



# Orinda Civic News

## Public Meetings

### City Council

Tuesday, Feb. 19, 6 p.m.  
Auditorium, Orinda Library,  
26 Orinda Way

### Planning Commission

Tuesday, Feb. 26, 7 p.m.  
Auditorium, Orinda Library,  
26 Orinda Way

### Finance Advisory Committee

Wednesday, Feb. 27, 6 p.m.  
Community Room, City Hall,  
22 Orinda Way

### School Board Meeting

#### Orinda Union School District

Monday, March 11, 6 p.m.

OUSD Office

25 Orinda Way, Suite 200

www.orindaschools.org

See also AUHSD meeting page A2

Check online for agendas, meeting notes and announcements

#### City of Orinda:

www.cityoforinda.org

Phone (925) 253-4200

#### Chamber of Commerce:

www.orindachamber.org

#### The Orinda Association:

www.orindaassociation.org



## Police Report

### Outstanding warrant arrest, 1/30/13

Police arrested a 19-year-old woman on an outstanding warrant for forgery and breaking and entering. She was booked into Martinez Detention Facility where she was being held on \$40,000 bail.

### Drunk in public, 2/1/13

A 57-year-old woman was picked up by police on Brookwood Road, where she was charged with being drunk in public. She was already on probation, and was transported to Martinez Detention Facility.

### Booming business, 2/3/13

A 24-year-old El Sobrante man was seriously injured making hash oil (a concentrated substance derived from marijuana) in a shed behind an Orinda Orchard Road residence. The shed exploded during the manufacturing process; the victim suffered extensive burns to his face, hands and body and was airlifted for treatment to the U. C. Davis burn center. The homeowner admitted cultivating marijuana and making the hash oil but told police he had authorization to do so. He could not back his claim in writing. Several marijuana plant samples were seized at the site, along with three PVC pipes, two pipe caps, and a CD ROM containing over 50 photos. The owner was released at the scene.

### Old enough to know better, 2/5/13

Moraga Orinda Fire District personnel encountered a 75-year-old man near Miner Road and Camino Pablo. When Orinda police were called to the scene, they determined the subject's red, watery eyes, slurred speech, and difficulty standing unassisted pointed to a charge of drunk in public. A preliminary alcohol screening showed a 0.15 level of intoxication. His car was towed and he was arrested and transported to the police station where he was released to the custody of his wife. Bet this Valentine's Day celebration will be a tad frosty...



Maureen Wilbur

## Coming Soon!

First open house February 17

Beautifully updated 3 bedroom 3 bath Orinda home located minutes away from BART, downtown, Glorietta Elementary, & freeway. The home has a spacious kitchen/family room combination, hardwood flooring throughout, some views, and large fenced backyard with flat lawn area. There is an attached 2 car garage and additional parking on the side of the property.

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## Orinda No-Gaters Prevail

*Knickerbocker-Stein Way gate to be a distant memory*

By Laurie Snyder

“We are not a city of gates,” said Orinda City Council Member Dean Orr prior to the council’s decision to remove a long-simmering source of neighborhood animosity – an Emergency Vehicle Access (EVA) gate between Knickerbocker Lane and Stein Way. Allegedly vandalized over the years by anti-gate locals, the barrier became a glowing coal of frustration for staff each time pro-gaters requested repairs.

The most recent skirmish began with the Traffic Safety Advisory Committee, ended at a third hearing of the matter before the council and spawned—during the 14 months in between—lengthy analyses by dueling consultants, fire and police safety assessments, a California Environmental Quality Act evaluation, and the threat of a lawsuit by Keith D. Yandell, the pro-gaters’ San Francisco-based attorney.

Terming the potential removal “unlawful and unjust” in letters to City Attorney Osa L. Wolff, Yandell stated that his clients had “paid hundreds of thousands of dollars in assessments to fully construct and service Stein Way.” They “bought their homes and paid these assessments with the understanding that the EVA Gate would remain, and fear the increased traffic associated with removal ... will decrease their property values and endanger their children.”

Yandell accused the city of violating Proposition 218 and told Wolff they would sue, saying the city “induced residents to pay for the assessment with the understanding that it would fund the gate.” Acknowledging opposing neighbors’ public safety fears, Yandell proposed a compromise that could have required the city to expend additional funds to “replace the existing EVA Gate with

a new type of traffic flow device that would limit ‘normal’ traffic, but wouldn’t hinder or slow emergency vehicle access.”

No-gater Michael Low called council concerns about legal action shortsighted, and warned that “allowing the threat of litigation to subvert the democratic process” would only encourage other disgruntled residents to sue over different matters. He also asserted that the council was given a mandate to take down the gate when Orinda voters chose to re-elect two of its sitting members in November.

Wolff advised that although defending a lawsuit based on the arguments raised by Yandell would be costly for the city, she believes that the city should ultimately prevail. “Assessment District 1-94, which was approved prior to the effective date of Proposition 218, is exempt from Proposition 218 because the proceeds are used exclusively to

repay bonded indebtedness and because it funded certain specified improvements. Additionally ... there is no right to prevent improvements funded by assessments from being changed in the public interest. It is also relevant that the original, stated purpose for extending Stein Way and providing a gate was to provide emergency access, not to ensure Stein Way would forever remain a little-traveled, dead-end street akin to a cul-de-sac,” stated Wolff.

In authorizing the gate’s elimination on a 3-1 vote Feb. 5 – with Mayor Amy Worth out of town and Council Member Steve Glazer opposed—the council declared that the removal would not impact the environment, and said the de-gating promotes emergency access and roadway system efficiency consistent with the General Plan.

The estimated cost is \$1,200 and includes gate removal, signage, and road striping.

## Glazer Announces Run for State Legislature

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“The test for a compassionate community,” he observed, “is how we take care of our most vulnerable.”

Asked what prompted his decision to run now, he cited three things – Orindans’ recent approval, after several failed attempts, of a road repair initiative (November 2012’s Measure L), the substantial progress made by the city council in achieving key goals, and recent successes by the governor in achieving critical goals

for California.

“As a council member, I have sought to build stronger city partnerships with our local schools; improve our planning and design review process; expanded citizen participation in community matters with enhanced transparency; promote public safety improvements; and secure new resources for critical road and drain repair. The passage of the local measure tax for improving our roads was

an especially important milestone for the city, and an accomplishment we can all be proud of.”

Praising the wonderful leadership of colleagues on the city council, numerous citizen volunteers, and an exceptional staff, Glazer said he believes Orinda has “come a long way in addressing each of these concerns. We may take for granted the fact that Orinda is one of the best run and financially sound cities in all of Cali-

fornia, but our sense of civic pride, undoubtedly was bolstered recently when Forbes Magazine rated Orinda as the ‘friendliest town’ in all of America.”

Should Glazer win his Assembly campaign, the city would have two options for addressing the resulting vacancy on Orinda’s city council. The council could appoint someone to serve out the remaining two years of his term, or could call a special election.

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