

# Antioch Herald



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The News Of, By and For the People of Antioch

January, 2013

## **Council moving forward on annexation of Viera area, in spite of residents' opposition**

*By James Ott*

The 200 or so residents in unincorporated Northeast Antioch may still get absorbed into the city without being able to vote on the matter but Antioch City Council is still encouraging the county agency that handles annexations to reconsider.

But in the end if those people are annexed without representation, Antioch would also like to avoid being sued.

For years the City of Antioch and Contra Costa County have looked at bringing nearly 700 acres of land into the city because of obvious benefits to both parties. For the county, it will save money if the city takes over providing municipal services and potentially lives if they can have the city take over policing responsibilities, particularly in the area off of Viera Avenue, (what the county labels area 2b), because it is the only section that has a significant population. Policing issues in the area were famously brought to attention when the county-policed zone failed to notice Jaycee-Dugard being held and abused there because of a lack of police presence in the isolated region.

And according to a consultant for the City of Antioch Victor Camiglia, Antioch, "The annexation is definitely in the City's best interest. It provides a significant amount of revenue both in the near term and the immediate near term once the GenOn power plant comes on line."

In fact the city and the county both may still get their hands on a one million dollar bonus each courtesy of GenOn if they complete the annexation by a recently changed, and currently unspecified, date in the future.

Despite the potential financial windfall for Antioch, Camiglia and the city's legal counsel are urging the city to be cautious in its move to annex Northeast Antioch because of a position taken by LAFCO this year to not allow the area's population the ability to vote on their own annexation.

Under normal circumstances an unincorporated area with at least 12 registered voters, (2b has about 100), would have the ability to make a vote on whether or not they wanted to be annexed into a nearby city. A "no" vote among 50 percent or more of those voters would prevent the annexation from taking place.

The Local Agency Formation Commission, (LAFCO), however said that if Northeast Antioch were annexed without areas 2b and 2a, they would create an unincorporated “island” – in other words, it would become an area of land no larger than 150 acres that is mostly surrounded by a city. This creates more problems with policing and providing utilities to the area and so under state law LAFCO can annex the area without a vote.

The problem is that while legally Antioch, LAFCO, and the county can go ahead and annex the area without allowing its residents to vote on the matter, that doesn't prevent lawsuits. And Antioch will worry even more about the risk of lawsuits in the event the annexation without representation is carried out after Camiglia reported that the State Attorney also agrees that the residents should be allowed a vote.

That's why the council voted last Tuesday to ask LAFCO to remove the cities legal liability in such an event. LAFCO normally requires a city to sign an indemnity agreement that prevents LAFCO from being held responsible if there is a lawsuit after they approve an annexation.

So while the city and LAFCO agree that Northeast Antioch should be annexed, Antioch City Council has long pushed for allowing the current residents to vote on the matter while LAFCO believes it isn't legally necessary. So the City is asking LAFCO to waive their indemnity requirement.

If the annexation of Northeast Antioch does eventually take place Antioch will have to spend money to provide infrastructure to the area, but taxes from the region will more than make up for that said Camiglia.

All four city council members support the annexation but Councilmember Gary Agopian pointed out that Antioch initially just tried to annex the uninhabited areas of Northeast Antioch that just included the GenOn and PG&E power plants – it was LAFCO who forced Antioch to add the populated areas of 2a and 2b to avoid creating an “island.”

New Antioch Mayor Wade Harper also made a point to lend his support to finding a way to annex the area.

“I strongly support this,” he said. “This is going to mean so much to the economic development of the city of Antioch. We need to go and remove all of the obstacles and roadblocks.”

It's also worth noting that Antioch surveyed the residents of the annexation area in 2007. About 60 percent of those residents responded – a full 75 percent of those said that they did not support being annexed.

## One Comment to “Council moving forward on annexation of Viera area, in spite of residents’ opposition”

1.  Skip says:

[January 16, 2013 at 11:22 pm](#)

Irregardless of what LAFCO is claiming, I’m not exactly sure that they do have a legal right to annex this area without a vote by the residents. The city certainly should insist on getting the indemnification because the legal criteria that they use to define the area as an island is questionable at best.

For example, currently the 100+ acre unincorporated area that is primarily residential isn’t technically an island because of the 600 acres of county land around it. It only becomes an island if the county gives the GenOn land to the city and strands the surrounding residents (hence the reason for it’s inclusion in the deal.) This means, if I’m understanding the law correctly, that the island would be created after Jan 1, 2000 which should prevent LAFCO from being able to legally designate it as an island.

I think one can also argue that this also fails the island test by not necessarily being in the best interests of the city. Despite what the high priced consultant may try to spin, existing businesses that are in the area will be negatively impacted by new rules, taxes will be higher for those who live there, the pollution in the area as a direct result of doing business with GenOn has already created quality of life issues for residents in the area, and as this article so eloquently points out, a unilateral takeover without a vote will create significant legal liabilities for the city.

While it may be questionable whether or not this is actually good for the city, there is no question that this deal will be good for city employee’s pocketbooks. Without the \$1 million in GenOn funds, the city would not have the money to end the work furloughs. Of the \$1 million bounty over half will end up paying the salaries of city employees.

When you consider this context behind the incentive, it makes seizing the land without a vote all the more shady and suspicious. If this is really such a great deal for everyone, why do they fear letting the residents have a vote? The Mayor and the City Council may stand behind the deal, but they should be reminded that the United States has a proud tradition of resisting taxation without representation. Dragging citizens unwillingly into a city doesn’t typically endear them (or those already living in Antioch) to you. when it comes time to exercise new voting rights. Just because you can do something doesn’t make it right. Taking away someone’s right to vote on whether or not to accept new taxes (and services) is unpatriotic and morally repugnant. The city and LAFCO actions are a clear sign that crony capitalism is alive and well in Antioch and should be a warning to all who live here.

## New round of meetings scheduled on Ambrose Park pool project

By Eve Mitchell Contra Costa Times San Jose Mercury News

Posted:

Saturday, January 12, 2013  
ContraCostaTimes.com

**BAY POINT** -- After bids came in too high last year for a children's pool at Ambrose Park, a new set of public hearings will be held to figure out how best to spend funds set aside for park improvements.

Ambrose Recreation and Park District board members voted 5-0 Thursday night to hold two weeknight and two weekend meetings. The actual dates and locations will be decided at the board's Feb. 14 meeting.

Ambrose Park is near the Pittsburg-Bay Point BART station. The park used to be part of unincorporated Bay Point but now is located in Pittsburg as a result of the city annexing the land. The park is owned and maintained by the park district, which is in charge of awarding bids for park improvements.

Last December, board members rejected all bids for the pool project after the lowest bid to build the children's pool and demolish the existing eight-lane lap pool came in about \$700,000 higher than the \$1.6 million budgeted for the project, which included restrooms, an office, a snack bar and a pool equipment building.

The district held two public workshops in 2009 that led to adoption of a master plan for the children's pool project and other Ambrose Park improvements. Board members supported the children's pool, which would have been irregularly shaped and 18 inches deep, on the basis that it would be less expensive to operate than a new lap pool.

Now the pool review process will start again, given that there was not enough money to build the children's pool.

"We need to reopen the whole process to the public," said Bay Point resident Michael Kerr, who also urged board members to provide more information on what it would cost to repair the existing pool instead of building a new pool.

Board member Judy Dawson expressed skepticism about rebuilding the existing lap pool, which has been closed since 2008 for safety reasons and is more than 60 years old. She said it had safety issues related to its drainage and was not compliant with disability access under the Americans with Disabilities Act.

"It's not like we said, 'Let's close the pool.' We had reasons for that. We wanted it be accessible," Dawson said.

Board member Lee Mason disputed Dawson's claims and said the old pool didn't need to be closed. Mason was elected to a seat on the district in November after being laid off as the district's director of maintenance three years ago.

"What do we need to do to get the existing pool up and running for the community?" he said. "Yes, the pool has issues, it's over 60 years old .... As far as safety issues, the pool was totally safe for the public to enjoy."

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## Pending Martinez fire station closure sparks concern

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

Posted:

Saturday, January 12, 2013  
ContraCostaTimes.com

MARTINEZ -- People who live near the fire station on Shell Avenue worry about longer response times for emergency medical calls in a neighborhood with many elderly residents and the loss of the station closest to the Shell Oil refinery.

At a small community meeting Thursday, Contra Costa Fire Chief Daryl Louder sought to reassure residents that the fire district has the resources to protect the neighborhood once fire station No. 12 closes on Jan. 15.

But he also advised people to be proactive and install working smoke and carbon monoxide detectors, clear a defensible space around their homes, consider installing a residential sprinkler system and learn CPR.

When deciding which stations to close, Louder said the district considered response times, call volume, availability of mutual aid, ability of nearby stations to absorb workload and the effects on service districtwide.

"We had to have the answer that had the least impact to the community and the whole (ConFire) system," Louder said.

Of the 725 incidents in its service area that the fire station handled from November 2011 through October 2012, nearly 600 were emergency medical calls, and about 75 were fires or hazards, according to district data. On average, firefighters from the station responded to calls within seven minutes and handled about three calls per day.

According to Louder, response times are likely to increase by nearly half a minute, because firefighters will travel from one of the two remaining fire stations in Martinez on Jones Street, near City Hall, and north of Highway 4 on Church Street, across from Nancy Boyd Park.

The closure next week of Fire Station No. 12 and one station each in Walnut Creek, Clayton and Lafayette is expected to save the district between \$6 million and \$8 million per fiscal year from its \$102.4 million annual budget.

County supervisors voted unanimously to close the stations last month after voters soundly rejected Measure Q, the fire district's temporary \$75 annual property tax that would have raised about \$17 million per year, enough to keep all 28 fire stations open.

Brenda Colbert, who has lived six houses down from the fire station since 1985, said she voted for the tax measure.

"Well I'm very saddened. There are a lot of elderly people who live in the area and that's going to have an impact on them," Colbert said.

ConFire and American Medical Response respond jointly to medical emergencies. As a result of the fire station closure, Louder said AMR will review where it posts ambulances to speed response times and provide better coverage for Martinez. Although ConFire staff respond to refinery calls, Louder noted that Shell has its own fire brigade. The refinery has three fire engines and employs 150 emergency responders, including firefighters who are trained to handle chemical and industrial fires, according to spokesman Steve Leshner.

Cheryll Grover, president of the Mt. View Improvement Association -- the unincorporated area around Fire Station No. 12 -- worries that elderly residents like her father will wait longer for medical attention. She's also not convinced that Shell's on-site fire crew can provide adequate protection.

"Living next door to a refinery, we're constantly reminded of the possibility of a disaster there," Grover said. "We think that no neighborhood should be without emergency resources when you live that close to a refinery."

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## Moraga-Orinda Fire District officials respond to critical report

By Jennifer Modenessi Contra Costa Times San Jose Mercury News

Posted:

Saturday, January 12, 2013  
ContraCostaTimes.com

MORAGA -- A report authored by a group of Orinda residents analyzing everything from operations to finances of the Moraga-Orinda Fire District has received a sharp rebuke from district administrators and trustees.

Officials responded this week to the 90-page review compiled by nine residents who call themselves the Orinda Emergency Services Task Force. They claim the district fails to meet standard response times for critical emergencies in Orinda nearly 40 percent of the time and that the city's residents are overpaying about \$1 million for their share of fire service, among other issues.

The report, released in September, also estimates the district has amassed nearly \$700 million in future unfunded liabilities, a figure officials have blasted. Administrators calculate they have about \$60 million in unfunded liabilities and pension debt, which they are hoping to pay off by 2028.

On Wednesday, fire officials summarized and expanded on a written response to the report.

Major points include:

Public participation in district governance -- The task force had suggested more citizen oversight of the district. Fire Chief Randy Bradley recommended trustees maintain their current governance model, which does not include any standing citizen committees or groups, citing a challenge for trustees in balancing representation of about 40,000 residents and "a few people with a lot of passion about the direction the district should head."

"It's really your job to manage this district," Bradley told the board.

Inability to consistently meet industry standard response time goals for Code 3 or "critical" incidents in Orinda -- Officials cited difficulty in providing desired urban service levels in a semirural environment and said there are areas in the district where firefighters will absolutely not be able to meet response times. Critics say the district has a 39 percent failure rate of meeting 6-minute first engine response time goals in Orinda and less in the Sleepy Hollow/Orinda Downs neighborhoods.

Unsustainable operational costs and "unfunded liabilities" -- Bradley defended his assumption that the district's pension plan assets would earn a 7.75 percent return this and other years based on long-term trends. The group believes the projection is too optimistic and argues that the Contra Costa County Employees' Retirement Association has averaged a 5 percent return on assets.

Bradley also defended a plan to replace Station 43 in Orinda, which directors moved ahead with in December, when a majority voted to solicit construction bids. Critics question the \$3 million expense, arguing the district should focus on its financial situation, including an \$800,000 budget deficit.

Administrators also countered perceived inequalities between how much Orinda pays for emergency services versus what Moraga pays and said the issue had been repeatedly discussed and analyzed.

One Orinda resident at the sparsely attended meeting argued that there continues to be disparity and repeated past calls for public workshops. Another asked again for involving residents in the district's ongoing contract negotiations.

"This would send a positive signal to taxpayers and perhaps create some trust," the resident said.

## Clayton fire station to remain open part-time

By David DeBolt Contra Costa Times Contra Costa Times

Posted:

Monday, January 14, 2013

ContraCostaTimes.com

CLAYTON -- With the closure of the city's only fire station looming, officials on Thursday said instead of an all-out closure, fire crews will staff Station 11 for six hours a day, six days a week.

The news puts to rest the question of whether the Contra Costa Fire Protection District would have to repay the city the money it spent to help finance the decade-old station on Center Avenue.

According to a 1999 agreement between the parties, the fire district must set up an interest-bearing account equal to 63 percent of the appraised fair market value of the station if the station ceases to be an active fire station. The amount could be no less than the city's contribution of \$694,943, according to the agreement.

While the agreement does not define "active," officials are interpreting a part-time use of the station as an active fire station.

"My gut is as long as they keep it open, it's not going to happen," said Councilman Howard Geller. "I don't think we want the money. We want a fire station. It's not about getting our money back, it's about (fire) protection."

After initially listing Clayton as one of four stations to close, fire officials now say they plan to staff the station from 2 p.m. to 8 p.m. Monday through Saturday. A fire crew and a fire engine from nearby Station 22 on Crystyl Ranch Drive in Concord will shift to Station 11 for those hours, said Fire Marshal Lewis Broschard.

The move is in reaction to an analysis of call volumes, which found the afternoon and evening hours to be a peak time for calls for service in Clayton, Broschard said. It also positions fire engines to flow with traffic on busy Ygnacio Valley Road, he said.

The station, located at 6500 Center Ave., is one of 28 within a fire district that serves nine cities in Contra Costa. Four stations are closing as a result of the failure of Measure Q, a \$75 annual parcel tax that fell short of the two-thirds approval needed in the November election. There are no such fire station agreements with the fire district for the other stations closing in Lafayette, Martinez and Walnut Creek, according to city managers in those cities.

The closures and reduced staffing at the Clayton station begin Tuesday -- the same day the Clayton City Council discusses forming a city fire committee to strengthen community response to medical emergencies. Councilman David Shuey, who requested the formation of the committee, said officials are discussing placing defibrillators in the downtown and at the Clayton Valley Shopping Center.

"It's kind of the old prairie approach," Shuey said. "There is nobody around to help us so we have to help ourselves."

Some in Clayton have viewed the partial closure of Station 11 as potential political payback. Unlike other city councils, Clayton's council did not endorse or oppose Measure Q. And Clayton is the only city within the district where a majority of voters opposed Measure Q. In Clayton, 52.8 percent voted against the measure (it needed two-thirds voter approval to pass).

County Supervisor Karen Mitchoff, who represents Clayton, was part of a 5-0 board of supervisors vote to

close the fire stations. She said this week she had heard the payback theory.

"That's absolutely not true," Mitchoff said. "I based my vote on the fact of what we needed to do overall."

Clayton residents can learn more about the future of Station 11 at a community meeting on Jan. 23 at 7 p.m. at the Clayton Community Library, 6125 Clayton Road.

David DeBolt covers Concord and Clayton. Contact him at 925-943-8048. Follow him at [Twitter.com/daviddebolt](https://twitter.com/daviddebolt).

## Central Contra Costa Sanitary District leader agrees to retire

By David DeBolt Contra Costa Times Contra Costa Times

Posted:

Wednesday, January 16, 2013  
ContraCostaTimes.com

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MARTINEZ -- Nine months after her hire date, the top official at the Central Contra Costa Sanitary District has left after agreeing to retire, district officials said Tuesday.

Ann Farrell, 61, retired as general manager on Monday, saying in a statement to staff that she had reached an "amicable agreement" with the district's five-member board. The announcement followed a closed-session meeting on Thursday in which board members reviewed and discussed Farrell's performance, the final in a series of meetings on the subject.

"The board has decided to go in another direction," board President Jim Nejedly said Tuesday, without elaboration.

The board promoted Farrell to general manager on March 31, offering her a beginning annual salary of \$217,868 plus benefits. She was a 13-year employee of the sanitary district who previously worked as director of engineering.

Nejedly, who was re-elected to the board in November, said the board has reached a tentative separation agreement with Farrell that will include severance pay. The amount of severance pay was not available Tuesday as the agreement is not yet final.

Curt Swanson, a 25-year district employee, has been named interim general manager while the board begins the process of selecting a permanent replacement.

"My intention would be to find a replacement as soon as possible so we can move ahead," Nejedly said.

The sanitary district's service area stretches as far north as Martinez, as far south as San Ramon and includes Lamorinda.

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## Chief explains decision to close Lafayette fire station

By Jennifer Modenessi *Contra Costa Times* *Contra Costa Times*

Posted:

Thursday, January 17, 2013

ContraCostaTimes.com

LAFAYETTE -- Volunteering ... paying more taxes ... fixing a deteriorating facility themselves.

Lafayette residents have plenty of ideas how they could help reopen a fire station shuttered Jan. 15 by the Contra Costa County Fire Protection District.

But Tuesday's nearly-three-hour meeting where residents shared those thoughts wasn't called to find ways to get Station 16 on Los Arabis Drive back open for business. The agenda was to discuss what led to its closure and how firefighters plan to continue protecting residents.

Officials closed the station Tuesday along with facilities in Martinez and Walnut Creek after the defeat of a \$75-per-parcel tax in November that would have raised funds to keep the district's 28 stations open. A station in Clayton that was scheduled to close will be operating part time.

In addition to describing how the district will maintain and secure the station during the closure, Fire Chief Daryl Louder discussed potential "long-term solutions" and "options" officials are exploring to ensure the community is protected. They include increasing staffing during high fire days, temporarily stationing engines in parking lots, and working with the county's emergency medical services division whose contracted ambulance service will adjust their locations to provide better coverage and responses in Lafayette.

Louder also addressed the automatic aid agreement between ConFire and the neighboring Moraga-Orinda Fire District, which sometimes responds to Lafayette calls. The chief said both districts are looking at potential partnerships for maintaining service, but didn't elaborate.

And while he seemed more receptive than before to provide some emergency services at Station 16, Louder remained opposed to staffing the facility with just two firefighters in a bid to reduce operating costs.

"As a fire chief and a fire service professional, I don't believe in two-person engine companies. I think it dilutes the overall system" he said. "For us to pull fire hoses, conduct search and rescue, conduct ventilation (and) extinguish the fire, the timeline to do that with two-person staffing is way down."

Earlier, residents questioned personnel costs, which consume 90 percent of ConFire's operating budget. Louder explained that the district's financial woes stemmed in part from a \$32million decline in property tax revenue after the housing market collapsed in 2008, and increases in retirement and health care costs. The district's unfunded pension liability is currently \$130.7 million and it is expecting to pay \$12.1million this fiscal year in retirement costs. It is also making an \$11.5 million annual payment on \$130million of pension obligation bonds issued in 2005.

Louder was also frank concerning whether the district could staff Station 16 if residents volunteered to rehab it. He explained the district has capital funds and the problem is not a facilities issue.

"It's primarily the personnel costs that would preclude us from being able to restaff that even if it was a brand new station," Louder said.

The city has been operating with just two fire stations since June, when the district shut down the modular building housing firefighters at Station 16 because of rats and mold. Those firefighters -- three per shift -- and their engine were relocated to Station 15 on Mt. Diablo Boulevard in Lafayette. They have been

transferred to other areas in the district, which stretched from Antioch to San Pablo.

Lafayette's other remaining facility is Station 17 on St. Marys Road. The city also receives aid from other Contra Costa cities as well as the Moraga-Orinda Fire District.

AGRICULTURE

Contra Costa Times  
Friday, January 18, 2013

## Urbanization eats away at farmland

By Tracie Cone

*Associated Press*

FRESNO — Despite written policies protecting farmland across Central California's agricultural heartland, the state's most productive region is on track to lose 570,000 acres of prime, irrigated land to development by 2050, according to a new report.

The American Farmland Trust says the loss could drain between \$100 billion and \$190 billion from the regional economy, based on crop values and related expenses. The land represents a more-than-doubling of the current urban footprint of valley cities stretching from Modesto to Bakersfield. The agriculture protection group released its study Thursday on how city and county development policies are affecting the San Joaquin Valley, which the group calls the most important farming region in the world. Fresno County, with around \$7 billion in agricultural production, leads the nation in crop value.

"Counties have made a commitment to conservation, but few are making significant progress toward that goal," said Ed Thompson, the group's California director.

The report said that land considered "prime, unique and of statewide importance" by the California Department of Conservation comprises 39 percent of the eight counties in the region. Yet between 1990 and the economic slowdown in 2008, the report said a disproportionate 61 percent of development was on prime soils.

"There's a lack of urgency," Thompson said. "City limits and spheres of influence are so large that it gives an appearance there is an abundance of land so there's no need to use it wisely."

Land designated for development inflates land prices and makes it more expensive to farm.

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## County poised to assume legal liability from Antioch for neighborhood annexation

By Paul Burgarino Contra Costa Times Contra Costa Times

Posted:

Friday, January 18, 2013

ContraCostaTimes.com

Antioch will be shielded from any liability surrounding annexation of an 108-acre tract of large lots and isolated properties off Viera Avenue.

As Antioch and Contra Costa County officials negotiate a complex annexation package for about 680 acres to the city's northeast, city leaders recently raised concerns about moving forward without giving the area's roughly 200 residents a chance to weigh in, even though a hearing is not required.

The county's Local Agency Formation Commission, which oversees boundary changes, has the authority under state law to approve annexation without the say of property owners or registered voters on "land islands," or pieces of unincorporated land surrounded by a city and no larger than 150 acres.

That process has been used "hundreds" of times in California counties but not recently in Contra Costa, said Lou Ann Texeira, the agency's executive director.

Staff members and legal counsels from the city, county and LAFCO met last month and came up with an approach that would indemnify Antioch for the area, said Victor Carniglia, a city-hired consultant.

"Under the proposal, if there is some sort of legal challenge and the court determines LAFCO is negligent, we wouldn't hold the city liable," Texeira said. "I think it gives the city some comfort."

The LAFCO board would consider the proposal as part of the annexation application for the neighborhood, which the city hopes to bring forward later this year.

Antioch would still have some responsibility for any legal challenges to the other two areas of the annexation package, including the large swath of industrial land off Wilbur Avenue that would bring GenOn Energy's 760-megawatt power plant within the city.

Many residents in the area, which drew international attention in 2009 because of the Jaycee Dugard kidnapping case, have expressed a desire to keep their hands-off way of life.

Antioch officials say Viera residents should have the right to protest.

"If this is done (without protest), and from (LAFCO's) interpretation it appears they may lean that way, then I think we're doing these residents a disservice," Antioch councilman Gary Agopian said.

The city and county are working out the final kinks of an agreement on how to split property taxes for the power plants, Carniglia said. He says it "largely mirrors" a typical property tax split set by a 1980s master tax agreement, which would be about 62 percent for the county and 38 percent for Antioch.

"We just have to nail down the exact numbers; it's not like we're at an impasse," Carniglia said.

A second agreement is being considered to cover the estimated \$3 million infrastructure improvements in the Viera area. Those improvements were being considered in the property tax split, but lumping it all together is proving to be too complicated, Carniglia said.

Antioch expects to complete a revamped version of its environmental and zoning documents later this month, he said. The public would have 30 days to comment.

GenOn has offered an incentive to the city and county of \$1 million apiece to complete the annexation as soon as possible.

"We should be getting very close on settling this," Agopian said.

Contact Paul Burgarino at 925-779-7164. Follow him at [Twitter.com/paulburgarino](https://twitter.com/paulburgarino).

some of the details in the tax transfer agreement with county

## Oakley council tells library supporters to draw up marketing plan

By Rowena Coetsee *Contra Costa Times Contra Costa Times*

Posted:

Thursday, January 24, 2013

ContraCostaTimes.com

OAKLEY -- Although city leaders here are leaning toward moving Oakley's tiny library into a larger retail space downtown, they're asking the project's supporters to show them a marketing plan before putting a parcel tax to voters.

Friends of the Oakley Library, the nonprofit group that has brought the idea to the city for its consideration, is championing the CentroMart site because it's centrally located, about five times larger than the library's existing quarters and a cost-effective alternative to constructing a building from the ground up.

The library currently is housed at Freedom High School, where it occupies about 3,000 square feet of a building that also contains the campus' own book collection.

Oakley's repository has outgrown that space, which no longer can accommodate all the books, children's activities and study areas that advocates say patrons want.

As such, the city is considering asking residents whether they would agree to a \$52 annual parcel tax for 30 years to generate the approximately \$5 million needed to renovate the now-vacant grocery store.

Although the county operates the library, it provides funding only for personnel, books and the other resources on its shelves.

The ballot measure would require a two-thirds approval to pass, and the election would cost the city an estimated \$92,000, funds it would recover only if the parcel tax succeeds.

That kind of financial gamble is something that doesn't sit well with Oakley resident Michael Burkholder.

"I think you're making a big mistake taking a downtown asset and turning it into a liability," he told the council at its meeting Tuesday, adding that it should inspect Friends of the Oakley Library's financial statements to see whether the organization can afford to reimburse the city for holding an election even if the tax measure fails.

Some council members expressed reservations about committing city funds to a plan before it had been fully thought through and advised the dozens of library enthusiasts in the audience that the onus was on them to drum up the 66 percent approval the tax requires.

"If you want this to happen, you will organize, and you will be willing to give your time," Councilwoman Carol Rios said.

"Facebook isn't going to do it," added Councilwoman Diane Burgis, noting that Friends of the Oakley Library's plans to pitch the project to the public will have to include considerably more than a social media campaign. "You're asking us to invest in a plan."

Persuading residents to pay at least \$52 a year -- that amount could increase by up to 2 percent annually to cover the cost of inflation -- likely will be a tough sell given the public's current anti-tax mood, Councilman Randy Pope said.

Representatives of the nonprofit noted that the survey they mailed to 500 random residents last month

showed a "significant" support for the project.

But a review of the completed survey -- a document that wasn't included among the supporting attachments the city posted online with Tuesday's agenda -- shows that only 44 to 78 people answered each question, a minute fraction of Oakley's approximately 36,000 residents.

Forty-nine individuals indicated they likely or definitely would back the ballot measure.

"That is not overwhelming support," Councilman Doug Hardcastle said. "There are thousands more people out there you have to convince."

And if they don't succeed on a first attempt, taxpayers will be even less inclined to give them a second chance, Pope said.

"We need to do it right the first time," he said. "We can't have two bites of the apple." The council instructed Friends of the Oakley Library to present a more detailed plan at the Feb. 12 meeting, when it might decide whether to proceed with an election.

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

## With station closed part time, Clayton looks at future of fire services

By David DeBolt *Contra Costa Times San Jose Mercury News*

Posted:

Friday, January 25, 2013  
ContraCostaTimes.com

CLAYTON -- With their only fire station already reduced to part-time status, residents who attended a meeting Wednesday night to explain the closure of four fire stations had a question: Why not close Station 22 down the road in Concord, or some other station?

"Why aren't we thinking about sharing the pain?" asked Clayton resident and Richmond firefighter Steve Chandler.

Contra Costa County Supervisor Karen Mitchoff, who represents Clayton, and Contra Costa County Fire Protection District Chief Daryl Louder spent most of the three-hour meeting explaining the decisions to close stations in Martinez, Lafayette and Walnut Creek and to partially close Clayton's Station 11. The closures were based, they said, on an analysis of the entire 300-square-mile fire district, and not decided city by city.

The pain, they said, would be shared by all because fire engines throughout the district routinely respond to calls in other cities. A crew based in Pleasant Hill, for example, responds to calls in Clayton, leaving that area without its fire unit.

The stations are closing after voters in November rejected Measure Q, a \$75 annual parcel tax leaders say provided money needed to help offset steep declines in property tax revenue, the district's only funding mechanism. The district's property tax revenue has declined \$32 million since 2008, Louder said.

The fire district called the meeting with residents to explain the future of Clayton's Station 11, which closed on Jan. 15. On Thursday, the fire district began staffing the fire house part-time with an engine from Station 22 on Crystyl Ranch Road. Station 11 will have a crew from 2 p.m. to 8 p.m. Monday through Saturday.

Though Clayton residents are faring better than those in Martinez, Lafayette and Walnut Creek, where stations will be closed indefinitely, concerns about emergency response at the standing-room-only meeting abounded.

One resident facetiously said she better plan to have her emergency during the time the station is open. Another said the fire crew from Station 11 was there in two minutes after she had a massive heart attack.

"If I had to wait for Station 22 or Station 8 I wouldn't be alive today," she said. "We just need that station open."

Louder said his district is looking at a pilot program to staff Station 11 full-time with an EMT vehicle and crew to respond to medical emergencies.

Clayton Councilman Howard Geller encouraged residents to participate in the city's new fire committee, which has its first meeting on Feb. 4 at 6:30 p.m. at the Clayton Community Library, 6125 Clayton Road.

David DeBolt covers Concord and Clayton. Contact him at 925-943-8048. Follow him at [Twitter.com/daviddebolt](https://twitter.com/daviddebolt).

## **Pinole council study session to discuss federal grant and alternative fire service models**

*Contra Costa Times San Jose Mercury News*  
Posted:

Monday, January 28, 2013  
ContraCostaTimes.com

PINOLE -- A tug of war may be brewing over how to spend a \$1.24 million federal grant to the Pinole Fire Department geared to hiring armed forces veterans and laid-off firefighters from other agencies.

The fire chief and the firefighters union say the U.S. Department of Homeland Security SAFER grant will enable the reopening of the shuttered Pinole Valley Station 74, one of two in the city. But the grant, which is spread over two years, would provide only about half the cost of operating the station full time, and city officials warn that the \$620,000 yielded in each of the next two years would have to be augmented with significant local funding to run the station.

The shuttering of the station in July of 2011, coupled with a staffing increase from three firefighters per shift to four at the downtown station, saved \$1 million a year.

Meanwhile, some emergency response experts as well as residents in Pinole, elsewhere in Contra Costa County and beyond, say that in an era of strapped finances, public agencies need to look at alternatives to what many say is an outdated and unsustainable model of emergency services delivery, rooted in a bygone era when firefighters mostly fought fires. Today, most fire department calls are medical, while fires constitute a shrinking portion of calls, down to less than 10 percent in many departments, including Pinole's.

Suggestions include deploying two-person specialized medical vehicles to many emergencies as an alternative to much larger and more expensive firefighting apparatus staffed by three or sometimes four firefighters.

On Tuesday, the City Council will hold a special study session to discuss the federal grant as well as a report from City Manager Belinda Espinosa and Fire Chief Charles Hanley, which focuses on four fire service options for Pinole, including the current one. Pinole shares its chief with the Rodeo-Hercules Fire District and is part of a three-agency Battalion 7, along with Rodeo-Hercules and the Contra Costa County Fire District's San Pablo and El Sobrante stations.

The other alternatives are:

- Reverting to a stand-alone department with its own chief.
- Contracting with Rodeo-Hercules or Contra Costa Fire.
- Developing another fire service model.

Attached to the staff report, which mentions the option of two-person medical vehicles, is a 2010-11 civil grand jury report from Santa Clara County, which faces many of the same firefighting issues as Contra Costa, titled "Fighting fire or fighting change? Rethinking fire department response protocol and consolidation opportunities."

According to the grand jury report, fire agencies' "continued insistence on clinging to a 100-year-old response model designed to fight structure fires makes no sense given the modern reality that structure fires are the exception and medical emergencies are the norm."

Firefighters Local 1230 Vice President Nick Ronchetto said two-person medical emergency vehicles present safety issues and are of limited effectiveness in accidents, rescues and hazardous materials incidents.

"This model (the number of firefighters and apparatus sent on calls) has been a huge success in California and has been used as a model all over the world," Ronchetto said in an email. "So why do we want to change what works?"

Hanley said in an email that the grant will cover the reopening of Pinole Valley Fire Station 74 with a three-person engine company for two years but did not elaborate.

On the question of Pinole contracting for service with Rodeo-Hercules or Contra Costa Fire, the staff report all but rules out Contra Costa because of the cost difference, about \$3.1 million a year with Rodeo-Hercules versus \$3.4 million a year with the county; the differential is due largely to retirement benefits and equipment maintenance and replacement costs, city officials say.

Contact Tom Lochner at 510-262-2760 and [tlochner@bayareanewsgroup.com](mailto:tlochner@bayareanewsgroup.com). Follow him at [Twitter.com/tomlochner](https://twitter.com/tomlochner).

#### IF YOU GO

What: Special workshop on fire service

Where: Pinole City Council chamber, 2131 Pear St.

When: 7:30 p.m. Tuesday

## Consensus appears near on reopening Pinole Valley fire station

By Tom Lochner *Contra Costa Times* Contra Costa Times

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PINOLE -- The shuttered Pinole Valley fire station, long a battleground in a citywide debate over the cost and logistics of medical emergency response and firefighting, could be on the road to reopening, courtesy of a federal grant.

But with no certainty of future funds to make the reopening long term, the same bitter battle that accompanied the closing of Station 74 in July 2011 could repeat itself in two or three years.

The U.S. Department of Homeland Security SAFER grant is for \$1.24 million, spread over two years. The intent of the grant is to hire firefighters laid off from other agencies and, if possible, Armed Forces veterans, which could extend the grant for a third year.

At a special City Council study session on the fire service this week, council members, firefighters, fire Chief Charles Hanley and several residents arrived at a consensus that the grant should be used to run a three-person fire apparatus out of a reopened Station 74.

Meanwhile, the City Council is poised to vote soon on the administrative structure of its fire department and its relationship to neighboring fire districts.

City Manager Belinda Espinosa whittled the list of administration alternatives to three for the council to pick from at an upcoming meeting: continuing the current model, under which Pinole shares its chief with the Rodeo-Hercules Fire District; reverting to a "stand-alone" fire department with its own chief; or contracting for fire service with Rodeo-Hercules.

Espinosa ruled out another alternative, contracting with the Contra Costa County Fire District, explaining that Pinole would have to pay to bring its firefighters up to the county's more generous retirement formula.

Pinole currently is part of the three-agency Battalion 7, with Rodeo-Hercules and the county district's San Pablo and El Sobrante stations.

A draft contract with Rodeo-Hercules would cost \$3.1 million next year, about \$50,000 more than Pinole's current fire budget.

The current draft calls for a 10-year term, with a 4 percent annual escalator clause. Mayor Debbie Long said she wants a shorter term and to revisit the escalator clause.

An annual cap on Pinole firefighter overtime, \$226,800, would remain in place, which if reached could trigger brownouts.

The study session touched only briefly on alternative service models, such as running a two-person, quick-response medical vehicle out of Station 74 rather than a fire apparatus with three people.

Hanley said the two-person model would not be possible under the intent of the grant and national standards.

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