

August 12, 2015
Agenda Item 15c

The New York Times | <http://nyti.ms/1SbznCg>

U.S.

California Announces Restrictions on Water Use by Farmers

By JENNIFER MEDINA **JUNE 12, 2015**

LOS ANGELES — Farmers with rights to California water dating back to the Gold Rush will face sharp cutbacks, the first reduction in their water use since 1977, state officials announced Friday. State officials announced that rights dating to 1903 would be restricted, but said such restrictions will grow as the summer months go on, with the state facing a prolonged drought that shows few signs of easing.

“Demand in our key rivers systems are outstripping supply,” said Caren Trgovcich, the State Water Resources Control Board’s chief deputy director. “Other cuts may be imminent.”

The cut impacts nearly 300 water right holders in the San Joaquin and Sacramento watersheds and delta whose claim to water came after 1903. State officials said that further curtailments are being considered weekly.

The restrictions could cause the widespread fallowing of cropland in areas that have so far been largely exempt from cutbacks. The impact of the cuts are likely to be felt far more broadly than they were in the 1970s, because the state now has more authority and ability to measure how water from the Sacramento-San Joaquin River Delta is used.

While officials have said for months that water for so-called “senior” rights holders — those at the front of the line — would be curtailed, they had repeatedly put off such a decision amid the cooler and wetter weather of the last several weeks.

Gov. Jerry Brown received repeated and intense criticism after he issued mandatory cuts on urban water use but exempted farmers from the cut. In a normal year, agriculture uses about 80 percent of the water consumed in the state. Farmers in the Central Valley have already had their surface water allotment diminish or erased for the last several years and instead relied on water pumped from the ground.

Last month, the state reached an agreement with some farmers in the delta to voluntarily cut their use by 25 percent in exchange for a promise to not face more drastic cuts later during the growing season. Roughly half of the region’s 400 farmers eligible for the program signed on, according to state officials.

The growing season is just beginning in much of the state and farmers are making crucial decisions about what and how much to plant.

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Published **June 17th, 2015**

Neighbors Reach Out to ConFire

By *Nick Marnell*

Less than two years after county administrator David Twa warned that the Contra Costa County Fire Protection District was in danger of bankruptcy, and not two years since consultant Fitch and Associates advised the ConFire board of directors that the district business model was unsustainable, ConFire has become a highly sought-after business partner.

The Moraga-Orinda Fire District and ConFire continue to fine-tune the details of a joint venture to build fire station 46, which will serve north Orinda and west Lafayette. American Medical Response, an ambulance transport provider, agreed to subcontract with ConFire as they jointly pitch for the 5-year Contra Costa County ambulance contract. And two neighboring fire districts have approached ConFire about consolidation or contracting for service.

A defeated parcel tax in 2012 followed by the failure of a proposed district benefit assessment in April forced the East Contra Costa Fire Protection District to close two fire stations, and the district reached out to ConFire for help. ConFire Chief Jeff Carman met with East County Chief Hugh Henderson and his board about consolidation.

"My answer is no," Carman told his Advisory Fire Commission June 8. "I am not interested in consolidation. Other districts can run cheaper than we can, and there is no efficiency in size." The chief said he may consider having ECCFPD contract with ConFire, and he did confirm that ConFire executed a new automatic aid agreement with East County.

Fire Chief Charles Hanley of the Rodeo-Hercules Fire District said that he approached ConFire about contracting for service, as his district recently cut staff and closed a fire station in part due to a lower refinery property tax assessment and higher employee retirement costs. "We're not big enough to fight off all of those entities," said Hanley. Carman said he is still thinking about the best way to help RHFD.

"We need to balance the level of service for our own citizens," Carman told the commission, which agreed that the district's main focus must be to serve the ConFire taxpayers. Yet the depletion of resources of the adjacent fire districts affects ConFire not only financially.

"It's tough on our guys, who see the East County firefighters doing whatever it takes regardless of the jeopardy they put themselves in," said the chief. "Our guys don't like to sit around and watch that. They want to add themselves to the assignment even though we don't have the resources to do it."

Also torn is Vince Wells, president of Local 1230 of the firefighters' union and a ConFire captain.

"I'm not against consolidations, but I don't want to see us go back into the red," he said. "The revenue is never enough because the people will demand more stations and more service."

Which can be the result when districts that pay 6 cents on the tax dollar for fire protection count on the help of county districts that pay up to 21 cents for the service. "Our subsidizing other districts is detrimental because there are people who believe they don't have to pay extra taxes and can just rely on ConFire," said Carman.

The pressure on all fire agencies is expected to increase as northern California enters into a potentially devastating fire season after four years of drought conditions.

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Published **June 17th, 2015**

Financial Reporting Shakeup at MOFD

By Nick Marnell

Many have complained that when public pension costs can be hidden and then deferred for future payment, it can be too easy for governments to get away with making unreasonable promises without taking care of the funding problem in the first place. In an effort to more accurately report those costs, the Governmental Accounting Standards Board foisted new rules upon state and local governments - including the Moraga-Orinda Fire District - requiring them to place their net pension liability on the balance sheet instead of in the financial statement footnotes. The requirement takes effect for the MOFD fiscal year ending June 30.

"The purpose of this ruling is to improve the financial reporting of pensions and to provide more transparency of our long-term pension obligation," said Gloriann Sasser, MOFD administrative services director, at the June 3 district meeting.

The MOFD 2014 balance sheet lists total assets of \$39.9 million with liabilities of \$30.1 million. "This year the reported liabilities will be significantly higher," said Sasser. "The district will have a negative net position as opposed to a net position of \$9.8 million last year."

Sasser explained that the new reporting standard will have no effect on the district's cash flow, general fund budget, fund balance or long-range financial plan.

"It doesn't affect our revenue or our solvency, but I think it's important to publish this in a public document, to show the public what we really do owe," said director Steve Anderson.

Director Fred Weil noted that many private companies report significant information, such as lease liabilities, in their financial statement footnotes. Weil said that taking the district pension liability out of a footnote and sticking it on the balance sheet was "a mixture of accounting methods for political purposes."

If the district refused to go along with the GASB standard, it would not receive what Sasser called a clean audit of its financial statements. Those flawed statements could prevent the district from acquiring bank financing, such as for the lease it is trying to secure for its purchase of two new ambulances.

Though the MOFD year-end financials will report activity through June 30, Sasser said the Contra Costa County Employees' Retirement Association, manager of the district pension plan, will base the fair market value of the plan assets on Dec. 31, 2014 equity prices. She said she was not sure of the date to be used for the equity prices of the liabilities, but that it could be a different one.

"There's transparency for you," said Weil.

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LETTERS TO THE EDITOR **JUNE 29, 2015**

Jim Bonetti: Voters watching to see what mayors do about LAFCO, Beekman

So LAFCO tries to correct the formula for developer fees for turning farmland into residential housing. Hughson Mayor Matt Beekman believes developers pay too little to cities for the privilege of building, so he votes to increase the fees. Beekman was appointed to LAFCO by the other mayors; according to most of them, Beekman should do as he's told.

So Riverbank Mayor Richard O'Brien doesn't like how Beekman voted and has a tantrum and calls Beekman "un-American"! O'Brien and his mayor buddies get together and say "Hey, let's dump Beekman." They don't want to be called "un-American," so they go along.

So, O'Brien et al think voters must vote with the majority? Beekman doesn't think so, nor do I. We're not alone.

This is America, not some third-world country where you lose your hand if you don't vote as you're told. Every person in every city you represent are watching what you do at the next LAFCO meeting, where you plan to show

Beekman who's boss.

Developers are a dime a dozen. They would pay 10 times whatever fees were required just to get the chance to build something. They are motivated by one thing: money!

JIM BONETTI, WATERFORD



MORE LETTERS TO THE EDITOR

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Kensington

Town leaders face recall drive

Residents cite lack of reforms after Reno sex scandal

By Thomas Peele

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KENSINGTON — Citing a “humiliating sex scandal” involving a local police sergeant and a Reno prostitute, residents of this tony East Bay hills town have started a drive to recall three elected officials they say failed to enact promised reforms.

Directors Len Welsh, Charles Toombs and Pat Gillette of the Kensington Police Protection and Community Services Board were served with notices of a recall drive at a meeting Monday night.

Board members Vanessa Cordova and Rachelle Sheris-Watt, both elected last year as reform candidates, were not named in the notice.

On Tuesday, one of the people involved in the effort, Annie Shane, said the notices contained a technical error and the three officials will be served again.

But for all intents and purposes, she added, the recall is on.

The notices, which are a required start of a recall effort, mentioned the sex scandal involving police Sgt. Keith Barrow that this newspaper reported in February.

Following public outcry over how former district police Chief and General Manager Greg Harman handled an investigation of Barrow, the board cut off contract-extension talks



RAY CHAVEZ/STAFF

with Harman, effectively firing him. Barrow served a suspension for the Reno incident.

Kensington residents demanded the positions of district manager and police chief be separated, citing a lack of civilian oversight. But the board recently hired an interim police chief who also serves as general manager.

The recall notice criticizes Gillette for not splitting the positions, claiming she's said publicly that she's too busy with her law practice to fill the “two part-time jobs.”

In a brief email Tuesday,

Gillette said she didn't have time to respond.

The document states Toombs has failed “to provide adequate stewardship” of the district.

It also says that Welsh, the board president, has not properly overseen the Police Department and must be recalled so a replacement can provide “future ethical leadership of the board.” Shane said the word ethical would be replaced with “expert” in a redrafted notice.

Toombs, in an email, wrote, “I am prepared to put my record of achievements to the voters yet

again and believe they will continue to affirm what I have done and what I stand for.” Welsh did not respond to a message asking for comment.

Cordova wrote in a Facebook post Monday night that residents were “promised expanded public participation and improved transparency. Seven months later, many remain dissatisfied with this board majority.”

It was unclear Tuesday when a recall election might be held.

Follow Thomas Peele at [Twitter.com/thomas_pееle](https://twitter.com/thomas_pееle).

Published July 1st, 2015

Third Time's the Charm

By Cathy Dausman



Orinda's First City Council at the 1985 Fourth of July parade. Back, from left: Aldo Guidotti, Bobbie Landers and Dick Heggie; front: Bill Dabel and Joe Harb Photo courtesy of the Orinda Historical Society

because of what she said are the city's "multiple people and diverse interests."

Joyce Hawkins served on the city council as both member and mayor between 1992 and 2004. She remembers co-chairing with two others and a "huge" committee to promote the city's vote for incorporation in 1984. Hawkins moved to Orinda in 1970 and began work on the Orinda Association planning commission, which held an advisory role to county government.

Hawkins said the big catalyst for incorporation was to gain planning control. Prior to 1985, the jurisdiction of Orinda's modest 12.8 acres rested in Martinez, the Contra Costa County seat. At the time, Hawkins said Orinda won most battles with the county over residential development but lost out on commercial development. She remembers Martinez meetings lasting until 2 a.m. Then developers sought to tear down the Orinda Theatre and erect a five-story building in its place.

"We lost that battle [originally]," Hawkins said, until a law firm stepped in to provide pro-bono help. The first step to incorporation was to raise money for a Local Agency Formation Commission study, which, if approved, would allow Orindans to vote on becoming a city. When the study was approved, the committee went to work, "diligently" promoting the idea of Orinda as a city.

Simultaneously, 19 candidates began campaigning for one of five seats on a city council, assuming Orinda incorporation passed. This would be a last attempt at incorporation.

Ironically, one of those working against incorporation was Aldo Guidotti, who was elected to the first city council. Results of the March 1985 election was 60 percent for incorporation, a "spectacular victory," Hawkins said, adding "after that, it became much more difficult to incorporate."

Orinda was the last of the Lamorinda communities to incorporate, after Lafayette in 1968 and Moraga in 1974. "It was an exciting time [for Orinda]," said Hawkins.

To celebrate its birth as a city, the Orinda Association began hosting a Fourth of July parade. Strangely enough, the biggest issue 30 years ago was city road conditions; although Hawkins recalls that the county spent far less on repairs than the city has done since. Perhaps the road to self-governance is paved with good intentions.

Independence Day takes on double meaning in Orinda this year, as its residents celebrate the 30th anniversary of its incorporation July 1 along with the nation's Fourth of July celebration three days later. In historical perspective, it almost didn't happen. There were two failed prior attempts - one in the mid-1950s and a second in 1967 before "the vote for incorporation won hands down," said Bobbie Landers in remarks to this paper in 2010.

Landers was one of Orinda's five original city council members, having moved to Orinda 20 years before it became a city because of "the niceness of the town."

"People wanted to captain their own ship," Landers said. Fortunately for incorporation fans, the third time was the charm. Landers said what made the difference was that "we had more information and facts [in the 1980s]."

The Orinda area also wanted better police protection and more say in planning, she said. Landers has seen what she called "very, very positive things" happen with the city since 1985

Alameda County civil grand jury

Report assails health system

Lack of oversight, leadership add to financial woes

By Rebecca Parr

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OAKLAND — A civil grand jury blasted Alameda County's financially struggling public health system for plunging deeper in debt and not warning its trustees or county supervisors of the magnitude of the problem, made worse by taking over San Leandro Hospital. Alameda Health System owed Alameda County almost \$200 million when the grand jury wrote its report. The health system runs five hospitals, including its flagship, Highland Hospital in Oakland, and several clinics.

“The lack of leadership and scrutiny on the part of the AHS board of trustees and the lack of oversight by the county board of supervisors contributed to the financial problems at AHS,” the Alameda County civil grand jury wrote in its report released this week.

Alameda County Supervisor Wilma Chan, who chairs the board of supervisor's health committee, called the grand jury's report “incomplete.”

Alameda Health System administrators are reviewing the report, a spokeswoman said. The health system has its own autonomous authority but relies heavily on county funding.

“AHS has been working collaboratively with Alameda County's board of supervisors since August of 2014 on a plan to restructure AHS debt to the county,” said Jerri Applegate Randrup, an Alameda Health System representative. “AHS continues to work with Alameda County toward a sustainable solution for the system's financial needs.”

Alameda Health System's debt to the county ballooned from \$118 million in 2010 mainly because of problems with a new \$77 million computerized records system. Acquiring financially troubled Alameda and San Leandro hospitals added to the money woes, the grand jury concluded, singling out the latter.

“It is clear that the San Leandro Hospital acquisition contributed significantly to the financial crisis,” the report said.

Chan brokered the deal that resulted in Alameda Health System taking over San Leandro Hospital from Sutter Health in 2013.

“I don't think the acquisitions were the main problem” causing the health system's money woes, Chan said Tuesday. “The poor implementation of its computer system was a major, major factor. They weren't able to bill for over a year.”

Because of the billing problems, the health care provider had to write off more than \$10

million.

The head of Alameda County's Health Care Services Agency agreed many of the problems were because of the billing system and poor operations decisions.

"AHS's problems were not caused by the acquisition of San Leandro Hospital," Alex Briscoe said.

Chan blamed Alameda Health System's former CEO for many of the problems. Wright Lassiter III was the health care system's top executive until 2014.

Lassiter did not appoint a chief operating officer to oversee the computer system installation, and a high turnover of top administrators also hampered the health system's operations, Chan said.

"The previous CEO started looking for a new job in 2012; he was rarely available to his board or our board. It was very frustrating," the supervisor said.

In September 2013, the health provider's management notified its finance committee it was not able to pay vendors.

"There was an active effort by Alameda Health System to manage this bad financial news. Unfortunately, this effort appears successful until August 2014," the report said. That's when hospital executives approached Alameda County about restructuring its debt.

The grand jury report did not consider the effects of the Affordable Care Act, which has meant less money coming into the county's public hospitals, Chan said.

"I don't want to diminish the grand jury's valid criticisms, but under health care reform, the hospital has lost about \$90 million in the last two years from the state and federal government," she said.

Under the Affordable Care Act, it was assumed everyone would have health insurance and the subsidies would no longer be needed, she said. But Alameda County has about 40,000 residents, mostly undocumented immigrants, who do not qualify for insurance under the federal plan.

Alameda Health System's acquisition of San Leandro Hospital kept an emergency room open, and it also provides space for an acute rehabilitation program, Chan said. The public health system has to move its rehab center from San Leandro's Fairmont Hospital, which does not meet seismic safety standards.

Many of the grand jury's recommendations are already in place, the supervisor said. The health care provider regularly updates the county on its finances, and cash requests and cash-flow projections are reviewed by the county.

"Things are starting to improve," Chan said. "There is a strong administrative team in place. The new chief operating officer started last August; that's made a big difference. And we have a chief financial officer who has been there a year," she said. "They have made big

improvements in paying their vendors.”

A new CEO, Delvecchio Finley, takes over in August.

Alameda Health System also has been paying down its debt. It now owes \$142 million, county Auditor Steve Manning said Tuesday.



According to an Alameda County civil grand jury, Alameda Health System’s takeover of San Leandro Hospital contributed to the agency’s financial turmoil. The botched rollout of an electronic billing system also made an impact on the debt.

ARIC CRABB/STAFF ARCHIVES

California's drought

Water usage drops 29%

State's conservation effort in May tops governor's request

By **Lisa M. Krieger and Sophie Mattson**

Staff writers

Californians in May shot past Gov. Jerry Brown's water conservation targets in response to the drought emergency — a profound shift in behavior for a state that until recently prized its hot tubs, lush landscaping and spotless cars.

New numbers, released Wednesday, show that the state's ambitious conservation campaign is working, with statewide residential water use declining 28.9 percent in May from its baseline 2013 levels. The figures beat Brown's order in April to cut water use statewide by 25 percent.

The Bay Area saved even more: 31.9 percent. And the leafy Peninsula town of Hillsborough, once identified as the region's biggest water hog, cut its use by an astounding 49 percent.

“It is clear from this report that many communities have made a commitment as Califor- *See WATER, Page 8*

Water

Continued from Page 1

nians to scale back outdoor watering and conserve,” said Felicia Marcus, chairwoman of the State Water Resources Control Board. “Californians are creative. We can fix the leaks, let the lawn go brown and take shorter showers.”

The 29 percent reduction is the hydrological equivalent of trading in a Porsche 911 Carrera for a fuel-efficient Honda Fit. Or pinching pennies at a Holiday Inn, rather than splurging at a Hilton.

“The key for making tough changes is to change together,” said BJ Fogg, a behavioral scientist at Stanford University and director of Stanford's Persuasive Technology Lab.

To be sure, cool May temperatures contributed to the success, according to the state water board. But the savings represented the best showing since the state started tracking conservation last year. And the May figures (breaking December's record of 22.4 percent) followed several months of tepid conservation: 13.5 percent in April and 4 percent in March.

Behavioral experts say the same carrot-and-stick tools help change any bad habit — whether it's smoking, speeding, overeating or taking 20-minute showers.

Some cities, like Fresno, have conserved through aggressive monitoring, enforcement and ticketing for those who violate watering restrictions.

The state water board reports that Californians have filed 28,555 water waste complaints in May. That resulted in 36,159 formal warnings and 1,786 fines and other penalties.

Helpful advice — combined with environmental horror stories — were enough to motivate Karen Williams, administrative director of UCSF's Center for Tobacco Control Research and Education.

"They were clear. They said what was needed. And it came from the top — the governor," Williams said. "We were looking for advice, and they gave it."

Increasingly, the drought has come to be viewed as a social problem, not only an environmental problem. When neighbors' lawns are dying, bright green turf becomes as politically incorrect as tooling around town in a Hummer.

And there's this: Antismoking research shows that as more people quit, it becomes much simpler to convince those few remaining smokers to quit, Williams said.

In the drought, "you see how others are cutting back," so there's motivation to follow, she said.

"Making big changes alone is hard," said Stanford's Fogg. "When you tap into the power of social (dynamics), behavior change is easier and more motivating."

Research at his lab shows that three things are needed to change behavior — and all three are abundant in this thirsty, yellowing state.

The first is motivation, such as peer pressure. The second is simplicity, through easy-to-remember tips. The third is what he calls a "trigger," or reminder.

"When I see someone converting their lawn into a drought-resistant landscape, it is a reminder to me to take the exact same step," he said.

Indeed, there seems to be a new competitive pride in conservation.

"I have a big gigantic stockpot that I keep in my sink — and when I run hot water, I catch it and use it to water my house plants," said Morgan Hill resident Martha Oral, 55.

"When the water in my dog's bowl starts to get hair and other stuff in it I empty it into the house plants rather than put it down the sink," said San Ramon resident Kristina Teves, 28. "This sounds kind of gross, but we are also a 'if it's yellow let it mellow' kind of family."

Affluent Hillsborough residents are now letting their sprawling lawns turn brown, watering plants with reclaimed water and purchasing drought-resistant plants.

Told by the state water board to cut their water use 36 percent, Hillsborough residents are now prohibited from using their sprinkler systems more than twice a week.

“People are certainly starting to talk about it more,” said David Weinberg, 74, who installed drip irrigation systems in his Hillsborough home and now recycles all his bath water. “We are all stewards of the earth. Everyone has to do their part.”



Changes in irrigating landscaping helped Californians reduce water use by nearly 29 percent in May, exceeding Gov. Jerry Brown’s call for a 25 percent cut.

RICH PEDRONCELLI/ASSOCIATED PRESS

“Making big changes alone is hard. When you tap into the power of social (d y n a m i c s), behavior change is easier and more motivating.”

— *BJ Fogg, a behavioral scientist at Stanford University and director of Stanford’s Persuasive Technology Lab*

Contra Costa County

Untapped tax money set to benefit crime-fighting

\$500,000 in P-6 zone funds to help create special unit

By Matthew Artz

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MARTINEZ — A special tax collected to improve local police services will finally be better utilized after Contra Costa County leaders found a solution to one of their most vexing legal issues.

Millions of dollars collected from the county's 115 P-6 zones have sat untouched for years because the revenue was required to benefit the specific area taxed, yet many of the zones consisted of subdivisions too small to raise enough money to support even a single sheriff's deputy.

To help remedy the problem, the Board of Supervisors on Tuesday approved a proposal to commingle more than \$500,000 of P6 funds with general fund money to form a 7-member Community Services Unit that will focus on crime prevention and community outreach.

"These are things that the budget just hasn't allowed us to do over the last several years," Sheriff David Livingston said.

To meet legal requirements, the unit will provide enhanced service, including detailed crime analysis and a security camera registration program, for residents in P6 districts that are spread throughout the county.

Other residents in unincorporated areas will have access to the unit, but will not receive the individual level of service provided to P-6 zone residents.

Supervisors required that new residential tracts in unincorporated areas set up P-6 zones starting in 1992, despite a warning from county counsel that expenditures would be limited to the individual zones. In 1998, the board tried to ease the restrictions by pooling the tax revenue, yet the legal stumbling block remained.

P-6 zones generate about \$1.6 million annually, according to a county report. The cumulative P-6 tax balance stood at \$6.8 million by the end of last year.

Livingston said he worked with county lawyers to come up with a plan that would pass legal muster. Supervisors, who had reviewed the plan earlier this year, praised it Tuesday.

"I think it's a good example of finding that right balance both legally and operationally," Supervisor John Gioia said. *Contact Matthew Artz at 510-208-6435.*

[Print This Article](#)

Mayors to determine Beekman's role on LAFCO

Elizabeth Arakelian
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July 7, 2015

The mayors of the Stanislaus County City Selection Committee will convene today to determine if Hughson Mayor Matt Beekman will continue to represent them on the Stanislaus County Local Agency Formation Commission, or LAFCO.

LAFCO is composed of various city and county representatives and though often regarded as nebulous by the general public, one central goal of the commission is to preserve agricultural land while also promoting orderly growth. Beekman's role on the commission came under speculation after a deciding vote he cast on land mitigation efforts at the March 25 LAFCO meeting left some of the mayors feeling misrepresented.

LAFCO convened in March to discuss refining the language of its in-lieu fee methodology, one tactic aimed at achieving 1:1 land mitigation. This ratio ensures that if land is developed, an equal amount is also preserved for agricultural use, thus retaining the region's resources.

In a 3-2 vote Beekman voted with Stanislaus County Supervisors Jim DiMartini and Terry Withrow to amend the LAFCO agricultural preservation policy to set an in-lieu fee methodology of 35 percent plus a five percent endowment. The item was opposed by Turlock City Council member Amy Bublak and LAFCO public representative Brad Hawn.

At the May 13 meeting, which lasted nearly four hours, several mayors vocalized concerns that Beekman wasn't representing their collective views appropriately.

"The City Selection Committee is supposed to select a member that fairly represents the diversity of the cities," said Riverbank Mayor Richard O'Brien in May. "We selected you thinking you would fairly represent us. When you have seven cities saying 'don't go forward with this' and you did, that shows us that you have a disregard for our opinion when you've already made up your mind."

While Beekman acknowledged his responsibility to the City Selection Committee that appointed him, he also noted that he is also charged with representing another entity: the public.

"One critical piece of information is that when I am appointed to LAFCO through the City Selection Committee I'm obligated to not represent solely the body that appointed me, but I'm also supposed to represent the public," said Beekman. "When mayors say I'm not representing them, that is contrary to LAFCO law and I'm going

to follow LAFCO law as a board member.”

Beekman said he would have preferred a decision to have been reached at the May meeting and in the past 60 days he has availed himself, namely through email, to answer unresolved questions amongst the mayors. The response has been “pretty limited” said Beekman who hopes to return to focusing on City Selection Committee matters in the near future.

“There are a lot of time critical things we’re not discussing because we are distracted and to me that is the biggest concern I have. I would much rather be spending time talking about water and roads and working with the mayors on economic development issues,” said Beekman. “We need to get together and demonstrate leadership.”

The mayors will convene for the City Selection Committee to vote on whether or not Beekman will continue to represent the mayors on LAFCO. The meeting will be held at 6 p.m. tonight at Newman City Hall, located at 1162 Main Street.

<http://www.turlockjournal.com/section/14/article/29706/>

NEWS

JULY 8, 2015

5-4 mayors' vote removes Hughson's Beekman from LAFCO

HIGHLIGHTS

Majority of mayors feel support of farmland preservation policy change was treasonous

Beekman, defiant, calls mayors' group dysfunctional

Audience majority supports Beekman, says he voted his conscience



BY GARTH STAPLEY
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NEWMAN — A bare majority of the mayors in Stanislaus County punished Hughson Mayor Matt Beekman on Wednesday by removing him as the cities' representative on a regional growth-guiding panel despite ardent support

from most people in the audience.

Beekman maintained that his March vote favoring a farmland preservation policy amendment was the right move. Getting kicked off the Stanislaus Local Agency Formation Commission reflects deep dysfunction in the mayors' group, Beekman said, charging the majority with failing to do their homework.

Mayors Garrad Marsh of Modesto, Gary Soiseth of Turlock and Chris Vierra of Ceres joined with Beekman in his support, but were outvoted by Mayors Ed Katen of Newman, Pat Paul of Oakdale, Richard O'Brien of Riverbank, Luis Molina of Patterson and Mike Van Winkle of Waterford.

“

VOTING (BEEKMAN) OFF TONIGHT WILL FRACTURE THIS GROUP AND LEAVE US SPLINTERED. I LOOK TO YOU VETERAN MAYORS TO SET THE EXAMPLE AND FRANKLY, I'VE BEEN DISAPPOINTED.

Gary Soiseth, Turlock mayor

The majority said Beekman pushed forward with the farmland preservation policy change despite their requests for a delay in hopes of building compromise. “We were not given that

courtesy,” Paul said.

“When we did select Matt (for LAFCO), each of us talked to him and he said he would try to support cities and help cities,” O’Brien said.

Beekman noted that the mayors convened two months ago with the idea of removing him and put off deciding to allow time for mending fences. The next day, Beekman reached out to all with offers to discuss the matter and none, he said, engaged in serious discussion.

At the heart of the controversy was LAFCO’s approval in March of a formula for calculating how much money developers should pay cities when replacing farmland with homes or other buildings.

All audience members approaching the speaker’s rostrum defended Beekman.

“He made a principled vote to preserve ag land, and he deserves your vote,” said David Tucker of Modesto.

“You may not like what he did, but he did his duty and he did it with honor,” said Annette Smith, a former Patterson councilwoman.

Jake Wenger, a Modesto Irrigation District board member, said it’s “scary” to imagine being kicked off that panel because colleagues disagreed with one of his votes.

“If you can only agree with the majority, those tend to be societies we don’t want to model,” Wenger said. “We’re not looking at a situation where someone is not fit for duty, acted as an embarrassment or has a history of acting erratically.”

“

WHEN WE INTERVIEWED MATT (BEEKMAN FOR THE LAFCO POSITION), I ASKED ONLY,

'WILL YOU SUPPORT CITIES?' HE SAID 'YES.'

Pat Paul, Oakdale mayor

Katen noted that Jim DeMartini, when he became chairman of the county Board of Supervisors, removed another supervisor from LAFCO and appointed himself.

"I didn't hear anybody sniveling and crying," Katen said. "We as mayors also have the right to choose who is going to lead us on the LAFCO board."

When it came time to choose Beekman's replacement, Molina suggested appointing Oakdale Councilman Tom Dunlop rather than another mayor. Vierra and Marsh said they don't know Dunlop and asked to interview him, as had been done with Beekman, and the others agreed to postpone action.

Garth Stapley: 209-578-2390

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- Hughson Mayor Matt Beekman voted off LAFCO
-



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Sort by **Oldest****Citizens for Matthew Beekman**

Mayor Beekman sat under the seal of Newman which is a drawing of ag land with a dairy truck that says "Agriculture" and "Dairy". How ironic that was above his head when he was voted off as punishment for voting in favor of a pro-ag policy!

Like · Reply · 3 · 12 hrs

**Steve Green**

Why should there even be a vote if the out come of it is this? Vote our way or its the highway should be illegal. Treasonous should be seen as what the rest of the Mayors did to Beakman for voting how he voted. What is voting for? The other mayors are being treasonous to the people of Stanislaus county.

Like · Reply · 4 hrs

**Mark Smith**

His position was to represent the will of the Mayors, not go rogue and vote his own way.

Like · Reply · 55 mins

**Robert Granelli ·**

Gustine, California

Disgraceful.

Like · Reply · 1 · 4 hrs

**Robert Taylor ·**

Patterson, California

The mayors already have their representative on the panel, Brad Hawn. Brad Hawn is the " public " member but in reality is a vore for the mayors. He doesn't represent the public any more than the mayors' claim that Beekman doesn't represent them. How can the " public " have Brad Hawn removed from LAFCO?

Like · Reply · 1 · 3 hrs



[Emerson Drake](#) ·
[Modesto, California](#)

This decision is about greed and nothing else. When an elected official, Mayor Jim Katen of Newman, called the actions of concerned citizens "sniveling and whining" you know it's time to understand he's beyond caring about public opinion and is only concerned about the Building Industry Association's re-election donations.

[Like](#) · [Reply](#) · [1 hr](#)



[Mark Smith](#)

Let me get this straight, he was put on the panel by the Mayors as a representative of all of the Mayors. And once on the panel he voted the opposite way that a majority of the mayors wanted and he's mad he got kicked off by that majority? I'm sorry people, this is how it works. His duty as mayor of Hughson gives him a lot of leeway in what he can say and do as the mayor. But when you are put on a board such as LAFCO and your duty on that board is to represent the interests of all the other mayors, then your votes and support need to go the direction those other mayors want it to go. You are representing yourself or your own cities interest, you are representing all the cities so it's your duty to vote that way. And if you don't then you get kicked off the board just like this.

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EDITORIALS **JULY 9, 2015**

Our View: Beekman's removal a victory for pettiness

BY THE EDITORIAL BOARD

They sure showed Matt Beekman. Mayors from five of Stanislaus County's six smallest cities voted to remove the Hughson mayor from his position on the Local Area Formation Commission, a little-known agency that rules on annexation requests from cities and other government entities.

Never mind that Beekman was highly qualified to be on the commission. Never mind that his views on growth appear to reflect those of the majority of Stanislaus County residents. Never mind that he did nothing improper, immoral or even incorrect.

They kicked him off because he refused to vote the way the building industry wanted him to when it came to setting a little-used fee for farmland mitigation.

This appears to be an act of petulance. It was unworthy of their offices.

Mayors Pat Paul (Oakdale), Richard O'Brien (Riverbank), Ed Katen (Newman), Luis Molina (Patterson) and Mike Van Winkle (Waterford) acted out of misplaced loyalty. They claimed to be either protecting the prerogatives of cities to set growth policies or their own prerogatives to dictate LAFCO votes. Regardless, the result of their vote also could protect the profits of builders.

The reason they removed Beekman was his vote on how much developers must pay when converting farmland outside of cities into residential neighborhoods after annexation.

Developers have three ways to mitigate farmland loss. They can build within established urban limits; they can purchase development rights on an equivalent amount of land that will continue to be farmed; or they can pay a per-acre fee that is turned over to a nonprofit organization that buys development rights on other land. The formula for that per-acre fee is decided by LAFCO.

And there's the rub.

In March, Beekman joined county Supervisors Terry Withrow and Jim DeMartini in voting to charge 40 percent of the sale price of comparable land. Based on recent sales, that is roughly \$7,100 per acre.

Builders prefer a flat, per-acre fee determined by cities where they have greater influence. Patterson's city manager, for instance, recommended \$2,000 per acre - a fee endorsed by the Building Industry Association and even lower than flat fees in Manteca and Tracy.

Such low fees encourage the destruction of farmland, which LAFCO is legally obligated to protect.

The firm Churchwell White works under contract for Patterson, Riverbank, Oakdale, Newman and Ceres; the firm disputes LAFCO's ability to even set fees. It's an interesting point, but if the cities feel LAFCO has overstepped its bounds, they should contest the issue in court - not send out their mayors to bully one of their peers.

The mayors of the county's largest cities -

Garrad Marsh of Modesto, Gary Soiseth of Turlock and Chris Vierra of Ceres – all voted to keep Beekman on LAFCO. Every person who spoke Wednesday defended the mayor of the county's smallest city. At a previous meeting, nearly 100 showed up on his behalf.

It didn't sway O'Brien, Molina, Katen, Paul and Van Winkle. Their votes were a victory for vindictive, petty politics.



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Sort by **Oldest****Amanda Sorenson**

The mayors of Oakdale, Riverbank, Newman, Patterson and Waterford should be ashamed. They are nothing but thugs.

Like · Reply · 2 · Jul 10, 2015 1:27pm

**Sergio Alvarado** ·

Turlock, California

You have to wonder why the meeting was held in Newman. Was it because they didn't want as many people to speak up as they did at the previous meeting in Turlock? Or did they think people wouldn't want to drive out of the way to go? Regardless, THANK YOU to Mayors Soiseth, Marsh, and Vierra for doing the right thing. I hope voters will remember these Mayor's votes come re-election time!

Like · Reply · 1 · Jul 10, 2015 2:36pm

**Todd Heinrich** ·

Supervisor at Diamond Pet Foods

Make those who voted him off look very petty and out of touch.

Like · Reply · 2 · Jul 10, 2015 3:25pm

**Robert Taylor** ·

Patterson, California

It is worth noting that prior to LAFCO even acting on farmland mitigation, the Mayors group was given an opportunity to come up with its own plan. Each mayor would come up with a plan acceptable to the council and get their approval. Mayor Molina was a part of that group. Patterson refused to consider any type of mitigation. A couple of other cities came up with ridiculous land maps. This group says it needed more time. For what? It seems they were best at wasting taxpayer money

Like · Reply · 2 · Jul 10, 2015 3:56pm



[Citizens for Matthew Beekman](#)

Thank you Modesto Bee Editorial board for calling a spade a spade and outing the puppetmaster, Churchwell-White (Doug White). The BIA also played a big part in it with its members lobbying the mayors to vote against Beekman. Mr. Alvarado suggests we remember the good votes come election time, but the voters in the five cities need to remember the bad votes as well. Afterall, it is their mayors who are "vindictive and petty".

(This page is not affiliated with nor run by Matthew Beekman or his family or even his friends. We are citizens who support him and know he was wronged.)

Contra Costa Times 7-9-15

Public safety in Richmond

Chief making push to reignite an agency

Department's new leader aims to boost training, focus on recruitment, rein in overtime problem

By **Karina Ioffee**

kioffee@bayareanewsgroup.com

RICHMOND — Adrian Sheppard is soft-spoken, doesn't drink alcohol and hardly looks his 48 years. But the new chief of the Richmond Fire Department has ambitious plans for the agency, including increased training for all front-line staff, partnering with local schools to create a job-training program, and poking a hole in ballooning overtime expenses that last year cost the city \$2.8 million.

Since arriving in Richmond in January, Sheppard has been busy updating the department's technology systems, which he described as woefully out of date. He's also working to collect the city's incident report data, which each fire department is required to submit to the state but which Richmond has not done for at least six years. And, perhaps most challenging of all, Sheppard now is in discussions with the firefighters union about costs, which he says are not sustainable at their current levels.

"I was brought into the organization to make sure we brought overtime under control," Sheppard said. "When I have to give a person overtime to fill a vacant captain position, it costs me \$200,000 a year. I have to make sure my people remain healthy and are at work."

One way to do that is by moving current employees who are eligible for promotions into vacant positions while colleagues are out on long-term leave, *See CHIEF, Page 2*



Adrian Sheppard, Richmond's new fire chief, has been working on a number of changes.

KRISTOPHER SKINNER/STAFF

Chief

Continued from Page 1

something the department hasn't previously done, he said.

Sheppard, a father of two girls, ages 10 and 13, spent 18 years at the Oakland Fire Department, starting as a firefighter and working his way up the chain to battalion chief in 2010. Before chasing fires, Sheppard served in the Air Force and remained in the reserves for 20 years.

The military background helped turn him into a detail-oriented planner who is well-versed in budgets, contract compliance and other minutiae of agency administration. Yet he's far from a morose bureaucrat obsessed with just the numbers. Sheppard's plans for Richmond include regular meetings with all firefighters every couple of months, and a new recruitment track with Richmond high schools to prepare local teens for jobs in the Fire Department. He also wants to partner with BAY EMT, an organization that recruits and trains Bay Area minority youths for jobs as emergency medical technicians.

"He approaches things in a very inclusive manner," said Darin White, a deputy chief at the Oakland Fire Department who has known Sheppard for nearly two decades. "He is very engaging and is open to feedback, which is what you need to be as a leader."

One of the first things Sheppard began encouraging his new staff to do was learn a foreign language using a free software program called Pronunciator. The goal, he said, is better communication with the city's diverse population where even a few words in a community member's native language can go a long way toward establishing trust.

"When I walk in and say something in Khmer (Cambodia's main language), people are taken aback," Sheppard said. "They wonder why you learned the language. (I say,) it's to help you."

Noah Brownlow, a business agent for the Richmond firefighters union, described Sheppard as "communicative" and "easy to work with" but wondered whether moving bodies around would fix the overtime problem, because the department is so understaffed.

Mandatory staffing levels require 24 people to be on duty at any given time, leaving only a few things a department can do to reduce costs: trim pay and benefits; close stations, which the department opposes; or hire more people, Brownlow said.

"All of those are big changes that require a lot of conversations," he said. "If anything that's proposed can actually reduce overtime, we are open to discussing it." Another one of Sheppard's plans is to make every emergency medical technician in the department an Advanced EMT, requiring 200 more hours of training. He said the extra training is critical because about 80 percent of calls are medical in nature.

Former colleagues say the proposed changes point to Sheppard's deep commitment to the communities he serves, as well as his solid work ethic.

"There's a handful of people who work as hard as he does," said Tracey Chin, an Oakland fire captain. "He's always been very practical and very firm but fair. It was a tremendous loss for our agency when he left but a huge gain for Richmond."

Follow Karina Ioffe at [Twitter.com/kioffee](https://twitter.com/kioffee).

Contra Costa Times 7-9-15

Drought takes hold

Water board not keen on cutbacks

Ideas for possible fines offered, but no action is taken

By Fenit Nirappil

Associated Press

SACRAMENTO — California water regulators heard proposals for a statewide drought fee and hefty fines for water-guzzling homeowners as part of a Wednesday workshop discussing how to implement Gov. Jerry Brown's order for water pricing to maximize conservation.

Officials at the State Water Resources Control Board said they weren't looking at a total overhaul of water bills across the parched state dealing with its four-year dry spell.

"The state is not rushing out here to supplant local authority and local control," said Max Gomberg, a senior scientist at the board.

Joe Grindstaff, general manager of the Chinobased Inland Empire Utilities Agency, suggested California could set a state standard for reasonable residential water use and impose fines on local agencies whose customers use too much.

"The truth is you can have a really nice lawn and really nice life living within those standards," Grindstaff told the board.

Members of the state water board appeared cool to the idea, with one quipping Grindstaff would need police protection because so many people would hate the idea.

The board didn't take any actions Wednesday and didn't indicate any future plans for increasing the price of water.

A law accompanying the California budget allows agencies to slap the worst water wasters with fines up to \$10,000. Another bill, SB 789, that would have allowed water departments to impose a 300 percent tax on the heaviest water users' bills, has stalled because it lacked support.

Conservation experts agree the price of water is among the best ways to encourage savings, but the legality of such tactics have come under scrutiny after a court struck down punitive rates in the Orange County city of San Juan Capistrano.

The 4th District Court of Appeal said charging heavy users incrementally more per gallon without showing it cost more to provide violated a 1996 voter-approved law that prohibits government agencies from overcharging for services.

Lester Snow, who leads the California Water Foundation, says that law, Proposition 218, should be reformed because it's deterring water-saving efforts.

"We are pushing people to conserve, and we have systematically withheld some of the tools they need," he said.

Two-thirds of water districts use some form of tiered water pricing to encourage conservation. Many say their rates are legal because higher water use requires them to tap more expensive supplies.

While the governor's order calls for the board to help develop water rates and penalties to maximize

conservation, the workshop discussion also veered into a statewide water fee that would help pay for infrastructure projects during the drought.



A home with a swimming pool sits near a parched hillside in Altadena. California regulators are weighing possible drought fees and big fines for water-guzzling.

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09.07.2015 Pag.B06

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Turlock Journal

Hughson Mayor booted as LAFCO representative

Community group planning to file Grand Jury complaint

Elizabeth Arakelian
earakelian@turlockjournal.com
209-634-9141 ext. 2015

July 10, 2015

Hughson Mayor Matt Beekman will no longer represent the mayors of the Stanislaus County at the Local Agency Formation Commission after the mayors voted 4-5 to expel him from his position at the City Selection Committee meeting on July 8 in Newman.

The mayors from Ceres, Turlock, Hughson and Modesto who voted in favor of keeping Beekman as the LAFCO representative were narrowly outweighed by the others interested in replacing him, which included the mayors of Newman, Patterson, Waterford, Riverbank and Oakdale.

Beekman first came under fire in March when LAFCO convened to discuss land mitigations efforts. LAFCO is composed of various city and county representatives and though often regarded as nebulous by the general public, one central goal of the commission is to preserve agricultural land while also promoting orderly growth. In a 3-2 vote Beekman voted with Stanislaus County Supervisors Jim DiMartini and Terry Withrow to amend the LAFCO agricultural preservation policy to set an in-lieu fee methodology of 35 percent plus a five percent endowment. Several mayors felt this vote misrepresented their interests.

"The City Selection Committee is supposed to select a member that fairly represents the diversity of the cities," said Riverbank Mayor Richard O'Brien at a nearly four hour long meeting to determine Beekman's fate on LAFCO in May. "We selected you thinking you would fairly represent us. When you have seven cities saying 'don't go forward with this' and you did, that shows us that you have a disregard for our opinion when you've already made up your mind."

However, not all of the mayors were willing to hold Beekman singularly accountable at the May meeting. Turlock Mayor Gary Soiseth vocalized support not necessarily for Beekman's decision, but rather his right to make it.

"This is just a disagreement on a policy and I'm not diminishing that at all, but I'm saying that we do not have to remove Matt Beekman tonight. We do not have to remove him from LAFCO because we disagreed with him," said Soiseth.

The vote to determine if Beekman will still sit on LAFCO at the May meeting was tabled for 60 days during which Beekman said he availed himself namely through email, to answer unresolved questions amongst the mayors, but the response was "pretty limited." The postponement of the vote coupled with the lack of depth of the discussion amongst many of the mayors at both Wednesday's meeting and a meeting

in June left Beekman feeling that the process was not “constructive.”

Although the mayors did not collectively agree to keep Beekman, the Hughson mayor had a significant amount of support from the community that felt he should not be punished over one vote – especially since the policy on which he voted was now a moot point.

“What good at that point is it to get rid of him?” asked Wood Colony resident Lisa Braden. “He didn’t do anything wrong. That’s what it comes down to.”

Braden and others are rallying for Beekman on the community-created Facebook page titled “Citizens for Matthew Beekman” where members posted that they plan to file a complaint with the Civil Grand Jury. Braden felt Beekman was being penalized for not being a puppet for the City Selection Committee and he did the right thing by voting with his conscience. She is working with other members of the community to gather evidence to present to the grand jury, a process that she said should be complete within a week.

The City Selection Committee will be appointing a new LAFCO representative in upcoming weeks.

<http://www.turlockjournal.com/section/14/article/29730/>

contracostatimes.com

Union gives vote of no-confidence to East Contra Costa fire chief

By Rowena Coetsee rcoetsee@bayareanewsgroup.com

Posted: **07/10/2015** 05:10:48 PM PDT [2 Comments](#) | Updated:
about 3 hours ago

BRENTWOOD -- East Contra Costa firefighters' dissatisfaction with their chief recently came to a head with a vote of no confidence in his leadership. The 31 union members who work for East Contra Costa Fire District unanimously agreed that Chief Hugh Henderson hasn't been aggressively seeking solutions to the agency's ongoing financial hardships that forced the closure of two stations in May, leaving nine firefighters on a shift to cover a 249-square-mile area. "It's not a surprise to anybody internal(ly)," said Vince Wells, president of United Professional Firefighters of Contra Costa County Local 1230, noting that the board of directors has been aware of the growing discontent for the approximately four years that firefighters have been pushing to take a vote.



East Contra Costa Fire's union firefighters have given Chief Hugh Henderson a vote of no confidence. (DAN ROSENSTRAUCH)

The union didn't act until now, however, because it feared that any public criticism of the chief would distract residents from focusing

on a parcel tax and benefit assessment that were on the table at different times. At this point, morale is extremely low, said Wells, who described the relationship between Henderson and his men as "severely strained." He emphasized that the union's action was never intended to be a referendum on Henderson's personality, noting that the chief is a very likable man. "Hugh's a good guy," Wells said. "I just think he's in over his head, especially in this fire district."

Henderson took the helm in 2010, and was acting chief two and a half years before that. Wanting a change at the top is strictly business -- no different from a baseball team firing its manager after a losing streak, said Wells, who thinks Henderson is treading water until his contract expires in 2017.

Henderson could not be reached for comment Friday.

For a district the size of East Contra Costa Fire to have only three stations is simply untenable, Wells said.

The agency needs someone at the helm who will look under every stone for a solution to the chronic underfunding, he said, yet Henderson is short on suggestions and tends to take a back seat in discussions with other government officials who also have a stake in the fire district's future.

"You need somebody that commands authority," Wells said.

News that Local 1230 had presented the board directors with a letter enumerating its concerns has prompted a backlash among residents who think that Henderson is being blamed for a situation that's far beyond any individual's ability to rectify.

"It's the wrong move at the wrong time under the worst possible conditions," said Discovery Bay resident Bob Mankin of the union's vote.

He likened the action to the crew of a sinking ship hanging its captain instead of tending to the emergency at hand.

"It defies logic," he said.

As for finding another fire chief, "who's going to sign up for that?" Mankin asked rhetorically. "Could you find a better leader for that position right now? I doubt it." Other Henderson supporters said that for the district to be able to operate at full capacity requires change at the state level, a reference to the dramatic loss of property tax revenue that local government has experienced under Proposition 13.

And there are those who maintain that the general public is responsible for the district's funding woes because voters rejected two attempts to drum up additional money.

The fire board is scheduled to hold a special, closed-door meeting Monday to evaluate Henderson's performance.

Reach Rowena Coetsee at 925-779-7141.

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

[Kris Hunt](#) • [a day ago](#)

It is unfair to blame the Chief. Twice voters have rejected measures that were placed before them. The union barraged the public with fear-driven print and media ads for the first measure at least. I assume they did they did the same for the second. The votes didn't buy it. As Dave Roberts pointed out below, the district has a spending problem. This is another case where pension costs are resulting in reduced services. It is happening all over the state of California and will only get worse.

[Dave Roberts](#) • [2 days ago](#)

This article makes it seem like everyone is to blame for the district's fiscal mess except the fire district board and the firefighters union. The reality is that the board, at the behest of the union, has allowed compensation to get significantly out of whack.

The district doesn't have a revenue problem -- it has a spending problem. Property tax revenue in the county is increasing 7.53 percent this year over last year. The county's cities are led by a 12.29 percent property tax increase in Brentwood, which happens to provide the largest funding component for the ECCFPD.

Despite this significant infusion of money, the district has laid off firefighters, closed stations and struggles to perform its basic duties. One of the main reasons is because it spends so much on its employees that it can't afford enough of them to do the job.

According to the 2014 Public Employee Salary Database:

Seven ECCFPD employees receive more than \$200,000 in salary and benefits.

Ten get more than \$190,000.

Seven get over \$180,000.

Four receive more than \$170,000.

Only four receive less than \$100,000 (including an administrative assistant who gets \$94,142).

Much of that compensation goes for retirement benefits, mainly pensions. One of the helpful measures that the district should be exploring in the coming months is reining in compensation costs, especially retirement benefits.

East Bay residents step up water savings

By [Denis Cuff dcuff@bayareanewsgroup.com](mailto:dcuff@bayareanewsgroup.com)

Posted: 07/15/2015 07:04:34 AM PDT Updated: about 3 hours ago

OAKLAND -- Drought-conscious East Bay residents conserved water at record levels during June as they braced for the onset of hot summer weather, higher drought rates and penalties for guzzlers.

Many East Bay areas were cool to conservation calls in winter and spring. But they are warming up as water districts statewide face state orders to cut back by an average 25 percent -- with stricter limits in some areas and more lenient in others.

Customers in the East Bay's three largest suppliers stepped up in June.

- The Contra Costa Water District reported an eye-catching 40 percent drop in water use in June among its nearly 200,000 treated-water customers in Concord, Clayton, Pacheco and parts of Walnut Creek and Pleasant Hill. The state has ordered Contra Costa Water to cut consumption 28 percent below 2013 levels.
- The neighboring East Bay Municipal Utility District achieved a 31 percent reduction in June among its nearly 1.4 million customers in Contra Costa and Alameda counties. The state has demanded a 16 percent reduction, while the district set its own goal of 20 percent.
- The Alameda County Water District reported a 36 percent reduction level in June, matching its May performance but ahead of its 26 percent conservation rate in May. The state requires it to cut 16 percent in the water used by 330,000 customers in Fremont, Union City and Newark.

Contra Costa Water District officials were heartened by a 40 percent saving for June after customers saved 6 percent in March, 15 percent in April and 27 percent in May.

"Our customers are getting the message," said Jennifer Allen, a district spokeswoman. "People should be proud of their saving, but they need to keep it up."

To escape state fines, CCWD customers need to cut usage by more than the 28 percent mandate in the summer, when there is more potential to save by reducing outdoor irrigation, the single-biggest water use in homes, she said.

"It is harder to get reductions" in the winter, she said.

Concord resident Robb Kingsbury let his lawn go last summer, and he collects sink water and rain in containers to irrigate fruit trees and crops at his permaculture farm that schoolchildren visit.

"We have cut back watering a lot, and many of my neighbors have let their lawns go brown," said Kingsbury, a CCWD customer.

EBMUD officials say customers cannot let up on saving water.

"We don't know when the drought will end," district spokeswoman Abby Figueroa said.

Both the East Bay and Contra Costa Water Districts have imposed higher drought rates, effective July 1, as an incentive for customers to save.

The Alameda County Water District set higher rates and water use restrictions last year, achieving a higher water conservation rate earlier than many water districts that waited longer to act.

Contact Denis Cuff at 925-943-8267. Follow him at [Twitter.com/deniscuff](https://twitter.com/deniscuff)

Change In Accounting Rule Forces Governments To Disclose Liabilities

Posted by : [John Hrabe](#) **July 15, 2015** In [Local Government](#)

State and local governments will no longer be allowed to hide the true costs of the long-term benefits provided to government workers.

A recent change by the Governmental Accounting Standards Board, known simply by the acronym GASB, forces government bodies to be more transparent in reporting pension liabilities and long-term commitments for retiree health care. Among the changes: the liabilities must be reported on the first page of financial reports instead of being buried in a footnote.

“Applying accounting standards can sometimes be complex, but identifying the right standards to apply should be straightforward,” [GASB Chairman David A. Vaudt](#) said of a slew of accounting changes.

While changes in accounting rules may not garner time on the evening news, accounting rules have been the primary method for forcing governments to address the rising cost of unfunded pension and health care liabilities. In 2007, the board began implementation of [GASB 45](#), a change in accounting rules that, for the first time, forced government bodies to disclose their pension liabilities. That change was enough to put the issue of pension liabilities on the mainstream public radar.

California’s next major liability: Other Post-Employment Benefits

Although governments have been slow to address the problem of unfunded pension liabilities, the government accounting board nonetheless raised the profile of the issue. With its most recent changes, GASB is likely to drive a conversation about “other post-employment benefits.” Health care benefits are the biggest and most common post-employment perk, which can also include life insurance, disability coverage, legal assistance and other services.

From an accounting perspective, it’s easier to budget for pension liabilities than other post-employment benefits. Due to court rulings, governments have little authority to reduce or change promised pensions. That makes it a liability with a present-day obligation.

In contrast, other post-employment benefits do not have the same legal protections as pensions. As [Bloomberg noted earlier this year](#), “The Supreme Court unanimously decided that retiree health benefits are not necessarily guaranteed.” That case involved private sector workers. In theory, the Court’s ruling could also extend to the public sector.

“Consequently, some governments may be able to change the benefits or employees’ eligibility to receive benefits, or even stop providing benefits altogether, whenever they wish,” GASB [explains in a newly published fact sheet](#). “These facts raise questions about whether OPEB is a liability that should be reported in the financial statements.”

Although the new accounting standards force governments to disclose the liabilities, it does not require governments to set aside funds or budget for the future. “How a government actually pays for OPEB is a policy decision made by government officials,” the board explains.

“These newly published OPEB standards will give financial statement users a much more complete picture of how much state and local governments have promised in retiree benefits—and how much those promises actually cost,” Vaudt, who serves as chairman of the government accounting standards board, [said in a press release](#). “Together with the Board’s recent pension standards, these standards will provide consistent and comprehensive guidance for the full suite of postemployment benefits that governments provide to their employees.”

Rising cost of unfunded health care liabilities

Ed Mendel, who covers the state’s pension issues at [CalPensions.com](#), points out that the rising unfunded liabilities arising from promised retiree health care benefits is skyrocketing. Since 2007, the retiree health care liability for state workers has increased by \$24.2 billion. Retiree health care benefits provided to state workers now exceeds \$72 billion – more than the state’s unfunded pension liability.

“State worker retiree health care has been one of the fastest-growing state expenses: \$1.9 billion next fiscal year, up fourfold from \$458 million in 2001,” [notes Mendel](#), one of the state’s top journalists covering pensions. “It’s also one of the most generous benefits, requiring no contribution from most state workers.”

This year, Governor Jerry Brown raised the issue of retiree health care benefits with his January budget proposal. As Mendel notes, the governor is looking to move the state away from “pay-as-you-go” funding in favor of pre-funding future health care benefits. By paying in advance, governments are able to reap the benefits of investing the funds and earning more money through appreciation and interest.

“If we don’t rein things in, then down the road there will be drastic cuts, just like there were over the last 10 years,” Brown said [earlier this year](#). “It’s either stop and start or steady as you go.”

The governor’s proposal could be a double-edged sword for the state’s long-term budget picture. By negotiating changes to retiree health care benefits, some analysts believe it increases the chances that courts will protect the benefit as an irrevocable contractual obligation.

Originally posted at [CalWatchDog](#).

Santa Cruz Sentinel/Scotts Valley

New water law has potential to change Lompico's future



A trickle of water flows down Lompico Creek in 2014 as Lompico resident Natasha Zavala stands on the bridge at the mountain community's park with her daughters (Shmuel Thaler -- Santa Cruz Sentinel file)

By [Calvin Men](#), Santa Cruz Sentinel

Posted: **07/14/15**, 5:37 PM PDT | Updated: 15 hrs ago

New Water agency consolidation law

FELTON >> Though Gov. Jerry Brown signed a bill into law empowering the state to force failing water districts to consolidate, the implications for Lompico Water District, which has seen financial and water woes in recent years, are unclear.

“This is a whole new program being administered out of the State Water Resources Control Board. No one in the state of California that I know of has any ability to predict what consolidations the state will start ordering,” said Pat McCormick, executive director for the county's Local Agency Formation Commission.

For years, Lompico officials worked with McCormick and San Lorenzo Valley Water District officials on a plan to merge the two agencies. But efforts were halted after a \$3.2 million bond measure to fund the merge failed was voted down by customers, falling [short by one vote](#).

Before the law passed, each county local agency formation commission was charged with any reorganization of jurisdictions, including annexations and consolidations. Merging and

annexation are processes that takes years to complete and requires mutual cooperation from both agencies.

The new law, pushed through by Brown as one of many means to address the state's drought issue, was signed June 24 by the governor. Since then, local officials are awaiting direction from the State Water Resources Control Board.

Under the law, the state would identify water districts and send notices to them indicating consolidation as an option, McCormick said.

Within the process are opportunities for voluntary consolidation, public hearings, local agencies offering and studies of proposed consolidations, said Andrew DiLuccia, a spokesman for the state water board, in an email to the Sentinel.

"The state water board is currently reviewing data on water systems that meet the criteria specified in the bill, but has not developed a list at this time," he said.

The law also requires the board to provided funding consolidation costs, though it's unclear how much would be funded and where it would come from.

Lompico's tiny water district, with an aging infrastructure and diminishing water supply, has roughly 500 customers and has been plagued with financial woes a number of years. Merge efforts have drawn opposition from a group of Lompico customers, who criticized the it as a costly and ineffective way to solve the water district's problems. But members of the board say there are few options to fix the district's problems.

Of the law, board member Merrie Schaller said it could help.

"We will look into whether that will help us merge," Schaller said. "It's certainly something to keep in mind while we're examining our options. It may open another avenue for us."

With more than 400 districts and cities managing water around the state, McCormick also Lompico isn't the only ailing water agencies in the state.

"They are scattered all over the state. Some are drought related. Some aren't drought related," he said. "I'm just going to wait and see how the state uses this authority. Whether they do it lightly or much more extensively."

What: Gov. Jerry Brown signed a law that gives the state power to force ailing water districts to consolidate with other agencies, circumventing the previous process that took years. The law is one of many measures taken by the state to address water concerns amid California's fourth year of drought.

When: The law was signed by Brown on June 24.

Who: The law could affect the more than 400 water agencies throughout the state, though it's unclear which would be affected.

Info: To read to bill, visit <http://leginfo.legislature.ca.gov> and search for "Senate Bill 88."

1 Comment

Douglas Deitch • 10 hours ago

This is the perfect opportunity and law for us finally to solve our NUMEROUS AND VARIOUS Santa Cruz County water mismanagement disasters through water district mergers and reorgsnization in Surf City, SqCWD, and especially PVWMA and commence some real coordination and cooperation between these under/non performing but too numerous exorbitantly expensive and inefficient only heritage but now unneeded and parochial local multiple water districts/LITTLE WATER FIEFDOMS here in Surf County!
I CAN HARDLY WAIT!

www.dougforassembly.com

"Running on water-Trying to make it real" ... (www.thebestthatmoneycantbuy.or...)

Published July 15th, 2015

Orinda House Fire Response Questioned

By Nick Marnell



View of the Charles Hill Road fire from the captain's seat of a responding MOFD engine.
- Photo courtesy MOFD

A firefighter was injured and four family members were displaced in a two-alarm fire that broke out in a single-family home in Orinda June 21. The fire at 16 Charles Hill Road, which was reported shortly after 10 a.m., was contained within an hour; the injured firefighter was treated at the scene and returned to work, according to Dennis Rein, Moraga-Orinda Fire District public information officer for the incident. "It was a very aggressive fire attack by our guys, and they saved a large portion of the house," Fire Chief Stephen Healy told the MOFD board July 1. Battalion chief Sean Perkins estimated damage of \$200,000.

Some north Orinda residents questioned the fire response, as, based on data provided by Rein, engine 145 arrived at the scene seven and a half minutes from the time the fire was first called in, with engine 143 arriving nearly 30 seconds later. According to an Orinda resident, a driver saw smoke but no fire engine, so he drove up Charles

Hill to fire station 43 in hopes of alerting the firefighters. But the station was empty.

MOFD station 43, at 20 Via Las Cruces, less than one-half mile from the incident, was empty because the station 43 captain was meeting that morning with the captain at station 45 in Orinda Village. According to Healy, that type of meeting occurs routinely. In fact, the chief encourages face-to-face meetings among his crews, subject to a district directive that took effect July 1. "I want them to get out and learn their streets," he said.

From 10 a.m. until sunset, the crews can go anywhere for any reason, but only within their primary first-due response areas. The crews may leave their areas for what Healy termed an operational necessity.

"They must remain in the vicinity of their own station's primary coverage area to minimize any delays," said battalion chief Jerry Lee. "For example, the fire engine from the Rheem station in Moraga will not be allowed to venture out of the Rheem area during those hours."

District training sessions and meetings between crews, such as the one that took place the morning of June 21, must now be scheduled before 10 a.m.

The Contra Costa County Fire Protection District crews do not normally conduct in-person meetings outside their first-due areas, according to Lon Goetsch, assistant chief of operations. The district personnel often meet via teleconference, and some of the district training is conducted using web-based software. "But we do encourage them to drive through their first-due areas," he said.

Goetsch said that crews often run training exercises away from their stations. Two or three crews may run a structure fire drill at Saint Mary's College, or the Lafayette station 17 captain often will conduct drills in the rough terrain of the Hunsaker Canyon area. "In the summer, we train in the morning so we can keep them close to their stations in the afternoon," said Goetsch.

Healy told the MOFD board that, although the response time to the Charles Hill fire was at the upper limit of the district performance standard, it fell within what he cited as a national response time standard of nine and a half minutes for a suburban area.

Stockton Record

Recordnet.com
News worth sharing *online*By Wes Bowers
Record Staff Writer

Print Page

July 16, 2015 6:30PM

LAFCO to begin consolidation talks with eight fire districts

STOCKTON — The San Joaquin County Local Agency formation Commission will begin coordinating meetings with rural fire districts to initiate a lengthy consolidation process.

The agency's board of directors on Thursday voted 5-0 to approve a response to the San Joaquin County Civil Grand Jury that recommended eight rural fire districts consider consolidation to better serve the community.

In the response, LAFCO agreed to hold meetings with rural fire districts in a timely manner to discuss the benefits of consolidation, as well as provide the grand jury with updates.

"Our main goal (with consolidation) is to improve service," LAFCO chief executive director James Glaser said. "With credit to (the rural districts), they all do a great job, and this would help them perform more efficiently, as well as help them do an even better job serving the community."

Glaser said the agency can't force the fire districts to consolidate and added that the recommendation is to begin a dialogue, not immediately take action.

Last month, the grand jury released its annual report and recommended the consolidation after a 2014 investigation into allegations of ineffectiveness and political misconduct of the Mokelumne Rural Fire District and its directors.

During the investigation, the grand jury compared the district to smaller agencies in the county and found they were having financial problems that required entering into various agreements with each other to stay solvent.

Ultimately, it was suggested in the report that the Waterloo-Morada Fire District, French Camp-McKinley Rural Fire District, Montezuma Fire Protection District, Linden-Peters Fire District, Clements Rural Fire District, Woodbridge Fire District and Liberty Fire District consolidate with Mokelumne.

Glaser said his first course of action is to meet with Montezuma Fire Protection District Chief Ed Martel, who serves as president of the San Joaquin County Fire Chiefs Association, to form a plan of action and begin the discussion with each district and their boards.

There was talk of combining fire districts in 2011, Glaser said, but support today has improved greatly.

Commissioner Steven Nilssen said he has been a proponent of consolidation for some time, citing improved efficiency.

"This in no way reflects any dissatisfaction with the level of service provided," he said. "(The districts) do a miraculous job, but that doesn't mean you can't do a better job."

While he supported the idea of consolidation, commissioner Steve Bestolarides suggested including all 19 rural districts instead of just eight.

Because the districts are decentralized, he said they are able to provide a unique and greater service to the areas they represent.

In addition, Bestolarides noted that each district has its own retirement plan, and the more than 80 board members that represent each district most likely will be fighting for positions on a newly formed consolidated board.

"This process will take years, not months, to do," he said. "It's not a simple process. It's simple to say we're going to improve, but in the long run this is a very complicated procedure to undertake."

Bestolarides and Commissioner Doug Kuehne said all the rural fire chiefs should be involved in the discussion, rather than just LAFCO and its commission.

"Just telling them they have to do this — I don't know about that," Kuehne said. "But asking them to come to the table and share their ideas and concerns would be a good idea."

— Contact reporter Wes Bowers at (209) 546-8258 or wbowers@recordnet.com. Follow him at recordnet.com/bowersblog and on Twitter @WBowersTSR.

<http://www.recordnet.com/article/20150716/NEWS/150719736>

Print Page

LOCAL

JULY 16, 2015

Unincorporated homes with dry wells look to Merced for help

HIGHLIGHTS

Wait for drilling a new well in county is about 18 months

City struggling to keep up with 'desperate' requests for water

Cities can sometimes help, sometimes not



A new residential well is dug by Calwater Drilling Co. at a home on Belmira Road near Atwater in June. In the fourth year of the state's severe drought, domestic wells in the unincorporated parts of Merced County are drying up quickly. | **Andrew Kuhn** - akuhn@mercedsunstar.com

BY THADDEUS MILLER
tmiller@mercedsunstar.com

As the wait to get a new well drilled in Merced County continues to be about 18 months, a higher than normal number of people are seeking to hook up to city water sources, officials say.

In the fourth year of the state's severe drought, domestic wells in the unincorporated parts of the county are drying up quickly. That leaves some homeowners looking to cities for help.

In recent months, the city of Merced's Development Services Office has reported an average of one request a week to connect to city wells. During a typical year, the office would see one or two requests every three months, according to David Gonzalves, the department's director.

"It's getting to the point where there's so many requests (that) it's a drain on staff because of the process," he said. "This is not meant to be a normal request."

He said it's a struggle to keep up with the demand as people are "desperate" for water.

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**IT'S GETTING TO THE POINT WHERE
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PROCESS. THIS IS NOT MEANT TO BE A
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David Gonzalves, Merced's director of
development services

To hook up to a city well, officials said, the home with a dry well typically has to be within a city's sphere of influence, which is larger than the actual city limits. The homeowner would need approval from Merced County Local Agency Formation Commission and the respective City Council.

In Atwater, the requests to hook up to city water are fewer, because the unincorporated communities are farther away, according to Brian Shaw, the city's water division director.

He said the city has seen requests, but the homeowners were too remote. "They were so far out, we didn't have anything close to him," he said.

Meeting the demand for new wells continues to keep drillers busy.

Jim Nemitz, a supervisor with Calwater Drilling Co. of Turlock, recently drilled a few wells just outside Atwater. He said he gets calls daily from people who want a new well drilled. On average, those people are going to have to wait 18 months.

The company, which primarily drills domestic and irrigation wells in Merced and Stanislaus counties, has four rigs running nearly every day. He and the company's other employees are working 12-hour days to try to meet the demand for wells.

Merced County also saw a higher than normal number of requests for well permits before its groundwater ordinance went into effect this year. The new groundwater ordinance added

rules to drilling new wells and moving water out of the county to attempt to regulate how much is being pumped out of the ground.

MEETING THE DEMAND FOR NEW WELLS CONTINUES TO KEEP DRILLERS BUSY.

Between mid-April, when it became law, and June, there were 80 requests for permits filed, according to the county's Environmental Health Division.

The ordinance placed stricter constraints around who would be given a permit for a new well. But in the two months before the groundwater ordinance took hold, the county saw 512 requests for permits.

Many of the awarded permits are out there floating around as they are good for at least six months.

To try to help out the homeowners with dry wells, the Merced County Board of Supervisors this month approved an Emergency Water Distribution Program, which is scheduled to be implemented in August.

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MORE LOCAL

Water district faces \$1.5M state penalty

By Fenit Nirappil

Associated Press

Posted: 07/20/2015 09:11:40 PM PDT Updated: about 11 hours ago

SACRAMENTO -- California regulators on Monday proposed a first-of-its-kind, \$1.5 million fine for a group of Central Valley farmers accused of illegally taking water during the drought.

It would be the first such fine against an individual or district with claims to water that are more than a century-old, known as senior water rights holders.

The fine reflects the rising severity of California's four-year drought, which has prompted the state to demand cutbacks from even those who have been historically sheltered from mandatory conservation.

The State Water Resources Control Board said the Byron-Bethany Irrigation District in the eastern San Francisco Bay Area illegally took water from a pumping plant even after it was warned in June that there wasn't enough water legally available.

Relying on water rights dating to 1914, the district serves 160 farming families in three counties in the agriculture-rich Central Valley and Mountain House, a residential community of 12,000 people. The district estimates losing \$65 million in crops because of the state's cutback orders.

District general manager Rick Gilmore said he did not know a penalty was coming and wasn't aware of the details. The water that the state believes was taken might have been supplemental supplies purchased by the district, he said.

The district has sued the state over the board's June warning to immediately stop taking water because the watershed was running too dry to meet demand.

The board has sent out more than 9,000 notices across parched California warning there wasn't enough water entitled under rights. State inspectors have conducted about 1,200 investigations in the last year but only cracked down involving two. Officials say Byron-Bethany was targeted because it was publicly defying the board and diverting water in the drought. State officials anticipate cracking down on more districts and individuals this summer.

"Our resources are somewhat limited here, and we are taking our cases as we can get them and as we can develop them," said Andrew Tauriainen, a prosecutor for the water board.

Byron-Bethany has 20 days to request a hearing before the water board to contest the fine, although it's unclear how long it could take to resolve the case. The maximum penalty the five-member board could assess in the case is \$5 million, depending on how the water was used. The

water board also issued a cease-and-desist order last week against the West Side Irrigation District to immediately stop taking water. That district also had filed a lawsuit challenging the board's cuts, but the state denies it's retaliating against the agency.

Courts have not yet settled the question of whether the board has authority to demand cutbacks from farmers, cities and individuals with California's oldest claims to water.

Barnidge: Dire conditions in East Contra Costa Fire District bring call for task force

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

Posted: **07/20/2015** 06:08:25 AM PDT Updated: about 8 hours ago

You know that serious trouble is brewing when a special task force is called to head it off. Such is the case in the East Contra Costa Fire District, a 250-square-mile area that, because of funding shortages and slashed budgets, heads into the fire season protected by only three stations.

Brentwood, Oakley and county officials have huddled twice in recent weeks in search of mitigating measures even as the summer heat beats down on bone-dry hillsides, grass fires ignite, medical emergencies arise and overworked response teams try to keep up.

"We have to do something," Brentwood Mayor Bob Taylor said. "Lives are at stake. We've been lucky so far, but this is a situation that could lead to catastrophe."

The district was barely manageable when funding supported five three-man companies, but the erosion of property taxes during the recession, followed by voter rejections of both parcel tax and benefit tax measures, necessitated the closure of one firehouse in Knightsen and another in Brentwood. Now, only three companies remain.

"Whenever there's a structure fire or a serious grass fire, standard procedure is to send in five engines, which means 15 firefighters," said Contra Cost Fire Capt. Vince Wells. "With them having only nine, that means they need at least two engines from somewhere else, usually from (the Contra Costa Fire District)."

Trouble is, ConFire doesn't always have two companies to spare.

"During a grass fire we were fighting in Antioch, they had a fire on Bethel Island at the same time," ConFire Chief Jeff Carman recalled, "and then there was a shooting in Antioch. Normally, we'd have gotten more resources from them, and they'd have gotten more resources from us. But we both had to say no."

What's even more worrisome for East County residents is that when all three companies are occupied, no responders are available for other emergencies. "There were 19 times like that in June," Wells said, "when no coverage was available."

The sparsely located fire companies also often mean longer drives to destinations and delays in response times.

Wells, president of Local 1230, says the stress of trying to do too much with too little inevitably takes a toll on firefighting personnel, especially those in such frequent demand that they have trouble finding time for sleep. In addition, he said, because several firefighters are out with

injuries or illness, and calls for service are up, the standard 48-hour work shifts often are being extended with forced overtime.

"The concerns we have are the wear and tear on firefighters operating equipment and working in dangerous environments while fatigued," he said.

No one needs to tell Taylor, who wrings his hands at the thought of a heart attack victim desperately in need of help waiting for assistance far longer than is safe. He said the task force is exploring any and all measures to help. One suggestion is for cities to come up with money for additional medical response, even if it means dipping into the general fund.

Meanwhile, East County firefighters take a deep breath, grab a few winks when they can and cross their fingers that the worst drought in memory doesn't give birth to an equally bad fire season.

"With the way things are, fires aren't hard to start," Wells said. "I fear that something very negative might happen."

The task force obviously fears the same thing.

Contact Tom Barnidge at tbarnidge@bayareanewsgroup.com.

1 Comment

[Dave Roberts](#) • [an hour ago](#)

It's ironic when articles about the fiscal woes of the East County Fire District endangering the lives of residents, feature comments by the president of the firefighters union who, aided and abetted by the district board, is largely responsible for those fiscal woes. It's kind of like interviewing a guy complaining that he's an orphan after having just killed his parents.

The reason there are not enough firefighters to adequately protect far East County is that the district can't afford them because they've become too expensive. The cost of an average ECCFPD employee in salary and benefits is close to \$200,000 annually. Much of that includes a generous pension that they can begin collecting at the ripe old age of 50.

Fire districts in much of the rest of the country are able to get by largely with the help of paid on-call firefighters who cost significantly less. But for some reason in California apparently no one will do the job for less than \$150,000 in compensation.

With the over-taxed taxpayers repeatedly rejecting tax hike requests, the fiscally prudent response by the district should be to reduce compensation to the level necessary to rehire the laid-off firefighters and re-open the closed stations.

In the absence of that, the plan to have the far East County cities pitch in to improve the ambulance service -- you don't need firefighters treating you for a heart attack -- makes sense.

Consultant: ConFire ambulance plan offers savings, but plenty of risk

By [Matthew Artz martz@bayareanewsgroup.com](mailto:martz@bayareanewsgroup.com)

Posted: 07/22/2015 12:38:24 PM PDT Updated: about 12 hours ago

MARTINEZ -- A first-of-its-kind approach for providing ambulance care to many Contra Costa residents should operate in the black, a new report found, but it's unlikely to generate enough savings to significantly boost services at the cash-strapped Contra Costa Fire District.

Urged to operate more efficiently, ConFire has proposed a new partnership with its longtime ambulance provider, American Medical Response.

Rather than continuing to contract out for the service, ConFire will take over responsibility for billing and collecting insurance reimbursements as well as liability if anticipated revenue doesn't materialize. Meanwhile, AMR will essentially function as a subcontractor providing ambulances and paramedics for a set fee.

The arrangement, which includes a combined dispatch center, should cut costs and reduce the need to dispatch fire trucks to nonemergency medical calls. But it does come with added risk to taxpayers, consultants from the firm Citygate Associates cautioned in a 60-page report to county supervisors.

ConFire is getting into the ambulance business at an especially grim time for the industry. Since the Great Recession, both public and private insurers have dramatically lowered reimbursement rates for ambulance care, putting a squeeze on providers, Citygate warned.

ConFire anticipates collecting only one-quarter of the estimated \$2,775 charge for a basic ambulance transport. A decade ago, ambulance providers recouped at least two-thirds of their charges, Citygate's Stewart Gary told supervisors at their Tuesday meeting.

"The insurance companies are flat out not paying, period," he said. "Or they're only paying the Medicare rate," which Gary said was a few hundred dollars.

Gary also poured cold water on another key driver of the ambulance plan -- that by taking control of its ambulance service, ConFire can generate substantial income by participating in a program that offers partial reimbursements for the medical transport of certain Medi-Cal recipients.

The Ground Emergency Medical Transport program, which is only open to publicly-run ambulance services, was seen as a potential boon to the fire district. A former consultant projected that it could help drive net revenue up to \$10 million in the second year of the contract with AMR.

But Citygate cautioned that most Medi-Cal recipients won't qualify and that only about 5 percent of ambulance trips will be covered by the program.

Citygate and ConFire estimated net income for the ambulance program at just under \$2 million the first year. While that is expected to climb slightly, Gary urged supervisors to set up ample reserves to guard against further reimbursement cuts by insurers.

Supervisors remained supportive of the new approach, but Karen Mitchoff didn't hide her disappointment with the projected revenue figures.

"I've been under the impression that there was going to be a happy spot sooner rather than later," she said. "And there ain't going to be a happy spot. And it's important that the public understands that."

ConFire Chief Jeff Carman said the merged dispatch center will enable the district to more efficiently respond to medical calls while freeing engines to focus on major incidents.

"Although there is a \$1.9 million financial benefit to this, the indirect benefits cannot be overlooked," he told supervisors.

The new approach comes with added risks for taxpayers, but Gary said that declining insurance reimbursements threaten all public agencies responsible for providing ambulance services. If private providers can't turn a profit, he said, taxpayers could be asked to keep them afloat. Alameda County's ambulance provider, Paramedics Plus, recently asked for an injection of \$5 million of public funds to cover some of its losses.

Contra Costa supervisors said they were still on board with ConFire's plan and directed the county to proceed with negotiating a five-year contract that would take effect next year.

"This may not work out very well in the end," Supervisor Mary Piepho said. "But this is what I think the public wants us to test."

Contact Matthew Artz at 510-208-6435.

Joint fire station talks heat up in Orinda

By [Jennifer Modenessi jmodenessi@bayareanewsgroup.com](mailto:jmodenessi@bayareanewsgroup.com)

Posted: 07/23/2015 08:34:39 AM PDT Updated: 46 min. ago

ORINDA -- Lawmakers may soon decide whether to greenlight a new fire station serving residents of Orinda and Lafayette through a partnership between two fire districts.

The county board of supervisors plans to review on Aug. 18 a draft agreement between the Contra Costa County Fire Protection District and the Moraga-Orinda Fire District about the joint construction, operation and cost sharing of the proposed Station 46 on the Lafayette-Orinda border. The agreement will be discussed briefly by MOFD's fire Chief Stephen Healy, among other issues, at a neighborhood meeting Saturday at Saint Stephens Church in Orinda.

But residents will have to wait until late August or early September to get more precise information about the potential partnership and its possible impacts on fire service and other issues.

"As a matter of process, the details of any operating agreement and specific response time effects will have to wait until the studies and negotiations have been completed and the board holds its workshops later this summer," said MOFD fire Chief Stephen Healy in a statement. The information includes a new analysis of response times commissioned by the district being conducted with the help of a UC Berkeley software expert.

Orinda resident Ellen Dale said she would like MOFD to hold public workshops before completing the draft operation agreement.

"I would have hoped (MOFD directors) would have changed their minds and not pursued this based on the amount of concern and opposition from their constituents," Dale said.

The districts want to build the new station on a 3.2-acre property on Lorinda Lane in Lafayette owned by MOFD. Pitched in 2013 by two former fire chiefs, the station would replace a closed ConFire station on Los Arabis Drive in western Lafayette and MOFD's aging Station 43 on Via Las Cruces in Orinda, which district officials say would cost about \$3 million to reconstruct. MOFD bought the \$1.2 million Lafayette property two years ago, and has generated \$27,133 in revenue from leasing an existing single-family home there to the former owners.

Dale and other residents who oppose the new facility have formed the Save Orinda's Honey Hill Fire Station group, which has an online petition asking MOFD's five-member board to keep Station 43 open.

The group also wants the shuttered Lafayette fire station to reopen, arguing it provided backup to Orinda while the Via Las Cruces station provided backup to Lafayette. "Right now there's a huge hole in coverage," Dale said.

Orinda residents Art and Kristi Haigh live just a few blocks from the MOFD station. While the couple said moving Station 43 will increase response times to their home by about one minute, they support building a new facility.

Citing the low number of calls handled by the station and the district's need to be careful with its finances following recent fiscal turmoil, the Haighs question whether it makes sense to fund repairs.

"I'm happy it's there for me, but I don't think in the larger scheme of things that's the best way to use the resources," Art Haigh said.

Following a request from the firefighters' union to look closely at costs and other issues associated with the potential agreement, at least two county supervisors this week asked ConFire for an update on the present need for the new station.

Voicing disappointment that the union may not be in support of Station 46, Supervisor Candace Andersen cautioned that setting aside the idea could spur conversations about reopening the closed Lafayette facility -- or Lafayette choosing to leave ConFire.

"We want to ensure that everyone within in our fire district receives appropriate service and as the revenues have increased, I think it's incumbent on us to restore services throughout the county in a smart way and this is what 46 does," Andersen said.

MOFD directors will consider the draft agreement after county supervisors review the document.

East County fire service to face another hit

By [Matthew Artz martz@bayareanewsgroup.com](mailto:Matthew.Artz@bayareanewsgroup.com)

Posted: 07/23/2015 02:46:35 PM PDT Updated: about 19 hours ago

MARTINEZ -- East County's already diminished fire service is expected to suffer another blow next month when ConFire plans to offer less help in responding to fires and medical emergencies.

The automatic aid pact between ConFire and the East Contra Costa Fire Protection District has been out of balance since May when budget constraints forced the fire district in East County to close its fifth station since the start of the Great Recession.

Left with only three stations covering 249 square miles including Brentwood, Oakley and Discovery Bay, East Contra Costa last month called ConFire for help more than three times as often as it was called on to help ConFire.

That imbalance is unsustainable, ConFire Chief Jeff Carman said, especially considering that East County property owners earlier this year rejected a special tax that would have prevented the most recent station closure and opened an additional station.

"While ConFire wants to be a good neighbor, the taxpayers in our district did not vote to reduce service levels, so we can't have East Contra Costa rely on our resources to maintain a service level they voted to reduce," Carman said in an email.

Carman said his staff will begin talks to revise the automatic aid pact between the two districts, which expires at the end of the month. The last revision came in June, when the two agencies went from offering each other three engines to two because East Contra Costa's station closure reduced its capacity to help its neighbor.

Unlike mutual aid, which is called out after firefighters are on scene of an emergency, automatic aid is dispatched as soon as a call is received. That means many calls turn out to be false alarms.

East Contra Costa has tried to employ automatic aid only for high priority calls, Chief Hugh Henderson said. If ConFire scales back its support, East Contra Costa will have to rely more on mutual aid, which will mean longer response times with help often coming from stations that are farther away, he said.

"It's concerning for the community and it's concerning for our firefighters," Henderson said. "But they have to take care of their district."

Already this month, there have been five instances in which ConFire's closest stations in Antioch weren't free to respond to an automatic aid call, forcing Henderson to wait for mutual aid to arrive.

East Contra Costa's funding issues stem from the fact that the district gets a significantly lower share of property tax revenue than neighboring fire districts, and that assessed property values are still depressed following the foreclosure crisis.

With only three engines on duty at any time, the district must seek outside support to handle any structure fire.

East Contra Costa requested automatic aid of ConFire 50 times in June, compared to 28 times in April before the station closure. By contrast, ConFire requested aid just 16 times in June and 18 times in April.

Supervisor Mary Piepho, who lives in Discovery Bay, but sits on ConFire's board of directors, said she understood Carman's position and hoped it might send a message to East County residents that they at some point will have to better fund their district.

"It's not natural for one agency to say to another that we can't help you anymore," she said. "It's very awkward, and it's very real."

Contact Matthew Artz at 510-208-6435.

District to discuss possible sale of Doctors Medical Center campus

Updated: 07/25/2015 07:44:15 AM PDT

ContraCostaTimes.com

SAN PABLO -- A possible sale of the closed Doctors Medical Center and its campus will be discussed Wednesday at a board meeting of the West Contra Costa Healthcare District, which owns the hospital.

The matter will come up during the closed session at the beginning of the meeting, which will convene at 4:30 p.m. in the San Pablo City Council chamber, 13831 San Pablo Ave.

The agenda item identifies only "potential purchasers including City of San Pablo" along with brokers Kennedy Wilson and The Camden Group.

The hospital, which opened in 1954 as Brookside Hospital, closed April 21 after years of a stubborn deficit that most recently stood at about \$18 million a year. Officials have blamed the deficit on a payer mix that included about 80 percent Medi-Cal and Medicare and 10 percent uninsured.



Doctors Medical Center is seen in San Pablo on May 7, 2014.

The property for sale is about 8.3 acres of what once was a 10.8-acre campus. In March, the district agreed to sell to San Pablo a 2.5-acre slice of the campus that is currently being used for parking by the adjacent Lytton Rancheria casino under a 20-year easement for which the tribe paid \$4.6 million upfront last year.

The March sale of the parking area to the city was part of a larger, \$7.5 million cash deal that included two medical office buildings and a condo on Vale Road across from the hospital campus.

Earlier in the year, San Pablo had offered to buy the entire package of properties for \$11 million in cash plus the transfer to the district of a 5.9-acre city-owned parcel near the Contra Costa County Health Services Department's West County Health Center.

In May, the healthcare district board agreed to a two-pronged disposition plan for the remainder of the campus under which Camden would seek a buyer or partner to operate the hospital, while Kennedy Wilson would market the property as a commercial real estate opportunity. Board Chairman Eric Zell and district counsel Rick Norris said then that a "viable and sustainable" offer to operate the hospital would have priority over a more lucrative sale of the campus as real estate.

Zell did not immediately respond to an email Friday. City Manager Matt Rodriguez was out of the office Friday and could not be reached for comment.

The city gets more than \$15 million from the casino under a 1999 Municipal Services Agreement with the Lytton tribe.

But that amount is tied to the casino's status as a Class II facility, which allows only certain types of gambling machines. If the casino ever becomes a Class III, or Las Vegas-type facility, the agreement caps the annual payments at a far smaller amount.

Also on Wednesday, in open session, there will be a community update by LifeLong Medical Care Executive Director Marty Lynch and Contra Costa County Health Services Director William Walker, followed by a financial and operations update of the district by interim CEO Kathy White and financial consultant Harold Emahiser.

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

County to reduce climate change impact by preserving farmland

Posted: Monday, July 27, 2015 4:03 pm

Using proceeds from a competitive grant offered by the state's Global Warming Solutions Act, county officials will develop a comprehensive platform of maps, models and policies to reduce greenhouse gases by preserving at-risk farmland in South County.

The program, known as the "Sustainable Agricultural Policy Framework for Southern Santa Clara County," will specifically target thousands of acres of farmland "at the greatest risk of development pressure" in and surrounding Morgan Hill, Gilroy and Coyote Valley, according to county staff.

The county and the Santa Clara County Open Space Authority will use \$100,000 in grant funds to develop the framework, which will integrate existing and draft local land use policies, plans and ordinances, including General Plan updates and agricultural mitigation policies currently under development in Morgan Hill and Gilroy. The county won the grant June 30 from the Sustainable Agricultural Lands Conservation Program, which is part of the California Strategic Growth Council.

The framework is announced at a time when scientists and policy makers from the region and throughout the state are taking a closer look at new, simple strategies and investments that can mitigate future greenhouse gas emissions and improve resiliency to climate change effects, according to a July 27 press release. Specifically, the local framework will focus on how limiting the conversion of farmland to development might reduce the effects of climate change by reducing sprawl and carbon emissions.

"Projects such as this provide an opportunity for everyone with a stake in the long term viability of the agricultural economy of Santa Clara County to chart a course for our collective future," said Kirk Girard, Director of the County's Department of Planning and Development.

Studies have shown that urban and suburban landscapes generate significantly more



Southeast Quadrant

A crew picks peppers in a field off Tennant Avenue July 21.

greenhouse gas emissions than farmland and that healthy and resilient agricultural landscapes can buffer some of the negative effects of climate change on nearby communities, the press release said. Natural and agricultural landscapes also provide environmental benefits such as carbon storage, water retention, flood protection, local food production, habitat and biodiversity.

“If agriculture is to survive in South County, an innovative regional framework is needed to demonstrate that conserving farmland from development is a critically important climate change strategy,” said Andrea Mackenzie, General Manager of the Open Space Authority. “The time is now to align plans, programs, policies and investment affecting undeveloped agricultural lands to sustain the valley’s natural environment, support the local agricultural economy, and increase climate resiliency and adaptation in Silicon Valley.”

Santa Clara County, once known as the “Valley of Heart’s Delight,” has a long and celebrated agricultural history, but since the 1960s has been transformed by population growth and economic development into “Silicon Valley,” the press release noted. Currently, about 27,000 acres of farmland remain in the county, and about half that land is in danger of being lost to development.

And the county is projected to continue growing, perhaps by as much as 35 percent or 650,000 more people by 2035, county staff said.

In Morgan Hill, the city council earlier this month approved a growth control plan for the largely agricultural area east of U.S. 101 just outside the city limits, known as the Southeast Quadrant. That plan is intended to limit haphazard construction in the area, develop lower-impact uses such as sports and recreation and preserve some of the farmland that remains. However, staff from the county, OSA and the Local Agency Formation Commission (LAFCO) have repeatedly voiced concerns that the city’s SEQ project fails to preserve a desired amount of open space.

The LAFCO board of directors is ultimately responsible for approving or denying the SEQ expansion plan.

The county will be the lead agency and partner with the OSA to develop the framework, the press release continues. The total budget for the project is \$205,000, including in-kind services and \$100,000 from the Strategic Growth Council grant, \$49,000 from Santa Clara County, \$50,000 from the Open Space Authority and \$5,000 from Cultivate Studio. Panels of technical experts representing the agricultural sector and the municipal government and nonprofit sector will be convened to provide input and review. Dozens of government, nonprofit and industry organizations will serve as advisors and consultants to the project.



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Published **July 29th, 2015**

Supervisors Award ConFire County Ambulance Contract

By Nick Marnell

The Board of Supervisors July 21 authorized the county Health Services Director to execute a 5-year contract with the Contra Costa County Fire Protection District to provide emergency ambulance transport service in most of Contra Costa County starting in January. ConFire, with its subcontracting partner American Medical Response, the current county ambulance transport contractor, will provide ambulance service to the portions of the county not served by the Moraga-Orinda Fire District and the San Ramon Valley Fire Protection District, which provide their own ambulance transport service.

The private-public arrangement, named the Alliance, is the first of its kind in California, and brings with it not only a chance for the fire district to recognize additional, non-traditional revenue but also to better control the deployment of its resources. "Many times I'm asked, why do you send a fire engine and an ambulance to a call," said ConFire chief Jeff Carman. "The answer is, that I don't." No longer will the district be in the dark about ambulance deployment. With dispatch now consolidated for both ambulances and engines, ConFire will have the ability to control the deployment of each more efficiently.

The deal comes with its risks, as pointed out by Stewart Gary of public safety consultant Citygate Associates, LLC. Ambulance revenues have fallen nationally from an average of 66 percent of the amounts billed to 26.5 percent recently. The Alliance projects revenue collection rates of 24.5 percent, largely due to the uncertainties of government reimbursements and the Affordable Care Act. "And your revenue rates may not be at rock bottom," said Gary. "It may be several years before they are."

Since the Alliance did not figure any supplemental governmental revenue into its financial assumptions, the net gain to ConFire after year one was projected at \$1.9 million on revenue of \$39 million; but \$9 million of ConFire's cash reserves will be needed to cover the early cash flow losses. Also under this groundbreaking paradigm, the economic responsibility of the ambulance transport plan shifts from the private contractor, AMR, to the taxpayers of the fire district.

Nevertheless, Gary attempted to impress upon the supervisors that they are looking at a long-term positive business model.

"You have before you a restructured bid that requires no subsidy and is revenue positive without any supplemental revenue," he said. "You have a framework for ConFire to apply for and get those supplemental revenues, which will be in flux for a while."

"This may not work out in the end," said Supervisor Mary Piepho. "But this is what the public wants us to test and what the public wants us to think through."

The supervisors unanimously awarded the contract to ConFire, though they had no other option than temporarily extending the current contract with AMR, as no other entity bid. The final contract is expected to be presented to the board for approval in September.

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Published **July 29th, 2015**

Firefighters' Union Balks at Station 46 Joint Venture

By Nick Marnell

Frustrated with the drain on district resources in other parts of the county, Vince Wells, president of Local 1230 of the firefighters' union, questioned whether the Contra Costa County Fire Protection District board should approve a joint venture with the Moraga-Orinda Fire District to build a new fire station in western Lafayette. Based on preliminary discussions, ConFire would front \$6 million to build fire station 46 and would share the estimated annual \$2 million operational costs equally with MOFD, which will own the new station.

"Rather than just looking at the terms of the contract, check to see if this whole thing is worth the money," he told the board July 21. Wells argued that the district answers far more calls on the East County border than it does in Lafayette, "and there are no costs shared, and no fire stations being built to address that." The East Contra Costa County Fire Protection District recently closed two fire stations and relies on outside assistance, mainly from ConFire, which supports the struggling district through automatic and mutual aid agreements.

"Where are the priorities?" Wells said later. "Why are they just looking at Lafayette? You can't do a project like this based on politics alone."

Wells also suggested that Lafayette may not be receiving what it thinks. "If they want to pay for a faster response time, they should get a station dedicated to their area," he said. "Paying a 50-50 split for a fire station that isn't yours is not mutually beneficial." He proposed that a more equitable financial arrangement might be for ConFire to pay MOFD for the number of calls it responds to in western Lafayette, as the district does with Richmond.

"I was initially never supportive of this," said Director Karen Mitchoff. "I would like an updated perspective. We have concerns in other parts of the county, and Lafayette continues to be served with two fire stations and mutual and automatic aid."

Vice Chair Candace Andersen said she was disconcerted to hear that labor was potentially going to object to the station 46 venture. "I understand that Vince Wells is frustrated by the fire station closures in the East County Fire Protection District," said Andersen, whose district includes Lafayette. "ConFire is doing what it can to help East County Fire through our auto aid and mutual aid agreements. However, Vince should not expect the citizens of Lafayette to forego their appropriate level of service to solve that problem in another fire district."

"We believe the carefully articulated agreement between the two fire districts to build and operate station 46 is still on track for approval," added Lafayette Emergency Services Task Force co-chair Brandt Andersson.

The station 46 contract is expected to come before the ConFire board of directors for approval at its Aug. 18 meeting.

Reach the reporter at: info@lamorindaweekly.com

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San Pablo: Deal to sell shuttered Doctors Medical Center may happen by January

By [Tom Lochner tlochner@bayareanewsgroup.com](mailto:TomLochner@bayareanewsgroup.com)

Posted: 07/29/2015 11:11:49 PM PDT Updated: 5 days ago

SAN PABLO -- A deal to sell Doctors Medical Center is expected by January, according to a financial update presented Wednesday to the board of the West Contra Costa Healthcare District.

District counsel Rick Norris said after the meeting that a sale might take until March to complete.

The district, which owns the hospital and ran it until its closure on April 21, will be down to a cash balance of about \$550,000 by the end of the year, according to the update, presented by interim CEO Kathy White and financial consultant Harold Emahiser.

The hospital and the 8.3 acres that is left of its campus after the district sold off a piece to San Pablo earlier this year should fetch between \$10 million and \$20 million, according to the update.

The district has between \$17.6 million and \$26.1 million of obligations including pensions, retiree medical coverage, workers compensation, operating costs and record-keeping, according to the update.

The district continues to collect a \$52-a-year special parcel tax, Measure D, approved by voters in 2004. It is expected to collect the tax at least until 2027, to pay off bonds that it used to pay annual operating expenses. A second parcel tax, Measure J, of \$47 a year, approved by voters in 2011, lapsed with the closing of the hospital.

Some 21 employees, including a core of 15 that works three days a week, are still on payroll. They hold jobs in materials management, information technology, finance, records, security, plant operations, housekeeping and administration.

Also on Wednesday, the board voted 3-2 in favor of a deal with Centurion Service Group to liquidate the hospital's equipment and furniture, for a guaranteed \$927,000. Board member Deborah Campbell and Chairman Eric Zell voted no, after arguing for an extension of the bidding process to possibly attract a higher bid. One bidder's representative told the board the equipment could fetch as much as several million dollars, but the bid the vendor submitted by the June 24 deadline did not contain a guarantee.

The board also approved, this time unanimously, a contract with Xerox Consultant Co. to keep and manage the hospital's records for seven years in accordance with legal requirements. The contract is for a total of \$1,095,902, with \$326,680 payable the first year, tapering off to \$29,475 in year seven.

The hospital opened in 1954 as Brookside Hospital. It closed April 21 after years of deficits that most recently stood at about \$18 million a year.

In March, San Pablo agreed to buy a 2.5-acre chunk of the campus that is being used for parking by the adjacent Lytton Rancheria casino. It was part of a larger, \$7.5 million cash deal that included two medical office buildings and a condo on Vale Road across from the hospital campus.

In May, the board agreed to a two-pronged disposition plan for the remainder of the campus under which broker The Camden Group would seek a buyer or partner to operate the hospital, while another broker, Kennedy Wilson, would market the property as a commercial real estate opportunity.

Wednesday's closed session agenda item identified only "potential purchasers including City of San Pablo" and the two brokers.

Mother Jones

California's Drought Is So Bad That Thousands Are Living Without Running Water

"This is an ever-expanding, invisible disaster."

By [Julia Lurie](#) | **Fri Jul. 31, 2015** 6:00 AM EDT

Social Title:

California's drought is so bad that thousands are living without running water

Social Dek:

"This is an ever-expanding, invisible disaster."

Most of us are feeling the effects of the California drought from a distance, if at all: Our produce is a little more expensive, our news feeds are filled with images of cracked earth. But thousands of people in California's Central Valley are feeling the drought much more acutely, because water has literally ceased running from their taps. The drought in these communities resembles a never-ending natural disaster, says Andrew Lockman, manager of the county's Office of Emergency Services. Most disasters are "sudden onset, they run their course over hours or days, and then you clean up the mess. This thing has been growing for 18 months and it's not slowing down."

Here's what you need to know about California's most parched places:

What do you mean by "no running water"?

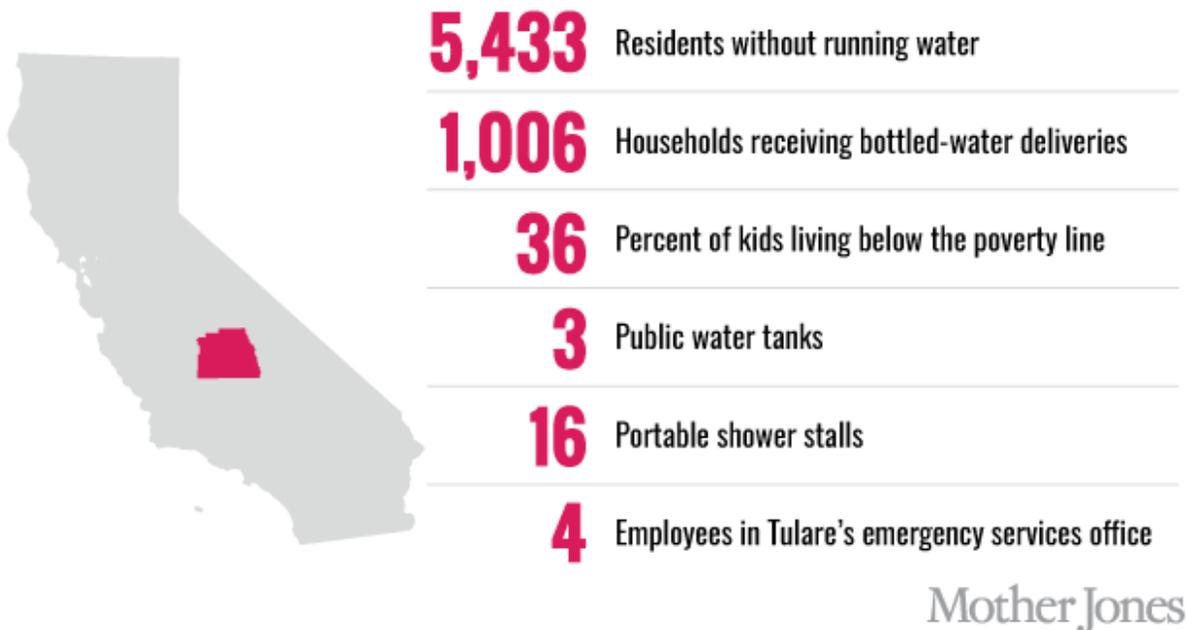
No water is coming through the pipes, so when residents turn on the tap or the shower, or try to flush the toilet or run the washing machine, water doesn't come out.

Who doesn't have running water?

While a handful of [communities](#) [1] across the state are dealing with municipal water contamination and shortages, the area that's hardest hit—and routinely referred to as the "ground zero of the drought"—is Tulare County, a rural, agriculture-heavy region in the Central Valley that's roughly the size of Connecticut. As of this week, 5,433 people in the county don't have running water, according to Lockman. Most of those individuals live in East Porterville, a small

farming community in the Sierra Foothills. East Porterville is one of the poorest communities in California: over a third of the population lives below the federal poverty line, and 56 percent of adults didn't make it through high school. About [three quarters](#) [2] of residents are Latino, and [about a third](#) [3] say they don't speak English "very well."

Tulare County: Ground Zero of the Drought



Why don't they have running water?

Many Tulare homes aren't connected to a public water system—either because they are too rural or, in the case of East Porterville, because when the community was incorporated in the late 1970s, there wasn't enough surface water available to serve the community. Until recently, this wasn't a problem: the homes have private wells, and residents had a seemingly unlimited supply of groundwater. Most domestic wells in East Porterville are relatively shallow—between 25 and 50 feet deep—because water wasn't far below ground level.

With California in its fourth year of drought, there's been little groundwater resupply and a lot more demand—particularly as farmers resort to pumping for water—leading the water table to drop dramatically and wells to go dry. Those with money can dig deeper wells, but this generally costs between \$10,000 and \$30,000—a cost that's prohibitive for many Tulare residents.

If they don't have running water, how do they function?

Of the roughly [1,200](#) [4] Tulare homes reporting dry wells, about 1,000 of them have signed up

for a free bottled water delivery service coordinated by the county. Homes receive deliveries every two weeks; each resident is allotted half a gallon of drinking water per day. The county has also set up three large tanks of nonpotable water, where residents can fill up storage containers for things like showering, flushing toilets, or doing dishes. Portable showers, toilets, and sinks have been set up in front of a church in East Porterville.

Wait, people are showering outside a church?

Yup. Some residents have been living without water for over a year, says Susana De Anda, the director of the Community Water Center, a non-profit serving the area. "It's a huge hygiene issue where we don't have running water. It kind of reminds me of Katrina," she says. "The relief came but it came kind of late."

The state's offering temporary help, right?

To provide interim relief, the county is also working to install water storage tanks outside of homes with dry wells. The 2,500-gallon tanks, usually set up in yards, are filled with potable water and connected to the home, giving a rough semblance of running water. Only about 170 such tanks have been installed so far, in part because the process for installing the tanks is so laborious. Applicants need to prove ownership of the house, open their home to a site assessment, and more—with each step of the process involving a days or weeks long queue. Some 1,300 homes still don't have tanks installed.

Hundreds of rental properties don't have running water, and because domestic water storage tanks aren't set up at rental units, migrant workers aren't likely to reap the benefits of this interim solution. Another challenge is misinformation: The free water programs are open to residents regardless of citizenship, but myths still prevents some from taking advantage of the services. When the portable showers were first installed in front of the church, says Lockman, many people suspected they were an immigration enforcement trap. Some parents haven't been sending their children to school, having heard that child welfare services would take away kids from families that don't have running water.

Who's working on this?

This year, the state has set aside \$19 million to be spent on emergency drinking water. In Tulare, the Office of Emergency Services, which coordinates a network of contractors covering the needs of half a million people, currently has a staff of four people. (Three more positions were approved this week.)

In the long term, community leaders are working to build an infrastructure so that homes can be linked to a municipal water supply. But that work is "slow and expensive," says Melissa Withnell, a county spokesperson.

Are farmers taking the water?

Yes, but it's hard to blame them. Tulare County is among the biggest agricultural producers in the country, growing everything from pistachios and almonds to grapes and livestock. "If you were to just look at the landscape, it's very green," says De Anda. "You wouldn't think we were in a drought." The industry brings in nearly 8 billion dollars per year, employing many of those individuals who currently lack running water. Permits to drill new wells have skyrocketed—just this year, nearly 700 irrigation wells have been permitted, compared to about 200 domestic wells. (Wells permits are issued on a first come, first served basis.) "It's like one big punch bowl that's not getting refilled but everybody's been slowly drinking out of it and now we have a thirsty football team at the same punch bowl as everybody else," says Lockman. "Do we have sustainability problems? Oh yeah, absolutely."

Source URL: <http://www.motherjones.com/environment/2015/07/drought-5000-californians-dont-have-running-water>

Links:

- [1] http://www.waterboards.ca.gov/water_issues/programs/grants_loans/caa/dw_droughtfund/docs/funded_projects_fy1415.pdf
- [2] <http://www.census.gov/2010census/popmap/ipmtext.php?fl=06:0621012>
- [3] http://thedataweb.rm.census.gov/TheDataWeb_HotReport2/profile/2013/5yr/np01.html?SUMLEV=160&state=06&place=21012
- [4] <http://tularecounty.ca.gov/emergencies/index.cfm/drought/drought-effects-status-updates/2015/july-2015/week-of-july-27-2015/>

Appeals court weighs in on Danville development dispute

By Dan Lawton dlawton@bayareanewsgroup.com

Posted: 08/04/2015 03:32:08 PM PDT

Updated: 08/05/2015 07:52:37 AM PDT

DANVILLE -- A state appeals court on Tuesday appeared favorable to upholding at least part of a ruling that last year halted a Danville residential development after neighbors said it violated town zoning rules and would endanger bicyclists.

The justices, Jim Humes, Sandra Margulies and Robert Dondero, were quizzical of arguments made by the town's attorney and a developer lawyer, who said that Danville had adequately considered bicyclist safety when approving the 69-home project in 2012.

"There seems to be a lack of foundation for the conclusion that there wouldn't be an impact on bicyclists," Margulies said.

The lawsuit stems from a proposal by developer SummerHill to build to a cluster of homes on a flat, 38-acre parcel of land in Magee Ranch near Diablo Road. The narrow two-lane road is one of the most popular cycling routes in the area.

Residents have formed a group called Danville Save Our Open Space to try to derail the project. According to spokeswoman Maryann Cella, they believe the project should be voted on by the entire town. Last year, they completed a petition drive to get the development put on the ballot, but it was tossed out for technical reasons.

The development has been touted by the town and environmental group Save Mount Diablo for its environmental sensitivity and preserving about 370 acres of open space. Residents have countered that it could cause drainage issues, damage the habitat of red-legged frogs and endanger bicyclists.

Andrew Faber, who was representing SummerHill, told the court that "the issue of bicycle safety and what to do about it was fully discussed," while the town was considering the impact of the project.

Faber didn't dispute that the road was perilous for bicyclists but said that town planners had concluded the development wouldn't significantly increase the risk for riders.

That contention was rejected by Stuart Flashman, lawyer for the residents' group.

If the court upholds the decision, it could set a legal precedent requiring municipalities to more thoroughly consider bicycle safety as part of predevelopment environmental assessments.

The court did not rule on Tuesday. A decision is expected within 90 days.