



### Moraga Orinda Fire District

**Board of Directors Meetings**  
Meetings of the MOFD Board of Directors are open to the public and take place on the third Wednesday of each month in the Board Room, Administration Building, 1280 Moraga Way, Moraga.

### Next meeting(s):

**November 3rd, 7pm** regular Meeting, Station 41 (1280 Moraga Way, Moraga), (go to [www.mofd.org](http://www.mofd.org) as the meeting date approaches for more information)

# MOFD Approves Vehicle Accident Cost Recovery Program

By Lucy Amaral

The Board of Directors of the Moraga-Orinda Fire District (MOFD) approved an ordinance establishing a cost recovery system with regards to motor vehicle accidents. The adopted ordinance outlined a schedule of fees and collection policies to recover costs for fire-based emergency services by charging the 'at fault' party of motor vehicle accidents which occur within the District's boundaries.

Fire Chief Randy Bradley said MOFD responds to an average of two motor vehicle accidents a day, not only on surface streets of the District, but also on Highway 24 where many involve non-residents either driving to or through the District. He added that accord-

ing to the California Health and Safety Code, Districts such as MOFD have the authority to charge fees to cover the cost of any service that the District provides.

MOFD Board Member John Wyro said the fee structure put in place would charge the 'at fault' driver the costs incurred by the department for responding to a vehicle accident or hazardous material spill to the extent the 'at fault' driver's insurance will pay.

MOFD's Board also approved a motion to contract with Fire Recovery USA, a cost-recovery provider that tracks, bills and processes reimbursable claims with the at-fault insurance company associated with the motor vehicle ac-

cident.

In his staff report, Bradley said that Fire Recovery USA developed its charges by surveying fire departments nationwide to determine average time-on-scene, type of equipment, materials, supplies and labor that would be needed, and billing rates were determined by itemizing costs for a typical run.

Fire Recovery USA, headquartered in Roseville, California, currently serves more than 60 fire districts throughout the state. Mike Rivera of Fire Recovery USA said that billing for cost recovery has been used by some fire departments for nearly 20 years. He added that more districts are be-

ginning to implement this program primarily because of lower tax revenue, and higher costs.

"Since the fact is that taxes no longer cover the actual costs to mitigate these accidents, I believe tax money should provide the infrastructure of having a fire department available to provide service," Rivera said. "But the costs associated with an actual incident should be covered by the responsible party."

"The district is always looking for ways to efficiently provide quality fire and emergency medical service to the community while maintaining a balanced budget," said Wyro. "One way to do that is for users to pay for services. Cur-

rently, users pay a fee for such services as commercial fire inspections, plan review, fire code and construction permits. Ambulance and related medical response services are charged to the extent a resident's insurance company will reimburse for that service with no out of pocket expense to the resident. Non-residents are charged the full amount."

Wyro said the new program will follow along those lines, enabling MOFD to maintain it level of service while aiding the bottom line. "These user fees will generate an estimated \$72,000 for the current year's budget, funding necessary to keep the budget in balance," Wyro said.

## Public Forum

### Yes on Prop. 22 in November to Stop State Raids of Local Funds and to Protect Vital Local Services

California voters have an opportunity on Election Day, November 2nd, to stop State politicians from raiding local taxpayer funds that are supposed to be used at the local level for vital local services like emergency 911 response, police, fire, libraries, parks, transportation improvements and more. Your Yes vote on Proposition 22 will stop State raids of local government funds once and for all.

For too long, Sacramento politicians have used loopholes in the law to take billions in taxpayer funds dedicated by the voters to local government and transportation services. Just last year the State took \$5 billion in local revenues to balance their budgets. In contrast, the Town of Moraga (where I serve on the Council) must live within its means. We must pass a budget that is honest, on-time, and balanced each year.

The billions of dollars taken by state raids have forced deep cuts locally in services that we all depend on every day. For example, in Moraga we had planned on using COPS funding for local police services to pay for a police officer to bring the Town back up to full strength – but the State deleted this longstanding program from next year's budget. Also, neighborhood street maintenance in Moraga is underfunded at the present time. Without the protection of Proposition 22, we anticipate that the State will likely cut Gas Tax funding that you pay for local streets, further eroding our ability to arrest the deterioration of our neighborhood streets. Don't be fooled by the State's avoidance of Gas Tax raids in the recently approved budget to avoid possible voter support for Proposition 22. The State's mid-year budget revise will likely prove that the current makeshift budget is woefully out of balance. Without Proposition 22 Moraga, and other local communities, will be at serious risk.

But by voting Yes on Proposition 22, we can stop state lawmakers in Sacramento from raiding funds that don't belong to them. Prop. 22 will:

- STOP the State from taking or borrowing local tax dollars dedicated to cities and counties to fund vital local services.
- STOP the State from taking or diverting gas taxes we pay at the pump that voters have dedicated to transportation purposes.

By stopping State raids, Prop. 22 will protect the vital local government services that protect public safety, improve our local economies, and enhance our quality of life, including:

- Police and sheriff patrols

- 9-1-1 emergency dispatch
- Paramedic response
- Fire protection
- Senior services
- Neighborhood parks and recreation programs
- Local libraries

By voting Yes on Prop. 22, we also protect gas tax funds from state raids. We can ensure that gas taxes we pay at the pump are used, as voters intended, to:

- Fund road safety improvements
- Fund pothole repair
- Fund traffic congestion relief
- Fund mass transit, like buses and commuter rail

Prop. 22 is a straightforward measure. Prop 22 simply ensures that our existing local tax dollars and existing gas taxes cannot be taken away by the state politicians again. It requires State legislators to stop raiding funds that don't belong to them. And most important during these tough economic times, Prop 22 will not increase taxes.

That's why Prop. 22 is supported by such a broad and diverse coalition of public safety, labor, business and taxpayer groups, community groups, senior and local governments groups including:

- California Fire Chiefs Association
- Peace Officers Research Association of California, representing 60,000 public safety members;
- California Police Chiefs Association
- AAA Northern California
- California Library Association, representing 3,000 librarians across California
- California Transit Association
- League of California Cities
- Howard Jarvis Taxpayers Group
- California Chamber of Commerce
- More than 300 cities and towns

Literally hundreds of groups support Prop. 22 because it will protect the services you and I depend on every single day. I urge your YES vote on Prop. 22 on November 2nd.

For more information visit [www.savelocalservices.com](http://www.savelocalservices.com), join our Facebook page or follow us on Twitter @yesonprop22.

Dave Trotter  
Moraga  
(*Dave Trotter is a Moraga Town Council Member*)

### Setting the Record Straight

Lafayette has much to be positive about – stable home values, a balanced city budget and a AAA bond rating, a new and well used library, a key open space acquisition. As City Council incumbents, Brandt Andersson and Don Tatzin have run positive campaigns, focusing on their accomplishments, the high citizen satisfaction with Lafayette and its government, and their vision for the future.

When a campaign claim was made that "families with children (K-11)" aren't represented on the City Council, Mayor Andersson made a lighthearted refutation of one challenger's refusal to acknowledge that 12th grade is part of the public school system. That candidate seemed to dismiss Mayor Andersson's 12th grader and the fact that he has raised his children for the past 17 years in Lafayette schools. Certainly he has/does represent a "family with children" on the City Council.

When campaign statements and literature claimed the downtown plan cost the Redevelopment Agency more than twice the actual, documented cost, Andersson and Tatzin let it slide, because a campaign ought to be about issues and policies. When campaign materials claimed that the Lafayette Homeowners Council opposed the downtown plan (and the LHC had taken no such position), Andersson and Tatzin let the Homeowners Council respond.

However, in a letter to the editor and a campaign advertisement, both published in the previous issue of the Lamorinda Weekly, one candidate has abandoned all pretense of a positive campaign. I am compelled to respond.

The letter from a key supporter of the challenger claims that Andersson "voted for multifamily housing" on the Christmas tree lot across from Acalanes High School. FALSE. In fact, the Council's first vote was to send the staff recommendation of multifamily housing back for investigation of single family options. A second vote resulted from a discussion of whether to support 5-acre or 2.5-acre low density single family zoning. Two councilmembers supported 2.5-acre zoning, and three supported 5-acre zoning. All of them supported low density residential zoning. It's in the minutes of those meetings. One could look it up. Andersson's comments at the time, rejecting the multifamily option, refuted the claim that it was a commercial/residential "transition" zone, noting that it was farther from BART than many single family homes in Lafayette.

The letter then claims that Andersson favors a "semi-urban" downtown, repeating a claim made on the campaign's website and the campaign ad. FALSE.

This claim apparently stems from a single comment at the Lafayette Homeowners Council candidate forum in 2006 in a discussion of definitions, not policy. The detailed notes taken by the secretary of the Homeowners Council describe that discussion of definitions. One could look it up. He has never suggested that "semi-urban" development is desirable. As a member of the Downtown Advisory Committee, I have noted that Andersson would consider all options and judge them on their balance of retail, housing, and open space. His greatest concern was/is trying to find a way to maintain and encourage the great diversity of buildings and blocks and views of the surrounding hills that are the hallmark of downtown Lafayette.

The campaign ad states the completely unsubstantiated cost of the downtown plan. In August, the campaign used the correct cost; then it suddenly more than doubled it and has repeated that inflated number, \$2,000,000, for nearly two months. FALSE. City staff has provided the actual documented costs to the Lafayette Redevelopment Agency for consultants, staff time, and expenses -- \$872,000, less than half of the total claimed. Another \$200,000 was received in grants dedicated for use in the EIR and climate change study. One could have asked.

The ad further claims that Lafayette's Redevelopment Agency bonded for development funds under low bond ratings. FALSE. A candidate who understands the range of bond ratings available to redevelopment agencies in cities the size of Lafayette would realize that the bond ratings for both the city and the redevelopment agency are quite high. One could have asked.

Any candidate is entitled to question the policies and positions of other candidates. But no candidate is entitled to make up his/her own facts. It is sad to see a campaign devote most of its effort to tearing down the current City Council that by any objective standard has served its citizens with integrity, dedication, and success.

I sincerely hope that future campaigns can be conducted with a respectful discourse on the important issues facing Lafayette, as has been the practice in the past. In this election I support the re-election of Brandt Andersson and Don Tatzin who have done extraordinary work for our Lafayette.

Sincerely,  
Erling Horn  
Lafayette  
(*Erling Horn is a former Mayor of Lafayette*)

### Join our Public Forum

If you have significant knowledge about an issue facing Lamorinda or one of its cities that requires more than the 350 words to which we must limit letters to the Editor, don't despair! You can submit your letter to our Public Forum section. Just send your letter to [letters@lamorindaweekly.com](mailto:letters@lamorindaweekly.com) and let us know you'd like to be considered for the Public Forum.

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