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Vice mayor announces intent to participate in Deerhill Road development decisions

By Pippa Fisher



The vice mayor (center) read her statement of intent to participate in decisions on the Terraces at the beginning of the Aug. 12 city council meeting. Photo Jeff Heyman, city of Lafayette

is an expert in ethics and conflicts of interest cases such as mine."

Candell, whose springboard to running for office in 2018 was her involvement opposing both the proposed 315-unit apartments and then the later-modified 44 single-family homes (which, following the defeat of Measure L, led to the developer O'Brien Homes reinstating the initial apartments project), had been advised by Attorney Robert Hodil of Coblenz, Patch, Duffy and Bass - the outside counsel hired by the city - that she should recuse herself on all matters pertaining to the project.

The developer's attorney, Bryan W. Wenter of Miller Starr Regalia, was quick to respond.

"Lafayette residents are well aware that Ms. Candell actively opposed the project for the past seven years, which we freely acknowledge was her right as a private citizen," said Wenter. "As an elected official, however, Council Member Candell took an oath to support the federal and state constitutions, both of which provide us the right to fair and unbiased decision-makers. Council Member Candell's long and vocal opposition to the project demonstrates her bias and nothing in the law supports her participation in any aspect of evaluating the Terraces."

Noting that Candell's decision goes against the city's counsel, Wenter continued, "Should she ultimately participate, her decision will raise the city's risk and conflict with the advice provided by the city's special land use counsel, who has explained that Council Member Candell has agreed to recuse herself due to her past opposition to the Terraces of Lafayette project."

Michael Griffiths, of the preservationist group Save Lafayette that has opposed Deerhill Road development, says Candell's statement speaks for itself.

At the time of going to press, Mayor Mike Anderson said the city did not have any comment to make yet, although was expected to soon.

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