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An outdoor salon setup in Lafayette will now be able to move indoors due to new county guidelines.

Photo Sora O'Doherty

## Some outdoor offerings can now move in amid new guidelines

By Sora O'Doherty

A recent drive around Lamorinda revealed a new business practice: operating in the open air. Fortunate to enjoy mild weather, and in the absence of recent smoke drift from California fires, Lamorinda residents were seen enjoying outdoor dining at local restaurants and up until Aug. 31 were getting their hair done at outdoor salons.

Although key data indicators suggest that the COVID-19 pandemic remains at dangerously high

levels in Contra Costa County, they are not increasing as they did in June and July, suggesting a leveling of COVID-19 transmission. Lamorinda, however, remains significantly below other cities in the county, according to the county's dashboard of local COVID-19 cases, accounting for less than 2% of the county's 13,259 cases.

As a result of the numbers, the county recently issued a new health order, and it's allowing hair salons and barbers to move back indoors. The Aug. 31 order allows gyms and fitness centers to operate

outdoors; and personal services that do not require touching a client's face, including nail care and massages, may be offered outside as well. In addition, the order allows hotels and short-term rentals for tourism and individual travel, previously restricted to essential travel only.

Details of the update, including the full text of the order, are available at [cchealth.org/coronavirus](http://cchealth.org/coronavirus)

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## Former MCF treasurer pleads guilty to criminal charges

By Vera Kochan

In early September, the Moraga Community Foundation revealed that Francis Robert Fritzky allegedly made unauthorized withdrawals as Foundation treasurer between June 23, 2016 and July 24, 2019 of more than \$250,000 from MCF's bank accounts to himself, to his majority owned company MedMatRx, LLC and to the Jeanette Fritzky Foundation, which he founded and controlled. Fritzky also allegedly provided false financial reports to MCF's board of directors.

Fritzky's most recent court appearance was Aug. 21, via Zoom, before United States District Judge Jon S. Tigar out of the U.S. District Court, California Northern District (Oakland).

There were two felony counts filed against Fritzky. Count one: wire fraud and aiding and abetting; Count two: making and subscribing a false tax return. He has

pleaded guilty to both counts after initially entering a not guilty plea during a July 14 arraignment.

Court documents state, "The Scheme: Beginning on June 23, 2016 and continuing through July 24, 2019, Fritzky knowingly, and with the intent to defraud, devised, intended to devise, participated in, and carried out a scheme and artifice to defraud as to a material matter, and to obtain money and property by the means of materially false and fraudulent pretenses, representations and promises."

According to MCF President Dave Trotter, who attended the Aug. 21 change of plea hearing, "Judge Tigar asked Fritzky to 'tell me in your own words why you're guilty.' Fritzky initially replied in effect, 'Unfortunately, circumstances led me to do this.' This response was not accepted by the Court. Judge Tigar then took Fritzky step by step through the factual description of his crimes set forth in the Plea Agreement,

and required Fritzky to admit that all of those facts were true, which he did."

"Under further questioning by Judge Tigar," added Trotter, "Fritzky admitted that under the terms of the Plea Agreement, the amount of restitution to be ordered will be 'no less than \$204,913.84.' Fritzky also acknowledged, on the record, that the Court can and may order a higher amount of restitution to the victim (MCF) at time of sentencing."

Fritzky is currently not in custody, and as such, there was no need for bail to be set. His sentencing hearing is scheduled for Jan. 12, 2021, at 9:30 a.m. in Oakland's federal courthouse, before Judge Tigar.

Case information is available to the public on the United States District Court (Northern District of California) website. The case title is: USA v. Fritzky and the Case No: 4:20-cr-00233-JST.

## Controversial apartments get the green light

By Pippa Fisher

The Lafayette city council voted 4-1, with Council Member Susan Candell against, giving the go-ahead with several conditions of approval to the highly controversial 315-unit apartments known as the Terraces, in the early hours of Aug. 25 at the conclusion of an eight-hour meeting.

The council had met for close to 10 hours previously two weeks before, hearing the matter on appeal called for by Council Member Cam Burks, following approval by the planning commission.

The application proposes 315 apartments, in 14 two- and three-story residential buildings on a 22-acre parcel on Deer Hill Road, adjacent to the freeway. First proposed in 2011, the application was suspended in 2014 in favor of alternative plans for a scaled back development of 44 single-family homes. Local preservationist group Save Lafayette sued the city, resulting in a referendum on the future of the revised project.

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