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Orinda Public Meetings

City Council

Regular Meeting:

Tuesday, March 16, 7 p.m. By Teleconference Only

Planning Commission

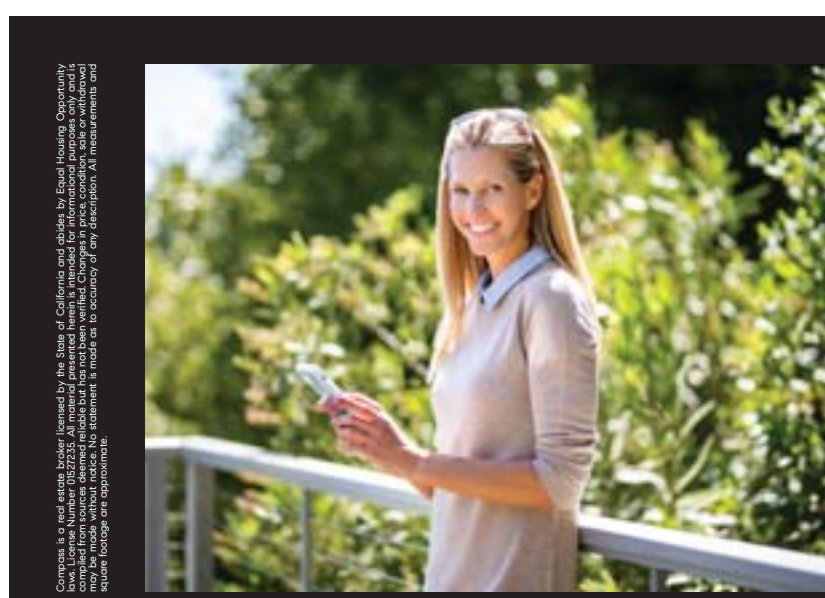
Tuesday, March 9, 7 p.m. By Teleconference Only

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City staff update council on upcoming housing element

By Sora O'Doherty

The dreaded housing element, a requirement for how much housing each town, city and county in California must provide for, is coming up again. The housing element runs in eight-year cycles. The current cycle is 2015-23, and planning is now starting for the next cycle, which must be adopted by Jan. 31, 2023.

Recognizing that local governments play a vital role in developing affordable housing, in 1969 California mandated that all cities, towns and counties must plan for the housing needs of residents – regardless of income. This state mandate is called the Housing Element and Regional Housing Needs Allocation. As part of RHNA, the California Department of Housing and Community Development (HCD) determines the total number of new homes the Bay Area needs to build – and how affordable those homes need to be – in order to meet the housing needs of people at all income levels.

The Association of Bay Area Governments (ABAG) then distributes a share of the region's housing need to each city, town and county in the region. Each local government must then update the Housing Element of its general plan to show the locations where housing can be built and the policies and strategies necessary to meet

the community's housing needs.

The staff presentation was introduced by Director of Planning Drummond Buckley and presented by Jennifer Gastelum of Placeworks. The staff included an update on recent state legislation bearing upon the housing element. They also fielded questions from the council.

The most difficult "piece of the pie" for Orinda will be the site inventory, Gastelum said. This is owing to the large increase in the RHNA numbers. In the fifth cycle, Orinda's RHNA number was 227, but the draft sixth cycle jumps that number up to 1,359.

Vice Mayor Dennis Fay asked about a controversy over double counting by HCD in the RHNA numbers. Buckley responded that the Embarcadero Institute talked about some double counting of RHNA numbers. According to the Embarcadero Institute, the double count was an unintended consequence of Senate Bill 828, and has exaggerated the housing need by more than 900,000 units in four regions in California, including the greater Bay Area, which along with Southern California are the most impacted by the state's methodology errors.

The presentation covered penalties for non-compliance, which include, among others, a city's general plan being found inadequate, a city being vulnerable to

lawsuits and fees, and losing local control over land use decisions through court intervention (AB 72). AB 101 provides for fees of between \$10,000 and \$100,000 per month for continuing non-compliance after one year, increasing over time. In case anyone was wondering what might happen to the city if it failed to comply, Buckley directed attention to what happened to Pleasanton, which was sued by the Urban Habitat Program. The case was eventually settled, with the city paying almost \$2 million of the plaintiff's legal fees and agreeing to stop capping growth in the city.

Council Member Darlene Gee asked about the myriad pieces of pending housing legislation. "How does that play into what happens with our housing element?" she wondered. "If new legislation becomes law, does that have to be incorporated?" She also asked about currently pending lawsuits, particularly those from Southern California.

Gastelum responded, "nothing is off the table" and pointed out that AB 686, a bill that requires public agencies to administer its programs and activities relating to housing and community development to affirmatively further fair housing, is already law. She reviewed the potential effects of AB 1397 affecting non-vacant sites; SB 166 on net-loss zoning; SB 35 on streamlined approval

for housing projects; SB 330, the housing crisis act of 2019; and the housing accountability act, adopted in 2017.

Orinda is considered a metropolitan area with a default density set at 30 units per acre, which is presumed to be suitable for lower income housing. In public comment Nick Waranoff said that he is working with a statewide group on the housing issue. The central problem, in his opinion, is that to meet its RHNA goal, Orinda would need 25 acres at 30 units per acre. But, he pointed out, Orinda does not have 25 acres of vacant land. Therefore, he concluded that the housing element will have to focus on non-vacant lots. This will require knowledge of every existing lease, Waranoff said, and the city will have to go well beyond RHNA numbers in order to account for the reality that not everything zoned for will be developed.

According to Gastelum, whether talking about a vacant site or a non-vacant site, to be considered adequate sites must be available for residential use during the planning period, have infrastructure availability, and be free from unmitigable environmental constraints. She added that the city may need to consider zoning updates to increase available density and adjustments to development standards, such as parking, open space, height and lot coverage.

Council presents proclamation on Black History Month to Stuart House



Stuart House (center) marching in Montgomery, Alabama.

Photo provided

By Sora O'Doherty

During items for the good of the city at the Feb. 16 Orinda City Council meeting, members presented a proclamation recognizing Black History Month to Stuart House, the Orinda Union School District director of facilities, owing to his historic work with the civil rights movement and Martin Luther King, Jr. in Selma, Alabama.

In accepting the proclamation, House spoke of his history with the civil rights movement, which he joined when he was just 13 years old. Almost 56 years ago House participated in the civil rights movement in Selma, Alabama as a part of the voting rights effort led by King. House worked with King, the Student Nonviolent Coordinating Committee, the Southern Christian Leadership Conference and the other civil rights organizations supporting the passage of the Voting Rights Act of 1965, which, House noted, is up for consideration

again by the Congress.

"It's a John Lewis bill," House told the council. "John Lewis and I worked very closely together as well, and he was a good friend of mine."

House, who has also served on the Traffic Safety Commission, has been a resident of Orinda for the past 16 years, living with his wife Kathleen, who served on the Art in Public Places and the Parks & Rec commissions, in the home he built himself.

In 1926, Carter Goodwin Wilson, a Black historian, established a week to recognize the accomplishments of Black American citizens. Wilson chose the second week in February because it coincided with the birthday of Abraham Lincoln on Feb. 12 and that of Frederick Douglass on Feb. 14. The month of February is now recognized as Black History Month.

House came from a Michigan community of well-to-do African Americans and from what he understood to be a not so atypical African American family. His dad was a psy-

chiatrist, and his mother was a teacher with a master's degree. He had an aunt who was circuit court judge, and another who was a noted chemist. His step-father was a Yale law school graduate, who graduated from Yale at 18 years old. His grandparents were both college graduates in Mississippi who graduated from Alcorn College.

"We were a very well-to-do family. I lived in a community of other African Americans who were also very well-to-do, very much like Orinda," House said. "A lot of people don't know this about African Americans."

In accepting the proclamation, House said, "I have spent my entire life working for freedom, justice, diversity and inclusion, and I commend the city council for its efforts in that area and for its resolutions and proclamations and this proclamation for Black History Month." He added, "It's important that we do this, and we have a lot of work to do, as you well know."

He expressed his pride in his neighbors, many of whom are in industry, corporations, and professions like lawyers, as well as others who have stepped up to the Black Lives Matter movement, which, he said, he thinks is just amazing and wonderful and needed.

"It makes me very proud about the Orindans who have exercised their conscience about these matters of injustice around the world and in this country," he said, acknowledging the council's efforts to raise their own consciousness, and noting how the Orinda Union School District among staff and its board, are helping people take a deeper dive into understanding and fighting racism. "It's so insidious and so pervasive and so institutional, so we've got to work hard at understanding it and its manifestations, and rooting it out so that we can ulti-

mately have a community that respects all human beings of every race, creed, color, nationality, and in the spirit of Dr. King and his vision, his dream."

Mayor Amy Worth, thanked House for his beautiful words, saying that they were so inspiring and that Orinda is fortunate to have him as a part of our community. "You are absolutely right that we have a long way to go and much to do," she said, "but I think that the thoughtful conversations and discussions in our community and the actions we can take are really important." Worth praised House as an amazing guy, with incredible experience, courage and grace.

Council Member Darlene Gee said it was lovely to have House at the meeting. Gee and Worth are participating with OUSD board to move forward to improve diversity and inclusion in the city and at the schools. She added that it was inspiring to hear his story and a pleasure to have him share his personal experiences. Council Member Inga Miller agreed that his sharing his stories is just a wonderful thing to do, to keep alive the memories of the people you met with and worked with. House agreed that the kids love to hear to hear him talk about Rosa Parks, who was a good friend of his, and they also love to hear him talk about the time he was arrested for trying to buy an ice cream cone at a Dairy Queen.

House has been featured in a recent book, "Tip of the Arrow," a detailed reflection on the nonviolent movement and events surrounding the historic Civil Rights Act of 1964 and the Voters Rights Act of 1965. The author, Charles A Bonner, now an attorney in San Francisco, told House that he inspired him when he came to Selma.