



Fire Districts

Public Meetings

Moraga-Orinda Fire District

Board of Directors
Wednesday, May 6, 7 p.m.
Moraga Library Community Room
1500 St. Mary's Road, Moraga
For meeting times and agendas,
visit www.mofd.org

ConFire Board of Directors

Tuesday, May 12, 1:30 p.m.
Board Chamber room 107,
Administration Building,
651 Pine St., Martinez
For meeting times and agendas,
visit <http://alturl.com/5p9pu>.

Emergency response information
and training:

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Letters and Opinions:**
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Moraga Town Center Developer Threatens MOFD

By Nick Marnell

Newport Beach-based City Ventures, LLC, developer of the proposed Moraga Town Center Homes project, warned the Moraga-Orinda Fire District that it will pursue "any and all relief that may be available" against the district if it continues to oppose the development, which is to be built on property adjacent to the district's training facility at fire station 41. In an April 8 letter from the company's law firm to the MOFD board and Fire Chief Stephen Healy, City Ventures accused the district of trying to intentionally devalue the property by raising illegitimate concerns about the project for the purpose of acquiring the property under eminent domain; the company said it viewed the district's actions as constituting an inverse condemnation of the property. "If the district wants to condemn the property then they should just go ahead and do it," said Charity Wagner, City Ventures' director of development.

"That is not the intent of MOFD," said Alex Evans, district board president.

MOFD has long been concerned about the compatibility of residential units built adjacent to its training facility. In a 2008 letter from district counsel regarding the Moraga Center

Specific Plan, MOFD alerted the town that "The station's operation and noise may not be compatible with the proposed residential use."

The district again informed the town in 2014 of its concerns regarding the close proximity of the Town Center residential units to its training facility. MOFD cited noise during necessary night drills; water from fire hoses traveling across the property line; and privacy issues, since six of the proposed units have rear windows that face the training facility. The district also asked that a deed restriction be recorded on each home in the project, outlining and serving notice of the training facility activity and fire station operations.

In a letter to Moraga city manager

Jill Keimach, district counsel said that MOFD has no intention of either acquiring any portion of the Town Center property or devaluing the property for purposes of acquiring it. At its April 29 meeting the MOFD board prepared a letter to the Moraga town council, stressing that the district remains opposed to the Town Center project because of the incompatibility with its training facility.

Director Fred Weil said that he favored structuring the letter around existing general plan policy. "It's helpful to us, and it's going to be helpful to the council, to be able to look at a vision of the general plan and say, 'Does this project meet this policy statement?'" said Weil. "Grant the appeal if it doesn't meet it and go back

and try again." Three Moraga residents, including one-time MOFD director Dick Olsen, filed an appeal against the Town Center project because, among other reasons, it did not conform to the Moraga General Plan. Their appeal, continued twice from Jan. 28, is to be heard May 13.

The board voted 4-0 in favor of presenting the letter to the town council at the May 13 council meeting, with Evans abstaining. "I don't completely agree with the board's position on this," he said. "But I'm not going to vote no and try to undermine it." He would not elaborate later on what specifically he didn't agree with. "I'm not going to get into that," said Evans, nor would he comment on why he opposed the board's action in general.

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Why Are the Station 46 Negotiations Taking So Long?

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But Clark continued to push back. "It's a mathematical fact that every month this is delayed saves ConFire \$100,000," he said, referring to the estimated \$2 million annual operating cost of the station, which is to be split evenly between districts. "It doesn't save me anything," said Carman. "If I could get the station on the street tomorrow morning I've got the money to do it and I'm ready to go." Supervisor Candace Andersen confirmed that it wasn't about the money. "Absolutely not," she said. "My greatest priority as ConFire director is to get a fire station built in western Lafayette."

Also scrutinized was MOFD's performance. "There is significant opposition to this, from Orinda's point of view," said Orinda resident Richard Nelson. The grass roots Committee to Save Our Honey Hill Fire Station circulated a petition against building the new station, claiming that station 46 will increase response times in north Orinda.

"A total of 100 citizens have signed that petition," said MOFD director Steve Anderson. "Out of 7,000 voters, tell me, is that significant?" He said that the petition drive has not

been a factor in holding up the merger; Carman confirmed that the drive has not stalled the ConFire efforts either.

MOFD Chief Stephen Healy acknowledged that the Honey Hill opposition has added to the amount of time he's had to spend on the agreement. "They've asked for a sophisticated analysis, which made for a lot more work than I thought," he said. "But I'm glad we did it." Healy hired a company to update a report on response times in the north Orinda area, and the report will be available to the public at upcoming station 46 workshops.

Though the firefighters' union initially balked at the staffing model proposed for station 46 Vince Wells, Local 1230 president, said that the union is not holding up the deal. "It's not us," he said. "We're anxiously awaiting to look at the contract ourselves. I don't know what the districts have put on paper."

Neither MOFD lead counsel John Bakker nor county counsel Sharon Anderson responded to a request seeking reasons for the delay in the negotiation. "I wouldn't really say it's delayed," said MOFD board president Alex Evans, whose division in-

cludes station 43. "I would say it's complicated and these things take a long time."

"If lawyers want to get something done they can work night and day to get it done," said Clark. Task force member Jim Cunha agreed. "Sending stuff back and forth can take an eternity," he said. "Did you ever think about everyone sitting down in the same room?" Carman said that in the next couple of weeks the lawyers, board representatives and chiefs plan to do that very thing.

Once a tentative agreement is negotiated, MOFD plans to conduct public meetings in Moraga and Orinda to explain the financial and operational details of the joint venture. When asked by the task force to confirm a date that a tentative agreement might be reached, Carman indicated June or July.

"This contract will outlast my tenure at ConFire and I don't want someone to inherit my mistakes," said Carman. "So while I recognize that this is moving slower than I'd hoped, I am confident that we are covering all our bases."

"It's moving at the pace it needs to move."



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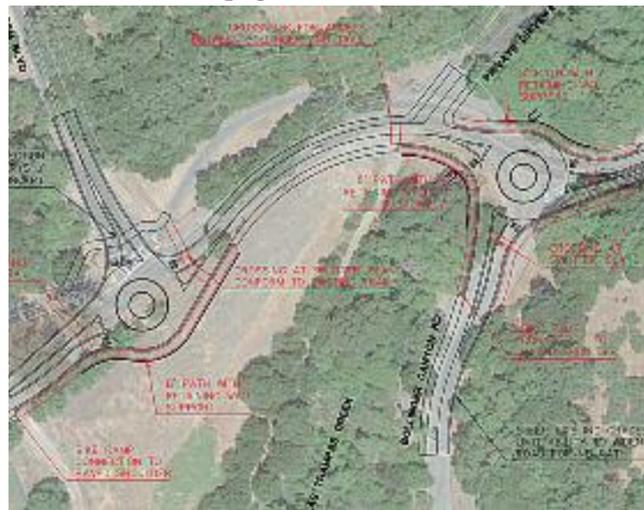
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Moraga

Not One, But Two Roundabouts on St. Mary's Road

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Two proposed roundabouts along St. Mary's Road He was involved in an accident at the intersection of St. Mary's Road and Rheem Boulevard two months ago. "This intersection is a real crapshoot," he said. He felt that the college and its 3,500 students was the reason for the road's high traffic. "The college is working on its new master plan," he said, "and I hope they will contribute to the improvements of the intersection." Since the construction of the

Image provided

roundabouts will take some time, Behr asked for some immediate improvements to be done including removal of a eucalyptus tree that is blocking the view of oncoming traffic.

Councilmember Dave Trotter, who lives off Bollinger as well, made a case against the roundabout at Bollinger Canyon. "This is a solution in search of a problem," he said. "I don't see a problem there." Trotter

added he has made safe ingress and egress at this intersection for years and that simple vegetation cutbacks and maintenance would improve the visibility sufficiently without spending millions of taxpayer dollars. He was neutral regarding the Rheem/St. Mary's roundabout.

Vice Mayor Metcalf and Mayor Wykle supported the project. And Councilmember Phil Arth, who also lives off Bollinger Canyon, supported Trotter's view but agreed that the Rheem and St. Mary's intersection was dangerous. "Let's go for the grant money," he concluded.

Councilmember Teresa Onoda said that she had very little personal experience at these intersections, since she lives in a different part of town. From her discussion with a resident in that area, however, she concluded that there was not a problem. "I say if we don't have to spend the money, don't spend the money," she said. Her comment included the Rheem/St. Mary's intersection.

Following the 3-2 vote, staff will now pursue grant or other funding options for the double roundabout project.

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