has struggled to make ends meet, "I personally cannot say I would be willing to accept any compensation," Johansen said. "It sends the wrong message to our community."

Brentwood resident and City Council candidate Carissa Pillow rejected Kenny's proposal more forcefully.

"It's absolutely inappropriate to ask for compensation," she said. "This is a volunteer position. If you don't have the heart of a volunteer, I recommend you step down."

Kenny reiterated that keeping the stipend would be optional and pointed out that whereas some board members receive income from jobs, "some of us who are retired and disabled don't."

In the end, the rest of the board agreed that it didn't want Henderson spending any time exploring the issue.

In other business, new board members Kevin Bouillon and Ronald Johansen were sworn in and board President Kevin Romick presented outgoing Director Jim Frazier with a plaque recognizing him for his service.

Director Pat Anderson, who also stepped off the board Monday, was absent.

Bouillon and Johansen will represent Oakley on the nine-member board for the next two years; new appointee Jonathan Michaelson is scheduled to replace Romick on April 1.

Reach Rowena Coetsee at 925-779-7141. Follow her at [Twitter.com/RowenaCoetsee](https://twitter.com/RowenaCoetsee).