



Orinda Civic News

Public Meetings

City Council

Wednesday, June 4, 7 p.m.
 Wednesday, June 17, 7 p.m.
 Auditorium, Orinda Library,
 26 Orinda Way

Planning Commission

Tuesday, June 6,
 Workshop 6 p.m.
 Garden Room, Orinda Library,
 Regular Meeting 8 p.m.
 Auditorium, Orinda Library,
 26 Orinda Way

Historical Landmark Committee

Tuesday, June 24, 3 p.m.
 Gallery Room, Orinda Library,
 26 Orinda Way

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

School Board Meeting

Orinda Union School District

Monday, June 9, 6 p.m.
 OUSD Office, Vintage Building
 25 Orinda Way, Suite 200
 www.orindaschools.org
 See also AUHSD meeting page A2



Orinda Police Department Incident summary report, May 11-24

Alarms	49
911 Calls	13
Residential Burglary	
20 block Irwin Wy	
10 block Donna Maria Wy	
50 block Oak Dr	
Disturbance	
100 block Overhill Rd	
70 block Tarry Ln	
Elder Abuse	
20 block Orinda Wy	
Hit & Run	
Overhill Rd/Broadview Ter	
Health & Safety	
Chevron station	
Loud Party	
80 block La Espiral	
Lavina Ct/Ivy Dr	
10 block Las Palomas	
San Pablo/Moraga Wy	
20 block Orchard Rd	
Stein Wy/Moraga Wy	
20 block Lavina Ct (2)	
Missing Adult	
10 block Altarinda Rd	
20 block North Ln	
Reckless Driving	
San Pablo Dam Rd/Camino Pablo	
Safeway	
Rheem Bl/Glorietta Bl	
Petty Theft	
10 block Camino Sobrante	
10 block Darby Ct	
Grand Theft	
500 block Tahos Rd	
20 block Cedar Ln	
Promiscuous Shooting	
40 block Tarry Ln	
Public Nuisance	
Estates Dr/Brookside Rd	
Reckless Driving	
St. Mary's Rd/Glenside Dr	
Shoplifting	
Safeway	
10 block Camino Pablo	
BevMo	
Suspicious:	
Person	7
Circumstances	9
Vehicle	24
Traffic Stops	132
Uncontrollable Juvenile	
10 block Estates Dr	
Vandalism	
100 block Crest View Dr	
10 block Daryl Dr (2)	
Vehicle Theft	
20 block North Ln	



Maureen Wilbur

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For more Information please contact Maureen

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Orinda Settles Housing Element Lawsuit

By Laurie Snyder

In the matter of Advocates for Lawful Environmental Review Today vs. the City of Orinda, the council unanimously approved a settlement of this litigation brought under the California Environmental Quality Act challenging the city's 2013 adoption of its Fourth Cycle Housing Element. That announcement was made by Orinda mayor Sue Severson at the May 20 Orinda City Council meeting, and came as Orinda ramps up for its next housing element review. Advocates for Lawful Environmental Review Today, often referred to by the acronym ALERT, agreed to dismiss all claims against the city while the city "agreed to various things related to preparing an Environmental Impact Report for the Fifth Cycle Housing Element" and also to pay \$19,756 of ALERT's attorney fees.

The agreement document shows that San Diego attorney, Craig A. Sherman, filed a Writ on Dec. 19 for ALERT and its president, Maria Protti, challenging a Mitigated Negative Declaration approved by the city council in November – part of adopting Orinda's "State-mandated 4th cycle housing element to plan for its Regional Housing Needs Allocation ('RHNA') for the years 2007 to 2014."

While disputing the merits of ALERT's claims, the city affirmed that all normally-applicable laws will apply when it prepares its fifth element EIR and said this EIR will "in-

clude site-specific environmental impacts consistent and compliant with the level of detail required by CEQA." Plus, even though Orinda "decided to rely on the 3.2 acre Santa Maria site to help meet its RHNA for lower income households" in cycle four, the city will reconsider inclusion of that acreage for cycle five and won't assume eventual development of those acres in its EIR baseline.

Despite selecting PMC (Pacific Municipal Consultants) as fifth cycle advisors on April 22 after concluding Orinda's standard Request for Proposal process, under the settlement agreement that states, "following consultation with Petitioner," the city will issue an RFP to AECOM, Diana Elrod, Dyett & Bhatia, ESA, Mintier Harnish, PMC, The Planning Center/DC&E, Veronica Tam Associates, Lamphier Gregory, LSA, and Geier & Geier Consulting.

Staff received just three responses to 10 Requests for Proposal issued prior to April 22 – from PMC, RBF Consulting, and Diana R. Elrod, the advisor who helped Lafayette complete its fourth cycle element and is now working to help prepare its fifth.

As to the city council's April 22 choice, Planning Director Emmanuel Ursu said all three firms were very well qualified and that serious consideration was given to Elrod. However, there was a perceived weakness with her firm on the CEQA side. "We will need to go through a CEQA process that will be a little more rigorous than

I think it was the last time Both PMC and the other consulting firm have more experience in that respect." Elrod's estimate – roughly \$9,000 above PMC's bid of \$37,965 – projected the need for only 25 hours of CEQA-related time versus PMC's estimated 58 hours.

RBF submitted the low bid, but was ruled out due to potential difficulty in accessing consultants and travel costs that might arise with a Southern California-based firm. Timing was also considered. PMC aimed for element adoption by January 2015; both RBF and Elrod needed another month. "Under new state law ... if we do not adopt a housing element by within 120 days of the deadline [May 31, 2015]," said Ursu, "then rather than being on an eight-year cycle to update the

housing element, we would be required to update the housing element four years after that, and then another four years after that, and then yet again four years after that." And that would cost the city significantly more, observed Councilmember Amy Worth.

Finally, the city agreed that the fifth element and related CEQA document will, when adopted by the city, supersede the fourth element and its CEQA document. Nothing in the settlement limits how the city will plan for its Regional Housing Needs Allocation or other fifth element matters nor does it limit ALERT's ability to participate in the fifth cycle housing element process – "including possible CEQA litigation over the EIR adopted for the 5th cycle housing element."

Orinda's Mounting Legal Costs

At its Feb. 18 meeting, the Orinda City Council learned from staff during a mid-year budget review that city General Fund expenditures would surpass original budget projections by \$129,995 largely due to:

- "Unusually high demand for legal services associated with the Housing Element, including responses to voluminous Public Records Act requests."
- A lawsuit brought by Advocates for Lawful Environmental Review Today.
- Litigation threatened by the owners of 81 Moraga Way challenging the council's Jan. 14 decision not to rezone their downtown property.
- A new suit (Painter v. City of Orinda) brought by the owners of 34 Broadview Terrace challenging the city's denial of their design review application.

Saving a Life in Orinda

By Cathy Dausman

Barry Schneider and his daughter Allison recently completed a father-daughter bonding experience so intense that Schneider described it simply as "not on his list" – they saved a life using CPR. The pair, along with employee Julie Gavigan, will be honored by the Moraga-Orinda Fire District and Orinda City Council on June 4.

The meeting coincides with National CPR and AED Awareness Week, said MOFD division chief Darrell Lee. Schneider, who calls himself as "a trainer and jack of all trades," and his daughter were at work at Orinda's In Forma Integral Fitness gym last month when Allison Schneider noticed a member collapsed face first on the ground. "I ran over and rolled him onto his side," she said.

The victim, an elderly man

who regularly trains there, was barely conscious, his respiration rough and infrequent and he was not responding to questions. His obviously shaken wife was standing nearby.

Gavigan remained at the front desk to make the 911 call. "Allison and I both looked at each other and started team CPR," the elder Schneider said. "I started [chest] massage and Allison started [rescue] breathing." This was not an experience likely to leave anyone with "a warm fuzzy feeling," Schneider explained. Still, "everybody was completely engaged and doing exactly what they should be doing," he said.

The pair continued to work on the victim until MOFD personnel arrived, took over and transported the victim to the hospital where he was treated and later released.

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Barry and Allison Schneider are two of three people who will be honored June 4. The third, Julie Gavigan, was camera-shy. Photo Cathy Dausman



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