

Bauer-Kahan not in step with Lamorinda on housing bills



Photo provided

District 16 Assemblywoman Rebecca Bauer-Kahan

By Nick Marnell

When asked about her stance on local government control over housing by this newspaper in October, District 16 Assemblywoman Rebecca Bauer-Kahan, D-Orinda, who

went on to defeat incumbent Catharine Baker in the general election, spoke unequivocally. “We cannot take local control away from the cities and counties that know best how to tackle our housing crisis, while not overburdening our schools, emergency services, roads and other infrastructure,” Bauer-Kahan said.

Yet, on two high profile assembly bills that featured state control over local housing, Bauer-Kahan did not vote against them. In fact, she did not vote at all.

Assembly Bill 1482, which passed May 29, caps rent increases at 7% a year, plus the rate of inflation, with some exceptions. In the November general election, Contra Costa County voters rejected Proposition 10, which called for expanded rent control, with 67% against. In Lamorinda, the votes tallied more than 2-to-1 against.

“We know that rent con-

trol does not work,” Lafayette Mayor Mike Anderson said at a January city council meeting, stressing that rent control only results in higher rents. In a 2019 position statement on housing recommendations, the Contra Costa Public Managers’ Association did not endorse rent control.

None of the above facts or positions convinced Bauer-Kahan, whose district includes Lamorinda, to vote against AB 1482.

The assemblywoman said the problem she had voting on 1482 was that it was the first floor vote she encountered in her six months in Sacramento that came down with amendments at the last minute. “I didn’t have a chance to review it and I didn’t know how it would affect our voters, so I was uncomfortable voting on it,” Bauer-Kahan said.

AB 1487, also passed in May, would place before vot-

ers a regional housing authority that would increase affordable housing in the Bay Area by raising revenue and distributing the funds subject to voter approved requirements.

“We support utilizing each county’s existing housing authority ... to serve as the governance structure that administers new affordable housing funds and monitor housing production rather than establishing yet another agency to take on that role,” was the position stated by the Contra Costa Public Managers’ Association, which Moraga Town Manger Cynthia Battenberg said reflected the town’s position.

In a May 13 letter to the state assembly members, Orinda Mayor Inga Miller asked that they vote no on the bill. “The framework proposed by AB 1487 not only will be costly to cities, counties and the State of California

but also is unnecessary since existing housing authorities can already perform the tasks called for in AB 1487,” Miller wrote.

“We discussed it at the Mayors’ Conference in Lafayette and it was pretty clear that the cities that I represent opposed it,” Bauer-Kahan said of AB 1487. Yet again, she did not vote against the bill. The freshman assemblywoman said that parts of the bill are still in good faith negotiation, and even though the bill “was not in a place where I could offer support, I agreed to not oppose it.

“If we don’t get the amendments we are looking to get, I will without hesitation oppose it when it’s returned to the assembly,” Bauer-Kahan said, referring to the makeup of the proposed agency and the amount of funds returned to source.

Both bills have moved on to the State Senate.

Reminder to drivers: yield the right-of-way to emergency vehicles

By Vera Kochan

Code 3 may not mean much to the average driver, but to emergency responders, it’s a term commonly used to mean “proceed immediately with lights and siren.”

During the recent Memorial Day weekend police chase of three Moraga Arco robbery suspects, two civilian vehicles in Lafayette did not pull to the right while Lafayette Police were in pursuit, but rather blocked the road by coming to a complete stop where they were. Moraga Police Det. Kevin Mooney said if LPD had not been able to make strategic vehicle maneuvers to continue the pursuit, the suspects would have gotten away.

Mooney reminds drivers, “Move out of the way when lights are flashing. Get to the side of the road.”

The Department of Motor Vehicles handbook has a sec-

tion entitled “Sharing the Road” with a category involving emergency vehicles. Anyone who has a driver’s license should not be surprised that “you must yield the right-of-way to any police vehicle, fire engine, ambulance or other emergency vehicle using a siren and red lights. Drive to the right edge of the road and stop until the emergency vehicle(s) have passed.” DMV makes note to never stop in an intersection, however. If you are in an intersection when you see an emergency vehicle, you should continue through and get to the right as soon as it is safe and stop. “Emergency vehicles often use the wrong side of the street to continue on their way,” the handbook states. “They sometimes use a loudspeaker to talk to drivers blocking their path.”

Moraga Police Chief Jon King confirms that time and again some drivers are not

following handbook protocol. Ironically, some drivers are so attuned to the rules of the road that they do not obey directions given by emergency responders if those directions conflict with existing laws, signs or signals. Also, following an emergency vehicle to the scene of a response for the purposes of casual observation could get you arrested for interfering with those services. Riding within 300 feet of an emergency vehicle’s coattails, as a means of cutting through traffic, is also against the law.

Moraga-Orinda Fire District Battalion Chief Matt Nichols said, “I understand that a lot of times people don’t hear the sirens, because their radio is too loud or they’re talking on the phone, but if you see two or three cars ahead of you pulling over look in your mirrors to see if an emergency vehicle is ap-

proaching. Cars in front or behind you may hear the sirens louder because of the Doppler effect.” This depends on the proximity between you and the emergency vehicle.

MOFD Capt. Jacob Airola stated, “As emergency vehicles approach, use your blinkers to indicate which direction you are heading. This helps us determine which way you’re going to go.”

First responders risk their lives to protect the public. Sadly, many have died or have been injured in the line of duty while working during roadside emergencies. In 2000, the U.S. Department of Transportation and Federal Highway Administration originated move over laws. These laws require drivers to give a one lane buffer to stopped emergency vehicles. For example, while driving in the right lane if the driver sees a stopped emergency vehicle

that driver is required to move one lane over to the left to give enough buffer space, thereby avoiding a potential accident. If moving over one lane is not possible, the driver should slow down to a safe speed. “If drivers don’t give us enough space we can close down an additional lane,” Airola said. This would create more congestion, especially on freeways.

Airola also cautions drivers not to rubberneck when passing the scene of an accident. “This momentary distraction by drivers can and often does cause a secondary accident,” he said. “We are aware that our presence impacts your driving situation and do our best to get things done as quickly as possible. In order to do that we would appreciate your cooperation.”

Letters to the editor

Electric power shutdowns

There has been broad reaction to the recent PG&E electric power shutdowns in Lafayette ... three in a row, June 10, 11 and 12 for a total of 18 hours! Feelings by residents and our elected officials including my own range from surprise, intimidation, inconvenience, helplessness, and disappointment, to anger and hostility. Given the circumstances and potential dangers caused by the shutdowns, all of those feelings among us are understandable. I personally heard all of those feelings expressed.

For perspective, consider the following:

1. There was no advance notice given to the citizens of Lafayette, not even to Engine Company 17 on St. Mary’s Road. I was there and spoke to the firemen themselves.
2. The Fire Chief who oversees E-17 and others, recently had attended a meeting at PG&E that concerned the criteria by which PG&E makes decisions to initiate power shutdowns. Amazingly, I was told by the fire personnel that their Chief was not given what those specific criteria were when he asked for them! Why not?
3. Two or the three outages lasted well into darkness, one past midnight. Some residents had flashlights, candles (fire hazard), or a kerosene lamp to navigate their residence but some did not. How many falls happened and how many seniors were

injured?

4. Some traffic signals in Lafayette were inoperative during the outages and no public safety personnel were at them to head off accidents.
5. Telephone land line service was unavailable for 911 calls nor any other. Were there any emergencies during those blackouts?
6. What about seniors and others whose oxygen or other medical needs were interrupted or killed?
7. Loss of electric power equals to loss of refrigeration and food spoilage. All things considered; two questions are worth asking. First, are electric power outages appropriately weighed against to the risks associated by having them? And, since above ground electric delivery is very dangerous to life, property and the environment, why doesn’t PG&E bury them everywhere they operate? Buried electric wiring works in many countries and in many communities in all 50 states. Why not ours?

Maybe after we complete that bullet train.

John A. Sallay
Retired Lafayette resident

BART parking reductions in the name of art

In the 46 years I have lived in Lafayette there have been times I have failed to understand some of the decisions made by the City Council. The latest one to remove 19 spaces

at the BART station takes the cake.

In a city which is parking challenged the last thing needed is the removal of parking spaces, even more importantly as they provide spaces for people who are taking public transportation. To encourage residents to ride bicycles or walk to the BART station is all well and good but what about residents who are unable to ride or walk there due to physical challenges or the distant they live from the station? Over the years, as the downtown area of Lafayette has seen so much growth, no consideration has been given to providing any form of regular, reliable public transportation to help the residents in outlying neighborhoods of the City to enable them to get to the BART station or to give them access to downtown without adding to the nightmare of traffic and parking which has become part of the Lafayette scene.

Surely there can be some kind of planning and a vision of how a city can grow, keep it’s semi-rural character and make sure it can continue to remain the special place Lafayette has always been.

Ann Burns
Lafayette

What more can I do?

Living in a time of great peril, as reported by the recent United Nation’s Report on Cli-

mate Change, we continue, day after day, enjoying our marvelous quality of life in Lamorinda. However, the threatening dilemma surrounds us - either significantly alter our lifestyle now, or accept a radically altered quality of life in the years ahead. In daily conversation, we shrug our shoulders saying, *‘what more can I do? I’m already recycling, driving a hybrid car and doing sustainable practices.’*

Well, how about checking in with your children and grandchildren. Are they okay with living in a radically altered world with higher summer temperatures, more fires and storms? Or, would they prefer to make the challenging changes now?

Yes, government and the multi national corporations must shift, if we are to meet our climate goals. But, individual families, and communities acting together, can make additional changes now to ensure reasonable quality of life for our future generations. Yes, we can!

Here’s one option: Reduce or eliminate the consumption of red meat. *How?* Raise and process meat rabbits in your backyard.

It makes a lot of sense: the healthiest of meats, economical, and sustainable.

Replacing red meat with rabbit also reduces global warming, because cattle produce three types of gas that are toxic to our environment.

So, improve your family’s health, and cast off your dependency on the red meat industry. I stopped buying red meat 50 years ago, when I started raising rabbits. And, when you’re enjoying a dinner out, find rabbit on the menu at Postino’s, Réve and others.

But, you can’t raise and process rabbits in your backyard in Lafayette. *Wrong!*

Current Municipal Code for Lafayette (Title 6, Part 2, 6.591) and Moraga (Title 8, Chapter 8.92) permit raising and processing Small Farm Animals, including rabbits.

Visit website: *Living Sustainably with Papa John* to learn more about the surprising health benefits of including rabbit as part of your diet, while reducing pollution.

Rabbit: a gift to your family / an opportunity to help heal the planet!

P.S - if you are willing, watch a 16-year-old present ‘The disarming case to act right now on climate change’ (11 min).
<https://youtu.be/H2QxFM9y0tY>

Papa John Kiefer
Lafayette

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Grand jury comes down on ConFire over fire inspections and record keeping

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Seven current inspectors conduct 8,000 state-mandated inspections each year, exceeding the 900 annual inspections each code officer can average, the report said.

The grand jury urged

ConFire to replace its time-consuming data recording system with a mobile digital system, allowing code officers to enter inspection data directly into an electronic device on site rather than having to input the data later at the district office. The report

also recommended that the district periodically conduct audits of its record management system, publish a quarterly report on the status of fire inspections and make the information readily available to the public through a web-based program.

Neither Fire Chief Lewis Broschard nor his board of directors commented on the grand jury report at the June 11 district meeting. “By law, we have 90 days to prepare and submit a response, which we will do,” ConFire spokesman Steve Hill said. “I

expect this response may be addressed at either the July or August fire board meeting and will likely be posted on the grand jury website, along with other such responses, some time thereafter.”