

# Orinda

# Lamorinda Community

# Orinda

Calendar	
City Council	7pm
Auditorium, Orinda Library 26 Orinda Way	
Tuesday, October 20	
Planning Comm.	7pm
Auditorium, Orinda Library 26 Orinda Way	
Tuesday, October 27	
Historic Landmarks Comm.	3pm
Gallery Room, Orinda Library 26 Orinda Way	
Tuesday, October 27	

City of Orinda:  
<http://www.cityoforinda.org>  
 • all meeting notes  
 • calendar updates  
 Chamber of Commerce:  
<http://www.orindachamber.org>  
 • local businesses  
 • upcoming events



**Drunk in public, 9/16/09** A police officer noticed an older male staggering near Moraga Way and Brookwood Road, nearly falling into traffic. Recognizing him as a frequent flyer from numerous previous contacts, Orinda's finest took note of his needing a signpost to assist in staying upright. After several failed attempts at completing a breathalyzer test, the subject finally did it. Perhaps he had just a few sips more than the three beers he admitted to drinking that day; his blood alcohol level was way above the legal limit. Very rarely does this reporter see "drunk in private" items in the blotter, wink wink. Stay home, sleep it off.

**Return of the known shoplifter, 9/16/09** A call from Longs drugs reported that a gentleman in his seventies came in and walked out with a bottle of alcohol. Apparently this was not his first attempt at a five finger discount, store employees recognized him. A Longs staffer followed him down the street where they met up with police. Maybe he was having a senior moment, forgetting to remember stores he had robbed.

**Smash and Grab, 9/14/09** At 7:25 in the morning an unknown suspect smashed the rear window of a Range Rover on Robert Road, that was parked in the driveway. A duffle bag of kids clothing was stolen, along with a gym bag with an iPod, sneakers and workout clothes. Sadly no witnesses.

**Smash and Grab, 9/14/09** At 7:31 in the morning, also on Robert Road just a few houses down from the original burglary, a Honda Accord parked in the owner's driveway was broken into. The front passenger window was smashed and a Garmin GPS device along with eight \$1 bills were stolen. What are the odds it was the same perpetrator? Apparently once was not enough. Is anyone sensing a theme in today's blotter?



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**The City Council will hold a Quad Agency meeting between the City Council, OUSD, AUHSD and MOFD Thursday, October 22, 2009 at 7:00pm, Garden Room, Orinda Library, 26 Orinda Way**

### Council Imposes Last Offer on Employees

By Andrea A. Firth

**T**ough times. Tough talks. Tough outcome. After negotiating for over a year, the city of Orinda and the members of the Orinda Employees Association (OEA Local #1) had reached an impasse. The employees union had rejected the City's final contract offer, which included a 4% reduction in pay and reduced medical benefits. Last week, Orinda's City Council voted four to one to unilaterally implement the agreement, and the new terms became effective immediately. Council Member Victoria Smith was the lone dissenting vote.

"I was surprised and disappointed that the union did not accept the agreement," stated City Manager Janet Keeter. She acknowledged that bargaining representatives on both sides devoted significant time and effort over the year to reach an agreement in the face of the City's declining revenues. "It was necessary to make cuts, and our biggest expense is personnel costs," stated Keeter. "I am trying to avoid layoffs."

OEA Local #1, which represents the City's 24 non-management staffers, had been working without a contract since the end of June. While the employees were prepared to accept the reduced

compensation from 10.5 furlough days, the major obstacle for the union to ratify the agreement was a reduction in medical benefits. "[The employees] were willing to give up many perks in order to keep the medical benefits status quo," stated Jeanette Irving, a senior administrative assistant in the police department, in her comments to the Council.

Employees will now be offered a health plan that is of lower cost to the City (the PERS Select family plan). Employees who choose to stay with a more expensive health plan—many participate in the Kaiser family plan or Blue Shield of CA—will be responsible for the difference in premium cost.

The protracted negotiating process was also marred by miscommunication and distrust. "I'm very disappointed with how the negotiations have been handled," stated Irving. "It is unfortunate that the membership was not adequately informed to make good decisions."

"I never felt like we negotiated. It was all about giving back," stated Tod Fiermer, President of OEA Local #1 and a member of the employee negotiating team. "There was a distrust," he added, noting that some employees became skeptic

of the process. When pressed for further explanation by Vice Mayor McCormick, who expressed concern about the distrust issue, Fiermer stated, "I don't think anyone distrusts [the Council]." Fiermer indicated that he believed that the employees would move forward from this point and that the working relationship between staff and management would heal over time.

In the end, it came down to maintaining a balanced budget. "It's a challenging time," stated Mayor Sue Severson. "With declining revenues, no one walks away from negotiations happy. But we have to be fiscally responsible, and we face more unknowns regarding the budget as we continue into the future."

Mandatory furlough days are also part of the 2009-10 agreement with the City's managers. City offices and departments will be closed on furlough days which are currently set for November 25th, December 28th through the 31st, February 12th, March 12th, April 9th, May 28th, June 18th, and one half-day to be determined. The estimated salary cost savings provided by the furlough days to be taken by the general employees' unit will save the City approximately \$57,000 over the next nine months.



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### Tappan Lane Residents Pave the Way

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"This is the first group in Orinda that has come together to fund repairs on a public street," notes Chuck Swanson, Director of Public Works and Engineering for the City. He is supportive of the Tappan Lane residents' efforts and is watching the progress of the project with interest.

"The City has very limited funds for the Pavement Management Program right now," says Swanson. He explains that the Council has designated collectors (e.g., Altairinda and Miner Roads), arterials (e.g., Camino Pablo and Moraga Way), and school routes as priorities for the City's limited road repair dollars. "Residential streets won't get much attention right now. There aren't enough dollars available," adds Swanson.

There is a precedent for residents funding their own road repairs already established in nearby

Lafayette, which like Orinda, can fund only a handful of road repair projects each year.

"In the past, the timeline for certain streets has been accelerated when private donations are pledged to fund a significant share of the project cost," states Tony Coe, Lafayette's Engineering Services Manager. "This most recently happened on Sweet Court, where residents paid for half of the costs, and the court was accelerated to be reconstructed about the same time as another through street in the neighborhood," he adds, noting that this is not a formalized process and requests are handled on a case-by-case basis.

"We're looking at a three to five year fix," states Resnick who was very satisfied by his first drive on the newly repaired street. "It's not just a better road, it's a safer road. It's major repair."

### Council Says No to Chevron C-Store

By Andrea A. Firth



Chevron station on Orinda Way

Photo Andy Schreck

**O**rinda's City Council recently denied a request by Chevron to amend the City's Municipal Code to allow for a large convenience store, an Extra Mile market, at its service station site in the City. Chevron is located on Orinda Way

immediately off Camino Pablo as one enters Orinda Village. Currently, the Orinda station has a small (less than 40 square feet) cashier's booth that sells a few snack-food items and three service bays. Chevron's goal was to replace the

service bays with the larger convenience store. Chevron has recently built Extra Mile markets at service stations in Alamo and San Ramon.

Prior to the public hearing, the Planning Commission had reviewed Chevron's application and recommended denying the request, because they felt that the addition of a larger convenience store would not serve the local user and was inconsistent with the City's village character.

"Our error here was not anticipating some of the questions that might arise, like alcohol sales," stated Bob Abbott, a representative for Chevron, who spoke to the Council. Lifting the City's current Municipal Code that limits convenience markets at service stations to 40 square feet could open the door for alcohol sales at this station and other stations through the City.

The sale of alcohol was not the only problem the Council found with the Chevron proposal. Vice Mayor Tom McCormick questioned the benefit of losing the service bay.

"Prohibiting the expansion of convenience stores is not keeping service bays open. The services bays are disappearing anyway," stated Abbott. He noted that major oil and tire change chains have usurped the much of the business from the small independent auto repair supplier. While McCormick regretted the potential loss of the service bay, he stated repeatedly that Orinda did not need another empty storefront.

Council Member Victoria Smith found multiple reasons to deny Chevron's request. "I don't think an Extra Mile market is at all the image that we want for our community," stated Smith. In addition to

not wanting a large convenience store to sit at the entrance to the Village, she was concerned about the potential for alcohol sales and felt the market was more for people passing through than the residents of the community. "I'm less concerned about the potential for a shuttered service bay than the long-term plan for the City," stated Smith.

The potential for crime exposure was another concern raised by Council Member Amy Worth. "We are right off Highway 24, said Worth. "The Safeway is open 24 hours, so I think the community's needs are met in that respect."

The Council unanimously denied Chevron's request but left the door open for the company to re-submit a revised application. Any staff costs associated with a second application would have to be paid by Chevron.

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