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Prop 64 made cannabis legal in Lamorinda. So where's the pot?

By Nick Marnell

Despite California's legalization of medical marijuana and recreational marijuana for adults, the three Lamorinda municipalities have taken limited measures to make cannabis accessible to residents, in fact making pot nearly impossible to obtain commercially.

Proposition 64, the Adult Use of Marijuana Act, passed comfortably in California in November 2016, allowing commercial sales of cannabis starting in 2018. Not only did each Lamorinda municipality support the

proposition by at least the same margin as the state – 57 percent in favor – but each precinct of each community voted to pass the initiative. Yet cannabis is not available commercially anywhere in Lamorinda.

“In our case, we chose to be a follower rather than a leader,” said Lafayette Mayor Don Tatzin, whose city voted 64 percent in favor of the initiative. He said that if the city allowed retail cannabis sales, a store opened and then the city found out there were unexpected problems, Lafayette would be stuck with the existing use. “You couldn't change the regulations of the store, sort of like the gas stations in our downtown. If they applied now, those stations would never be approved under our current ordinances, but the existing stations can remain,” Tatzin said. “Our cannabis ordinance allows us to move slowly.”

“The town isn't trying to defy the will of the people, ban or restrict the legal use of marijuana in Moraga,” said town Mayor Dave Trotter. “The town's ordinances are both authorized and consistent with current California law, which allows local jurisdictions to regulate or prohibit marijuana related businesses. The town has both the right, and the responsibility, to appropriately regulate such activities in the interests of the public safety and welfare of Moragans.” Moraga, whose voters supported Prop 64 by the narrowest margin of the three Lamorinda communities – 57 percent – disallows recreational cannabis deliveries but allows cash payment for medicinal marijuana deliveries into the town. Orinda and Lafayette allow medicinal and recreational cannabis de-



Bud cannabis before harvest

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livery, and while Orinda has no payment regulations, Lafayette requires electronic payment for all marijuana deliveries.

“People wanted safety,” said Orinda Mayor Amy Worth of the reason for Prop 64 passage in her city. “Part of the law was to allow local control, the voters saw this and knew they had the ability to make local decisions on things like manufacturing and dispensaries. I'm not sure that they voted for a dispensary downtown.”

Only two of 15 Lamorinda elected officials voted against a restrictive local cannabis ordinance since the passage of Prop 64: Vice Mayor Inga Miller and Council Member Eve Phillips, both of Orinda, where the initiative passed with 63 percent of the vote.

“You have to look at those numbers,” Phillips said. Though she agrees with Worth that city residents likely do not want a dispensary, she said that laws against the outdoor growth of cannabis – which each municipality prohibits – are too restrictive and inconsistent with the voting. “Our job is to sift through the data and come up with poli-

cies that reflect the will of the community,” Phillips said.

Miller agreed that Orinda residents should be able to grow plants outdoors, but she is not convinced that the residents are not in favor of commercial outlets. Maybe voters would approve a dispensary, or a type of coffee shop, Miller said. And she dismisses the idea of dispensaries being a magnet for kids. “Children aren't showing up at Casa Orinda trying to drink,” Miller said.

The loss of cannabis tax revenue concerns Miller, who pointed to BevMo, a liquor store, as one of the top 25 sales tax payers to the city of Orinda. But Worth said she felt that any marijuana tax revenue would be gobbled up by added costs for law enforcement.

“We need more public debate on these issues,” Miller said. “I'd like to bring this back to city council because I don't think these are legitimate concerns.”

For now, Lamorindans will have to settle for cannabis deliveries and the ability to grow six plants indoors.

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Letters to the Editor

Proposed sports field at Deer Hill

More sports fields are needed in Lafayette but the proposed Deer Hill site is the wrong project in the wrong place. The intersection at Deer Hill and Pleasant Hill Roads is incredibly congested. City employee, James Hinkamp, recently referred to Pleasant Hill Road as “the busiest road in Lafayette”.

The field would be inaccessible to many. The access points are: a small

drop-off circle with handicap parking up Deer Hill and stairs which ascend the hill from the lower parking lot up to the sports field. How would the mom pushing a stroller access the field to watch her child play? If not handicapped, she'd need to park in the lower lot and climb the stairs with the stroller. I know some moms like a good challenge but count me out on that one.

If you haven't enjoyed a late afternoon/evening rush hour drive on Deer Hill, I recommend it. You'll have plenty of time to take in the scenery as you crawl along. As you're enjoying the drive try to envision soccer practice letting out at about 5 p.m. Moms will be backed up in both directions to pick up their children in the small turnaround on Deer Hill. Why wouldn't they park their cars and climb the stairs with the stroller to pick up their child from practice? See above.

There's a better site for the proposed sports field at Deer Hill and the City of Lafayette already owns the land - the Lafayette Community Park.

I've walked the Lafayette Community Park fields four times in the last few weeks. My walking partners have included community members and two City Council members. All agree there is room for another field and additional parking with a thoughtful recon-

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figuration of the existing park. The City plans to contribute \$3million to the proposed sports field and amenities at Deer Hill. A turf field costs roughly \$1million to install. The Lafayette Community Park would be a more logical location for that turf field and a more fiscally responsible decision for Lafayette taxpayers.

Jean Follmer
Lafayette

Yes on J

My husband and I recently moved back to Orinda and couldn't be happier to be a part of this community that values libraries and learning. Having grown up in Orinda, I am the beneficiary of the community spirit that has given us excellent schools and a beautiful library. Now, with two small boys, I look forward to giving them the same. That is why my husband and I will be voting Yes on Measure J to support the Orinda Library.

Measure J adds just \$30 per year to our taxes, but gives the community so much more in return. It's such a small price to pay it forward to the families and children who will live, learn, and thrive in our community.

Betsy and Dana Ream
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