



City Council Reg. Meeting:
Tuesday, Nov. 4, 7 p.m.
Orinda Library Auditorium
Planning Commission
Tuesday, Nov. 12, 7 p.m.
Orinda Library Auditorium
Supplemental Sales Tax Oversight Commission
Wednesday, Nov. 13, 6:30 p.m.
Sarge Littlehale Community Room, 22 Orinda Way

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COMPASS

Orinda City Council acts upon Writ of Mandate

By Sora O'Doherty

Public comments on the issues raised by a recent Writ of Mandate issued by Contra Costa Superior Court highlighted once again the conflict between the drive by the State of California to force more housing units on localities and the concerns of residents that more density will worsen the already frightening danger of not being able to evacuate from deadly wildfires.

On Oct. 9 the Orinda City Council voted unanimously to set aside the Jan. 31, 2023 certification of the Plan Orinda Environmental Impact Report (EIR) and certain related approvals, including the Downtown Precise Plan. The council held a special public meeting on the action.

Several public speakers addressed the council. Frequent public commenter Nick Warranoff took the opportunity to complain about Mayor Darlene Gee and Vice Mayor Latika Malkani, asserting that they had prejudged the issues before hearing the evidence. "It's tantamount to a contempt of court," he charged.

He continued to say that the two members of the city council do not care about what the EIR

will show, how long it will take residents to evacuate, or how residents feel about the daily traffic backups on Moraga Way that will be caused by the Downtown Precise Plan.

Michele Jacobson, the only known member of the group that sued Orinda, Orindans for Safe Emergency Evacuation (OSEE), is a former Orinda resident who now lives in Lafayette. She urged the city to hire a firm of traffic engineers to do an update of the evacuation analysis. Jacobson has previously been elected to the board of the Orinda Association when it was, she said, "the de facto city council" of Orinda prior to its incorporation in 1985.

Orinda resident Carolyn Mills also spoke about the EIR. She told the council that since 1971 she served as chair of the Rental Association Planning Commission for many years, and was a planning commissioner before the city incorporated and sat on the Design Review Board for seven years. She said she had also prepared EIRs for cities, provinces, and special districts. She mentioned that allegedly disregarding the comments of the chief of the

Moraga Orinda Fire District was uncalled for.

Kathleen Jenkins, an Orinda resident, spoke about having her own home insurance not renewed, and how frightening the threat of fire in Orinda is. She recommended that the city not readopt the Downtown Precise Plan (DPP) which, she suggested, is not required for the current Regional Housing Needs Allocation (RHNA) in the Housing Element.

Rusty Snow submitted written comments on behalf of Orinda Watch, urging the city to not readopt the DPP, which, he wrote, "creates too many housing units that Orinda Watch believe the majority of Orinda residents do not want."

Following public comments, Planning Director Lashun Cross gave a detailed presentation about the work done by the planning department on Orinda's 6th cycle Housing Element, which was adopted prior to her appointment. She also summarized many new laws and their effect on localities in terms of discretion, or lack thereof, to approve new housing units.

Orinda was one of the first California localities to have its 6th cycle

HE approved by the California Department of Housing and Community Development (HCD), but was sued shortly thereafter by Orindans for Safe Emergency Evacuation.

The staff report, presented by City Manager David Biggs at his final Orinda city council meeting before his retirement, said that "It is important to note that the Judge left the City's Housing Element in place and acknowledged that the City has no choice but to meet the State mandate for adding opportunities for housing development in Orinda. In addition, the Safety Element also remains in place."

As a result of the Judge's rulings, the city was required to set aside its certification of the Plan Orinda EIR and the Statement of Overriding Considerations. Orinda was required to rescind the DPP during the EIR revision process. Following the action by the council on Oct. 9, staff will revise certain portions of the EIR for review and certification. The matter will return to the city council for further action, and there will be opportunities for further public comment.

Working the polls Nov. 5

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After training as an election inspector, O'Doherty stepped in to help solve the chaos at the first early voting site in Walnut Creek and later she was assigned to be the inspector for the polling station at The Rock Church in Danville. Now, she is looking forward to having her fabulous crew back together next month.

As a journalist, she knows keeping her preferences under wraps is expected, and elections are non-partisan. Election fraud is particular a topic that has interested her, and serving at the polls enables her to see the legitimacy of the elections and why.

The three inspectors cited various improvements in the voting process that have come along and helped to simplify the process. But one they all had in common

was the introduction of Apple poll pads a couple of election cycles back that was seen as a notable game changer.

"The addition of the Poll Pad greatly lowered the stress in checking voters in and eliminated all the manual paperwork which slowed everything down," said Taylor.

Taft wholeheartedly concurred. "We used to have to keep a paper trail in both the signed roster, and the master list," he said. "Very tedious."

O'Doherty also cited the value of the poll pads to quickly check in voters and identify the proper ballot for everyone who walks into the polling stations.

She also voiced good riddance to the giant black boxy machine that the voters once had to wait to see their ballots scanned in. Then, after the polls closed, it was opened up and all those

scanned ballots staring up at poll workers from the bottom of the machine had to be moved to yet another box.

For all the changes and improvements, it still makes for a long day. Nonetheless, these poll warriors are happy to do it and hope others might be inspired to join their ranks when they come to vote or drop off their vote by mail ballots next month.

Taylor noted it's quite an experience of meeting all the voters and making sure their votes are accounted for properly. While new clerks come in with great apprehensions, he and his returning clerks have them settled into it in no time.

"I am a believer in volunteerism," said O'Doherty. "You are helping the elections to be everything you want it to be and don't have to wonder about it."

But in the current climate where some voters have questions about the electoral process and safety of their votes, an important asset each of the trio possesses is a calm demeanor essential for diffusing potential situations.

Taylor noted there seems to be one jerk per election cycle that needs to be dealt with. But he has managed to handle such situations, including one occasion when the assigned rover visited polling stations during the day happened to observe the encounter and laud his handling of the matter.

"It's our way or the door's over there," Taylor said.

O'Doherty in fact welcomes the input from those who see where things are amiss. She recalled one irate individual who called out the absence of polling place signage at the Danville site.

"You are 100 percent correct that we need to have a big sign identifying us as a polling place," she responded, and she knew exactly where one was to right this wrong.

Is Taft worried with the election just around the corner? No.

"I cannot worry about things I have no control over," he said. "I just want to make sure that my little piece of the puzzle is done well and done right."

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