



ORINDA

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City accepts new Art and Garden Center, but access issue remains; acceptance of other matters deferred



By Sora O'Doherty

The Orinda City Council voted 4-1 to accept the newly completed Art and Garden Center at Wilder at its March 19 meeting. Mayor Inga Miller, who pulled the measure from the consent calendar so that it could be discussed, voted no, owing to her concerns about accepting the building with the access issue being unresolved. Although the center has sufficient parking in the lot shared with the Wilder play fields, and an ADA accessible ramp from that parking lot, the problem is that access to the rear of the center is currently limited to emergency vehicles only, leaving the handicapped to navigate an ADA-compliant, but quite long, ramp up from the play fields parking lot. Deliveries of catering supplies for events at the center might also need to be brought up from this parking lot, although Director of Parks and Recreation Todd Trimble told the council that the emergency vehicle access can be used for deliveries as well as for emergency vehicles.

The original plan for the

center was for it to be located at the end of Wilder Road, the one public road in the Wilder Development, but starting in 2014 the plan was changed to bring the building up to the front of the valley, adjacent to the play fields. When the location was changed, no provision was made for access over the short length of Bigleaf Road from Wilder Road to the beginning of the driveway that leads to the rear entrance of the center. Currently, there are six approved parking spaces behind the center, but no legal access to them for the general public, although they could be used by Wilder residents. Additionally, the city would like to add another parking lot, providing 25 regular parking spaces as well as one for the handicapped.

The developer, OG Property Owner LLC, is offering the city an access easement over Bigleaf Road. However, residents of Wilder submitted written comments on the measure, asking that the council delay consideration of the access easement. In identical correspondence submitted by several Wilder

residents, they say that while they are not opposed to providing an access easement, they believe that it is unreasonable to expect the Wilder Homeowners Association to assume responsibility for the cost of maintaining the portion of the road in question. "We would like to see this portion of the Wilder private roads maintained in the same manner as the rest of our roads," the letter read. "In order to do this, we propose that the Wilder HOA controls the maintenance schedule of the area that this easement covers, and the City of Orinda pays its prorated share of the expenses," the letter continued. The council agreed to continue discussion of the easement until its next meeting on April 9.

City Manager Steve Salomon, meeting with Assistant City Manager and Director of Public Works Larry Theis and Trimble, telephoned the Lamorinda Weekly to answer questions regarding the nature of the negotiations, which have yet to be scheduled. Salomon stated that it is the city's preference to resolve this issue by exploring with both the HOA and also Wilder residents who are not currently members of the HOA solutions that would be of benefit to both sides. As the HOA currently has more representatives of the developers than the residents, Salomon wants to make it clear that the city will listen to the residents. Theis said that the city is pursuing the access easement as the most straightforward approach to the problem. He added that, in the absence of an access easement, the six approved parking spaces could be used by Wilder resi-

dents. Theis had earlier told The Lamorinda Weekly that the additional parking lot sought by the city could also benefit Wilder residents, who have limited parking available in the development. A large parking lot could be useful for private parties, he opined.

In addition to continuing the discussion of the access easement to April 9, the city also agreed to continue discussion of an extension for the developer to complete required improvements until December 2020. The extension would primarily allow the installation of sidewalks after houses are built. If sidewalks were completed prior to completion of home building, the developer said, they would be damaged during the completion of the homes. There are three categories of sidewalks under consideration: 1) the 3-foot sidewalks that were found not to be ADA compliant and need to be replaced with 4-foot sidewalks. The deadline for that is July 2019. 2) There were a few homes that were built but did not have sidewalks installed pending resolution of the sidewalk issue. Those sidewalks were installed by the end of 2018. 3) The remainder of the development, which was subject to an agreement with the city that sidewalks would be provided. Since the development agreement expires at the end of March, an extension is required. Although the next city council meeting is in April, it was not deemed to be a significant problem to continue discussion to that meeting.

Workshop on private roads planned, but details still unclear

By Sora O'Doherty

Orinda City Council members agreed that there should be a workshop to allow for community input on the controversial issue of private roads, but they struggled to define what that workshop will be like. The city council should be present, they agreed, but should not be presiding. City council members should mostly listen, but will be allowed to talk. There should be a facilitator, but it should be someone neutral and nobody that City Manager Steve Salomon knows.

Orinda resident Charles Porges said that dialog should

be emphasized, and urged the council to include the subject of private drains in the workshop discussion. Joel Libove urged that private drains should be adopted first, and then private streets, all of which, he said, are entitled to be adopted. Or, maybe not adopted, but perhaps maintained, he added, noting that the real amount of funding required to adopt all private roads and drains needs to be determined.

Melissa Roeder said that there is a great deal to be discussed, and that she hopes the workshop will be a precursor to a task force. She worried that a facilitator paid

for by the city might feel pressure to favor city positions.

Vice Mayor Darlene Gee recommended that there be extensive notice of the workshop. "We need the biggest tent possible," she said. How to handle private roads, she said, is something that the community will have to agree on. "We don't have the resources to even complete and maintain the public roads," she said, indicating that future road maintenance fundraising will be required. Overall, she found the workshop a good start, and recommended that the city minimize its own presentations

and keep the costs of the workshop down. She also was not enthusiastic about the idea of staff presentations about potential costs because, she said, "not all of us agree with all of the information that has been presented by staff in the past," adding, "I don't agree with all the facts that staff have presented."

Salomon stated that in his 45-year career he has never been asked to deal with the issue of private roads. "It is really complex," he said, "and the more I think about it, the more complex it seems." Adopting private roads would create "tremendous liability," he said, but added, "There is a

tremendous need to level the playing field in terms of people's knowledge" about the subject.

Council Member Dennis Fay suggested that the concerns of the private road residents include fairness and fear of a catastrophic disaster. "We might be able to come up with some other solutions," he suggested, beyond a simple city adoption of private roads. He added, "I see this workshop as an opportunity to define the issues." City staff will return to the council at a later date with a plan for the workshop format.

	City Council Tuesday, April 9, 7 p.m. Regular Meeting Library Auditorium, Orinda Library, 26 Orinda Way	Citizens' Infrastructure Oversight Commission Wednesday, April 10, 6:30 p.m. Sarge Littlehale Community Room, 22 Orinda Way, Orinda, CA 94563	Orinda Union High School District Board Meetings Monday, April 8, 6 p.m. Regular Board Meeting 8 Altarinda Rd., Orinda www.orindaschools.org See also AUHSD meeting page A2
	Orinda Public Meetings	Planning Commission Tuesday, April 16, 7 p.m. Library Auditorium, Orinda Library, 26 Orinda Way	

City staff to present small cell urgency ordinance, April 9

At the Feb. 19 Special City Council meeting, staff reported on the federal regulations pertaining to wireless-communication facilities. In conjunction with the staff's report, Telecom Law Firm, PC made a presentation to the council to further explain the new federal regulations and the limitations they place on local authority to regulate small cell wireless facilities linked to proposed 5G wireless technology. Following a series of questions and public comments, the council directed staff to prepare an urgency ordinance and aesthetic standards for wireless facilities. Staff will present the proposed urgency ordinance and design standards at the April 9 Orinda City Council meeting.



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