



Orinda

Public Meetings

City Council

Tuesday, May 16, 7 p.m.
Library Auditorium, Orinda Library
26 Orinda Way, Orinda, CA 94563

Planning Commission

Tuesday, May 9, 7 p.m.
Special Joint Meeting with City Council
Library Auditorium, Orinda Library
26 Orinda Way, Orinda, CA 94563

Citizens' Infrastructure Oversight Commission

Wednesday, May 10, 6:30 p.m.
Sarge Littlehale Community Room,
22 Orinda Way, Orinda, CA 94563

School Board Meetings

Orinda Union School District
Monday, May 8, 6 p.m.
Regular Board Meeting
8 Altarinda Rd., Orinda
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



April 2 to 8

- Alarms** 70
- Noise complaints** 2
- 911 Calls (includes hang-ups)** 8
- Traffic stops** 48
- Suspicious Circumstances** 12
- Suspicious Subjects** 8
- Suspicious Vehicles** 15
- Vacation checks** 25
- Burglary, Auto**
- Bevmo
- Burglary, Residential**
- 90 block Rheem Blvd.
- 100 block Ivy Dr.
- 20 block Muth Dr.
- 200 block Hall Dr.
- Civil**
- 100 block Estates Dr.
- 30 block Berkeley Ave.
- Disturbance**
- 20 block Orinda Way
- Orinda Theater
- 10 block Meadow Park Ct.
- Dispute**
- 10 block Camino Pablo
- 80 block Oak Rd.
- Felony, other**
- Wanda Ln/Tahos Rd.
- 10 block Sandhill Ct.
- Fireworks**
- 500 block Miner Rd
- 20 block Silverwood Ct.
- Harassment**
- 40 block Muth Dr.
- Hit & run**
- 20 block Brookside
- ID Theft**
- 60 block Rheem Blvd.
- 10 block Charles Hill Rd.
- Illegal Entry**
- 300 block El Toyonal
- Indecent Exposure**
- CVS
- Juvenile disturbance**
- Orinda Country Club
- Litter**
- 20 block Ardor Dr.
- Missing juvenile**
- Glorietta Elementary
- Ordinance violation**
- 100 block Canon Dr. (2)
- 100 block La Espiral
- Moraga Way/Oak Dr.
- 20 block La Campana Rd.
- Petty theft**
- Rite Aid
- 80 block Moraga Way (2)
- Police/Fire/ EMS**
- 10 block Crown Court
- Possession stolen goods**
- 20 block Orinda Way
- Promiscuous shooting**
- Grizzly Peak Stables
- Reckless Driving**
- Moraga Way/Glorietta Blvd.
- Orchard Rd/Glorietta Blvd.
- St Stephen's/Hwy 24
- Rheem/Glorietta
- Runaway juvenile**
- 100 block Moraga Way
- Shoplifting**
- Safeway
- Terrorist threats**
- Rite Aid
- Theft, Petty**
- 20 block Bryant Way



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Council adopts banner policy, with reservations

By Sora O'Doherty



Banners in Lafayette.

Photo Sora O'Doherty

After years of pondering the issue, the Orinda City Council has agreed to adopt a policy on the use of banners in the city.

As it turns out, those pretty pole banners residents and visitors see in Orinda and other cities hide a thorny constitutional law question. Orinda had to decide if it wanted its policy to be "city speech," which means that the city pays for the banners and has complete discretion about what the banners say; or "public forum," which makes them constitutionally protected free

speech. While council members favored the city speech option, the challenge was that the Orinda Association, which puts on the Fourth of July Parade each year, really wanted to be able to use sponsorship on the banners to defray the nearly \$40,000 cost of the event.

After an evening of grappling with the issue again, the council unanimously approved a public forum policy, but with very tight restrictions. Joe Garvey of the Orinda Association and Sophie Braccini, the executive director of the Orinda

Chamber of Commerce, urged the council to adopt the broader public forum policy recommended by staff. Tim Farley, director of community and government relations and Tri Nguyen, director of institutional marketing for Saint Mary's College, spoke to the council of their desire to put up banners to build relationships with Orinda and to raise awareness of the college, which they described as being in Orinda's backyard.

Last July, the city's attorney, Osa Wolff, had brought a narrow public forum banner policy to the council for its consideration, but they sent her back to see if she could come up with a city speech policy that could allow for sponsorship. At the behest of the groups such as the Orinda Association and the Orinda Chamber of Commerce, she returned to the council with an even broader public forum policy proposal, which tried to accommodate a request by Saint Mary's College, to put up banners in Orinda to welcome students and their families to the new school term in the fall.

The council decided to deal with the two banner applications on April 18 on an ad hoc basis, before moving on to consider the policy issue. The application by the Orinda Association to again have banners for the annual Fourth of July Parade, including sponsorship, was approved unanimously, but the application by Saint Mary's Col-

lege passed by a vote of 3 to 1, with council member Dean Orr voting against it. Mayor Eve Phillips was not present.

The council then agreed that it was too much to ask the attorney to find a way to craft a city speech policy that would allow for sponsorship, something Wolff's research to date indicated does not exist. Lafayette has a city speech banner policy, as do many nearby communities. Moraga has no banner policy. San Francisco has a public forum policy. The council asked Wolff to tighten up the restrictions on the public forum policy brought to the council last year, instead of adopting the broader policy currently recommended by staff.

The council wants a policy that is limited to banners in support of events held in, or at least partially in, Orinda and that excludes banners in support of entities not associated with events. It also wants to see restrictions on provisions such as the minimum and maximum number of banners allowable. Wolff will draft a final policy and a resolution and bring it back to the council. Once the policy is in place, staff will be able to administer individual applications without further consideration by the council. However, the council did decide that they will revisit the policy as a whole in 24 months to see if it needs to be amended or revoked.

Sinkhole repair should be complete by July

By Sora O'Doherty



Orinda is bringing in equipment to start the repairs to the Miner Road sinkhole.

Photo Sora O'Doherty

Repairs are starting on the Orinda sinkhole on Miner Road.

Only about a dozen concerned residents attended a community meeting held by the Orinda City Council at Sleepy Hollow School on April 26 as Director of Public Works Larry Theis gave a slide presentation showing the work that has started since the city received renewal of its emergency permit from the Army Corps of Engineers. This is confident that the work can be completed relatively quickly, and hopes to have Miner Road restored by early July.

Theis explained how the creek is being dammed and the water from the creek is being diverted to "dewater" the work area so that the

repairs can be accomplished. He talked about the narrow site and how there is a lot of digging to be done to get the creek bed down some 26 feet, how the soil that is being removed is being stored at the community sports field near Wagner Ranch school, and the noise problems associated chiefly with the dump trucks and their backup alarms.

Philip Chomak spoke to the council on the noise issue. While completely supporting the repair work, Chomak said that the noise of the backup alarms was particularly disturbing to the quiet neighborhood in which he lives. He had two suggestions: that the trucks disable the alarms and rely on hu-

man spotters or that the trucks switch to the "white noise" system used in New York City.

Theis and the council were sympathetic, but Theis said he

was afraid that relying on spotters would be costly and could lead to accidents. He also said that he didn't know that the white noise system was available currently, however, this might be a good option in the future. Theis also promised to try to keep the earth-moving activities away from the early morning or late night.

Theis also updated the community on the potential costs of the repair, which cannot be precisely known for two reasons: first, because it is unclear what issues might arise during the repair; and second, because it is as yet unknown how much of the repair work will be found to be reimbursable by federal agencies as "emergency opening" work, which is reimbursed at the rate of 88.5 percent and how much of the work will be considered unreimbursable "betterments." ... continued on page A8



A temporary dam and the dewatered creek bed.

- Trespass**
- Orinda Country Club
- Vandalism**
- 10 block Theatre Square
- Violation custody order**
- 300 block El Toyonal
- Warrant Arrest**
- 100 block Spring Rd.
- Unocal

Calling all local Czechs

As part of 2017 Year of the Czechs in Orinda, the Orinda/Tabor Sister City Foundation plans to display a banner at the Saint Wenceslas festival listing the names of all Orindans of Czech descent. The festival will take place Friday, Sept. 29 through Sunday, Oct. 1. The foundation asks all Orindans with Czech heritage of any sort to send the names to be included on the banner. Personal stories would also be welcome, but the foundation seeks only the names. If you have Czech ancestry, you can add your name by sending it to the Orinda/Tabor Sister City foundation, Bobbielanders@yahoo.com. — Sora O'Doherty