

[Steve Cohn](#) [Ardor/Valley View](#) • [9 Oct 20](#)

Measure R is NOT a fire prevention tax. Excuse the length of this post but the topic cannot be covered in a sound bite like “Vote like your life depends on it!” The proponents of Measure R are portraying the tax as a fire prevention tax. The proponent’s organization has named itself “Safer” Orinda. While there is some safety element to road maintenance (roads are unsafe if they are in bad enough condition but that is no longer the case in Orinda) and storm drain maintenance (if a storm drain fails, takes out a road, and cuts off an access/egress route, that could be a safety issue), road maintenance is mostly about comfort and economics; reducing car maintenance costs and increasing home values. The major “safety” element associated with Measure R is fire prevention. But again, while the Measure R sales tax supposedly will be used to some extent for fire prevention efforts, all indications are that is a very minor element of the tax. And to sell it as a fire prevention tax, which “Safer” Orinda is doing, is disingenuous at best and dangerous at worst. This tax always was, and still is, a tax designed to maintain the roads. Road maintenance has included storm drain maintenance since the Infrastructure Committee defined the magnitude of the problem of Orinda’s decayed infrastructure in 2006. The problem included a huge deferred maintenance backlog and after that is cured, ongoing maintenance. That is what this tax will address. Fire prevention is a topic that the City has ignored for three decades. Just like crime prevention efforts are led by the police department and road maintenance efforts are led by the public works department, fire prevention efforts should be led by the fire department. Unfortunately, Orinda does not have a fire department. It “farmed out” that civic function to MOFD 21 years ago. And, shame on it, the City has overtly made itself ignorant of the service that MOFD is providing, or not providing, to Orinda’s residents ever since. In 2012, citizens presented to the Council a petition asking the City to form a task force to review the service MOFD was providing (15 years after MOFD was formed). Amy Worth asked the Council to form such a task force. She was opposed by Victoria Smith (saying it was not Orinda’s right to review a “sister” agency; telling the citizens to go to MOFD and ask it to review itself). Smith was backed up by Steve Glazer and Sue Severson. The request was never even voted on. So the citizens formed their own task force, created a 100 page report, and delivered it to the City Council. The Council neither reviewed the report nor even acknowledge receipt. And that was the last the City had to do with MOFD and the way it serves, or does not serve, Orinda. Until this year. In 2019 the City formed a Revenue & Tax Measure Subcommittee. It held three meetings in late 2019 and January 2020. It discussed putting a sales tax measure (and no other type of tax) on the November 2020 ballot for road maintenance. Most of the discussion was of a survey to test the waters for such a tax. The survey was conducted in the first week of February. One of the questions on the survey was how important were certain projects when it came to spending the money generated by the sales tax. About half of the questions related to road or storm drain maintenance. The other half ranged from a walking path along San Pablo Creek to fire prevention. The City was not prepared for the results. The most important project identified by the respondents was fire prevention with 55% saying it was extremely important and another 31% very important. Next on the list was “ensuring speedy emergency response” with 54% saying it was extremely important (however, this would be a job for MOFD, not the City.) Third, at 41%, was preparing for natural disasters. The highest ranked infrastructure project, with 38% saying it was extremely important, was repairing collapsing storm drains (the worst of the worst). The highest ranked road repair project, at 33%, was “fully investing in the maintenance of public roads to minimize future costly repairs.” The main question, however, was: “Let me ask you one last time about the measure to help maintain essential City services, including ongoing repairs to public roads and storm drains; restoring wildlife habitat and recreation along San Pablo Creek; and providing emergency/ natural disaster preparedness by renewing the existing half-cent sales tax and increasing it by one-half cent.” Nothing about fire prevention. 61% supported the tax. What was the Revenue & Tax Measure Subcommittee’s response to the survey? They stopped holding public meetings. Then Covid hit and they decided to “rerun” the survey. In this survey (held mid-July) they did not repeat the question about what the tax should be used for. And they revised the question about supporting the tax to: “Let me ask you one last time about the measure to help maintain essential City services, including wildfire fuel reduction, ongoing repairs to public roads and storm drains; and providing emergency/natural disaster preparedness by renewing the existing half-cent sales tax and increasing it by one-half cent.” The support level stayed at 59% because now the tax was

billed as a fire prevention tax. So that began the marketing of the tax. If it included fire prevention, in fact if fire prevention was shown as the primary use (a previous question started “this measure will immediately invest in wildfire fuel reduction...”), then the support remained for the tax. They did not test the support of the tax if fire prevention was excluded or the support of an alternative tax like a dedicated fire prevention parcel tax, although it was requested that this be included. The reason being that they did not want a fire prevention tax; they wanted a road maintenance tax. While the City has been developing a road repair plan for over a decade, starting in 2006; and it has a recent storm drain report (although both exclude miles of streets and an unknown number of storm drains transporting water from public property), it has no study on what would maximize Orinda’s fire safety. The only numbers developed for fire prevention were created by Public Works Director Larry Theis and presented to the CIOC for their June meeting. However, when this was forwarded this to Darlene Gee and she was asked if she (as chair of the Revenue & Tax Measure Subcommittee) had seen the spreadsheet, she said she had not. A few days later the CIOC meeting was cancelled and the spreadsheet, attached to the meeting agenda, disappeared from the web site. What this spreadsheet showed was \$2.25 million for roadway right of way vegetation removal over four years (\$560,000 a year), reducing to \$300,000 thereafter. Where Theis got these numbers is unknown. The only publicly released indication of what the City might spend on fire prevention was contained in a “Needs” report presented to the Council by Finance Director Paul Rankin on July 21. This claimed “It is estimated that the City could require between \$500,000 and \$750,000 to address the back-log on City properties and that this would occur over 3-4 years and then needs a reduced effort to maintain.” Again, there is no indication of where Rankin got these numbers but they conform loosely to Theis’ June spreadsheet. So out of Measure R’s \$2.4million in annual revenue, the City might (but is not obligated to) spending \$500-750-300,000 on fire prevention. The rest, according to the needs report, will go to road and storm drain maintenance with a little for emergency management (although we have been told that is probably more an MOFD function). At that same July 21 Council meeting the 2020/21 budget was passed. The budget showed: * A reserve of \$10.5 million including \$3.5 million in unspent sales tax revenue. * Additional sales tax revenue of \$1.2 million this year. * A budgeted item of \$50,000 for fire prevention. All indications are that Measure R is NOT fire prevention tax although a small portion of it might be spent on fuel reduction efforts. But that is not how the City is selling it. In its ad in the October issue of the Orinda News, endorsed by the entire City Council plus Steve Glazer and nine former City Council members (all calling themselves “former Mayor”), including Sue Severson, “Safer Orinda” starts with “Recent fire seasons have been the hottest, driest, and most destructive on record..... Voting on Measure R will let Orinda get to work before it is too late....” It is not until the fourth paragraph of the ad that roads are even mentioned. Nor is it mentioned that although the City has \$3.5 million in unspent sale tax receipts and continues, and will continue for two more years, to receive \$1.2 million in the existing sales tax receipts, it has only budgeted \$50,000 for fire prevention. Is it telling us it will continue to only spend \$50,000 a year unless we increase the \$1.2 million sales tax to \$2.4 million? A few pages later in the same issue of the Orinda News is a full page ad by the Orinda Firewise Council. This ad starts: “Vote like your life depends on it! We endorse Measure R; Safer Orinda; Funds for fire prevention; Darlene Gee, Firewise Community member, Incumbent for Orinda City Council.” This attempt by the City Council and the City’s movers and shakers to frighten the residents of Orinda into voting for a tax which is not meant to, and all indications will not be used to, provide adequate fire prevention is egregious. Some of these people know better. Some are just trying to be good citizens and have been talked into a bad deal. We have worked with most of them for years and we know how much they have put into Orinda but we have to admit that we are shocked by this behavior. If the voters vote for this tax it may be the last chance for years to get it right. And years from now may be too late.

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[Skip Shaw](#)

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Steve, the lack of comments to your well drafted post could mean many things. I hope it means people are finally reading between the lines of this mess. I believe the city has the best of intentions. I also believe we have never faced an issue that needed more leadership and experience. Hopefully, those newly elected will have seen all the discourse and they will step back and get us on a thought out path to address our fair city's. I applaud you continuing to put this in front of the community.

9 Oct 20

[Steve Cohn](#)

Author

- [Ardor/Valley View](#)

Thanks. We are not denying that there is a need for funds for these important items. In fact, we are arguing that there most likely a need for more funds than requested. Ever since Steve Glazer started his "art of the possible" campaign that seemed to work, the City has sold the residents short. When it needed \$52 million for roads, it asked for \$10mm. When the cost went up to \$66mm, it asked for another \$20mm (\$30mm total). When the cost went up to \$88, it asked for another \$25mm (\$55 total). and now the cost is up to \$160mm including 20 years of public road maintenance, and it is asking for another \$60mm \$115 total). And it has no idea of what it should spend on Fire Prevention or to maintain all of the City's streets or storm drains. Never really planning, never really being straight with the community as if people living in \$1.5mm homes, earning \$200,000 a year can't deal with the facts. And we keep voting in these taxes. It's called enabling and we are enablers because we just want to see something accomplished.

(edited)

[Nadine Barroca](#)

- [Rheem](#)

Thank you for the background information.

9 Oct 20

[Michelle Bea](#)

- [Ivy Drive](#)

Thank you for your history on this Measure! I read between the lines for sure! I wish that they were more transparent in the intent of the Measure - and that it was truly a Measure committed to fire safety.

10 Oct 20

[Wendy Bradfield](#)

- [Ardor/Valley View](#)

Thanks Steve for doing the back story.

10 Oct 20

[Mark Mahoney](#)

- [Ivy Drive](#)

Thank you Steve for this extremely comprehensive historical explanation on the last two decades of taxation in Orinda. I've been here since 2001. Even with Prop 13, my property taxes have almost doubled with all the tax measures and bonds that get added on every year. The misappropriation of OUR Tax Dollars is abhorrent. CALI politicians and governments, local, county & state are infamous for this corrupt behavior. The last state gas tax is a prime example. Remember what Margaret Thatcher said, Let us never forget this fundamental truth: the State has no source of money other than money which people earn themselves. If the State wishes to spend more it can do so only by borrowing your savings or by taxing you more. It is no good thinking that someone else will pay - that 'someone else' is you. There is no such thing as public money; there is only taxpayers' money. Which should be handled in a more responsible manner by our public servants. I added the last sentence. - 10 Oct 20

[Marion T.](#)

- [Overhill Area](#)

Wow ! Thank you for taking the time to write this.

11 Oct 20

[Lindsay Crittendon](#)

- [Rheem](#)

Really great post. New resident and appreciate the detail.

11 Oct 20

[Mo O.](#)

- [Glorietta School](#)

Thank you Steve for your thoughtful explanation of an important issue.

11 Oct 20

[Mel M.](#)

- [Heather/Valley Glorietta](#)

Thank you for all the sources and context on this. It's definitely concerning that there is no thorough detail around the fire prevention plan the funds would go to and misleading that the fund are going to so many other efforts

12 Oct 20

[Richard Lewis](#)

- [Stein Way](#)

Thank you Steve for an outstanding description of Measure R. I am a few days behind on my e-mail, but I read every word of your e-mail. Last week we received in our mail the flyer, DON'T PLAY WITH FIRE. There is a young girl with a lighted match which would make one think that all or most of the R funds would go for fire prevention. Unfortunately too many of our citizens will believe that is what is going to happen.

12 Oct 20

[Steve Cohn](#)

Author

- [Ardor/Valley View](#)

That's disgusting. I don't know how many people remember LBJ's atom bomb ads against Goldwater in 1964. Brings back great memories. <https://www.youtube.com/watch?v=STXz6Ukkl4U>
<https://www.youtube.com/watch?v=ty4T5MuYRZw> Nothing sells like fear.

12 Oct 20

[susan cole](#)

- [Stein Way](#)

Thank you for the very thorough post!

15 Oct 20

[Kathy F.](#)

- [Stein Way](#)

I agree! Steve's post gives us the details behind the tax. I hope it also dispels the opposition's claims that only a small group of private road residents are not in favor of Measure R. People only have to read the SF Chronicle and the East Bay Times to see that they, too, ask ALL voters to reject Measure R. I believe that our city Council has good intentions, but in the midst of this pandemic they are not being responsive

to their constituents' desire for a dedicated fire prevention tax. Even people and businesses in Orinda feel the pinch of unemployment, limited income and quarantines. Rushing into a bigger, longer sales tax now just makes the City seem insensitive to its constituents. Especially since we already have a sales tax that will last until 2023! The City needs to just wait a while and put a new sales tax on the ballot in 2022. Give us what we need now, dedicated fire prevention funds, and wait to re-up on the sales tax later,

15 Oct 20