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MOFD and PG&E avoid litigation, settle company lawsuit



Photo Nick Marnell

By Nick Marnell

The Moraga-Orinda Fire District and the Pacific Gas and Electric Company avoided litigation by settling a lawsuit brought by the company over safety restrictions placed upon PG&E by a 2020 fire district ordinance.

In October, MOFD enacted an ordinance requiring electric utilities to notify the district at least 48 hours in advance of deploying a safety and infrastructure protection team within MOFD jurisdiction, and banning scheduled, high risk non-emergency

work in high fire areas when the National Weather Service has issued a Red Flag Warning for the work area. The ordinance authorized fines of up to \$1,300 for each violation.

"The work could lead to an ignition and cause a wildfire to start," Fire Chief Dave Winnacker told his board in October. "If PG&E determines that this work merits deployment of an SIPT, the district believes it should be informed of that fact."

PG&E sued the fire district, seeking to invalidate the ordinance as the company

believed the district exceeded its authority by attempting to regulate matters that fall under the jurisdiction of the California Public Utilities Commission.

"These requirements interfere with PG&E's ability to respond flexibly to changing conditions in order to protect public safety," the company stated in its complaint, filed Dec. 18. The company also maintains that its SIPTs are not first responders but utility workers whose primary role is to support PG&E work activities and support fire prevention at PG&E worksites.

Neither the fire district nor the company had the appetite for litigation, and the parties negotiated acceptable modifications to the ordinance. A revised district ordinance was passed unanimously by the MOFD board and enacted Jan. 22.

The negotiated revisions include changing the requirement of a 48-hour notice for SIPT deployment to no later

than 9 a.m. on the day of deployment. The revised ordinance also changes the definition of an SIPT so that the ordinance does not apply to a company's normal utility crews, and bans only scheduled, non-emergency electrical work within the district during Red Flag warnings.

"PG&E appreciates that districts responsible for local fire response are concerned about the challenges of fire prevention and seek up-to-date information. PG&E would like to cooperate with those districts as we all have the desire and responsibility to mitigate fires," said Matt Nauman, PG&E spokesman.


"However, PG&E also has CPUC-jurisdictional obligations to maintain the electrical grid. PG&E needs to maintain flexibility in deploying electrical crews in order to effectively and efficiently keep the power flowing across Northern and Central California. PG&E and Moraga-Orinda were able to reach agreement on notification procedures that address the fire district's desire for information while limiting restrictions on PG&E's ability to deploy electrical crews."

PG&E filed a request with Superior Court the last week of January to dismiss its lawsuit against the fire district.

Fire District Public Meetings

Moraga-Orinda Fire District
Board of Directors
Wednesday, Feb. 17, 6 p.m.
For meeting times and agendas, visit www.mofd.org

ConFire
Board of Directors
Tuesday, Feb. 9, 1:00 p.m.
For meeting times and agendas, visit www.cccfpd.org



Local residents place high faith in the Community Warning System

By Nick Marnell

Even as they witness the bungling of millions of unemployment claims and havoc with the distribution of the COVID-19 vaccine, Lamorinda residents continue to place their trust in one public entity, as the area leads Contra Costa County in the number of registered users of the Community Warning System.

CWS is an all-hazard public warning system, a partnership of the Office of the Sheriff, the Health Services Department, and other government and private entities. Its purpose is to deliver

time-sensitive and potentially lifesaving information to the people of Contra Costa County.

The system is housed at the Sheriff's Office, and engages only when there is an imminent threat to human life or health, or when a community needs to undertake some sort of protective action. CWS manager Heather Tiernan summed up the typical content of the alerts: what is the emergency; where is the emergency; what you should do; why action is needed; and when the action will be done.

The system can fine tune its alerts to any relevant area in the county. "I can target

just a couple of houses, if you really want me to," Tiernan said.

To reach registered users, CWS sends emails and texts, but also communicates via social media, through its own website and by using federally managed tools if necessary, like the Emergency Alert System. The system does make phone calls to registered users, but Tiernan said that is the slowest, most time-consuming contact method.

CWS limits its social media interactions. The system does not use Nixle, and employs Nextdoor for only education and outreach.

Local residents have re-

sponded positively to the outreach of the warning system thanks to the efforts of the Lamorinda Community Emergency Response Team, the fire districts and the police departments. "We have a very involved and proactive community here," said Dennis Rein, Emergency Preparedness Coordinator of the Moraga-Orinda Fire District. "You could tell by the great response to our virtual evacuation drill last year and the evacuation drills two years ago."

Statistics back up Rein's statement. The latest CWS figures show that, out of 5,800 Moraga households, 7,300 ac-

counts are registered with the system. In Orinda, there are 8,100 registered accounts in 7,100 households, and Lafayette reports 8,700 registered accounts in 9,400 households.

"These are some of our highest registration numbers," Tiernan said. "The countywide registration average is about 30% of households."

"People want to know how and when to evacuate, and CWS is the way to go," Rein said.

To register, go to the system website at cwsalerts.com

Share your thoughts, insights and opinions with your community. Send a letter to the editor: letters@lamorindaweekly.com

Public Safety

Emergency response:
Emergency: 24 Hours 911
Police Dispatch: 24 Hours
925-284-5010

Nixle: Text your zip code to 888777 or go to www.nixle.com

Lafayette Police Department:
3471 Mt. Diablo Blvd. 925-283-3680
Chief of Police, Ben Alldritt
925-299-3221

Police Department Tip Line
94549Tip@gmail.com

Police Department Traffic Issues
94549Traffic@gmail.com

Moraga Police Department:
329 Rheem Blvd., 925-888-7055
Chief of Police, Jon King ext. 7049

Orinda Police Department:
22 Orinda Way 925-254-6820
Chief of Police, David M. Cook
925-254-6820
Orindatip@cityoforinda.org

Lafayette Police Department Incident Summary Report
Jan. 10 - Jan. 23



Alarms	30
911 Calls (includes hang-ups)	8
Traffic	21
Suspicious Circumstances	9
Suspicious Subject	15
Suspicious Vehicle	8
Service to Citizen	43
Patrol Req./Security Check	59
Public/School Assembly Check	0
Supplemental Report	19
Vacation House Check	0
Welfare Check	10
Ordinance Violation	0

Vehicle violations

Auto Burglary	3600 Block Brook St. (2)
Hit And Run Misdemeanor	1300 Block El Curtola Blvd.
	3400 Block Mt. Diablo Blvd. (2)
	Pleasant Hill Rd./Mt. Diablo Blvd.

Reckless Driving	Reliez Station Rd./Olympic Blvd.
	Eb Sr 24 Oak Hill Rd Central Lafayette
	900 Block Moraga Rd.
	Mt. Diablo Blvd./Acalanes Rd.
	Springhill Rd./Quandt Rd.
	15t St./School St.
	Moraga Rd./St Marys Rd.
	Camino Vallecito/N Peardale Dr.
	St Marys Rd./Glenside Dr.
	Moraga Rd./Nephi Ct.
Stolen Vehicle Recovery	3400 Block Mt. Diablo Blvd.
Tc - Property Damage	3300 Block Mt. Diablo Blvd.
	3500 Block Mt. Diablo Blvd. (2)
	Mt. Diablo Blvd./Stuart St.
	Dolores Dr./Mt. Diablo Blvd.

Other criminal activity

Fraud False Pretenses	1200 Block Pleasant Hill Rd.
	3600 Block Hastings Ct.
	1200 Block Warner Ct.
Grand Theft	4000 Block Coralee Ln.
	3400 Block Golden Gate Way
Grand Theft Bicycle	1000 Block Aileen St.
Identity Theft	900 Block Mountain View Dr.
	800 Block Tanglewood Dr.
Panhandling	3600 Block Mt. Diablo Blvd.
Petty Theft	20 Block Brookdale Ct.
	Acalanes Rd./Mt. Diablo Blvd.
	800 Block Moraga Rd.
	900 Block Reliez Station Rd.
Shoplift	3600 Block Mt. Diablo Blvd. (4)
	3500 Block Mt. Diablo Blvd. (2)

Nuisance to the Community

Disturbance-domestic	El Nido Ranch Rd./Acalanes Rd.
	3600 Block Happy Valley Rd.
Disturbing The Peace	4000 Block El Nido Ranch Rd.
	3500 Block Mt. Diablo Blvd. (2)

Public Nuisance


	3200 Block Mt. Diablo Ct.
	3600 Block Happy Valley Ln.
	1200 Block Pleasant Hill Rd.
	3500 Block Mt. Diablo Blvd.
	3000 Block Camino Diablo

Almanor Ln./Mt. Diablo Blvd.	10 Block Eleven
	Moraga Rd./Mt. Diablo Blvd.
Vandalism	900 Block Moraga Rd.
	3400 Block Moraga Blvd.
	900 Block Dewing Ave.
	900 Block Moraga Rd.

Other

Covid19 Violation	600 Block Michael Ln.
K9 Outside Assist Request	400 Block Michele Dr., Mma
Loitering	3600 Block Mt. Diablo Blvd.
Ordinance Violation	800 Block Santa Maria Way
Trespass	1100 Block Cambridge Dr.
Trespass W/ Vehicle	1100 Block Cambridge Dr.
Unwanted Guest	3500 Block Mt. Diablo Blvd.
Violation Custody Order	10 Block Mountain View Pl.
	1200 Block Warner Ct. (3)
Violation Restraining Order	1200 Block Warner Ct.

Moraga Police Department Incident Summary Report
Jan. 12 - Jan. 25



Alarms	8
911 Calls (includes hang-ups)	5
Traffic	26
Suspicious Circumstances	5
Suspicious Subject	5
Suspicious Vehicle	2
Service to Citizen	34
Patrol Req./Security Check	16
Supplemental Report	5
Vacation House Check	1
Welfare Check	3
Public/School Assembly Check	5

Vehicle violations

Accident Property	Rheem Blvd./Elk Ct.
DUI Misd	Moraga Way/Glorietta Blvd.

Excessive Speed	Moraga Way/Ivy Dr. (3)
	Moraga Way/Camino Ricardo
	Moraga Way/School St.
Reckless Driving	Starbucks
	Safeway
	Camino Ricardo/Corliss Dr.
	Rheem Blvd./Moraga Rd.
	Moraga Way
Tc - Property Damage	Homegoods
Vehicle Theft	100 Block Miramonte Dr.

Other criminal activity


Grand Theft	St Marys College
Petty Theft	900 Block Country Club Dr.)

Nuisance to the Community

Disturbance-domestic	100 Block Brookline
Loud Music	Library
	80 Block Miramonte Dr.
Loud Noise	Wimpole St./Woodford Dr.
Loud Party	2100 Block Ascot Dr.

Other

Mentally Ill Commit	600 Block Augusta Dr. (2)
Ordinance Violation	1200 Block Rimer Dr.



Orinda Police Department Incident Summary Report
Jan. 12 - Jan. 25

Alarms	19
911 Calls (includes hang-ups)	2
Traffic	8
Suspicious Circumstances	3
Suspicious Subject	1

Suspicious Vehicle	5
Service to Citizen	36
Patrol Req./Security Check	34
Supplemental Report	4
Vacation House Check	0
Welfare Check	1
Public/School Assembly Check	0

Vehicle violations

Accident Property	St. Stephens Dr./Wb Sr 24
Petty Theft From Veh	10 Block Northwood Dr.
Reckless Driving	Rheem Blvd./Glorietta Blvd.
Vehicle Theft	40 Block La Cresta Rd.

Other criminal activity

Forgery	10 Block Sol Brae Way
Grand Theft From Veh	30 Block St. Stephens Dr.
	600 Block Fox Run
Petty Theft	100 Block Moraga Way
Shoplift	CVS (3)

Nuisance to the Community

Loud Music	Los Dedos Rd./La Espiral
Loud Party	10 Block Lavenida Dr.
	Lavenida Dr./Donna Maria Wy
	60 Block Brookwood Rd.
Public Nuisance	Theatre Square (2)
	50 Block Wilder Rd.

Other

Trespass	Safeway
Violation Restraining Order	500 Block Moraga Way
W&I Paper Service	Wb Sr 24