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Tri-Agency Funding Discussion Findings: A No and a Yes

By Andrea A. Firth

At the last Orinda City Council meeting, Council Members Victoria Smith and Steve Glazer reported the outcome of their exploration into the property tax allocation to the Moraga-Orinda Fire District (MOFD).

As part of this effort, Smith and Glazer were Orinda's representatives to the Tri-Agency Funding Discussion Committee, which also included Mayor Trotter and Council Member Metcalf from Moraga and MOFD Board Members Fred Weil and John Wyro. The formation of the Tri-Agency Committee was prompted by a recommendation from Orinda's Revenue Enhancement Task Force (RETF) which identified the reallocation of a portion MOFD's property tax revenues as a potential source of funds to address Orinda's infrastructure needs. [The RETF's report was submitted to the Council last December, and the Task Force has since been retired.]

Smith and Glazer explained that their subcommittee's role was to answer two main questions. First, is there money within the MOFD tax allocation to fix Orinda's roads? To that question their collective response was an unequivocal no. Smith identified the MOFD's unfunded pension and medical benefit liabilities, which are currently estimated at \$20 million, as the primary reason.

The fairness of the property tax contributions from Orinda and Moraga to the MOFD was the second question tackled. Again Smith and Glazer concurred, but this time the answer was clearly yes. "We believe that the most appropriate way to evaluate the allocation is to look at the area of coverage," stated Smith. "As far as we can tell the allocation is fairly equitable." Smith acknowledged that the MOFD receives 23% of Orinda's property tax distribution compared to Moraga's 19%, percentages that were established by Proposition 13. She identified the number of fire stations per community (3 in Orinda versus 2 in Moraga) and the many homes and schools in south Orinda that receive first-response service from Moraga fire stations as justification for the equitability of the allocation.

The question of whether Orinda had the ability to change their tax allocation to the MOFD was also answered. City Manager Janet Keeter explained that her investigations had revealed that Orinda would not be able to change the amount of property tax allocated for fire and emergency services, i.e., the 23% of the property tax distribution that currently goes to the MOFD, unless the City had its own Fire District or contracted separately for fire services.

Several longtime Orinda residents remained unconvinced as to whether Moraga was paying their fair share of the MOFD expense and called for the Council to hire an independent consultant to evaluate the tax allocation and audit the operations of the MOFD. "The community needs to hear something about the management of the MOFD from someone other than the MOFD," stated Al Resnick, who served as Co-Chair of the RETF.

Following extensive public comment and discussion, Council Member Amy Worth proposed that Orinda request that the Town of Moraga and the MOFD work with the City to hire a consultant to further explore the issues raised and to share in the cost, which City Manager Janet Keeter roughly estimated to be a \$75,000 study.

Vice Mayor Tom McCormick sided with Worth and noted his desire for Orinda to take a lead in getting the answers to questions regarding the application of the fire flow tax and the equitability of the tax allocation formula going forward.

However, Council Members Smith and Glazer remained a team for the evening and voted against hiring a consultant noting that the idea would not receive support from Moraga or the MOFD. "The Fire District has made it clear that they are not interested in providing the funds [for a consultant], and the Town of Moraga feels the issues have been sufficiently vetted and are not willing to spend the money," stated Smith.

Mayor Sue Severson was left to break the tie and voted in favor of jointly hiring a consultant, however she indicated that she was reluctant to support Orinda carrying the full cost of the study.

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